



TOWN OF WARNER

PO Box 265
Warner, New Hampshire 03278-0265
Telephone: (603) 456-2298 Fax: (603) 456-2297
Warnernh.gov

Select Board: Harry Seidel, Chair
Faith Minton
Michael Smith
Kathleen Frenette, Town Administrator
administrator@warnernh.gov
selectboard@warnernh.gov

Selectboard Meeting Minutes Tuesday, June 11, 2024, 5:00 pm

I. Open meeting and roll call:

Chair Seidel opened the meeting at 5:00 PM.

Present: Chairman Harry Seidel, Selectpersons Faith Minton and Michael Smith; Town Administrator Kathleen Frenette and Administrative Assistant Judy Newman-Rogers

Also Present: Clyde Carson Finance Director, Tim Blagden Friends of Concord Lake Sunapee Rail Trail, Nancy Martin, Ed Mical, Wendy Hall, Charlie Albano, Barb Marty, Arlon Chaffee, Ian Rogers, John Leavitt, Mike K. Brown, Hazel Walton, Rhett Walton, Ericka Carr, Sam Carr, Mike Amaral, Derek Lick, (2 representatives from Community Action Program)

Zoom: Steve Bridgewater, Jonathan Lord, Ken Cogswell, Mike Tabory, Community Action Program

II. Minutes 5/28/24

- Page 2 line 49 strike “with” insert “when”

Faith Minton made a motion seconded by Michael Smith to approve the minutes of May 28, 2024 as amended.

Motion passed unanimously.

III. Select Board Business

a. Collins North Village Road Land Donation, Map 09 Lot 028, 16 acres, Motion to Accept /Deny.

Faith Minton made a motion seconded by Michael Smith to accept the Collins North Village Road land donation of map 09 lot 028 16 acres. Motion passed unanimously.

b. Volunteer Interest Forms Received, Boards and Committees, Interviews and Appointments

- John Puc New Volunteer Agricultural Commission - appointed.
- Michael Biagiotti and Catherine Arasonian, Agricultural Commission Reappointments, appointed.
- Michael Amaral, Conservation Commission Reappointment

Faith Minton made a motion seconded by Michael Smith to reappoint Michael Amaral to the Conservation Commission. Motion passed unanimously.

c. Michele Courser, Town Clerk, Unlicensed Dog Forfeiture Warrant

Town Clerk Michele Courser informed the Select Board that all dogs are required to be licensed and the list provided would be forwarded to the Police Department for enforcement. She requested that the Select Board sign the warrant. The Select Board signed the Unlicensed Dog Forfeiture Warrant.

d. William Chandler, Police Chief, Police Department Security Cameras – rescheduled

e. Warner Community Center (WCC) Annual Lease Renewals

1. Lease renewal for CAP (Community Action Program), Michael Tabory from CAP informed the Board that the lease will automatically be renewed for 2 years unless either party gives 30 days notice prior to the expiration. The Select Board agreed to the renewal through 2026.

Faith Minton made a motion seconded by Michael Smith to renew the lease for Community Action Program. Motion passed unanimously.

Kathy Frenette stated that she would follow up with CAP regarding the expiration of their liability insurance.

1 2. Boys and Girls Club lease renewal reviewed, determined a copy of the required liability insurance needed
2 **Faith Minton made a motion seconded by Michael Smith to renew the lease for the Boys and Girls Club**
3 **conditional upon providing the required liability insurance. Motion passed unanimously.**
4

5 3. Warner Connects lease renewal reviewed. Harry Seidel addressed the maintenance and repairs portion in the lease,
6 the need for consistency throughout all lease agreements, suggested adding language as found in the other lease
7 renewal agreements, the required certificate of insurance was not included, stated a reminder that landlord
8 approval is required for any alterations and suggested the current signs on the door and in the asphalt be removed
9 and the sign of all building occupants at the street be updated. Jonathan Lord (Warner Connects Board Chair
10 informed the Board that the previous administration approved the signage. Harry expressed concern about
11 allowing one tenant to have multiple signs.

12 **Faith Minton made a motion seconded by Michael Smith to renew the lease agreement for Warner Connects**
13 **conditional upon adding the last line of #9 as found in other lease renewal agreements, a Select Board review of the**
14 **signage on the property and upon providing the required liability insurance. Motion passed unanimously.**
15

16 ***Discussion on the motion***

17 Nancy Martin questioned the Town meeting vote to approve Warner Connects rent free status while in the Warner
18 Community Center (WCC). She asked if that would be in perpetuity. The Select Board informed her that could be
19 changed at the next town meeting if the voters chose to. Michael Smith expressed his frustration with the rent-free
20 situation, he believes they should pay something. Nancy Martin suggested waiting to hear from the public when the
21 Economic Development survey results are in. John Leavitt stressed that the voters overwhelming voted in support of
22 providing the space to Warner Connects rent free.
23

24 Harry Seidel explained the Board is given the responsibility to maintain town buildings for all residents of the town, if
25 funds are not available to manage the buildings, the building will degrade, it is important to consider that the taxpayers are
26 paying for this building in the absence of any rent collected from this tenant, acknowledged the direction the legislative
27 body gave at town meeting and cautioned that the building has suffered from lack of available funding for upkeep.
28

29 4. Gear Up lease renewal reviewed. Harry Seidel explained that the Gear Up agreement stipulates rent of \$200 a
30 month. He spoke about the requirement of notification for inspection. Erika Carr, Gear Up President, clarified
31 that they requested notification to be aware of who would be in the building and there were times when lights
32 were left on. Harry Seidel stated he is in agreement with the request. The Select Board requested a copy of their
33 insurance.
34

35 Harry Seidel suggested the Town utilize 272 square feet of office space within the Gear Up space for municipal/the
36 welfare department leaving 1537 square feet for Gear Up.
37

38 Erika Carr stated it was her understanding that space would be available on Fridays and they do not have money to pay
39 \$200 per month. Faith Minton asked if all students are from Warner. Erika Carr indicated there are students from other
40 communities; she stressed her request is to return to the previous arrangement - memorandum of understanding (MOU) -
41 limited use, smaller fee; they would need the space only twice a week. Harry Seidel stressed the need for Welfare
42 Department space that provides confidentiality. Ed Mical asked if moving the welfare department to the 3rd floor office
43 would meet the ADA requirements. Michael Smith stated welfare meetings could also take place in the Community
44 Action Program(CAP) ADA accessible space with the welfare office/desk upstairs; CAP is agreeable to this. The Select
45 Board agreed to revisit the agreement after the remaining issues are resolved.
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48 **IV. 6:00pm Open the Public Hearing: To hear public comment to accept and expend unanticipated funds**
49 **from the Friends of the Concord Lake Sunapee Rail Trail (FLSRT) for NHDOT project 44161 (Rt 89**
50 **exit 9 Rail Trail).**

51 Tim Blagden provided: the project is entering the engineering phase, starting to incur expenses, the Town needs to
52 establish a special escrow account to manage funds, requested the Town accept FLSRT funds and allow the town's
53 treasurer to expend those funds as needed, agreement has been reviewed and approved by Town's attorney. Clyde Carson
54 informed the Board he is confident this agreement is the best way to manage the necessary funds for this project.
55
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1 **Open Public Comment**

2 Barb Marty asked how Clyde Carson’s time would be reimbursed since the project is not to cost the Town any money and
3 asked for clarification on the environmental study. Clyde Carson explained his time spent on the Rail Trail is minimal.
4 Tim Blagden stated the environmental study is handled by the consultants, the State will hold a public hearing in July
5 allowing the public to speak about the project. Ed Mical asked for clarification on the amount of funds to be accepted and
6 expended. Tim Blagden explained the first deposit is \$300,800. John Leavitt asked if the environmental study would
7 address possible impacts downstream. Tim Blagden stated that is a good question to ask at the July public hearing. John
8 Leavitt stated this project was not to cost the Town anything and feels any use of Clyde Carson’s time is a cost to the
9 Town. Rhett Walton stated he is in support of this project as are many people by the attendance at 6pm for this hearing.
10 He stated at town meeting voters voted to stop the road blocking of this project.

11 **Closed Public Comment**

12 Harry Seidel stressed the attorneys for the Town and FCLSRT have reviewed the agreement and both approved it.

13 **Selectboard Action**

14
15 **Faith Minton made a motion and seconded by Michael Smith to accept and expend the unanticipated funds of**
16 **\$300,800 from the Friends of the Concord Lake Sunapee Rail Trail for the NHDOT project # 44161 Rt 89 exit 9**
17 **Rail Trail and to be deposited in escrow at Sugar River Bank. Motion passed unanimously.**

18 **Close Public Hearing**

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23 **V. Porter Preservation Easement, Renovation List**

24 The Select Board discussed the current condition of the barn, the need for a detailed map of the entire parcel showing the
25 property location, orientation, overall boundaries, acreage, and clearly showing the easement area.

26
27 **Faith Minton made a motion seconded by Michael Smith to grant the easement at 25% of the value of the barn**
28 **conditional upon receiving the map. Motion passed unanimously.**

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31 **VI. Marty/Bridgewater Preservation Easement, Property map**

32 The Select Board discussed the need for a detailed map of the entire parcel showing the property location, orientation,
33 overall boundaries, acreage, and clearly showing the easement area. The Select Board discussed the current condition of
34 the barn and the efforts thus far to preserve the barn.

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37 **VII. Review Edited Draft Building Permit Application**

38 Harry Seidel advised that the draft building permit is in final editing and should be ready for review at the next meeting.

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41 **VIII. National Floodplain Insurance Program (NFIP) Questionnaire**

42 The Select Board reviewed the National Floodplain Insurance Program (NFIP) Questionnaire. Harry Seidel stated that the
43 Town of Warner is a member of the NFIP, must have an approved flood hazard ordinance, adopt the latest flood insurance
44 rate maps and must comply with the NFIP procedures. The questionnaire questions and responses were reviewed. (and
45 will be included in the final version of the Hazard Mitigation Plan)

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47 **Faith Minton made a motion and seconded by Michael Smith that once the spelling corrections are made the**
48 **document be submitted to Stephanie Alexander. Motion passed unanimously.**

49
50 Ed Mical advised the Select Board he and Tim Allen, Director of Public Works (DPW) have been working on a hazardous
51 mitigation application that is due this Friday at 4pm and requires the Board’s signatures. He explained it is a 75/25 match
52 to replace the culvert damaged in a prior storm.

1 **IX. Tax Abatement Application, Map 15 Lot 014**

2 The Select Board heard from Mr. Ryan Havey regarding his abatement application. Harry Seidel explained the request is
3 premature, can only be accepted after the final notice of tax and is due no later than March 1st pursuant to state law. Faith
4 Minton urged Mr. Havey to meet with Loren Martin, Avitar Assessor, to schedule a property inspection to resolve the
5 issues. The Select Board advised Mr. Havey to ask Loren Martin any questions he may have.
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8 **X. Administrator Report - Kathy Frenette, Town Administrator**

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- The State of NH is painting 3 bridges on I-89
 - The Historical Society is looking for a Select Board member to participate in the community reading as part of the
10 state-wide Black Heritage Trail event on Saturday June 29th at noon.
 - Pride flag: where to fly the pride flag.

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13 **Faith Minton made a motion and seconded by Michael Smith to hang the Rainbow Flag on the town hall
14 building for the month of June. Motion passed unanimously.**

- Personnel policy is still being reviewed, work in progress.
 - Mandatory training for all transfer station staff June 12th 9:00 am to 11:00 am, Station closed
 - Primex online training will be scheduled for staff.
 - NH Digital Government Summit topics were AI, cybercrime, ransomware attacks,
 - Department Head meeting June 12th to include Healthtrust representative to discuss benefit programs.
 - The website revamp meeting is June 12th last meeting until further notice.
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23 **XI. Consent Agenda**

24 **Harry Seidel made a motion seconded by Faith Minton to approve the Consent Agenda as follows. Motion passed
25 unanimously.**

- 26 1. Motion to Approve as signed by the Warner Selectboard:
- a. Map 07 Lot 014 Red Chimney Road
 - b. Sale of town property, New Waterloo Cemetery Lot
- 27
28
- 29 2. Motion to Approve the following Requests to the Trustees of the Trust Funds for:
- a. \$516.54 William D. Davis Fund to pay MainStreet Book Ends of Warner for the cost of the books for the
30 Davis Awards to Simonds School students.
 - b. \$16,533.00 from the Police Vehicle Capital Reserve Fund to pay the Executive Transfer invoice.
 - c. \$4,000.00 from the Bridge Repair/Replace Capital Reserve Fund to pay the Michie Corporation invoice.
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- 34 3. The MadgeTech building project is complete from the Town perspective and the funds with accumulated interest in
35 the escrow account must be returned to MadgeTech. Therefore, a Motion is made to order the Treasurer to close the
36 MadgeTech Escrow account, deposit the balance into the Town municipal account and the Town will issue a check
37 equal to the deposit to MadgeTech.
- 38 4. The Comet LLC building project is complete from the Town perspective and the funds with accumulated interest in
39 the escrow account must be returned to Comet. Therefore, a Motion is made to order the Treasurer to close the Comet
40 Escrow account, deposit the balance into the Town municipal account and the Town will issue a check equal to the
41 deposit to Comet.
- 42 5. To approve and order the Treasurer to open a new checking account at Sugar River Bank for the purpose of managing
43 the Friends of the Concord Lake Sunapee Rail Trail (CLSRT) project at exit 9; further, the account will be jointly
44 managed by the Town and CLSRT with 2 signatures/approvals per disbursement of funds, one by the Town Treasurer
45 or Deputy Treasurer and one by the Treasurer or Deputy Treasurer of the CLSRT.
- 46 6. The Fire Department Building project is complete from the Town perspective and confirmed by the Warner Fire Chief
47 to have no follow up items associated with it, therefore, a Motion is made to order the Treasurer to close the Fire
48 Department Building Escrow account and deposit the funds and accumulated interest into the Town municipal account
49 to be used to reduce the principal on the Fire Station loan.
- 50 7. To approve and order the Treasurer to open a new escrow account at Sugar River Bank for Land Use applicant,
51 Sydney Boyer, for the purpose of paying a third party, Aries Engineering, for review of the sub-division plans for
52 compliance.
53

1 Discussion on the Madgetech building project. Harry Seidel asked if the Fire Marshall has to inspect the building, he had
2 hoped the building would be added to the tax rolls, prior building material issue thought needed to be resolved, Select
3 Board will contact Tom Baye, Building Inspector, for clarification.
4

5 **XII. Manifest**

6 **Harry Seidel made a motion seconded by Faith Minton to approve the manifest as follows. Motion passed**
7 **unanimously.**

8 Motion for the Select Board to approve the following previously signed manifests:

- 9 • Accounts Payable check numbers 10285 through 10315, dated 6/5/2024, in the amount of \$64,898.85.

10 Motion to authorize the Select Board to approve and order the Treasurer to sign the following manifests:

- 11 • Accounts Payable check number 10316 dated 6/10/2024, in the amount of \$13,090.51 for the Federal Tax deposit
12 for the June 13th bi-weekly payroll.
- 13 • Bi-weekly payroll checks numbers 3701 through 3708 and direct deposit check numbers E01652 through E01683
14 dated 6/13/2024 for a net payroll of \$42,017.77.

15 Accounts Payable check numbers 10317 through 10327, dated 6/11/2024, in the amount of \$332,942.03, which includes
16 the May allocation payment \$314,801.00 to the Kearsarge Regional School District.
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18 **XIII. Public Comment**

19 Judy Newman-Rogers suggested the Select Board set their summer schedule. The Select Board agreed to change their
20 regular meeting start time to 3pm. And for the summer: meet June 25th at 3:00 pm, July 9th at 9:00 am, July 23rd at 3:00
21 pm, August 6th at 9:00 am, August 20th at 3:00 pm, September 3rd at 3:00 pm.
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23 **XIV. Unanticipated Agenda Items**

- 24 a. Harry Seidel spoke about the needed improvements at the old Graded School: the replacement of doors, the
25 street signage and the building of the ramp. He would like to see improvements addressed sooner rather than
26 later.
- 27 b. Further discussion on the lease agreement renewal with Gear Up. Judy Newman-Rogers interpreted that
28 Erika Carr's explanation of a memorandum of understanding with Gear Up would specify when the space
29 could be used by Gear Up, allowing the Town to rent the space to other groups when not in use by Gear Up.
30 Michael Smith questioned if an MOU could be secured with Warner Connects and his frustration they are not
31 contributing towards the cost of their building usage. Faith Minton expressed frustration that Warner
32 taxpayers are subsidizing people from other communities and suggested establishing an agreement that
33 ensures payment in kind such as cleaning or general upkeep. Michael Smith suggested requiring tenants to
34 pay utilities. The Select Board agreed to look into establishing a MOU with Gear Up and Warner Connects
35 for the town attorneys to review. Faith Minton would like Warner residents to take priority and she suggested
36 including language to the MOU to cover that.
37

38 **XV. Non-Public Session RSA 91-A:3 II (a,b,c,d,e,f,g,h,I,j,k,l)**

39 **Harry Seidel made a motion to enter into non-public session pursuant to RSA 91-A:3 II(b) – Hiring a**
40 **public employee. Second: Faith Minton.**

41 **Vote by roll call:** Seidel: Yes Minton: Yes Smith: Yes Motion passed unanimously.

42 **Enter into non-public:** 8:17 pm

43 **Motion to return to public session by:** Minton Second: Smith

44 **Vote by roll call:** Seidel: Yes Minton: Yes Smith: Yes Motion passed unanimously

45 **Return to public session:** 8:52 pm

46 **Motion to seal minutes for 5 years:** Minton Second: Seidel

47 **Vote by roll call:** Seidel: Yes Minton: Yes Smith: Yes Motion passed unanimously
48

49 **XVI. Adjournment - Meeting adjourned at 8:54 pm**
50

51 Respectfully Submitted by Tracy Doherty