



TOWN OF WARNER

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Select Board: Michael Smith, Chair
Harry Seidel
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Kathleen Frenette, Town Administrator
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Select Board Meeting

Tuesday, May 13, 2025

4:00 PM

Lower Meeting Room Warner Town Hall

I. Open the Public Meeting and Roll Call

Chairman Mike Smith reconvened the public meeting to order at 4:13 PM.

Warner Select Board Members Present: Alfred Hanson, Mike Smith, Harry Seidel and Town Administrator Kathy Frenette.

Members of the public in attendance: Charlie Albano, Martha Mical, Ed Mical, James Gaffney, John Leavitt, Rebecca Courser, Bob Holmes, Karen Coyne, Ian Rogers (via Zoom), David Carle, Micah Thompson, Mike Carol.

II. Pledge of Allegiance

The Pledge of Allegiance was recited.

III. Public Comment

- Charlie Albano spoke about Warner Community Center improvements. He suggested a meeting with the Town Administrator to review the Energy Grant from the Community Development Finance Authority. Harry Seidel supports the idea, but he would prefer the Select Board discuss it at their next meeting. Mr. Albano spoke about the Burrington Builders property. He stated that he would like to review the contract because the project has taken a long time. He suggested a plan be implemented that requires the developer to show progress over the next two years.
- Martha Mical asked the Select Board to enunciate when speaking so the audience could hear them.
- John Leavitt stated that the NHMA recommends that public comment be limited to 10 – 15 minutes. He stated that at the last meeting the Select Board took public comment for half an hour.
- Rebecca Courser stated that public comment is open-ended and is the public's opportunity to be heard. Mike Smith explained that in the past there was a limit of 2 minutes but often there is no public comment. Harry Seidel sees both sides if it is managed properly.

IV. Select Board Business

a. David Carle Select Board Procedures

David Carle presented his suggested amendments to the Select Board rules and procedures. 1) Signature page 2) amendment procedure 3) five-year review of property tax exemptions. The signature page has been added.

Amendment Procedure: The Select Board discussed the process. Harry Seidel appreciates the process that takes a few meetings to implement, giving ample time to inform the public. Mike Smith stated that he is of the opposite opinion and prefers a simple straightforward process. David Carle spoke in favor of a process that introduces an amendment, time to consider the amendment, receive public input and then a vote on the amendment. Harry Seidel would like to adopt the proposed language: "an amendment to the Rules of

Procedures may be moved at a Select Board meeting but shall not be voted upon until the next regularly scheduled meeting not less than seven days later.” Alfred Hanson concurred.

Harry Seidel made a motion seconded by Alfred Hanson to approve the proposed amendment procedure; “an amendment to the Rules of Procedures may be moved at a Select Board meeting but shall not be voted upon until the next regularly scheduled meeting not less than seven days later. A copy of any amendment shall then be certified and submitted to the Town Administrator for inclusion in the Select Board’s records. The Town Administrator shall be responsible for the updating and distribution of the most current version of the Rules of Procedure containing the most current amendments to the document and updating the Town web site with the same.” ROLL CALL VOTE Seidel YES Hanson YES Smith YES

Property Tax Exemption Review: David Carle suggested a review of the town’s property tax exemptions every five years to coincide with the town wide revaluation. He explained that this does not guarantee a change to the property exemption, it just requires a review of the property tax exemptions every five years. He stated that would avoid a long period between reviews. He stated the last modification to the property tax exemptions was done in 2006. Mike Smith stated that this is the responsibility of the Assessing Clerk. Martha Mical stated that she reviewed the exemptions in 2015. Mike Smith reiterated that this is an assessing function. Harry Seidel spoke in favor of reviewing the exemptions at the same time as the town wide revaluation. Martha Mical agreed with Mike Smith that this is a function or responsibility of the Assessing Department. David Carle stated that it would be up to someone in town to bring forward a warrant article if it was determined that the exemptions should be adjusted. He suggested the Select Board could establish a review committee. James Gaffney suggested that the Town could post their findings related to the property tax exemption allowing citizens to decide if they want to put forward a warrant article. Alfred Hanson stated that the Select Board should be involved or aware of the process.

Alfred Hanson made a motion seconded by Harry Seidel to table the proposed property tax exemption review for further consideration. ROLL CALL VOTE Seidel YES Hanson YES Smith NO

The Property Tax Exemption Review was tabled until the May 27, 2025, Select Board meeting.

David Carle stated that the Rules of Procedure is an extremely important document for this board. He stated that it is only important if it is followed. He noted that there are several procedural items that the Select Board has not followed such as the selection of a Chair and Vice Chair. Mr. Carle explained that for the document to have the power and guidance the Select Board must follow it.

b. Mike Carrol: Building Permit

Mike Carrol spoke to the Select Board about how much the new building permit fees have increased. He stated that he is a local contractor, and he was surprised at the significant increase. He stated most surrounding towns are approximately \$100-\$150 and Warner is \$300. Mike Carrol spoke about the price per square foot (.35) for a finished living space which now also includes unfinished basement space. He stated that many people do not finish their basements and use them for storage. He would like to see the price for unfinished basement be a lesser amount. Mike Carrol stated that the fees are non-refundable which he feels is unfair. He informed the Select Board that he recently pulled permits for a property in the amount of \$2,000. He stated that he does agree that a review fee should not be refundable to account for the time someone spent reviewing the documents, but he would like the Select Board to reconsider making permit fees non-refundable. He suggested clarifying the septic inspection language does not apply to private septic systems.

Alfred Hanson asked for a recap of how the building permit fees were adjusted last year. Harry Seidel explained that he looked at what surrounding communities were charging. The Select Board recognized that there were

several issues relating to the building permit structure. He stated that it was costing the town more to issue the permit than was collected. He explained that he and Mike Smith worked on this for a long time and there were several revisions. Harry Seidel stated that building codes have evolved to that a conditioned space in a basement requires the walls to be insulated. He stated that is why many towns charge the same. Mike Carroll stated that the building code does not require the walls to be insulated. There was a discussion regarding the number of times that the building inspector inspects a new construction project (6-7 times). Micah Thompson, a local contractor, stated that the Select Board held one public hearing that lasted 45 minutes. He stated that there was not enough time and felt as though it was pushed through. He stated that there used to be 6 things that a building permit needed now there are 26. He stated that people cannot afford the new fee structure. He stated that the Town of Bradford charges \$50. James Gaffney stated that in the past permits were significantly delayed and requirements were put on the applicant that the State and the law do not require. Mr. Gaffney advised the Select Board that he suggested in the past that the Select Board put together a committee of knowledgeable people to review the building permit process to identify any issues and collectively come up with a solution. James Gaffney stated that the link on the website to the building permit does not work. Mr. Gaffney advised the Select Board that State Law prohibits towns from charging more than it costs them. He stated that he has not been able to find any Select Board discussion on what the actual costs were or how the new fees were calculated. He urged the Select Board to revisit the building permits. Karen Coyne stated that she recently filed for a building permit for \$150 to pull the permit and \$150 for permit review. She asked for clarification on the fee calculations. She stated that the permit she pulled was for a small porch and would not require 6-7 visits from the building inspector.

Alfred Hanson asked if there is a different fee structure for building a new home verses a bathroom renovation. Mike Smith stated the fees are the same. Mike Smith stated that the Select Board held several public discussions relating to the building permit fee increase and held one public hearing.

c. HOP II Grant Committee Set-up

Mike Smith stated that the Planning Board Chair has indicated that the Planning Board should be tasked with establishing the HOP II Grant committee. Harry Seidel explained that the statutory requirement is for the Select Board to create the committee and appoint the members. He noted that many of the interested people are Planning Board members. Alfred Hanson asked if there is a conflict for Planning Board members to sit on the committee. Harry Seidel stated that there is no conflict unless it creates a Planning Board quorum. Karen Coyne explained that originally it proposed that the HOP Committee be subcommittee of the Planning Board with the inclusion of public / citizen members. She stated that they did not want the original HOP Committee to be driven by the Planning Board. She explained as the process went along, and Planning Board members attended the meetings they realized that a quorum of the Planning Board was created. She stated that at that time the decision was made that the entire Planning Board would attend the HOP Grant Committee meetings. Karen Coyne explained that the applications submitted for the HOP II Grant have resulted in a Planning Board quorum. She suggested two solutions; 1) the HOP II Grant Committee should be facilitated as a part of the Planning Board or 2) a separate committee all together and only one Planning Board member seated. Harry Seidel suggested three Planning Board members.

Alfred Hanson stated that the Select Board needs to move forward and cautioned about putting this under the Planning Board. Harry Seidel stated that original HOP Grant Charter mentions the Planning Board numerous times. Karen Coyne explained that the Planning Board wrote the charter. Harry Seidel appreciates the idea of civic engagement, fresh ideas and flexibility. Karen Coyne stated that public involvement was not limited, and they felt that was very important when the charter was written. Harry Seidel would like the committee to be created as soon as possible.

Bob Holmes explained that the Charter stated that in order to have a Housing Advisory Committee quorum 3 Planning Board members were required to be present. He stated that it kept a direct connection to the Planning Board. Bob Holmes would like to start moving forward. He spoke about the benefits of working with CNHRP. Karen Coyne stated that the 3-person quorum requirement in the Charter was not intended for the Planning Board's control but to solve the issue of an accidental Planning Board quorum. She explained that by requiring 3 Planning Board members it meant that the meetings would be properly noticed. Karen Coyne advised the Select Board that RSA 673:7 allows only one Planning Board member to serve on this committee.

Ian Rogers (via Zoom) clarified that RSA 673:7 only applies to a commission or board not a committee. He explained that if there is a Planning Board quorum in attendance at a HOP II grant meeting the members must not discuss any Planning Board business and a quorum of the Planning Board could not vote. He stated that if he is appointed to the HOP II Committee he would volunteer to abstain from voting.

Alfred Hanson would like to take on the task of doing some additional research and putting something together for the next Select Board meeting. He explained that he is not prepared to form the committee tonight. Harry Seidel stated that this is an important committee, and he would like to see the committee formed but he would like Mr. Hanson's blessing. Harry Seidel stated that he could support Mr. Hanson's suggestion to table this until the next Select Board meeting.

Alfred Hanson made a motion seconded by Harry Seidel to table the HOP II Grant Committee Set-up until May 27, 2025. ROLL CALL VOTE Hanson YES Seidel YES Smith NO

d. Donation Sam Carlson of Encore Energy

Harry Seidel stated that he would like to see the donation applied to the improvement at the Warner Community Center. He would like to plant two trees at the WCC. He stated that Tim Allen would cut out the asphalt where the trees would be planted. He said the Beautification Committee would plant additional landscape. He spoke to George Pelletier and Tyler Lawn Care; both are supportive of the project. Tyler Lawn Care is willing to the discount his rate. Harry Seidel stated that the trees range from \$200-\$500. Alfred Hanson asked for an estimate, Harry Seidel estimates \$7,000. Mike Smith is concerned that the project would further exasperate the parking issues at the WCC.

Mike Smith stated that there is a proposal for the installation of panic buttons at the WCC and other locations. He also spoke about the proposal from Tyler Lawn Care to correct the issues with the grass outside of Town Hall. Alfred Hanson stated that the Farmers Market would need to relocate for the grass to establish. He spoke about past attempts and money spent to correct the lawn issues. Mike Smith suggested donating the money Warner Fall Foliage Committee, who have a well-established system in place to accept and expend funds. He explained that the committee has agreed to advertise Encore Energy. Mike Smith mentioned replacing/repairing signage. He stated that proposed projects cost total is \$2,200.

Ian Rogers stated that donation from Encore Energy is considered unanticipated funds, and the Select Board must hold a public hearing to accept the donation. Ed Mical concurred that the funds cannot be accepted without a duly noticed public hearing. The Select Board will schedule a public hearing for the next meeting. Martha Mical stressed that all costs need to be available for the public hearing.

e. Town Owned Property

Mike Smith provided a list of Town owned property under consideration for resale. He stated that the town has received a letter of interest regarding Map 14 Lot 46-1 Bartlett Loop. Mike Smith recapped the process that he has been following. Nancy Martin Chair of the Conservation Commission stated that there are several properties on the list that the Conservation Commission does not recommend selling. She explained that Map 14 Lot 46-1 is near the Fish and Game Club and the gun shooting on the property will be an issue for a future buyer. Nancy

Martin stressed that the WCC wants to do their due diligence on researching the properties. She stated that he WCC has not voted on their recommendation yet, but there are approximately 6-8 that they would recommend. Mike Smith clarified that after he meets with the other boards and committees, he will come back to the Select Board.

Harry Seidel made a motion seconded by Mike Smith to move forward the list of Town owned properties to the Planning Board for their review. ROLL CALL VOTE Hanson No Seidel YES Smith YES

Mike Smith reiterated that there is an interested party for Map 14 Lot 46-1. Nancy Martin reiterated that in the past the town did not move to sell the property because of its proximity to the Fish and Game property. Martha Mical urged the Select Board to notice all abutters. Mike Smith asked for a motion to move to the next step for Map 14 Lot 46-1.

Harry Seidel made a motion seconded Mike Smith to move forward by investigating Map 14 Lot 46-1 for resale. ROLL CALL VOTE Hanson NO Seidel YES Smith YES

f. Volunteer Forms: Steve Reale / Anthony Mento

The Select Board discussed the volunteer form from Steve Reale. Steve Reale stated that he is interested in the building inspector position not the compliance officer. Mike Smith stated that Anthony Mento has not submitted his volunteer form. Harry Seidel stated that Anthony Mento is only interested in building inspection, and he supports combining the two (building inspector and compliance officer). Alfred Hanson requested a status update on the building inspector and the alternate. Harry Seidel explained that Tom Baye is retiring. He stated that there are two applicants who would both do a good job. Alfred Hanson stated that when the Town has Tom Baye's resignation in writing they can move forward. Harry Seidel explained that Tom Baye is flexible and will work with the Town. Harry Seidel explained that Anthony Mento is an architect and has considerable experience. James Gaffney explained that the Town has found itself in court relating to zoning issues. He stated that the two positions are closely intertwined. He supports combining the positions. Harry Seidel suggested hiring one of the two applicants to be the town building inspector. The Select Board tabled the discussion until May 27, 2025.

The Select Board took a 10-minute recess.

Alfred Hanson asked if there is a hiring protocol to follow for the Building Inspector. Mike Smith confirmed there is a process. He stressed that the hiring process should be followed. Martha Mical stated that the job needs to be advertised. Harry Seidel questioned if the position should be considered a volunteer when the person is paid a stipend of approximately \$2,000/year for a compliance officer and \$4,000/year for the building inspector. Ed Mical suggests advertising with the NHMA.

g. Abatement: Map 10 Lot 104

Tabled until May 27, 2025

h. Lease Agreement Discussion

Robert Bower of Kearsarge Gore Farm has requested to lease town property on Gore Road Map 21 Lot 9. Elizabeth Labbe Assessing Clerk advised the Select Board that the property is part of the Town Forest, and the Chandler Community would need to be involved in the decision. Harry Seidel explained the property abuts the Town of Sutton and the farm also works with landowners on the Sutton side. He stated that an advantage for the farm to lease the property is the ability to maintain the road allowing access to the Sutton side. Elizabeth recapped that the town took 6 lots (18-6, 18-2, 18-16, 18-12, 18-15 and 21-9 formerly known as Carriage Trail Acres) and in 1993 the town voted in the Town forest.

Alfred Hanson read a comment from the zoom chat that states the Town cannot lease town owned property for more than one year unless it is voted on at Town Meeting pursuant to RSA 41-a. Martha Mical advised the Select Board that they could lease it for one year and the remaining time could be brought to Town Meeting. James Gaffney expressed his concern relating to the agreement; 1) does not reflect how the property will be used, 2) the abutters need to be notified, 3) does the lease cover the tax value 4) setting precedent. He urged the Select Board to give this more thought.

Kathy Frenette informed the Select Board that the Gore Farm has been contacted by Rebecca Courser, and they will be joining the meeting by Zoom. Kathy Frenette stated that according to Kimberley Edelmann, Tax Collector, the tax value is \$1,552. The Select Board will reach out to the Conservation Commission and the Chandler Reservation.

V. Select Board Committee Update

Harry Seidel: stated that the Planning Board is working on the Master Plan, discussing the CIP. The EDAC has not met. Kathy spoke to James Sherman of the EDAC, a meeting will be scheduled.

Alfred Hanson: Parks and Recreation is discussing the maintenance of the fields. The Budget Committee is touring town facilities (Police Department).

Mike Smith: Nothing to report.

VI. Town Administrator's Report

- Julia Jones Town Administrator for the Town of Sutton called. The cell communication service. The Sutton Select Board is open to meeting with Warner. She has not heard back from Bradford.
- J&M Towing from Hopkinton has requested to be added to the Police Department's towing rotation.
- She is meeting next week with the auditors and hopes to have it completed by the end of September.
- The copier service connector came to service the copier, but some issues still have not been resolved.
- The Primex Conference is tomorrow and Thursday.

Alfred Hanson asked if the service technician could give his opinion on the condition of the copier.

VII. Consent Agenda

Mike Smith made a motion seconded by Harry Seidel to approve the Consent Agenda #1 for May 13, 2025, as posted on the Town website. ROLL CALL VOTE Seidel YES Hanson YES Smith YES

Mike Smith made a motion seconded by Harry Seidel to approve the Consent Agenda #2 for May 13, 2025, as posted on the Town website. ROLL CALL VOTE Seidel YES Hanson YES Smith YES

VIII. Manifest

Mike Smith made a motion seconded by Alfred Hanson to approve the Manifest motion as posted on the Town of Warner website (biweekly payroll \$55,597.17 and biweekly payroll direct deposit \$42,276.18). ROLL CALL VOTE Seidel YES Hanson YES Smith YES

IX. Public Comment

None

X. Select Board Minutes April 29, 2025

Tabled

XI. Non-Public Session (If needed, RSA 91-A:3 II (a,b,c,d,e,f,g,h,I,j,k,l,m))

None

XII. Adjournment

Mike Smith made a motion Harry Seidel to adjourn the April 29, 2025, Select Board meeting. ROLL CALL VOTE Seidel YES Hanson YES Smith YES

The meeting adjourned at 7:11 PM.

Respectfully submitted on 5/15/25 by Tracy Doherty
Edited by Darcie Buskey, Assistant Clerk

APPROVED 05/27/2025