



TOWN OF WARNER

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Select Board: Harry Seidel, Chairman
Alfred Hanson, Vice Chair
Michael J. Smith
Kathleen Frenette, Town Administrator

Select Board Public Work Session Minutes August 26, 2025 6:00 PM

I. Open the Public Meeting / Roll Call / Pledge of Allegiance

Chairman Harry Seidel called the work session to order at 6:03 PM. The Pledge of Allegiance was recited.
Select Board present: Chairman Harry Seidel, Vice Chair Alfred Hanson and Mike J. Smith.
Public present: Martha Mical, John Noble, Elizabeth Labbe, Judy Newman-Rogers, Ed Mical, Kathy Frenette, Christine Frost, Andy Bodnarik, Emily Karmen, Rachel Parson, Ray Martin and Tim Allen.

II. Select Board Business:

1. Director of Public Works, Tim Allen

a. Solid Waste Ordinance Revision

Tim Allen explained that there have been a few incidents at the Transfer Station, and he feels that the ordinance should be clarified with more specificity. He acknowledged that a public hearing would be required. He suggested including times the Transfer Station is open to the public/hours of operation.

Tim Allen would like the ordinance to specify that a sticker is required to use the facility. The Select Board agreed to include the hours of operation and the requirement of a sticker in the ordinance. Harry Seidel would like to come to agreement on the revisions so that Tim Allen can move forward. Tim Allen recapped the current hours of operation: Sunday 8-4, Tuesday 12-4, Wednesday 12-4, Thursday 12-7 and Saturday 8-4. Mike Smith explained that the hours were modified last year, and he and Tim Allen did not like that the Transfer Station was open on Sundays. Tim Allen agreed but he acknowledged that Sundays are busy. He stated that it does cost extra to be open on Sundays. Mike Smith suggested adding Friday morning hours and close on Sundays. He stated that they would give employees two consecutive days off (Sunday and Monday). Alfred Hanson does not like Sunday hours, but he is thinking about the residents. He suggested closing Wednesday to process materials. He does not support closing Sundays. Harry Seidel agreed with Alfred Hanson's comments that Sundays are important. Tim Allen will review his operations to determine if closing Wednesday will help and come back to the Select Board with that information. He explained that on Saturday and Sunday the Transfer Station takes in a significant amount that requires the box to be emptied at some time on Sunday.

b. Transfer Station Stickers

Tim Allen requested the stickers be distributed to Warner residents according to the 9-1-1 addresses. He informed the Select Board that there were some people who live in Bradford and have a Warner mailing address. He stressed that the stickers should only be given to actual Warner residents. Mike Smith explained that the Town Clerks office should issue the stickers because vehicle registrations are only for Warner residents and are renewed each year. Alfred Hanson agreed. Mike Smith suggested using color coded stickers for the year. The Select Board agreed to color code the stickers and issue the stickers through the Town Clerk's office.

Tim Allen stated that the current ordinance (section 7B and article 2) states that the transfer station will accept any material generated within the Town of Warner either private or commercial. He explained that it

1 is difficult to establish where the material is coming from. The Select Board recognized the challenge of
2 enforcing a change to this section. The Select Board elected not to revise this section.
3

4 Tim Allen stated that the fees are in line with surrounding communities. He spoke about small revisions that
5 will provide clarity. Tim Allen will revise the ordinance document and email the revised document to the
6 Select Board to schedule the public hearing.
7

8 Martha Mical explained that replacing the transfer station decal at the time of vehicle renewal will take one
9 full year for this to be implemented. John Noble cautioned about including the hours of operation in the
10 actual ordinance because any unanticipated change would require a revision to the ordinance. Ed Mical
11 explained that an ordinance change requires a public hearing and a vote at Town Meeting.
12

13 c. Transfer Station Project – Update

14 Tim Allen updated the Select Board with an update on the improvements made at the Transfer Station. He
15 explained the exterior improvements include the removal and grinding of the stumps. He stated that the
16 grinded chips are piled for future use. Tim Allen stated that the access road has been bulldozed around the
17 facility. He stated that the recycling operations have been moved back inside and are processed/cleaned up
18 at the end of the day. Tim Allen stated that the back side of the storage area has been reconstructed. He is
19 waiting on prices for a heating system, and the bathroom needs improvement. He is considering relocating
20 the demo and metal materials to the other end of the building which would eliminate the need for equipment
21 to travel in front of the building during business hours. He explained that he has not ordered the compactor
22 because he has not finalized the layout based on the flow of operations. Alfred Hanson asked if the road was
23 roughed in enough to give Tim an idea of the redesign of the transfer station. Tim Allen stated that he needs
24 to make sure that the layout gives enough room for the placement of the loading docks. Alfred Hanson asked
25 if the project work for this year is done. Tim Allen stated that it is not done. He hopes to complete the
26 building improvements. He stated that he needs to relocate the brush pile.
27

28 d. Drainage Issue

29 Tim Allen spoke about a drainage issue that he discovered approximately 2 months ago. He explained that
30 the area he is referring to starts at the Legion Hall at the top of Kearsarge Street Extension (there is a catch
31 basin at the lower end of the building) and runs down the hill to the two catch basins which are located in the
32 middle of Kearsarge Street Extension. He stated that it drains down to the catch basin that is at the bottom of
33 Kearsarge Street Extension and then across Depot Street to the river. Tim Allen explained that a sink hole
34 developed at the catch basin. He explained that it was investigated and determined that all the pipes from the
35 river to the top of the hill are 80% gone. Tim Allen explained that he received a call informing him that
36 another sink hole developed above the catch basin on Depot Street.
37

38 Tim Allen advised the Select Board that the entire system needs to be replaced (8 basins, 700 feet of culvert
39 piping). He estimated the cost of the project to be \$300,000-\$325,000. He stressed the importance of
40 repairing it before winter. He estimated the project would take 3-4 weeks. Tim Allen stated that there are
41 two basins that could be salvageable.
42

43 Alfred Hanson questioned the balance of the road construction capital reserve fund. Alfred Hanson asked if
44 this is a project that could be done in house. Tim Allen stated that he would like to do that, but he has to
45 consider all the other projects (road grading) that need to be done. He explained that he would need time to
46 order materials. Alfred Hanson stated that it would eliminate the cost of labor and machine time. Tim Allen
47 stated that it is worth looking at. Mike Smith stated that the department would need to find the time. Tim
48 Allen cautioned that some of this project is on private property. He explained that the Town has a permission
49 letter from an owner, but the letter was not recorded. He verbally spoke to another property owner who is
50 supportive. He still has a few more property owners to speak with and record the agreements. Harry Seidel

asked if there are any grants through the State to address an emergency like this. Tim Allen stated that he does not know. Alfred Hanson asked if this would qualify for FEMA. Ed Mical stated that he does think it would qualify for FEMA funds. Ed Mical urged the Select Board to consider the impact on the fall foliage festival. Andy Bodnarik explained that the area abuts the Warner River and that will require DES input and permits.

There was a discussion regarding the timing of this project and the impact on the Fall Foliage Festival and the feasibility of making the repairs in-house. It was determined that the balance of the highway road construction fund is \$230,000. Tim Allen explained that he sees this as an emergency. Alfred Hanson would like Tim Allen to have the system cameraed again. Tim Allen has confidence that it can be done in two phases to allow the fall festival to go forward. Ed Mical reminded the Select Board that if the funds come from a CRF there will need to be a public hearing to approve the funds. The Select Board agreed to schedule the public hearing for September 9th.

Harry Seidel made a motion seconded by Mike Smith to schedule a public hearing on September 9, 2025 relating to the repair of the drainage issues on Kearsarge Street Extension and Depot Street. Roll Call Vote Hanson YES Smith YES Seidel YES

Harry Seidel advised Tim Allen that the Trustees of the Trust Funds did not approve the expenditure for cameras that were to be used at Town Hall from the Town Hall Improvement Capital Reserve Fund. He explained that they need to find another source of funding and a new location for the cameras. He spoke about placing the cameras at the highway garage and the transfer station. Tim Allen agreed.

Elizabeth Labbe stated that the reval numbers are in and available. She spoke to the Select Board about another complaint from the individual that filed a complaint about a business on a residential property. She explained that there was a new complaint that has come in regarding the storage container on the property on Toms Pond. She explained that this complaint deals with a zoning violation. She cautioned the Select Board about targeting storage containers because there are many properties that have storage containers. She stated that if they are going to address one then they should address all of them.

2. Building Permits: DRAFT Revised Fees

Harry Seidel explained that revised building permit fees have been compiled and formatted for the public hearing that is scheduled for September 9, 2025.

3. Welfare Director Position

Harry Seidel explained that they have a contract agreement with Carol Conforti-Adams who has been doing the work with the assistance of Elizabeth Labbe. He mentioned that there are two employees who are interested in filling this position. Elizabeth Labbe explained that Carol Conforti-Adams has a great deal of knowledge and networking abilities, making her an asset for the Town. Harry Seidel stated that Carol Conforti-Adams is willing to train someone. Mike Smith stated that he understood that he was tasked with looking into this. He stated that he is confused about why this is on the agenda. Harry Seidel stated that currently Carol Conforti-Adams is doing the work that needs to be done. He explained that she needs a signed contract to continue to do the work. Elizabeth Labbe advised the Select Board that the 1099 needs to reflect her business name Sunset Hill Educational Institute, not her name. Mike Smith questioned why the Select Board is considering signing a contract when at the last meeting they decided not to. Harry Seidel reiterated that the Town has someone currently working without a contract. He stated that she is extremely qualified and is willing to train the next person. Alfred Hanson explained that the contract needs updating before he is comfortable signing the agreement. The Select Board agreed to table the signing of the contract until the next meeting.

1 4. Site Testing for Potential Cell Tower

2 Mike Smith explained that he does not have an update from last week. He advised his contact that the Town
3 is not satisfied with the \$1,500 but the contact is permitted to conduct an off-site test. He stated that he had
4 not heard back from the contact. He has not had a chance to speak with Tim Allen. Harry Seidel stated he
5 has a few questions relating to the language in the contract. Harry Seidel stated he received a call from a
6 resident who believes the tower is needed but questioned the height of the tower. Mike Smith explained that
7 this is the beginning stage to determine if the tower is feasible at this location.
8

9 5. Town Administrator Evaluation Form

10 Harry Seidel explained the draft evaluation form with the previously discussed revisions that have been
11 provided the Select Board for their consideration.

12 **Harry Seidel made a motion seconded by Alfred Hanson to approve the Town of Warner**
13 **Administrator's Evaluation form. Roll Call Vote Hanson YES Seidel YES Smith YES**
14

15 6. Employee Insurance Research Options Update, Select Person Michael Smith

16 Mike Smith explained that he did not request this to be put on the agenda, and he does not have an update to
17 provide. Mike Smith stated that he has reached out to a few people, and he is gathering information.
18

19 7. Right to Know Requests (RTK)

20 Harry Seidel stated that the Town received a RTK request today. Harry Seidel asked the Select Board to
21 review and approve the letter that he drafted to NHMA attorney Steve Buckely.
22

23 **Harry Seidel made a motion seconded by Alfred Hanson to authorize the sending of the letter drafted**
24 **to NHMA attorney Steve Buckly pursuant to RSA 91-a to determine how the Town can best address**
25 **the RTK requests. Roll Call Vote Hanson YES Smith YES Seidel YES**
26

27 Mike Smith stated that the RTK request received today is 4 times the amount of work than the last request.
28 Judy Newman-Rogers stated that the Freedom of Information Act requires the acceptance of out of state
29 RTK requests. Mike Smith explained that the Select Board needs to know who is requesting the information.
30 The Select Board agreed to acknowledge the request. The Select Board agreed to consult legal counsel.
31

32 8. Complaint: Jumping from Covered Bridge

33 Alfred Hanson provided an update explaining that the complainant will provide his statement describing
34 what he saw. He will be meeting with the individual on Saturday.
35

36 9. Warner Village Water District, Odor

37 Ray Martin District Administrator for the Warner Village Water District explained that treatment facility has
38 experienced a unique issue recently. He apologized for the odor that has been occurring for the last two
39 months. He advised the Select Board that there was a malfunction in one of the cement ponds. Ray Martin
40 explained that it is a cement enclosed pond that the raw sewage runs into and is exposed to a live organism
41 and bacteria that eats and digests the waste. He noted that the treatment plant has operated this way since
42 1974, processing approximately 40,000-60,000 gallons a day, once treated it is discharged into the river.
43

44 Ray Martin explained that there was an issue getting the bearings for a rotor that aerates and provides oxygen
45 for the organisms and an electrical problem. He stated that the bearings were finally received, and the
46 electrical system was changed. Ray Martin explained that this situation threw off the balance of the system.
47 He stated that it is a delicate balance. He stated that any kind of disturbance can affect the operation. He
48 explained that the Farm and Environmental services inspected the facility and it passed. He stated that the
49 dissolved oxygen level is climbing to the required level.
50

Ray Martin apologized again for the situation and he assured everyone that they are working to resolve the issue entirely. John Noble stated that the problem began on May 23, 2025. Ray Martin apologized again to Mr. Noble and assured him that they are working very hard to resolve the issue.

III. Consent Agenda: August 26, 2025

Tabled

IV. Manifest: August 26, 2025

Tabled

V. Minutes: August 12, 2025

Page 1 line 14 insert as

Page 3 line 15 insert Heckel

Page 7 line 33 strike solar insert electrical

The Select Board agreed to allow additional time for Mike Smith to review the zoom video.

VI. Select Board Other Business

Alfred Hanson spoke about the decommissioning bond for Encore. He asked for clarification on the meaning of a decommissioning bond. Harry Seidel explains that the bond covers the cost of removal if Encore goes out of business and it protects the town. Alfred Hanson asked what the value of the bond is. The bond amount was \$127,680 plus an escalator. Elizabeth Labbe explained that the bond will be required from Encore every year. There was a conversation regarding the need to revise/correct the contract to reflect the start date. Elizabeth Labbe explained that the original contract was signed in December 2024 but the public hearing was not held until July 2025. Elizabeth Labbe will contact Sam Carlson from Encore Energy to address the issue. She recapped safety issues that have come up. She stressed the importance of documenting things that were missed such as the need for an independent contractor and a building permit.

Alfred Hanson asked for clarification on the letter to NHMA attorney Steve Buckley. The Select Board agreed again that they authorize Harry Seidel to contact legal counsel.

Mike Smith stated that the Select Board should address the complaint from the resident. Elizabeth Labbe advised the Select Board that the complaint is related to the storage container on the property. Harry Seidel recalled the ordinance permits storage trailers with a permit for a one year period. Elizabeth Labbe reiterated that there are hundreds of these containers throughout town. Mike Smith stressed that the Select Board will need to address the situation in some manner. Elizabeth Labbe explained that the original complaint was about the ax throwing business but that has stopped. She stated that the complaint has now developed into something completely different. She advised the Select Board that the owner of the storage container is more than willing to come and speak to the Select Board.

Mike Smith spoke about the RTK request from Annmarie Timmons relating to the town owned parcel on Toms Pond. Elizabeth Labbe advised that she has been working with Donald Mellon a surveyor and they reviewed the older tax maps to research the 16 foot parcel that is in question. Martha Mical asserted that the parcel is the fire departments access to the water. Elizabeth Labbe stated that her research did not specifically reflect that.

Harry Seidel reminded everyone about the upcoming School Board community meeting on September 17, 2025 at 6:00 PM.

Harry Seidel advised the Select Board that Steve Reale who was selected to be the Building Inspector has decided that he does not want the job because he does not want the code compliance aspect. Harry Seidel explained that he called the person who was selected as the assistant building inspector, Mr. Scott LaCroix.

1 He stated that Scott LaCroix is willing to do the building inspections, code compliance, planning and zoning
2 and building permits. Harry Seidel stated that the current pay is \$30 per inspection and per hour in the office
3 plus mileage and he is willing to accept that.
4

5 Harry Seidel explained that he contacted Anthony Mento to discuss the assistant position. Anthony Mento
6 advised Harry that he needs a week to think about it. The Select Board discussed the previous vote taken in
7 June 2025 that terminated the assistant building inspector.
8

9 Harry Seidel stated that he would like a motion to approve Scott LaCroix as the Warner Building
10 Inspector/Code Compliance Officer at the wage of \$30 per hour and inspection visit plus mileage. Mike
11 Smith stated that the Select Board has not met Scott LaCroix. Harry Seidel stated that he would hold off on
12 his motion until the next meeting.
13

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

15 Pursuant to RSA91-A: 3 II, c: *matters which if discussed in public would likely affect adversely on the*
16 *reputation of any person other than a member of the board.*

17 **Moved:** Seidel

18 **Second:** Hanson

19 **Roll Call Vote Hanson YES Seidel YES Smith NO**
20

21 The video of the public meeting ended at 9:15 PM.
22

23 Respectfully submitted on 8/28/25 by Tracy R. Doherty

24 Date Select Board Approved with edits: 09/09/2025

25 Edits: Judy Newman-Rogers, Select Board Admin Asst
26