



# TOWN OF WARNER

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

## Select Board Public Meeting Minutes March 31, 2026 6:00 PM

### A. Open the Public Meeting / Roll Call / Pledge of Allegiance

Chairman Alfred Hanson opened the Select Board meeting at 6:00 PM.

**Select Board Present:** Alfred Hanson, Mike Smith and Rick Bixby.

**Public Present:** Judy Newman-Rogers, Clyde Carson, Ed Mical, Elizabeth Labbe, Russ Smith, Joanne Hinnendael, Barak Greene, Bob Holmes, Kristine Blanchette, Herm Blanchette, Mark Allen, John Leavitt, Paul Raymond, Sara McNeil, Michael Simon, Elizabeth Feuer-Lukaitis, Rachel Parsons, Ian Rogers, Faith Minton, Kathy Carson, Nancy Martin, Sarah Allen, Barb Marty, Neil Nevins, Susi von Oettingen, Rebecca Courser, Ed Raymond, Katherine Nevins, Ellie Brown, Karrie Hanson and Karen Raymond, Martha Mical, Charlie Albano, Lucinda McQueen, David Carle.

**Zoom On Line:** OH, KF, Laziness@aol, Steve, Harv, Truth Teller, Mary Mead, John McGilvery, Michele, N Ladd, Chr Walla, Bret, Mickey, Jonathan Lord, Third Act NH, Laura Russel, Dawn Quirk, Mickey, Ipad, Herm

### B. Update on the Condition of the Highway Building

a. Herm Blanchette, Director of Public Works and Clyde Carson, Finance Director, provided an update on the condition of the Highway Building after a recent fire. Herm Blanchette explained that on March 18, 2026 approximately 11:00 PM a fire broke out at the highway garage. He stated that after the fire was put out it was determined that a dump truck was the cause of the fire. Herm Blanchette stated that the dump truck is the only piece of equipment that was lost. He noted that there is heavy smoke damage and they are working to get the building clean. Herm Blanchette informed the Select Board that the next morning the Town's insurance company, Primex, was contacted and was on site within an hour providing remediation recommendations. He stated that Insuracomm, in Portsmouth NH, was chosen to do cleanup.

Herm Blanchette commended the Warner Fire Department for their effective response. He stressed that the fire department did an incredible job. He explained that the state approved the Town setting up in the near by state garage. He stated that the trucks and equipment have been cleaned but additional cleaning is still needed. He informed the Select Board that the grader and backhoe have been sent to United Construction in Concord NH to be examined by the dealer. Herm Blanchette explained that the highway garage electrical needs to be replaced and quotes are coming in for electrical, plumbing and insulation. Herm Blanchette stated that a rental grader is operating and the department is getting back into a routine. Herm Blanchette explained that when the repairs are being done on the garage it would be a good opportunity to make upgrades that have been discussed in the past (heating, air and water filtration, lighting and windows). He acknowledged that it will be a challenge lining it all up estimating 8-10 months. Herm Blanchette asked for the Select Boards guidance and input.

Alfred Hanson asked for clarification on the coverage for upgrades, Herm Blanchette stated that they would need to have a conversation with Primex. Alfred Hanson would appreciate a list of what Primex will cover and the upgrades that Herm is suggesting. Alfred Hanson asked Clyde Carson for an update on his efforts. Clyde Carson explained that he immediately filed two claims (building and truck). Clyde Carson noted that Primex has been in regular contact with him. He explained that with Primex there is no deductible,

1 everything is covered. Clyde Carson explained that Primex does not have any competitive bidding  
2 requirements. Herm Blanchette stated that he would still like to receive three bids on the major components  
3 of the repairs. Clyde Carson stated that Primex had already cleared the claim on the truck. Herm Blanchette  
4 explained that adjusters have been out to address the two pickup trucks and another adjuster is coming out to  
5 look at everything else.

6  
7 **C. Select Board Business:**

8 Alfred Hanson explained that during Select Board Business they will not be taking public comment. He  
9 stated that public comment is on the agenda after Select Board Other Business.

10 **a. Department Heads**

11 None

12 **b. Amendment to Rules of Procedure, Meeting Attendance, David Carle**

13 David Carle proposed an amendment to the Warner Rules of Procedure relating to meeting attendance by  
14 electronic means. David Carle explained that in 2008 the legislation signed by Governor John Lynch added  
15 to RSA 91-a, 2 by incorporating number III. David Carle introduced the amendment he is proposing noting  
16 that the language comes directly from the RSA including the reason for attending electronically and the  
17 people in proximity to hearing the meeting. He informed the Select Board that they need to develop a policy  
18 about electronic attendance. David Carle believes this should be incorporated in the Select Board's Rules of  
19 Procedure and a policy needs to be determined and followed to show that the Town is following the law.  
20 Alfred Hanson would like additional time to review the proposed amendment. The Select Board will revisit  
21 this discussion at the April 14, 2026 Select Board meeting.

22  
23 **c. Restriction on the Use of Town Buildings by Select Board Member Michael Smith**

24 Rick Bixby asked what the reason is that this was brought up. Mike Smith asked if there is documentation on  
25 this agenda item. Mike Smith noted that it is interesting that he is the only Selectmen who will be restricted.  
26 He asked for clarification on the restricted buildings. Alfred Hanson explained that he has a motion to read  
27 that will offer clarification.

28  
29 **Alfred Hanson made a motion seconded by Rick Bixby that pursuant to RSA 41:11-a To Restrict the**  
30 **Access to Town Buildings including Town Hall by Select Board Member Michael Smith. Michael**  
31 **Smith shall not be permitted to enter, access or use any town buildings except for attendance of Select**  
32 **Board meetings. Mr. Smith is permitted to enter, access, and to use the Town Hall building to attend**  
33 **public and non-public Select Board meetings, and any non-meetings with town legal counsel scheduled**  
34 **by the Select Board. Mr. Smith may enter the buildings 5 minutes before and stay 5 minutes after such**  
35 **events. Roll Call Vote Bixby YES Smith NO Hanson YES**

36  
37 James Gaffney asked for the RSA to be repeated. Mike Smith stated that it is RSA 41:11-a.

38  
39 *Discussion on the motion:* Mike Smith questioned why Rick Bixby would second the motion if he had to ask  
40 previously why this is being brought forward. Rick Bixby explained that he was hoping that there was more  
41 information. Alfred Hanson stated that he (Mike Smith) could do that right now. Mike Smith reiterated his  
42 question, why would Rick Bixby offer a second on the motion if he does not know what is happening. Rick  
43 Bixby stated that he knows why this is happening and that Mike Smith knows as well. Alfred Hanson asked  
44 if there is any further Select Board discussion on the motion, no further discussion was raised. Alfred  
45 Hanson called the question explaining that a vote of yes is in favor of the motion and a vote of no is not in  
46 favor of the motion.

47  
48 **d. Board and Committee Appointments/Reappointments**

49 **i. Zoning Board of Adjustment, Barb Marty**

50 Barb Marty informed the Select Board that she would like to continue serving on the ZBA. She noted that  
51 she has been on the ZBA since 2006.

1  
2 **The Select Board reappointed Barb Marty to the Zoning Board of Adjustment. Roll Call**  
3 **Bixby YES Smith YES Hanson YES**

4  
5 **ii. Planning Board, Barak Greene**

6 Barak Greene stated that the Planning Board is making good progress as a team and he would like to see it  
7 through.

8 **The Select Board reappointed Barak Greene to the Planning Board. Roll Call Bixby YES Smith YES**  
9 **Hanson YES**

10  
11 **iii. Zoning Board Adjustment Alternate, Ian Rogers**

12 Ian Rogers explained that he is looking for a new challenge and to put his land use skills to use in a new way.

13 **The Select Board appointed Ian Rogers to the Zoning Board of Adjustment as an alternate. Roll Call**  
14 **Bixby YES Smith YES Hanson YES.**

15  
16 **iv. Planning Board, Elevate Alternate, (Robert) Bob Holmes**

17 Bob Holmes stated that he currently serves as an alternate on the Planning Board and he is interested in  
18 serving as a full voting member. Bob Holmes stated that prior to his retirement he was an attorney for 40  
19 years.

20 **The Select Board appointed (Robert) Bob Holmes as a full Planning Board member. Roll Call Bixby**  
21 **YES Smith YES Hanson YES.**

22  
23 Mike Smith took a phone call during the Board's discussion with Bob Holmes, excused himself and left the  
24 meeting room. Mike Smith returned to inform the Select Board that he needs to leave the meeting. Mike  
25 Smith left at 6:34 PM.

26  
27 James Gaffney stated that the Select Board has not specified the length of each term, Alfred Hanson  
28 explained that the term period is on the appointment schedule.

29  
30 **v. Library Trustee Alternate, Sherry Colfer**

31 Michael Simon, Library Trustee, spoke in support of reappointing Sherry Colfer to the 1 year alternate  
32 Trustee position saying she previously served as a Trustee, is familiar with the responsibilities, is currently  
33 serving as the alternate and would like to continue.

34  
35 **The Select Board appointed Sherry Colfer as a Library Trustee Alternate. Roll Call Bixby YES**  
36 **Hanson YES**

37  
38 **e. Cell Tower Update**

39 Alfred Hanson asked Ed Mical Emergency Management Director to join the discussion. Alfred Hanson  
40 explained that the proposed height of the tower is 205 feet. He asked Ed Mical if he could move forward  
41 now that the height of the tower is known. Ed Mical stated that he will contact the radio company and  
42 request pricing information to install a repeater for the town. Alfred Hanson stated that the intent was to have  
43 Verizon pay for the repeaters. Alfred Hanson asked Barb Marty about zoning rules regarding cell towers.  
44 Barbara Marty referred him to the zoning ordinance relating to cell towers.

45  
46 **f. Ambulance Committee Discussion**

47 **TABLED**

1 **g. 2024 Audit Review Discussion**

2 Alfred Hanson explained that the 2024 audit report is available online. He addressed the two items in the  
3 audit report: Estimated Town Revenue and Credit Cards.  
4 Estimated Revenue: The Town’s Response; The Town agrees to update the general ledger system and revise  
5 revenues from the form MS 434R starting in 2026.  
6 Credit Cards: The Town’s response; the Town will avoid untaxed gift cards and restrict shipment of goods  
7 only to Town properties.  
8 Rick Bixby asked if this satisfies the warrant article vote. Elizabeth Labbe confirmed the audit report is  
9 available online and by googling Audit Warner New Hampshire. She acknowledged that the audit report is  
10 accessible on the town’s website. Clyde Carson noted the report is on the Finance Department web page.  
11

12 **h. Education Freedom Accounts, Warrant Article 5, Next Step, Charlie Albano**

13 Charlie Albano explained that the vote of approval at town meeting vote resulted in correspondence to go to  
14 the Governor’s office.

15 **Alfred Hanson made a motion seconded by Rick Bixby that the citizen’s petition voting results on the**  
16 **Education Freedom Accounts for Warrant Article 5 be sent to the Governor’s office. Roll Call Vote**  
17 **Bixby YES Hanson YES.**

18  
19 **D. Select Board Other Business**

- 20 a. **Housekeeping** – Vachon Clukay Contract Alfred Hanson explained that the contract has  
21 been signed.  
22 b. **Personal Cell Phone reimbursement for Herm Blanchette.** Clyde Carson stated that the  
23 reimbursement rate for the previous Director of Public Works was \$100/month.

24 **Rick Bixby made a motion seconded by Alfred Hanson to reimburse Herm Blanchette for the use of**  
25 **his personal cell phone. Roll Call Vote Bixby YES Hanson YES**

26  
27 **c. Raffle Permit Kearsarge Indian Museum.**

28 The permit to be valid through the calendar year.

29 **Alfred Hanson made a motion seconded by Rick Bixby to grant the raffle permit for Fun Day and**  
30 **other recreational activities for a period of one year. Roll Call Vote Bixby YES Hanson YES**

31  
32 **E. Public Comment**

- 33 - Joann Hinnendael asked for clarification on the location of the proposed tower. Alfred Hanson explained  
34 that the proposed tower will be located at the Transfer Station. Alfred Hanson explained that the intention is  
35 to improve service in that area of town.  
36  
37 - Barb Marty expressed her concern regarding the earlier discussion regarding restricting Mike Smith’s  
38 access to town buildings. She stated that he is a duly elected Selectman and it appears that the Select Board is  
39 trying to put a restraining order on him. She stated that he will be restricted to attend his committee assigned  
40 meetings. She stated that Town Hall is a public space. Alfred Hanson asked Attorney Michael Courtney to  
41 address Barb Marty’s concerns. Attorney Courtney explained that RSA 41:11-a does give the Select Board  
42 the authority over town buildings to restrict access and here the Select Board has done that. He questioned  
43 the other committees that Mike Smith serves. Judy Newman-Rogers listed the Planning Board, EDAC,  
44 Highway Safety and Conservation Commission. Attorney Courtney stated that it was not the intent of the  
45 Select Board to restrict Mr. Smith from his other committees. He stated that an amendment can be made.  
46 Rick Bixby agreed that Mike Smith needs to be able to fulfill his other committee assignments.  
47

48 Alfred Hanson stated that the point is to restrict his access to town buildings. Alfred Hanson explained that  
49 he has read that the Select Board is expected to stay out of town hall. The Chain of command is from the  
50 Town Administrator to the Select Board. Alfred Hanson stated that with the current situation, the

1 information is coming to him as the Chairman. Alfred Hanson stressed that he took an oath to this office and  
2 he will abide by that oath. Alfred Hanson explained that he is not holding a vendetta and he is not trying to  
3 hurt anyone's feelings. Alfred Hanson asserted that he is doing what he thinks is best for the town.  
4

5 Rebecca Courser took exception that Selectmen should not be in Town Hall. She stated that for years  
6 Selectmen have been in and out of Town Hall for a variety of reasons. She stated that there is confusion for  
7 the general public regarding the situation. She asked if Mike Smith is allowed to come into town hall to pick  
8 up paperwork or make a phone call. Alfred Hanson stated that Mike Smith is permitted in Town Hall to  
9 conduct Select Board business. Attorney Courtney explained that the motion should be amended to  
10 accommodate the other committees Mike Smith serves on. He stated that Mike Smith is allowed to access  
11 Town Hall to attend his committee and board meetings. He is not allowed to access town buildings when he  
12 is not attending a meeting.  
13

14 James Gaffney stated that intent did not enter into the equation, it is purely speculative. He stated that the  
15 Board voted on a motion that restricts a member of the Select Board from being present in this building.  
16 James Gaffney stressed that the motion prevents Mike Smith, who is an elected official from conducting and  
17 executing his duties. James Gaffney stated that is not lawful. He stated that it is in violation of RSA 643:1.  
18 He believes the Select Board is opening the Town up to a massive lawsuit.  
19

20 Mark Allen stated that the audience is debating the law and the rights of the elected official that is being  
21 spoken about who is not present. Mark said they are talking about the same elected official who answered his  
22 phone during this meeting, excused himself, came back to the meeting, excused himself again and packed up  
23 and said he was leaving the meeting. Mark Allen asked how concerned is this person with doing the Town  
24 business if he is not here when he should be. Mark said as an elected official who has a duty the individual  
25 should be here but he is not present now and often is not and attends on zoom.  
26

27 John Leavitt stated that Select Board duties are not restricted to coming to meeting. He stated that Selectmen  
28 are expected to do research in Town Hall and to speak to department heads. He asked if the motion was  
29 restricting one member from doing his research? John Leavitt stated this is ridiculous and it is obvious to  
30 everyone in this room that two Selectmen have a vendetta against the third. John Leavitt asserted that it has  
31 to stop.  
32

33 Sara McNeil stated that the 2025 Town Report shows that the Town of Warner has spent over \$100,000 on  
34 legal fees specifically on what is happening in Town Hall. She stated that it is well known that Mr. Smith was  
35 arrested and he has a hearing coming up on April 7<sup>th</sup>. Sara McNeil stated that Mr. Smith entered the Town  
36 Hall, tampered with official documents, he re-entered Town Hall in the middle of the night and tampered  
37 with them again. Sara said there is a concern for protecting other Town documents from removal or  
38 tampering. Sara McNeil stated that the actions taken by the Select Board are in an effort to protect the Town.  
39 She stated that this is a temporary step until the legal matters are resolved.  
40

41 Barb Marty asked if this is a temporary step. Alfred Hanson confirmed that it is. Barb Marty asked that the  
42 motion be reconsidered after the April 7<sup>th</sup> hearing. Alfred Hanson explained that Select Board will  
43 reconsider the motion when the legal matters are resolved, he noted that April 7<sup>th</sup> is an arraignment. Alfred  
44 Hanson stated that he had asked Mike Smith if he had any further discussion when the motion was made but  
45 he did not.  
46

47 Ian Rogers stated that he reads the newspapers and he does not believe either of the two Selectmen are  
48 conducting themselves or acting in a way of showing they have a vendetta.  
49

50 Alfred Hanson asked Attorney Courtney if the Select Board could amend the motion. Attorney Courtney  
51 confirmed. Attorney Courtney suggested adding language that allows Mike Smith to attend and participate

1 in Town Board and Committee meetings. Attorney Courtney asked how the Select Board receives agenda  
2 information and it is appropriate to allow Mr. Smith to continue to follow that procedure. Alfred Hanson  
3 stated that meeting packets are emailed to the Select Board and informed that paper copies are at Town Hall.  
4 Alfred Hanson asked if the motion could be rescinded and tabled until the next meeting to give them time to  
5 then discuss meeting the needs of how Mike Smith may address the agenda packet and to revise the motion  
6 to allow Mike Smith access to attend other town board/committee meetings.  
7

8 **Alfred Hanson made a motion seconded by Rick Bixby to rescind the motion regarding the Restriction**  
9 **on the Use of Town Buildings by Select Board Member Michael Smith.**  
10 **Roll Call Vote Bixby YES Hanson YES**

11  
12 **Alfred Hanson made a motion seconded by Rick Bixby to table the discussion regarding the**  
13 **Restriction on the Use of Town Buildings by Select Board Member Michael Smith until the April 14,**  
14 **2026 Select Board meeting. Roll Call Vote Bixby YES Hanson YES**

15  
16 John Leavitt expressed concern regarding the Chairman tabling items on the agenda without discussion.

17  
18 James Gaffney pointed out that the committee assignments that were voted on earlier in the meeting did not  
19 include the term of their appointment. Judy Newman-Rogers explained they were filling the vacancy on  
20 those boards. James Gaffney stated that the appointments need to be redone to include the term of their  
21 appointment to be lawful. Alfred disputed that but said he would look into that.  
22

23 Charlie Albano thanked Alfred for running a great meeting.  
24

25 **F. Consent Agenda: March 31, 2026**

26 Motion by the Warner Select Board to Approve the following or previously signed:

- 27 1. A request to the Trustees of the Trust Funds for \$19,311.00 from the Police Vehicle Capital Reserve Funds  
28 to pay an invoice from Executive Transfer.  
29 2. A request from Mount Kearsarge Indian Museum to hold raffles throughout this calendar year.  
30

31 **Alfred Hanson made a motion seconded by Rick Bixby to approve the March 31, 2026 Consent**  
32 **Agenda. Roll Call Vote Bixby YES Hanson YES**

33  
34 **G. Manifest: March 31, 2026**

- 35 • Motion for the Select Board to approve the following previously signed manifests:  
36 Accounts Payable check numbers 12421 through 12422 dated 3/18/2026, in the amount of \$26,500  
37 for warrant articles approved at the March town meeting funded from the unassigned fund balance.  
38 Accounts Payable check numbers 12423 through 12464 dated 3/23/2026, in the amount of  
39 \$193,120.67.  
40 • Motion to authorize the Select Board to approve and order the Treasurer to sign the following  
41 manifests: • Accounts Payable check numbers 12465 through 12468 dated 3/31/2026, in the amount  
42 of \$57,162.10 for the April 2nd bi-weekly payroll deposits. Bi-weekly payroll check numbers 4203  
43 through 4205, and direct deposit check numbers E03136 through E03167 dated 4/2/2026 for a net  
44 payroll of \$43,167.48  
45 •

46 **Alfred Hanson made a motion seconded by Rick Bixby to approve the March 31, 2026 Manifest as**  
47 **read. Roll Call Vote Bixby YES Hanson YES**

1 **H. Minutes:** March 3, 2026 (Tabled from 3/17 Meeting), March 17, 2026  
2 March 3, 2026 Minutes. Rick Bixby was not elected and said he could not vote on the minutes. Alfred  
3 Hanson said he did not think minutes could be approved with less than a majority. Minutes **TABLED**  
4

5 **Alfred Hanson made a motion seconded by Rick Bixby to approve the March 17, 2026 Select Board**  
6 **meeting minutes as presented. ROLL CALL VOTE Bixby YES Hanson YES**

7  
8 **I. Non-Public Session** if needed (RSA 91-A:3 II (a-m) )  
9 None

10  
11 **J. Adjournment**

12 **Rick Bixby made a motion seconded by Alfred Hanson to adjourn the March 31, 2026 Select Board**  
13 **meeting. Roll Call Bixby YES Hanson YES**

14  
15 The meeting adjourned at 7:25 PM  
16 Respectfully submitted on April 5, 2026 by Tracy Doherty  
17 Edited, Judith A. Newman-Rogers, Select Board Admin Asst.  
18

DRAFT