



# TOWN OF WARNER

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

## Select Board Meeting Minutes

**September 24, 2024 10:00 AM WORK SESSION**

Lower Meeting Room Warner Town Hall 5 E Main St

### I. Open the Meeting and Roll Call

- Chair Seidel called the meeting to order at 10:00 AM
- **Present:** Harry Seidel (Chair), Faith Minton, Michael Smith
- **Also Present:** Town Administrator Kathy Frenette, Selectboard Administrative Assistant Judith Newman-Rogers and Planning Board Chair Karen Coyne

Harry Seidel: Select Board really appreciates the Planning and Zoning Board chairs stepping up to help navigate while the Town searches for a new Land Use Administrative Assistant.

Karen Coyne: conceptual consultations coming before the Planning Board

1. The Catholic Bishop of Manchester's legal counsel is currently in discussions with the town's legal counsel regarding the interpretation of the law that went into effect in 2022. (RSA 674:76) Harry Seidel: the Town must consider the impacts to the town's infrastructure. Karen Coyne: traffic concern was eased with the previous occupant Magdeline College; agreed that traffic would need to be considered going forward. Faith Minton: with no exit from Kearsarge Mountain Rd there is a safety component to be considered.

2. Warner Aggregates (Map 3 Lot 84-10A), confusion to the parcel district; Zoning Board chair in discussion with New Hampshire Municipal Association (NHMA). Harry Seidel: in 2015 zoning map was changed effectively changing the zone from C1 to OC1; this discrepancy severely impacts the proposed development; suggested contacting Town's legal counsel and Rick Davies (former Planning Board chair).

3. October 7<sup>th</sup>, conceptual consultation, change 9 W Main Street from a single-family residence to an assisted living facility; this going before the Zoning Board and then back to the Planning Board for site plan review. Kathy Frenette stated that today is the deadline for the Zoning Board next meeting.

### II. Select Board Business

#### a. Sale of Town Owned Properties

Mike Smith: Map 31 Lot 31, Kearsarge Mountain Road owned by the Town for a long time with no indication as why the Town owns it; notes indicate the parcel should be sold; asked if the Select Board wanted him to continue investigating the parcel for resale; Board agreed. Ed Mical: parcel is utilized by the Town, School and the Warner Fall Foilage Festival for parking. Harry Seidel; since the property abuts the school and is utilized for parking he is more thoughtful about the value it has for the Town. Mike Smith: he will talk with the Historical Society and other boards for their input. Kathy Frenette inquired about retaining some of the property for municipal parking and EV charging.

1 Mike Smith: Map 22 Lot 14; he has brought this to the Planning Board; the town also owns Map 22 Lots 16 and 17; he  
2 would discuss all three lots with the other Boards; lots are approximately 100 feet by 150 feet; he will try to visit the lots  
3 at a site walk scheduled for Friday with the Conservation Commission in the state park; curious to see the topography of  
4 the site. Harry Seidel: the lots are located on the portion of the road that the Town does not maintain in the winter  
5 (beyond the gate); the lots would require a variance to build.  
6

7 **Mike Smith made a motion seconded by Harry Seidel to proceed to the Conservation Commission and report back to**  
8 **the Select Board in a month. Motion passed unanimously.**

9  
10 Harry Seidel: draft building permit application ready for review; Mike Smith and Harry Seidel agreed to meet to review  
11 fees tomorrow September 25<sup>th</sup> at 12:00pm. (Notice posted immediately on the meeting calendar and printed/posted on  
12 Town Hall windows)

13  
14 Faith Minton: a volunteer interest form to review for the vacant Library Trustee position; trustees have recommended  
15 Leigh Brown for the position.  
16

17 **Faith Minton made a motion seconded by Mike Smith to appoint Leigh Brown as a Library Trustee. Motion passed**  
18 **unanimously.**

19  
20 Harry Seidel: Board signatures needed on appointment form for new Planning Board alternate Robert Holmes.  
21

22 Brief discussion: Increase community awareness about the Town's Beautification Program; funding, donations and  
23 accounting; Harry Seidel expressed concern about mixing fund balances with private donations; would like to keep them  
24 separate for transparency; would like to see someone other than a Select Board member manage the Beautification  
25 Program. Mike Smith will relay the Select Board's position; the Beautification Program volunteers would like to come  
26 speak to the Select Board at the next meeting; volunteers also want to set up a booth at the fall festival.  
27

### 28 **III. Town Administrator's Report**

- 29 - Hopkinton Historical Society requesting permission to hold a cemetery walk and historical skit at the Davisville  
30 Cemetery, October 19 & 20<sup>th</sup> at 2pm; will be responsible for cleanup.  
31

32 **Mike Smith made a motion seconded by Faith Minton to approve the request from the Hopkinton Cemetery Trustee**  
33 **and the Hopkinton Historical Society for the Davisville Cemetery events on October 19<sup>th</sup> and 20<sup>th</sup> at 2:00pm. Motion**  
34 **passed unanimously.**

- 35
- 36 - Recent letter from Absolute Title regarding a welfare lien on a property sold in July 2021; requesting the Town  
37 release the lien; Peter Flynn, Welfare Coordinator, will be looking into this.
- 38 - MS-1 completed, needs Select Board's signatures.
- 39 - Property tax exemption update will be heard at the October 8<sup>th</sup> Select Board meeting.
- 40 - Peter Flynn worked with Colonial Pharmacy, Contoocook/Hopkinton, to accept the Town's vouchers; Board  
41 appreciation expressed for the job Peter is doing.
- 42 - Mike Tardiff from Central NH Regional Planning Commission (CNHRPC) aware of resignation of staff in the Land  
43 Use Department; Matt Monahan could assist the Town if needed; Kathy will research if there is a charge; Land  
44 Use books ordered, should be available in December.

- 1 - CNHRPC has printed the new flood maps for free.
- 2 - Right to Know Law changes: fee schedule changed allowing towns to charge for time it takes to compile
- 3 information. (Discussion followed on the financial impact of a Right to Know request on the Town.)
- 4 - Merrimack County Cold Weather RFP should be discussed; deadline October 22<sup>nd</sup>.
- 5 - Loren Martin, Avitar Assessor, letter / recommendation on a renewable energy project proposed in Town; look at
- 6 market value, potential impacts before entering a Payment In Lieu Of Taxes (PILOT) agreement; Board agreed to
- 7 discuss this next week.
- 8 - Personnel: Tax Collector recommended a candidate to hire as Deputy Tax Collector.
- 9 One application received for the Land Use Administrative position. The position will be posted on the website
- 10 and the NHMA website and the newspaper.

11  
12 **Faith Minton made a motion seconded by Harry Seidel to accept James Sherman as the Deputy Tax Collector. Motion**  
13 **passed unanimously.**

14  
15 **IV. Consent Agenda**

16 None

17  
18 **V. Manifest**

19 **Faith Minton made a motion seconded by for the Select Board to approve the following previously signed manifests:**  
20 **Accounts Payable check numbers 10626 through 10647 dated 9/19/2024, in the amount of \$47,826.45. Motion**  
21 **passed unanimously.**

22  
23 **VI. Select Board Unanticipated Business**

- 24 - A request for a meeting from Attorney Derek Lick (representing Mr. Gibson of Dimond Lane); Board needs
- 25 clarification on the nature of the discussion.
- 26 - Harry Seidel: Complaint received, situation on 140 Parade Ground Cemetery Road, Anne Goff property owner;
- 27 described as a squatting situation; large tarps hung; behind tarps appears to be an encampment; abutting
- 28 property owned by the Zoning Board Vice Chair, who is alarmed. Harry Seidel: The Police Chief did not find
- 29 anything that he could act on at the time. Kathy Frenette: Encampment near the abutter's well; concern about
- 30 where the sewage is going; encampment has existed more than 90 days. Harry Seidel reviewed the Town's
- 31 ordinance (Article 4 and Article 8) that could apply to this situation. The Select Board discussed contacting the
- 32 property owner in writing.

33  
34 **Mike Smith made a motion seconded by Faith Minton to send a letter advising the property owner that they are in**  
35 **violation and to provide the violation letter to the Police Department to deliver to the people on the property at 140**  
36 **Parade Ground Cemetery Road. Motion passed unanimously**

- 37  
38 - Harry Seidel: status of the Flood Plain mapping. Ed Mical: maps are done; public information meeting needs to
- 39 be scheduled; agreed to schedule the meeting for October 16<sup>th</sup> at 6:30 pm.
- 40 - The Select Board agreed to hold a Select Board Work Session on October 8<sup>th</sup>
- 41 - Harry Seidel: Energy Committee has been looking into available funding for electric vehicle (EV) charging:
- 42 locations for EV charging stations; wondered about property next to Reeds North for potential underground to a
- 43 good location. Mike Smith: location must be Town owned property for funding. Harry Seidel: must be other
- 44 funding options; if Town had an energy capital reserve fund it would illustrate the Town's commitment; make it

1 much more likely the Town could secure a grant; Energy Committee might be ready in a month to discuss the  
2 initiative.

3  
4 **Harry Seidel made a motion seconded by Mike Smith to inform the Energy Committee that the Select Board is**  
5 **interested in exploring grants for an EV charging station. Motion passed unanimously**  
6

- 7 - Ed Mical: requested Board sign the Hazardous Mitigation Assistance Application; due Friday September 27<sup>th</sup>:  
8 total cost \$185,356; Federal contribution will be \$139,017 and Town's cost is \$46,339. Harry Seidel signed the  
9 application.

10  
11 **VII. Public Comment**

12 John Leavitt - spoke about the elderly exemption that is under review, expressing concern for those elderly residents who  
13 are struggling to pay their property taxes and are being forced out of Warner.

- 14 - asked for clarification on the procedure for the Select Board to review non-public minutes; stated he believes the  
15 non-public minutes are not being reviewed. Mike Smith will put something together to address the issue.

16  
17 **VIII. Non-public Session (If needed, RSA 91-A:3 II (a,b,c,d,e,f,g,h,i,j,k,l) )**

18 **A. Motion by Michael Smith to go into non-public session under RSA 91-A:3(c)** matters if discussed in public  
19 would likely affect adversely the reputation of any person; this extends to any application for assistance, tax  
20 abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.

21  
22 1. **Second:** Minton

23 2. **Roll Call:** Harry Seidel YES Faith Minton YES Mike Smith YES

24 3. **The Select Board went into Non-Public at 12:17 pm**

25 4. **Non Selectboard members attending:** Town Administrator Kathy Frenette, Elizabeth Labbe  
26 Assessing Administrative Assistant

27 **Motion to Return to Public Session by:** Seidel \_\_\_\_\_ Minton X Smith \_\_\_\_\_

28 1. **Second:** Seidel \_\_\_\_\_ Minton \_\_\_\_\_ Smith X

29 2. **Vote by roll call:** **Harry Seidel YES Faith Minton YES Mike Smith YES**

30 3. **Motion:** Passed

31 4. **Return to Public session at: Time** 12:49 pm

32 **Motion on Minutes by:** Seidel \_\_\_\_\_ Minton \_\_\_\_\_ Smith X

33 1. **Seal for:** 5 yrs

34 2. **Second:** Seidel X Minton \_\_\_\_\_ Smith \_\_\_\_\_

35 3. **Vote on minutes by roll call** Harry Seidel YES Faith Minton YES Mike Smith YES

36 4 **Motion on Minutes:** Passed

37  
38 **B. Motion Michael Smith to go into non-public session under RSA 91-A:3(c)** matters if discussed in public would  
39 likely affect adversely the reputation of any person; this extends to any application for assistance, tax abatement  
40 or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.

41 a. **Second:** Minton

42 b. **Roll Call:** Harry Seidel YES Faith Minton YES Mike Smith YES

43 c. **The Select Board went into Non-Public at 12:54**

44 d. **Non Selectboard members attending:** Town Administrator Kathy Frenette, Elizabeth Labbe Assessing  
45 Administrative Assistant

1 **Motion to Return to Public Session by:** Seidel \_\_\_\_\_ Minton \_\_\_\_\_ Smith \_\_\_X\_\_\_

2 1. **Second:** Seidel \_\_\_X\_\_\_ Minton \_\_\_\_\_ Smith \_\_\_\_\_

3 2. **Vote by roll call:** Harry Seidel \_YES\_ Faith Minton \_YES\_ Mike Smith \_YES\_

4 3. **Motion:** Passed

5 4. **Return to Public session at:** Time \_1:09 pm\_\_\_\_\_

6 **Motion on Minutes by:** Seidel \_\_\_X\_\_\_ Minton \_\_\_\_\_ Smith \_\_\_\_\_

7 1. **Seal for:** \_\_\_\_\_ 5 yrs\_\_\_\_\_

8 2. **Second:** Seidel \_\_\_\_\_ Minton \_\_\_X\_\_\_ Smith \_\_\_\_\_

9 3. **Vote on minutes by roll call** Harry Seidel \_YES\_ Faith Minton \_YES\_ Mike Smith \_YES\_

10 4. **Motion on Minutes:** Passed

11  
12 **X. Adjournment**

13 Motion to adjourn by Minton, Smith second, All in favor.

14 1:11 pm Meeting adjourned

15  
16  
17 Respectfully submitted by  
18 Tracy Doherty  
19 Edits, Judith Newman-Rogers  
20 Selectboard Admin Asst.  
21