



Warner Board of Selectmen

Meeting Minutes
Tuesday, March 29, 2011
APPROVED

Chairman Carson opened the meeting at 6:03 p.m.

In Attendance: Selectman Clyde Carson – Chairman, David Karrick, Jr. – Selectman, David E. Hartman – Selectman, Laura Buono – Town Administrator

Others present: Varick Proper, Barbara Annis, Jim Hand, Judith Newman-Rogers, Senator Andy Sanborn, Ricia McMahon

1. Appointments

Selectman Karrick **MOVED** to appoint David Hartman as the representative to Concord Regional Solid Waste and Varick Proper as the alternate representative until March 29, 2014. Chairman Carson seconded the motion; all were in favor, the motion **PASSED**.

The Selectmen discussed the Building Inspector position to consider making it a non-appointed position. The Selectmen agreed to keep the position as is; the 3-year term allows a chance for review.

Selectman Hartman **MOVED** to appoint Thomas Baye as Building Inspector until March 29, 2014. Selectman Karrick seconded the motion; all were in favor, the motion **PASSED**.

2. Selectmen's Committee Representatives

Parks & Recreation – Selectman Karrick

Highway Safety – Selectman Carson

Planning Board – Selectman Hartman with Selectman Karrick as Alternate

Energy Committee – Selectman Carson

Transfer Station Committee – Selectman Hartman

Budget Committee – Selectman Karrick

Nancy Sibley Wilkins – Selectman Karrick

Road Committee – Chairman Carson recommends formally asking the Planning Board and Budget Committee to appoint a member to sit on the Road Committee discussions. Selectman Hartman also recommended asking Allan Brown as a citizen at large; the Town Administrator would like to sit on the Committee as well. The Selectmen decided upon a Selectmen's representative instead of the entire Board, but first the Selectmen need to establish the Committee's charge.

The other members are Ken Cogswell, Peter Bates, Jim McLaughlin, Ed Mical along with the Selectmen and the Director of Public Works. Chairman Carson recommended contacting Ken and Peter to make sure they still want to sit on the Committee. The Town Administrator said Ed Mical is a Planning Board member and the Emergency Management Director maybe he would be interested being the Planning Board representative. Chairman Carson recommended that the membership be made up of a Selectmen's representative, Planning Board member, Budget Committee rep and 3 members at large; Selectman Hartman and Karrick agreed.

3. Jim Hand – Municipal Budget Committee

Jim Hand is Warner's representative on the Municipal Budget Committee. He reported that the school has removed \$309,602 from their budget as voted upon in March; another \$70,000 was removed for fuel costs to cover until the end of the school year and another \$17,000 for internet improvements. So a total of \$391K was removed from the Kearsarge School District 2011-2012 budget. Jim also reported that there is a possibility that contribution from the State towards retirement may cease altogether; this would cost the school district another \$450K. He said to cover this cost. The school can do it without direct layoffs, but by cutting classes and hours of personnel.

Jim also reported there is a new State formula for Catastrophic Aid for Special Education. The formula results in less money from the State. He said overall, due to budget cuts from the State the school is looking at a potential budget shortfall in 2012 that could amount to \$1.9 million. The MBC intends to ask the School Board to address these issues first instead of passing it on to the MBC.

Jim said the first MBC meeting is scheduled for May 17th at 6:30 p.m. located at the Kearsarge Learning Center. It will be an organizational meeting as well as outlining what the MBC will be doing for the balance of the year.

At this time the Town of Springfield is losing its kindergarten, it will be consolidated with New London. For next year only 8 children have signed up for kindergarten in Springfield and if the trend continues the Town of Sutton will follow. And since the Middle School is only at 65% of its capacity, that resource will also be evaluated on how to better utilize the remaining space in the school.

Chairman Carson asked if the school received the matching funds for the bond that was voted on in 2010. Jim said yes, but his feelings are that large dollar warrant articles should be discouraged in the future.

Selectman Hartman asked if there has been progress on the teacher's contract. Jim said no and he is not sure the teachers are going to be anxious to engage in a contract.

Mr. Hand will return to the Selectmen after the State budget is approved.

4. Senator Sanborn – Auto Dealer Registration Bill (SB156)

Senator Sanborn met with the Selectmen to provide an update on things that may be important to Warner and to receive some direction from the Selectmen.

He spoke about the auto dealer registration Bill (SB156) that he has written. At this time the State mandates residents to go to their Town Clerk to register their vehicles. The Senator said it is also known that approximately 20% of all the titles that Town Clerks receive from auto dealers have errors. He said in a Town like Webster that only registers 400 cars a year and maybe 10% are new; there are not a large number of errors. But, he said, for the City of Nashua that does 200,000 new vehicles per year, the number of errors increase greatly. At this time there are 47 states that allow people to register their vehicles at the time of purchase at the dealership and 27 states now do it electronically. Selectman Karrick said he does not understand how this would reduce errors. Senator Sanborn said what this legislation does is it enables everyone to come together, Town Clerks, Town Managers, Town Administrator's, auto dealers, Local Government Center to name a few to see if a process can be created that is easier for the consumer and the town and is a more efficient and effective automotive process; the legislation is allowing for a 9-month period for this process creation. Senator Sanborn said he truly believes this would be revolutionary for the State of NH. He said an outside firm named ADP is going to fund the entire cost up front, and if successful, two-years from now the auto dealers will pay to maintain it.

Senator Sanborn said if a process is developed, ADP will distribute the funds due to the State and communities. He said if this program works the Town will get more money because in the legislation it specifically says there will be no cost to the State or communities. He said ADP will pick up all of the costs for hardware, software, software updates and networking connections. The system will be voluntary, a person when purchasing a vehicle will be provided the option to register at the dealer, if they so choose, there will be an additional \$15 - \$20 fee which goes to ADP. He also said in the statutes the Town Clerk is allowed to charge \$2 for filling out a title application and the dealership can also charge \$2. He said with this legislation the dealers are willing to forfeit their \$2 to the towns. The system will also have the ability to electronically show every option a vehicle has which will provide the true retail value to the Town Clerks, he feels this would be beneficial to all Towns. Also, there will be various steps in determining residency which will be a license, bank application, credit bureau application and State of NH affidavit. The Town Administrator asked what happens to Warner residents that have either Sutton, Contoocook, Bradford etc. addresses. He said part of the one-year process would be identifying such addresses. He said the last State that implemented this process had a 17% failure rate. He said the Town Managers Association completely supports it, Town Administrators, NH Login; the Municipal Association has taken no position on it. There will be 4 or 5 advisory boards that will have the ability to censor dealerships that have been consistently inaccurate with the vehicle registration information; these dealers will not be allowed in the program.

Chairman Carson asked who will be monitoring residency within this program. Senator Sanborn said there is

software available that allows the ability to identify and target addresses that are post office boxes. He added that a law was passed on Wednesday, March 23, 2011, that enables Town Clerks to register out of State vehicles; this law does have restrictions. Senator Sanborn said that he wrote this legislation with a deadline date of 17 months, if the advisory boards cannot pull this together it dies.

The Town Administrator asked if the system will allow for Towns to opt out. Senator Sanborn said the system does not allow Towns to opt out because in order for an industry to invest into this program they will want guarantees that the system will be available to people. The Town Administrator feels the ability for a Town to opt out should be considered. The Town Administrator also clarified that the Town Managers Association has not formally voted in favor of this legislation, there may be support for the concept. Senator Sanborn said the Town Clerks Association initially came out with no opinion on the legislation and then flipped against it because they are concerned it will cost Town's money. So legislation was amended this past Thursday to clarify that there will be no cost to the cities and Towns.

Senator Sanborn said in addition when a temporary plate is issued by an auto dealer that information is boxed and sent to Concord, NH and stored in trailer out behind DMV. So when a vehicle is stopped with temporary plates by the police there is no way of knowing who is driving the vehicle. He said the State Police, Department of Safety is behind this legislation that Senator Sanborn has presented.

Selectman Hartman said there are regulations for buying liquor at the State of NH liquor store; it can't be brought out of State without first paying the duty on the liquor. He asked Senator Sanborn why this wouldn't be a larger target (privatize) than auto registrations. Senator Sanborn said he is a pro-business person, he believes government needs to be smaller and more effective. He also said NH liquor today shows a 25% bottom line, privatizing liquor will bring another layer of expense.

Chairman Carson said on a positive note that the Town applied for and received a grant through RGGI (Region Greenhouse Gas Initiative) for an energy audit. The audit provided many suggestions towards lowering the Town's energy consumption. Some minor changes have already been implemented with a positive result.

Warner's Town Clerk, Judith Newman-Rogers said the legislation Senator Sanborn spoke about that was recently passed enabling out-of-State vehicle registrations has always been in existence. She said there may have been a recent amendment, but she has not received any information yet.

At this time, Chairman Carson opened the meeting up for questions from the Board:

Selectman Karrick asked about the status on Senate Bill 129; this bill requires that a voter present a valid photo identification to vote in person or have his or her photograph taken by an election official to be kept on file. This bill also reduces the balance that the secretary of state is required to maintain in the election fund; does the Senator think this bill is a good idea or not. The Senator said this bill may have good intentions, but he feels it has issues such as the elderly voter who does not drive, or when someone who just shows up and wants to vote, the Senator does not support this bill. Chairman Carson feels this is legislation that is fixing a problem that does not exist.

Senator Sanborn talked about how the State government is now looking at towns and businesses as a revenue source. The Town of Warner had to pay the Department of Environmental Services \$10K for being a hazardous waste generator (dictated by an RSA) after DES ordered the Town to clean up the hazardous material at the Transfer Station which cost the Town \$29K. The RSA does not allow for waivers. Senator Sanborn feels that a municipality should pay the same fees as the private sector.

Selectman Karrick has heard that Service Link which serves the elderly may be done away with. Senator Sanborn said he is not familiar with the program but he does know the cost is about \$600K per year; he said the budget is still in the House being considered.

Chairman Carson said that he read the difference between the House budget and the Governors budget is the House restored funding back to the municipalities. Senator Sanborn said the Governors budget does not include 25% contribution to retirement, it covers 40% for Building Aid and it does not bring back revenue sharing of the Rooms & Meals Tax; Senator Sanborn feels this is fundamentally wrong because at this time in the year all Towns have had

their budgets approved. The Governor's proposal downshifts \$300 million in expenses to the taxpayers. The House budget is \$300 million more in State cuts.

Senator Sanborn said he truly believes there are savings to be had which will result and be able to protect those that truly need help and make the government more efficient and easy to operate. He created SB156 to completely restructure the relationship between business and government. More economic growth is needed to generate money and that is his goal.

Chairman Carson said in the area of downshifting the other component is the County budget. As the State cuts funding to the State Hospital, prison, elderly housing etc., it increases the burden on the County, Municipalities and ultimately the taxpayers. Senator Sanborn said there is not a lot of downshifting going on in the House. He is not involved in the County budget, but there have been many people who operate in County government that has told him there is a lot of wasteful spending.

Chairman Carson opened the meeting for public comment:

The retirement impact to the school district for the teachers was \$450K. Senator Sanborn spoke about the Retirement System is \$5.8 billion dollars upside down. There is a plan in the Senate; their approach is to do the least harm. If you are retired there is no change, if you are vested, do the least harm possible, those who are not vested step in any changes over a period of time.

Ricia McMahon, Chairman for the Town of Sutton Select board asked how many jobs SB156 will create. The Senator said it is hard to determine. He said it will not create more jobs at the State or municipal level. He added that the Governor is recommending closing four DMV offices. Ms. McMahon asked if ADP is out of state. Senator Sanborn said ADP is international. Ms. McMahon commented on the School District and how Route 114 is critical to the district. Currently she said the road is a disaster, 30 of the 31 bus routes use Route 114, her concern is without some money from a program the road will not be fixed. Senator Sanborn said the Senate in January 2012 will be focusing on how to fix the roads in NH.

Judith Newman-Rogers said she was curious on how the Senator's bill will be profitable for the Town's. He said the Town will receive \$4 for every vehicle that is registered with a dealer and the Town as well as the mil. rate differences. She also feels the dealers are known not to put the correct model on the title application. She feels there is a good chance that dealers will continue to do titles incorrectly to make the sale and push it through system. The dealer's goal is to make a profit; the Town is serving the public to work with them to make it affordable to register a vehicle. Senator Sanborn said what drives this system is the VIN # from the manufacturer, electronically all the information comes with the vehicle. He said the legislation also allows the Town Clerk to audit a dealer. Judy feels the Town will lose money with this legislation.

5. Town Administrator's Report

Ambulance Contract – The Town Administrator distributed copies of the draft ambulance contract from the Town of Hopkinton for review. Any changes, suggestions or questions the Selectmen have the Town Administrator will forward them to Hopkinton for discussion.

Selectman Hartman said that he does not understand #2 in the contract; it talks about automatic renewal but the contract expires on December 13, 2013. The Town Administrator explained that if the Town of Hopkinton does not hear from the Town of Warner by December 13, 2013 the contract will automatically be renewed. The contract also allows for an annual meeting. Selectman Hartman feels this needs further clarification.

Old Graded School Building – The new door at the top of the handicap ramp was installed today. The money for the door was encumbered from 2010.

Moose Grant – The Director of Public Works, Matt Waite and the Town Administrator have taken a look at the application for a moose plate grant. You can apply for a grant of up to \$10K with no matching funds, but anything over \$10K would require some matching funds. The application requires that photos and a budget be submitted and with the short timeframe, the Town Administrator does not think it's feasible that all the information can come together by the deadline at the end of the week; they will definitely apply for the next round which would be next March and will be placed on the Selectmen's objective list.

Bridge Rehabilitation – There is a pre-construction conference scheduled for Thursday morning at 10 a.m. at the Town Hall for the bridge rehabilitation over Stevens Brook. The meeting is conducted by the State of NH since it's their project. The Highway, Police and Fire Departments have been notified.

Fire Station – Each of the Selectmen have received draft drawings of a fire station floor plan which was forwarded by Rich Stanley. It appears that there is a meeting that Rich is trying to set up for Friday either at 10:00 or 2:00 with Jonathan Halle and George Fradette. The Town Administrator will touch base with Rich for the specifics; she feels the meeting should be with the Selectmen. Chairman Carson does not feel that the Board of Selectmen is in the loop on the fire station project; the Board agreed. The Town Administrator recommends meeting with the architects at their April 12th meeting. Chairman Carson said there is a Fire Station Building Committee and if this is part of the process should a meeting be scheduled. The Town Administrator said this may be a good time to clarify the Committee because there was a Fire Station Site Committee and the Selectmen never changed it to a building committee and at the very least the entire Board should be involved in the project. Chairman Carson feels there should be a building committee that includes representation from the Select Board and Budget Committee. Selectman Karrick asked if meeting with the Selectmen accomplishes the same thing. What was agreed upon is the project shouldn't just be a two person meeting.

Selectman Hartman said the draft plan as presented would be adequate for a town of 20K people; he feels at the moment the plan is way over the needs of Warner, he said the first story of the plan is very adequate.

The Board agreed that they should meet with the architects at the next Selectmen's meeting on April 12th.

Town Hall Furnace – The new Town Hall furnace is up and running and after a couple of minor adjustments on Monday, appears to be operating very well.

Newsletter – The first newsletter of 2011 is scheduled to be printed and mailed this week. Unfortunately not many departments have submitted information but there is plenty of news going out to the residents. We will plan on having another go out in June.

Website – The Town Administrator contacted Dick Cutting again and asked him for the login information so that Dan Watts can begin work on the current website at the beginning of April. The Board will meet on April 6th & 20th at 2:00 p.m. for a website design discussion. The current website will remain as is and will be updated as a new site is being built.

Fire Wood Program – The Town Administrator met with Peter Ladd to discuss the program and talked about liability issues that could come about. The Town Administrator will be looking into some of the concerns that came out of the discussion.

6. Manifest

Selectman Karrick **MOVED** to authorize the Selectmen to sign manifests and order the Treasurer to sign Accounts Payable check numbers 45660 -45683 in the amount of \$35,571.27. Selectman Hartman seconded the motion; all were in favor, the motion **PASSED**.

7. Consent Agenda

Selectman Karrick **MOVED** to approve the Consent Agenda for March 29, 2011:

- Intent to cut for Map 3 Lot 39-1
- Veterans Tax Exemption for Map 15 Lot 53-3
- Sign Permits for 51 East Main Street & 1 East Main - Unit 2
- Building Permit for Map 31 Lot 28

Selectman Hartman seconded the motion; all were in favor, the motion **PASSED**.

8. Other Business

The Highway Safety Committee will be reviewing and deciding upon which street lights should either be removed, or installed with a timer to shut off at midnight during their meeting that is scheduled for March 30th. Selectman Hartman said there is a street light located at the intersection of the Police Station, it shines down and right at you when you drive up the hill, this light should be considered for removal. He also asked for the Committee to consider the number of street lights in Davisville.

9. Meeting Minutes

Selectman Hartman **MOVED** to approve meeting minutes dated February 15 and March 15, 2011. Selectman Karrick seconded the motion; all were in favor; the motion **PASSED**.

10. Nonpublic Session

Chairman Carson moved to enter into Nonpublic Session at 9:30 p.m. per RSA 91-A:3 II (d), negotiations. The motion was seconded by Chairman Hartman. A roll call vote was taken. Chairman Hartman – yes; Selectman Carson – yes. Motion passed unanimously.

In attendance: Chairman Clyde Carson, Selectman David Karrick, Jr., Selectman David E. Hartman and Town Administrator Laura Buono

An offer was discussed for purchasing a piece of Town property located on Collins Road.

Chairman Hartman moved to come out of Nonpublic Session at 9:40 p.m. The motion was seconded by Selectman Carson. A roll call vote was taken. Chairman Hartman – yes; Selectman Carson – yes. Motion passed unanimously.

9. Adjournment

At 9:41 p.m. a motion was made to adjourn.

Board of Selectmen
Clyde Carson - Chairman
David Karrick, Jr.
David E. Hartman

Respectfully submitted,
Mary Whalen
Recording Secretary