

TOWN OF WARNER



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

Select Board Meeting DRAFT Minutes May 13, 2025 4:00 PM

Lower Meeting Room Warner Town Hall 5 E Main St

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 can 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 a 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 times there is no public comment. Harry Seidel sees both sides as long as 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 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.

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

9
10 Property Tax Exemption Review: David Carle suggested a review the town’s property tax exemptions every
11 five years to coincide with the town wide revaluation. He explained that this does not guarantee a change to
12 the property exemption it just requires a review of the property tax exemptions every five years. He stated
13 that would avoid a long period between reviews. He stated the last modification to the property tax
14 exemptions was done in 2006. Mike Smith stated that this is a responsibility of the Assessing Clerk. Martha
15 Mical stated that she reviewed the exemptions in 2015. Mike Smith reiterated that this is an assessing
16 function. Harry Seidel spoke in favor of reviewing the exemptions at the same time as the town wide
17 revaluation. Martha Mical agreed with Mike Smith that this is a function or responsibility of the Assessing
18 Department. David Carle stated that it would be up to someone in town to bring forward a warrant article if
19 it was determined that the exemptions should be adjusted. He suggested the Select Board could establish a
20 review committee. James Gaffney suggested that the Town could post their findings related to the property
21 tax exemption allowing citizens to decide if they want to put forward a warrant article. Alfred Hanson stated
22 that the Select Board should be involved or aware of the process.

23
24 **Alfred Hanson made a motion seconded by Harry Seidel to table the proposed property tax exemption**
25 **review for further consideration. ROLL CALL VOTE Seidel YES Hanson YES Smith No**
26 The Property Tax Exemption Review was tabled until the May 27, 2025 Select Board meeting.
27 David Carle stated that the Rules of Procedure is an extremely important document for this board. He stated
28 that it is only important if it is followed. He noted that there are several procedural items that the Select
29 Board has not followed such as the selection of a Chair and Vice Chair. Mr. Carle explained that for the
30 document to have the power and guidance the Select Board must follow it.

31
32 **b. Mike Carol: Building Permit**

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

43
44 Alfred Hanson asked for a recap of how the building permit fees where adjusted last year. Harry Seidel
45 explained that he looked at what surrounding communities were charging. The Select Board recognized that
46 there were several issues relating to the building permit structure. He stated that it was costing the town
47 more to actually issue the permit than was being collected. He explained that he and Mike Smith worked on
48 this for a long time and there were several revisions. Harry Seidel stated that building codes have evolved to
49 that a conditioned space in a basement requires the walls to be insulated. He stated that is why many town

1 charge the same. Mike Carol stated that building code does not require the walls to be insulated. There was
2 a discussion regarding the number of times that the building inspector inspects a new construction project (6-
3 7 times). Micah Thompson, a local contractor stated that the Select Board held one public hearing that lasted
4 45 minutes. He stated that was not enough time and felt as though it was pushed through. He stated that
5 there used to be 6 things that a building permit needed now there are 26. He stated that people cannot afford
6 the new fee structure. He stated that the Town of Bradford charges \$50. James Gaffney stated that in the
7 past permits were significantly delayed and requirements were put on the applicant that the State and the law
8 do not require. Mr. Gaffney advised the Select Board that he made a suggestion in the past that the Select
9 Board put together a committee of knowledgeable people to review the building permit process to identify
10 any issues and collectively come up with a solution. James Gaffney stated that the link on the website to the
11 building permit does not work. Mr. Gaffney advised the Select Board that State Law prohibits towns from
12 charging more than it costs them. He stated that he has not been able to find any Select Board discussion on
13 what the actual costs were or how the new fees were calculated. He urged the Select Board to revisit the
14 building permits. Karen Coyne stated that she recently filed for building permit \$150 to pull the permit and
15 \$150 for permit review. She asked for clarification on the fee calculations. She stated that the permit she
16 pulled was for a small porch and would not require 6-7 visits from the building inspector.
17

18 Alfred Hanson asked if there is a different fee structure for building a new home verses a bathroom
19 renovation. Mike Smith stated the fees are the same. Mike Smith stated that the Select Board held several
20 public discussions relating to the building permit fee increase and held one public hearing.
21

22 c. HOP II Grant Committee Set-up

23 Mike Smith stated that the Planning Board Chair has indicated that the Planning Board should be tasked with
24 establishing the HOP II Grant committee. Harry Seidel explained that the statutory requirement is for the
25 Select Board to create the committee and appoint the members. He noted that many of the interested people
26 are Planning Board members. Alfred Hanson asked if there is a conflict for Planning Board members to sit
27 on the committee. Harry Seidel stated that there is no conflict unless it creates a Planning Board quorum.
28 Karen Coyne explained that originally it proposed that the HOP committee be subcommittee of the Planning
29 Board with the inclusion of public / citizen members. She stated that they did not want the original HOP
30 committee to be driven by the Planning Board. She explained as the process went along and Planning Board
31 members attended the meetings they realized that a quorum of the Planning Board was created. She stated
32 that at that time the decision was made that the entire Planning Board would attend the HOP Grant
33 committee meetings. Karen Coyne explained that the applications submitted for the HOP II Grant has
34 resulted in a Planning Board quorum. She suggested two solutions; 1) the HOP II Grant committee should
35 be facilitated as a part of the Planning Board or 2) a separate committee all together and only one Planning
36 Board member seated. Harry Seidel suggested three Planning Board members.
37

38 Alfred Hanson stated that the Select Board needs to move forward and cautioned about putting this under the
39 Planning Board. Harry Seidel stated that original HOP grant charter mentions the Planning Board numerous
40 times. Karen Coyne explained that the Planning Board wrote the charter. Harry Seidel appreciates the idea
41 of civic engagement, fresh ideas and flexibility. Karen Coyne stated that public involvement was not limited
42 and they felt that was very important when the charter was written. Harry Seidel would like the committee
43 to be created as soon as possible.
44

45 Bob Holmes explained that the Charter stated that in order to have a Housing Advisory Committee quorum 3
46 Planning Board members were required to be present. He stated that kept a direct connection to the Planning
47 Board. Bob Holmes would like to start moving forward. He spoke to the benefits of working with CNHRP.
48 Karen Coyne stated that the 3 person quorum requirement in the Charter was not intended for the Planning
49 Board's control but to solve the issue of an accidental Planning Board quorum. She explained that by

1 requiring 3 Planning Board members meant that the meetings would be properly noticed. Karen Coyne
2 advised the Select Board that RSA 673:7 allows only one Planning Board member to serve on this
3 committee.
4

5 Ian Rogers (via Zoom) clarified that RSA 673:7 only applies to a commission or board not a committee. He
6 explained that if there is a Planning Board quorum in attendance at a HOP II grant meeting the members
7 must not discuss any Planning Board business and a quorum of the Planning Board could not vote. He stated
8 that if he is appointed to the HOP II committee he would volunteer to abstain from voting.
9

10 Alfred Hanson would like to take on the task of doing some additional research and put something together
11 for the next Select Board meeting. He explained that he is not prepared to form the committee tonight.
12 Harry Seidel stated that this is an important committee and he would like to see the committee formed but he
13 would like Mr. Hanson's blessing. Harry Seidel stated that he could support Mr. Hanson's suggestion to table
14 this until the next Select Board meeting.
15

16 **Alfred Hanson made a motion seconded by Harry Seidel to table the HOP II Grant Committee Set-up**
17 **until May 27, 2025. ROLL CALL VOTE Hanson YES Seidel YES Smith NO**
18

19 d. Donation Sam Carlson of Encore Energy

20 Harry Seidel stated that he would like to see the donation applied to the improvement at the Warner
21 Community Center. He would like to plant two trees at the WCC. He stated that Tim Allen would cut out
22 the asphalt where the trees would be planted. He said the Beautification Committee would plant additional
23 landscape. He spoke to George Pelletier and Tyler Lawn Care, both are supportive of the project. Tyler
24 Lawn Care is willing to the discount his rate. Harry Seidel stated the trees range from \$200-\$500. Alfred
25 Hanson asked for an estimate, Harry Seidel estimates \$7,000. Mike Smith is concerned that the project
26 would further exasperate the parking issues at the WCC.
27

28 Mike Smith stated that there is a proposal for the installation of panic button at the WCC and other locations.
29 He also spoke about the proposal from Tyler Lawn Care to correct the issues with the grass outside of Town
30 Hall. Alfred Hanson stated that the Farmers Market would need to relocate for the grass to establish. He
31 spoke about past attempts and money spent to correct the lawn issues. Mike Smith suggested donating the
32 money Warner Fall Foliage Committee who has a well-established system in place to accept and expend
33 funds. He explained that the Committee has agreed to advertise Encore Energy. Mike Smith mentioned
34 replacing/repairing signage. He stated that proposed projects costs totals \$10,000.
35

36 Ian Rogers stated that donation from Encore Energy is considered unanticipated funds and the Select Board
37 must hold a public hearing to accept the donation. Ed Mical concurred that the funds cannot be accepted
38 without a duly noticed public hearing. The Select Board will schedule a public hearing for the next meeting.
39 Martha Mical stressed that all costs need to be available for the public hearing.
40

41 e. Town Owned Property

42 Mike Smith provided a list of Town owned property under consideration for resale. He stated that the town
43 has received a letter of interest regarding Map 14 Lot 46-1 Bartlett Loop. Mike Smith recapped the process
44 that he has been following. Nancy Martin Chair of the Conservation Commission stated that there are several
45 properties on the list that the Conservation Commission does not recommend selling. She explained that
46 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
47 future buyer. Nancy Martin stressed that the WCC wants to do their due diligence on researching the
48 properties. She stated that he WCC has not voted on their recommendation yet, but there are approximately
49 6-8 that they would recommend. Mike Smith clarified that after he meets with the other boards and
50 committees he will come back to the Select Board.

1
2 **Harry Seidel made a motion seconded by Mike Smith to move forward the list of Town owned**
3 **properties to the Planning Board for their review. ROLL CALL VOTE Hanson No Seidel YES Smith**
4 **YES**

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

9 **Harry Seidel made a motion seconded Mike Smith to move forward by investigating Map 14 Lot 46-1**
10 **for resale. ROLL CALL VOTE Hanson No Seidel YES Smith YES**
11

12 f. Volunteer Forms: Steve Reale / Anthony Mento

13 The Select Board discussed the volunteer form from Steve Reale. Steve Reale stated that he is interested in
14 the building inspector position not the compliance officer. Mike Smith stated that Anthony Mento has not
15 submitted his volunteer form.

16 Harry Seidel stated that Anthony Mento is only interested in building inspection and he supportive of
17 combining the two (building inspector and compliance officer). Alfred Hanson requested a status update on
18 the building inspector and the alternate. Harry Seidel explained that Tom Baye is retiring. He stated that there
19 are two applicants who would both do a good job. Alfred Hanson stated that when the Town has Tom Baye's
20 resignation in writing they can move forward. Harry Seidel explained that Tom Baye is flexible and will
21 work with the Town. Harry Seidel explained that Anthony Mento is an architect and has considerable
22 experience. James Gaffney explained that the Town has found itself in court relating zoning issues. He
23 stated that the two positions are closely intertwined. He supports combining the positions. Harry Seidel
24 suggested hiring one of the two applicants to be the town building inspector. The Select Board tabled the
25 discussion until May 27, 2025.

26 *The Select Board took a 10 minute recess*

27 Alfred Hanson asked if there is hiring protocol to follow for the building inspector. Mike Smith confirmed
28 there is a process. He stressed that the hiring process should be followed. Martha Mical stated that the job
29 needs to be advertised. Harry Seidel questioned if the position should be considered a volunteer when the
30 person is paid a stipend of approximately \$2,000/year for a compliance officer and \$4,000/year for the
31 building inspector. Ed Mical suggesting advertising with the NHMA.
32

33 g. Abatement: Map 10 Lot 104

34 Tabled until May 27, 2025
35

36 h. Lease Agreement Discussion

37 Robert Bower of Kearsarge Gore Farm has requested to lease town property on Gore Road Map 21 Lot 9.
38 Elizabeth Labbe Assessing Clerk advised the Select Board that the property is part of the Town Forest and
39 the Chandler Community would need to be involved in the decision. Harry Seidel explained the property
40 abuts the Town of Sutton and the farm also works with land owners on the Sutton side. He stated that an
41 advantage for the farm to lease the property is the ability to maintain the road allowing access to the Sutton
42 side. Elizabeth recapped that the town took 6 lots (18-6, 18-2, 18-16, 18-12, 18-15 and 21-9 formerly known
43 as Carriage Trail Acres) and in 1993 the town voted in the Town forest.
44

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

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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 Edelman 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. 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 the 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.
- 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 6:58 PM
Respectfully submitted on 5/15/25 by Tracy Doherty