



TOWN OF WARNER

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Selectboard, Harry Seidel, Chair
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Selectboard Meeting Minutes

Thursday, September 5, 2024

2:30 p.m.

I. Open Meeting, Roll Call

Chair Seidel called the meeting to order at 3:05 pm and the Selectboard joined the Avitar zoom meeting.

Present: Harry Seidel, Faith Minton, Michael Smith.

Also present: Kathy Frenette, Town Administrator, Judith Newman-Rogers, Selectboard Admin Asst, Elizabeth Labbe, Assessing Admin Asst, John Leavitt, Nancy Martin, Martha Mical

II. Appointment: Avitar Software Presentation of Building Permit

Amy from Avitar presented a demonstration of the company's Building Permit module by sharing the Building Permit user screen on zoom as she demonstrated different scenarios of how the software can be used; the building permit module pulls in information from the related property card; software is customizable, can access map overlays for flood plan, conservation – if that is set up; software keeps and tracks projects, payments, deadlines, information, permits and notes; pictures can be uploaded; building permit information populates into assessing; software currently used in New Boston, Boscawen, Henniker; Amy will research if local area towns use it and update the Board with a software cost.

Presentation ended at 3:55 pm.

III. Business Meeting

Harry Seidel opened the business meeting at 4:00 PM.

IV. Select Board Meeting

Harry Seidel explained that Ian Rogers and Elizabeth Labbe both need to leave the meeting and request to be moved up on the agenda. The Select Board agreed.

a. New Grant Funds Available from the Housing Opportunity Grant (HOP)

Ian Rogers addressed the Select Board with an update on the next available HOP grant. He explained that the grant application is due September 30th. Harry Seidel stated that the Select Board is supportive. Faith Minton stated that a small committee or group should be established to expedite the writing of the grant application. Ian Rogers is confident that the group of people who have expressed interest will accomplish the task.

Faith Minton made a motion seconded by Mike Smith to form a work group that will work together to write the HOP grant #2 and submit it by September 30, 2024. Motion passed unanimously.

b. Elizabeth Labbe, Assessing Admin Asst, presented the Select Board the following items for approval:

1. Veteran's Tax Credit: Map 13 Lot 039-1
**Motion: Seidel, to approve Veteran's Tax Credit for Map 13 Lot 039-1,
Second Minton Voice Vote Passed**
2. Intent to Cut: Timber Project No: 24-463-14-T Map 09 Lot 011
**Motion: Seidel, to approve Intent to Cut for Map 09 Lot 011
Second Minton Voice Vote Passed**
3. Yield Tax: Timber Project 24-463-08-T Map 02 Lot 013
**Motion: Seidel, to approve Yield Tax for Map 02 Lot 013
Second Minton Voice Vote Passed**
4. Land Use Change Tax:
 - a. Map 03 Lot 095-2
 - b. Map 03 Lot 095-3
 - c. Map 03 Lot 095-4
**Motion: Seidel, to approve LUCT for Map 03 Lots 095-2, -3, -4
Second Minton Voice Vote Passed**
 - d. Map 18 Lot 028
**Motion: Seidel, to approve LUCT for Map 18 Lot 28
Second Minton Voice Vote Passed**
5. First Bill Housekeeping Abatements:
 - a. Map 08 Lot 006
**Motion: Seidel, to approve housekeeping abatement for Map 08 Lot
006
Second Smith Voice Vote Passed**
 - b. Map 16 Lot 068
**Motion: Seidel, to approve housekeeping abatement for Map 16 Lot
068
Second Minton Voice Vote Passed**
6. Land Use Change Tax Abatement: Map 03 Lot 095-1
**Motion: Seidel, to approve housekeeping abatement for Map 16 Lot 068
Second Minton Voice Vote Passed**
7. Discretionary Preservation Easement Deeds:
 - a. Map 15 Lot 009, Bridgewater
**Motion: Seidel, to approve Discretionary Preservation Easement Deed
for Map 15 Lot 009 (50%) Second Minton Voice Vote Passed**
 - b. Map 16 Lot 020-1, Porter

**Motion: Seidel, to approve Discretionary Preservation Easement Deed
for Map 16 Lot 020-1 (25%) Second Smith Voice Vote
Passed**

The Select Board will review the Building Permits at another time.

Harry Seidel moved the Water Erosion on Roslyn Street from Select Board Business up to be heard next.

c. Elizabeth Joyce, Water Erosion on Roslyn Street

Elizabeth Joyce advised the Select Board this issue has been going on for 40 years. She explained: when the curb across the street was installed the drain was incorrectly placed; a curb was not installed on her side of the street which allows the water to collect on her property causing significant erosion and property damage; the water had made its way into her basement and is compromising her foundation. Elizabeth Joyce feels this is caused by the neglect of the Town.

Harry Seidel stated: he met with Town Administrator Kathy Frenette, Director of Public Works (DPW) Tim Allen and spoke to prior DPW and Selectperson Allan Brown; explained the Joyce property has a fence that has been installed in the Town Right of Way (ROW) preventing any improvements to that side of the road; a curb on the opposite side of the road will be removed so the water will drain on to Steve Hansen's property; Mr. Hansen has agreed to this as a temporary solution; a permanent solution would be to repave the road at a pitch that drains the water towards the sewer drain; the current budget does not include funds for this project, but it will get done next year. Elizabeth Joyce adamantly disagreed with the solution offered. Faith Minton believes this is a good place to start until the funds are available. Elizabeth Joyce spoke about the dangers of this situation. Harry Seidel reiterated the temporary and long term solution.

Harry Seidel made a motion seconded by Mike Smith to instruct Tim Allen to remove a section of curb for the purpose of redirecting the run-off to a portion of Steve Hansen's land as a temporary solution. Furthermore, as part of next year's road budget the section of road in front of the Joyce property will be re-graded and re-paved to correct the pitch of the road. Motion passed unanimously.

Harry Seidel moved the Executory Interest discussion from Select Board Business up to heard next.

d. Conservation Commission, Nancy Martin Chair, Executory Interest on Blue Moon Berry Farm

Nancy Martin asked the Select Board to vote to accept the executory interest on the Blue Moon Berry Farm conservation easement with the provision that the conservation commission or the Select Board can review the easement before signing; "executory interest" means the Town would only be responsible if for some reason Five Rivers Land Trust should ever fail. Nancy Martin explained that this has been done numerous times in the past for other properties. She stated that the easement is almost complete and the Agricultural Commission recently voted

unanimously to ask the Select Board to accept the back up interest. The Select Board supports this action.

Faith Minton made a motion seconded by Mike Smith to accept the executory interest on the Blue Moon Berry Farm conservation easement with the provision that the Select Board will review the documents before signing. Motion passed unanimously.

Point of order made by John Leavitt. Mr. Leavitt spoke about the need to name the members of the HOP grant committee.

Harry Seidel made a motion seconded by Faith Minton to appoint Kathy Frenette, Janice Loz, Mike Tardiff, Laura Hallahan, Bret Ingold, Barb Marty or her designee to the HOP Grant committee. Motion passed unanimously.

V. Select Board Business

a. Compliance Officer, Continued Discussion

Harry Seidel explained that the building permit revisions are almost done, and it would be premature to try to ascertain the help that will be needed. He would like to allow Elizabeth to have the opportunity to implement the changes before moving on the position of a Compliance Officer. Mike Smith stated that he is not opposed to that. Harry Seidel stated that relative to commercial permits or subdivisions the RSA does allow towns to form a subcommittee that can offer a greater sense of expertise regarding land issues if necessary. Harry Seidel suggested tabling any further discussion on the Compliance Officer position. John Leavitt asked for clarification on the subcommittee's authorities and duties. Harry Seidel stated that the committee would need to follow all laws relating to committees. Mike Smith is interested in the position so that the Town has someone trained to look at specific compliance issues.

b. Transfer Station, Discussion Change to Open Public Hours

Mike Smith explained he and DPW Tim Allen have come up with a time change schedule; the Select Board would need to hold a public hearing if they chose to move forward; proposed time change schedule is as follows: 12-4 PM on Tues and Wednesday, 12-7 PM Thursday, 8AM-4 PM Saturday and Sunday; there is a possibility of closing on Sunday; the new schedule would give employees time to process material and reduce the dangers of moving equipment around while open to the public; the transfer station would be open 31 hours to the public. The Select Board agreed to hold a public hearing on September 17th.

Mike Smith made a motion seconded by Faith Minton to schedule a public hearing on September 17, 2024, to change the transfer station hours on Tuesday and Wednesdays to be open from 12:00 pm to 4:00 pm, 12:00-7:00 pm and Saturday and Sunday 8:00 am-4:00pm. Motion passed unanimously.

c. Town Report, Areas for Savings

Kathy Frenette explained: there is an opportunity for savings by reducing the number of Town Reports printed; she proposed making reports available to residents in public places like town hall, transfer station and the library versus mailing them to all residents. Martha Mical stated that a few years ago the Town did this and many residents were upset. Kathy Frenette stated that

this year the cost to print and mail the annual reports was \$6,813.67. Judy Newman-Rogers advised the Select Board that the Town underpaid postage last year; cost should have been a few thousand higher; since last year there have been two postage increases with another slated for January creating a significantly higher postage expense. Kathy Frenette explained the town printed almost 1000 copies last year; suggested printing 800 this year. Faith Minton supports the idea and stressed the need to get the word out that the reports will be available for pick up. Mike Smith stated the Town Report will also be available online. Judy Newman-Rogers explained that residents want their taxes lowered and this is a step in that direction. Kathy Frenette agreed this is definite savings while not eliminating the service. Harry Seidel explained the town report is a direct way to inform the residents of Warner; expressed concern but acknowledges the savings. The Select Board agreed to begin spreading the word. Martha Mical urged the Select Board to begin drafting the notice immediately. Harry Seidel is unsure how many reports should be printed. John Leavitt echoed Harry's concern. Pier D'Aprile spoke in support of this as a cost savings for the taxpayers. He urged the Select Board to look at ways to increase revenue.

Mike Smith made a motion seconded by Faith Minton that the Town Reports will not be mailed this year, and the Town will publicize that through mailings such as tax bills and other communications. Furthermore, the Select Board will at a later date determine the number of Town Reports that will be printed for residents to pick up. Motion passed unanimously.

Harry Seidel called a 5 minute recess.

d. Repurchase Tax Deeded Property

Michael Smith stated he is currently looking into a request from another resident who inquired about buying back 3 parcels that were taken by the town.

e. Sale of Town Owned Properties

Mike Smith informed the Select Board he has received a request about leasing 5.5 acres of town owned land for the purpose of tapping trees. He asked the Select Board if there is any interest and if he should investigate this request. Faith Minton and Harry Seidel view this as a source of revenue for the town and support looking into this request.

Mike Smith spoke about two parcels previously discussed, Map 28 Lot 002 and Map 28 Lot 004-1, both in the Tom's Pond area; he has met with the Planning Board and Conservation Commission; there was a site walk; the parcels are small acreage parcels; the Conservation Commission wants to look a little deeper at one parcel but they support the other for resale.

Mike explained one parcel is 16 ½ feet wide x 200 feet deep. Martha stated that parcel has a ROW for the Fire Department. Mike Smith explained that currently the land is not able to be used by any vehicle, he did not see a ROW noted and it would require development to be utilized. Judy Newman-Rogers stated that the parcels are lots of record and could possibly be developed. Martha Mical agreed as long as the setbacks are met. Mike Smith and Judy Newman-Rogers spoke about the ROW being a ROW in practice or assumed ROW for the Fire Department. Mike Smith explained it is not a legal ROW, nothing deeded. Mike Smith explained that this is a search for sources of revenue for the Town. Harry Seidel asked if there is a waterfront association. Mike Smith stated there is an association.

Harry Seidel opened the discussion up to the public.

Pier D'Aprile stated the idea has great potential, but he would like more consideration given to what the best option is for the Town such as selling the parcels together or possibly creating lake access for the town. Mike Smith explained that access to the lake is the reason the Conservation Commission would like to hold off on selling the smaller parcel; the Town does own other land on the lake; indicated that the Select Board is continually looking for revenue sources and they have previously discussed these two parcels; would like the Select Board to allow him to continue to evaluate other Town owned parcels for additional revenue. Harry Seidel suspects that the property owners in the area would prefer one owner opposed to town wide access or out of town users. Mike Smith stated that he will continue to investigate these two parcels.

Mike Smith spoke about two additional town owned parcels: Map 17, Lot 15 and Lot 17. He spoke to the Conservation Commission; there is a site walk scheduled for next week; he is meeting with the Planning Board on Monday September 9th ; he has not worked out the resale figures because the town is just shy of the three year requirement; the back taxes the Town would collect is not substantial, but the parcels would be back on the tax rolls. He spoke about the other parcels on Tom's Pond indicating that the Town would not sell them for less than \$18,000 and the other not less than \$35,000. The Select Board agreed that Mike Smith should continue to investigate selling Map 17 lots 15 and 17.

Harry Seidel made a motion seconded by Faith Minton to allow Mike Smith to continue investigating the sale of Town owned properties Map 17 Lot 15 and Lot 17. Motion passed unanimously.

f. Logging Town Owned Properties

Mike Smith explained: he has not heard from the forester regarding the selective cut on the transfer station property; he outlined the area of the cutting which is requested by Tim Allen; he has met with both the Planning Board and Conservation Commission who are supportive of the project; asked for the authority to hire the logger. Martha asked for clarification on the value of the timber from the town forester. Harry Seidel questioned the need to go out for a bid. Mike Smith explained the logger offered to grind the town brush for the rest of the year in exchange for timber cut. He stated that he has received a value from the forester. The Select Board agreed to wait to hear from the town forester. The Select Board also decided to ask the forester to look at another lot (Map 9 Lot 12) near a logging project on Map 9 Lot 11.

Mike Smith stated: he is looking at Town owned property that could be logged for timber revenue and then sold; he is looking at ways to increase revenue; he asked for Select Board permission to have the forester look at the property. Harry Seidel inquired if the property would be more or less valuable to a land buyer if the timber is removed. Judy Newman-Rogers explained that years ago this property had been listed as a town owned property to be sold until the Conservation Commission at that time did not support the sale. Mike Smith stated that the Conservation Commission opposed the sale because they did not believe the Town would make enough money by selling the lot. Judy Newman-Rogers added that at the previous review, there had been expressed interest in purchasing the property. Mike Smith agreed and stressed that if the property is developed there would be property tax revenue to be gained. Mike Smith asked

about Map 19 Lot 37, he advised the Select Board that the town forester has indicated that there would be good yield from that lot. He asked if the Select Board would support him meeting with the Conservation Commission for good stewardship of land.

Harry Seidel made a motion seconded by Faith Minton to ask the town forester to look at Map 9 lot 12 for the intent of possible logging and potential resale. Furthermore, to allow Mike Smith to meet with the Conservation Commission regarding logging of Map 19 Lot 37 as good stewardship of the land and revenue for the town. Motion passed unanimously.

VI. Adjournment

Faith Minton spoke about the length of this meeting and other recent meetings. She urged the Select Board to consider meeting every other week for regular Select Board meetings and every other week to hold work sessions. She stressed that 4-6 hour meetings are too much. Mike Smith agreed.

Faith Minton made a motion seconded by Mike Smith to continue the Select Board meeting tomorrow morning at 9:00 am. Motion passed unanimously.

The meeting adjourned at 7:08 PM.

Respectfully submitted by Tracy Doherty
Edits, Judith Newman-Rogers, Selectboard Admin Assistant
Edited by Darcie Buskey, Assistant Clerk