



TOWN OF WARNER

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

Select Board Meeting

Tuesday October 15, 2024 4:00 PM

I. Open the Meeting and Roll Call

- Chair Seidel called the meeting to order at 4:10 PM
- Present: Harry Seidel (Chair), Faith Minton, Michael Smith
- Also Present: Town Administrator Kathy Frenette and Selectboard Administrative Assistant Judith Newman-Rogers

II. Select Board Meeting Minutes : October 1st and October 8th.

Select Board meeting minutes TABLED

III. David Carle and Elizabeth Labbe, Assessing Administrative Assistant, Presentation on the Reasons to Change the Elderly Tax Exemption

David Carle explained that months of research went into the change proposed. He explained that Warner has not revised the Elderly Tax Exemption since 2006.

Current income limit for a single person is \$35,000; a married couple - \$45,000.

Asset limit for both single or married is \$85,000.

David Carle stressed that the poverty rate for the elderly increased from 6.2% to 7.9%; the elderly exemption is for the low income and limited asset elderly residents; current exemption structure is not keeping up with the increase in property values; in 2006 the median home value was \$180,000; in 2024 it is \$428,000

a. Current Elderly Exemption:

Single income \$35,000, Married combined income \$45,000, Asset limit \$85,000

The Elderly Exemption is based on percentages (65-74 years old, **30%**, 75-89 years old, **42%**, 80+ years old **56%**) of the 2006 median home price in Warner (approximately \$180,000).

b. 2024 Proposed Two options

#1 Age Ranges and Exemption: 65-74, \$50,000 75-79, \$75,000 80+, \$100,000

Single income \$50,000, Married \$65,000

Asset limit: \$ 170,000

The Elderly Exemption based on percentage (65-74 years old, **30%**, 75-89 years old, **42%**, 80+ years old, **56%**) of 2024 median home price in 2024 (\$428,000).

#2 Age Ranges and Exemption: 65-74, \$128,400 75-79, \$214,000 80+ \$299,600

Single income \$50,000 Married \$65,000

Asset limit \$ 170,000

The Elderly Exemption based on percentage (65-74 years old, **30%**, 75-89 years old, **50%**, 80+ years old, **70%**) of 2024 median home price in 2024 (\$428,000). If the owner qualified for the exemption, the tax bill would be the amount shown.

1 The Select Board agreed to hold a public informational session on December 3rd at 6:00 PM.

2
3 **IV. The Select Board heard next from a Warner resident**

4 Mark Arsenaault, 44 Quimby Road, informed the Select Board he purchased his property with a newly installed
5 furnace as part of the sales agreement; the furnace is 8 years old and has been rendered unusable; he spoke with
6 the installation company, learned his warranty covered the part needed; he scheduled the repair; was quoted
7 \$1,040 for the company to replace the part; one day before the appointment the company sent him an invoice
8 for \$3,700; he canceled the repair and informed the company that he would pick up the part his warranty
9 covered: the company denied his requested citing management will not allow the release of the part; he has
10 learned that the company that installed his furnace did not pull the required permit with the Town. Mr.
11 Arsenaault is looking for the Select Board's input on the situation. Mike Smith explained that a fine for not
12 pulling the permit would start once the town is notified not from the installation date. He recommended
13 contacting the contractor's association. Mike Smith questioned who actually is entitled to the warranty. He also
14 recommended that Mr. Arsenaault contact the Better Business Bureau. Kathy Frenette suggested contacting the
15 Attorney General's office.

16
17 **V. Select Board Business**

18 **a. Sale of Town Owned Properties**

19 Mike Smith stated that there is nothing new to report. Harry Seidel spoke about a recent conversation during a
20 Budget Committee meeting that addressed previous efforts by a select person to sell town owned property. He
21 spoke about a criteria checklist that was put in place to review the properties. Mike Smith stated that is the
22 same process he is following; he mentioned there are people who feel the process is moving too fast; stressed
23 that he has only brought forward 4 parcels in 2 months and each of the parcels have been brought to the
24 Selectboard, Planning Board and Conservation Commission for input and review. Faith Minton explained that
25 the properties are only being *reviewed* for potential resale.

26 Mike Smith brought forward Map 9 Lot 6-1, 5 acres on Mink Hill Road for review. Rebecca Courser
27 questioned if perhaps the Town owns this parcel for protection for the reservoir. Mike Smith explained that
28 information would have been uncovered in his research of the parcel. He noted that the lots on both sides of
29 this lot, have homes. The parcel is in district OC-1. The Select Board agreed that Mike Smith can continue his
30 research.

31
32 **b. Perambulation with Henniker – Update**

33 Mike Smith has not heard back from Henniker regarding the date of the perambulation. He will advise the
34 Select Board when he knows. Rebecca explained the past perambulation process.

35
36 **VI. 6:00 PM Public Hearing – 1**

37 **a. Open Public Hearing**

38 Harry Seidel opened the public hearing at 6:00 pm

39
40 **b. Presentation:** Withdraw \$50,000 from Highway Construction Capital Reserve Fund to Pave Red
41 Chimney Road.

42 Tim Allen requested to withdraw \$50,000 from Highway Construction Capital Reserve Fund (CRF) to pave Red
43 Chimney Road. He would like to dig out 1000 feet of the road and put the base hot top on it for the winter. He
44 stated that the money is in the CRF. He stated that the paving has been in the Capital Improvement Program
45 (CIP) since 2022. The Select Board is in support of the request.

46
47 **c. Open Public Comment**

48 Harry Seidel opened the floor for public comment. Ed Mical clarified that the contractor who is already on site
49 will be doing the work. Tim Allen concurred. No other comments.

1 **d. Close Public Comment**

2 Harry Seidel closed the public comment

3
4 **e. Board Discussion/Action: Approve/Deny/Continue**

5 Faith Minton, Mike Smith and Harry Seidel all expressed their support.

6
7 **Faith Minton made a motion seconded by Mike Smith to withdraw \$50,000 from the Highway**
8 **Construction Capital Reserve Fund to pave Red Chimney Road. Motion passed unanimously.**

9
10 **f. Close Public Hearing**

11 Harry Seidel closed the public hearing at 6:05 PM

12
13 **VII. 6:00 PM Public Hearing – 2**

14 **a) Open Public Hearing**

15 Harry Seidel opened the public hearing at 6:06 pm

16
17 **b) Presentation: New Building Permit Fees**

18 Harry Seidel explained the building permit fees have been under review for the last year in an attempt to
19 provide clarity and reduce confusion. He reviewed the permit process of several nearby towns. Faith Minton
20 commended Harry Seidel and Mike Smith for their efforts in revising the Town's application.

21
22 **c) Open Public Comment**

23 Harry opened the floor for public comment. Micah Thompson a local carpenter, asked when the fees will go
24 into effect. Mike Smith explained that the fees will take effect after this public hearing. He stated that the fee
25 structure was revised to cover the Town's costs so that the taxpayers of the Town are not paying for what is not
26 covered by the existing fees. Micah Thompson asserted that the fees are increasing significantly and are higher
27 than surrounding towns. Harry Seidel stated that all surrounding towns are reviewing their building permits
28 fees. He recapped all the various steps that the Town took. Micah Thompson expressed his frustration
29 regarding the process, and he would like clarification on where the money will go. Mike Smith reiterated that
30 this review process began a year ago. He stressed that after a yearlong process this public hearing is to present
31 the new building permit fees. Micah Thompson feels that this is a top-down process and he is surprised that
32 there is not more resistance.

33 John Leavitt asked why there is a difference in cost to inspect a larger deck versus a smaller deck.
34 Michael Smith explained that an increase is standard among the communities surveyed. Judy Newman-Rogers
35 reiterated that this is an attempt to cover the Town's costs. John Leavitt stated that in many cases people will be
36 charged more than the Town's cost. Ed Mical stated that the fee correction should be specified for clarity. He
37 asked if the proposed fee structure was compared to surrounding communities. Harry Seidel and Mike Smith
38 confirmed. Micha Thompson asserted that the other communities have not raised their fees as of yet.

39
40 **d) Close Public Comment**

41 Harry Seidel closed the public comment

42
43 **e) Board Discussion/Action: Approve/Deny/Continue**

44 Faith Minton stated that she appreciates the time and efforts of Harry Seidel and Mike Smith. She spoke about
45 two recent lawsuits filed against the Town and she suspects a better permitting process could have alleviated
46 that. She trusts that Mike Smith and Harry Seidel are working in the best interest of the Town. Mike Smith
47 stressed that his objective was to cover the Town's cost. Harry Seidel agreed.

48
49 **Mike Smith made a motion seconded by Faith Minton to adopt the new building permit fees and to move**
50 **forward by implementing the fee schedule. Motion passed unanimously.**

1 **f) Close Public Hearing**

2 Harry Seidel closed the public hearing at 6:40 PM

3
4 *The regular Select Board meeting resumed.*

5
6 **c. Code Violation Enforcement Procedure – Update**

7 Harry Seidel explained that he conducted a survey on cease-and-desist orders; a decision will not be made at
8 this meeting; he read Hopkinton’s cease and desist order.; outlined the specifications in Hopkinton’s order;
9 stressed that Hopkinton’s order is enforceable because it is in their Town’s zoning ordinance. He stated that if it
10 is not in the Warner zoning ordinance the only other way to enforce a cease-and-desist order is to ask for the
11 authority at Town meeting. Mike Smith believes it is in the Warner zoning ordinance. Harry Seidel reviewed
12 Newbury and Sunapee’s ordinances. Judy Newman-Rogers informed the Select Board and displayed the zoning
13 ordinance page on the zoom screen stating that in March of 2004 the Town of Warner adopted the following
14 language in the zoning ordinance in article 19: *a person who violates any provision of the ordinance shall be*
15 *subject to penalties in accordance with RSA 676:17.* The Select Board agreed that Warner’s current zoning
16 ordinance does allow the Select Board to issue a cease and desist order and they can appoint a designee to
17 enforce the order. Mike Smith stated that the town needs a written policy. The Select Board spoke about the
18 steps to follow 1) discovery 2) judgement 3) enforcement. The Select Board discussed what to include in the
19 written policy. They discussed the current building code ordinance, Article 3 to include cease and desist
20 authority. The Select Board agreed to ask the Town’s Counsel for guidance and they will review the current
21 ordinance, and add any necessary references to the RSA’s.

22
23 **d. Replacing Pine Tree in Front of the Town Hall Building – Update**

24 Harry Seidel informed the Select Board that George Pelletieri recommends removing and replacing the pine
25 tree near town hall due to its deterioration; recommendations are a Balsam or a Frazier fir tree. The Select
26 Board approved a 7-8 foot tree for \$380.

27
28 **Mike Smith made a motion seconded by Faith Minton to approve the purchase and planting of a 7 – 8-**
29 **foot Frazier fir tree for \$380. Motion passed unanimously.**

30
31 **e. IT – Managed Care Review**

32 - included in Town Administrator’s report.
33

34 **VIII. Town Administrator’s Report**

35 - A copy of the Financial Report of the Budget, MS 535, was provided to the Select Board to review.
36 The original is to be signed and sent to the Department of Revenue Administration (DRA).

37 - Healthtrust benefit renewal package is increasing on average 9.8% statewide, Warner’s increase is
38 16.3%. Kathy Frenette explained that if the Select Board wishes to shop around, they need to start that process
39 in the spring. The Select Board discussed their disappointment with the significant increase. Kathy Frenette
40 suggested the Select Board read through the proposal and she will discuss with the Healthtrust representative
41 the ability to explore less expensive packages. She advised the Select Board that the medical renewal for
42 retirees is Medicare Advantage Prescription drug plan coverage, the rate is \$409 and is 100% paid by the retiree.

43 - She reviewed the current benefit package handout that will be given to employees at the benefit fair.

44 - IT – Managed Care: three companies have been contacted to provide a quote in addition to one quote
45 previously received

46 - Two individuals are interested in the land use administrator position. One candidate has 5 years of
47 experience and is looking for full-time employment.

48 - continued work on the budget and Capital Improvement Program (CIP) (Town Hall windows,
49 community center)

- Productive conversation with Town Administrator from Sutton; they discussed job sharing of a part time person.
- Colonial Life and Empower Retirement account set up by Clyde Carson. Harry Seidel asked for clarification about the administrative costs. (These are employee choices and 100% paid for by employees.)
- November 8th USS Mount Kearsarge has extended an invitation for dinner with town officials.

IX. Consent Agenda - None

X. Manifest

Motion for the Select Board to approve the following previously signed manifests:

- Accounts Payable check numbers 10713 through 10719 dated 10/10/2024, in the amount of \$5,827.54.

Motion to authorize the Select Board to approve and order the Treasurer to sign the following manifests:

- Accounts Payable check numbers 10720 through 10721 dated 10/15/2024, in the amount of \$61,454.56 for the Payroll and Federal Tax deposits for the October 17th bi-weekly payroll.
- Bi-weekly payroll checks numbers 3824 through 3839, and direct deposit check numbers E01928 through E01957 dated 10/17/2024 for a net payroll of \$47,581.44.

Faith Minton made a motion seconded by Mike Smith to approve the manifest as read. Motion passed unanimously.

XI. Public Comment - None

XII. Select Board Unanticipated Business

- Mike Smith asked for clarification on the budget committee's opinion that personal computers are used for Town business. Faith Minton received a response from Dan relating to the need to purchase computers. The Select Board discussed the laptop that Kathy uses. A determination was made that Kathy uses a refurbished town laptop.
- The Select Board discussed a letter that needs to be sent to the Town's counsel for review and then sent to the attorney representing Mr. Gibson, abutting party on Dimond Lane, as soon as possible.
- Mike Smith inquired about the contract status of the Avitar payment schedule.
- Faith Minton spoke about the survey questionnaire relating to improving communication with employees. She is suggesting a short employee survey to provide feedback to the town when someone resigns. Mike Smith supports the idea. Faith likes open-ended questions and prefers this format over a checklist by allowing the employee to provide feedback. Judy Newman-Rogers suggested an exit interview.

Harry Seidel made a motion seconded by Mike Smith to implement a resignation feedback survey. Motion passed unanimously.

XIII. Non-Public Session (If needed, RSA 91-A:3 II (a,b,c,d,e,f,g,h,I,j,k,l,m))

Pursuant to RSA 91-A: 3 II (c)

Matters if discussed in public, would likely affect adversely the reputation of any person. This extends to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.

1 **Motion to go into Non-public Session by: Seidel ___ Minton X Smith ___**
2 **Second: Seidel ___ Minton ___ Smith X**
3 **Vote by roll call: Seidel YES Minton YES Smith YES**
4 **Motion: Passed**
5 **Time: 8:30 pm - Enter Non-public session**

6
7 **Motion to Return to Public Session by: Seidel ___ Minton X Smith ___**
8 **Second: Seidel X Minton ___ Smith ___**
9 **Vote by roll call: Seidel YES Minton YES Smith YES**
10 **Motion: Passed**
11 **Time: 9:20 pm – Return to Public session**

12
13 **Motion on Minutes by: Seidel ___ Minton ___ Smith X**
14 **Available ___ OR Seal X for 5 Yrs**
15 **Second: Seidel X Minton ___ Smith ___**
16 **Vote by roll call: Seidel YES Minton YES Smith YES**
17 **Motion: Passed**

18
19 **Adjourn 9:22 pm**
20

21
22 Respectfully submitted by
23 Tracy Doherty
24 Edited by Judith Newman-Rogers
25 Selectboard Administrative Assistant