



TOWN OF WARNER

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Select Board: Michael Smith, Chair
Faith Minton
Harry Seidel
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Kathleen Frenette, Town Administrator
administrator@warnernh.gov

Select Board Meeting

Tuesday, January 21, 2025

4:00 PM

Lower Meeting Room Warner Town Hall

I. Open the Meeting and Roll Call

Chair Smith called the meeting to order at 4:07 PM

Select Board members present: Michael Smith (Chair), Faith Minton, Harry Seidel

Also, present Kathy Frenette, Town Administrator and Judy Newman-Rogers, Select Board
Administrative Assistant

Mike Smith adjusted the agenda order of business

III. Tim Blagden, Friends of the Concord Lake Sunapee Rail Trail, Discuss Transportation

Alternative Program (TAP) Grant. Tim Blagden asked the Select Board to consider being the official applicant of record for a transportation alternative program grant with the Friends of the Concord Lake Sunapee Rail Trail agreeing to raise matching funds. He stated this regards the bridge over the Warner River at Exit 9. Tim Blagden explained that the Town had applied unsuccessfully for the grant back in 2014. The Select Board was given the estimate of cost. Tim Blagden stated the total would be \$1,353,000 the Rail Trail to raise \$270,733 the remaining 80% would come from the State. He stated that the Friends of the Concord Lake Sunapee Rail Trail will stand in front of the Select Board and the Town's obligation to maintain the infrastructure. Tim Blagden informed the Select Board that the deadline to apply is January 24, 2025. The projects are ranked in April 2025 after the which they go into the draft 10-year plan in May 2025. He explained that construction is not expected for a few years.

Mike Smith asked about another recent request for a project at Exit 8 for \$600,000. He explained that there was a dispute regarding the use of ARPA funds. There was a recent hearing but no decision. He stated that he testified as did David Carroll and Barb Marty. Faith Minton stated that she sent a letter as a Select Board member but not on behalf of the Select Board. Mike Smith expressed his concern that it sounded like the letter was on behalf of the Select Board. She stated that it was not her intention to imply that she was speaking for the Select Board. Harry Seidel stated that there has been previous Select Board support for this, and he stated that he personally supports it. Mike Smith explained that he must look at all sides and understands that there are many in town who do not support it. Harry Seidel stated that the grant does not cost the Town, the money is coming from the State. He explained that he is trying to bring funds to the project that does not cost the taxpayers money. He views the \$600,000 as an opportunity for the Town. Faith Minton apologized and acknowledged that the letter could be construed as a letter from the Select Board. Harry Seidel suggested a future conversation to discuss the possibility of a letter of support from the Select Board. Tim Blagden encouraged the Select Board to discuss their support for the \$600,000 in matching funds that would enable the \$2.3 million that has been granted to the Town of Warner to move forward. He stated that it would be \$3 million

dollars' worth of outside investment in our town. The Select Board agreed to discuss the Exit 8 project at the next meeting.

Mike Smith opened public comment.

David Carroll stated that he attended the State Finance Meeting. He advised the Select Board that written comments are open until January 26th. He asked Harry Seidel to clarify how he determines what the majority of the town. Harry Seidel explained that he means that a representation of a few at meeting do not reflect the opinion of the entire town. He referred to the Master Plan of 2011 and 2018.

James Gaffney stated the Planning Board did not edit the Master Plan in 2018. He stated that the letter Faith Minton sent was sent from her Select Board email account and the study she referenced did not speak to the rail trail. He requested that a letter be sent to the Senate committee rescinding Faith Minton's letter until the Select Board makes a decision. James Gaffney explained that rail trail issues have never been brought to a town vote. He stated that a previous Select Board committed to making it a public process to allow public input on whether the town wanted to do anything with the rail trail specific to the acceptance of funding or not. He spoke to concerns raised in the past relating to the town's responsibility for maintaining the trail. He urged the Select Board to put forward a warrant article to determine the support of the community.

Barb Marty clarified that the request is for a 3rd round of funding for part of an environmentally destructive trail along the entire length of the Warner River. She explained that the rail trail development has never been vetted with any type of survey or a discussion regarding the cost to the Town. She stressed that the true cost to the Town needs to be fully discussed prior to applying for additional funding. She asked the Select Board to pass on this round of grants and allow for an independent environmental assessment on the entire project so that the voters can decide if they support the project or not.

Tim Blagden reiterated that the application deadline is January 24, 2025. He stated the Select Board can walk away from the grant at any time, the application does not bind the town in any way. Mike Smith stated that grants are often brought to the Select Board with very little time to consider. Harry Seidel and Faith Minton support applying for the grant. Faith Minton indicated that she remembers a lot of letters supporting the project. Barb Marty stated that they were from people out of town and Faith Minton is lying. Mike Smith insisted on decorum and asked Tim Blagden to meet with him tomorrow. He stated that the Select Board is meeting again on January 23rd and a decision will be made by January 24th. Faith Minton stated that she takes offense to the implication that she is lying when she distinctively remembers community members expressing their support for the rail trail.

IV. Laura Russell, Warner River Local Advisory Committee (WRLAC) Appointment

Laura Russell expressed her interest in continuing to serve on the WRLAC.

Faith Minton made a motion seconded by Harry Seidel to reappoint Laura Russell to the Warner River Local Advisory Committee. Motion passed unanimously.

V. Ed Mical, Emergency Management Director, Recommend Ronald Piroso Jr for vacant Deputy Emergency Management Director

The Select Board supports Ronald Piroso Jr for the position.

Faith Minton made a motion seconded by Harry Seidel to appoint Ronald Piroso Jr as Emergency Management Deputy Director for the Town of Warner. Motion passed unanimously

VI. Abatement Request Map 18 Lot 26, 27, 28

Harry Seidel apologized that he has not visited the property yet. He will speak to the Assessor and

the Assessing clerk soon. The Select Board agreed the best course of action is to speak to the Assessor and reschedule this discussion until the next Select Board meeting. Elizabeth Labbe stated that the DRA is coming in soon to discuss the upcoming reval.

Mike Smith made a motion seconded by Faith Minton that the Select Board will meet on Wednesday February 12th at 10:00 AM to discuss the reval with Avitar and the Department of Revenue. Motion passed unanimously.

VII. Select Board Business

a. Proposed Select Board Rules of Procedure

Faith Minton explained the Select Board has a rough draft that she would like to discuss and make corrections. The Select Board reviewed the draft and offered their proposed edits. The Select Board discussed references to the Master Plan, the duties of the Chair and the deadlines to notice, post and the submission of documents.

James Gaffney spoke about the need for transparency and urged the Select Board to make information available to the public so the public can follow along with their deliberations. He stated that at the last Town Meeting the voters voted that the Select Board would make all meeting videos public, but the Select Board recently voted to discontinue posting those videos. Mike Smith stated that he was not aware of the warrant article at the time that they voted to discontinue posting the videos. He assured James Gaffney that he is working on a solution. The Select Board continued their review. The Select Board agreed that the rules of procedure document would be updated with the changes and reviewed by legal counsel then made public.

An audience member Rebecca Courser asked to be recognized for public comment to remind the Select Board that the Boston Post Cane presentation is scheduled for February 1st at 1:00 PM at Town Hall.

John Leavitt spoke about previously discussed Rail Trail letter; he cautioned the Select Board when stating that the Town supports the rail trail because there are many in town who do not support it.

Public Hearing 6:00 PM – Red Chimney Project

a. Request and expend funds from the Highway Road Construction Capital Reserve fund for the cost to complete 900 feet of Red Chimney Road project. Mike Smith opened the public hearing at 6:05 PM

Mike Smith opened the public hearing.

Tim Allen explained that originally his plan was to pay for this out of the Highway operating budget paving line item. He stated that he had two other projects (North Road and Chemical Road) that ran over. He originally asked for \$50,000 for Red Chimney but this project ran over as well. The total cost for this project was \$108,366.

Kathy Frenette stated the balance as of October 31, 2024, the Highway Road Construction CRF is \$373,488.57.

Mike Smith opened the meeting for public comment.

Ed Mical stated that he fully supports the request. John Leavitt agreed with Mr. Mical and spoke about the remaining \$4,000 in the operating budget.

No other public comment was offered, the public comment was closed.

Faith Minton made a motion seconded by Harry Seidel to expend \$108,366.70 from the Road Construction CRF to pay an invoice from Weaver Brothers Construction. Motion passed unanimously.

Point of Order; Ed Mical stated the Select Board previously authorized \$50,000, Mike Smith explained that it was approved but not taken out and this is the total amount needed.

The Public hearing was closed

b. To accept and expend \$27,930 from InvestNH Housing Opportunity Planning (HOP) Grant.

Mike Smith opened the public hearing.

Mike Smith opened the floor for public comment.

Barak Greene asked the Select Board to consider using the second HOP grant to conduct an audit of the Planning Board, Zoning Board and the Land Use Office to establish written SOP's (Standard Operating Procedures) for all the departments. He further noted that this has been discussed at HAC and Planning Board meetings. He stated that the training will assist the land use office to run smoother and support construction in town.

Faith Minton stated that the grant is specific regarding the use of funds. She agreed training would be beneficial but is concerned that the funds are specially designated for their use with the grant. Harry Seidel agreed that the training would be beneficial, but he is unsure about using funds for other tasks that have not been specifically outlined. Faith Minton is not comfortable with changing this after it has been accepted. John Leavitt asked how SOPs vary from the Planning Board's rules and procedures. Barak Greene explained the SOPs would be for the Land Use office. Ian Rogers appreciates Barak Greene position, he stated he agrees with Faith Minton regarding the scope of the grant and not altering that. John Leavitt stressed the first discussion regarding training should be with the Planning Board. Harry Seidel suggested looking for land use training opportunities through the NH Municipal Association (NHMA). He would prefer not to dilute the grant for something outside of the stated scope. Barak Greene stated that there are other grants available to assist the Town with housing opportunities but without standard operating procedures in place Warner will not have access to those funds.

Public comment was closed.

The Select Board discussed altering the scope of the grant. The Select Board agreed that SOPs would be beneficial, but they are not comfortable changing the scope of the grant.

Faith Minton made a motion seconded by Harry Seidel to accept and expend \$27,930 from InvestNH Housing Opportunity Planning (HOP) Grant in accordance with the grant application and how it is written. Motion passed unanimously.

The public hearing was closed.

- c. To accept the upgraded portion of Dimond Lane including the hammerhead as a Town Road.

Mike Smith opened the public hearing.

Tim Allen stated that he does not have any issue with how the road was built, he would like some kind of guarantee that it will be completed when they are done building. Mike Smith asked if \$15,000 would help to cover the cost of the paving. Tim Allen confirmed.

Mike Smith opened the floor for public comment, no public comment received. He closed the public comment. Mike Smith asked Mr. Xenakis if he would be willing to secure a bond to guarantee the road would be paved. Mr. Xenakis informed the Select Board that he will not have a problem securing the funds to pay for the paving.

Faith Minton made a motion seconded by Harry Seidel to accept the upgraded portion of Dimond Lane including the hammerhead as a Town road, with the binder put down by October 2025 and finished paving by July 1, 2026, with the funds in the amount of \$15,000 to be held in a holding account.

The public hearing was closed.

The Select Board took a 15-minute recess.

IX. Consent Agenda

Motion to Approve the consent agenda for January 21, 2025, by the Warner Selectboard a request to the Trustees of the Trust Funds for \$108,366.70 from the Road Construction CRF to pay an invoice from Weaver Brothers Construction.

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

Mike Smith spoke about another item that should have come to the Board (school funding property tax presentation) and asked if the Select Board wanted to participate. Faith Minton and Harry Seidel stated that it was brought to the Select Board previously. Faith Minton stated that it is an educational presentation.

VIII. Town Administrator's Report

- IT Managed Care is making progress. New computers are being inspected installed and inventoried. A replacement schedule for software and hardware is being established.
- Beginning to work on the Annual Report
- Continuing to work to resolve the issues with the SAM.gov (systems for awards management) to resolve privacy/security issues. Kathy stressed that she is trying very hard to get this resolved.
- The personnel evaluation form is ready for the Select Board's review.

Faith Minton stated that she and Kathy spoke about postponing the volunteer appreciation event until after Town Meeting because everyone is so busy.

X. Manifest

None

XI. Public Comment

None

II. Select Board Meeting Minutes: 12/30/24 and 1/7/25

December 30, 2024

Correct all Selectboard to Select Board

Page 1 line 16 correct spelling of last name of Chrissy

line 17 insert this amounts to before a combined

Page 3 section VII clarification needed on the building permits

Mike Smith expressed his dissatisfaction with the minutes citing inconsistencies.

Harry Seidel made a motion seconded Faith Minton to approve December 30, 2024, Select Board meeting minutes as amended. Motion passed; Mike Smith abstained.

January 7, 2025

Page 2 insert WCC building safety concerns

Strike Hanson insert Johnson

Insert energy efficiencies

Page 3 2nd paragraph line 4 strike feel insert felt

Page 4 discussion on the motion strike to insert two

Page 4 strike years

Page 4 strike online chat comments read by Judy Newman-Rogers

Page 6 Select Board is two words under consent agenda

Page 7 strike informational session insert educational presentation

Page 7 motion to move into non-public needs a second

Mike Smith expressed his dissatisfaction with the lack of non-public information in the minutes. Kathy will review the Zoom video.

Harry Seidel made a motion seconded by Faith Minton to approve the Select Board meeting minutes as amended. Motion passed unanimously.

XII. Select Board Unanticipated Business

-Faith Minton made a motion seconded by Mike Smith to appoint Barb Marty to the Central New Hampshire Regional Planning Commission. Motion passed unanimously.

-Harry stated that the Board Chair's need the ability to post to the website. Mike Smith explained that there was a problem in the past where individuals were posting things that were not appropriate for the Town website. There was a discussion regarding who should have the ability to post. Karen Coyne spoke about the needs of the land use boards. She requested one folder that Chrissy and Darcie can have access to post. The Select Board agreed to revisit the discussion in two weeks.

-The Select Board contemplated the annual report dedication.

-Meetings

Mike Smith made a motion seconded by Faith Minton that the Select Board will meet twice a month. Motion passed; Harry Seidel voted in the negative.

Discussion on the motion:

Meetings will be at 4pm, beginning on January 28th.

-There was discussion regarding minutes from the years past that have not been approved. The Select Board had a spirited discussion regarding the recent Select Board meeting held without the Chair's knowledge. There was an exchange regarding unethical behavior. The Select Board discussed the recent challenges the Select Board has faced. Harry Seidel and Faith Minton stressed that they did not have devious intentions. The Select Board discussed how to go forward and repair the trust issues that the Select Board is experiencing.

-The Select Board agreed to meet next Tuesday.

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

None

IX. Adjournment

Faith Minton made a motion seconded by Harry Seidel to adjourn the meeting. Motion passed unanimously.

The meeting adjourned at 9:21 PM

Respectfully submitted on January 26, 2025 @ 1:55 PM by Tracy Doherty
Edited by Darcie Buskey, Assistant Clerk