



TOWN OF WARNER

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

Select Board Meeting DRAFT Minutes February 18, 2025, Tuesday 4:00 PM

Lower Meeting Room Warner Town Hall 5 E Main St

I. Open the Meeting and Roll Call

Harry Seidel called the meeting to order at 4:01 PM

Present: Harry Seidel, Faith Minton, Mike Smith (Chair) via Zoom and Kathy Frenette

Faith Minton made a motion seconded by Harry Seidel to allow Mike Smith to join the meeting via Zoom. Motion passed unanimously.

II. Select Board Meeting Minutes: January 28, 2025, and February 4, 2025

January 28th

Pg 1 strike audio issue insert time meeting started

Pg 3 line 24 strike audio insert Record Preservation

Pg 5 strike audio difficulties insert 3:56 PM

Faith Minton made a motion seconded by Harry Seidel to approve the January 28, 2025, meeting minutes as amended. Roll Call Vote Minton YES Seidel YES Smith YES

February 4, 2025

Pg 3 line 17 strike an audience member name not stated insert Russell Smith

Pg 3 line 35 strike efficiencies insert efficiency

Pg 4 line 27 strike Ross insert Russ

Faith Minton made a motion seconded by Harry Seidel to approve the February 4, 2025, meeting minutes as amended. Roll Call Vote Minton YES Seidel YES Smith YES

III. Arlon Chaffee, Kearsarge Klassic Bicycle Ride, August 9, 2025

Arlon Chaffee updated the Select Board on the Kearsarge Classics Bicycle Ride. Registration is capped at 350 riders. Riders have a choice of riding 35 or 55 miles on gravel roads through Salisbury, Webster, Andover, New London, Wilmot, Sutton and Warner. The group works closely with the Police Department on safety issues. A meal and beverages are provided for riders when they return. He stated that a permit of assembly is acquired through the Fire Department and a caterer who is licensed to sell alcohol. Arlon Chaffee explained that the NH Liquor Commission requires a letter from the Town to the caterer acknowledging that the Town is aware that there will be a beer garden. He spoke about the efforts that will be in place to ensure parking is available. Registration begins at 7am and the event usually ends at 3pm. Arlon Chaffee stated that the group collections donations for local organizations and year to date they have donated \$12,000. The Select Board agreed to sign the letter.

IV. Select Board Business

1. Sanderson & Poldi, Audit Contract

The Select Board discussed the audit contract from Sanderson & Plodia. Harry Seidel noted that they will begin in March/April, the draft will be done by end of June to be presented to Select Board in August. The Select Board all support the proposed contract.

1 **Faith Minton made a motion seconded by Harry Seidel to accept the audit contract from Sanderson**
2 **& Poldi for 2025. Roll Call Vote Minton YES Seidel YES Smith YES**

3
4 2. American Tower

5 Mike Smith advised the Select Board that he has contacted the Chair of the Sutton Select Board and the
6 Bradford Select Board. He will provide a copy of the draft letter to be sent to the State. He stated that he
7 will reach out to all Select Board Chairs in the Kearsarge District to gage their interest. He explained the
8 intention is to increase cellular service and radio the first responders. He stated the location is on the other
9 side of the transfer station going towards Bradford.

10
11 The Select Board agreed to move up item #5 to accommodate Sam Carlson's schedule.

12
13 5. Sam Carlson Encore Energy Renewal, "Good Neighbor" donation to the Town

14 Sam Carlson explained that Encore Energy would like to make a \$20,000 donation to the Town of Warner
15 as part of their Good Neighbor policy as gesture of good faith to be a good neighbor. He stated that Encore
16 would like to make the donation at their groundbreaking for construction in August. Encore Energy would
17 like to know by July 1st how the Town would like to use the donation so they can reach out to the
18 organization. The Select Board discussed various ideas regarding where to make the donation, some
19 examples where the beautification fund, fire department, town signs, window replacements, transfer station
20 improvements and the Warner Community Center. The Select Board agreed to make a decision in the near
21 future. The Select Board expressed their gratitude for the generous donation.

22
23 3. Warner Historical Society, Raffle Permit

24 Harry Seidel explained that the Select Board has been asked to extend the permit to one year from the date
25 of issuance as permitted by RSA 287-a.

26 **Faith Minton made a motion seconded by Harry Seidel to allow the Warner Historical Society to hold**
27 **raffles for the year. Roll Call Vote Minton YES Seidel YES Smith YES**

28
29 4. Select Board Proposed Rules & Procedures

30 Harry Seidel stated the proposed rules and procedures have been edited and reviewed by the Town's
31 attorney. He stated the question relating to the deadline for an agenda request has been resolved by the
32 attorney who advised the Select Board that the deadline is 7 days prior to the meeting. The Select Board
33 agreed to correct the documents with reference to Rules *of* Procedures to be Rules *and* Procedures.

34 **Harry Seidel made a motion seconded by Mike Smith to accept the Select Board Rules and**
35 **Procedures as written and reviewed by the attorneys Upton & Hatfield. Roll Call Vote Minton YES**
36 **Seidel YES Smith YES**

37
38 The Select Board thanked John Leavitt for encouraging the Select Board to establish rules and procedures.

39
40 **V. Town Administrator's Report**

- 41 - Finalization of the Town budget and drafting warrant articles with the Department of Revenue.
- 42 - Town Report has been completed, draft to follow in the near future.
- 43 - Lap Tops have been distributed.

44
45 **VI. Consent Agenda February 18, 2025**

46 Solar Exemptions: Map 16 Lot 031 Map 13 Lot 039-1 Veteran's Credits: Denials X2

47 Intent to Cut: Map 12 Lot 017-2

48 Abatements: Map 16 Lot 020-1 \$205.73, Map 15 Lot 014 \$2,579.96, Map 31 Lot 053 \$3,108.72,
49 Map 13 Lot 018-4 \$64.25, Map 14 Lot 021-2 \$18.24, Map 09 Lot 028 \$18.34

50 Building Permits: 2024-102 Map 31 Lot 053, 2024-103 Map 09 Lot 013, 2024-104 Map 26 Lot 025,
51 2024-105 Map 03 Lot 024, 2024-106 Map 03 Lot 058, 2024-107 Map 09 Lot 021

1 **Faith Minton made a motion seconded by Mike Smith to accept the consent agenda for February 18, 2025, as**
2 **read. Roll Call Vote Minton YES Seidel YES Smith YES**
3

4 **VII. Manifest**

5 **Harry Seidel made a motion seconded by Faith Minton to approve the previously signed Manifest for**
6 **February 18, 2025. Roll Call Vote Minton YES Seidel YES Smith YES**
7

8 6. Transfer Station Stickers, Town Clerk

9 Mike Smith explained that the current transfer station decals are dated. New stickers have not been ordered.
10 He questioned why the stickers are no longer sold by the Town Clerks office. Judy Newman Rogers
11 explained that a previous administration made the change. She explained that stickers were also previously
12 distributed with the mailing of tax bills. She stated that temporary stickers were sold by the transfer station.
13 Derek Narducci asked how much the temporary stickers cost. Judy Newman-Rogers replied the temporary
14 stickers cost \$1.75. Mike Smith explained that currently the transfer station decals cost residents \$5.00. He
15 suggested a price change to \$10.00 when the transfer station fees are reviewed. John Leavitt feels transfer
16 station stickers should be free to residents. Harry Seidel concurred. Judy Newman Rogers stated the
17 stickers are currently being given out for free. Mike Smith stated that the Town Clerk is willing to order and
18 distribute the stickers through her office. He suggested the Select Board revisit the topic when the transfer
19 station fees are reviewed. The Select Board agreed.
20

21 **VIII. Public Comment**

22 John Leavitt asked if the building permits under the consent agenda were officially accepted? Harry Seidel
23 explained that there was a stack of building permits today and one that lacked a scaled site plan. Judy
24 Newman-Rogers explained that normally the building permits are included on the consent agenda after they
25 are signed by the majority of the Select Board. Mike Smith would like to see building permit dollar
26 amounts to be added to the consent agenda.

27 **Harry Seidel made a motion seconded by Mike Smith to include the building permit fees on the**
28 **building permit. Roll Call Vote Minton YES Seidel YES Smith YES**
29

30 John Leavitt spoke about unanticipated Select Board Business, historically it has been a topic that has been
31 worked on. He asked the Select Board to explain what their definition is. Faith Minton explained that she
32 received an email today on a topic that came up unexpectedly and she would consider that it is an item that
33 would fit under Unanticipated Business. Harry Seidel agreed and further stated that he agrees with Mr.
34 Leavitt that an item that had previously been discussed has come up again could be considered
35 unanticipated business. Mike Smith agreed that a previously discussed topic that has come up again could
36 be considered unanticipated business. He spoke about a request for payment from Aries. Judy Newman
37 Rogers explained that the agenda heading has changed periodically. She stated that in the past it has been
38 titled Select Board Old Business and Other Business. John Leavitt clarified that if there is a topic that a
39 Select Member wants to discuss again it should be an agenda item. He stated that once the agenda has been
40 set anything new would be an unanticipated business item. Faith Minton suggested adding Old Business for
41 items that require further discussion. An audience member suggested adding Unanticipated Business *as of*
42 *this posting*. Judy Newman Rogers suggested Unanticipated Business *since this posting*.

43 Harry Seidel explained his preference of order to be Select Board Business, Select Board Old Business,
44 Select Board Unanticipated Business then Town Administrator Report and then the Consent Agenda. The
45 Select Board agreed with the suggested new order of business for the agenda.
46

47 **IX. Select Board Unanticipated Business**

48 1) Faith Minton spoke about an email sent to the Select Board regarding the possibility of a grant for
49 recycling equipment. She would like to discuss this at the next regular Select Board meeting on March 4th.

1 2) Mike Smith inquired about the HOP grant II committee status. Kathy Frenette has not heard anything. 3)
2 Mike Smith asked about the Aries Engineering request for payment. Harry Seidel and Faith Minton have
3 not read the letter. Mike Smith would like this Select Board to make a decision on this topic. The invoice is
4 \$998.75 for additional work that was required. He explained that the applicant has made it clear that he
5 does feel he is responsible for the additional fee. He stated that the contract from Aries reflects one set fee.
6 Judy Newman Rogers explained Aries was the third party hired to look out for and protect the town's
7 interest. She further explained that the applicant's engineer made adjustments that then were submitted to
8 Aries for further review which incurred an additional charge from Aries. Kathy Frenette stated the Aries
9 contract states "will not exceed". Mike Smith asked if the Select Board should pay the invoice that is
10 outstanding from August and possibly bill the applicant. Mike Smith advised the Select Board that the
11 developer has put in a foundation without a required building permit issued. He advised Tom Baye and
12 Elizabeth Labbe a few weeks ago to address the issue. The Select Board agreed to pay the invoice and bill
13 the Boyer subdivision. Mike Smith and Harry Seidel agreed to determine what should be done regarding
14 the foundation installation with a building permit.

15 **Mike Smith made a motion seconded by [REDACTED] to pay the Aries Engineering invoice in the amount of**
16 **\$998.75 invoice number 37485, and bill the Boyer subdivision for \$998.75. Roll Call Vote Minton YES**
17 **Seidel YES Smith YES**

18
19 4) Harry Seidel stated the Energy Committee will be meeting this Thursday to discuss the Button Up
20 Program that is a NH Saves program that residents can sign up for discounts on engineering for insulation
21 and various other energy savings. He stated this can be done in conjunction with Bradford and Sutton.

22 5) Mike Smith asked if there is a list compiled for holidays and other days off for employees. Kathy
23 Frenette stated the approved list is in the Town's Personnel Policy.

24 6) Mike Smith inquired about the status of the Personnel Policy update. Kathy Frenette estimated the draft
25 would be ready in a month.

26
27 The Select Board took a brief recess at 5:56 PM. Harry Seidel called the meeting back to order at 6:00 PM.

28 29 **6:00 PM Public Hearing**

30 Harry Seidel opened the public hearing at 6:00 PM.

31 Shall we adopt the provisions of RSA32:5-b, and implement a tax cap whereby the governing body (or
32 budget committee) shall not submit a recommended budget that increases the amount to be raised by local
33 taxes, based on the prior fiscal year's actual amount of local taxes raised, by more than 3.8%?

34 RSA 32:5-b Adoption of Local Tax Cap RSA 32:5-b Local Tax Cap

35
36 *Harry Seidel opened the floor to public comment.*

37 Deb Billings spoke in support of the tax cap, stating that they can barely afford the taxes that exist today.

38
39 John Leavitt stated that the Select Board and the Budget Committee have proven that they cannot control
40 their spending. He stated that since 2022 the proposed budget is 25% higher than it was in 2022. He stated
41 that this is one way the town residents can take control of spending. He explained that if this does not work
42 out it can always be repealed the following year.

43
44 James Gaffney explained that the town comes up with a budget every year, the town approves some
45 number. The way your tax rate is set is the amount that was approved or spent less revenue from various
46 forms of taxation and what remains is the amount of money that needs to be raised by taxation. He stated
47 that it is not that tax bills only go up 3.8%, it is that the total dollar amount that needs to be raised is limited
48 to a 3.8% increase year over year. He stated that the point of this is to force the Select Board and Budget
49 Committee to live within its means and focus on priorities such as roads, fire department, police
50 department, ambulance, vital records and things that are statutorily required. James Gaffney stated that

1 since 2021 the tax rate has increased 40%. He noted that if a situation comes up and the town cannot abide
2 by the tax cap a simple majority vote at town meeting can override the tax cap. Ken Milender 98 West Main
3 Street asked how the 3.8% was determined. James Gaffney stated the 3.8% was a number slightly less than
4 last year. He explained that he looked at the last twenty years and typically the town stayed within 4% but
5 in the last couple of years the town has not exercised fiscal restraint. Ken Milender asked for a definition of
6 fiscal restraint. James Gaffney stated that a 40% increase over 4 years is being fiscally responsible. Ken
7 Milender asked the Select Board what the basis for the 40% increase over 4 years is. Beverly Howe echoed
8 that question, stating that she has lived in Warner for 30 years and the population has not drastically
9 increased. She asked how the Town is in this situation. Harry Seidel explained that the Select Board and the
10 Budget Committee meet with all town departments to discuss the budgetary needs of the department. He
11 spoke about the cuts that departments have made. He spoke about uncontrollable increases. He spoke about
12 the importance of funding the services.

13
14 Debra Billings spoke about the hardship that the residents are feeling as it relates to property taxes and the
15 cuts they must make relating to their individual budgets.

16
17 Tim Blagden stated that a tax cap is a dangerous thing, and it binds the future residents and the town from
18 taking steps that may be necessary. He feels that the town should continue to trust the good work of the
19 Budget Committee, Select Board and town departments to come up with a lean budget. James Gaffney
20 reiterated the intention of the proposed tax cap. He spoke about the need for volunteer labor so that
21 expenses can be cut.

22
23 Catherine Hyson asked the Select Board if the tax cap passes, and a situation arises that exceeds the tax cap
24 how that would impact the Town. Mike Smith stated the money would have to come from somewhere, cuts
25 would be required by employees or town services.

26
27 Ken Milender asked for clarification on the decision-making process to make those cuts. Mike Smith
28 explained that the Select Board would work with departments to determine where to make the cut. He
29 stated that the CIP would probably be the first place to look at.

30
31 James Gaffney spoke about tax rate increase over the last 20 years. He stated that Warner is currently in the
32 top 10% in the state with the highest tax rate. He stated that other towns have found ways to manage
33 expenditures better than Warner has.

34
35 Judy Newman Rogers asked for clarification on the process if the Budget Committee and Select Board
36 needed to override the tax cap. She explained that the Select Board has the authority to spend the bottom
37 line of the budget, the Select Board determines where to make cuts.

38
39 Catherine Hyson stated that the tax rate is based on the town's tax base. She explained that a town like
40 Sutton would not have to raise their rate as much because they generate more revenue than a town the size
41 of Warner.

42
43 John Leavitt asked why last year's budget had a surplus of \$203,000. Mike Smith stated that the surplus can
44 be attributed to employee vacancies (wages and benefits). John Leavitt stated that the town survived
45 without those employees and without reducing services. Mike Smith stated that services were reduced.
46 Faith Minton spoke about the police department and public work vacancies causing the surplus. Harry
47 Seidel explained that surplus goes to the unassigned fund balance that can be used to offset a tax rate
48 increase. Mike Smith spoke about the importance of maintaining the unassigned fund to assist the town
49 should something unexpected come up.

1 Beverly Howe asked how many employees there are, the number of days and the wages of the employees
2 who work in town hall. Kathy Frenette stated that there are 6 employees and only full-time employees
3 (30+hurs/week) qualify for benefits and those who work 35+hurs qualify for retirement benefits. Two part-
4 time employees.

5
6 Mike Smith stressed that the public hearing is regarding the proposed tax cap. James Gaffney explained
7 that this public hearing is a statutory requirement. He clarified that for the tax cap to pass it needs 3/5 of the
8 vote and a simple majority to override it each year.

9
10 Mr. Billings asked if you need to be present at the town meeting to vote on the warrant articles.

11
12 Ken Milender asked if it is known what the projected tax increase is from last year. Kathy Frenette stated
13 that the proposed operating budget for 2025 is .879% higher than last year. James Gaffney explained that to
14 provide the projected tax increase you need to consider the operating budget, warrant articles that pass, and
15 an estimate of revenue. He stated the remaining amount is what needs to be raised by taxes. Judy Newman
16 Rogers clarified that the actual amount will not be known until the tax rate is set in the fall. Ken Milender
17 questioned how this will work if the tax rate is unknown.

18
19 Ken Milender questioned if the warrant article should be clarified to make it clear that the cap only pertains
20 to the municipal portion of the tax rate.

21
22 Harry Seidel spoke about the percentage of change to the operating budget and capital budget combined in
23 2023 was an increase of 9.97%, 2024 the increase was 4.31% and 2025 was 2.42%. James Gaffney stated
24 the municipal tax rate in 2021 was \$8.50 and the proposed tax rate for 2025 is \$12. Ken Milender stated the
25 percentage increases since 2023 appears to be in accordance with the tax cap without having to have a tax
26 cap.

27 *Harry Seidel closed the public hearing at 6:55 PM*

28
29 **XI. Adjournment**

30 **Faith Minton made a motion seconded by Mike Smith to adjourn the Select Board meeting.**

31 **Roll Call Vote Minton YES Seidel YES Smith YES**

32
33 The public Select Board meeting adjourned at 6:55 PM

34
35 Respectfully submitted by Tracy Doherty

36 Edited by Darcie Buskey, Assistant Clerk