



TOWN OF WARNER

PO Box 265
Warner, New Hampshire 03278-0265
Telephone: (603) 456-2298 Fax: (603) 456-2297
Warnernh.gov administrator@warnernh.gov
selectboard@warnernh.gov

Select Board: Harry Seidel, Chairman
Alfred Hanson, Vice Chair
Michael J. Smith
Kathleen Frenette, Town Administrator

Select Board Meeting Minutes March 3, 2026

4:00 PM

- A. Open meeting/Roll Call /Pledge of Allegiance
- B. Non-Public Session, RSA 91-A:3 II (b) The hiring of any person as a public employee

5:00 PM

- C. Non-Public Session, RSA 91-A:3 II (b) The hiring of any person as a public employee

6:00 PM

I. Reconvene the Public Meeting / Roll Call / Pledge of Allegiance

Chairman Harry Seidel reconvened the meeting at 6:00 PM.

Select Board present: Harry Seidel, Alfred Hanson.

Select Board via Zoom: Mike Smith

Public present: Judy Newman-Rogers, Clyde Carson, Faith Minton, Ed Mical, Russ Smith, Neil Nevins, Debra Mahar and Nick Edraos.

Present on Zoom: Ben Frost, Christine Frost, Sara McNeil and David Carle.

The Pledge of Allegiance was recited.

II. Select Board Business:

1. **Moderator Ben Frost and the Select Board, Assign Presenters of Warrant Articles for Town Meeting.**

Harry Seidel stated that there needs to be Select Board representation at town hall for March 10, 2026, Town Election. Harry Seidel will be present from 7:00 AM to 11:00 AM, Alfred Hanson will be present from 11:00 AM to 2:00 PM and Mike Smith will be present from 2:00 PM to 7:00 PM. Ben Frost explained that there is some debate on whether all or a majority need to be present. Mike Smith stated he plans to be there from 7:00 AM to 7:00 PM.

Presenters of Articles:

Warrant article 3: Operating Budget to be presented by Mike Cutting Chairman of the Budget Committee.

Warrant article 4: Mountain Bike Trail to be presented by Nancy Martin

Warrant article 5: Education Freedom Accounts to be presented by Charlie Albano

Ed Mical requested that if anyone has a power point presentation to send it the Emergency Management Department. Ed Mical will be conducting a practice run in the near future.

Warrant article 6: Financial Audit Citizen Petition to be presented by James Gaffney

Warrant article 7: Town's Payroll Service Citizen Petition to be presented by James Gaffney

Warrant article 8: Tax Cap Citizen Petition to be presented by James Gaffney

Warrant article 9: Police Department Vehicle CRF to be presented by Police Chief Bill Chandler

Warrant article 10: Bridge Repair / Replacement CRF to be presented by Alfred Hanson

- 1 Warrant article 11: Highway Equipment CRF to be presented by Alfred Hanson
- 2 Warrant article 12: Transfer Station Equipment CRF to be presented by Harry Seidel
- 3 Warrant article 13: Fire Fighters Equipment CRF to be presented by Fire Chief John France
- 4 Warrant article 14: Fire and Rescue Vehicles CRF to be presented by Fire Chief John France
- 5 Warrant article 15: Property Revaluation CRF to be presented by Harry Seidel
- 6 Warrant article 16: Establish a Contingency Fund to be presented by Alfred Hanson
- 7 Warrant article 17: Establish an Emergency Management Revolving Fund to be presented by Ed Mical
- 8 Warrant article 18: Modification of the optional Veterans Tax Credit to be presented by Elizabeth Labbe

9
10 2. **Department Heads:**

11 **a. Transfer Station, Continued Update Department of Labor (DOL) Actions**

12 Harry Seidel explained that he received a letter from the DPW regarding the violations and the department's
13 actions to resolve the issues. Alfred Hanson requested the letter be read. *Letter Attached*

14
15 **Lighting Quotes:** tabled on January 20, 2026; Ed Mical asked if the replacement lights will be LED lights.
16 The Select Board agreed to discuss and vote on the lighting quotes during Item III Select Board Other
17 Business. Harry Seidel explained that the DOL will work with the town as long as steps are being taken to
18 address the violations.

19
20 **Tree Policy:** Harry Seidel noted that Herm Blanchette, Director of Public Works, has submitted a draft tree
21 policy for the Select Board to review. The Select Board agreed to discuss the policy at an upcoming
22 meeting.

23
24 **b. Energy Committee, Support for Legislation**

25 Clyde Carson explained that he is here with Neil Nevins from the Warner Energy Committee to provide
26 information on Senate Bill SB538. Clyde Carson explained that it is a net metering bill. Clyde Carson
27 explained that Warner has solar arrays at the transfer station and the water precinct treatment plant. Clyde
28 Carson explained that during the day the power is metered to the grid for use throughout the State and in the
29 evening when the lights are on, the energy powers the electrical needs of the facility. Clyde Carson stated
30 that at the end of the month there is a reconciliation that calculates how much was sent to the grid and how
31 much was used. The difference is the net meter for the month and Eversource sends Warner a check each
32 month for the difference and reimburses the distribution charges. Clyde Carson explained that the current
33 net metering agreement is in place until 2040. He stated that for projects that are being developed now
34 financing might become challenging because of the 2040 date. Clyde Carson stated that this legislation
35 grandfathers the net metering for the next 20 years. He requested the Select Board's support of this
36 legislation. He informed the Select Board that there are more than 80 communities that have signed on in
37 support.

38
39 Clyde Carson explained the advantage of having the solar array; all the power that is generated covers the
40 amount of power that is used in all town buildings. He stated that every year the Town is required to do a
41 reconciliation with Eversource for all town buildings. Neil Nevins spoke about the long term cost control for
42 the town and taxpayers. Clyde Carson asked if the Select Board would agree to send a letter of support for
43 this legislation. Harry Seidel and Alfred Hanson indicated that they support the request. Mike Smith did not
44 answer.

45
46 **Harry Seidel made a motion seconded by Alfred Hanson to send a letter of support for Senate Bill**
47 **538FN Extending the metering eligibility terms for municipal energy projects. Roll Call Vote Alfred**
48 **Hanson YES Harry Seidel YES Mike Smith NO**

1 **c. Tabled on February 17, 2026:**

2 **a. Proposals for 2025 Town Audit, Vachon Clukay and Veroff CPA**

3 Harry Seidel explained that the Town has received two proposal the firms Vachon Clukay and Veroff CPA.
4 He stated that this was discussed previously at the February 17, 2026 Select Board meeting. Harry Seidel
5 summarized that there is a significant difference in price: Veroff - \$10,500; Vachon Clukay - \$32,500. He
6 stated that he is concerned that Veroff CPA has under estimated the task. He noted that Vachon Clukay has
7 come to Warner’s aid when the Town was in a tight spot. Harry Seidel stated that Vachon Clukay has
8 performed well for the Town and they have a good relationship with the Town. Alfred Hanson agreed that the
9 price difference is concerning and he is ready to vote. Mike Smith stated that they should have three quotes
10 pursuant to Town policy. Harry Seidel stated that Elizabeth Labbe sent bid requests to numerous companies
11 and only two responded. Mike Smith asked if there is a list of companies that were contacted. Alfred Hanson
12 explained that this has been delayed in an attempt to receive more proposals. Mike Smith reiterated that he
13 would like to see the list. Clyde Carson explained that a decision needs to be made because the companies’
14 schedules will fill up. Harry Seidel stated that it would be reckless to put it off any longer. Elizabeth Labbe
15 stated that she would forward the list to the Select Board right now. Mike Smith asked for this to be revisited
16 later in the agenda to give him a chance to review the list. Harry Seidel indicated that he is willing to push it
17 down on the agenda but he wants the Board to make a decision tonight.

18
19 **b. Cell Tower Update**

20 Harry Seidel explained that Ed Mical has reached out to radio providers for the radio equipment. He stated
21 that the height of the tower makes a significant difference on the cost of the equipment. Harry Seidel stated
22 that they are in a catch 22 because they do not have the tower yet and the Town is looking for Verizon to
23 finance the repeaters but Verizon will not move forward until the Town provides them with a cost. Alfred
24 Hanson stated that he has reservations because Verizon will not do any design or testing until they know the
25 cost.

26
27 Harry Seidel stated that the North Road tower is 95 feet tall. He has suggested to Ed Mical that the Town
28 request a 100 foot tower and that will allow the Town to get prices on the radio equipment.

29
30 **c. RSA 31:105, Primex Recommendations**

31 Harry Seidel explained that Primex has recommended that the Town pursue RSA 31:105 and RSA 31:106.
32 He explained that this is an insurance indemnification that the Town can get as protection in the event that a
33 town employee causes injury or liability. Alfred Hanson questioned if this would result in an additional cost
34 for the Town. Harry Seidel stated that there could be additional costs for the Town. Alfred Hanson asked
35 why the additional cost has not been given to the Town. Harry Seidel read excerpts from a letter from
36 Primex; *cost will not increase if the Board votes to indemnify under RSA 31:105, but Primex coverage technically is*
37 *not as broad as the protections mentioned in RSA 31:105 and 106, these statutes are stated broadly. There could be*
38 *cases for which coverage is denied or a claim is excluded or the coverage dollar amount is limited under the Primex*
39 *coverage documents but the member’s obligations under RSA 31:105 and 31:106 remain at the Towns expense.*
40 *Primex has not seen this happen yet due to the scope of the coverage and the significant dollar limits.* Harry Seidel
41 stated that it is technically possible. He informed the Select Board that New Hampshire Municipal
42 Association (NHMA) recommends that the town do this. Alfred Hanson would like to have some idea of the
43 cost. Harry Seidel questioned if Primex would have a policy that would cover this.

44
45 Harry Seidel stated that the Town has done its best to provide insurance to offer protection and it might be
46 cost prohibitive to cover all scenarios. He would like to move forward with RSA 31:105. Alfred Hanson
47 asked if they could request a price. Elizabeth Labbe explained that Primex does not offer the supplemental
48 coverage, they only offer the plan. She stressed that the Primex policy is comprehensive. Elizabeth Labbe
49 explained that Attorney Steve Buckley recommends that Select Board’s do this. She advised the Select

1 Board that she has been researching to find where in the past the Town of Warner adopted this and has not
2 been successful. She stated that out of prudence she brought this to the Select Board's attention. Elizabeth
3 Labbe explained that the adoption RSA 31:105 protects employees from being held responsible. She
4 reiterated that according to the attorneys this is not likely but it technically does open the Town up to
5 additional liability. She stressed the attorneys have never seen it happen. Mike Smith requested to see the
6 communications with Primex on this matter. Elizabeth Labbe stated that she would forward the information
7 right now. The Select Board agreed to table this to allow Mike Smith to review the information.

8 9 **d. Town Land Sale Policy (Update)**

10 Harry Seidel explained that the Select Board has previously discussed this at length. He stated that a draft
11 policy has been submitted to the Select Board. Harry Seidel recapped:

12 *In 1994 a warrant article was passed allowing the Select Board to sell town land. As far as we know since*
13 *then a policy to sell land was never passed by a Select Board. The draft policy was drafted from RSA's, this*
14 *policy has RSA's, other NH towns policies and the information from the NHMA.*

15
16 Harry Seidel thanked the people who have been researching for the Town on how to sell Town owned land.
17 He stated that this policy includes the updated RSA's such as RSA 80:80, updated in 2023, and RSA 41:14,
18 updated in 2025. He explained that the findings of two court cases (from 2020 and 2023) have been included
19 in the draft policy. Harry Seidel explained that the NHMA legal department has reviewed the draft policy and
20 made three suggested amendments that have been incorporated in the draft policy. Harry explained that the
21 NHMA found that the draft policy meets all legal guidelines and it is written to guide the sale of Town land.
22 Harry Seidel stated that he supports this and he urged the Select Board to vote in favor of this policy.
23 Alfred Hanson indicated that he is ready to vote.

24
25 Mike Smith indicated that he has not had a chance to review the information.

26
27 **Harry Seidel made a motion seconded by Alfred Hanson to approve the draft Town Land Sale Policy.**
28 **Roll Call Vote Hanson YES Seidel YES Smith ABSTAINED**

29
30 *Discussion on the motion:* Mike Smith stated that he received this on February 27th and he has read it. He
31 further noted that he just received other information that he needed and he has not had enough time to
32 research this. Harry Seidel stated that this is a policy that the Select Board should adopt, if at any time the
33 Select Board feels the need to revise it they can do that. Mike Smith agreed.

34 35 **III. Select Board Other Business**

- 36 • **Transfer Station electrical quotes:**
37 1. Harry-O \$6,650
38 2. KLM \$2,980 Local company and lowest price
39 3. James Family Electric \$3,200
40

41 **Harry Seidel made a motion seconded by Alfred Hansons to accept the quote from KLM for \$2,980 for**
42 **the replacement of the Transfer Station lighting and the installation of a fan.**
43 **Roll Call Vote Hanson YES Seidel YES Smith YES**

- 44
45 • **Map 28 Lot 33 a .3 acre parcel off of Route 103:** The Department of Transportation is asking if the
46 Town is interested in purchasing this piece of land for \$10,000. Harry Seidel stated that the Town does not
47 have the money to buy a piece of land that is 195x60 (a gully). He noted that the rail trail is interested in
48 purchasing the property. He spoke to the Chair of the Conservation Commission and they do not have an

1 interest in the property. Harry Seidel explained that the Select Board needs to inform the Department of
2 Transportation that the town is not interested in buying the parcel for \$10,000. Mike Smith suggested the
3 town purchase the parcel and the rail trail purchase it from the town to guarantee that the rail trail acquires
4 the property. Harry Seidel stated that it is not necessary, the DOT will sell the property to the rail trail.

5
6 **Harry Seidel made a motion seconded by Alfred Hanson to decline the Department of Transportation's**
7 **offer to purchase Map 28 Lot 33 a .3 acre parcel along Route 103. Roll Call Vote Hanson YES Seidel**
8 **YES Smith YES**

9
10 **Continued discussion: Proposals for 2025 Town Audit, Vachon Clukay and Veroff CPA**

11 • Mike Smith explained that he received the list of companies that were contacted to request a bid for
12 auditing services. Mike Smith stated that the list is the list compiled last summer and it does not indicate
13 who on the list was contacted. Elizabeth Labbe explained that she contacted 13 companies on the list that
14 the audit search committee compiled.

15
16 **Harry Seidel made a motion seconded Alfred Hanson to approve the proposal from Vachon Clukay to**
17 **be the auditors for the town of Warner for 2025. Roll Call Vote Alfred Hanson YES Harry Seidel YES**
18 **Mike Smith NO**

19
20 *Discussion on the motion:* Mike Smith stated that he is not comfortable moving forward without a third bid.
21 He stated that the Select Board was attacked considerably in 2025 on this issue. Harry Seidel acknowledged
22 that but pointed out that the town has exhausted the efforts of requesting bids for auditing services. He stated
23 that there are very few who do this kind of work. Harry Seidel reiterated that Vachon Clukay has performed
24 well for the Town.

25
26 • Harry Seidel explained that the Town's Health Officer, Chris Lopez was certified in 2023 and he is
27 due for recertification. Elizabeth Labbe advised the Select Board that Chris Lopez has been made aware that
28 his certification has lapsed and he needs to be recertified on an annual basis. Alfred Hanson requested a letter
29 be sent to the Town's health officer regarding the need for recertification.

30
31 **IV. Public Comment**

32 • Nick Edraos from 443 Kearsarge Mountain Road addressed the Select Board with an update: in
33 2024 he was charged a land use change tax on a farm that he inherited in 2022. He stated that the land
34 needed a lot of work and he bulldozed and cleared it to remedy the problems. He stated that he also installed
35 a solar array. Nick Edraos stated that the assessing company (Avitar) noticed that the land was cleared and
36 solar panels were installed. He received a land use change tax (LUCT) in the amount of \$8,000 which the
37 Select Board approved. He appealed to the Select Board and was denied in January of 2025. He explained
38 that he appealed to the Board of Tax and Land Appeals (BTLA). He read the BTLA's finding that the town
39 was unable to produce the current use map to depict the before and after of his property, they found that the
40 LUCT was not appropriate. Nick Edraos acknowledged that the Assessing office is disorganized but
41 Elizabeth Labbe wears many hats for the Town. He spoke about the challenges of living in a small town. He
42 stated that someone from the Town should have come to his property and hear his side of the story before
43 issuing an \$8,000 LUCT. He stated that he takes a great offense to this. Nick Edraos stated that he has
44 submitted his current use map. Nick Edraos stressed that the BTLA's ruling was sent to the Town 6 weeks
45 ago dated January 12, 2026 and Elizabeth has a copy of the ruling. Mike Smith asked if the Select Board had
46 seen it. Alfred Hanson stated that he has seen it, Harry Seidel did not recall.

1 Harry Seidel explained that to receive Current Use assessment it is the property owner's responsibility to file
2 a map of the property with the Assessing department depicting the current use land categories. Nick Edraos
3 explained that he inherited the land and there is no map on file to compare the before and after to. He stated
4 that the maps are being worked on to comply with the BTLA's finding.

5
6 Nick Edraos stated that while this has played out, he has been charged 18% interest for non-payment, his
7 assessment went up and now the Town placed a lien on the property for the outstanding LUCT and he has a
8 negative reflection on his credit report. The Select Board agreed to look into this for Mr. Edraos. Nick
9 Edraos and Harry Seidel reviewed a map that Mr. Edraos brought of his land.

10
11 Nick Edraos requested that the Select Board restore his credit score, release the tax lien, remove the LUCT
12 bill and revert back to the 2024 tax bill until the matter is resolved. Nick Edraos would like the Town to
13 adopt the practice of contacting a property owner to discuss the change in use of current use land prior to
14 issuing a LUCT bill. Harry Seidel explained that he recalls this, and his issue was the missing current use
15 map for the Select Board to consider. Nick Edraos will forward the new current use map to Harry Seidel.
16 Nick Edraos stated that he does receive a solar exemption on the solar panels. He stated that the solar panel
17 exemption means very little if the land beneath them is taxed.

18
19 • Faith Minton thanked the Select Board for their service and she appreciates them running the Select
20 Board meeting within the code of conduct. Faith Minton expressed her disappointment that a Select Board
21 member is choosing not to attend in person and he chooses to be at his California home for the winter. She
22 stated that when he is not present or makes no attempt to be prepared for the meeting it hinders the Town.

23
24 Mike Smith stated that he is not in California, he is not going to get into to the reasons for his absence. He
25 did not appreciate Faith Minton's assumption that he was in California. He stated that people need to get
26 their facts straight.

27
28 **V. Consent Agenda: March 3, 2026**
29 Consent Agenda for March 3, 2026 Motion by the Warner Select Board to Approve the following or
30 previously signed:
31 1. A request to the Trustees of the Trust Funds for \$19,352.50 from the Property Revaluation Capital Reserve
32 Funds to pay an invoice from Avitar Associates.
33 2. A request to the Trustees of the Trust Funds for \$143.33 from the Bridge Repair / Replace Capital Reserve
34 Funds to pay an invoice from Cyr Lumber.
35 3. A request to the Trustees of the Trust Funds for \$750 from the Transfer Station Facility Capital Reserve
36 Funds to pay an invoice from River Edge Forestry.
37 4. A request to the Trustees of the Trust Funds for \$48,997 from the Police Vehicle Capital Reserve Funds to
38 pay an invoice from MacMulkin Chevrolet.
39 5. A refund request by the Tax Collector of overpayment of taxes due to duplicate payments. Refund amount
40 total is \$3,319.07

41
42 **Alfred Hanson made a motion seconded by Harry Seidel to approve the March 3, 2026 Consent**
43 **Agenda as read. Roll Call Vote Hanson YES Seidel YES Smith ABSTAIN**

44
45 **VI. Manifest: March 3, 2026**
46 March 3, 2026 Manifest Motion for the Select Board to approve the following previously signed manifests:
47 Accounts Payable check numbers 12246 through 12279 dated 2/4/2026, in the amount of \$185454.72.
48 Accounts Payable check numbers 12280 through 12286 dated 2/9/2026, in the amount of \$1,754.90.
49 Accounts Payable check numbers 12287 through 12315 dated 2/10/2026, in the amount of \$65,491.06.

1 Accounts Payable check numbers 12316 through 12319 dated 2/17/2026, in the amount of \$59,496.56 for the
2 February 19th bi-weekly payroll deposits.
3 Bi-weekly payroll check numbers 4187 through 4192, and direct deposit check numbers E03034 through
4 E03065 dated 2/19/2026 for a net payroll of \$44,788.71.
5 Accounts Payable check numbers 12320 through 12326 dated 2/19/2026, in the amount of \$94,767.86,
6 which includes the first half loan payment for the fire station of \$84,679.60.
7 Accounts Payable check numbers 12343 through 12362 dated 2/24/2026, in the amount of \$91,328.22.
8 Accounts Payable check numbers 12363 through 12366 dated 3/3/2026, in the amount of \$61,872.40 for the
9 March 5th bi-weekly payroll deposits.
10 Bi-weekly payroll check numbers 4193 through 4197, and direct deposit check numbers E03066 through
11 E03101 dated 3/5/2026 for a net payroll of \$46,807.14.
12

13 **Alfred Hanson made a motion seconded by Harry Seidel to approve the March 3, 2026 Manifest**
14 **motion as read. Roll Call Vote Roll Call Vote Hanson YES Seidel YES Smith ABSTAIN**

15
16 *The Select Board took a 5 minute recess*
17

18 **VII. Minutes:** February 17, 2026

19 Page 2 line 40 insert ?

20 Page 4 line 19 insert name *Johnston*

21 Page 4 line 28 strike *where*

22 Page 5 line 2 insert *is* and *with*
23

24 **A motion was made seconded by to approve the February 17, 2026 Select Board Meeting minutes as**
25 **amended. Roll Call Vote Hanson YES Seidel YES Smith Abstain**

26
27 **VIII. Non-Public Session** if needed (RSA 91-A:3 II (a-m))

28 None
29

30 **IX. Adjournment**
31

32 **Alfred Hanson made a motion seconded by Harry Seidel to adjourn the Select Board meeting. Roll**
33 **Call Vote Hanson YES Seidel YES Smith YES**

34
35 The meeting adjourned at 8:15 PM

36
37 Respectfully submitted on 3/9/26 by Tracy Doherty
38