



# Warner Board of Selectmen

## Meeting Minutes

### Tuesday, July 2, 2019

#### APPROVED

**1. Open Meeting** Chairman Carson opened the meeting at 7:00 pm.

Attendance: Selectman Clyde Carson – Chairman, Selectman Kimberley Edelmann, Selectman Judy Newman-Rogers

Others present: Tim Allen, Michele Courser, Martha Mical, John Leavitt, Kelly Henley

### **2. Highway Agent**

Clyde explained under RSA 231:62, towns shall appoint, one or more highway agents, who, under the direction of the selectmen, shall have charge of the construction, maintenance, and repair of all town highways and bridges and the maintenance and repair of all sidewalks within the town, except as provided in the laws pertaining to state aid for highways and bridges and town road and bridge aid, and shall have authority to employ the necessary men, women and equipment, and purchase timber, planks, and other material for construction and repair of such highways and bridges; and they may remove gravel, rocks, or other materials from one part of the town to another, doing no damage to adjoining land, for the purpose of grading or otherwise repairing the same. Clyde said the town has not had a Highway Agent appointed for some time and feels there is a need to do so.

### **Board Action**

Chairman Carson made a motion to appoint Tim Allen as the Highway Agent for the Town of Warner for a period of three years. Selectman Edelmann seconded the motion for discussion. Judy said she has read the RSA, it reflects what Tim already does, but the RSA provides the authority for him for purchasing, budgeting and hiring of staff. Clyde said he has researched other towns and found they all appoint their Director of Public Works as the Highway Agent because it's an official statutory position that's required. Clyde asked Tim Allen if he has anything to add. Tim said he is in favor of and will accept the appointment. Chairman Carson called for a vote on the motion, the motion passed unanimously. Chairman Carson amended his motion, the term is for 3 years effective April 1, 2019. Selectman Newman-Rogers seconded the motion, the motion passed unanimously.

### **3. Eversource - Group Host Report**

**A.** Clyde said the town was noticed by Eversource back in February and didn't file the report to the State as required. The State followed up recently and the town said it was in a period of staff changes. Eversource did the work for the town and provided a deadline for the report to be submitted by the end of July. Clyde said he had a conversation with Eversource today and helped Clyde fill out the report, he sent it to Eversource and the Public Utilities Commission and both said the town is in good shape. Judy asked what does the report say. Clyde said the report reports to the PUC and Eversource what the town produced from the solar array and what was used from the solar array. Clyde said nothing had changed in 2018. When the 2019 report is filed the new fire station will be added and he said the town has the ability to include the old fire station as well.

**B.** Judy asked is this how Eversource off-sets what the town doesn't pay? Clyde said the town gets compensated at the retail rate for everything the town uses and the town get compensated at a less than retail rate for the amount that is produced over what the town uses. Judy then asked if adding more town owned property to the group increase usage then the town would be compensated for more KW usage at that regular rate.

**C.** Martha Mical asked if the tenants in the old fire station are paying their electric bill? Clyde said the tenants transferred the electric into their own name. But, because the old fire station is owned by the town, Clyde can ask for the building to be part of the group.

### **4. Corporal Job Description**

Kimberley said she hasn't read the job description and left the discussion up to Clyde and Judy. Both Clyde and Judy said they were comfortable with the job description.

### **Board Action**

Chairman Carson made a motion to accept the Corporal Job Description. Selectman Newman-Rogers seconded the motion, the motion passed.

## **5. YTD Expenses & Commitments**

**A.** Kimberley provided copies of the year to date expenses in a new format Kelly created (Bookkeeper) that is a more concise report to read. The bottom line of the budget at this point is at 44.59% expended up to the end of June. Kelly Henley explained the percentage spent does not include the current manifest before them tonight.

**B.** Clyde wants to meet with the Department Heads over the next few meetings to go over their individual budgets. Judy agrees and would like to see it happen more often during the year.

**C.** Judy asked Budget Committee member Martha Mical what is on the agenda for the upcoming Budget Committee meeting, do they want the departments present. Martha said no, the Budget Committee will review year to date. John Leavitt said previously it was the Town Administrator who would speak for the Department Heads that were not at a Budget Committee meeting regarding year to date expenses. Lacking a Town Administrator, John thinks it should be one of the Selectmen to do that now, or the Department Heads. Martha said her thoughts were not to have the Department Heads go through a review twice, but they can attend if they want to. Clyde said at this time of the year it's the Selectman's responsibility to meet with the Department Heads regarding year to date expenses. Tim Allen, as a Department Head agrees with Clyde, we should be going over our budgets with the Selectboard, that way if anything needs to be dealt with decisions can be made. Kimberley added we are at that time of the year where the Board needs to start thinking about shifting some of the budgets around based on the needs of the departments. The Board will meet with Tim Allen on July 16 to review his year to date expenses. The Bookkeeper will provide year to date expenses up to the end of June. Fire Department and Police Department will be reviewed on July 16 as well.

**D.** Kimberley noted that payment was made to the Budget Committee's Recording Secretary from the Temporary Services line that had \$800 budgeted for in 2019, and is currently overspent. A line item will need to be created for the recording secretary in the 2020 budget.

## **6. Kearsarge Klassic Bicycle Ride - August 3**

Clyde said information was provided about the ride, they have insurance and have made due diligence with the Police Department.

### **Board Action**

Clyde asked for a motion to approve the ride. Selectman Newman-Rogers moved it, Selectman Edelman seconded the motion, the motion passed unanimously.

## **7. Planning Board Resignation**

**A.** Chairman Carson made a motion to accept Peter Anderson's resignation from the Planning Board and thanked him for his several years of service. Selectman Newman-Rogers seconded the motion, the motion passed unanimously.

**B.** The Planning Board is in need of members, a notice will be placed on the website.

## **8. Health Insurance Stipends**

**A.** Clyde said maybe it would be worth while for the town to have a policy for insurance stipends in lieu of not taking health insurance. In 2012 stipends were stopped in town. Clyde said several surrounding towns offer the stipend benefit and he is familiar with several businesses that make the same offer. Clyde also sent an email to the Board about the policy and opened up the discussion. Kimberley said she did respond to Clyde's email with some concerns about the fact this should be discussed with the staff, check with the IRS about the rules, check with insurance and NHMA to make sure it's an okay thing to do, and to do a spreadsheet to make sure the financial impact is good for the town and the employees. Kimberley would also like to know about the history behind stopping the stipends.

**B.** Judy recalled when the town provided a stipend and is very aware of the history of it. The stipend was given out and increased as the spouses premium of those receiving the stipends increased. Judy believes it was in 2014 when the stipend was abruptly taken away. The stipend amount was about \$6,000 for not taking the insurance. Judy would have to think about how that would impact the budget this year and doesn't feel it could begin this year, there could be more people that would qualify for the stipend who don't take insurance and it would be a cost for the town. However, Judy feels it is a good idea because it saves the town money and says thank you to the employee for not taking the health insurance. Judy knows of a situation where an employee took the town health insurance because the stipend was taken away.

C. Clyde said he will take this on as a project and asked Judy and Kimberley to email him the questions they both want answered.

### **9. Horne St. Property**

Judy said she started research on RSA's and the Tax Collector sent her information in preparation for selling the property.

### **10. Grand Opening - Fire Station**

Kimberley said the grand opening held on June 29 went great. Color Guard marched in, a dedication of a granite bench to the citizens of Warner was unveiled, the Director from Homeland Security spoke, the Fire Chief thanked the citizens, Kimberley did a proclamation and Paul Violette provided a history of the Fire Department.

### **11. July 4**

The annual pancake breakfast will be held at the United Church from 7:00 am to 11:00 am. Also, on July 3 the Fredrick Douglass speech will be held at noon at the Town Hall.

### **12. Waterloo St.**

Tim Allen reported that Waterloo St. is closed with the possibility it could be closed over the weekend. It was easier to close the road to fix the approach on the west side. This is an unplanned repair on the bridge, about \$2,200 in materials. Tim will use the capital reserve for bridges to pay for this expense.

### **13. Budget Process**

Clyde would like to begin discussions on how the Selectmen will organize the budget process.

### **14. Work Session**

The Board will meet on July 9 beginning at 7:00 pm, one topic will be meeting with the Bookkeeper to go over the financial process. Judy agrees saying the policies and procedures are at will. There has been a Town Administrator for 14 years and very little work was done to clarify process and procedures to avoid selective application. Martha Mical asked if the Town Clerk and Tax Collector be included in the discussion. Kimberley said in the end yes, but first, the Board is going to start with the Bookkeeper.

### **15. Minutes**

Chairman Carson made a motion to approve meeting minutes dated June 4, 11 & 17 Public Minutes, with grammatical corrections. Selectman Newman-Rogers seconded the motion, the motion passed.

Selectman Newman Rogers made a motion to approve June 11 - 3 Nonpublic Sessions. Chairman Carson seconded the motion, the motion passed.

Selectman Newman Rogers made a motion to approve the June 18 Public Minutes. Selectman Edelman seconded the motion, the motion passed.

Chairman Carson made a motion to approve the June 18 - 2 Nonpublic Sessions. Selectman Newman-Rogers seconded the motion, the motion passed.

John Leavitt asked the Board if any of the nonpublic session will become available to the public. Clyde said at some point the sealed minutes will be reviewed to see if they are appropriate for the public domain. Leavitt said the RSA specifically says nonpublic minutes shall be released after 72 hours unless the nonpublic minutes are sealed. Leavitt said the history in Warner is all the nonpublic's are sealed, and feels that goes against what the RSA is suggesting should be done. Clyde disagreed. Kimberley said not all the nonpublic's are sealed and some have been unsealed. Clyde said the reason the minutes are nonpublic is because the topics discussed should not be in the public domain and by statute the Board is allowed to discuss certain topics in nonpublic and is allowed to seal the minutes based on the topics discussed. Leavitt feels the nonpublic sessions for the lease for the fire station should be released once finalized. Judy said she agrees with Leavitt and has also been concerned about minutes sealed and not reviewed to be unsealed and what minutes that have been sealed recently she feels very comfortable with being sealed. Judy said she will take on watching for those sealed minutes to be unsealed when the situation is resolved. Leavitt also said that he has requested expired sealed minutes and was told the Selectmen need to unseal them, he feels once the expiration date is passed, those minutes should be released. Judy and Clyde said there should be a procedure for sealed minutes. Kimberley said a calendar could be set-up for sealed nonpublic minutes. The Board will work on a process.

**16. Property Tax Refund**

Selectman Newman-Rogers made a motion to refund \$538.63 for Map 7 Lot 43-4 as an over payment on the taxes that are due. Selectman Edelmann seconded the motion, the motion passed. Leavitt asked where is the refund paid from if taxes are revenue. Clyde believes the refund is paid from what the Tax Collector has collected.

**17. Computer Purchase**

Before the Board is a request to purchase 2 computers in the amount of \$1,529 for the Assessing Clerk and Tax Collector. The expense was approved during the 2019 budget process.

**Board Action**

Chairman Carson made the motion to approve the \$1,529 computer expense for the Assessing Clerk and Tax Collector. Selectman Newman-Rogers seconded the motion, the motion passed.

**18. Timesheets**

The Bookkeeper will be creating a single format time sheet from her recommendations and from the Department Heads, after which the time sheet will need to be approved by the Board.

**19. Capital Reserve Funds**

**A.** Selectman Edelmann made a motion to move \$5,500 from the Property Revaluation Capital Reserve to cover 2 invoices for M & N Associates.

**B.** To move \$1,000 from the Employee Expendable Trust Fund to pay for an invoice.

**C.** To move \$14,115.59 from the Capital Reserve for Fire Protection Equipment to pay for an invoice for protective clothing.

**D.** To move \$170,400 from the Highway Equipment Capital Reserve to pay for the new loader. Chairman Carson seconded the motion, the motion passed.

**20. Manifest**

Chairman Carson made a motion to authorize the Selectmen to sign manifests and order the Treasurer to sign Payroll check numbers 5924-5936 in the amount of \$33,676.07 (including 25 direct deposits). Accounts Payable check numbers 56516-56555 in the amount of \$152,901.00 (including a check to the Warner Village Water District in the amount of \$66,000 for Jan-June 2019 taxes collected on their behalf). Selectman Edelmann seconded the motion, the motion passed.

**21. Nonpublic Session**

Members Present:     Clyde Carson               X    
                              Kimberley Edelmann       X    
                              Judy Newman-Rogers       X  

Motion to enter nonpublic session made by Chairman Carson, seconded by Selectman Edelmann.

Specific statutory reason cited as foundation for the nonpublic session:

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

Roll call vote to enter nonpublic session: Carson - Yes, Edelmann - Yes, Newman-Rogers - Yes

Entered nonpublic session at 8:39 pm.

Other persons present during nonpublic session: None

Description of matters discussed and final decisions made: Minutes are sealed.

Motion to leave nonpublic session and return to public session by Chairman Carson at 9:10 pm, seconded by Selectman Edelmann. Roll call vote: Carson - Yes, Edelmann - Yes, Newman-Rogers - Yes.

**23. Motion to Seal**

Motion made by Selectman Edelmann for the July 2, 2019 nonpublic meeting minutes to remain sealed. Motion was seconded by Selectman Newman-Rogers, the motion passed unanimously.

Roll call vote to seal minutes: Carson - Yes, Edelmann - Yes, Newman-Rogers - Yes.  
Motion: **PASSED** / DID NOT PASS

**24. Motion to Hire**

Selectman Edelmann made a motion to offer Kelly Henley the position of Bookkeeper at Grade 9 Step 3 which is an hourly rate of \$25.01 for 35 hours per week, no probation period and the position qualifies for benefits. Chairman Carson seconded the motion, the motion passed unanimously.

**25. Adjourn**

Motion was made and seconded to adjourn at 9:11 pm.

Board of Selectmen  
Clyde Carson - Chairman  
Kimberley Edelmann  
Judy Newman-Rogers

Recorder of the Minutes: Mary Whalen