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**TOWN OF ASHLAND
BOARD OF SELECTMEN
MEETING MINUTES
MONDAY, OCTOBER 19, 2020
ASHLAND TOWN OFFICE
5:30 P.M.**

I. **CALL TO ORDER** – Town of Ashland Chairman of the Board Eli Badger called the meeting to order at 5:30 p.m. and requested a roll call of the Selectmen; Vice Chairman Kathleen DeWolfe, Selectman Frances Newton, Selectman Alan Cilley, Selectman Andy Fitch and Chairman Eli Badger all acknowledged they were present via the video conference. Chairman Badger read a preamble that notified attendees this meeting was occurring over video and teleconference, a provision authorized by the Governor’s Emergency Order #12 that waived the physical presence of board members during the Covid-19 pandemic.

II. **APPROVAL OF MINUTES**

MOTION: Selectman Newton
To approve the meeting minutes of September 18, 2020 as amended.
SECOND: Selectman Fitch
VOTE: 5 – 0
MOTION PASSED

MOTION: Vice Chairman DeWolfe
To approve the meeting minutes of September 21, 2020 as amended.
SECOND: Selectman Newton
VOTE: 5 – 0
MOTION PASSED

MOTION: Selectman Newton
To approve the meeting minutes of September 24, 2020 as amended.
SECOND: Vice Chairman DeWolfe
VOTE: 5 – 0
MOTION PASSED

MOTION: Vice Chairman DeWolfe
To approve the meeting minutes of October 1, 2020 as amended.
SECOND: Selectman Fitch
VOTE: 5 – 0
MOTION PASSED

MOTION: Vice Chairman DeWolfe
To approve the meeting minutes of October 5, 2020 as amended.
SECOND: Selectman Newton
VOTE: 5 – 0

1 **MOTION PASSED**

2
3 **MOTION:** Vice Chairman DeWolfe
4 *To approve the meeting minutes of October 8, 2020 as amended.*

5 **SECOND:** Selectman Fitch

6 **VOTE:** 5 – 0

7 **MOTION PASSED**

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9 **III. NEW BUSINESS**

- 10 a. **Ashland Public Works proposal to pave around Highway Garage** – this item was
11 tabled from the last Selectmen meeting, to give the Selectmen, the opportunity to have
12 an onsite visit of the proposed project. On separate occasions Department of Public
13 Works (DPW) Director Moore conducted site walks with Selectmen. Town Manager
14 Smith also had a civil engineer provide an opinion about paving this roadway and
15 controlling the water runoff. Engineer confirmed DPW’s plan on paving should help
16 with the water runoff. Director Moore also had a second walkthrough with a contractor
17 in which the proposal was updated for ‘berms’ further mitigating the water runoff.
18 Director Moore asked that the proposal \$45,950 have 5% be added to the Selectmen
19 vote, to handle any additional charges. Majority of the board agreed with the proposal.

20
21 **MOTION:** Selectman Newton

22 *Motion to move forward with the Pike proposal in the amount of \$48,247 for the*
23 *purpose of paving the roadway around the highway garage. Said amount to be*
24 *expended from the Road Improvement Capital Reserve Fund.*

25 **SECOND:** Vice Chairman DeWolfe

26 **DISCUSSION:** proposed amount is \$45,950 but the vote has a 5% contingency built
27 in for unanticipated expenses.

28 **VOTE:** 4 – 1

29 **MOTION PASSED**

30
31 **Ashland Trustees joint meeting with Board of Selectmen** – town Trustees (Scribner,
32 Library, and Trust Fund) were present for a joint meeting with Board to discuss
33 dissolving the Scribner Trust. Trustee of the Trust Fund member Amanda Loud and
34 Library Trustee Alice Staples both read prepared statements (note attachment)
35 advocating that the Scribner Trust is no longer solvent, funds should be liquidated and
36 turned over to the Library Trustees, with the responsibility of maintaining the Scribner
37 Building be at the bequest of the Library Trustees. Trustees requested that the
38 Selectmen initiate this dissolution with town counsel and probate court. Board agreed
39 to initiate conversation with legal about dissolving the trust.

40
41 **MOTION:** Selectman Newton

42 *Motion to send the Trustees request on dissolving the Scribner Trust to town counsel.*

43 **SECOND:** Vice Chairman DeWolfe

44 **VOTE:** 4 – 1

45 **MOTION PASSED**

1 **IV. SELECTBOARD ITEMS**

- 2 a. **Reconsideration of the playground closure** – after receiving numerous complaints
3 from constituents, Vice Chairman DeWolfe asked that the Selectmen reconsider their
4 prior decision of closing the park during the hours of the After-School program
5 (Monday – Friday, 2:30 p.m. to 5:30 p.m.). Director Barney recommend the closure
6 exempt Ashland residents. Vice Chairman DeWolfe asked that the time be split. Board
7 decided to open the playground with the basketball court remaining closed for the
8 program hours.

9
10 **MOTION:** Selectman Newton

11 *Motion to reopen the playground for Ashland residents and that attendees follow Covid*
12 *guidelines.*

13 **SECOND:** Vice Chairman DeWolfe

14 **VOTE:** 3 – 2

15 **MOTION PASSED**

- 16
17 b. **Squam River Covered Bridge** – contractor Arnold Graton construction requested the
18 bridge be closed on October 22nd to repair a few planks. Board agreed to the request.
19 Further discussion amongst members about maintaining the bridge pursued. Prior
20 repairs to the bridge had been paid by Ashland Historical Society covered bridge fund
21 and a fund drive donation, afterwards instead of returning the funds to donors, the
22 historical society went to probate court to ask that the funds be used for future repairs.
23 Board asked that those funds help pay for plank replacements, estimate for repairs are
24 \$1,000. Board also discussed writing a warrant article to establish a Capital Reserve
25 Fund that would help pay for future repairs as the funds from the donations are below
26 \$5,000.
- 27
28 c. **Finance Assistant position** – the board was presented with a new job description for a
29 Finance Assistant position. Description follows the towns Finance Officer position but
30 differs in the position will help with utilities (Water, Sewer, and Electric). Board agreed
31 to the job description and to move forward with hiring.
- 32
33 d. **Live Public Meetings** – at the bequest of the Budget Committee, Chairman Badger,
34 followed up with members of the board about having their public meetings live.
35 Members of the board did not vote on moving their meetings to a live setting. Selectmen
36 felt participants can still use the ‘zoom’ conference function to attend, which is a public
37 health safety measure, after Covid cases are now back on the rise. It is within the Board
38 of Selectmen purview to have remote meetings while Emergency Order #12 remains in
39 effect.

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41
42 **V. ADJOURNED** – the Board of Selectmen adjourned their meeting at 6:26 p.m.

Proposal to Dissolve the Scribner Board of Trustees and the Scribner Trust

The Scribner Board of Trustees has determined the Scribner Trust is no longer solvent and will not be able to support the Scribner Building. Over the years, the use of the Scribner Building has become dedicated to the Ashland Town Library. The NH Superior Court decision of 1970, which stated the library met the definition of a community center, was reaffirmed in 1998 by the Charitable Trust Unit. After consulting the Ashland Library Board of Trustees and the Attorney General's Office, the Scribner Trustees believe it is in the best interest of the Town of Ashland to dissolve the Scribner Board and the Trust. We now petition the Board of Selectmen to ask the Town's legal counsel to begin this process in probate court.

It is the desire of the Scribner Board of Trustees to turn the management of the building and grounds of the library over to the Ashland Town Library Board of Trustees. We also ask any funds remaining in the Scribner Trust be turned over to the Ashland Town Library Board of Trustees, whether this be a cash outlay or the management of any remaining trust funds.

Signed, The Scribner Board of Trustees
October 19, 2020

The Ashland Town Library Trustees are in agreement that the Scribner Trustees board be dissolved, and responsibility of the property and building be turned over to the Ashland Town Library Trustees. We hope that the building and property can be retained for library use and be altered as needed to benefit the library and the town.

We feel that the trust fund should stay in existence, no matter how much is left in it, as it is a memorial fund which honors a past citizen. We do understand that the amount in the trust fund will have to be clarified in some manner. We would assume that the Town Trustees will continue to manage the investment of the funds, as they do with all town trust funds, but the Library Trustees will make decisions on how the funds will be spent to support the building and grounds. The Library Trustees would prefer that funds not be turned over as a cash outlay, but rather be allowed to grow for future use.

Even though the building and grounds are owned by the town, the Library Trustees would ask for participation in decisions about the future of the building and property.

Signed, the Ashland Town Library Trustees
October 19, 2020

Scribner Trustee Meeting Minutes
Thursday, September 17, 2020
5:30 PM

Present: Amanda Loud, Walter Durack, Lisa Rollins, absent: David Toth
Alice Staples and Sara Weinberg

Due to COVID-19 restrictions this meeting was held via Zoom video/tele
conference.

The minutes of the August 10, 2020 were accepted and approved.

The current state of the Scribner Funds held in Vanguard is \$96, 775.24.
The checking account balance is \$5,463.88. A \$12,600 Wells Fargo bond
was liquidated to pay for the upcoming roof replacement and other recent
expenses.

The final sprinkler head will be installed on September 24th. Fire Chief
Heath will be contacted to inspect the Scribner Room for occupancy once
all installations are complete. After the inspection, the door at the top of
the stairs will be removed.

It was noted there were a couple of screws or nails from the sprinkler
system installation sticking out of the wall. It was also reported there is air
in the water pipes to the bathroom sink causing much splashing. Both of
these items are easy fixes and will be remedied within a few days.

The lawn was mowed by the DPW in August.

The DPW has replaced the filler tube on the buried oil tank.

Scribner Trustee Meeting Minutes
Thursday, September 17, 2020
5:30 PM

The Supra Safe is still awaiting installation.

Amanda Loud made a motion to purchase a Service Plan for \$199 through Pemi River Fuels. The Service Plan includes a furnace cleaning and a 20% discount on parts and labor. Lisa Rollins seconded the motion. All were in favor.

Lisa Rollins and Sara Weinberg will adjust the programmable thermostat in accordance to the hours and days the building is occupied.

The draft proposal to dissolve the Scribner Board of Trustees and the Scribner Trust Fund was presented. The draft proposal will go to the Library Trustees for their approval. The Scribner Trustees will need to have the proposal back from the Library Trustees by Monday, October 5, 2020. Amanda Loud made a motion to have the proposal ready to present to the Board of Selectmen for their October meeting. Walter Durack seconded. All were in favor.

The next regular monthly meeting will be held on:

Monday, October 12, 2020
5:30 PM
Via Zoom

Meeting adjourned 6:18 PM

Respectfully submitted,
Lisa D. Rollins
Secretary, Scribner Trustee

**Ashland Town Library
Minutes of Library Trustees Meeting
November 5, 2020**

**Trustees Present: Alice Staples, David Ruell, Mardean Badger
Others Present: Sara Weinberg, Library Director**

The meeting was called to order at 6:00 PM via a Zoom virtual meeting.

APPROVAL OF MINUTES

- **A motion was made (Ruell) and seconded (Staples) to approve the minutes of October 19 and October 28, 2020. The motion was approved unanimously by a roll call vote, 3-0.**

NEW BUSINESS

Dissolution of Scribner Trust

- At the October 19 meeting of the Board of Selectmen, the Scribner Trustees and the Library Trustees each presented their respective statements calling for the dissolution of the Scribner Trustees and the Scribner Trust. The BOS approved forwarding the request to the town counsel. *[Reference BOS Minutes, October 19, 2020]*
- The statement presented by the Library Trustees to the BOS was as follows:
*“The Ashland Town Library Trustees are in agreement that the Scribner Trustees board be dissolved, and responsibility of the property and building be turned over to the Ashland Town Library Trustees. We hope that the building and property can be retained for library use and be altered as needed to benefit the library and the town.
We feel that the trust fund should stay in existence, no matter how much is left in it, as it is a memorial fund which honors a past citizen. We do understand that the amount in the trust fund will have to be clarified in some manner. We would assume that the Town Trustees will continue to manage the investment of the funds, as they do with all town trust funds, but the Library Trustees will make decisions on how the funds will be spent to support the building and grounds. The Library Trustees would prefer that funds not be turned over as a cash outlay, but rather be allowed to grow for future use.
Even though the building and grounds are owned by the town, the Library Trustees would ask for participation in decisions about the future of the building and property.”*
- The statement presented by the Library Trustees had been previously approved by the Trustees. At tonight’s meeting, **we re-confirmed our support of our statement calling for the dissolution of the Scribner Trustees and Trust, via a motion (Staples) and a second (Ruell), which was passed unanimously via a roll call vote, 3-0.**

Payment of Bills

- We discussed the recent bills submitted to the Town Manager by the Scribner Trustees. The bills were \$32.11 payable to Pemi River Fuels and \$44.28 payable to Consolidated Communications (monthly fire alarm dedicated phone line). The Town Manager indicated that the Finance Officer would pay the bills out of the Library's General Expenses line. However, because the Library Trustees are legally responsible for the Library budget accounts, we will ask that the bills be forwarded to the Library Trustees and inform the Town Office (and the Scribner Trustees) that we will pay the bills out of our own checking account.
- **A motion was made (Ruell) and seconded (Badger) to pay the fuel and fire alarm bills until the issue of responsibility for paying the bills is straightened out. The motion was approved unanimously by roll call vote, 3-0.**
- It was stated that there needs to be direct communication between the Scribner Trustees and Library Trustees regarding responsibility for payment of bills. Alice will let the Scribner Trustees know that we would like to attend their next meeting to discuss payment of bills.

DIRECTOR'S REPORT

- Sara noted that the re-surfacing of the children's room flat roof was postponed. No other information was available.
- Tuesday, November 3, was our first day of offering appointments for patrons to come into the library. Two people came by appointment and there were several other calls inquiring about the new procedures.

The meeting was adjourned at 6:32 PM.

Minutes submitted by Mardean Badger