



Town of Hopkinton, NH

Office of the Select Board

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SELECT BOARD PUBLIC MEETING MINUTES MONDAY, FEBRUARY 4, 2019 DRAFT

CALL TO ORDER

Chairman Jim O'Brien called this regular meeting of the Select Board to order at 5:30 p.m. on Monday February 4, 2019, in the large meeting room in the Town Hall. Chairman O'Brien introduced the members of the Board.

Members Present: Jim O'Brien, Chair; Ken Traum, Vice-Chair; Sara Persechino Sabrina Dunlap and Steven Whitley

Staff Present: Neal Cass, Town Administrator and Robin Buchanan, Administrative Assessing Assistant

Public Present: A large number of residents attended this meeting

Neal Cass led those in attendance in the Pledge of Allegiance.

POINTS OF PRIDE

Mr. Cass noted that this time of year is extremely busy for all. We are currently working on zoning amendments, town report, budgets, dealing with winter storms, preparing for Town Meeting, and hiring summer staff, just to name a few things. He thanked all town employees.

Chairman O'Brien thanked Ken Traum for his time on the Budget Committee. Mr. Traum thanked the Budget Committee for all their work.

ADMINISTRATIVE

The Board reviewed documents for signature and approved (5-0) the consent Agenda, taking the following action on a motion by Mr. Traum and seconded by Ms. Persechino.

ACCOUNTS PAYABLE MANIFEST	\$1,447,000.68
	\$183,337.29
PAYROLL MAINIFEST	\$79,919.15

BUILDING PERMITS

Austin Wang 9 Checkerberry remove 2nd floor, replace windows/doors
Rachel Jordan 70 South Rd remodel kitchen

Howard P Fairfield 554 Maple St new rubber roof, sprinkler heads, tiles
56 Maple St LLC 56 Maple St 5 residential units & construct 2 carports

Thank you letter Tom & Mary Congoran re: Contoocook Carry

ELDERLY EXEMPTION

Martha Bower

CIA MAINTENANCE CONTRACTS

Tax Map Maintenance

Tax Map Contract

Planning Map Contract

YIELD TAX AND WARRANT

Karen Kennedy Map 240 Lot 8	\$17,011.82
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TRANSFER OF FUNDS

Human Services -Donations to General Fund	\$243.72
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Human Services- Energy to General Fund	\$1,293.91
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The Board reviewed the Select Board Meeting Minutes of Tuesday, January 22, 2019. Mr. Traum made a motion, seconded by Ms. Dunlap to approve the Public Meeting Minutes of January 22, 2019.

VOTE: O'Brien, Traum, and Dunlap voting in favor of the motion; no votes against, Persechino and Whitley abstaining; MOTION APPROVED 3-0-2.

The Board reviewed the Non-Public Select Board Meeting Minutes of January 22, 2019. Mr. Traum made a motion, seconded by Ms. Dunlap to approve the Non Public Meeting Minutes of January 22, 2019.

VOTE: O'Brien, Traum and Dunlap voting in favor of the motion; no votes against, Persechino and Whitley abstaining; MOTION APPROVED 3-0-2.

OLD BUSINESS

George Park Process Moving Forward: Chairman O'Brien summarized the last meeting for Ms. Persechino and Mr. Whitley, as they were unable to attend. Chairman O'Brien stated the people in attendance wanted the Board to provide guidance. Ms. Dunlap added that the cost of the track is a factor and we need to decide how important the track is. Mr. Whitley inquired if the Board understands what they were looking for. Chairman O'Brien stated they are looking for a commitment on the conceptual design. Ms. Persechino noted that it is hard to commit with the School District. Discussion ensued, with regards to committing to Phases 1-3, setting a goal for people wishing to fundraise and have them return after Phase 3, costs of renovations before putting in the track and the cost of the track itself. Ms. Persechino noted that Phase 3 is moving the tennis and basketball courts in preparation for placing the track.

Mr. Traum made a motion to accept the conceptual plan from Hoyle and Tanner and commit to the changes in Phases 1 & 2. Mr. Whitley seconded the motion.

VOTE: O'Brien, Traum, Persechino, Dunlap and Whitley voting in favor of the motion; no votes against; MOTION PASSED, 5-0.

Appointment of Town Records/Archive Committee: Mr. Cass noted that the committee will consist of designees from the Town Clerk/Tax Collector Office, Treasurer, Assessing, and at least two (2) members appointed by the Select Board. Mr. Cass recommended the following people be appointed: Lynn Clark, Carol Hooper and Heather Mitchell.

Mr. Traum made a motion, seconded by Ms. Persechino to appoint Lynn Clark, Carol Hooper and Heather Mitchell to the Town Records/Archive Committee.

VOTE: O'Brien, Traum, Persechino, Dunlap and Whitley voting in favor of the motion; no votes against; MOTION PASSED, 5-0.

Town Meeting Warrant: Mr. Cass reminded the Board that there will be a brief meeting of the Board on Monday, February 11, 2019 to finalize and sign the Warrant for Town Meeting.

NEW BUSINESS

Budget Hearing Handouts: Mr. Cass asked if the Board had any comments on the handouts for the Budget Hearing. There were no comments. Mr. Cass inquired if the Board would like to include the Frequently Asked Questions about the Bates Building at the Budget Hearing. The Board replied yes.

Ms. Dunlap would like clarification as to the role of a Select Board Representative on another board. Specifically, what authorization does the Select Board member have on other committees. The Board agreed to table this discussion until later in the meeting.

APPOINTMENTS:

Public Information Sharing & Gathering-Bates Building: Chairman O'Brien gave a brief history as to how we arrived at this point. He also stated he would explain the process and then some ground rules for the conversation we are going to have about the Bates Building.

Chairman O'Brien stated that the Select Board operates under State law, one of which is RSA 91-a, the Right to Know Law. He further stated that the expectation of any board is to have open meetings, however, there are some exceptions, which are non-public sessions and there are very specific reasons that allow non-public sessions. Chairman O'Brien stated that the reason must be stated, a roll call vote taken, in order to go into non-public session. Some of those specific reasons are personnel issues (a), legal issues (e) and reputation of someone other than a member of the Board (c). Chairman O'Brien further stated that the Select Board on numerous occasions in the fall went into non-public session under section "c", reputation. The Select Board members takes an oath when sworn in and are required not to discuss the matter publicly. He further explained that the decision to move the Town Clerk/Tax Collector's office was made, and although it may have seemed to be a quick decision, it is something that the Board has discussed many times over the past five (5) years. Chairman O'Brien stated that it was originally a temporary move, however, over the course of time, the Board chose to keep the office here at the Town Hall. He stated that closing the Bates Building would save money, town services would be all located in one place, and having all the offices in one location would be more efficient.

Chairman O'Brien stated that the Bates Building was originally donated to the Library for their use, as was stated in the original deed to the Town. He further stated that we had to go through the Attorney General's Charitable Trust Division to allow us to use the building for the Town Clerk/Tax Collector's Office. Chairman O'Brien stated that Ms. Dunlap, Mr. Traum and Mr. Cass have met with representative from the Attorney General's Charitable Trust Division, who have agreed to recommend to the Probate Court, the approval of the sale of the building. During these discussions, it was agreed that if the building were sold, 50% of the proceeds

would go to the Library and 50% would go to the Town Hall for renovations to the offices and for parking. Chairman O'Brien further stated that the Select Board need Town Meeting approval to sell the building. He noted that Probate Court will have the final decision.

Chairman O'Brien stated that the Select Board received a petition warrant article requesting to move the Town Clerk/Tax Collector's office back to the Bates Building. He further stated that the 2019 operating budget assumes the office will stay at the Town Hall and doesn't include funds for additional staffing if the office were to move back to the Bates Building. Chairman O'Brien said there are three Town Meeting votes related to this issue, the operating budget which does not have funds in it for the required additional staffing, the article to authorize the sale of the building, and the petition article to move the office back to the Bates Building.

Chairman O'Brien stated the ground rules. We would like your thoughts on the matter, to sell, keep, other uses for the building, as all ideas and comments are welcome. He further stated to please address the Board members only, not to have a back and forth between residents, it is not a debate and to be respectful to others. Mr. Traum added that if we sell the building, it will go back onto the tax rolls and having office employees in one building helps with safety and security for all the employees.

Vickie Bram stated she is in support of the sale; but would like a provision in the deed that requires the new owner to keep the historic look of the building.

Dijit Taylor stated she is uneasy with the speed at which the Board is moving. She feels that the building may have historic value; however, she thinks it is good to have the Town Clerk/Tax Collector's Office at the Town Hall building.

Jane Schoch thanked Tina Hoyt for creating awareness about this issue. She does not agree with selling the building or moving the office. She has concerns about the record storage, and stated it is inconvenient to travel from Contoocook to Hopkinton. She stated that the elderly who walk to the Town Clerk/Tax Collector's office will be at a disadvantage if the office is moved. She further stated that no one knew what was going on. She stated if it has been an on-going conversation for many years, where are the plans, we should not sell until we have all the facts. She stated that if the building is sold, all the proceeds should go to the Library and not to renovate the Town Hall. She stated that Town Clerk/Tax Collector does not have the privacy here that he had at the Bates Building. She further stated that there is a conflict of interest in having Amy O'Brien on the ballot for the elected position of Town Clerk/Tax Collector.

Tina Hoyt thanked Jane Schoch for her comments and agrees with those comments. She further stated that the Town Clerk/Tax Collector's office should be at the Bates Building. She stated office space at the Town Hall is cramped, confined and too far from the bank and post office. She also stated the noise level is too high at the current location. She said there should be no further renovations to the Town Hall, and we should not enlarge the parking yard and take away from the historic building. She also stated we should move the Town Clerk/Tax Collector's office back and thinks we will regret it if we sell the building.

Bryon Carr stated we should wait a year before selling the building. He continued that we need to separate the gazebo property from the Bates property and consider traffic and parking in the area.

Carol Hooper stated that there is a lot of stuff at the Bates Building that will need space at the Town Hall.

Ben Cochran stated parking out in front of the town hall is not good. If we vote to keep the office at Bates Building, it is not binding. He stated it was a surprise move and the Town should have been notified by a mailing.

Chairman O'Brien stated that there are parking and accessibility challenges at the Town Hall. It is an old historic building, with offices added to the back of the building. He further stated that we make good use of the space and would like the space to be livable and enjoyable. He noted that new bathrooms were done, as the old bathrooms were not in good shape. We are evolving with the changes in Town.

Mr. Cass stated there have been on-going plans for many years; and it has been discussed often at Select Board meetings. Some of those changes would include removal of the current handicap entrance, with one entrance for all, with handicap accessibility, but we are not changing the front of the building. He noted that the front stoop is crumbling and needs repair.

Laura Johnson stated that she agrees with moving the Town Clerk/Tax Collector's office to the Town Hall. She inquired if the Bates Building could be used for the SAU. Chairman O'Brien stated that the space was smaller than what they have now.

Louise Carr asked Chairman O'Brien to clarify some information about the Town Clerk/Tax Collector's Office having the right to pick their office location. Chairman O'Brien stated the Board and the voters set the budget, the Board provides office structure.

Steve Eckberg inquired if the potential buyer is an exempt organization it will not go back onto the tax rolls. Mr. Traum stated that many exempt properties have a PILOT (payment in lieu of taxes), but that we cannot require to pay a PILOT.

Ron Turcotte stated if we can reduce the number of people coming into the Town Hall that would help to alleviate the parking issue. Chairman O'Brien stated that we are moving in that direction, noting if you pay your tax bill on line, you can do it with a credit card, and we are currently scanning checks that come into the Town Clerk/Tax Collector's office.

Tom Johnson stated that many years ago, there was a court case, which allowed the tax collector to choose his/her location, however, he stated that could have changed. Mr. Traum stated that the issue never came up in his discussions with the Attorney General's Office. Chairman O'Brien stated that the Board will check into that and clarify the issue.

Anna Wells stated that she has never been to the basement or the second floor of the Town Hall and wanted to know if that was usable space. She also inquired as to how much revenue the Town could expect from selling the Bates Building. She further stated that we should put a cap on the renovations to the Town Hall. She also feels that parking is not much of an issue.

Chairman O'Brien stated that the basement is what you would expect from an old historical building. He further stated that the second floor is not a viable option, as we would need to install an elevator for accessibility; and there are plans. He further stated if the Town Hall's renovations did not use their portion of the proceeds, it would revert back to the Library.

Chairman O'Brien stated that the assessed value of the Bates Building is at \$166,000.00.

Tom Congoran stated that the Warrant Article does not designate the distribution of the proceeds and inquired if it should. Mr. Whitely stated that on the off chance that the Probate Court changes something, we should not designate the proceeds in the article.

Janet Krzyzaniak spoke to the inadequate parking in front of the Town Hall. She also stated we should not do anything else with the building, until we can expand it and we should include the upstairs in any plans. She further stated that parking across the street can be dangerous. She would like the Board to take more time.

Louise Carr stated that if the Board receives permission to sell the building, she believes there are valid points to wait to sell the building. We should explore all options before putting up the for sale sign. Chairman O'Brien stated we only have Town Meeting once a year and we would not move quickly to sell the building, noting that there would be things that would have to be completed before putting the building on the market.

Jane Schoch noted that the vault with the town records are in the Bates Building. Chairman O'Brien stated that the vault is not moveable; and the basement is not always the best place to store records.

Richard Barnard stated that we should rethink the whole thing and move the Town Clerk/Tax Collector's office back to the Bates Building.

Ben Wilson stated he would like to see a historic district in Hopkinton village, but a resident near the Town Hall he sees parking for events at the Town Hall, St. Andrews, and when there is AA, and the parking is not an issue. He does believe that having the offices in one place is a great idea and it is good for the historic Town Hall to be used.

Tina Hoyt inquired if the parking would remain parallel parking. Mr. Cass replied yes.

Scott Smith inquired as to the number of spaces. Mr. Cass stated we would have 12-15 parking spaces.

Laura Morgan inquired that if we vote yes on the budget it does not include money for the required extra staffing for the Bates Building. Chairman O'Brien stated that is correct.

Tina Hoyt inquired as to why the part-time position in the Town Clerk/Tax Collector's office was eliminated. Chairman O'Brien stated the functions of the office can be carried out with two full time positions. He further stated it has been discussed several times in meetings.

There being no further comments or questions, Chairman O'Brien thanked everyone for coming in and reminded those present that there is a Budget Hearing on all the budgets on Wednesday, February 6, 2019 at the High School beginning at 6:30 pm. Chairman O'Brien called for a 5 minute break at 7:35 pm.

Chairman O'Brien stated that before the Bates Building discussion, Ms. Dunlap inquired about the authority a Select Board representative has as a representative to other boards. Mr. Whitley noted that if you are on a board, your role is as a member of that board. It is your own judgement as to how to vote based on the information that you receive. Mr. Cass stated that each under the budget statutes, the Select Board representative is appointed for one year. Ms. Persechino stated that it should be made clear that the vote of the representative is that persons vote, not a board decision.

TOWN ADMINISTRATOR UPDATES:

Mr. Cass stated that he will have the Frequently Asked Questions on the Bates Building as a handout. He inquired if there were any other things the Board would like included in the handouts. Mr. Whitley suggested the rough project listing prices and tax revenue from the potential sale would be good. Mr. Cass stated he would not be able to have that for the Budget Hearing on Wednesday; but would have it for Town Meeting.

Discussion ensued, with regards to the conversation about the Bates Building. Mr. Whitley stated there were some good points for the Board to consider and he stated he did not think the Board would quickly sell the building.

Mr. Cass inquired as to the dedication for the Town Report. The Board agreed to dedicate it to Steve Clough.

PUBLIC FORUM

Janet Krzyzaniak stated the parking on Park Avenue near the ball field makes it difficult for other drivers. She stated there is a hole in the fence that people are using to access the field from Park Ave. She further stated the fence was placed on the Park Avenue side in hopes that people would not park there, because there was no entrance in the fence, but now there is an opening in the fence, and she would like to know if it can be closed. Chairman O'Brien asked Mr. Cass to follow-up with staff connected to this issue

OTHER

Chairman O'Brien stated that since the Board needs to meet next week to sign the Warrant; he suggested that they postpone the non-public session until then. The members of the Board agreed.

ADJOURNMENT

There being no further business, motion by Ms. Persechino, seconded by Ms. Dunlap, to adjourn the meeting. Vote 5-0 in favor of motion. The meeting adjourned at 8:20 pm.

Respectfully submitted,

Robin Buchanan
Administrative Assessing Assistant