

**TOWN OF RYE – BOARD OF SELECTMEN**  
**Thursday, February 20, 2020**  
**4:00 p.m. – Rye Town Hall**

*Present: Chair Phil Winslow, Vice-Chair Keriann Roman, and Selectman Bill Epperson*

*Others Present: Town Administrator Becky Bergeron*

**4:00 p.m.**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Chair Winslow called the meeting to order at 4:00 p.m.

**II. DISCUSSION ITEMS**

A. Warrant Articles

**Article 9:**

**To see if the Town will vote to establish a Municipal Buildings Construction and Renovation Capital Reserve Fund pursuant to RSA 35:1 for the purpose of construction of, or renovations to, town owned buildings and to raise and appropriate the amount of \$280,000 to be placed in this fund and to appoint the Selectmen as agents to expend from this fund with \$280,000 to be offset from the sales proceeds from the Old Trolley Barn. (Majority vote required.)**

**This article is recommended by the Selectmen. (3-0)**

**This article is recommended by the Budget Committee. (9-0)**

Vice Chair Roman explained that she called this meeting to discuss Warrant Article 9. Her concern is that the public does not have a clear understanding about the intent of Article 9 and how it is connected to the purchase of the TD Bank building. She explained that the Board has had countless meetings and have written articles for the newsletter regarding Article 9. In her mind, everyone knows what they are doing with Article 9. They are going to sell the Trolley Barn and the money was going to TD Bank. If people liked the idea, they would vote for it and if they didn't like the idea, they would vote against it. What didn't occur to her was that snowbirds and others that don't read the newsletters or go to the Selectmen's meetings are not going to know the intent just reading Article 9. She added that the Board tried to add language in the article to make sure the Budget Committee was involved and the DRA said that they could not put that language in. It didn't even occur to her that they needed to put in that if the TD Bank became Town property, it would be used for that because she felt it was always a known.

Chair Winslow stated that he believed the DRA precluded them from adding that language.

Administrator Bergeron agreed and explained that the DRA said that it was not pertinent to what they were trying to do with that warrant article, which was to establish a capital reserve account. She added that the second part of it was how it would be funded.

Vice Chair Roman stated that if the Board had the understanding of the information level that was out there, they could have perhaps crafted the article in a way to be more broad but to use funds for the TD building or they could have created separate warrant articles; one to create the capital reserve and one to spend from it. She added that she has heard from people in town that think that the exchange with the Parsonage is only because it is a financially good move; seeing the Parsonage that is only worth \$390,000 and then seeing the bank with 4-acres of land in the center of town. They think that what will be done with the bank building will be figured out later.

Selectman Epperson stated that people he has talked with understand that the intent is to use the building as space to move some of the town offices out of the Town Hall. He added the pushback comes from the question of who makes the decision of what offices will be housed there.

Vice Chair Roman recommended that at a minimum, when they advertise and note the listening sessions and meetings, that the agenda be clearly noted as being about Town Hall. She added that her sense is that the exchange is generally well-favored. However, the concern comes from the question of who decides which offices move over and how the Town will pay to move the offices. She asked if the Board wants to make a representation of some sort that in adding to meeting with the budget Committee, the Board will have public hearings.

Chair Winslow stated that he felt that the plan that the Board has now is a good plan, which is that they will meet with the Budget Committee to discuss any expenditure out of the capital reserve of \$25,000 and over and have a public meeting. He added that they are making a good effort of making the information available to the public. The second issue is that the Board has been working with the top experts in the industry, in order to answer the questions regarding what offices interact and the co-locations of the departments. Working with the floor plan, at a public meeting the Board can except public comment; however, the decision really has to be with the Board. The Town is a business and the Board is the overseer. The Board must make the decision and not advocate it to a subcommittee. The Board must provide leadership in this issue.

Vice Chair Roman stated that she understands and agrees with what Chair Winslow is saying. In order to avoid further misunderstandings, she asked if they could, when posting the meetings, advertise that the meeting will include town hall discussion. She also asked if the Board would also commit to holding listening sessions once they have the plans from Nancy Barba.

Chair Winslow pointed out that they are looking for the best ideas to percolate to the top. He stated that as far as the expenditures of the funds, he expects that they will have one or two options.

Selectman Epperson pointed out that there have not been any decisions made for the use of the three acres in the back of the TD building, yet.

Chair Winslow recommended having the Town Center Committee weigh in on that decision.

Vice Chair Roman stated that she is really uncomfortable about the public not having enough information on Warrant Article 9. She asked if there are other ways that the Board could get the information out to the public. She suggested the Civic League News.

Selectman Epperson pointed out that he was also getting feedback about the appraisals. He reported that the appraisals are now on the website and the hard copies are at the Town Hall for people to review.

**Frank Drake of 5 South Road**, stated that Article 7 only talks about the exchange and doesn't give a purpose. If a person just reads Article 7, they're going to go "Wow, that's a good deal". He added that there are a thousand voters that will come in to vote that don't know half of what they really need to know. They vote on the recommendations of the Selectmen or the Budget Committee or through resistance. Warrant Article 7 does not even talk about the use. The Board made a leap based on financial calculations but a lot of the public has not made the leap that the answer is TD Bank. The Town voted it down two years ago. The Town would have had to pay \$575,000 for it and put in another \$130,000 for renovations. These are a cumbersome and awkward set of warrant articles in order to make that decision because they really don't speak to the Town Hall issue. The word is just starting to get out there since the deliberative session and it is a mixed bag of feels.

Vice Chair Roman asked Mr. Drake what he saw as a resolution for this problem.

Mr. Drake stated that he was not sure. The resolution for many people will be whether they want to set a course for the future of the Town's municipal operations that is going to be part at the Town Hall and part at the TD building. The TD building will probably cost \$200,000 for renovations and is not a complex property to maintain. The Town Hall is still an unknown as far as costs. Mr. Drake added that there is also some irritation from the fact that there was an article last year that the Board of Selectmen would develop a plan prior to this point. He stated that the Board will have to wait for the vote at this point. He agreed that the informational listening sessions was a good idea but they will need to get the public to attend

Chair Winslow explained that the Board's plan based on the article last year was to have an analysis of the Town Hall, which the Board is in the process of doing. The problem came with the timing of the offer from Mr. Philbrick regarding the exchange with the TD Bank. That came at a time that was not good for the Board because they had to move fast on it. The Board felt that to pass up the opportunity and not give the voters the right to vote on it, would not be in keeping with the Board's official responsibilities. He added that in his mind it is too good of an opportunity to pass up. He stated that it is the Board's job to bring opportunities to the voters as they see them. The goal is to maintain the town's tax rate as flat as possible.

Vice Chair Roman stated that if the Town votes "yes" to the exchange and the Board gets the plans from Ms. Barba, they have to take the plans together with all the prior information that they have on the structure of the Town Hall. That is going to take a lot of work. Why not just wait? Have the listening sessions, have the plans, show what it could like, deal with the structural issue and this will bring it into the fall.

Selectman Epperson agreed. He stated that if they can get this piece done, which is a big piece, then he would take a big deep breath and do exactly what Vice Chair Roman is saying.

Chair Winslow recommended staying with the plan to get the analysis done on TD Bank and the Barba report on the Town Hall. If the cost on the Town Hall is going to be \$700,000 to \$800,000, the next step will be to work on funding. In the meantime, they could move some people over to the TD Bank. When the renovations are being done to the Town Hall, they will have to move people out and the TD Bank will be a good safety net. He stated that he is not so supportive of the Board waiting until next year. He felt that if the plan plays out in September or October and they have the funding from the reserve, then they should move forward.

Vice Chair Roman stated that in terms of management, she agrees with Chair Winslow. However, she stressed that she has a real fear that the Town will lose all of it, if the Board doesn't compromise on that piece. She added that the Board knows that people are very set on this issue. If the Board was willing to say "let's get the transfer done; support us on the transfer" and then the Board could bring the plan back to the voters next March.

Chair Winslow recommended having the listening sessions, bringing in all the data and facts, such as the Barba report and the costs, get the feedback and the input from the public and see if they run into any problems. If it works out that it is best to wait until 2021, then that is what the Board will do.

Vice Chair Roman suggested kicking the plan for the Town Hall to March 2021, for the voters to decide. She felt that if the Board was willing to do that, there is a large contingency of town's people that are upset with things now that will support the exchange. The Board could present the plan as a warrant article.

Chair Winslow stated that he understands the logic of what Vice Chair Roman is saying. However, he felt that by March 2021, they should have the complete plan for the Town Hall and they would want to have phase one of that plan to be the warrant article. If they get these warrant articles passed, then they need to move forward with what they have and that may push renovations of the TD Bank into 2021. He is hesitant on stepping back and reiterated that the Board needs to take the leadership position.

The Board agreed that all future advertising or posting for the listening sessions and meetings will state that the discussion will include the use and future of the Town Hall and the TD Bank building (a.k.a. Town Hall Annex).

### **III. OTHER BUSINESS - None**

### **ADJOURNMENT**

**Motion by Bill Epperson to adjourn at 4:46 p.m. Seconded by Keriann Roman. All in Favor.**

Respectfully Submitted,  
Dyana F. Ledger,