

Ashland Town Library Minutes for May 6, 2013 – Special public meeting with the Scribner Trustees (Draft)

Those in attendance: Alice Staples, Lynn Davis, Sara Weinberg, Tom Peters, Rick Pare, Dick Ogden, Elliott Dupuis, Linda (Scribner Trustee's Secretary). Other citizens present: Mardean Badger, Bobbi Hoerter, Sandra Coleman, Beth Chalmers, Sarah Chalmers.

The meeting was called to order by Rick Pare at 7:00 pm.

The purpose of this meeting was to discuss possible solutions to reopen the two locked rooms on the second floor, for public use.

Alice Staples reiterated to the Scribner Trustees that in previous letters, the Library Trustees requested a meeting to discuss the situation regarding the two locked rooms on the second floor. She went on to explain that the lack of access to the second floor rooms, limited meeting space for the public. For a number of groups who meet at the library, the lack of space has been problematic. Alice also indicated that a number of Ashland citizens have signed a petition requesting the locked rooms become available to the public.

The following summarizes the Scribner Trustees' response to Alice's request:

1. Comments made by Tom Peters:

- Rules had to be made indicating who could meet upstairs and who could not because of liability issues and the fact that the process for allowing groups to meet upstairs was not being followed. Liability issues referred to fire safety codes from the Fire Marshall, Fire Department and ADA. Originally, the rules for the Library were made 11 or 12 years ago because someone from the library called the Fire Marshall to complain. Prior to that time, the relationship between the library and the Scribner Trustees was harmonious.
- The Emma Scribner Will states that the Scribner Trustees' role is to make all the decisions for the building.
- Mr. Peters made it clear that the Scribner Trustees manage and control all aspects of the Scribner Center. Mr. Peters indicated that under the management and control of the Scribner Center, the Scribner Trustees have responsibility and liability issues.
- Having a library in the Scribner Center is contrary to the Will.

2. A discussion followed about court decisions and warrant articles that allowed the library to be housed in the Scribner building. On several occasions, throughout the meeting, the discussion returned to the wording in Emma Scribner's Will. The following statements about the Will were made by Scribner Trustees at different points during the meeting.

- The library is authorized to be on the first floor only.
- The two rooms in question are the Scribner rooms and not available for library use.
- Mr. Peters stated "You folks (Ashland Town Library) have full use of the whole downstairs and we have given you rooms upstairs. It's just not good enough. It's just not good enough. You need to have it all."
- The 1970 court decision said that the Scribner Center *may* be used as a library, not *has* to be.
- Mr. Peters said that the Will describes what this building [Scribner Building] is to be used for and that does not include a library. He also said that Mrs. Scribner actually defined what she meant by community center and that definition did not include a library.

Alice and Sara stated that the wording in the Will clearly states that the building is for “public use” not exclusive use for Scribner Trustees.

Alice asked if there was a document that indicated the two rooms on the second floor were specifically designated as the Scribner rooms.

Tom’s response: “We don’t need documents, we have the Will – you folks are guests in this building”.

3. Alice asked if the sprinkler system was going to be installed and if so, would that alleviate liability issues related to life safety on the second floor. She also wanted know if the entire upstairs would be open to the public, if life safety issues were resolved. The Scribner Trustees answered as follows:

- Yes, they do plan to install the sprinkler system.
- At this time, there are no plans to allow the library to use the two large rooms on the second floor.
- Mr. Peters indicated that if the Fire Marshall changes his position on life safety issues (the door must remain closed at the top of the stairs and close automatically), then they will give it some consideration.

4. Sandra Coleman raised the issue of posting meetings and providing minutes to the Town Hall in a timely fashion. She indicated that tonight’s meeting (May 6, 2013) was not posted and therefore, illegal. She explained that meetings needed to be posted according to RSA 91-A, in accordance with the Right to Know Law. Sandra pointed out that because this meeting was not posted, any decisions made were invalid and illegal. She went on to say that if the Scribner Trustees voted to go into non-public, their actions were illegal. (It should be noted that earlier in the meeting, the Scribner Trustees did indicate that they planned to hold a non-public meeting related to legal issues).

The Scribner Trustees’ response was as follows:

- Tonight’s meeting was basically to entertain the Library Trustees.
- Mr. Peters said he did not have time to post the meeting.
- Mr. Peters, also said that the minutes had to be provided only by request and did not have to be available to the Town Hall within five days.
- Mr. Pare said that from now on they will be diligent about posting their meetings.

5. Alice spoke about the Library Trustees looking at other options for the library. Currently the library is at capacity and desperately needs more room for books and places for the public to meet. She indicated that the Library Trustees had looked at other sites and were also considering renovations and possible expansion of the current library. Alice said that the Library Trustees were working with a local architect to determine the feasibility of several options.

The following exchange occurred between the Scribner Trustees and the Library Trustees:

- Tom Peters: “Well, that’s not going to happen”. (Referring to renovations and possible expansion of the current library).
- Dick Pare: “That’s not going to happen.”
- Alice: “What if the town says it’s going to happen.”
- A Scribner Trustee: “The town doesn’t have anything to say about it.”

- Rick: "Is this a threat?"
- Tom: "The Trust, follow the Will."
- Sara: "It doesn't say anywhere in the Will that you cannot add on to it (the current building)."
- Tom: "Nowhere in the Will does it say you can have a library here."
- Alice: "We just wanted to be sure that you knew what we are thinking about so you wouldn't be surprised."
- Dick: "Like I said, good luck."
- Alice: "Well, thank you."

6. Lynn Davis asked if you (speaking to Mr. Peters) could define community center.

Mr. Peters provided the following definition on the assumption that the library was not in the building.

- A community center would be a place where groups like the boy scouts, the girl scouts, cub scouts, garden club and other community groups could have their meetings. He also said that philanthropic organizations could use the space among many other possible groups.
- Sara stated that what Mr. Peters was describing, was what the library is currently doing.

Towards the end of the meeting, Mrs. Staples reiterated the need for more public meeting space. Mr. Peters told her that there were a number of other places in town where groups could meet. He referred to the Booster Club, the Community Center and mentioned that some churches in town provided meeting space for large groups.

Mardean Badger asked that the Library and Scribner Trustees try to understand each other's point of view.

After an hour, the public meeting came to a close at 8:05.

Respectfully submitted,

Lynn Davis
Library Trustee Secretary