

TOWN OF KENSINGTON  
SAWYER PARK TRUST AGREEMENT INFORMATIONAL MEETING  
Kensington Town Hall  
95 Amesbury Road Kensington, NH 03833  
Monday, December 3, 2018 - 5:30 pm  
Meeting Minutes - Draft

In Attendance: Donna Carter, Hez Mercadante, Glenn Greenwood, Mike Schwotzer, Ben Cole, Bob Long, Kathleen Felch.

Approximately 10 residents in attendance.

Mike opened the meeting at 5:35 pm.

It was explained that this was a public meeting to discuss the Sawyer Park Trust to last approximately 1 hour. Mike then directed the meeting to be led by Bob Long.

Review of what the Sawyer Park Trust Agreement is: Trust agreement but is more than just that. It is a place that is significant to the community. Thanks to the generous donation from Alan Lewis and others that was originally in effect but has now expired. It is time to discuss a new proposal. Donna Carter, Hez Mercadante and Glenn Greenwood are here to discuss the proposal. In addition, Bruce Cilley and Tom Butters are here to represent the Lewis Investment group.

Donna reviewed the history of Sawyer Park

Glenn reviewed the Agreement.

Donna referred to the picture/diagrams of the Park and discussed what the original park consisted of. Including 1 ball field (shared), small pavilion, play area, trail system, portable cooking areas and parking. It was also discussed that the trail system is part of the park. That was verified as true by Donna Carter.

Glenn discussed the new draft agreement which has been a collaboration of the BOS, Trust Members and Attorneys involved. The highlights include:

- Advocates that the view of trustees would be elected to the trust - thus mimicking other trusts in town.
- Establish a monetary responsibility to the town in the amount of \$30, 000 per year.
- Establish a Park Manager position to be paid by the trust. Serving as a point person to help coordinate use of the park.
- Town residents would have NO fees for use of the park.
- Fee Structure would be developed for other uses the park could be utilized for.

- Agreements on a Maintenance Schedule.
- A 30 year agreement is what is being sought.
- Goal of having a comprehensive agreement.

Bob expressed that the highlights could be discussed.

Mr. Elwell, a resident, approached the podium - Discussion regarding the \$30,000 took place and was noted that all monetary figures should be transparent. Bob reiterated that this is a draft proposal of the basic covenant.

The question was asked whether this will be a warrant article. Legal council addressed this question. The BOS have the authority to move forward but it is likely best to be a warrant article. The people should be able to vote.

There was reference to a cover letter published on the website, Hez addressed this.

Within the proposed agreement - Representatives will be elected not appointed. This is not a town decision per legal council.

Josh Preneta, a resident, approached the podium. Requesting clarification of what the official purpose of the park was? Discussion continued that it was to promote community involvement and build community. This discussion was contributed by Mike DelSesto, resident and trustee. Josh made the suggestion that the purpose of the park should be documented to reiterate the purpose. Next question was, What is the process for decision making? Bob deferred the question to Mike DelSesto. This would be a joint conversation between the trust and the board. In looking at the proposal, the BOS and the committee or everyone on the trust would sit and discuss before recommendations were made.

The goal is to streamline the process. To maintain a consistent process no matter who is involved. The trust consists of 5 members (2 - Lewis Foundation and 3-voted on by the town to represent the town).

Norman DeBoisbriand, a resident approached the podium. He inquired regarding the revenue stream and how that would be documented when being applied to the trust. The current BOS will need to create clause for the future BOS to make a legal document.

A Quarum is needed for voting. For a quarum 4 people will be needed to vote. Trust instrument changed 5 members to 4. Attendance issues created that change.

Bruce Cilley spoke - in June of 2011 arrangements had been finalized with the attorneys. Town attorneys have reviewed all documents.

Bob Long expressed gratitude to everyone. He then stated as we move forward line items will need to be called out individually for clear understanding.

Reps from the KYAA will be asked to speak to access. Someone will need to sell banners and make sure expenses vs. potential details will be reflected clearly and coordinated appropriately.

Mr Elwell returned to the podium.

- Seeking clarification of the agreement. \$30,000 is the amount on the proposed agreement. Concern was raised about how are the taxpayers protected? It would be appreciated if it would be considered on how to resolve this issue.

Mr. Butters - Referring to the Agreement document Paragraph #10/11.

- Agreement can be modified only in writing and only by the agreement of the town, KLCT and a vote of not less than 80% of the trustees in the trust.

Dan Sweet - Representative of the KYAA.

- Thank you for the time and effort toward this. Thanks to the Lewis Family and those involved in the trust. This past year 108 kids participated in programs. This park has a tremendous impact on our community. Understanding that costs change over time, reiterating the importance of however this works out that it is understood, this protects something we have that so many others do not. All of the efforts put forth on this matter have a tremendous impact on our community.

Bob Long expressed thanks to all those in attendance.

Meeting closed at 6:28.

Respectfully submitted,

Sarah J. Wiggin