

Select Board

Final Minutes

Work Session: Events Application and Use Policy

6/25/18

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Attending the work session were Anne Surman, Kathy Corson, Julie Gilman, Molly Cowan, Don Clement, and Russ Dean. The work session began at 5:30PM.

The board decided to begin by going over the draft policy they had received. Ms. Gilman began with section 5, which stated the order of preference to permitting town spaces to different entities. Mr. Clement wanted to define a municipal function as opposed to a civic event. Ms. Gilman said she would like the word civic to be removed. Mr. Dean said that some events in the past have had outside organizations come under town-sponsorship, such as the annual Powderkeg festival. A municipal event would be functions held by Town of Exeter departments, board meetings, administrative events, and so on. Ms. Gilman suggested having three separate categories for permitting entities in an order of preference being municipal events, school events, and other.

The board decided that the only time the preferences would come into play were if there was a conflict. In the case of a conflict, the board decided that applications received on the same day would be first-come, first-served. In addition, Exeter-based organizations would take preference in this case. The board also talked about the public events calendar, which is on the Exeter website and is available for anyone to view. Mr. Clement suggested bringing up the calendar to the communications committee so that more people know about it. Sheri Riffle said that conflicts are usually not an issue, depending on a willingness to compromise dates. Mr. Dean did point out that recently, there has been more interest in using town property. Also, there are multiple permitting authorities currently, which means there is not always consistency.

Mr. Clement asked what would happen if there is an event that has significance or is important. Ms. Corson said that, judging by the recent warrant article that was approved, residents want Exeter-based events to take precedence in the town. The board discussed the note at the bottom of section 5, and it was suggested adding that organizers would have to request town co-sponsorship. Ms. Gilman also wanted to clarify that filming by EXTV or using town equipment does not equal sponsorship. They also further defined what constituted the "town".

Ms. Surman asked about the responsibility for Swasey Parkway and the library, which right now are permitted by their trustees. Mr. Clement suggested having all Swasey Parkway events come to the Select Board for scheduling and permitting, because the roadway is under

town jurisdiction and most of the events involve the roadway. Ms. Corson also brought up the art gallery space, which is permitted by the arts committee. Ms. Surman said that she thought permitting should stay with the trustees. Mr. Dean pointed out that the library trustees fall under an RSA, but the Swasey trustees were created by the town in the 1930's and are responsible for the maintenance of the park. Ms. Corson agreed that having the Select Board as the permitting body would make it more consistent. Mr. Clement also said that the Select Board manages all town-owned property by state statute, unless it is voted on by the town to be managed by another body.

Mr. Dean said that their overall goal is to make the process easier and more functional. Part of the challenge is that they don't always know where the applications are in the process, because there are multiple permitting authorities. Ms. Cowan suggested using some kind of software to add applications to a calendar, see any conflicts, and be able to accept the applications. The parks and recreation department uses such a software for their own permitting. Mr. Clement cautioned against advocating the board's authority away from the town properties.

Ms. Corson said she would still want to go through each permit in case there are any issues, but likes the idea of having a real-time calendar. Ms. Riffle said she would look at the parks and rec. software, and it might be a good idea to have some applications go for review, and some approved once they are received. Ms. Gilman suggested having parks and rec. be the overall scheduler for the town, and the Select Board would still approve applications. Parks and rec. would just need to manage the calendar. Mr. Clement felt this might be too much for the department, and it would create extra steps. Ms. Corson suggested that an online application would be great- maybe they could get an automatic notice of conflicts if sent in electronically. The board requested a demo of the software at another meeting. The board also briefly talked about the arts gallery, although they need to figure out what to do with the arts committee members recently resigning. Ms. Surman pointed out that the committee's bylaws were recently approved by the board, and the arts gallery has always been permitted separately.

Mr. Clement talked about section 8, which involves scheduling. He specifically had concerns about section 8.2, and requested a clearer definition of what the outdoor recreation facilities are. He also asked about conservation commission land, such as Raynes farm. Ms. Riffle said that there are not a lot of applications for using the town's public parks. Ms. Surman said she was worried that the board would end up with everything, and said that other groups are going to want to do some permitting so that they know what's going on their stewarded land. She liked the idea of a central calendar, though. The board suggested adding on the CC to this section because they oversee property. Mr. Dean talked about importance of having a synergistic event form.

Next, the board discussed the alcohol use policy. Mr. Clement felt that alcohol should not be served at town buildings in any circumstance due to the liability. Mr. Dean said that there is a mix of what other towns do, some ban it, and others allow it under certain

circumstances. He believes there are more towns that prohibit it entirely. Alcohol use gets complicated when it comes to the different licensing involved, the difference between tastings and full-service, etc. Ms. Gilman suggested adding the phrase “state law” in the policies, and also suggested differentiating between beer, wine and other spirits. Ms. Surman wanted alcohol to be its own section in the policy. Mr. Dean also talked about the different types of insurance with alcohol use, which are not always clear-cut.

Ms. Cowan asked if there have been problems with the alcohol use in the past. Ms. Gilman said no, but that it leaves the town vulnerable. Gerry Hamel, a Swasey trustee, said that the trustees had banned alcohol except at the Powderkeg fest. He said it took awhile for people to get used to the policy. Ms. Corson suggested banning full-service and just allowing tastings. She also said that farmer’s market are now allowed to do tastings under state law, and mentioned the economic benefit that having tastings brings to local breweries and wineries. The town insurance policy does not exclude alcohol use and they are covered.

Mr. Clement asked about section 9, where it stated that events of under 10 people did not necessarily need insurance. Mr. Dean said the question is if the town can cover them under the town policy- some smaller things are not able to provide a certification of insurance. It comes back to the issue of town sponsorship. Ms. Corson brought up that people can get insurance as a private citizen, but wondered if it would be too cost prohibitive for some. Mr. Dean talked about the difference between using a facility for an event vs. a small gathering of people. The board also talked about what defines a commercial activity. Mr. Clement thought that anybody using a town facility should have a certificate of insurance. Mr. Dean said that other policies they looked at often separated an “event” by the number of people. The town’s current policy is to require insurance no matter what. Ms. Corson asked if they could have an insurance waiver form. Mr. Dean suggested getting feedback from Primex. Ms. Corson wanted to remove the phrase “gross negligence by a town official” from section 9.3.

Mr. Clement asked what entailed normal business hours as stated in section 11. Mr. Dean answered that they would be from 8AM-4:30PM. The board also talked about the separation of commercial vs. non-commercial activities. Right now, they do not allow town facility use for the sale of goods or for profit. Mr. Clement wanted to add in section 10 that people are not allowed to put holes in the walls at town facilities. In section 13, the board decided to say that any events need to end at 12AM. In section 4.1, Mr. Clement wanted another word besides “supplement”. In section 4.4, he asked for clarification on the amount of uses by the same user. Mr. Dean said that it would be four uses per one permit so that no one entity ends up “blocking off” a facility. The board suggested changing the language to specify that it would be “four dates per application”. Ms. Riffle said that the purpose is making sure everybody can use the town facilities equally. Ms. Surman asked to clearly define the word bandstand vs. pavilion.

The board decided to discuss the event application at another time. The public was then allowed to make comments about the town facilities policy.

Rose Bryant said she thought it was important to go over definitions and to make the policies clearer. She said that the committees should still be allowed to permit their spaces, because they know the specific logistics better, and because the Select Board is overall so busy. As far as alcohol use, she told the board that in Newfields, a permit is required as well as hiring a private server. For the preferences of organizations using town spaces, she said that she did not want use of the town space to just be based off of economic decisions. The largest events should not necessarily be given preference.

Gerry Hamel brought up that most of the parkway use are events that happen every year. He doesn't think it's a bad idea that permitting is more centralized, and said that the parkway trustees spend a lot of time on permitting even though they have a lot of other things to cover. He cautioned the board about using too many criteria. He also said it is valuable to have people work out conflicts amongst themselves first.

Mr. Clement talked about the electronic communications policy. He asked that any communication sent to the majority of board members be included in packet. He also reiterated that any electronic communication requesting an action should be addressed by the chair and sent to the town manager. He wanted to either be more consistent with this policy, or modify it. Ms. Gilman said that the board can address this issue in the future.

The next work session to discuss this would be August 20<sup>th</sup> at 5:30PM. The work session ended at 7:30PM.

Respectfully submitted by recording secretary Samantha Cave.