

# RCL 2018 VOTER PREPARATION

## Warrant Articles

March 13<sup>th</sup> 8am to 7pm RES

What voters need to know and understand\  
Updated – Post Deliberative Town Meeting

- RCL Video Articles 1-9, 12, 27 and 29: [Click Here](#) RCL Notes: [Click Here](#)
- RCL Video Articles 10, 11, 13-16, 24, 17-23, 25, 26, 28, 30-32: [Click Here](#) RCL Notes [Click Here](#)
- RCL Video Articles 33-36: [Click here](#) RCL Notes: [Click Here](#)
- Town Meeting minutes: [Click Here](#)

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## Table of Contents

- Elected and Appointed Positions Update
- Warrant Articles
  - Town
  - School
  - Water District

## Links to Warrant Article Information

Article 1	<a href="#">Elections</a>	Article 17	<a href="#">Harbor Rd. bridge decking</a>
Article 2	<a href="#">School Elections</a>	Article 18	<a href="#">Employee Leave Fund</a>
Article 3 Amdmt 1	<a href="#">Mobile Homes</a>	Article 19	<a href="#">Mower</a>
Article 3 Amdmt 2	<a href="#">Access. Dwelling Units</a>	Article 20	<a href="#">Skid steer</a>
Article 3 Amdmt 3	<a href="#">Wellhead Protection</a>	Article 21	<a href="#">Town Building Maintenance</a>
Article 4 Amdmt 1	<a href="#">Septics Buffer</a>	Article 22	<a href="#">Library Employee Leave</a>
Article 4 Amdmt 2	<a href="#">Swimming Pools</a>	Article 23	<a href="#">Library Maintenance Fund</a>
Article 5	<a href="#">Floodplain Ordinance</a>	Article 24	<a href="#">Repurpose Ambulance Fund</a>
Article 6	<a href="#">Salt Shed</a>	Article 25	<a href="#">Veterans Property credit</a>
Article 7	<a href="#">Red Mill Lane Culvert</a>	Article 26	<a href="#">Cedar Run town road</a>
Article 8	<a href="#">Shoals View Paving</a>	Article 27	<a href="#">Sell Old Police Station</a>
Article 9	<a href="#">Town Hall Tear-down/build</a>	Article 28	<a href="#">Dow Lane Reconfiguration</a>
Article 10	<a href="#">Storm Water Management</a>	Article 29	<a href="#">Town Visioning/Planning</a>
Article 11	<a href="#">Town Budget</a>	Article 30	<a href="#">Environmental monitoring</a>
Article 12	<a href="#">TD Bank</a>	Article 31	<a href="#">Rescind BOS Authority</a>
Article 13	<a href="#">Rye Rec Storage</a>	Article 32	<a href="#">Town Attorney</a>
Article 14	<a href="#">Highway Equip. Reserve</a>	Article 33	<a href="#">Meeting Minutes</a>
Article 15	<a href="#">Fire Truck Repurpose</a>	Article 34	<a href="#">Dog Leashes</a>
Article 16	<a href="#">Fire Truck if 15 fails</a>	Article 35	<a href="#">Sell surplus property</a>
		Article 36	Other business
		School 1	<a href="#">School Budget</a>
		School 2	<a href="#">Default Budget</a>

Position	Candidate(s) on ballot
1 Board of Selectmen (3 years)	Timothy Sanborn, Michael A. Coutu, Keriann Roman
2 Budget Committee (2 seats, 3 years)	Doug Abrams, Write In (Kevin Brandon, others?)
1 Cemetery Trustee (3 years)	Kenneth J. Moynahan
2 Library Trustees (2 seats, 3 years)	Karen Oliver, Jeffrey Ross, Gary Layman
1 Trustees of the Trust Funds (3 years)	Kerry Pope
1 Supervisors of the Checklist (6 years)	Sally S. King
1 Planning Board (1 seat, 3 years)	Steven Carter
1 Planning Board (1 seat, 1 year)	Jeffrey A. Quinn
1 Town Moderator (1 Seat, 2 years)	Bob Eaton
2 Zoning Board of Adjustment (2 seats, 3 years)	Patty Weathersby, Frank B. Dibble
Sewer Commission (3 years)	Peter Kasnet
Treasurer (2 years)	Jane Ireland
1 School Board (1 seat, 3 years)	Eric Moore, Debra E. Crapo, Matthew Curtin
School District Clerk	Donna M. DeCotis
School Moderator	Write in?

**Article 3 Amendment 1: Building Code Ordinance Change**

[Click Here](#) for the full text for Temporary Permits for Mobile Homes or House Trailers

**Background:****Changes:**

Refers to section 400.8 (current section 400.7 is not correct).

**Pros:** Corrects an error.

**Cons:** None

**Article 3 Amendment 2: Building Code Ordinance Change – Accessory Dwelling Units**

[Click Here](#) for the full text

**Background:** 2017 Legislation allows adding requirements for septic systems, and allows towns to prohibit Accessory Dwelling Units in mobile homes and attached single family homes and condos.

**Changes:**

Adds new text to require approval of the sewage disposal system prior to construction. The proposed amendment appears to have omitted a “not” in the third sentence of paragraph G.

**Pros:** Will help prevent overstressed sewage systems. Prevents mobile homes, condos and town houses from being further divided with accessory units.

**Cons:** Will require a variance for owners of town houses or condo’s to add an ADU.

**Article 3 Amendment 3: 306 Aquifer and Wellhead Protection District**

[Click Here](#) for the full text

**Background:** A resident pushed to have the Aquarian Well 5A be included in the Wellhead Protection zone, to date that well has not been protected like our other wells. Amendment makes a number of changes:

Impervious definition is now a simple statement “Not readily permitting the infiltration of water”. Adds definitions for terms (Groundwater, Junkyard, Sanitary protective radius, Wellhead protection area, impervious surface, and hazardous waste).

[Click Here](#) for the Water in Rye presentation slides 8 and 18

Strengthens rules for drainage.

See Stratified Drift Aquifer Map [Click Here](#) Larger area map: [Click Here](#)

**Pros:** Protects the Aquarian well. Adds additional protections for the aquifer.

**Cons:** Adds some restrictions on blasting and requires drainage plans for developments.

**Article 4 Amendment 1: Septic Systems in the Wetland buffer**

[Click Here](#) for the full text

**Background:** Makes the Building Code consistent with the Zoning Ordinance regarding the location of septic systems within the wetlands buffer. Existing septic systems located in the buffer may be replaced, but only if no public or private sewer is available.

The Parsons Creek area is saturated with Septic Systems and the plumes from these systems get sucked into the watershed. [Click Here](#) for more information on that problem

**Pros:** Corrects an inconsistency.

**Cons:** You want the Zoning Ordinance and Building Code to be more restrictive.

**Article 4 Amendment 2: Pool regulations being removed**

[Click Here](#) for the full text

**Background:** Removes the Rye ordinances for swimming pools. This section is removed so that we default to the State Building Code requirements. Rye could be more restrictive than the State Building Code by, for example, continuing to require five foot fences.

**Pros:** Support using the more comprehensive State requirements

**Cons:** Prefer the more strict Rye requirement for five foot fences (would be changed to four ft.)

**Article 5 Amendment 1: Flood Plain Ordinance**

[Click Here](#) for the full text

**Background:** New construction and substantial improvements would need to have the first floor 2 ft. or more above the 100 year flood level.

**Pros:** Helps protect properties better, and provides a benefit to residents by reducing flood insurance premiums through improvement to Rye's Community Rating System score.

**Cons:** Feel that if people want to put their properties at risk they should be able to do that.

## **2011 Voters say Yes, we should invest in the current building:**

Town votes (610 Yes, 455 No) \$40K to study whether the existing Town Hall building is worth renovating and evaluate space needs. AG Architects reports we should invest in the Town Hall building and presents 15,000 sq. ft. plan for renovation and a large connected building.

## **2012 Voters halt AG Plan, say look at the space we need:**

Town voted down (830 No, 484 yes) the \$135K to proceed further with AG Design. Petitioned Warrant Article passed (1,070 Yes, 268 No) to look at other options and space needs per employee of similar towns. Space Needs Committee (SNC) reduces need to 10,500 sq. ft, estimates \$2.1 million cost.

## **2013 Funding approved for developing designs:**

Town votes (699 Yes, 384 No) \$60,000 for new sample (schematic) designs. New architect (SMP) hired. Town Hall Committee selects option of second building connected with underground passageway.

## **2014 Funding approved for completing a design :**

Town votes (932 Yes, 710 No) \$250,000 to complete the design, now 12,500 sq. ft. Detailed design drawings and associated construction documents are completed by the architect. Project is put out to obtain bids from four pre-selected construction firms.

## **2015 Town says No to \$4.1 million and BOS launches survey:**

Town votes down \$4.1 million (887 No, 575 Yes) for renovating Town Hall and constructing connected building  
Town Hall building selected for the Seven to Save State program  
Town spends > \$6,000 for survey that provides parameters for moving forward

## **2016 Town says No to both of the Selectmen's Town Hall articles**

Town votes down (856 No, 703 Yes) spending another \$60,000 studying and costing five options for town offices  
Town votes down (1261 No, 320 Yes), purchase of the property next to the Public Safety Building for \$460K

## **2017 Town says No to all but a free design of a Town Hall tear down**

BOS-supported tear-down/rebuild replica article failed. Renovate and expand petitioned article failed. Each got only 20%.  
Article to spend \$500K for Town Hall painting, ADA and energy efficiency improvements failed but got 45% of the vote.  
Free design work to tear down Town Hall passed with 55% of the vote

Town-commissioned studies show Town Hall in good shape. Structural reinforcement and foundation changes are only needed if expanded

Michael Magnant  
February 8, 2011  
Page 3

## 2.0 RESULTS AND RECOMMENDATIONS

### Foundation

Based on our visual observations of the perimeter foundation walls, we found that the existing foundation walls have only minor cracks and/or deterioration of mortar joints. During our visit, the foundation walls showed no signs of overstress or excessive settlement. Although the top and bottom of the foundation walls were concealed and we could not verify the existing condition of these elements, it is our opinion that the existing foundation is in good condition. We recommend filling in the cracks in the poured concrete sections of the walls with pressure grout. At the granite walls, we recommend that the deteriorated/cracked mortar be removed and new mortar be installed. Both of these recommended repairs are to help prevent future deterioration due to water infiltration.

- 2009 town-commissioned ANIX report determined that “no structural deficiencies were noted in the original building or additions and all walls appeared to be plumb and sound.”
- September 11, 2014: SMP Architecture and Steffensen Engineering detail, for Town Hall subcommittee, needed structural changes due to >50% expansion of building proposed. See: RCL [Meeting Notes](#) Video of meeting: [Click Here](#)
- March 1, 2018 Heritage Meeting addressing LTE from Article 9 supporters [Click Here](#)

**Trolley Barn/Police Station as office space:**

\$422K to repurpose the existing building

\$400K to \$500K to rebuild on that site

**Departments moved:**

Sewer Department has moved to Rye Beach Village District Building

Recreation has moved to the old modulars at the Recreation area

**Buildable space we paid for:**

Public Safety Building included \$40,000 additional structural cost so that the space above the apparatus bay could be used for future use. See space possibilities [Click Here](#)

**Buying the TD Bank Building**

\$625K for two departments to move there.

Cost to maintain and reconfigure Town Hall Building needs to be established

**2015 UNH Survey of 1332 residents said preferred options are:**

37% Renovate and expand TH      15% Demolish TH and rebuild

29% Leave TH as is                      10% Repurpose TH and move out

**Article 9: \$3.05 million to tear down town hall and build a new building**

[Click Here](#) for the full text

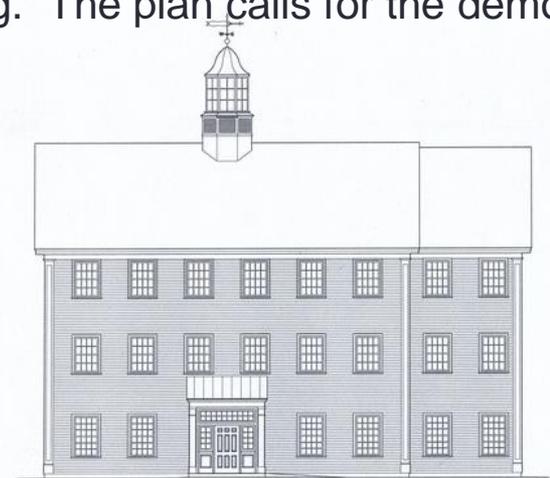
**Background:** Resident has designed a new Town Hall building. The plan calls for the demolition of the existing building and replacing it with a new building.

Website with information: [Click Here](#)

Additional Information presentations at RPL:

Wednesday, March 7<sup>th</sup> 6:30pm

Saturday, March 10<sup>th</sup> 1:00pm



**Pros:** Provides Town Hall employees with improved working environment and ends risks of maintaining an old building; meets ADA requirements.

**Cons:** We may never utilize the space in the Public Safety Building ([click here](#)); makes less sense if we buy the TD Bank Building.

Note: A majority of the Budget Committee (6-5) did not support this article prior to the Deliberative Session. Two who voted against were not present for the revote after the Deliberative Session. The revote was thus 5-4 in favor of the article.

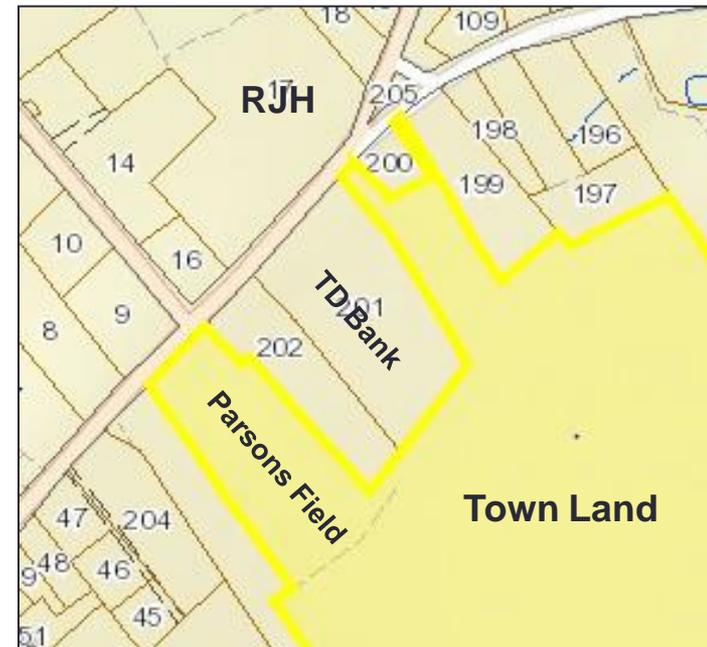
**Article 12: Purchasing the TD Bank property**

[Click Here](#) for the full text [Purchase & Sale](#) [1964 TD Bank Deed](#)

**Background:** The BOS wants to move the Town Clerk and Tax Collector to this building. Property is 3.71 acres. The amount includes costs for renovating and operating the building in the first year. Plan is to not borrow money but to use current taxes to buy this property. The article was amended at the Deliberative Session to avoid tying it to use for town offices. However, the article would not prevent that use.

**Pros:** This land and building across from the RJH and adjacent to Parson's Field could have many uses. If the Tax Collector and Clerk are moved to this building, this will create more space for the remaining Town Hall employees.

**Cons:** Town operations would be in two buildings and this purchase is not part of a well thought out plan for meeting town needs. Since one Town Meeting cannot bind a subsequent one, this large parcel could, at some future date, be used for other purposes unless a way is found to put part of the land in conservation or make it part of Parson's Field with the restrictions applicable to that parcel.



**Article 27: Allows the Selectmen to sell the Old Police Station (Trolley Barn)**

**Background:** The BOS has had no plans to utilize this asset. [Click Here](#) for the full text

**Pro:** A move forward after 12 years of doing nothing.

**Con:** No voter approval of transaction required. BOS could sell under market to a friend. No indication of how we can maximize gain. Variances for side setbacks or non-residential use may be needed.

**Facts:**

- Lot is approximately  $\frac{1}{4}$  of an Acre with 70 ft. of frontage
- Building is 2,650 sq. ft. (exterior area)
- 2007 Warrant Article 18 to turn over to Rye Water passed but was never implemented
- 2013 \$9,800 for a study of Trolley Barn possible uses. [Click Here](#)
  - Mold is the major concern, due to many years unoccupied without a functioning heating system
  - Renovation cost \$192K to \$422K depending on use (storage vs. offices/programs)
  - Report says soil can support a septic system
  - Ten parking spaces would be available, two ADA-compliant

**Options:**

- Sell the land to be used for a commercial property (variances), small house, or an abutter.
- Build a small building to hold one or two departments. (~\$400K, \$159/sq. ft.)
- Convert to a Town Storage facility (~\$200K)

**Article 29:** Third party guidance and resident inputs for Town Center priorities and options (visioning). **This was significantly modified at the Deliberative meeting**

[Click Here](#) for the full text

**Background:** The Parsonage Apartments Long-Range Planning Committee concluded that it was rash to make decisions without having a plan. Plan NH is a group that listens to residents, objectively evaluates information, and makes recommendations to a town. This article would bring in a firm like them to conduct a visioning session.

**Q:** Why have we wasted 8 years to figure out what to do with Town Hall?

**A:** No long term facilities planning, evaluation of options or deliberative discussions with residents about what we want, what our priorities are, and how much we are willing to spend.

**Consequences:**

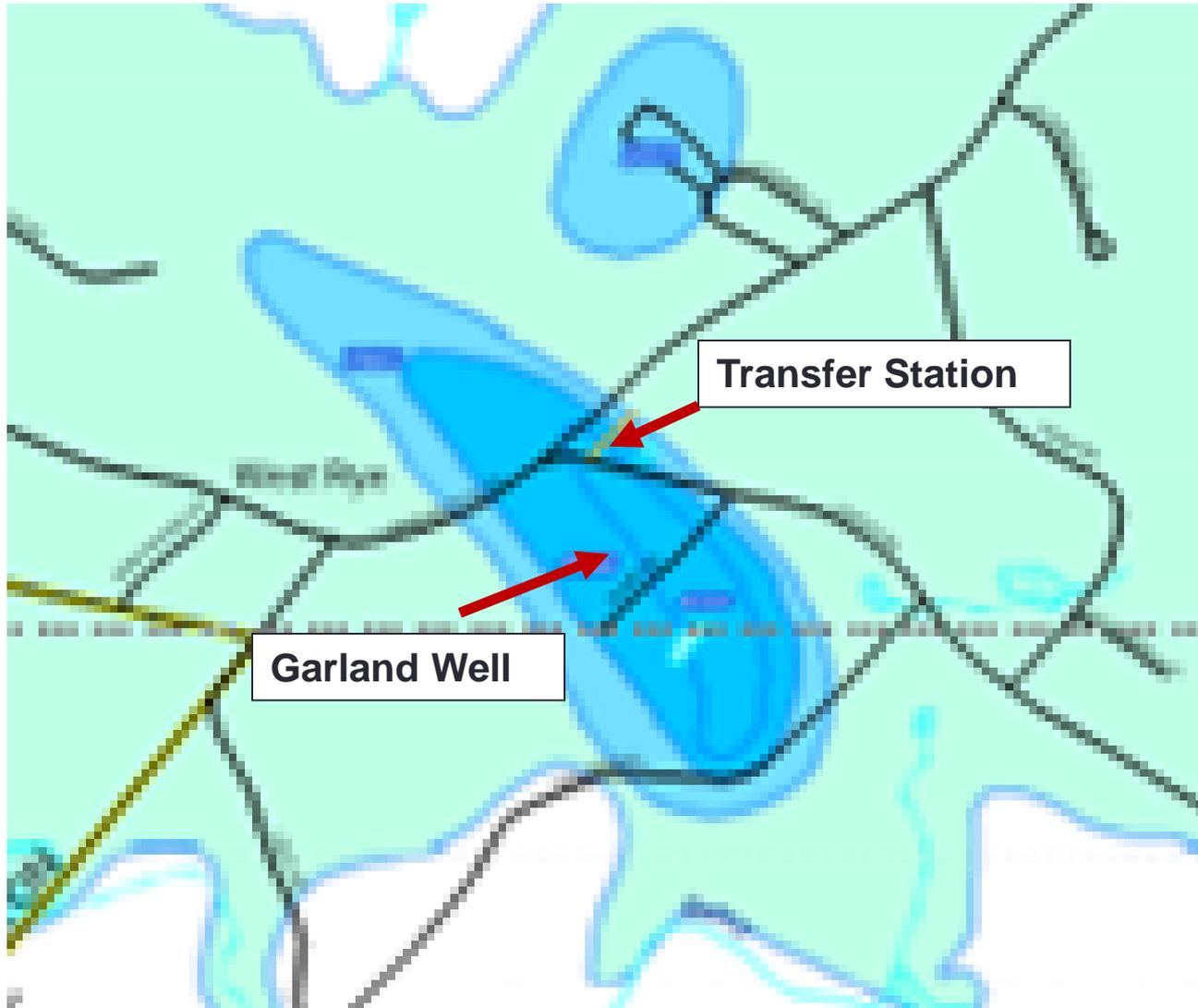
- DPW has been waiting for years to address the Transfer Station, so they are now pushing ahead with the Salt Shed as it is the biggest environmental issue.
- Recreation needs and plans not being discussed and prioritized because of Town Hall.
- Underutilization of our existing assets, e.g. Public Safety Building, Old Police Station, Schools, other buildings
- The existing Town Hall building has been insufficiently maintained. Town Employees are suffering through inadequate working conditions.

**Pro:** Plan NH or a similar firm can provide the objective assessments and planning that has been missing from town discussions the past seven years.

**Con:** We continue to not plan and shoot from the hip

Darker Blue the higher the transmissivity.

Transfer Station is 1,610 ft. uphill from the Garland Well



See the Water in Rye presentation to see more information about our Hydrology.

[Click Here](#)

**Article 6: \$700,000 for a new Salt Shed**

[Click Here](#) for the full text

**Background:** 2005 Salt Shed Replacement Fund has a balance of about \$89,085, so \$620,000 to be borrowed and \$80,000 to come from the Fund. The Transfer Station is on a high transmissivity area (so easy flow from the Transfer Station to Garland Road Well).

Much of the cost is in excavating and other site work as the property has lots of loose fill and the building had to be moved during the design phase due to lack of suitable soil at most locations on the Transfer Station site.

See bid documents: [Click Here](#)

See bid information: [Click Here](#)

**Pros:** The salt shed and the entire Transfer Station sit in the wellhead protection area for the main RWD well (Garland Rd well). Getting the salt under cover may help keep it out of the aquifer.

**Cons:** This is a lot of money. Spending is not part of a long-term plan to update the Transfer station and create a more social atmosphere. Would we be better off excavating the entire area and building facilities for all of the \$1M plus of DPW equipment we own?

Is the site even suitable long-term with the challenges of proximity to the Garland well, high transmissivity and lack of suitable soil for building? Do we even know that salt from the Transfer Station site is a problem relative to those created by spreading salt on town roads?

### Article 7: Replacing the second culvert at Red Mill Lane

[Click Here](#) for the full text

#### Background:

2016: \$150,000 warrant article voted. Was to do one or both culverts

2017: \$110,000 capital outlay (operating budget) added to above (one culvert completed)

2018: \$250,000 more being asked for the second culvert

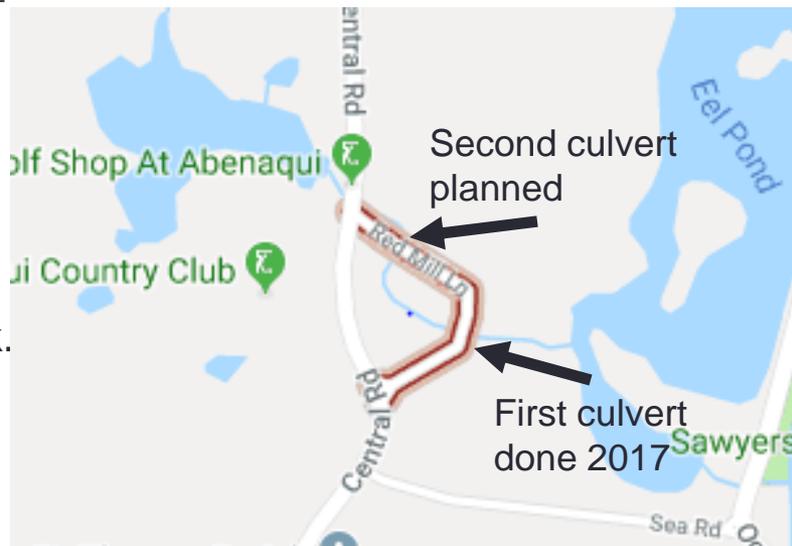
Total: **\$510,000** for both culverts

Note: State money was used to upgrade the guard rail from metal to wood. A sidewalk was also included for this Rye BEACH culvert.

Work needs to be done, but we need to plan for this work.

**Pros:** This is the top priority - Why?

**Cons:** A lot of money. Road could be two dead ends.



#### PROJECT DESCRIPTION & RATIONALE

There are two concrete box culverts on Red Mill Lane of indeterminate age but possibly dating back to 1920 when the road was known as Bridge Road and was widened at that time. The towns road culvert analysis identified these two culverts as next in priority for replacement with new concrete structures. In addition to replacing the culverts the guard rail will be brought into compliance with current standards. Culvert #1 received funding in 2017 and will be replaced this summer at low water. Culvert #2 is the next culvert up stream. The Town has already received a cost for its replacement from the contractor installing Culvert #2.



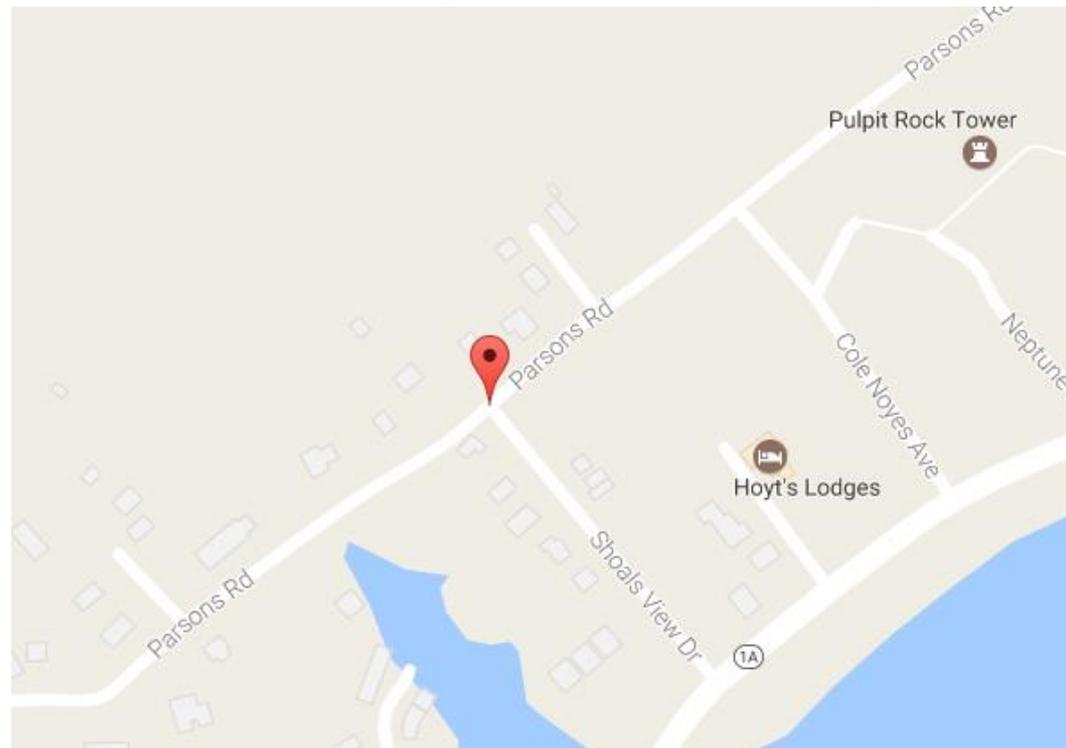
## **Article 8: Paving Shoals View Drive \$200,000**

[Click Here](#) for the full text

**Background:** After much discussion, it was determined that the town is responsible for maintaining this road. The Town voted for \$125,000 to complete this work in 2017. However, due to extensive ledge, this project will cost more than what was appropriated. \$10,000 of the 2017 appropriation was spent for the engineering. The rest of the 2017 appropriation expired, will increase the 2017 surplus, and can't be used in 2018 so a brand new appropriation is needed.

**Pros:** Allows the work to be completed. This is one of the last unpaved town roads in Rye.

**Cons:** The price increase of \$85K makes this a more expensive project



**Article 10: Storm Water Management Program**

[Click Here](#) for the full text

**Background:** A grant will cover the entire project. Money was appropriated for this in the 2017 operating budget, but couldn't be spent as the grant requires that towns follow their process. The 2017 appropriation expired unused at the end of 2017 and will increase the 2017 surplus. This money can't be spent without another appropriation. In most years, the BOS uses as much of the prior year's surplus as possible to reduce taxation the following year.

If this passes, the town will borrow the \$30,000 from the bond bank. When the grant funding comes in, that debt would be paid off and the town would owe nothing but the interest. Payoff of the debt should occur in 2018. Since this is a bond, voter authorization is needed to borrow the money.

**Pros:** No cost to the town other than \$300 in interest.

**Cons:** There may be scenarios under which the money would have been spent and the town does not end up receiving the grant.

## **Article 11: Town Budget**

See RCL Town Budget analysis: [Click Here](#)

Proposed budget, excluding Warrant Articles: \$9,186,273

Default budget: \$8,789,573

Default budget is effective if the proposed budget fails to pass.

The proposed budget may be amended, up or down, at the Deliberative Session. The default budget may not be changed. It is about \$400K less than the proposed budget.

Much of the spending in 2018 is in the warrant articles.

**Pro:** Provides funding for continued Town operations at the level requested by the Selectmen, avoiding the necessity of cuts. There could be no spending for new purposes not in the 2017 budget if the default budget is adopted.

**Con:** Shows lack of confidence in the Selectmen's ability to manage the town.

**Article 13: Recreation multi-purpose storage shed, garage and concession stand**

[Click Here](#) for the full text

**Background:** Rye Recreation has had insufficient storage. One of the modulars is now the Rye Rec. offices and the Old Police Station (Trolley Barn) is used for some of their storage. That has mold and the Senior Serve Van is parked inside of the Trolley Barn now.

Rye Rec. has more than 1,700 participants, ranging from 4 to 95+ years old, with activities held at 12 different locations. Supplies are kept in 19 different locations.

Voters did not approve the phased planning towards a more centralized and updated Recreation Facility. Storage needs are the most critical.

Building will be a partially heated two story building and will have a total of 1,440 sq. feet.

Lower level will be 24 ft. by 25 ft. and the upper level will be 24 ft. by 35ft. It will also incorporate a concession stand, replacing the current one.

**Pros:** Recreation resources will no longer be used chasing and returning equipment.

**Cons:** You either support more investment towards replacing the modular buildings or feel this is too much to spend on storage.

## **Article 14: Highway Equipment Capital Reserve: add \$100,000**

### **Background:**

- ~ \$1.3M of DPW trucks/equipment for the transfer station and road maintenance. Lifetimes vary, but a rolling replacement plan works out to about a \$100,000 per year.
- Creates a balanced approach of rotating out the oldest equipment as maintenance costs and inconveniences increase. It also smooths taxes by allowing contributions each tax year to this capital equipment reserve.
- DPW staff plans on purchasing one vehicle a year, each purchase consumes a fair amount of DPW time and effort, so multiple purchases in a year should be avoided
- Skid steer and Mower are being purchased this year. The addition last year of \$75,000 did not bring the balance high enough, so the skid steer must be financed from current taxation.

Current Fund Balance is \$77,593.

**Pros:** Annual funding keeps the tax rate steady despite periodic large ticket items purchased (six wheel dump trucks, heavy equipment for Transfer Station)

**Cons:** Minimal interest earned on money set aside. Reserve may create the impression that equipment purchases are without cost as money has already been set aside.

We now have two ambulances:

We voted to “replace” the old ambulance in 2016. We were told we would not get much for it so we kept it. Then, investments were made in the old ambulance and we now have two.

*Cell Tower is on Conservation Land, so lease payments from cell phone companies were voted to go to continually fund an Ambulance fund as it serves all of Rye evenly. But, should the timing of new ambulance purchases be based on when enough money has accumulated?*

When do we use the second ambulance:

- First ambulance must be out on a call (or undergoing maintenance)
- All but one of four fire shifts has two firefighters (one has three)
- Additional Rye firefighters are called to the station whenever the ambulance or a fire truck goes out. The replacements need to arrive before the first ambulance has returned and there needs to be a second ambulance call (only 529 calls/year) before the second ambulance is a benefit
- Questionable whether this is quicker than using mutual aid from other towns

What do we already own: [Click Here](#)

- 1) Ambulance 1 2008 Chevrolet C-4500 w/ Advanced Life Support
- 2) Ambulance 2 2017 Ford F550 4 wheel drive w/ Advanced Life Support
- 3) Engine 3 2003 Emergency 1 Typhoon
- 4) Engine 1 1994 KME Navstar Pumper
- 5) Ladder 4 1988 LTI Custom Ladder Truck (Quint)
- 6) Utility 1 2006 4X4
- 7) Air 1 – Breathing Air Unit – One of three units in the district
- 8) 1931 Ford Antique engine

**Article 15: Broaden purpose of Fire Truck Capital Reserve Fund and add \$100K**

[Click Here](#) for the full text

**Background:** Currently we have two separate funds that save money: one for new fire trucks and another for ambulances. The Ambulance Fund was created to show that the revenue from the Cell Tower payments would go towards the Town Ambulance, about \$50,000 per year. Current reserve balances: Fire Truck \$356,955; Ambulance \$167,921. **NOTE:** This was amended at the Town Deliberative Meeting to remove language that would have let the BOS spend on equipment without a Town Vote.

This repurposes the fund to either fire trucks or ambulances and puts \$100,000 into this fund.

**Article 24: Broaden purpose of Ambulance Reserve Fund (cell tower)**

Does the same for this reserve so that it can either be used for either ambulances or fire trucks. No money attached to this article.

**Pros:** Provides flexibility to the Fire Department to use funds where they are needed the most. By contributing to funding vehicles each year, we are assured that, when the need arises in a future year, the benefit from all of the past contributions would be received.

**Cons:** Makes it harder to assure that the cell tower revenue goes towards ambulances. That is a service that all of us could have a need for at some point.

**Article 16: Back up Warrant Article for Fire Truck Capital Reserve Fund**

[Click Here](#) for the full text

**Background:** This is a safety to help assure that we put away the \$100,000 contribution.

**Article 17: \$75,000 for Harbor Road Bridge Repair**

[Click Here](#) for the full text

**Background:** The engineering firm retained by the town declared that the current bridge is not safe for many of the loads that cross this bridge.

This is just the decking and does not address the structural repairs needed for this bridge or increase its weight limit. Fully loaded rock and concrete trucks, full oil or septic pump out trucks can no longer traverse this bridge. Full repair to increase capacity is planned once State bridge funds become available (estimated 2022).

**Note:** There are 22 houses on the far side of the bridge. As a comparison there are six by the two Red Mill Lane Culverts that we are spending \$510K on.

**Pros:** Support minor improvements to the decking and want to wait to see if we can get State support.

**Cons:** You would prefer the Town to fix the bridge right now. You do not support spending money on a stop-gap activity.

**PROJECT DESCRIPTION & RATIONALE**

The current bridge was built in the early 70's replacing a wooden bridge. It is approximately 45 years old and has received little to no maintenance. The abutments are in reasonable condition, considering their age. The deck is exhibiting signs of deterioration. The deck pavement should be milled away to expose the concrete decking, any deterioration addressed, the deck receive a new waterproof membrane and then re-paved. An assessment of the bridge's load capacity in 2017 determined the allowable load for two axle vehicle is only 15 tons. The Board of Selectmen decided to go forward with the deck rehab in 2018, apply for NHDOT bridge aid immediately, with the anticipation we make the 2017 funding round. Until such time as the bridge deck can be replaced the allowable load limit will remain severely limited.



## **Article 18: \$50K for the Accumulated leave fund**

- Fund to pay Town, Police and Fire employees their accumulated sick and vacation pay when they leave

The current union contracts for new employees cap the amount of accumulated sick and vacation

- Current balance is \$200,286. Total liability for unpaid leave is \$536,363.

Note: with the additional \$50,000 the balance would be slightly less than half of the liability (50% funding is the typical goal suggested for towns).

**Pro:** Helps us get closer to the liability number

**Con:** Underfunding could cause a one year increase in taxes (from less surplus or more funds required to be raised) if multiple retirements in a year deplete the fund.

## **Article 19: \$45,000 for New Mower**

Background: Replaces 2008 Mower. 9 years old with 1,050 hours. Expected service life was 10 years. Equipment #205. To be funded from Highway Equipment Reserve.

New mower may be enclosed and be air conditioned. This mower would be used to pull the beach cleaning equipment that the State owns, but the Town uses, for cleaning the State and Town beaches.

**Pro:** Replaces aging equipment with a new mower that may be more economical and more suitable for tasks not possible with the current mower.

**Con:** Service life of 10 years would be next year. No discussion around how this mower is used for other town fields or in conjunction with the Cemetery and their equipment.

### PROJECT DESCRIPTION & RATIONAL

Equipment # 205 is a 2008 Challenger Mowing machine. It is used throughout the town for mowing fields, lawns and roadsides. It was purchased in 2008 for \$20,200. Its anticipated service life is 10 years. It is currently 9 years old with approximately 1050 hours on it. It is scheduled for replacement in 2018 at a cost of \$50,000. This mower is too small and under-powered to perform much of the tractor work which the Town performs or should perform. The replacement mower will be larger, more versatile, and ergonomic.



## **Article 20: \$40,000 for New Skid Steer**

Background: Replaces 2003 skid steer that is 14 years old now, with a service life of 15 years. 2020 hours of operation. Equipment #203. Would normally be funded from Highway Equipment Capital Reserve, but there's not enough in that to pay for both the mower and skid steer. The most used piece of equipment at the Transfer Station.

Anticipated life of the new skid steer is ???

**Pro:** Replaces aging skid steer with a new one.

**Con:** Feel that DPW should get more than the expected life out of capital equipment that is maintained.

### PROJECT DESCRIPTION & RATIONALE

Equipment # 203 is a 2003 Case skid-steer loader. It is used exclusively at the Transfer Station for handling recyclables. It was purchased in 2003 for \$27,800. Its anticipated service life is 15 years. It is currently 14 years old with approximately 2020 hours on it. It is scheduled for replacement in 2018.



## **Article 21: \$25K for the Municipal Buildings Maintenance Fund**

- Balance was \$80,234 at the end of 2017. Most of that would go to repairing exterior siding and painting Town Hall in 2018 (assuming tear-down/rebuild (Article 9) doesn't pass).
- Other maintenance requirements appear to be imminent
- Procrastination for years on Town Hall is coming due.

**Pro:** Allows maintenance cost to be accrued for annually, spreading out the cost and avoiding the need to transfer funds from other budget items if an unexpected maintenance requirement comes up.

**Con:** Additional cost, but risk of unplanned costs in future years

**Article 22: \$10K for the Library Accumulated leave fund**

We have this for the Town employees, but this fund does not include the Library employees.

This creates the fund and starts it with \$10,000. Plan is to fund at \$10K per year until the fund is at 50% of the liability.

- Current balance is \$0. Total liability for unpaid leave is approximately \$60,000

**Pro:** Helps us get closer to the liability number

**Con:** Underfunding could cause a one year increase in taxes (from a lower surplus or more funds required to be raised) if multiple retirements in a year deplete the fund.

**Article 23 : \$5K for Library Maintenance Fund**

- Small number and Library budget increases have been small in recent years.
- Current balance is \$27,112.
- [Click Here](#) to see usage statistics

**Pro:** Allows maintenance cost to be accrued for annually, spreading out the cost and avoiding the need to transfer funds from other budget items if an unexpected maintenance requirement comes up.

**Con:** Additional cost, but risk of unplanned costs in future years

## **Article 25: \$500 Veteran's Property Tax Credit**

**Background:** Allows more veterans to receive a \$500 credit on property tax in Rye. Previously, only certain veterans, such as those serving in a time of conflict, or in an actual conflict, were eligible.

**Pro:** Makes a positive statement from the community of our gratitude for veterans.

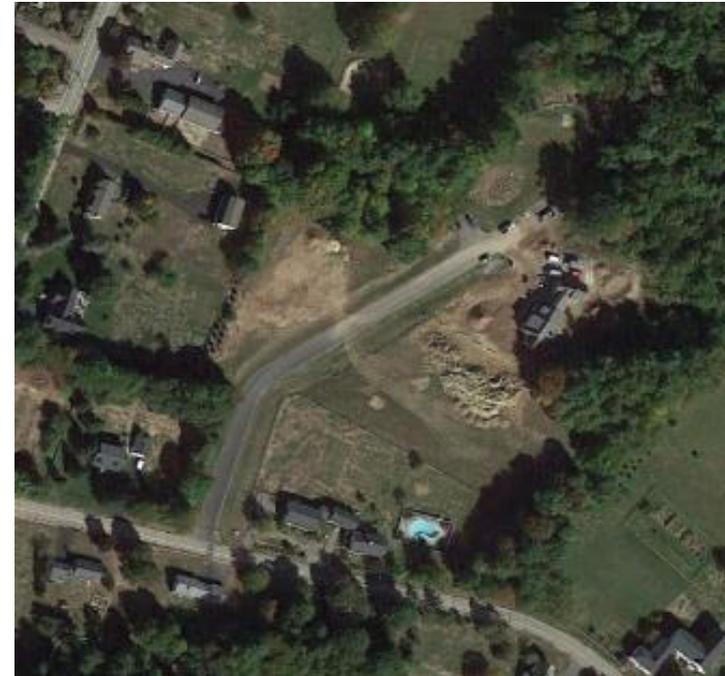
**Con:** Revenue impact, but not estimated to be substantial.

## **Article 26: Make Cedar Run Road a Town Road**

**Background:** Allows a town road. This is the new street that was built off South Road, just east of the West Rd. intersection.

**Pro:** Becomes a town road as was contemplated when the Planning Board approved the project.

**Con:** Town is now responsible for a road that faces a house with no protection. Additional cost of plowing and maintaining.



## **Article 28: Make Dow Lane improvements**

Background: Residents are asking to make this a dead-end for safety reasons.

[Click Here](#) for information presented at BOS meetings

[Click Here](#) for the full text

Note: Was amended at the Deliberative Session to provide for improvements at both ends, without requiring that it be made a dead end.

**Pro:** Addresses a safety concern of residents who live there.

**Con:** The prior cost of \$60,000 to reconfigure and buy land for a turnaround at the end, put in when the warrant article provided for making Dow a dead end, was left in the warrant article.



**Article 30:** Start paying for monitoring and guidance for the Landfills that threaten our water supply.

**NOTE: Significantly reduced at the Deliberative meeting. Now does not do much at all.**

**Background:** Selectman Musselman's firm (CMA Engineers) has been analyzing the testing results of the monitoring of the Breakfast Hill and Grove Road Landfills for free. His firm was involved in designing the closure of the Breakfast Hill Landfill prior to his becoming a Selectman. This article stops the town from accepting free labor from a company that has a relationship with the town. Appropriates one dollar to cover any costs.

The \$1 is a place holder and can be increased at the Deliberative Session based on a cost estimate available then or before. Alternatively, the Selectmen could shift funding into this account from other accounts to pay for 2018 monitoring.

**Pro:** Does not do anything different now.

**Con:** Does not do anything now.

**Article 31:** Requires voters to approve purchases or sales of land or buildings.

Background: Article 12 at the 2002 Town Meeting gave the Selectmen authority to make these transactions without voter approval. After the BOS discussed selling the Parsonage Apartments property for \$1 in late 2015, in 2016 Petitioned Warrant Article 24 was passed, 841-588, preventing the sale, but adding only appraisal and survey requirements for the purchase of property by the BOS.

Language rescinding 2002 Article 12 was removed at the Deliberative Session so the Selectmen still have the authority to make purchases. In 2017, Petitioned Warrant Article 31 was submitted that would have rescinded Article 12. However, it was amended at the Deliberative Session to turn the warrant article on its head, making it a vote to reaffirm 2002 Article 12. That failed to pass, 987-548. Article 35, an annual warrant article, allows the BOS to make sales of other assets during the year.

The 2017 election results confirmed that voters want real estate purchases and sales to be a decision of the voters, not the BOS. However, refusing to reaffirm is not the same as rescinding. Article 31 would formally rescind the 2002 Town Meeting vote.

**Pro:** Requires a town discussion and vote prior to the BOS making land and building transactions, providing a check on unwise decisions and empowering the voters.

**Con:** The Town could risk losing opportunities by not being able to move quickly. However, there must in any event be an appropriation that provides the funds if the transaction is a purchase. There may incremental costs to get voter approval.

**Article 32:** Emphasizes that the Town Attorney should be representing the Town, not solely those who manage our affairs.

**Note: Significantly reduced at Deliberative Meeting and now does not do much at all.**

**Background:** In the past it appears that the will, concerns or opinions of the Board of Selectmen have taken precedence over those of the Town voters in the mind of the Town Attorney. The voters, not the Selectmen, possess the sovereign authority of the Town.

**Examples:**

- Town's handling of Sanders Poynt (2012-present)
- Late 2017 South Rd. settlement
- Not providing his "opinions" on Petitioned Warrant articles to the petitioners at the same time as the Selectmen
- Agreeing to spend \$75,000 of taxpayer money in 2016, without an appropriation, to purchase a portion of the Transfer Station that we thought we already owned

**Pro:** Will hopefully cause the practice of the Town Attorney to be more balanced between the voters and town officials when their objectives or goals differ. In future situations this article can be used to force a more open dialog about the actions of the Town Attorney.

**Con:** Article reaffirms a number of things that are already required by New Hampshire Law and by the New Hampshire Rules of Professional Conduct for attorneys.

**Article 33:** Establish process to track compliance with State law, which requires that minutes be publicly available five business days after meetings.

**Note:** Significantly reduced and now does not do anything.

**Background:** While many boards, committees and commissions have made huge improvements, there are still many instances when draft meeting minutes are not posted or there are substantial delays before posting. At times, the minutes have been completed, and are made available when specifically requested, but are not posted to the Town website.

Some Town Board members have been insisting on a review before posting. This is fine, but it should not delay the posting of draft minutes beyond the five days.

Also, many postings from the Planning Board have been back dated when posted to the Town website, so they appear to have met the requirements.

**Pro:** No longer does anything

**Con:** Voting down may free up Selectmen and boards to be in conflict with State law.

**Article 34:** Requires dogs to be on a leash

Note: Modified to allow dogs to still be under voice control.

**Background:** Simply states that dogs must be on a leash when on town property.

**Pro:** No longer does anything significant.

**Con:** No longer does anything significant.

## **Article 35:** Allows the Selectmen to sell Surplus Equipment

Note: A town employee has been bidding \$1 on many items that the town auctions, so he gets, for essentially nothing, all items that do not receive other bids.

**Pro:** Would permit the Town to receive revenues from surplus equipment during the year, without needing to wait for Town Meeting approval.

**Con:** Without the scrutiny provided by the Town Meeting, equipment could be sold for less than its fair market value. Trade in offer for ambulance was lower than expected. This underscores the need to obtain an appraisal if multiple bids cannot be used to establish the value.

## **School Article 1: Operating Budget of \$14,000,230**

See RCL Budget analysis: [Click Here](#)

### **Summary:**

Budget down \$87,720 from 2017-2018 budget. However, that budget was up nearly \$600,000 over 2016-2017. The 2018-2019 budget is up 4.2 percent over 2016-2017 despite declining enrollments. Taxation has been increasing much more rapidly than that due to declining revenues and lower prior year surpluses applied to reduce taxation.

**Pros:** Keeps School from utilizing Default Budget of \$13,893,451.

**Cons:** Provides funding for questionable costs such as the Robert J. Lister Academy (\$75,760) and a teacher retirement increase of \$75,464 (5 teachers added since 2017-2018).

## **School Article 2: Transfers responsibility for the default budget from the School Board to the Budget Committee.**

There are RSA's that state how the Default Budget is to be calculated. Some residents who follow and read the school budget feel this is not being done correctly.

NH Could Ruling and case in Hillsborough: [Click Here](#)

**Pros:** Budget Committee may be less likely to side with the SAU 50 Office which typically calculates the default budget and proposes the number.

**Cons:** You feel that the School Board is better able to assure a correct calculation.

## **Water District Budget**

- Total appropriations excluding warrant articles up from \$1,218,887 to \$1,596,748. Includes in Capital Outlay two 2018 CIP projects: \$150,000 for New Well Investigation and \$250,000 for Harbor Rd. Water Line replacement. Garland Rd. Pump House engineering \$30,000. RWD projected tax rate: \$.49 vs. \$.45 in 2017.
- Annual Water District meeting will be Saturday morning, March 31, at Rye Junior High. Water District is not currently SB2 so amendment and the up or down vote on warrant articles and officers will all occur at the same meeting.
- CIP Plan for 2018 included three projects. Two are proceeding and are in the operating budget. Pump house (\$535,000) is being delayed (except engineering).

## **Water District Petitioned Warrant Article on official ballot for election of officers**

A petitioned warrant article would require the Water District to use the official ballot (i.e. ballot card at the polls) for the election of officers. This would be the precursor to adoption of SB2 by the Water District (i.e. separate Deliberative Session and election) as is currently the case with the Town and the School District.

**Pros:** Would allow all voters to elect the officers, not just those in attendance at the annual meeting.

**Cons:** Could add administrative costs to coordinate who gets these ballots and who doesn't.

## This Presentation

Was created by the Rye Civic League to help taxpayers be prepared for the deliberative town meeting

The Rye Civic League publishes the monthly Rye Civic News. You can add yourself to the Rye Civic News at [www.ryecivicleague.org](http://www.ryecivicleague.org)