

----- Original Message -----

From: sjoycemail@comcast.net

To: Selectmen@town.rye.nh.us

Cc: 'Katelyn Drago' <KDrago@town.rye.nh.us>

Date: 03/23/2020 11:23 AM

Subject: Request for Fair & Transparent Appointment Process to Rye Conservation Commission for All Citizens

March 23, 2020

Board of Selectmen
Town of Rye
10 Central Road
Rye, NH 03870

Ref: Request for Fair & Transparent Appointment Process to Rye Conservation Commission for All Citizens

I read the agenda for tonight's BOS meeting. It is disappointing that the BOS is considering the reappointment of RCC members tonight when there has not been any public posting that the terms were coming up and no other residents have been afforded the opportunity to apply. Considering the following, it seems prudent that the BOS interviews and appoints RCC members based on diversity, objectivity, skill set and experience:

1. The RCC is entrusted with millions of dollars of taxpayer money, yet the BOS has little authority over the RCC. No governing body does so it's imperative that it is a well-balanced group of diverse, objective people who respectfully challenge each other, not all vote the same and require that members who have conflicts of interest to recuse themselves and not push personal agendas.
2. Although required, yet waived by the BOS, the RCC does not always get appraisals, land surveys and/or conduct public hearings for acquisitions. This has resulted in use of funds that may not be supported by taxpayers, overpayment for land that has little or no development potential, easements that have no value, lack of adequate access to conservation land and, in some cases, deals that benefited individuals.
3. The RCC files are disorganized, in some cases files cannot be found, are missing important information such as appraisals, land surveys, easements, final signed documents related to purchase and sale, etc. If Rye residents ask to review the RCC files, they are often rebuffed, told that files are at a member's home, they cannot find them, or given incomplete files, etc.
4. The RCC does not follow best practices outlined by the NH Association of Conservation Commissions, has no bylaws, written policies and procedures, even though they have been asked for years by voters to ensure there is a transparent and fair process for all Rye residents.
5. For years there has not been a fair process for Rye residents to be considered to serve as an RCC member. Several RCC members have dominated, controlled the commission for over a decade, and at times been disrespectful, dismissive to others that are not like them and/or do not agree with them and have acted on behalf of the RCC when there is clearly a conflict of interest. When members' three-year terms are up, they are just reappointed without any chance for any other Rye residents to be interviewed by the BOS and considered for appointment. This is a missed opportunity to appoint diverse, objective members who have stronger skill sets that would benefit the town and all its citizens. Members who would also have the time and ability to ensure the town does not overpay for land, best practices, procedures and bylaws are put in place and followed, files are complete, etc.

In other NH communities, there is transparency and fair process for appointment to Conservation Commissions. There also bylaws that stop people from dominating a commission for decades, allowing fresh ideas, new skill sets and innovative ways of doing things. I ask that the BOS take the lead with this glaring issue, postpone the reappointment of the members tonight, ensure that a fair, transparent process is put in place, so all Rye citizens have an opportunity apply, be interview by the BOS and serve based on qualifications. In closing, I ask that this email be read at tonight's meeting during the public comment section. I also ask that this email be included in the minutes of the meeting that are sent out electronically as well as posted to the town's website. Thank you.

Respectfully - Shawn

Shawn Joyce
PO Box 5
Rye, NH 03870

Rye Board of Selectmen – Agenda 03/23/20

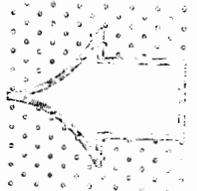
- B. Crosswalk for Bg's Boathouse
- C. Transfer Station Permit Process Operating Guideline re: Issuance of Specialty Permits/Exceptions
- D. Policy Changes

VIII. CORRESPONDENCE

- A. Email rec'd from Joanne Hardin re: Cell Tower on 68 Port Way Concerns
- B. Letter rec'd from Robert Gemmett re: Cell Tower on Port Way
- C. Letter rec'd from Rye PTA requesting approval for a Town of Rye Bike Rodeo/Parade hosted by the Rye PTA, Rye Fire, Rye Police and the Safe Routes to School program to be held on Sunday, June 7, 2020, 1:00-4:00 p.m.

IX. APPOINTMENTS: BOARDS, COMMITTEES, COMMISSIONS

- A. **Conservation Commission – 3 Year Term 04/01/2020 – 03/31/2023**
 - 1. Francis (Mike) Garvin – reappointment as member, letter rec'd 12/26/2019
 - 2. Heather Reed – reappointment as member, letter rec'd 03/11/2020
 - 3. Danna Truslow – reappointment as alternate, letter rec'd 03/15/2020
 - 4. Recommendation letter rec'd 03/19/2020 from Suzanne McFarland, Chair
- B. **Recreation Commission – 3 Year Term 04/01/2020 – 03/31/2023**
 - 1. Stephen King – reappointment as member, email rec'd 03/20/2020
 - 2. Joseph Persechino – reappointment as member, email rec'd 03/20/2020
 - 3. Recommendation letter rec'd 03/20/2020 from Gregg Mikolaities, Chair, per Lee Arthur



X. NEW BUSINESS

XI. OLD BUSINESS

XII. OTHER BUSINESS

- A. Meeting Minutes:
 - 1. Meeting, Monday, February 10, 2020, 6:30 p.m., Town Hall
 - 2. Non-Public Session, Monday, February 10, 2020 (1) per RSA 91-A:3, II (b) Hiring
 - 3. Meeting, Thursday, February 20, 2020, 4:00 p.m., Town Hall

ADJOURNMENT

Posted: Friday 03/20/20 – Town Hall, Rye Public Library, Town website: www.town.rye.nh.us

*****THIS AGENDA IS SUBJECT TO CHANGE UP UNTIL THE TIME OF THE MEETING*****

Steven Borne, 431 Wallis Road, commented that when there is discussion about the shut down of the transfer station, he hopes there will be some discussion about innovative and creative ways to not have to throw the recyclables into the trash compactors.

Shawn Joyce, 270 Washington Road, noted that he would like a chance to speak about the letter he sent to the Selectmen, which is on the agenda under 'Correspondence'.

VI. CONSENT AGENDA ITEMS – (to be discussed at the meeting only if pulled off the consent agenda by one of the three Selectmen.)

A. Appointment: Heritage Commission – 3 Year Term

- 1) David Choate: Requests appointment as an alternate, email rec'd 04/06/2020
- 2) Recommendation letter rec'd 04/10/2020 from Phil Walsh, Chair

Motion by Phil Winslow to accept the Consent Agenda Item. Seconded by Keriann Roman.

Roll Call: Bill Epperson – Aye; Keriann Roman – Aye; Phil Winslow – Aye

Motion passed.

Motion by Keriann Roman to take Correspondence B out of posted agenda order. Seconded by Phil Winslow.

Roll Call: Keriann Roman – Aye; Phil Walsh – Aye; Bill Epperson - Aye

Motion passed.

- **Email rec'd from Shawn Joyce re: Fair & Transparent Appointment Process to Rye Conservation Commission**

Vice-Chair Roman noted that this letter was received a little bit late for the last Selectmen's meeting so it was not officially addressed; however, the Board did talk about it. She continued that this same issue was raised a few months ago. At that time, when there were openings on the boards and commissions, the position was going to be advertised on the town's website and Facebook page. With town meeting and the situation with COVID-19, this was overlooked. At the last meeting, the select board talked about whether there was time to advertise these positions now and wait on appointing anyone to those positions. There was discussion on this because it was a fair point that people should know there are positions open. It was determined that given what is going on right now and the State of Emergency, the select board would move forward with the appointments and the recommendations they had. The process will be corrected for next year. Whenever there are openings on boards, committees or commissions, they will be advertised on the website and Facebook page. The Town will do a better job of advertising so people will know how to apply.

- **Email rec'd from Shawn Joyce re: Selectmen Ordinances 35 & 36, Keeping Rye Town Forest Open During COVID-19 & Wildlife Protection in Rye Town Forest**