

Rye Water District Public Hearing

Monday, April 18, 2022, 7:00 p.m.

RWD Office, 60 Sagamore Road

Commissioners Present:

Chair Arthur Ditto

Ralph Hickson

Scott Marion

Public Notice:

The inhabitants of the Rye Water District in the Town of Rye, in Rockingham County, State of New Hampshire qualified to vote in Rye Water District affairs are hereby notified of 2 phases of a Special Water District Meeting will be held as follows:

First Session Special Meeting: Public Hearing Date (Pursuant to RSA 31:5-bII(c))

Date: April 18, 2022

Time: 7:00 p.m.

Location: Rye Water District Office, 60 Sagamore Road, Rye

Second Session Special Meeting: Special Water District Meeting (Pursuant to RSA 31:5-bII(b))

Date: April 27, 2022

Time: 7:00 p.m.

Location: Rye Junior High, 501 Washington Road, Rye

Details: To hold official ballot voting on the following:

Article# 02* To see if the District will vote to raise and appropriate the sum of \$852,000.00 (gross budget) for the Wallis Road Water Main Replacement, 1,165 ft from the intersection of Wallis Road and Ocean Boulevard to the intersection of Wallis Road and Odiorne Drive and all costs incidental thereto and connected therewith: and to authorize the issuance of not more than Eight Hundred Fifty-Two Thousand Dollars (\$852,000.00) of bonds and notes in compliance with the Municipal Finance Act (RSA Chapter 33); and to authorize the Rye Water District Commissioners to issue and negotiate such bonds and notes and to determine the rate of interest thereon; and to authorize the Rye Water District Commissioners to expend the proceeds so raised to that stated purpose. This warrant article supersedes Warrant Article #04 passed by the voters at the Rye Water District Annual Meeting on July 11, 2020. A 3/5 ballot vote is required.

* This is the same Warrant Article #02 that was presented and voted on during the Rye Water District Annual Meeting held on March 26, 2022. This Warrant Article #02 is being re-noticed and re-voted to correct a procedural defect with the March 26, 2022 vote, to wit: the bond/note article was to be voted on by ballot and the ballot has to stay open for one hour.

At 7:05 p.m., Chair Ditto called the meeting to order and opened the public hearing.

Chair Ditto explained that the purpose of this public hearing is to explain why it is necessary for RWD to call for a Special Rye Water District Meeting to be held on April 27, 2022 at 7:00 p.m. at the Rye Junior High School. This public hearing action is required by RSA Chapter 31, Section 31:5-b II (c), which states; *“Not less than 7 calendar days prior to a special town meeting, not counting the day of the special meeting, the governing body shall conduct a public hearing at which the reasons for the special town meeting shall be explained.”*

Chair Ditto continued to explain that on March 26, 2022, Rye Water District held its annual meeting to act upon 7 articles contained in the RWD’s proposed 2022 Warrant. Article #02 of that warrant, dealt with a proposed bond issue of \$852,000 for replacement of 1,165 feet of water main on Wallis Road. As required by RSA Chapter 33, Section 33:8-a II warrant articles proposing a bond in excess of \$100,000 need to be voted on by ballot, with the polls remaining open and ballots accepted not less than one hour following completion of discussion on the respective article. Unfortunately, Rye Water District failed to use the ballot voting process for Article 2, but rather requested a show of hands. Thus, the vote on Article #02 was invalid.

In order to correct this irregularity and procedural defect, following the provisions of RSA 31:5-b, Legalization of Meetings, the Commissioners of the Rye Water District have called for this Special Rye Water District Meeting to properly re-accomplish the actions relative to Article #02 of the 2022 Warrant.

Chair Ditto opened for public comment. Hearing none, **he closed the public hearing relative to the Special Rye Water District Meeting at 7:08 p.m.**

Adjournment

Motion by Scott Marion to adjourn at 7:09 p.m. Seconded by Ralph Hickson. All in favor.

Respectfully Submitted,
Donna DeCotis
RWD Clerk