

**TOWN OF RYE - SELECT BOARD
MEETING
Thursday, May 25, 2023 – 8:30 a.m.
Rye Town Hall**

Selectmen Present: *Chair Tom King, Vice-Chair Bill Epperson, and Bob McGrath*

Others Present on behalf of the Town: *Town Administrator Matt Scruton, Asst. Town Administrator/Finance Director Becky Bergeron, Recreation Director Dyana Martin, DPW Director Jason Rucker, Linda Toumpas and Ronna Werner (to discuss the Regional Association Review Committee recommendations)*

I. CALL TO ORDER

Chair King called the meeting to order at 8:30 a.m.

Motion by Tom King to move other business to the next agenda item. Seconded by Bob McGrath. All in favor.

II. OTHER BUSINESS

Asst. Town Administrator Bergeron noted that the Select Board did not seal the minutes of the non-public session for May 24th. She suggested that the Board consider sealing the minutes.

Motion by Bill Epperson to seal the non-public minutes of May 24, 2023. Seconded by Tom King. All in favor.

• Fuel Oil Bid Results – DPW Director Rucker

DPW Director Rucker stated that Atlantic Fuels was the Town's provider for fuel delivery for heating sources, as well as over the road fuels, for last year. They were very accommodating with the fuel spikes that were experienced and were more than willing to work with the Town. Atlantic Fuels has also been the low bidder in previous years providing over the road gasoline and heating oil. In opening the bids, Atlantic Fuels was the low bid for a number of fuel requirements: #2 blended heating oil, diesel, and gasoline. They are not the low bid, by two cents per gallon, for #2 heating fuel. Two cents on fifty-two thousand gallons the Town uses estimates to be a one thousand dollar difference. He recommends using Atlantic Fuels, even though they are not the low bidder for #2 heating oil. Atlantic Fuels has always been willing to work with Rye and put the Town's needs first. He pointed out there's a liquidated damages clause in Irving's contract for thirty cents per gallon if the Town does not utilize ninety-five percent of the estimated gallonage quoted in the bid documents. Director Rucker noted that he is unable to adequately estimate the fuel usage, as three boilers have been replaced in the last year. Atlantic Fuels does not stipulate in their contract any liquidated damages for fuels not used.

Motion by Tom King to award the contract to Atlantic Fuels for #2 heating oil, #2 blended heating oil, diesel, and gasoline for the 2024 heating season based on the prices in the May 24, 2023 memo. Seconded by Bob McGrath. All in favor.

III. DISCUSSION ITEMS

A. Memorial Day Parade and Ceremony

Recreation Director Dyana Martin spoke with the Select Board about the Memorial Day Celebration. They discussed how to present and honor the Veterans in the ceremony, which was added to the program this year. They also reviewed and discussed the agenda for the ceremony and parade. The ceremony is being held on Monday, May 29th, at 9:00 a.m. at Central Cemetery with a parade being held immediately following.

B. Road paving/pothole discussion

The Select Board briefly discussed the pothole concern on a few of the roads in Rye. They discussed the idea of having a separate contractor to fill the potholes, so the repair is made before the paving in town begins, or have the cost be encompassed into the paving contract. The Select Board asked Town Administrator Scruton to speak with Director Rucker about having the paving contractor incorporate pothole filling into their work before the actual paving begins. If the paving contractor does not handle that type of work, Director Rucker should seek a separate company for the pothole filling. They suggested that Director Rucker may be able to have the paving company fill some potholes this year, if there is money left over in the budget after the paving. This would help to get some repaired this year.

C. Regional Association Review Committee

The Select Board began their review of the recommendations of the Regional Association Review Committee in order to make some decisions on funding to regional organizations for 2024.

Town Administrator Scruton explained to the Select Board that the request letters have not gone out to the organizations for 2024 requests. He recommended waiting until the requests come back. He pointed out that the donations for 2023 are already committed. He explained that the donations to regional associations are put into the Town's operating budget. The Town's budget goes through the Deliberative Session and gets voted on at town meeting in March. If the budget is approved, the regional associations are sent a letter stating that the budget was approved and letters need to be submitted to release the funds. The associations will submit something that is like an invoice. He further explained that the review process by the Committee should happen in the fall before the budget is presented to the Budget Committee.

Linda Toumpas and Ronna Werner from the Regional Association Review Committee joined the discussion with the Select Board. The group discussed whether the Select Board can decide to remove an agency from funding, as most of the organizations were approved by a warrant article at town vote; others may have just been approved by the Select Board at that time. There was

also discussion about redrafting the letter that goes to agencies in July and revising the process by which funds are distributed.

It was suggested by Selectman McGrath for the agencies to be wiped clean, if that is allowed, and having the Committee meet with the organizations that want funding. The Committee could make recommendations to the Select Board.

It was noted by Town Administrator Scruton that the Select Board has the right to adjust the amount given to an agency. It could theoretically be adjusted down to a dollar if they no longer wish to fund that agency. He suggested that the process remains with the letters going out in July and the funding requests coming back. At that time, the request would go through the Committee with recommendations being made to the Select Board, as to which agencies should be funded and at what level. The Select Board would establish what they are going to recommend to the Budget Committee to be included in the operating budget. If the Committee thinks more or less money should be added to the regional association budget, they can make that recommendation to the Select Board. The Board can review and decide what they want to move forward to the Budget Committee, who may tweak the numbers again. It will then move forward through the operating budget to the Deliberative Session and town vote.

There was more discussion on setting the procedure by which the agencies are reviewed and funded. It was agreed that the procedure should be kept simple. It was also agreed that the new procedure should go out with the letter in July because the agencies need to understand the process for Rye. The Select Board agreed with the recommendation from the Regional Association Review Committee that the agency should be a non-profit 501(3)(c).

After discussion, Town Administrator Scruton confirmed that he will seek clarification from legal on whether the Select Board can choose to not fund an agency. He noted the warrant articles for the agencies seem to be raising and appropriating funds for that one year. His interpretation is that the warrant articles are not in perpetuity. Town Administrator Scruton also summarized the process by which the agencies will receive funding, as discussed during this meeting. The town will send out a letter in July to the agencies. The funding requests from agencies will come back to the Town. The Committee will review them and make recommendations to the Select Board before the budget is set. The budget recommendations will go to the Budget Committee with the Regional Association Review Committee's recommendations for the non-profits. It will go through the process of the Deliberative Session and town vote. After town vote, it will come back to the Select Board and Regional Association Review Committee before the letters are sent indicating what the Town will commit to for funding.

The Select Board agreed to that process. A memo outlining the process will be sent with the letters that go out in July.

ADJOURNMENT

Motion by Tom King to adjourn at 9:55 a.m. Seconded by Bob McGrath. All in favor.

Respectfully Submitted, Dyana Ledger