

**PLANNING BOARD
RINDGE, NEW HAMPSHIRE
May 19, 2009**

DATE: May 19, 2009 TYPE: Work Meeting DATE APPROVED: June 16, 2009
TIME: 7:00PM-PM 9:30PM CHAIR: Kim McCummings
CALL TO ORDER: 7:00PM
ROLL CALL MEMBERS: Kim McCummings, Roberta Oeser, Rick Godin, Kirk Stenersen, Tim Halliday, Hank Whitney
ROLL CALL ALTERNATES: Art Fiorelli, Robyn Payson, Phil Simeone
EX OFFICIO: Burt Goodrich
PLANNING DIRECTOR: Jane Pitt
PLANNING ASSISTANT: Robyn Payson
APPOINTMENT OF ALTERNATES Art Fiorelli for Tim Halliday until his arrival at 7:25pm

Announcements

Senior Housing Project-Because of the national economic situation some of the state funding is in question. The funding for this round is available but it is questionable that funds will continue to be. The deadline for the NH Financing is June 26. Jane said if the Board decides, additional meetings could be held in order to move the project forward with this deadline in mind.

Burt Goodrich announced Pastor Jim Melhorn; pastor of the First Congregational Church has suffered a severe stroke. He is currently at John Hopkins University hospital on life support and the outlook is grave.

Minutes

March 17, 2009 Rick Godin made a motion to accept the minutes with corrections Hank Whitney seconded the motion the motion carried with Kirk Stenersen abstaining.

March 25, 2009 Rick Godin made a motion to accept with corrections Art Fiorelli seconded the motion. The motion carried unanimously.

April 7, 2009 Rick Godin made a motion to accept the minutes with corrections. Burt Goodrich seconded the motion. The motion carried with Roberta abstaining.

April 14, 2009 Rick Godin made a motion to accept the minutes with corrections. Art Fiorelli seconded the motion. The motion carried unanimously.

April 21, 2009 Rick Godin made a motion to accept the minutes with corrections. Art Fiorelli seconded the motion. The motion carried with Roberta and Hank abstaining.

Tim Halliday joined meeting 7:25pm Art Fiorelli stepped down.

May 5, 2009 Tim Halliday made a motion to approve the minutes with corrections. Roberta Oeser seconded the motion. The motion carried unanimously.

May 5, 2009 Site Walk Burt Goodrich made a motion to approve the minutes. Kirk Stenersen seconded the motion. The motion carried unanimously.

Alternates voting-update

There was further discussion and disagreement about the voting rights of alternates per RSA 673:11.(The tape shall be retained)

The Board was split in its reading of RSA 673:11. Some members understood it to mean alternates shall be appointed whenever a member is absent and that alternate then has all the responsibilities of that member for any meeting be it a Public Hearing or Organizational Meeting.

Others believed RSA 674:1 gives Planning Boards the right to exclude alternates from certain duties like Organizational Meetings where Chair and Vice Chair are elected because that should be the privilege of the Planning Board members who have been elected by the people of the town..

Burt Goodrich said that serving as an alternate is a good way for people in the community to learn about the Board and participate and it is also important that whoever comes before the Board has the right to a full number of people to listen to their case. He said he wanted to speak in support of alternates and said that he felt the RSA was clear that alternates shall be appointed when a member is absent.

Tim its clear the role of an alternate is to form a complete Board when there is a public hearing. For work meetings and any other business should be done by elected members only because they are elected by the people. The meetings are too lengthy when 11 people are weighing in. The meetings would be more focused and shorter when only seven people talk.

Hank Whitney said he supported Kim 100% as chair, but wanted to know what would happen if they changed the rules for electing Chair and Vice Chair.

Kim said the Board could do whatever it wants, but the Board needs to be mindful of what you do because if you limit the roll of alternates too significantly it will limit the likelihood of people wanting to serve as alternates.

Art said Kim's statement was not accurate. The Planning Board cannot violate the law.

Art suggested settling this once and for all, there be a definitive answer gotten from town council.

Joe Hill –went through this issue when he was Chairman of ZBA, if a regular member is absent the chair shall appoint an alternate to sit. That person has every right and obligation of a regular member even if officers are being elected. The only difference is, in a hearing only a sitting alternate can deliberate.

Roberta said Paul Sanderson's letters state the Planning Board can make its own rules of Procedure.

Jane said that it may settle the discussion if Tim would like to frame a motion that he would like to make regarding the alternates and it could be sent on to Town Counsel for review.

Tim said he feels that the Planning Board has gotten no concrete answers but sufficient letters stating that the Board can set up their own Rules of Procedure.

Kim agreed but said those rules needed to be within the confines of the law.

Rules of Procedure-Annual Review

Roberta passed out her recommended changes to the Rules of Procedure.

Roberta made a motion to revise the Rules of Procedure to add under Membership, “These Members shall be considered the regular Members” Tim Halliday seconded the motion, the motion carried unanimously.

Roberta made a motion to move the sentence “The Planning Board shall have all the powers granted to Planning Boards under state law.” to the first paragraph under authority. Tim Halliday seconded the motion. The motion carried unanimously.

Roberta made a motion to add the word “regular” to the first sentence under Vacancies in Membership Section so it now reads.

“For elected Planning Board Members, a vacancy is filled by appointment by the remaining “regular” Board Members until the next regular municipal election, at which time a successor shall be elected to either fill the remainder of the unexpired term, or start a new term, as the case may be.”

Tim Halliday seconded the motion. The motion carried unanimously.

Kirk Stenersen made a motion to rewrite and re organize the “Vacancies in Membership” section as follows:

First Sentence-Vacancies for regular and/or alternate members shall be posted in 2 appropriate places and shall be printed in a newspaper of general circulation in the city or town for at least two weeks, prior to the filling of a vacancy.

Second Sentence- For elected Planning Board Members, a vacancy is filled by appointment by the remaining Board Members until the next regular municipal election, at which time a successor shall be elected to either fill the remainder of the unexpired term, or start a new term, as the case may be.

Third Sentence-Alternate members shall be appointed by a majority vote of the regular members.

Roberta Oeser seconded the motion.

Following discussion and several changes to the motion Kirk Stenersen made a motion to clear the table of all motions and amendments. Tim Halliday seconded the motion. The motion carried unanimously.

Kirk Stenersen made the following motion:

Under the Membership” section of the Rules of Procedure revising the second to last sentence to read:

As provided for in RSA 673:6 II, the regular board members may appoint up to five Alternate Members for a term of three years each.

Tim Halliday seconded the motion. The motion carried unanimously.

Kirk Stenersen made a motion to “Change the Vacancies in Membership” section of the Rules of Procedure as follows:

Vacancies for regular and/or alternate members shall be posted in 2 appropriate places and shall be printed in a newspaper of general circulation in the city or town for at least two weeks, prior to the filling of a vacancy. For elected Planning Board Members, a vacancy is filled by appointment by the Regular Board Members until the next regular municipal election, at which time a successor shall be elected to either fill the remainder of the unexpired term, or start a new term, as the case may be.

Roberta Oeser seconded the motion. The motion carried unanimously

Tim Halliday made a motion to accept the version presented by Roberta with the changes as written.

1. A Chairperson shall be elected annually, at the first meeting following Town Meeting, by a majority vote of the regular board members. He/she shall preside over all meetings and hearings, and shall affix his/her signature in the name of the Board.
2. A Vice-Chairperson shall be elected annually, at the first meeting following Town Meeting, by a majority vote of the regular members of the board. The Vice-Chairperson shall preside as the Acting Chairperson in the absence of the Chairperson and shall have the full power of the Chairperson during his/her absence.
3. In the absence of both the Chairperson and the Vice-Chairperson an Acting Chairperson shall be chosen by a majority vote of the regular members present.
4. All officers shall serve for one year and shall be eligible for re-election.

Roberta seconded the motion

There was concern expressed about these changes stopping the business of the Board if there was not a quorum. Roberta said this was in reference to electing officers not conducting business.

The motion carried, vote as follows:

Kim McCummings-No, Burt Goodrich,-No, Rick Godin-No, Hank Whitney-Yes, Roberta Oeser-Yes, Kirk Stenersen-Yes, Tim Halliday-Yes The motion carried.

Kirk Stenersen made a motion to change #2 under “Meetings and Hearings” to read as follows:

2. A quorum for all meetings of the Board shall be four Members, including Alternates sitting in place of regular Members except for the Organizational meeting at which a quorum shall mean four regular members.

Tim Halliday seconded the motion. The motion carried unanimously.

Jane said that Organizational meeting needs to be defined so in the future it can be referred to as (ORGANIZATIONAL) to reflect that alternates will not be appointed at that meeting.

Kirk made a motion to refer to the organizational meeting as (ORGANIZATIONAL) the first time it is mentioned in section 1 under the "Officers" section which will make it read:

1. A Chairperson shall be elected annually, at the first meeting following Town Meeting, (ORGANIZATIONAL) by a majority vote of the regular board members. He/she shall preside over all meetings and hearings, appoint such committees as directed by the Board and shall affix his/her signature in the name of the Board.

Burt Goodrich seconded the motion. The motion carried unanimously.

Meeting Adjourned at 9:25pm

NEXT MEETING

June 2, 2009

Respectfully submitted,
Robyn Payson