



# Town of Rye

## Newsletter



Vol. 12, No. 3 A Publication of the Rye, New Hampshire, Board of Selectmen September 2009

### H1N1 FLU:

#### WHAT YOU CAN DO

1. Understand prevention:  
Wash hands frequently.  
Cough into your sleeve.  
Get vaccine, if appropriate,  
when available.
2. If you become ill: Stay home  
except to get health care.
3. Make child care arrangements now.  
Don't send a sick child to school.
4. Keep yourself informed:  
Centers for Disease Control  
(CDC) official website:  
<http://www.cdc.gov/h1n1flu/vaccination/acip.htm>

### SELECTMEN'S MESSAGE

## Selectmen Have Been Busy During the Summer

### Town Administrator Hired

ON AUGUST 3, MICHAEL J. MAGNANT became our new Town Administrator. We were impressed with his lengthy record of successful leadership in areas that we deem necessary to the role of Rye Town Administrator and welcome him on behalf of the town.

Mr. Magnant was selected from a field of 19 candidates, many of whom were highly qualified. He holds a master's degree in public administration from the University of New Hampshire and comes to Rye with 30 years of progressive responsibility and experience that

## Notes from the Town Clerk/Tax Collector

Is it possible that summer is almost over? We waited so long for it to begin this year it hardly seems fair to have to give it up so soon! We can hope that Mother Nature blesses us with a warm and extended fall season. While we are enjoying the warm weather, I want to remind you that Beach Parking Permits are still required until the Saturday after Labor Day. They will be available for sale in our office until then. For those who are waiting to ride your horses along the beach, you'll have to wait until October 1 to do so.

The topic of conversation in our office these days is the increase in the state fees on vehicle registrations. As of the first of August you'll be writing larger checks to the State of New Hampshire to keep your vehicles on

## Rye Farmer's Market Opens with Enthusiasm

The Rye Farmer's Market opened June 24, and per Rachel Forrest of the *Portsmouth Herald* who visited the market a month ago, "The Rye Farmer's Market rocks!"

Our Farmer's Market is held every Wednesday afternoon from 2:30 to 6. Attendance has been growing despite the rainy weather.

Along with the professional vendors and growers, including Applecrest from Hampton Falls and Arbor Inn Bakery from Rye, there are many locals who are selling high quality fresh products. Mel Low and Herb Drake are sharing a space at the market and are bringing produce freshly picked on Wednesday morning!



Michael J. Magnant

includes personnel administration, finance and budgetary oversight, law interpretation and enforcement, collective bargaining, risk management, and community collaboration.

Michael became a member of the Portsmouth Police Department in 1979, serving the City of Portsmouth as Chief of Police from 2003 until his

# Selectmen's Message: Budget/ Something You Should Know / Energy Audit

retirement in July of this year. In that capacity, he has worked cooperatively with Rye in the past and is familiar with our town.

The Rye Town Administrator is a part-time position averaging three days per week with flexibility to accommodate the needs of the Town. Michael Magnant was hired as an employee at will and placed on the top step of Grade 21 (\$44.61 per hour), the same grade as past Rye town administrators.

## Status of the 2009 Rye Town Budget

Assistant Town Administrator Cynthia Gillespie updated the Board on the status of the Town's revenue and expenditures as of June 30, 2009. This budget did not allow much leeway at the time of approval and remains very tight. At the midpoint of the year, General Fund expenditures had a balance of 55.20 percent. Close monitoring will be required for the remainder of the year and it may be necessary to hold back on some of the scheduled paving projects. Unanticipated State downshifting will impact this budget.

## Something You Should Know

Selectmen in towns with a Board of Selectmen and Town Administrator (or Administrative Assistant) are generally more closely involved with the day-to-day operations of their communities than those towns employing a Town Manager, a position that is delegated more extensive responsibilities than those of a Town Administrator, often including the power to hire and fire.

Among the members of a three-member Board of Selectmen, discussion of town business by only two of the three members whether person-to-person, by telephone, e-mail or, most recently, texting constitutes a meeting and is improper unless officially posted. Even then, although two selectmen can decide the outcome of a matter, all three should be informed and participate in all decisions. *We adhere to these rules and never hold "secret"*

*meetings.*

That said, the rules also include **RSA 91-A:3, II** which sets forth conditions under which the governing body, in our case the Board of Selectmen, may conduct a **nonpublic session**. These conditions are summarized as follows: (a) the dismissal, promotion or compensation of any public employee or charges against them; (b) the hiring of any person as a public employee; (c) matters which adversely affect the reputation of a person (other than a Board member); (d) consideration of sale of property; (e) discussions regarding negotiations or pending claims and/or litigation, as well as several other conditions that do not apply to Rye.

If a decision is arrived at during a nonpublic session, the vote must be taken upon returning to public session. Minutes of a nonpublic session must be available within 72 hours of the meeting unless they are sealed as the result of two thirds of the members present finding that divulgence of the information would: (a) likely adversely affect the reputation of any person (other than a member of the Board); or (b) render the proposed action ineffective.

Recent articles by *Rye Reflections* and the *Portsmouth Herald* concerning the number of nonpublic meetings held in Rye failed to state the actual number of individual matters addressed by those nonpublic sessions. In other words, 10 nonpublic sessions does not mean 10 different matters addressed in nonpublic. By way of example: While consultation with our Town Attorney does not constitute a meeting, we often receive confidential memos individually from Attorney Donovan during litigation of a case that outline the progress to date and present each of us with options that require a decision by the Board. Meeting to discuss the options and provide direction to our attorney does require a nonpublic session. Over the course of a single litigation, more than two dozen nonpublic sessions may be

required.

In lawsuits that take issue with any of our various boards, departments or commissions, the Town of Rye is named as the defendant. Many of these legal disputes are lengthy and necessitate numerous nonpublic sessions per case. Likewise, negotiations and some personnel problems require many nonpublic sessions per issue.

A Town Manager, as an individual, has the ability to act on many sensitive problems in his or her office that must come before us as a Board. We believe in the conduct of public business in the open and rely on RSA 91-A:3, II only as a means to protect the Town as outlined within the conditions noted earlier.

## Energy Audit Results

The results are in. At our meeting of June 29, Tim Nichols, P.E. of ANIX, presented a resume of his energy audit of the Rye Town Hall. We found it to be comprehensive, with attention to detail. At our request he has provided us with a cost analysis for each item or situation addressed.

We have also received energy audits for the Recreation Department and Public Works. ANIX recommendations have been broken down into three tiers: 1. relatively simple and low cost to implement, 2. those that should be considered in current budgetary planning for building improvement and 3. major, generally long-term, capital improvements.

We have been provided with a documented plan of action regarding our municipal buildings. Undertaking this energy audit coincided with a recommendation of the Capital Improvements Committee to include municipal buildings in the Capital Improvements Plan.

## State Parks for Sale?

The release of a draft plan seeking to determine which state parks fit their mission statement, NH Division of

# State Parks for Sale? / State Downshifting / Education Funding / Big Pipe

Parks and Recreation listed properties under its management, including Jenness Beach and White Island in Rye, deemed to be failing to support their own financial weight. Newspaper articles indicated that such properties might be put up for sale.

As a Board, we were in agreement that the Town should seek to acquire, or at least be first in line to discuss the possibility, should the idea become a reality.

Our representative, David Borden, contacted and brought together state officials with knowledge, interest, responsibility, and influence regarding this matter at our Selectmen's Meeting on July 13, 2009. Present were Senator Martha Fuller Clark, Councilor Bev Hollingworth, Representative Judith Spang, Representative and Mrs. David Borden, Commissioner George Bald, NH Department of Resources and Development (DRED), Ted Austin, Director of NH Division of Parks and Recreation and Ben Wilson, Program Specialist (DRED).

Commissioner Bald initiated the discussion noting that Parks and Recreation receives no money from the general fund. The Division is self-funded and he added that safety and cleanliness are top priorities. Because of the financial crunch, the draft sorted Parks and Recreation-managed properties according to their ability to pay for themselves. At the top: The Flume and Hampton Beach. Jenness Beach and White Island and 25 others do not. He went on to explain that it was never the intention of the Division to sell these properties; but all possible options were put forward and "sale" caught the attention of the media. The Commissioner stated clearly that Jenness State Beach is *not* for sale and will not be for sale in the foreseeable future.

The Commissioner stated that they need to find a better way to manage the parks and are seeking to develop improved relationships with the various locations. All present participated in the discussion and the meeting appeared to be the beginning of a con-

tinuing dialog on this subject. David Borden suggested a public-private coalition similar to the group currently helping the state to restore Fort Stark in New Castle. Because this is a statewide issue, leadership resulting in such a partnership or other forms of cooperation will need to be initiated by the Parks and Recreation Division.

## State Downshifting

In July, Executive Director John Andrews of the Local Government Center sent a letter to Cities and Towns, School Districts, SAUs, and County Governments requesting participation and support to initiate legal proceedings against the State of New Hampshire for "downshifting" to local governments five percent of State responsibility for its portion of 2009 (teachers, police, firemen) retirement contributions plus an additional five percent in 2011.

This action by the State appears to be the proverbial "straw" statewide as revenue sharing with municipalities, Medicaid reimbursements to counties and catastrophic aid to schools have already been eliminated or changed by decision the Legislature (downshifted to the local government entity).

At our meeting August 10, the Board voted unanimously to join 144 (of 192) towns affected by this downshift in what is termed a 28-a lawsuit against the State of New Hampshire that will claim violation of Article 28-a of the State Constitution, an amendment added in 1984.

By this vote, we are committed to contribute \$1,048.13 to this cause. This figure represents one-half of one percent of the amount Rye paid to the NH Retirement System this year.

## Education Funding Update

Eighteen years of legal controversy over school funding finds us today with an established base cost for adequate education established at \$3,500 per pupil, plus added funds for students who are disabled, speak little English or attend schools with a high

number of poor students (determined by qualification for free and reduced lunches). The system is anchored by a statewide property tax and, under the current formula, Rye is scheduled to return to donor town status in 2011.

The State is not in court with regard to education funding at this time; but both the 1991 lawsuit towns (the Claremont case) and the 2005 coalition of towns (Londonderry case) indicate that they may return to court to seek more funding.

Meanwhile, we have continued our membership in and support of the Coalition Communities. Our contribution serves to continue monitoring of the education funding issue providing us with information, leadership, and guidance.

## Big Pipe Laid To Rest?

In the June issue of this newsletter, we drew your attention to Senate Bill 168. Sponsored by State Senator Maggie Hassan and our Representative David Borden, Senate Bill 168 was moving through the legislative process at that time. The intent of the bill was to repeal the Estuary Alliance for Sewer Treatment (EAST), the legislation with the "Big Pipe" option to transport effluent from up to 44 communities to the Atlantic, and replace it with the Coastal Watershed Alliance designed to remove the big pipe option and allow coastal communities to work cooperatively on water quality issues.

The concept of an ocean discharge was resurrected in later versions of the bill and, on behalf of the Town, Selectman Craig Musselman presented our view at a meeting held April 28 summarized as follows: 1. The bill should revert to its original form with a negative statement regarding ocean outfall. 2. The bill should be modified to encourage participation, which he described as a "carrot-and-stick approach" that would lead to greater success as opposed to threatening to lower the priority for coastal program funding for communities choosing not

## Selectmen's Message: Comcast / Website / More

(Continued from page 1)

to participate.

SB 168 was approved and became effective on July 15, 2009. It repealed EAST and established the Southeast Watershed Alliance (to be known as The Alliance). In addition to a positive framework through which coastal watershed communities can work cooperatively, of special interest to Rye residents is the following: "485-E:9 Regional Outfall Construction: Prohibition. The Alliance shall not construct a regional outfall that transfers water out of Great Bay estuary watershed directly into the Gulf of Maine absent legislation specifically to do so." The full text of the bill may be found at

<http://www.gencourt.state.nh.us/legislation/2009/SB0168.html>.

### Comcast Draft Franchise Renewal Discussed

Our work on the Comcast Draft Franchise Renewal Proposal is nearly completed. Residents should be aware that from the outset neither cost nor programming was negotiable. Among the terms being finalized are: length of franchise term, installation distance provided prior to additional charge, franchise fee, ability to override Portsmouth's Public, Educational and Government Access Channels (PEG), ability of Rye to have our own PEG channel and rebate or credit for interrupted service.

### Mosquitos

According to the August 1 NH Department of Health and Human Services Arbovirus Surveillance Bulletin: 33 humans, 1 animal and 669 mosquito pools had been tested for Eastern Equine Encephalitis and West Nile Virus. None tested positive. This is great news; but **don't relax**. Now, from August until the first killing frost, is the time for heightened vigilance. Continue to take precautions against being bitten by mosquitos.

### Rye Website

Since its inception, Andrew

Doherty has managed the Town of Rye official website. Indeed, he created it. The time he has voluntarily devoted to this task is immeasurable.

Recently, Drew indicated that it was time for him to pass this responsibility on. We thank him and are grateful for his week-in and week-out dedication to our town.

We are currently in discussion with Custom Website Design and Development to employ them to create what they term Virtual Town Hall. No decision has been made yet. Budget constraints require deliberation; but we hope to have a transition plan in place soon.

### Congratulations

**Capital Improvements Plan Completed:** Martin Klenke, Chairman of the Capital Improvements Program 2009 revision, presented the completed document to the BOS on July 27. Although not binding, the Plan represents the anticipated capital needs and current status of each by department at this point in time. Martin also discussed maintenance as opposed to initial cost of capital items as well as the need to include town buildings in the Plan with thought given to major renovation and repairs. Interim Town Administrator Mike Farrell, having worked in numerous New Hampshire towns, summed up the reaction by stating, "This is the best Capital Improvements Plan that I have seen." It is a job well done and available for viewing on the Rye website.

**Farmers Market a Huge Success:** The Farmers Market, brainchild of our enthusiastic Energy Committee and its Rye Eats Local campaign, is bringing fresh, local produce to eager consumers. Word spread quickly that the parking lot next to the Congregational Church in Rye Center is the place to be on Wednesday afternoons.

Also in conjunction with the Rye Eats Local project, the Energy

## Town Clerk's Notes

(Continued from page 1)

the road. Cars and light pickup trucks increased \$30 to \$45 each year, depending on the weight. For heavy trucks the increase is even higher. Motorcycles and trailers have gone up \$5 to \$10 each. In addition, expect to pay more for certified copies of registrations, vanity plates, and transfers.

For those of you who pay sewer bills, you will have noticed the new billing format now being used for them. Hopefully, you'll find them easier to read and understand. The single-page bill is more economical to produce, thus saving your tax dollars. If we receive our 2009 tax rate in a timely manner, you can expect your real estate tax bill by the end of October. They would then be due on December 1.

**This office will be closed on Thursday, September 10, to allow for staff training. The office will reopen on Friday, September 11 at 8 a.m.**

Elizabeth M. Yeaton  
Town Clerk/Tax Collector



Farmer's Market

Committee has encouraged home gardens. Documentation and celebration of the success of this campaign will be enjoyed when paintings and photographs inspired by the gardens, the creations of artists currently and literally in the field, are put on display at a gala art show opening October first at the Rye Public Library. See you there.

Priscilla Jenness, Chairman  
Joe Mills, Vice Chairman



## Rye Farmer's Market

(Continued from page 1)

There are six Rye women who have formed The Rye Bakers Co-op. They have wonderful baked goods including cookies, bars, and breads. Buzz Bomb World Spice bakes delicious gluten-free goodies.

Yet another food group represented at the market is protein. The most popular protein item is fresh eggs from several Rye families with backyard chickens. Sea View Farm has buffalo meat from their farm on Brackett Road. Hickory Nut Farm from Lee sells wonderful goat cheese and goat milk soap, while Silvery Moon Creamery of Westbrook Maine sells a delicious assortment of cheeses, yogurt, and crème fraiche. Peter Allen of Newington and Yellow House Farm from Barrington bring their poultry.

What would the Rye Farmer's Market be without seafood! The market is pleased to have a variety of specialties from Rye Harbor Lobster, Seaport Fish, and Eastman Fish. Rye Harbor Lobster provides award winning chowder and lobster bisque, and makes delicious lobster rolls to order. You can buy fresh fish and fish tacos from Seaport Fish. If you are interested in boat to market (and who isn't), Eastman Fish from Seabrook sells fish caught that day from one of Rye's own fishing boats, *The Rimrack*.

Music at the market is provided by a talented group of musicians. We would like to thank Skip Brunette, Drew Zseliga, and Chris O'Neill for providing entertainment at the market.

Along that line, we also wish to thank Lisa Houle from the Rye Public Library, as well as Pat Ritter and Jeannie Russell for sharing their time with the children who come to the market.

The mission of the Rye Farmer's Market is to provide local foods, rejuvenate Rye's agricultural heritage and foster a sense of community.

Our aim is to provide the community with fresh local foods for their families—from our table to yours.

See you at the Rye Farmer's Market!

Jaci Grote, for the Rye Farmer's Market Committee

## Police Department Reminders and Call to Action

**SCHOOL OPENS: School reopens on September 1.** Please be aware of children riding their bikes and walking to and from school. During the hours of 7:45 a.m. and 2:45 p.m., driver's speed must not exceed 20 mph while traveling through school zones. It would be greatly appreciated if parents who drop off and pick up their children at the Junior High, drive past the school, turn around at Grange Park then enter the school parking lot. This will enable the morning and afternoon commutes to continue moving without creating a traffic jam. In addition, please check to make sure your child has his or her seat belt buckled. For your child's safety, we ask that you remind your child to remove his or her backpack before he or she attempts to buckle up.

**BICYCLES:** As a reminder, children under the age of 16 are required by state law (RSA 265:144-10) to wear a helmet at all times. Please make sure your child is wearing his or her helmet. If you do not have one, the police department has spare helmets.

**DEER CROSSING:** During this time of year, deer are on the move. There are several herds in town and they cross the roads frequently. **Please use caution when traveling through town.** Hitting a deer may damage your vehicle, seriously injure the deer, and most importantly, cause severe

injuries to you and/or your passengers.

**DOGS:** Please remember the ordinance for dogs on the beach is in effect until September 12. Police officers have picked up multiple dogs running and walking in the street. We are concerned for their safety and remind you to keep your dog under control and/or secure on your property. Always have your dog licensed and pick up after him or her. When an officer picks up a dog with no license or owner-information tag, the officer is unable to notify the owner and must take the dog to the kennel.

### LOCKING YOUR DOORS AND SETTING YOUR ALARMS:

Sergeant Peirce recently had an interview with a burglary suspect. The suspect pled guilty and offered information regarding how and why he would break into a home or business. The burglary suspect stated he would forgo a home or business with locked doors, windows, or an alarm system that is activated. He stated that these locations would take too long to burglarize and greatly increased his chance of getting caught.

**A CALL TO ACTION:** Rye Police Officers need your help. **Please call 964-5521 if you hear or see anything unusual.** As we investigate crimes, community members are informing us days later about incidents that have occurred in their neighborhoods. Please note: 964-5521 rings 24 hours a day, 7 days a week at the Rockingham County Sheriffs Department Dispatch Center. If you have a concern, please tell the dispatcher and he/she will notify a police officer who will respond to your location. We look forward to your call. It maybe the one piece of information we need to solve a crime. **Remember . . . In case of an emergency, always call 911!**

Thank you for your continued support.

Kevin Walsh  
Chief of Police



Farmer's Market

## Rye Senior SERVE Volunteers Continue to Help Rye Seniors

Volunteers are ready and willing to offer you some help at home.

### Do you need?

- A ride to a medical appointment
- Someone to run an errand
- Someone to do light housekeeping while you recover from an illness
- Assistance with yard work
- Someone to cook and deliver a meal
- Someone to offer companionship to someone house-bound

### Rye Senior SERVE also provides:

- Weekly shopping trips to the Market Basket in our van on Tuesday mornings
- Daily telephone calls each morn-

ing for a wellness check if you live alone

- Ride to the Rye Public Library in the van every Monday afternoon
- Monthly luncheon trips with your senior neighbors
- Pleasure trips with a group of friends
- Theater Trips to the Seacoast Repertory Theater

Rye Senior SERVE volunteers are here to help their neighbors. We will do our best to match your request with a volunteer. Please call 964-1728 for information

Margaret Carroll  
President, Rye Senior SERVE

---

## Assessing Department Discusses Exemptions

The staff of the assessing office would like to extend its appreciation to residents who are beneficiaries of elderly and/or war service exemptions. Although both credits are applied to local real estate taxation, it is the responsibility of the State of New Hampshire Department of Revenue Administration (DRA) to ensure compliance with the requirements necessary to qualify. To that end, the DRA mandates that the status of the recipients must be updated and verified once every five years.

To that end, the assessing office has been mailing out forms to all who had qualified in past years. The purpose is to ensure that such residents continue to qualify in the event there may have been a change during that five-year interval. For example, if a person who had received an honorable discharge from military service during a period of war has since passed away, the surviving spouse is entitled to the same monetary benefit as the veteran.

Similarly, when a resident over age 65 who had met the asset and income limitation required to qualify for an elderly exemption has deceased, the surviving spouse may be eligible for the same remuneration. We in this office are grateful for your response to the letters. It has been gratifying for us to be able to help persons who may not have been aware of the entitlements just cited or any other circumstance that might keep the exemption in place.

On the subject of five-year intervals, the year 2010 marks that period of time since the previous town-wide update of property assessments. Despite the downfall of the real estate market, we have been fortunate that Rye has not been as severely impacted as other parts of the nation.

For information or inquires regarding exemptions or valuations, please call 603-964-5523.

Howard Promer, CNHA, Assessor  
Joanne Drewniak, Clerk

## RYE WATER DISTRICT NEWS

**Meetings.** The District's meetings will now be held on Wednesdays at 9 a.m., beginning September 2. The first Wednesday of each month is our formal monthly meeting; all subsequent Wednesdays are reserved for our weekly work sessions. All are open to the public at 60 Sagamore Road.

**Tank Renovation.** The maintenance and interior/exterior painting of the Breakfast Hill water tank is complete. The distribution system in West Rye is back to normal.

**Central Treatment Plant.** Wright-Pierce, our engineering firm, has begun their work in designing a proposed central water treatment and distribution plant.

**Fall Flushing.** The semiannual maintenance of flushing the water mains is expected to begin at the end of September through October. This is done to reduce any sediment that may collect in the mains and valves. A notice of flushing dates and times will be published in the Portsmouth Herald before flushing begins.

**No Hunting Signs.** The District's well site property is posted with "No Trespassing" and "No Hunting" signs in order to protect our equipment that provides you with water. Enjoy the hunting season, but please do it responsibly.

Rye Water District  
Commissioners

**NOTICE TO ALL GHOSTS,  
GOBLINS, AND SPIDERMEN:**

**HALLOWEEN**

**"Trick or Treating" in Rye is  
on FRIDAY, OCTOBER 30,**

**5 to 7 p.m.**

# Building Inspector: Septic Systems 101

Our aquifers (ground water), and surface water entering our marshes and oceans, need to be kept clean of contaminants threatening our drinking water supply and recreation on the beach. As a community, we all need to start with our private properties and ensure the proper functioning of our septic systems, a major pollutant of ground water.

All septic systems have a “life” and will eventually fail. If your soils are excellent, you are a seasonal user, and/or are careful of the water usage (no garbage disposals, ejector pumps, Jacuzzis, long showers, excessive washing, large tubs, . . .), you may get 20 years or more. It is imperative to be mindful of what and how much, goes down the drain.

The State starting permitting septic system designs and inspecting them in the mid-70s. If you do not have a State approved septic system, you can bet you are on borrowed time, unless you or a previous owner had replaced the septic system. The Building Department has septic system designs for most properties. Call us or stop in to see if we have your design.

A failed septic system can contaminate the ground water quickly, and potentially contaminate the streams, wells, and marshes flowing into the ocean. The marshes and ocean have been sampled this summer, and excessive levels of indicator contaminants have been found.

We suggest that you take proper care of your system, and if it does fail, understand the regulations to replace the system. The regulations have changed, and many homeowners are unaware that the process is involved and may need a new design. Also, any expansion of living space beyond your existing home also requires a new septic system design approved by the State. The design is based on bedrooms, not bathrooms, but the State requires any changes to the original design and design intent to be reevaluated.

The Town requires that our septic

consultant witness the test pits and review the plans for compliance to the more restrictive town regulations. The forms to schedule this can be obtained online or in the office.

Here are some highlights to help you avoid costly mistakes later:

## Care and Maintenance of your Septic System

- Inspect your tank annually and pump as needed (at least every three years)
- Do not flush bulky items down the toilet
- Do not flush toxic material such as paint thinner, pesticides, or chlorine into your system. These chemicals may kill the bacteria that are essential to the system operating properly
- Repair leaking fixtures immediately
- Be conservative with your water usage and use water-reducing fixtures where possible
- Keep deep-rooted trees and shrubs from growing on your leaching area
- Keep heavy vehicles from driving or parking on your leaching area

## Replacement of a Failed Septic System

The regulations require that a replacement system be designed by a licensed designer and that you obtain approvals from the State unless certain criteria are met. Tanks can be replaced of the same or larger size. Leach fields for commercial properties must always obtain a new design for failure or any expansions. If you do not meet the criteria that exempt you from a new design, the following must happen:

- Health Officer/Building Inspector must inspect the system and prepare a written statement verifying the system is in failure. This letter must accompany the replacement design.
- You have 90-days to install the approved replacement system.

- If there are circumstances preventing you from replacing your system within 90 days, you can request an extension. The DES will grant one 90-day extension.

## Clarification of DES Requirements for New Construction and Expansion of Existing Structures

In February 2008, a new administrative rule was passed that requires a new septic system design be approved by the DES for any expansions, even if the expansion did not include increased loading (bedrooms). This is a topic that confuses homeowners and contractors alike. If any of the following exist, a new design is required:

- New House (even if an existing house was demolished or burned);
- Increased footprint;
- Increased living space (you can reconfigure existing space but cannot change living spaces, e.g. finishing off the basement or attic or over the garage for increased living space); and
- Any changes in use (increased bedrooms, apartment, residential to commercial/business).

If you are **selling a house that is within 200 ft. of the reference line of fresh water body, coastal waters, or a river**, you must obtain a *Site Assessment Study* prepared by a DES-permitted septic system designer that the seller pays for.

In addition, if you are constructing basement bathroom, you need to comply with additional rules. An ejector pump into your septic tank is a detriment to the proper efficiency of your system and premature failure could occur. An additional tank may be required, or a new system designed to accommodate the lower-level bathroom.

As always, we are here to help and assist you through the maze of regulations.

Susan Labrie  
Building Inspector

# Fall Programs at the Rye Public Library

Rye Public Library, 581 Washington Road Rye, NH 03870 • 603-964-8401 • [www.ryepubliclibrary.org](http://www.ryepubliclibrary.org)

On August 12 we celebrated the conclusion of our summer reading program, "All Paths Lead to the Library" with an ice cream social and concert with local favorites, Ben Baldwin and Kent Allyn. A raffle was held for 166 patrons who participated in our program. We would like to thank the local businesses that donated prizes for the event: Elizabeth Grady, The Uncle Oscar, Rye Ridge, Seaport Fish, Christine's Crossing, The Carriage House, the Rye Farmer's Market, and librarians, Juliette Doherty and Lisa Houde. In addition, many thanks to the Rye Energy Committee and the Rye Historical Society for their partnership in our summer programming.

Rye Public Library is happy to announce the appointment of Sharon Foster as our new Technology Librarian. Sharon received her Master of Library Science in May from Southern Connecticut State University and has a law degree from the University of Connecticut School of Law. Sharon was formerly a software engineer and worked in public libraries in Connecticut. Please stop by to say hello and introduce yourself!

Gwen Putman-Bailey

## Adult Book Discussion

Third Tuesday of each month at 7 p.m.

- 9/15 *The Age of Innocence* by Edith Wharton
- 10/20 *People of the Book* by Geraldine Brooks
- 11/17 *The Great Man* by Kate Christensen

## Movies Showings at the Rye Public Library

Every Wednesday at 1 p.m. Free and open to the public

- 9/9 *Flash of Genius*
- 9/16 *Frost/Nixon*
- 9/23 *Nights in Rodanthe*
- 9/30 *The Changeling*
- 10/7 *Revolutionary Road*
- 10/14 *Last Chance Harvey*
- 10/21 *Grey Gardens*
- 10/28 *Gran Torino*
- 11/2 *I've Loved You So Long*
- 11/18 *Brick Lane*

## Job Networking Meetings:

Every Monday from 10–11:30 a.m. in the Community Meeting Room. Join fellow job seekers for informational discussions of employment search strategies and networking. Learn about available library resources to support your search.

## Compass Care Health Clinic

Fourth Tuesdays from 1–3 p.m.  
9/22, 10/27, 11/24

## Military Book Discussions

First Thursday of each month at 6:30 p.m.

## Knitting with Mary Smith

Resumes on 9/9 by the fireplace at 10 a.m. every Wednesday. (Many thanks to Pam Anthony for her summer knitting instruction while Mary was out at the Isles of Shoals!)

**Monday afternoon senior visits** to the library with pick up by the Rye Senior SERVE van. Please call the library if interested in joining the group! *Sponsored by Friends of the Rye Public Library*

**Writers of the on-line publication *Rye Reflections*** meet at the Library on Thursdays at 1 p.m. Editor Jack Driscoll extends an invitation to others who may be interested in being part of this group. Come join them!

**Discounted Museum Passes** *Donated by the Friends of the Rye Public Library*

Museum of Fine Arts, Boston  
Museum of Science, Boston  
Isabella Stewart Gardner Museum, Boston  
Museum of Art, Portland, Maine  
Peabody Essex Museum, Salem, MA  
Strawbery Banke, Portsmouth  
Childrens Museum, Dover  
Seacoast Science Center, Rye  
Historical New England  
Currier Museum of Art, Manchester

## New Fall Programs:

9/10 at 7 p.m. Sue Reynolds and the Rye Historical Society will present a history of fishing in Rye Harbor.

9/24 at 6:30 p.m. Nancy Briggs Guilmette, Owner of C'est Cheese, will host an informative talk on cheese and share samples from her shop in North Hampton. Please join us!

## FRIENDS OF THE RYE PUBLIC LIBRARY

Meetings on the second Tuesday of every month at 6 p.m. New members welcome!

Yearly membership drive will begin in September. Watch for the flyer in your mailbox!

## New fall programs scheduled by the Friends include:

**10/8 at 7 p.m.** Susan Tuveson, Portsmouth Public Radio Talk Show Host and Owner of Cacao Chocolates will share her passion for the Opera. This talk will precede the Music Hall's opening production of Tosca.

**11/12 at 7 p.m.** Richard Schubart, Bates-Russell professor and former chairman of the history dept. at Phillips Exeter Academy will present a talk on Abraham Lincoln.

All programs are free and open to the public!



# Fall Programs at the Rye Public Library

## Art Reception:

**9/3** 6 p.m. Leann Wiley and her students. Ms. Wiley is an art teacher at the Coolidge Center for the Arts in Portsmouth. Art will be displayed for the month of September.

**10/1** 6 p.m. Rye Energy Committee—Home Grown Project: Mixed media show of local gardens by area artists. Art will be displayed for the month of October.

**TBA** 6 p.m. Mary Vermeersch and her students. Art display in November and December.

## Call for Art for the Community Meeting Room:

Artists are invited to participate in the next art display sponsored by the Library's Fine Art Committee. Drop off beginning Oct. 1. Call the library this fall for details or check our website: [www.ryepubliclibrary.org](http://www.ryepubliclibrary.org)

## Fall Computer Classes at your library

Individual Tutorials with our Technology Librarian are available by appointment.

Lectures: Introduction to Email • Downloadable Audiobooks • "Free" Software

Dates and times to be announced this fall.

## Fall 2009 Youth Department Programs

[www.ryepubliclibrary.org](http://www.ryepubliclibrary.org)

### Friday Flicks

Second and fourth Fridays of the Month 3:10 p.m.

This fun way to start the weekend returns this fall! Movies begin at 3:10 in the Community Meeting Room, popcorn and drinks included!

First film shown: Sept 11 *Race to Witch Mountain* rated PG / 99 minutes

**PLEASE NOTE:** Occasionally a film will be longer than our 5 p.m. closing time, so be sure to arrange rides accordingly. Check the library website for other featured films.

**Garden Club** Meets All Year 'Round—in all weather! Second Tuesdays of the month 3:30 – 5 p.m.

Pat Ritter of Nature's Wonder continues offering her time and energy to work with families in our beautiful children's garden. Each month will be featured some planting, garden maintenance, special nature projects, and the chance for your young ones to become botanists! Projects include making a journal to track garden progress or painting a birdhouse—among others! Sign up is required: 964-8401.

### YAttitudes Book Discussion Group

Fourth Tuesdays of the month at 7 p.m.

This dynamic group of young people meets monthly to discuss a particular book. Join us! We always have snacks

and an exciting discussion! Check with the library for meeting dates and titles of books which will also be available on our website soon!!

## Story Time for Preschool-Aged Children

Wednesdays at 11 a.m.

Please join Margaret and Lisa for story time! These engaging story times include finger plays, songs, stories, a craft, and FUN!! No sign-up is required. Guest readers may appear, so don't miss a single Wednesday! October story time features a costume parade through the library!

## Y-LA stands for Youth Library Advocates

Dates and times to be announced.

This Youth Advisory Board meets monthly to assist the library with collection development, planning of programs, and will often be present to help with programs. If you'd like community service hours or just want to have fun helping the library (and eating snacks)—join us! Call Lisa at 964-8401.

## Teen and Youth Knitting with Pam Anthony

First and third Fridays of the month 3–4:30

Make a project of your own, or help us knit squares for dog blankets. The dogs at the SPCA will thank you! Statistics show that if there is a blanket in the dog's kennel, he or she is 50 percent more likely to be adopted. Let's help the dogs find families!! Pam Anthony will be on hand to help you learn to knit, or to help sharpen your skills if you have knitting experience. No sign-up required—just drop in!

## Lego Mania Wednesdays

First and third Wednesdays of the month 3:30–4:30

All ages are welcome to create fun Lego structures each Wednesday afternoon. We'll be offering a "challenge" each session, but you can make whatever you want! We supply the Legos, and there is no sign-up required!

## Teen Beading Euphoria

Check for Upcoming Dates on Website!

Grades 5–12: please join Lisa for an evening of beading. Projects may include making earrings, bracelets, necklaces or other beaded jewelry. Bring your own supplies (supply lists are provided) and make something fun! Sign-up is required.

## Pumpkin Carving for All Ages

October 27: 5:30–7:00 p.m.

Get ready for Halloween right here! Bring your own pumpkin and carving tool and we'll all have fun creating scary faces. There is a line-up and photos of lit pumpkins when everyone is done.

## Fire Chief Discusses Emergency Electrical Generator Safety

Following last December's devastating ice storm, many residents have either had electrical generators installed professionally on their property or have purchased portable generators to use during a power failure event. The Rye Fire and Rescue Department wants to ensure that these generators are being used properly during periods of commercial power outages. Accidental fires from improper refueling methods and improper wiring methods and carbon monoxide poisoning from exhaust can cause severe injuries or death to citizens. In addition, utility company linemen attempting to restore commercial power to the area can be injured or killed if the generator is not installed properly. For additional safety tips or in on site inspection, please contact the Fire Prevention Office at 964-6411.

### Portable Generators

Portable generators should be placed 10 feet from any structure with the exhaust facing away from the building openings. Deadly exhaust fumes can enter the building through any opening and can result in severe injury or death to unsuspecting occupants.

**Never** place portable generators on or near combustible surfaces such as decks, porches, or tool sheds. Heat generated by the motor or improper refueling can result in a fire.

**Never** run portable generators inside any building including basement areas and garages. Deadly levels of carbon monoxide can build up in minutes, affecting occupants with little or no warning.

**Allow** plenty of time for the generator to cool before refueling. Gasoline vapors can easily ignite from hot surfaces, causing a flash fire and possible burn injuries.

**Always** store gasoline in approved containers a safe distance from generators while in use. Always store gasoline in approved containers in a well-ventilated storage area. Never store gasoline products in basements or

other enclosed areas of your dwelling.

**Never** modify or construct any power cord so that a generator can be permanently connected to a receptacle, clothes dryer, or range outlet.

**Never** connect a generator to an electrical panel without a means to prevent inadvertent connection to the normal power supply system wiring. Connecting a generator directly to an electrical outlet or a panel without a transfer switch or other interlocking device could result in the generator "back-feeding" into the building's electrical system and causing a fire. It could also back-feed through the electric meter, thereby injuring linemen trying to repair the lines or an electrician working on a neighbor's electric system.

*Unless you are the owner of and the occupant of a single-family residence, a license is required to perform the electrical installation. In all cases, the installation must meet the minimum requirements of the National Electrical Code (NFPA 70-2008)*

### Stationary Generator Installations

In many cases, property owners have chosen to install a stationary generator. In addition to the above mentioned items, stationary generators used for an alternate source of power require additional considerations. Along with the National Electrical Code, NFPA 37 and NFPA 54, owners must meet the standards for stationary combustion engines and the National Fuel Gas Code.

Permits from both the Rye building department and the Rye fire prevention office are required prior to starting such an installation.

Fall is fast approaching and winter won't be far behind that. Let's hope that the generators we purchased or had installed will not be needed all winter. If they are needed, let's all be careful and make sure that they are operated in a safe manner. During the ice storm, we had a couple of close calls with residents

## Recreation Department Hires New Program Director

Peter Sawtell was recently hired to fulfill the position of Recreation Programs Director for the Recreation Department. He grew up in Durham, NH and graduated from Oyster River



Peter Sawtell

High School. He has a Bachelors Degree of Science in Outdoor Education with a focus in Elementary Education

from the University of New Hampshire and Associates Degree of Science in Outdoor Recreation Leadership from Colorado Mountain College.

During his time in school he spent his summers as a sea kayaking guide and working with children. He has worked for Live and Learn Early Learning Center for the past nine years, where he has worked toward building community in the classroom and with the staff. He is now eager to start his new position and looks forward to meeting the families of Rye, in particular, sharing his love of the outdoors with program participants.

Peter and his wife Alicia are now sharing their life with their four-month-old daughter Aurora in their new home on the Lamprey River in Newmarket.

Rye Recreation Department

---

suffering from carbon monoxide poisoning due to the improper operation of a portable generator.

As always, the members of the Rye Fire and Rescue look forward to serving you in your need. Please don't hesitate to call upon us.

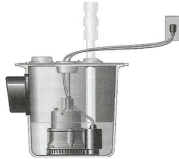
William (Skip) Sullivan  
Chief, Rye Fire and Rescue

# Managing Our Sewer System

## Sump Pumps

Our sewer system is designed to send sewage to the wastewater treatment plant; however, these sewer pipes are not large enough to handle groundwater. When excess water enters the sewer system there is the potential for the sewers to fill to where the raw sewage can exit the sewers and cause backups into the streets and people's homes or flow directly into ditches and streams. The sewage introduces potentially harmful bacteria and viruses into the environment.

High flows in a sewerage system can be caused by a number of factors. Some of these include flows directed to the sewers, in many cases caused by sump pumps. A sump pump is designed to collect groundwater that seeps through basement walls and foundations. *Discharge of groundwater from a sump pump into the public sewer is prohibited by the Town of Rye Sewer Use Ordinance 500.*



### How to Correct This Problem

1. Determine what your sump pump collects and where it outlets. If your sump pump collects any wastewater, such as from your washer or sink, contact the Town for further instructions. If only groundwater enters the pump, follow the instructions given below.
2. Redirect the pipe leaving your sump pump to the outside, possibly through a basement window. Replace the closest basement windowpane with a piece of plywood, sheet metal, etc. Cut a hole to match the size of the outlet pipe. Run the pipe through the hole and caulk any gaps between the pipe and the opening.
3. If no basement window exists, or is too far from the sump pump, drill a hole through the sill of the building (the vertical wood piece that sits on

top of the foundation wall). Outlet the pipe through this opening, and caulk any gaps between the pipe and the opening.

4. Extend the outlet pipe as far away from your house as possible to direct water away from your building and windows. You may want to place a concrete or plastic splash pad at the end of the downspout outlet to prevent erosion. Avoid directing runoff across public sidewalks, walkways, or other properties.

Once corrected, the outlet pipe of your sump pump will exit your building, draining onto your property.

### Other Creative Solutions

For those property owners interested in taking this project a step further or if there is no feasible area to discharge the groundwater, we offer these creative solutions.

- Store the water in a trough and use it to water flower boxes and/or vegetable gardens.
- You might also try storing the water in an underground tank fitted with a pump or leaching field to slowly introduce the water back into the ground.
- Your land may be suited for an underground dry well (French drain), a large gravel area that holds the excess water until it can be absorbed into the surrounding soil.
- You might choose to redirect the water by building a stone ditch leading to a flower bed or vegetable garden.
- Not a gardener? Create a small pond, being sure to allow for overflow in the construction, or redirect the water to a natural drainage area.

Rye Sewer Commission

## Library Photos



Long-time volunteers, Irene Maskwa and Marjorie Little, were feted at the Library.



Kailey Hutchinson wins a prize for her summer reading at the Library.

## Home Grown—The Backyard Project Gala Opening Oct. 1

As a follow-up to last year's popular Wash Day Project sponsored by the Rye Energy Committee and the Seacoast Science Center, we are pleased to announce that more than 30 households and a dozen artists are participating in the Rye Energy and Rye Library's 2009 summer initiative: Home Grown: The Backyard Provision Garden. Artists are in Rye painting and photographing gardens that are being tended by more than 30 households.

The gardeners are battling the critters, the blights, and the rains, but prevailing in most cases! Since each meal we eat travels approximately 1500 miles to get to our plate, imagine how much carbon these Rye residents are saving by growing some of their own food.

**Mark your calendars for the Gala Opening and Reception of the Home Grown art show at the Rye public Library Oct. 1.**

The Rye Energy Committee

## Notes From the Beach

The June rains brought a cold, damp start to the 2009 beach season. The lifeguard crew was often sent home amid pouring rains with nothing but vacant beaches to protect. Moral was ebbing with frequent showers lingering deep into July. The Town's new supervisor, Michelle Sazehn, did a great job playing meteorologist, drill instructor, and camp councilor to keep the guards ready and able. Eventually, the sun shone and the bathers, surfers, and castle builders returned.

The season has been relatively uneventful with few exceptions. One such case found three of our guards, Jane Tighe, Jeff Theodosopoulos, and Brenna Walsh helpful in reuniting a missing eleven-year-old girl with her father at Jenness Beach after a traumatic search. Great job guys! In another instance, Molly Maloney kept beachgoers from swarming bees while posted at Sawyer's Beach. Hard work and vigilance on the part of our crew help to make for an uneventful season, which in our department is a good thing.

I am pleased to say that I have seen great improvement this season in the adherence to town beach rules, in particular, to dog rules. I am seeing most people picking up after their pets. I am seeing people paying more attention to their dog's activities and in being prepared with a bag in pocket. I feel that the new signage has been a very good tool in addition to a greater awareness by the public overall that things are different now, that people are watching, and that picking up is the right thing to do. There is still room for improvement, there are still those who either don't know the rules, or who don't care. Like the woman who claimed that she didn't have any idea whose dog it was that had followed her closely down the beach and back leaving treats along the way, until it was suggested the dog must be lost and the police should be called. "Oh, that dog, why that's my dog." She said as

## SafeRoutes

National Center for Safe Routes to School



To recap our May activities:

The second annual Bike Rodeo was held on May 9 and plans are in the works to hold it each year on the second Saturday of May. We'll be



ready with more information on this in the next few months.

The NH Green Week kickoff on May 16 was held on a warm, dry day and Brownie Troop 2241 had a lot of fun walking to school. Many others



joined them walking and biking on that same day. It was great to hear about all the children and parents who continued throughout the week.

Just before the end of the 2009 school year, The Rye Safe Routes to School Committee, with the assistance of the Rockingham Planning Commission, completed the Comprehensive Travel Plan. Thank you to all who participated in the surveys and visioning forum to assist us in the development of this plan and to the Committee and Scott

she gathered him and left the beach empty-handed. I am glad that these are the exceptions, not the rule now.

Michael Labrie

Chairman, Rye Beach Commission

**It is hard to believe it is time to start another school year and just when the weather was starting to be agreeable!**

Bogle from RPC. A copy of the Plan is on the Town Website <http://www.town.rye.nh.us/>. This Plan will be used for the next round of funding through the NHDOT to apply for funds to improve the walking/biking routes for Rye by extending the travel lanes on the roads between the schools and neighborhoods.

In addition to the Travel Plan, there is a new flier telling what "Safe Routes" means and how it applies to our community. It was developed with the assistance of Chris Hamer from Brown and Company and is available in Town Hall and on the Town Website

The next big event, International Walk to School Day, is scheduled for Wednesday, October 7, 2009. This will be our second year participating and we are looking to exceed last year's participation. We hope to be joined by teachers, parents and professionals in the community walking and biking to school and work on that day. Look for more information once school starts and meeting designations are coordinated. This information will be available online, PTA and school.

Kimberly Reed  
Planning Administrator





# Town of Rye Board Meetings

## September 2009

Sunday      Monday      Tuesday      Wednesday      Thursday      Friday      Saturday

Selectmen's meetings are held in the Rye Town Hall Courtroom (first floor), 10 Central Road. Other board meetings are also held at Rye Town Hall, 10 Central Rd., unless otherwise noted. Because meeting schedules are subject to change, check the bulletin board at Town Hall for up-to-date information.

		1	2 3:30 pm Rye Water District 60 Sagamore 7 pm Zoning Board of Adjustment	3	4	5
6	7 Labor Day Town offices closed	8 9 am Sewer Com 6:30 pm Board of Selectmen at Library 7 pm Planning Board	9	10 Town Clerk's Office closed today	11	12
13	14	15	16 6 pm School Board Rye Junior High	17 7 pm Conservation Commission	18	19 Rosh Hashanah
20	21 6:30 pm Board of Selectmen	22 First day of Autumn	23	24	25	26
27	28 Yom Kippur	29 7 pm Technical Review Committee	30	October 2009		
4	5 Board of Selectmen 6:30 pm	6	7 3:30 pm Rye Water District 60 Sagamore 7 pm Zoning Board of Adjustment	8	9	10
11	12 Columbus Day Town offices closed	13 9 am Sewer Commission 7 pm Planning Board	14	15 7 pm Conservation Commission	16	17
18	19 6:30 pm Board of Selectmen	20	21 6 pm School Board Rye Junior High	22	23	24
25	26	27 7 pm Technical Review Committee	28	29	30 Trick or Treat in Rye 5-7 pm	31 Halloween

## November 2009

1	2 6:30 pm Board of Selectmen	3	4 3:30 pm Rye Water District 60 Sagamore 7 pm Zoning Board of Adjustment	5	6	7
8	9	10 9 am Sewer Commission 7 pm Planning Board	11 Veterans Day Town offices closed	12	13	14
15	16 6:30 pm Board of Selectmen	17	18 6 pm School Board Rye Junior High	19 7 pm Conservation Commission	20	21
22	23 Board of Selectmen 6:30 pm	24 7 pm Technical Review Committee	25	26 Thanksgiving Town offices closed	27 Town offices closed	28
29	30					

Library Trustees, first Thursday of the month  
5:30 pm at the Library

Additional Civic Meetings: Rye Lions Club, first Wednesday every month, 7 pm at the Rye Library  
Friends of the Library, second Tuesday every month, 7 pm at the Library



**Rye Historical Society  
Teams with Rye Public  
Library to Announce a  
Special Program  
"Fish Tales of Rye  
Harbor"**

This special program sponsored by the Rye Historical Society (RHS) and the Rye Library will be held in the Rye Library meeting room on Thursday, September 10 at 7 p.m. It will feature Rye fisherman Mike Anderson and "Uncle Oscar"'s Sue Reynolds. Mike and Sue will describe the different techniques fishermen use and tell some "sea stories." Stories from the audience will be very welcome! This program is free and open to the public. Refreshments will be served.

For those who want to come early before "Fish Tales," the Rye Town Museum (next to the library) will open early on September 10 at 6 p.m. with its new exhibit, "Rye on the Rocks."

The Rye Historical Society's

**THE RYE LIONS CLUB  
26TH ANNUAL CAR SHOW**



**Sunday, September 20, 2009  
Parsons Field**

Registration: 8 a.m. to 11 a.m.

Trophies awarded at 2:00 p.m.

Car entries: \$10 • Spectators: \$3 • Kids under 12: Free

***Great food! Entertainment!***  
(Rain date, Sunday, September 27)

November 10 program will relate to the history of farming in Rye and prospects for a revival of agriculture in the town.

Regular hours of the museum are  
Saturday 10–2 and Wednesday 2–5.

Alex Herlihy, Chairman  
Rye Historical Society

Visit the Town Web site  
<http://www.town.rye.nh.us/>  
for news and up-to-date  
information about the  
Town, including meeting  
notices, agendas, and  
minutes.

---

Town of Rye  
Rye, NH 03870

Bulk rate  
US Postage  
**PAID**  
Permit No. 10  
Rye, NH 03870

**POSTAL PATRON  
RYE, NH 03870**