

**TOWN OF RYE – BOARD OF SELECTMEN**  
**Monday, March 23, 2020**  
**6:30 p.m. – Rye Town Hall**

*Attending the meeting through Zoom: Chair Phil Winslow, Vice-Chair Keriann Roman and Selectman Bill Epperson*

*Staff Present for Meeting at Town Hall: Town Administrator Becky Bergeron, Police Chief Kevin Walsh, Recreation Director Lee Arthur and Public Works Director Dennis McCarthy*

**6:30 p.m.**

**I. CALL TO ORDER**

**II. NON-PUBLIC SESSION (1) per RSA 91-A:3, II (c) Reputation  
(2) per RSA 91-A:3, II (a) Personnel**

At 6:47 p.m., Keriann Roman made a motion to go into Non-Public Session per RSA 91-A:3, II (c) Reputation. Seconded by Bill Epperson. Roll Call: Winslow – Yes, Roman – Yes, Epperson – Yes.

At 7:00 p.m., Keriann Roman made a motion to come out of Non-Public Session. Seconded by Bill Epperson. Roll Call: Winslow – Yes, Roman – Yes, Epperson – Yes.

At 7:01 p.m., Keriann Roman made a motion to go into Non-Public Session per RSA 91-A:3, II (a) Personnel. Seconded by Bill Epperson. Roll Call: Winslow – Yes, Roman – Yes, Epperson – Yes.

At 7:16 p.m., Keriann Roman made a motion to come out of Non-Public Session. Seconded by Bill Epperson. Roll Call: Winslow – Yes, Roman – Yes, Epperson – Yes.

**7:00 p.m. RECONVENE PUBLIC MEETING**

**III. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Chair Winslow called the meeting to order through video conferencing at 7:25 p.m. and led the Pledge of Allegiance.

**IV. ANNOUNCEMENTS**

- Chair Winslow noted a change in the posted agenda to address 'Discussion Item A' right after Public Comment.

V. **PUBLIC COMMENT** – The public is strongly encouraged to stay home. You can either watch the Live Stream or participate in Zoom. The ZOOM ID is 490-867-9230. Public Comment will still be limited to 5 minutes per person.

**Steven Borne, 431 Wallis Road**, noted there were about 32 people who are watching the meeting on Zoom. This shows that a lot of people are watching the meetings on Live Stream or they are in attendance to talk about access to the beaches. The Rye Civic League has received texts and emails from people who want to be sure they will still be able to walk on the beach. In regards to Mr. Joyce's point about appointing alternates and new members to commissions, this got him thinking that it may be a time for a process change for better communication and organization of which positions are open and creating more visibility going into this next year. **Larry Rocha, 39 Perkins Road**, wondered if any thought has been given to the number of Air BnB's and rentals that the Town has and whether there will be any restrictions. He has seen several places overloaded with people.

Referring to the question of whether or not the beaches will stay open, **Brian Reaney, 691 Brackett Road**, asked if it could be made clear what is actually being debated; such as, what a timeline would be and what it would actually look like.

Chair Winslow noted that public comments will be introduced into the subject matter going forward where appropriate. The beaches will be discussed right after 'Public Comment'.

**Bob Glowacky, 22 Pine Street**, introduced himself as a new resident in town. He runs the public access and government TV channels in Exeter, N.H. He offered his services and expertise in filming town meetings and improving video communication for Rye. He will send Town Administrator Bergeron his contact information.

**Coleen Penacho, 1182 Ocean Blvd.**, pointed out that she lives on the beach and walks it every day. There were more people on the beach this past weekend than what there normally would be this time of year. Even though there were a lot of people, she felt that they were respectful of one another's distance and groups together seemed to be family groups. She feels the beach is a good place for people to go when there is nowhere else to go and is one of the few respites left. She thinks it is important to not restrict the beach. Also, she wonders what it means to "close the beaches" for someone who lives on the beach and owns up to the highwater mark, as this is someone's back yard.

**Ed Mallen and Cynthia Godin, 1170 Ocean Blvd.**, live on the beach as well and share the previous sentiments. They were walking the beach this past weekend and it was quite evident people were avoiding contact while they were walking along. The benefit of people getting out and behaving properly with what the regimen is, is better than not.

**Debra Page, 10 Jenness Ave.,** agreed with the previous two speakers. She walks on the beach regularly. It is a big enough space for people to be respectful of the six-foot separation. If people are not allowed to walk on the beach, they will walk on the small side streets and will probably be closer than six-feet apart. This would be forcing people into smaller spaces. At this time of isolation, being able to be at the beach is very medicinal and healthy for all. People should be able to continue to go to the beaches during this time of quarantine.

**Dania Seiglie, 633 Central Road,** echoed the same sentiments as the previous comments regarding the beach. She and her husband spend a lot of time walking their dogs on the beach in the evening. She agrees that this past weekend there were many more folks who were participating; however, everyone was very respectful and gave more than the six-feet that is required. Additionally, the parking situation could be addressed as well. There were many more out-of-state license plates and more surfers over the weekend. As the weather continues to improve, this is a consideration that could be discussed further. Her second point is that ideas have been presented regarding speeding concerns and crosswalks along certain areas of Central Road. She would like to suggest a follow up session at a future meeting.

**Todd Cronin, 546 Washington Road,** agreed with all the comments about beach access. On Saturday, when he and his family drove past public beach areas, there were definitely more people. He likes to hear that those who live along the beach feel like people were social distancing. If the beaches are taken away, people are going to find other places to go in order to get out. The Rye Forest is not a place where people can social distance because the trails are narrow. These will be the type of spots that people will be looking to go. He pointed out that Recreation is closing down their fields. Keeping things so people have the ability to get out, in small units and families, is so important for everyone's health and well-being.

**Ben Bancroft, 336 Sagamore Road,** stated it is a good point that if the beaches are closed people will be driven to areas where they won't be able to be spread out. As long as the beaches are being used responsibly, he would like to see the beaches remain open.

**Tricia Alexandra, 211 Central Road,** commented that she agrees with all the previous comments about the beach. If the Town does away with peoples' ability to go to this beach, they will go to other beaches and to Rye's lovely conservation areas, which are very difficult to walk six-feet apart on. She asked that the beaches not be closed.

**Lisa Bourne McCaslin, 3 Spruce Ave.,** stated she lives very close to the beach and has been able to get out on breaks while working from home. She has found that people have been very respectful in terms of spacing. This is the off season, so right now, having a crowded beach is not such a concern. As it gets into the summer, that might be a different story. She is strongly opposed to closing the beaches right now, while there is no problem going on and people are being respectful. She would like to see the Town keep its access to the beaches open to everyone, as long as possible.

Mr. Rocha agreed with everyone who has spoken; however, feels it is wise to start thinking about how this is going to be handled approaching the summer. At hightide, some of the beaches do not have much beach available. It is wise to start thinking about it now, in the event this moves forward into the summer.

Mr. Mallen commented that signage has worked very well in Rye, as it relates to the care of dogs and other issues related to the beach. He thinks people would be very observant of signs. In speaking about the tide issue, it is pretty acute in the difference between a high, medium and low tide versus the space for people to spread out. He suggested that the select board consider a restriction of walking only with no congregating or sitting on the beaches. The idea would be to keep people moving.

**Scott Marion, 71 Washington Road**, stated he is in favor of people practicing safe distancing on the beaches and keeping them open. He likes the idea for walking; however, what defines a congregation would be a challenge. He is curious about what would be the plan for water access. When it does get warmer for boat launching, kayaking and surfing, would this be off limits if the beaches were closed? He noted that he has just come from an emergency school board meeting. Because so many children are gathering at the school playgrounds and not practicing safe distancing, the School Board has made a decision to close the fields based on the advice of Chief Walsh.

No further comments from the public were heard.

Chair Winslow asked Chief Walsh for an update on COVID-19 (aka Corona Virus).

**Police Chief Kevin Walsh** stated that with the leadership of Becky Bergeron, Dennis McCarthy, Chief Cotreau and Andrew Richmond, they have been able to put together a really good team and have partnered up with the schools and other service providers in town. Meetings are being held once a week at the Public Safety Building. Dr. Snow will also be present at those meetings to give some input. He and Chief Cotreau have been participating in conference calls with Homeland Security in order to stay current with the information that is coming from the State, as well as the Federal Government. Homeland Security has done an excellent job with resources that are available (gloves and N-95 masks), where the shortages are and how others can be helped throughout the State. Chief Cotreau has been leading the direction of supplies and making sure the departments have enough as things move along.

Chief Walsh continued that each individual police department has shared a plan, which started about three weeks ago. The Police Department has reached out to North Hampton, Greenland and New Castle, as they are the towns that Rye works closely with. The Chiefs of those towns have been sharing information with Chief Walsh. They have come up with a written plan for officers on things that they should be looking for and asking in order to be sure they are staying healthy.

Chief Walsh noted that Recreation Director Lee Arthur, Alan Gould and Senior Serve have been doing a great job of making calls to the elderly to check in on them. The feedback is that the residents appreciate the Town calling and asking if they need anything because it makes them feel safe.

**Fire Chief Mark Cotreau** stated the focus is on protecting the work force. When folks come in to work, they are doing a self-assessment which includes taking their temperature. If they do not pass that self-assessment, they would be sent home sick. He noted that no one has had to be

turned away yet but it is an important model. The Fire Department works 24-hour shifts so the assessments are done again at 6:00 a.m. There has been an overall greater importance on sanitation of the station and equipment. If a suspected COVID-19 patient is transported by the department, a final sanitation of the back of the ambulance is needed and it has to be left for one to three hours. It is fortunate that the Town has the second ambulance so it can be staffed for that period of time. He continued that non-emergency activities have been altered based on what can be done with social distancing and what cannot; such as, car seat installations and fire prevention activities. It is also important for the residents to know that if they call for a medical emergency, they will be met by an EMT with a mask on and they may be asked to put a mask on themselves.

He noted that he and Chief Walsh have conference calls daily with State officials to be kept up to date on information and best practices. The departments are receiving education and reinforcement of best practices. EMS Coordinator, Lieutenant MacGlashing, has spent a lot of time in making sure the staff is at the cutting edge of what is being recommended by the State, CDC and Fire Chief Associations.

Chair Winslow asked how many EMT's and firefighters the station has.

Chief Cotreau noted the Department is down one firefighter at this time and they are looking to fill that spot as soon as possible. Right now, the Department has nine career staff and about eleven call personnel with some being EMT's, advanced EMT's and firefighters. The focus is to maintain a healthy core. He noted that the State has a waiver so the Department can go to a model with one paramedic with a firefighter driving the ambulance, if needed. As far as protective equipment, the Department is in good shape, with the exception of gowns, but the gowns are sufficient for the near future. The Department has substantial orders under way with some being delivered in the next week or two.

**Town Administrator Becky Bergeron** noted at this time the town offices are closed to the public. The Transfer Station is not accepting bulky items that would require a hand-to-hand cash transaction with the public. Aquarion Water has reached out to let the Town know that their building is closed to the public. They have eliminated all non-essential customer service activities. Their system is functioning normally and there is no impact on water quality, safety or service reliability, at this time.

**A. Request from Chief Kevin Walsh to Close Beaches and Public Gathering Areas**  
*Taken out of posted agenda order from 'Discussion Items'.*

Chief Walsh stated he is making this request because this is considered a medical emergency. He would not go to the Board with something as extreme as this, unless he felt it was absolutely necessary. Amongst the concerns of COVID-19 is community transmission. New York City has the third greatest infection rate in the world. Of course, New York City is much larger than Rye; however, to have a city in the United States rated as third in the world is very concerning. Currently, there are four identified risk factors for infections. On March 15<sup>th</sup>, the Federal Government asked for schools and businesses to close and for people to stay at home for 14 days. A lot of that has not been going on and seems to be because of venues that have the ability to be open for people to go. As the weather temperatures continue to rise, people will be heading

to coastal communities like Rye for day trips and the Town's population will increase. This was evident this past weekend. The Town of York, Maine saw the same situation and are closing their beaches indefinitely, as of today. Those day trippers will now be coming to Rye because of the close proximity.

Chief Walsh stated New Hampshire is now showing COVID-19 cases based on community transmission, which is the why he is asking the select board to close the beaches. Someone travelling from another town in New Hampshire or from another State, can stop at a gas station, a local restaurant drive-up, grocery store and along the corridor of Route 1A in Rye. This is how community transmission can happen. Governor Sununu and health officials from the Federal Government have asked people to stay home for 14 days and this is not happening. Folks coming to Rye to visit the beach are going to the grocery stores, gas stations and other stores and community transmission is going on.

Chief Walsh continued that he heard from the staff at Odiorne State Park that they were overwhelmed with people and dogs at the beach. The bathhouses that are closed for the winter were being used by people. This is really showing a lack of respect for the State of New Hampshire, their employee's, the Town of Rye and its residents. Again, this is not meeting what the Federal Government is asking people to do. Rye is a great place to visit and creates a lot of traffic. Even if the beaches are closed and people drive up and down Ocean Boulevard, there will still be community transmission because they will be stopping at the stores and vendors. One of the biggest concerns is that health service facilities, doctors and nurses are so overwhelmed they cannot keep up with the people who are being infected. When people visit the Town, community transmission happens and then they leave. The Town's and other essential workers are taking the risk from people who are coming from other areas. He understands that people are nervous and scared and that people feel like the beaches give them an opportunity to get out, calm down and enjoy the fresh air; however, if the beaches remain open people are going to come. Someone who should be at home because they may have been in contact with someone with COVID-19, are going to just go to the beach anyways. He can see that because of the path this is taking, the Town is going to be told what has to be done, which is what he is hoping to avoid. He does not think the federal or state government should have to tell everyone to shelter down but that is what New York City is looking at. People do not see the significance of this situation.

Chief Walsh stated he talked to the Director of State Parks Phil Bryce. One of the things he brought to Mr. Bryce's attention is how this brings concerns of community transmission. He asked Director Bryce if there was a possibility to close the state parks for the next seven days, until the Federal Government can determine what the next steps will be. Director Bryce has agreed to get back to him about closing the state beaches. Chief Walsh continued that he is asking the select board to vote to close the town beaches, if the state beaches close. He agrees that in order for this to be effective, Rye, New Castle, Hampton and Seabrook all need to be doing the same thing. He pointed out that this does not mean the state parks are definitely closing, at this time. This is a request he made to them. He believes that in seven days, the end of the fourteen days, the health experts are going to have some answers on the best direction; however, there must be an end to the community transmissions. He wants to be sure that when the peak comes that New Hampshire, specifically Rye, is well below that part. He would like the

board to vote that if the state parks close, the Town will follow suit. He noted that in the past, if there have been storms and the state beaches have closed due to safety reasons, the Town has followed suit. He noted that the Police Department has a management plan in place for closure of the beaches. To get voluntary compliance and to get the public to listen to common sense from health officials, 14 days has been requested to get this crisis under control and seven more days of doing this would be the responsible thing to do to prevent community transmission.

Chair Winslow stated that he spoke with the chairs of the select boards in North Hampton and Hampton. Their beaches are all state beaches. They in effect will have their beaches closed, once the state beaches close. If the state beaches close, that will mean Odiorne, Wallis Sands, and Jenness Beach. That will leave two beaches, which would be Sawyer's and Foss Beach, open to the public. If all the people who want to visit a beach are on those two beaches, there would be no way possible to practice social distancing.

Vice-Chair Roman stated she supports what Chief Walsh is saying. If the State closes the state beaches, the Town will need to close their beaches. Also, the select board needs to be supporting the Town's frontline people and employees who are still working. The Police Chief and Health Officer are telling the select board this needs to be done. The Selectmen need to protect Rye and this is a chance to stop community spread. Also, Rye has an elderly population, more so than other communities. She thinks they need to support the folks who are being paid to make these recommendations because this is their expertise. She continued that she is disappointed with Seacoast Online and the way they reported this. It was important to get the word out so people could come to the meeting virtually to speak their minds. However, she felt it was geared a little unfairly to the Town and the Chief. These are unprecedented times and everyone should be supporting each other to work through this. She hopes this changes going forward and everyone starts working together. She is in support of what the Chief is proposing because it can always be undone. If the State closes their beaches, the Town should close theirs. She commented that she struggled with this decision. She has two young children and walks the beaches; however, this has to be done. The Surgeon General of the United States said that he wants America to understand it is going to get bad and everyone needs to stay home. It is not forever. The Town needs to see how this is going to go and then reevaluate. If the State is going to do it, the Town does not really have a choice because everyone will crowd onto the town's beaches. There will be no control over this and the officers should not be sent into that to break it up. She reiterated that she supports the Chief's proposal that if the state beaches close, the Town closes its beaches and reevaluates the situation.

Selectman Epperson stated this is a tough situation everyone is in. He has the upmost respect for Chief Walsh and the entire emergency management team. He agrees that people are pretty respectful of their space. There is also a case to be made that having people outside in the sunshine and the open air is significantly different than having them in a closed off turret somewhere. He continued the issue is the state beaches and if they are going to be closed. If the state beaches are in fact going to be closed then the Town does not have any choice; however, he has not heard that is the case. Right now, he is in favor of leaving the beaches open until there is some definitive opinion from the State. He suggested putting signs at the beach that say "please be respectful of transmission possibilities and maintain your space". Unless the State takes some draconian measures to close the state beaches and parks, he thinks Rye should leave theirs open.

Chair Winslow stated that public health is a primary issue, along with the health of the first responders, EMT's, Paramedics, fire and police. If the Town was to have one person in the Police Department test positive for this virus, half or possibly all of the Department would have to be closed and that would pose a significant risk to the Town of Rye. Equally critical, if the Town's Paramedics and EMT's are called to the beach to assist someone and are exposed to the virus, the Town could be faced with losing those people. The Selectmen's responsibility is to the residents of Rye and to provide, police, fire and medical protection. The Selectmen do not want to bias those things. He agrees one hundred percent that if the State closes down, Rye should definitely close its beaches. He thinks that what they could do in the interim is to have signage, or have the State provide signage, that addresses people being separated by the required six-feet.

Chief Walsh noted that the State has put up some signs that address social distancing and best health practices.

Speaking to Chief Walsh, Selectman Epperson asked if there has been any indication from medical experts that there is a difference between people being congregated in a building versus being in the open air and sunshine.

Chief Walsh stated that he thinks being outside is healthier; however, the 14 days that the Federal Government has asked that people hunker down, is their opportunity to get a number as to how many people are infected and to prevent others from being infected. He does not think that anyone has a grasp on how contagious this really is.

Selectman Epperson asked if there is any indication that the parks will be shut down.

Chief Walsh replied there was no guarantee given. He noted that at the beginning of the conversation the beaches were going to remain open, as the Governor wanted them open for all the reasons given by Rye residents. At the end of the conversation, Director Bryce understood the concerns and was going to relay them back to the parks' commissioner.

Vice-Chair Roman stated that Dr. Snow, Rye's Health Officer, and the Surgeon General are saying "stay home". They are not saying to go out, walk around and go for walks on the beach. They are telling people to stay home and these are people that have specialty in this area. She commented that if the State does this, Rye does not have much of a choice. If things calm down and the State reopens, then the Town can reopen. This is not a permanent situation. She sees the Selectmen reevaluating this, along with the Chief and the State, probably once a week because things are going to change. She cannot live with not following what the State does and contributing to community spread.

Selectman Epperson pointed out that if the State closes their beaches, Rye is going to have no choice because people do not understand what is state beach versus town beach.

Chair Winslow stated that he thinks there is a consensus that if the State does close the beach, the select board will support that and close the Town's beaches. He asked Chief Walsh how the beaches would be controlled, if this does happen.



Chief Walsh explained the Department is working on a management plan. They are looking at the current town ordinances with regards to parking. There are areas where it is legal to park and others areas where it is not. Ticketing in the no parking areas will commence immediately and be strictly enforced. There will be an officer assigned to that section of town and seasonal employees will be started early. The animal control officer will also be bumped up on his hours to help with managing the situation. He continued that if the parking within the state parks is closed, that will manage it within itself. If there is no parking, more than likely the population is going to reduce. If the beaches are closed, he honestly believes that with public education and awareness, ninety-five percent of people are not going to come.

No further comments were heard from the select board.

**Keriann Roman moved that if the State closes the state beaches in Rye, the Town, working with the State, immediately closes the rest of the beaches in Rye with a plan put in place by Chief Walsh and the select board supporting the State's decision and to develop a plan to communicate this to the public, along with encouraging the State to do the same. Seconded by Bill Epperson.**

Selectman Epperson stated this is the worst decision the select board would ever have to make. He is not saying it is the wrong decision but the worst decision. The beaches are a place of catharsis and is a place people go with their families. The last thing he wanted was to have the beaches closed. On the other hand, if the State closes their beaches, Rye does not have a choice.

Speaking to Chief Walsh, Chair Winslow asked if there was a way to stop people from parking on Ocean Boulevard.

Chief Walsh replied this would have to come from the State. Depending on what happens in the future, if it comes to a hard close, the Governor is going to make the call and it will be strictly enforced.

Selectman Epperson asked if it is possible to bring the digital sign to the beach asking for people to respect social distancing, if the State does not close their beaches.

Chief Walsh replied this could be done. He pointed out that it has been used recently to give residents information about Town Hall closure and how people can take care of their town business.

Selectman Epperson asked if there will be a decision from the State within the next 24 to 48 hours.

Chief Walsh noted that he will contact Director Bryce but he is not sure that the decision will be to close the beaches, as the Governor would like to keep them open at this time.

Chair Winslow called for a vote to the motion on the table.

**Aye - Keriann Roman; Aye - Bill Epperson; Aye - Phil Winslow.**

**All in favor. Motion passed.**

Speaking to Chief Walsh, Vice-Chair Roman asked him about the status of the forest and conservation land.

Chief Walsh stated that in looking at the difference between the beaches versus conservation and forest, the risk factor does exist but the population in this area has been really low. The beaches have more people because they are coming from out-of-state and other parts of New Hampshire. The community spread is happening at the beach and all roads leading into Rye. The Town Forest is not drawing-in that kind of a population number.

Vice-Chair Roman asked if they could put signs up at the entrances to these places reminding people about social distancing.

It was agreed that signs should be posted.

- VI. CONSENT AGENDA ITEMS** – (to be discussed at the meeting only if pulled off the consent agenda by one the three Selectmen.)
- A. Investment Policy** – Town Treasurer Jane Ireland has made the required yearly review of the Town's Investment Policy and finds that no modifications are necessary.
  - B. Joint Loss Committee** – request to accept and expend funds received in the amount of \$500 from HealthTrust, LLC
  - C. Letter rec'd from Rye Public Library Board of Trustees** re: Property line between the Library and Parsonage
  - D. Email rec'd from Shawn Joyce** re: 2019 Ordinances 35 &36
  - E. Appointment: Recycling Education Committee – 1 Year Term**
    - 1. Pamela Helfrich: Requests appointments as a member, email rec'd 02/27/2020
    - 2. Recommendation letter rec'd 03/07/2020 from John Provencher, Chair
  - F. RFP Results for Carpet Replacement for Rye Recreation**
  - G. RFP Results for Turf Management for Rye Recreation**
  - H. RFP Results for Pavement Markings for the Public Works Department**
  - I. RFP Results for Street Sweeping for the Public Works Department**
  - J. RFP Results for Crack Sealing for the Public Works Department**

Items C, F, and G were removed from the Consent Agenda for discussion.

**Motion by Phil Winslow to approve Consent Agenda Items A, B, D, E, H, I and J as presented. Seconded by Keriann Roman.**

**Aye - Keriann Roman; Aye - Bill Epperson; Aye - Phil Winslow.**

**All in favor. Motion passed.**

- Letter rec'd from Rye Public Library Board of Trustees re: Property line between the Library and Parsonage

Chair Winslow asked that a letter be sent to the Library Trustees to let them know it is the select board's intention to work with Dan Philbrick on the property lines. The select board cannot make any guarantees but will include the Trustees thinking in this process. He asked Vice-Chair Roman if she is open to having a Library Trustee work with her and Mr. Philbrick during this process.

Vice-Chair Roman suggested that she and the Town Administrator meet with Mr. Philbrick to see what his thoughts are for the lot line. She could bring that information back to the select board at a meeting where the Library Trustees could be present, along with Mr. Philbrick if need be. She would like to first understand what the Library wants and then what Mr. Philbrick wants to see how the gap can be bridged. She noted that she is also fine if the select board thinks that someone from the Library should be present at the first meeting with Mr. Philbrick.

Chair Winslow commented that he will leave it up to her and Town Administrator Bergeron on how this will be approached. He thinks meeting first with Mr. Philbrick to discuss issues might be best before meeting with the Library.

It was agreed that Vice-Chair Roman and Town Administrator Bergeron will first meet with Mr. Philbrick then meet with the Library at a Selectmen's work session.

- **RFP Results for Carpet Replacement for Rye Recreation**

Vice-Chair Roman noted that the insurance states the Town is only an additional insured if required by written contract. She wants to be sure that there is something in writing for the Town to be covered.

**Lee Arthur, Recreation Director**, explained a contract will be supplied once this is approved. If not, she will be sure to require one.

**Motion by Keriann Roman to approve 'Consent Agenda Item F'. Seconded by Bill Epperson.**

**Aye - Keriann Roman; Aye - Bill Epperson; Aye - Phil Winslow.**

**All in favor. Motion passed.**

- **RFP Results for Turf Management for Rye Recreation**

Referring to the Elwyn Park insurance, Vice-Chair Roman noted that the Town needs to be added as an additional insured.

Ms. Arthur will follow up.

**Motion by Keriann Roman to approve 'Consent Agenda Item G' with Rye being added as an additional insured. Seconded by Bill Epperson.**

**Aye - Keriann Roman; Aye - Bill Epperson; Aye - Phil Winslow.**

**All in favor. Motion passed.**

## **VII. DISCUSSION ITEMS**

**B. Request from Chief Kevin Walsh to Close Beaches and Public Gathering Areas**  
*Discussed earlier in meeting. Please see minutes above.*

### **C. Crosswalk for BG's Boathouse**

Chair Winslow stated this is something that they may want to put on hold, due to everything that is happening right now. He asked Chief Walsh his thoughts.

Police Chief noted that BG's Boathouse has a parking lot across the street, which has been there for years. Normally, the employees use this parking lot and the customers park on the restaurant lot.

Public Works Director Dennis McCarthy noted this is a state road and would not be allowed without a traffic control light at that location.

Town Administrator Becky Bergeron agreed to follow up with the owners of BG's Boathouse and refer them to the State.

Selectman Epperson commented that if there was ever an area that needed a crosswalk, it is in this location. In the summertime at night, it is very busy and someone is going to get killed. He would like the select board to encourage the State of New Hampshire to do this.

Chair Winslow asked Town Administrator Bergeron to let the owners of BG's know that the select board would support them in their application to the State.

### **D. Transfer Station Permit Process Operating Guideline re: Issuance of Specialty Permits/Exceptions**

DPW Director Dennis McCarthy noted that the specialty permit has been added to the permitting process, which will allow the Selectmen to issue a permit on a case by case basis based upon the person's specific circumstance. A permit will be issued based upon the decision and limitations set by the select board.

The Selectmen agreed this was a good solution.

**Motion by Keriann Roman to approve the Rye Public Works Standard Operating Guideline #33 Transfer Station Permit Process. Seconded by Bill Epperson. Aye - Keriann Roman; Aye - Bill Epperson; Aye - Phil Winslow. All in favor. Motion passed.**

Selectman Epperson noted that there will need to be a process to provide people with the right information to bring to the select board for the special permit.

Chair Winslow stated that the person would make a request to the Selectmen's Administrator and it would be put on the agenda for the select board to address at a meeting.

The Selectmen agreed.

### **E. Policy Changes**

Town Administrator Becky Bergeron explained the changes to the Personnel Policy to be consistent with the CBA's that were negotiated and voted on at the March Town Meeting.

Chair Winslow explained the policy takes what was negotiated with the unions and offers it to the non-union employees of the Town, along with the benefit of the salary increase.

**Motion by Keriann Roman to approve the changes as stated by the Town Administrator to Appendix C Town of Rye Current Insurance Benefits and to the Policy Directive Health Insurance Opt-Out Option. Seconded by Bill Epperson. Aye - Keriann Roman; Aye - Bill Epperson; Aye - Phil Winslow. All in favor. Motion passed.**

## **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**

In regards to the letters received about the cell tower on Port Way, Selectman Epperson stated this has been going on for well over a year. Part of the suspicion is that 120 Brackett Road is still on the table. He explained it would have gone away after the last ZBA meeting but the meeting was postponed. The legal details have been covered and this is the least obtrusive thing the Town could possibly do. Right now, the tower is 126ft and there was talk about going to 150ft so there would not have to be another tower. However, the Planning Board motion was presented and approved at 126ft.

Chair Winslow clarified that the application for 120 Brackett Road will be withdrawn upon the approval of the application for Port Way.

Selectman Epperson confirmed.

**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.**

There was discussion about whether this should be tabled because of the COVID-19 situation.

It was agreed to approve the request based upon review of the COVID-19 situation by the Police Chief and Selectmen at their first meeting in May. This will give the Rye PTA the opportunity to move forward with planning.

**Motion by Phil Winslow to approve the PTA request for a Town of Rye Bike Rodeo/Parade to be held on June 7<sup>th</sup> with the caveat the Selectmen reserve the right to review at the first meeting in the month of May. Seconded by Bill Epperson.**

**Aye - Keriann Roman; Aye - Bill Epperson; Aye - Phil Winslow.**

**All in favor. Motion passed.**

- **Shawn Joyce email to the Selectmen** (*email was received after deadline for the agenda*)

Chair Winslow noted an email was received just before the meeting from Shawn Joyce and it did not make the deadline for the agenda. The email can be reviewed at the next meeting.

Vice-Chair Roman stated the email discusses how members are appointed to the committees and how other folks who are interested can participate. Mr. Joyce expressed his concerns on the process.

## **IX. APPOINTMENTS: BOARDS, COMMITTEES, COMMISSIONS**

**A. Conservation Commission – 3 Year Term 04/01/2020 – 03/31/2023**

1. Francis (Mike) Garvan – reappointment as a member, letter rec'd 12/26/2019
2. Heather Reed – reappointment as a member, letter rec'd 03/11/2019
3. Danna Truslow – reappointment as an alternate, letter rec'd 03/15/2020
4. Recommendation letter rec'd 03/19/2020 from Suzanne McFarland, Chair

Vice-Chair Roman stated the Conservation Commission has done a wonderful job. She thought that when there was discussion about appointments previously that it was agreed that word about the open position would be put out so other folks who are interested in being on these committees would have the opportunity. The open positions were to be listed on the website and on social media. Some folks probably do not know how to get on to a committee or what the timeframe for signing up would be. She would like people to be given the chance to at least submit a letter of interest.

Town Administrator Bergeron stated that if a member is reapplying for a seat, she is not sure that the position is being advertised as an open position on the website or social media. She noted that all members are listed under the committee on the website with their term expiration dates.

Vice-Chair Roman stated she does not think the "average" person would know that they could submit a letter to be on the committee. The goal is to get as much participation as possible community-wide. There was discussion in that past that if anything comes up for any committee it would be put out there so people could submit a letter of interest.

Selectman Epperson agreed.

Town Administrator Bergeron asked if this is for any position coming up, whether or not the current seated member is requesting reappointment.

Vice-Chair Roman explained that legally it is no different than an open position. If a term expires than that position is open.

In regards to how people can get on a committee, Chair Winslow suggested that it be included on the website that people are encouraged to attend the committee's meeting and express their interest. That will at least give them some contact with the committee and help them to understand the process.

Speaking to the expiring terms for members on the Recreation and Conservation Commissions, Vice-Chair Roman asked if they want to extend this another month to give people in the community a chance. She pointed out that the current members can still serve until an appointment is made.

It was agreed that because of the current situation the Town is under with COVID-19, the appointments that are being requested will be accepted and moving forward open positions will be posted on the website and Facebook to give residents a chance to submit a letter of interest to the chair of the board, committee or commission with a copy being sent to the select board.

**Motion by Keriann Roman to approve the reappointment Mike Garvan as member, Heather Reed as member and Danna Truslow as alternate, for a three-year term from April 1, 2020 through March 31, 2023, to the Conservation Commission. Seconded by Bill Epperson.**

**Aye - Keriann Roman; Aye - Bill Epperson; Aye - Phil Winslow.**

**All in favor. Motion passed.**

**B. Recreation Commission – 3 Year Term 04/01/2020 – 03/31/2023**

1. Stephen King – reappointment as a member, email rec'd 03/202/2020
2. Joseph Persechino – reappointment as a member, email rec'd 03/20/2020
3. Recommendation letter rec'd 03/20/2020 from Gregg Mikolaities, Chair, per Lee Arthur

**Motion by Keriann Roman to approve the reappointment of Stephen King and Joseph Persechino as members to the Recreation Commission for a three-year term from April 1, 2020 through March 31, 2023. Seconded by Bill Epperson.**

**Aye - Keriann Roman; Aye - Bill Epperson; Aye - Phil Winslow.**

**All in favor. Motion passed.**

Vice-Chair Roman noted that these folks have put in a lot of time on these committees over the years and her comments were not a "knock" on them for their time. It is just a matter of being as open as possible. She thanked the members for their interest in staying on the committees, as it can be a lot of work.

## **X. NEW BUSINESS**

Speaking to DPW Director McCarthy, Chair Winslow stated that one of the concerns is that because of the situation people are in right now, they may not be able to pay their taxes on a timely basis, which means there may be a cash flow problem for the Town. He suggests that they discuss which capital items that were approved at the election could be delayed. He noted that the projects include the salt shed; one-ton truck; parking road study; police cruiser and trash compactor.

It was agreed the projects would be discussed at a future meeting and money would not be spent at this time for those items.

Chair Winslow noted that the Town has money deposited at the TD Bank in a savings deposit so it will be protected.

Vice-Chair Roman pointed out the Town is subject to the same insured deposit limits as everyone else, which is \$250,000 through FDIC. The rest of the money is secured through collateral that she had reviewed with Mike Coutu's help two years ago. She has the collateral agreement and is going to review it again. She asked the Selectmen if they are okay with her reaching out to Mr. Coutu with any questions or concerns, as this is a very specialized area and this is his expertise.

The Selectmen agreed.

- The Selectmen requested that a Facebook link be added to the Town's website. The Town's Facebook page is closed for comments. It is used as a way to get information out to the community. There is a Facebook Page called Nextdoor where people can share their concerns in the community. Vice-Chair Roman monitors that page and will often bring the concerns and comments back to the select board.



- The Selectmen reviewed and answered a questionnaire, along with Town Administrator Bergeron, from the independent auditors of the Town.

**XI. OLD BUSINESS**

*None*

**XII. OTHER BUSINESS**

**A. Meeting Minutes:**

1. Meeting, Monday, February 10, 2020, 6:30 p.m., Town Hall

**Motion by Phil Winslow to approve the minutes of February 10, 2020 as written. Seconded by Bill Epperson.**

**Aye - Keriann Roman; Aye - Bill Epperson; Aye - Phil Winslow.**

**All in favor. Motion passed.**

2. Non-Public Session, Monday, February 10, 2020 (1) per RSA 91-A:3, II (b)  
Hiring

**Motion by Phil Winslow to approve the minutes of the Non-Public Session of February 10, 2020 and to not seal. Seconded by Keriann Roman.**

**Aye - Keriann Roman; Aye - Bill Epperson; Aye - Phil Winslow.**

**All in favor. Motion passed.**

3. Meeting, Thursday, February 20, 2020, 4:00 p.m., Town Hall

**The following correction was noted:**

- **Page 1, the large paragraph, 5<sup>th</sup> sentence should read: They are going to sell the Trolley Barn and the money was going to renovate the TD Bank building.**

**Motion by Phil Winslow to approve the minutes of February 20, 2020 as amended.**

**Seconded by Keriann Roman.**

**Aye - Keriann Roman; Aye - Bill Epperson; Aye - Phil Winslow.**

**All in favor. Motion passed.**

Vice-Chair Roman stated that Larry Rocha chose not to be on the Beach Committee this year and some of the other members are stepping down as well. She would like to thank the members, in particular Larry, for a lot of hard work with car counting, picture taking and monitoring beach access, which can be a thankless job. The members have put in a lot of hard work and she thanks them for all the work they have done.

The Selectmen agreed and requested a letter be sent to those leaving the committee thanking them for their service.

Mr. Rocha thanked the Selectmen for their support.

**ADJOURNMENT**

**Motion by Bill Epperson to adjourn at 9:40 p.m. Seconded by Keriann Roman.  
Aye - Keriann Roman; Aye - Bill Epperson; Aye - Phil Winslow.  
All in favor. Motion passed.**

Respectfully Submitted,  
Dyana F. Ledger

3-23-20 Discussion Item A



## RYE EMERGENCY MANAGEMENT

555 Washington Road Rye, New Hampshire 03870



Kevin Walsh  
Emergency Management Director /  
Police Chief  
(603) 964-5522

Mark Cotreau  
Assistant Emergency  
Management Director

To: Rye Board of Selectmen

From: Chief Kevin Walsh / Rye Emergency Management Director

Date: March 18, 2020

Re: Closing Town Property to Public

Amid growing concerns about coronavirus community transmission, the Rye Emergency Management Director and Deputy Emergency Management Director are urging the public to observe the CDC recommendations for preventing the transmission of the virus. Residents should observe this guideline when deciding whether or not to attend public meetings or visiting public places.

As temperatures continue to climb and the days grow sunnier, people will be heading to coastal communities around the United States to meet and congregate. This is especially prevalent in Rye because grade schools, colleges, and businesses have closed and people are going out of their homes for activities that have been deemed "safe," outside walks, hikes, etc.

Rye has a day trip population that can increase on a warm weather day to thousands of people. With Seacoast Science Center being closed and local businesses closing, people will still come to Rye beaches. The concern is what was reported March 17, 2020 by State of New Hampshire Homeland Security. All the new cases have no identified risk factors, indicating New Hampshire is experiencing community-based transmission of COVID-19. In total, 26 COVID-19 have been identified in the State of New Hampshire as of March 17, 2020.

Assistant Emergency Management Director Mark Cotreau and I are asking the Board of Selectmen to support the closing of town property, to include the town beaches. I have been collaborating with Chief Richard Sawyer of the Town of Hampton, NH. Chief Sawyer is the Emergency Management Director for the Town of Hampton, NH. Chief Sawyer and I have had conversations with New Hampshire Parks Director Phil Bryce about State Parks closing all New Hampshire State Parks at all New Hampshire beaches. Chief Sawyer and I have concerns of large crowds of people who will come visit Rye and Hampton beaches and would be in close proximity of each other. Public beaches could quickly become a "hot spot" with larger crowds venturing out of their homes to one of the few places believed to be "safe," but can quickly evolve to a crowded area. Public beaches can easily become a place that violates the recommended social distancing of 6 feet.

When the crowds start to arrive at the beaches, it will be impossible for State Parks and town employees (police) to manage and inform of the social distancing. Rye has the longest coastline in the State of New Hampshire and draws not only New Hampshire natives, but also individuals from the two states surrounding New Hampshire, Maine and Massachusetts. Tasking 10 full-time police officers with removing crowds from the beach as the days get warmer will most definitely take away from addressing the quality of life complaints. The word "impossible" comes to mind with this pandemic.

In order for this proactive, preventive measure to be successful, I would like to reach out to New Hampshire State Parks, New Hampshire Port Authority, Seacoast Science Center, Rye Recreation, and the Rye School Board to post that the properties are closed to the public to prevent community spread of COVID-19. Until the federal government and State of New Hampshire can get enough testing to evaluate how many people are actually infected with COVID-19, I feel it is our responsibility to prevent the spreading.

If State Parks close public rest rooms, gates to parking areas, and Jenness Beach is barricaded off, vehicles will be forced to park on the street. As officers patrol, parking tickets will be issued. The message will convey that the parks and beaches are closed. I want to avoid comparing COVID-19 to the Boston bomb investigation. Neighborhoods and businesses were closed down to keep the public safe. This will help jump start the voluntary compliance. This will take time. If we start now, the message will get out to public to please keep activities in small numbers and close to home.

I want to share this letter with the other service providers listed below. I have also listed the locations I am recommending be closed.

School (play grounds)

Rye Recreation (fields, play grounds)

Town Forrest (due to the property being between recreation and Parsons Field property)

Parsons Field

Town beaches

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I would like to ask the New Hampshire State Parks to close state beaches and I would like to ask Port Authority to close Rye Harbor to the public, and remain open only for essential private and Port Authority personnel and that no members of the public use water crafts for recreational use.

I realize the public relations and liability I am putting the Town of Rye, State of New Hampshire, New Hampshire Port Authority in, however, I feel strongly that if all are not proactive in prevention, and when the testing catches up with the real number of people infected and business were to continue as usual in the Town of Rye at our public locations (hosting everyone from Massachusetts, New Hampshire, and Maine), the question will be, "did we all do what we could to avoid what is going on around the world?" In Italy, the health care providers cannot keep up with the demand of the number of people that currently have COVID-19 and they are unable to tend to the most vulnerable people who need direct medical attention. We do not want to end up like Italy.

On 03/18/2020 Doctor Gail Snow, Town of Rye Health Officer has stated she agrees with the closing of areas where people can gather in large numbers. She agrees this would be proactive in prevention of spreading the infection.

On 03/18/2020 Director Phil Bryce of New Hampshire State Parks responded to me by e-mail. The general stance with the Governor is he would like our parks to be available for public use even while we address this crisis. However, we share the concern about larger than normal crowds and we are working on strategies. All of this is changing and developing every hour, there are new developments. Director Phil Bryce ended the e-mail suggesting we speak tomorrow, Thursday, March 19, 2020.

I am requesting permission sooner rather than later. The longer that Rye waits to make these decisions, the more challenging it will be to try and close areas to the public and prevent large gathering spaces in Rye. With the governor closing private businesses, the numbers of people coming to Rye will increase. The question is, how quickly.

I do understand unless everyone declares these areas closed at the same time the plan of this magnitude will not work. I appreciate everyone taking the time to review this. I am open for more ideas and you may have.

Thank You,

Cc: Rye Fire Chief

Rye Department of Public Works

Rye Recreation

SAU Superintendent Salvador Petrallia

Rye School Board

New Hampshire Port Authority Director Geno Marconi

New Hampshire State Parks Director Phil Bryce

Chief Richard Sawyer, Town of Hampton Police

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03-23-20 Consent Item C



581 WASHINGTON RD. RYE, N.H. 03870 - (603) 964-8401 FAX 964-7065

BY HAND  
Board of Selectmen, Town of Rye  
Bill Epperson  
Kerriann Roman  
Phil Winslow, Chair  
Town of Rye, NH  
10 Central Road  
Rye, NH 03870

March 11, 2020

Dear Members of the Rye Board of Selectmen,

Congratulations on the passage of Articles, 7, 8 and 9 at yesterday's election.

On behalf of the Rye Public Library, I would like to confirm that we are very much interested in, and expect to have significant influence on, the proposed property line to be established between the Library and the Parsonage, at such time as the lot line is established by professional survey. I would also like to point out that this is not inconsistent in any way with the Trustees deciding not to utilize the Parsonage building for a potential Library expansion. As elected trustees, we believe our responsibility to safeguard the Library interests, on behalf of the Rye residents, includes maintaining a reasonable buffer between the library and a private party, whose private interests might be different from the public's. We look forward to working with you on this important project.

Sincerely,

A handwritten signature in dark ink, appearing to read "Karen Oliver".

Karen Oliver, Chair  
Rye Public Library Board of Trustees

On the web: [www.ryepubliclibrary.org](http://www.ryepubliclibrary.org), e-mail: [contact@ryepubliclibrary.org](mailto:contact@ryepubliclibrary.org)

DRAFT MINUTES of the Board of Selectmen's Meeting 3/23/2020

3-23-20 Consent Item D

**Katelyn Drago**

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**From:** sjoyceemail@comcast.net  
**Sent:** Monday, March 9, 2020 11:37 AM  
**To:** selectmen  
**Cc:** David Tilton; Kevin Walsh; Katelyn Drago; 'Danna Truslow'; 'Dyana Ledger'; 'Heather Reed'; 'Jaci Grote'; 'Jeffrey Gardner'; 'Karen Oliver'; Kim Reed; 'Mike Garvan'; 'Sally King'; 'Shawn Joyce'; 'Susan Shepcaro'; 'Suzanne McFarland'; 'Phil Winslow'; 'Keriann Roman'; 'Bill Epperson'; cmforestry@metrocast.net; r-dwhite@comcast.net; 'Kevin Kobylinski'  
**Subject:** Town of Rye Selectmen Ordinances 35 & 36 - Positive Changes in Rye Town Forest - Thank You :)

March 9, 2020

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

RE: Town of Rye Selectmen Ordinances 35 & 36 - Positive Changes in Rye Town Forest – Thank You :)

Dear Selectmen:

We are writing to express our gratitude to the Dogs at Large Committee, BOS and Rye's Animal Control Officer, Bob McGrath. Over the last year, with Ordinances 35 & 36 and enforcement, there have not been issues with unleashed dogs and/or their owners trespassing on posted private property or unleashed dogs running wildlife on private property adjacent to the leash zones. We have also learned about residents who are now venturing back into the forest, folks that may or may not like dogs, enjoying the leash zones where they do not need to worry about unleashed dogs jumping on them, their kids and/or other dogs while walking in the woods.

We respectfully request that the BOS and Rye PD continue to support these ordinances as well as their enforcement, so the issues of the past do not reoccur and more people can continue enjoy the forest. We also respectfully request that copies of the ordinances be posted in the kiosk in the Town Forest as well as on the Rye Town Forest Information page of the town's website, <https://www.town.rye.nh.us/conservation-commission/pages/rye-town-forest-information> so folks coming from out of town have the information. Thank you.

Sincerely,

Shawn Joyce  
PO Box 5  
270 Washington Rd  
Rye, NH 03870

David Tilton  
390 Washington Rd  
Rye, NH 03870

cc: Chief Kevin Walsh, Rye Police Department  
Rye Conservation Commission  
Charlie Moreno, Moreno Forestry Associates

Reference Links to Town of Rye Selectmen Ordinances 35 & 36:

[https://www.town.rye.nh.us/sites/ryenh/files/uploads/35\\_bos\\_dog\\_leash\\_ordinance\\_town\\_forest.pdf](https://www.town.rye.nh.us/sites/ryenh/files/uploads/35_bos_dog_leash_ordinance_town_forest.pdf)

[https://www.town.rye.nh.us/sites/ryenh/files/uploads/36\\_control\\_of\\_dog\\_ordinance.pdf](https://www.town.rye.nh.us/sites/ryenh/files/uploads/36_control_of_dog_ordinance.pdf)

DRAFT MINUTES of the Board of Selectmen's Meeting 3/23/2020

From: cmsmailer@civicplus.com [mailto:cmsmailer@civicplus.com]  
Sent: Sunday, March 1, 2020 12:01 PM  
To: Becky Bergeron <BBergeron@town.rye.nh.us>  
Subject: [Rye NH] Crosswalk for Bg's (Sent by Lori Graves, bgsboathouse@Comcast.net)

Hello bbergeron,

Lori Graves (bgsboathouse@Comcast.net) has sent you a message via your contact form (<https://www.town.rye.nh.us/user/36/contact>) at Rye NH.

If you don't want to receive such e-mails, you can change your settings at <https://www.town.rye.nh.us/user/36/edit>.

Message:

Hi Rebecca-

We would like to find out how we would go about looking into having a crosswalk put in from our parking lot at Bg's across the street to our restaurant as it is a very busy and dangerous crossing, especially in the summertime for our customers and employees? Do you know who we can discuss this with? I had spoken to NHDOT a while back and they instructed us to contact Town of Rye. We also realize there is the Ports. Sewer Project in the works, that will have an impact on our road, at some point but haven't rec'd all of the details and timelines as of yet.

Please let us know if there is someone that we can discuss this with?

Thanks!

Lori and Jeff Graves

Bg's Boathouse



3-23-20 Correspondence Item A

From: **Joanne Hardin** joannehardin@comcast.net  
Subject: Cell Tower on 68 Port Way Concerns  
Date: March 9, 2020 at 2:16 PM  
To: Town of Rye > **Board of Selectman** - Planning Board - Zoning Board of Adjustment & Heritage Commission  
Cc: **Joanne Hardin** joannehardin@comcast.net



Joanne Hardin  
32 Shoals View Dr.  
Rye, NH 03870

March 9, 2020

Town of Rye  
10 Central St.  
Rye, Nh 03870

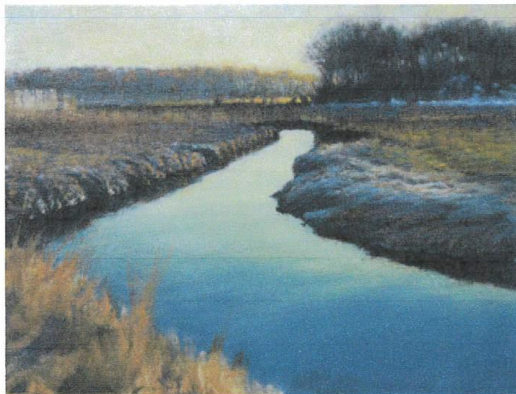
Dear Rye **Board of Selectman**, Planning Board, Zoning Board of Adjustment & Heritage Commission

This letter is to address my continuing concerns with the cell tower at 68 Port Way.

1) First, I start my letter with paintings by two local renowned artists that have painted Rye's beautiful marshes. Rye's marshes are a town feature and a treasure that needs to be protected. New Hampshire's coastline is 13 miles, Rye has the longest stretch at 7 miles. Rye's coastline is what differentiates Rye from all other towns in NH. The question we need to ask ourselves as privileged residents of Rye, NH is do we want our pristine marshes showcasing a cell tower in the middle? Do we want to take the beauty of our 7 mile ocean drive on Rte. 1A and see a cell tower? I, for one, do not.

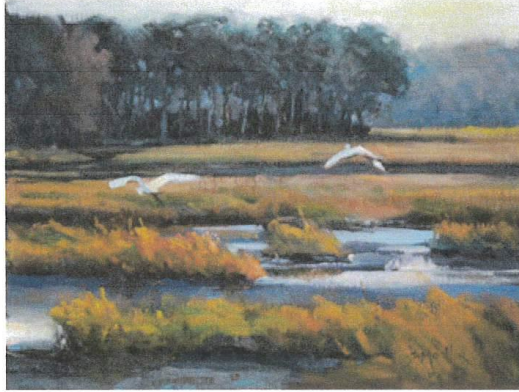
### **Late Winter Marsh, Rye, NH**

By Todd Bonita, March 8, 2017  
© 2017 Todd Bonita. All rights reserved.



**Marsh and Egrets**

By Stan Moeller 2014  
© 2014 Stan Moeller. All rights reserved.



2) Secondly, Verizon had a real estate specialist speak to us at the last meeting indicating that a cell tower at the 68 Port Way location would not reduce citizens property value. I do not agree with his findings. With respect, comparing Grove Rd, to Rte. 1A does not seem to be equal evaluations. I will be seeking a property tax exception as I am 1360 feet from the tower which will be visible from my land.

3) I have had an 18 year contentions battle with the town of Rye regarding servicing (plowing & filling ruts) on the west end of Shoals View Dr. where I live. I even submitted a warrant article, yet due to my ignorance of the procedure; it was amended during the deliberative session. If I won the town vote, I would need to bring this short dirt road up to a class 5 road, paving and having the yellow line painted. This was out of my financial reach. The town made it that I wouldn't win even if I won, which I did. The town claims it is a private road from the Fairhill development in the 50's. However, all other roads in the Fairhill development are serviced. This road is intersected by Parson's Road, therefore creating an east and west section of the road. During this 18 year battle, I have been made to feel invisible, belittled and shamed by Selectmen, Town Managers & employees including the Department of Public Works. The only person who showed me respect was Mr. Mel Low. With all this being said; I may consider not requesting a tax adjustment, if the town was willing to plow, fill the ruts and include the west end of Shoals View in whatever solution they provide for the east side of Shoals View.

4) During the cell tower meetings and site walks I have attended, there is a large group from Bracket Road citizens who want Port Way passed because as I understand it; the Bracket location is still on the page, if the Port Walk location doesn't pass. Additionally, there are many citizens and board members that just want this done with. In fact, they want to make the tower 150 feet taller so they will be not have to deal with it again; even as Verizon indicated that a taller tower is not needed. The citizens on the Board for Wireless Telecommunications along with many individuals on the Planning and Zoning boards do not live on the Rte 1A passageway; thus they are very much in favor of the cell tower site being placed on Port Way. I am seriously against having the tower at 150 feet.

5) I know that I am not allowed to site health concerns I think due to a federal position, however, I do want to cite the article below as I live within 1300 feet. My house lot is #37 on the maps  
being used for research

being used for research.

**"German Research on Cell Tower Safety**

In a [German study](#), doctors examined close to 1000 patients to see if living at the same address close to a cell tower for 10 years affected cancer risk. The social and age differences within the study group were small, with no ethnic diversity.

They discovered that the proportion of newly developed cancer cases was three times higher for those living within 1300 feet (a quarter of a mile) of a cellular transmitter compared to those living further away. In addition, they found that the patients became ill with cancer on average 8 years earlier.

A distance of 1300 feet (400m) is of particular importance. This is because computer simulation and measurements used in the study indicated that the radiation at that distance or less (the "inner area") is 100 times greater than emissions beyond that distance (the "outer area").

Another important observation from the research is that for the first 5 years of living near a cell phone tower, the risks were no different than someone living far away from one. However, in years 6-10, the cancer risks jumped more than threefold for those living a quarter of a mile or less from a mobile tower. Even more concerning, the average age of diagnosis was much younger. Risk for breast cancer, prostate, pancreas, bowel, melanoma, lung, and blood cancer all increased substantially.

The risks for breast cancer were most significant for those living in the inner area, with an average age of 50.8 year for a cancer diagnosis compared with nearly two decades later (70 years of age) for those in the outer area.

Copyright © 2009–2020 [The Healthy Home Economist](#) · All Rights Reserved"

6) I have wetland pools on my land. Recently, I have seen it turn green; thus I am concerned with any additional run off from the hill in the back of my home.

7) I would like a test where we can hear the sound of both generators running at once. I am willing to travel to hear this noise.

In closing, for all the reasons listed above, I believe that there should be no cell tower at the Port Way location and a new location needs to be established. Thank you for reading my comments and for your consideration.

Respectively submitted,

Joanne Hardin  
603.430.7318

cc: Kimberly Reed

3-23-20 Correspondence Item B

March 13, 2020

TO: Shawn Crapo, and ZBA Board Members; Patricia Losik, and Planning Board Members; Phil Winslow, Keriann Roman, Bill Epperson, Select Board

Subject: **Final Approval of the Portway Site for the New Cell Tower**

In view of the upcoming ZBA meeting on March 14, to address the Verizon Wireless Telecommunications application, I would like to reassert my full support for locating a cell tower on the Portway site currently under consideration for the following reasons:

1. The voters of Rye spoke clearly on this matter on March 12, 2019 in support of the addition of this site of 14 acres of town-owned property to the Wireless Telecommunications District of the Town of Rye.
2. The voters of Rye voted to support the required lease agreement with Verizon to lease 10,000 square feet of land on this site.
3. The voters of Rye have voted and approved the rest of this town-owned parcel of land to be conveyed to the Conservation Commission and designated as open space.
4. Unlike the 120 Brackett Road site, this alternative site is not residential but a heavily wooded area and well removed from private residences and, as Michael Donovan has expressed it, "not too obtrusive to the view shed".
5. The current plan is far better than as originally attempted by Verizon to construct a 150 foot tower within the fall line of three private residences on Brackett Road and within 50 feet of a well-traveled State road.
6. With this new location, the Town of Rye will receive \$24,000 annual payment from Verizon plus additional monies from any lease of the tower by other companies, all of which will benefit the tax payers.
7. The recent Isotope Report makes it clear that the Town of Rye has very limited alternatives to the Portway site: The School District parcel, currently in the existing overlay district but requires approval of the School District, and the Recreation Area.

We are in the third year of the process of identifying a proper site for a new cell tower in Rye and are now on the verge of reaching a viable solution to the problem. I would urge all three boards to help facilitate this matter to achieve what the voters of Rye have clearly signaled a year ago.

In conclusion, I would add one more thing: Verizon has used its private negotiations with the owners of 120 Brackett Road to submit an application that has been used as leverage over the Town of Rye and the other residents of Brackett Road. I see no reason why there should not be embedded in the approval of Verizon's lease of land on the Portway site a **quid pro quo** clause that a withdrawal of the 120 Brackett Road application would be integral to final approval. To do otherwise, is to leave open the possibility that Verizon will continue to retain that leverage. Verbal assurance is neither wise nor sufficient in this matter.

Robert J. Gemmett, Rye



3/23/20 ZOOM Chat Transcript

19:23:20 From Bob Glowacky : Hello, I'm Bob Glowacky, a new resident to town and looking forward to learning more about Rye.

19:24:21 From Bob Glowacky : The TownHallStreams link is not working

19:25:02 From Kate Drago : it should be. if you're on your cellphone or computer, refresh the screen.

19:25:25 From steven borne : Bob - sign up for the Civic News at [www.ryecivicleague.org](http://www.ryecivicleague.org)

19:29:31 From steven borne : Thanks Bob, the next Civic News will go out next week. Same for everyone else on the call. Steven B

19:30:23 From Bob Glowacky : [rglowacky@exetermh.gov](mailto:rglowacky@exetermh.gov) - Bob Glowacky 603-418-6425

19:41:22 From Lisa BourneMcCaslin : I am against closing our beaches. This is our open space and closing this space pushes people looking for outdoor areas to fewer and fewer spaces. Right now we are in the off season and space is not an issue. I have found people to be respectful of social distancing. Perhaps the situation can be assessed at regular intervals as

19:43:03 From Lisa BourneMcCaslin : Will there be an opportunity for people to comment outside this meeting?

19:45:51 From steven borne : Lisa - You are not getting the Civic News as I can't get your e-mail. can you go to [www.ryecivicleague.org](http://www.ryecivicleague.org) and sign yourself up. Thanks Steven

20:10:46 From Scott Marion : With all due respect to Chief Walsh, I don't think anyone is worried about doing this for 7 or 15 days. Rather, I don't think anyone believes we're just looking at a short term issue.

20:13:40 From Lisa BourneMcCaslin : Respectfully, I would like to counter that being outside in the sunshine, walking on our public beaches is one of the ways we keep healthy. It is not your job to determine if someone who chooses to walk on the beach has a virus just as it is not your job to tell someone they cannot go to the grocery. We live in a resort area and we will never prevent folks from other states from visiting here just as you will not be able to stop people who live outside of this town but own 2nd homes here from coming. As you heard from me and others, we are all concerned about staying healthy and we are all being respectful of the CDC guidelines and social distancing. If you close the beaches, you force people to find alternative areas to be outside. In general, people do the right thing. For those who choose to put others in harm's way, then you should step in and address those people. Closing beaches here does not help anything in the near term other than creating frustration by locals who pay taxes to live here.

20:17:00 From Lisa BourneMcCaslin : Thank you, Mr. Epperson. Well said.

20:17:22 From Tony Estrada : people visiting here hardly know the difference between a state beach vs a town beach. 2 cents

20:17:56 From kstewart : I missed the early part of Chief Walsh's statement. What is the enforcement plan? Will there be restrictions on sand and water? In other words, what about open water swimmers, surfers, paddle boarders?

20:28:30 From Tony Estrada : that would assume they know it is closed before driving over...

DRAFT MINUTES of the Board of Selectmen's Meeting 3/23/2020

3/23/20 ZOOM Chat Transcript

20:29:36 From Sharon's iPhone : and put up signs both sides of the road "no parking "

20:30:31 From steven borne : Let's see if they bring up moving the digital sign down to the beach?

20:31:37 From LocalUser's iPad : what about the Town forests and RCC?

20:32:45 From Larry Rocha : As far as I know Florida has closed their beaches.

20:36:35 From dpape : Florida beaches are very different from NH beaches. We wear gloves here which is much more hygienic

20:38:07 From Tony Estrada : thank you board and chief for your efforts towards this. very much appreciated.

20:48:13 From Dania Seiglie : Thank you Phil, Board, Chief for facilitating our participation to this evening's meeting. Respectfully, we should note that it is going to the a grocery store that exponentially increases a person's risk to become infected, not taking a walk on the beach. Have a great evening and Stay Safe!

20:48:42 From Bill Epperson : Thanks everyone for the input. A really difficult time and decision.

20:57:46 From steven borne : It would be great if you can get me these and we can post in the Civic News that will go out at the end of this weekend

21:02:05 From steven borne : For Planning and Zoning - Kim R wants them

21:06:49 From Bob Glowacky : Question for anyone in the room off topic, does Rye have a community Facebook group or community forum somewhere? I saw the town has a Facebook page but didn't see any community group.

21:09:35 From Bob Glowacky : Okay, thank you for the info Keri!