

**TOWN OF RYE – BOARD OF SELECTMEN  
Monday, June 8, 2020  
6:00 p.m. – Rye Town Hall**

*Present: Chair Phil Winslow, Vice-Chair Keriann Roman and Selectman Bill Epperson*

*Others Present: Town Administrator Becky Bergeron, Police Chief Kevin Walsh, Fire Chief Mark Cotreau*

**6:00 p.m.**

**I. CALL TO ORDER**

**II. NON-PUBLIC SESSION (1) per RSA 91-A:3, II (b) Hiring**

**At 6:00 p.m., Phil Winslow made a motion to go into Non-Public Session per RSA 91-A:3, II (b) Hiring. Seconded by Keriann Roman. Roll Call: Winslow – Yes, Roman – Yes, Epperson – Yes.**

**At 6:22 p.m., Bill Epperson made a motion to come out of Non-Public Session. Seconded by Phil Winslow. Roll Call: Winslow – Yes, Roman – Yes, Epperson – Yes.**

**At 6:22 p.m., Keriann Roman made a motion to go into Non-Public Session per RSA 91-A:3, II (a) Personnel. Seconded by Phil Winslow. Roll Call: Winslow – Yes, Roman – Yes, Epperson – Yes.**

**At 6:27 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.**

**6:30 p.m. RECONVENE PUBLIC MEETING**

Statement by Phil Winslow:

As chair of the Rye Board of Selectmen, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are providing public access to the meeting by telephone, with additional access possibilities by video and other electronic means. We are utilizing Zoom for this electronic meeting. All members of the board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if

necessary, participate in this meeting through dialing the following phone number: 646-558-8656 and Password: 061294 or by clicking on the following website address: [www.zoom.com](http://www.zoom.com) ID #898-1219-8960.

Public notice has been provided to the public for the necessary information for accessing the meeting, including how to access the meeting using Zoom telephonically. Instructions have also been provided on the website of the board at: [town.rye.nh.us](http://town.rye.nh.us) go to the Board of Selectmen page and click on the agenda for this meeting.

If anyone has a problem accessing the meeting please email the Town Administrator at: [BBergeron@town.rye.nh.us](mailto:BBergeron@town.rye.nh.us)

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call vote.

Roll call attendance of Select Board:

- Phil Winslow
- Bill Epperson

**III. ANNOUNCEMENTS**

1. **Friends of Pulpit Rock Tower – 2019 Conservation Organization Award of Excellence Recipient**

Chair Winslow Thanked Patty Weathersby and the other members of the Friends of Pulpit Rock Tower for a job well done.

2. Chair Winslow congratulated the 48 students that graduated from Rye Junior High School last Thursday.
3. Fire Chief Cotreau announced that long time retired Firefighter Mark Zartarian has passed away. Mark was a resident of Rye since 1980 and a member of the Fire Department for 21 years, of which; he served 19 years as the Emergency Management Director. Prior to coming to Rye, Mark spent 20 years in the United States Coast Guard.
4. Chair Winslow announced that Service Credit Union has authorized an easement to the City of Portsmouth at the intersection of Lange Road and US Route 1. Construction is schedule for 2021. The intersection will be changed so that traffic turning left on Route 1 will be diverted behind the Credit Union to Long Meadow Road and connect with US 1, across from Ocean Road, at the lights. The intersection at Lange Road will still connect to US Route 1, but only for traffic turning right on Route 1.

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

Chair Winslow called the meeting to order at 6:50 p.m. and led the Pledge of Allegiance.

- **Vice Chair Roman joined the meeting at 6:50 p.m.**

*(The Selectmen confirmed that they were the only ones in the room for the meeting.)*

**V. PUBLIC COMMENT** – (at the beginning of the meeting, for any comment by any Rye resident on any topic. Requested time limit, up to 5 minutes each person.)

- **Frances Erlebacher, 484 Brackett Road:** Ms. Erlebacher urged the select board to reopen the Library. She pointed out that CDC has stated that it is extremely difficult to get the virus from surfaces and a lot of stores have reopened. She suggested making the patrons wear masks and having sanitizer wipes at the computers. Ms. Erlebacher urged the select board to reconsider the use of the police in enforcing beach parking and other violations because there is a lot of anger in the country about police as a whole; but especially about police enforcing nonsense. She suggested that in a couple of weeks the crisis will be over and all that will be left is a lot of resentment and bad-will. She added that using the police to punish regular tax payers is not a good use of police resources.
- **Steven Borne, 431 Wallis Road:** Mr. Borne spoke to the select board regarding a property for sale at 1761 Ocean Blvd., across from Rye Harbor and Rye State Park. He stated that he has also spoke to Pat Losik regarding this property. He suggested that this property is stressed land and should not be used for residential purposes. He pointed out that during king tide this property is under water. He urged the Board to be aware of this situation and maybe make that property non-residential. Mr. Borne referred to the \$129,000 coming in from the CARES Act. He pointed out that a lot of the Rye High School and Jr. High students have had their summer camps, activities and jobs canceled this summer. He suggested that if the funds have not been already allocated that it be used to put some of those students to work. He suggested the graveyard project with the Heritage Commission or a project with the Conservation Commission. Also, there may be projects with DPW, Recreation or the Police Department.

Mr. Borne also spoke to the Board regarding the TD Bank/Parsonage transaction. He stated that he realizes that the Board is still hoping to get Dan Philbrick back to the table. However, if it is not going to happen; and throwing in the \$20,000 for the architect and \$15,000 for the survey and legal expenses, the Town has spent between \$400,000 and \$500,000 over the last 8 years on the Town Hall question, and not getting anywhere. He asked the Board to step back and ask: “How can this be happening for so long?”. He suggested that it is because of the same root cause. It is because there is no overall comprehensive plan of what the Town needs and how to work together. Mr. Borne asked the Board if anyone found the legal notices on the town webpage two weeks ago. He stated that if you open each department, it is the only place they show up. There are no links on the main webpage. He also pointed out that on the main webpage there is outdated material from 2019. There are nine committees that are no longer active still listed on the website.

**VI. CONSENT AGENDA ITEMS** – (to be discussed at the meeting only if pulled off the consent agenda by one of the three selectmen.)

Chair Winslow requested to take all three items off the consent agenda for discussion.

- A) Accept and Expend monies rec'd under First Responder COVID-19 Stipend Program in the amount of \$54,271.43.**

Chair Winslow noted there are a total of thirty (30) first responders who are getting compensation, which runs from \$600 per person to \$2,500 per person. He asked if the first responders will be receiving those funds at the end of June.

Town Administrator Becky Bergeron confirmed.

**B) Accept and Expend \$129,627 rec'd as part of CARES Act**

Chair Winslow asked Town Administrator Bergeron to speak to the CARES Act.

Town Administrator Bergeron explained there is a 32-page application that accompanies the submission for CARES reimbursements. The updated guidance on this is that they are going to allow the submissions from March to the end of April with any of the two remaining submissions. This will give time to get the applications signed and get them submitted. She pointed out there is some accompanying documentation that has to go with the application. She will submit all the expenses in July in the next round of expense reimbursements. She noted that the \$129,000 is going to run out very quickly with expenses for PPE, Families First, and ongoing overtime in the building department and clerk's office.

Chair Winslow asked if there is a way to prioritize the money.

Town Administrator Bergeron explained that PPE expenses have to be submitted to FEMA first, which covers 75%. The remaining 25% can be submitted to CARES. The fulltime overtime is going to FEMA first and the additional 25% is being covered through CARES. All of the upgrades that have been made to the Town Hall and any municipal building, in terms of plexiglass, drop boxes and technology so employees are able to function remotely, are expenditures that will be triaged and submitted first. She reiterated there is ongoing overtime in the building inspector's office and the clerk's office that will be in the next round of submissions.

**Motion by Phil Winslow for the Board of Selectmen to authorize the acceptance and expenditure of \$129,627 in unanticipated revenue in conjunction with the Governor's Office for Economic Relief and Recovery Coronavirus Relief Fund Grant. Further, the Board grants Town Administrator Becky Bergeron the designated signing authority for this grant. Seconded by Keriann Roman. Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Keriann Roman – Aye Motion passed.**

**Motion by Keriann Roman for the Board of Selectmen to authorize the acceptance and expenditure of \$54,271.43 in unanticipated revenue in conjunction with the First Responder COVID-19 Stipend Program. Seconded by Bill Epperson. Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Keriann Roman – Aye Motion passed.**

**C) Pulpit Rock Tower RFP Results**

Vice Chair Roman explained that this came through the Heritage Commission. The Friends of Pulpit Rock Tower have asked that Heritage take over ownership and maintenance of the Tower. The Heritage Commission and the Board of Selectmen agreed that before taking over ownership, it was important to get an assessment of the tower's structural integrity, as well as the ability to run electricity to it. This is the RFP that Heritage put out for structural and electrical analysis. Vice Chair Roman reported that the Friends of Pulpit Rock and the Heritage Commission are both in support of this. This is a unique situation as this isn't a town owned property. But as this was put out by a town commission, the Heritage is asking for the select board's approval of the Heritage Commission's recommendation to proceed with the response to the RFP, which the Friends of Pulpit Rock are paying for.

Vice Chair Roman stated that the Friends of Pulpit Rock did a good job cleaning up the tower a few years ago, so they are anticipating that there should not be any serious issues. The RFP also addresses what the anticipated annual maintenance costs should be. Once Heritage has all that information, they will analysis it, probably working with the Friends of Pulpit Rock, and then present it to the Selectmen. As long as the current structure integrity and the future maintenance costs are not high, and in-line with what everyone is anticipating, there will then be a discussion regarding the amount of money the Friends of Pulpit Rock has that can be put into a perpetual fund to maintain the tower, so that there will be minimal to no cost to the tax payers. If all goes well, then it will go to a town vote in March 2021.

**Motion by Keriann Roman for the Board of Selectmen to approve the recommendation of the Heritage Commission and The Friends of Pulpit Rock to proceed with the professional services as it is related to the structure evaluation of Pulpit Rock Tower. Seconded by Phil Wilson.**

**Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Keriann Roman – Aye  
Motion passed.**

## **VII. DISCUSSION ITEMS**

### **A) Acceptance of LCHIP Grant in order to restore 9 Monumental Double Hung Windows & 1 Arched Window at Rye Town Hall**

Vice Chair Roman explained that she and the Heritage Commission have discussed that they are not ready to do the actual replacement of the windows yet, until everything is settled regarding the Parsonage and until the completion of the work from Nancy Barber. However, if the Town does not apply for this grant now, they will lose it. Vice Chair Roman stated that she has spoken to both Mae Bradshaw and Phil Walsh regarding the grant. The Town can proceed to apply for the grant but does not have to accept it if circumstances change. Heritage is asking for the select board to approve the application and to submit it. They fully understand that the Town may not be able to proceed.

Chair Winslow pointed out the importance of knowing and understanding the restriction that the grant will place on the building. He understands that there is a five-year time period that there will be restrictions in place. However, he is in favor of moving forward with the application.

Selectman Epperson agreed to move forward with the application understanding that there are still a lot of hurdles to go over before the windows should be considered.

Town Administrator Bergeron stated that the Board does not need a formal vote at this time, just the understanding that the select board is in support of this proposal. If the grant is awarded, then the select board will have to vote to accept and expend the grant.

Chair Winslow noted that this was great work done by Mae Bradshaw and the Heritage Commission.

Just in case there is a need for a vote and in recognition of time restraints; the Board decided to make a motion.

**Motion by Phil Winslow for the Board of Selectmen to approve the application and submittal of the LCHIP Grant in order to restore nine (9) monumental double hung windows & one (1) arched window at Rye Town Hall. Seconded by Keriann Roman.**

**Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Keriann Roman – Aye  
Motion passed.**

**B) Pedestrian Crossing Warning Signs at 1215 Ocean Blvd – Eric Weinrieb**

**Eric Weinrieb, Altus Engineering, representing John Samonas of 1215 Ocean Blvd,** addressed the select board. He described the project of the development of the old Driftwood Motel, which was started almost two years ago. It has been a long process of going through the land use boards in Rye, including multiple visits with the ZBA, Conservation and the Planning Board. The original proposal for the property was to eliminate all the tourist cottages on the property, the restaurant, all commercial space, the year-round apartments and to clean up the property and eliminate the sea of asphalt at the entrance of Wallis Road and Ocean Blvd. The project started with eight units with a single driveway off of Wallis Road. By the time they got through with the Planning Board, they were down to six units in three buildings. This was approved on January 14<sup>th</sup> by the Planning Board, which triggered the need for a second driveway as an emergency driveway off of Ocean Blvd. Until that time, they did not need a driveway entrance permit from NH DOT. An excavation permit was needed because improvements were being done in the DOT right-of-way. The proposed site plan that was approved by the Planning Board on January 14<sup>th</sup> shows a sidewalk at grade going into the right-of-way and the relocation the crosswalk closer to Petey's, with the crosswalk across Ocean Blvd in the same location. It also shows the emergency egress that was requested by the Planning Board. They applied to the DOT in November and the DOT acknowledge receipt of the application in December. It was April 9<sup>th</sup> when DOT finally responded formally. Since then, they have secured all of the environmental permits; such as the wetlands permit, septic permit, alteration of terrain and shoreland permit. The only outstanding item is to work through the DOT issues.

Mr. Weinrieb pointed out that they have eliminated all of the conflicts in the area and have created a safer intersection. DOT came back with their review comments and wanted them to put in an activated pedestrian crossing signal. DOT also wants the cross walk to be moved to the north side of the road (north side of the intersection, adjacent to the Red Roof Store).

Mr. Weinrieb also explained that DOT is asking for the elimination of a couple of parking spaces on Wallis Road to accommodate sidewalks on both sides of Ocean Blvd. that are ADA accessible. Mr. Weinrieb stated that it seems like a lot to ask because they are asking the Town to maintain all of this infrastructure in the State right-of-way. The only reason DOT is having this discussion is because Mr. Weinrieb is modifying an existing driveway. The driveway will be for emergency vehicles only and will be gated.

To summarize, Mr. Weinrieb stated that this plan cannot go forward without an action from the Board stating that the Town will openly maintain these infrastructure improvements. He noted that Mr. Samonas has agreed to pay for the activated pedestrian signal, but not for all the other infrastructure improvements. The sidewalks would have to be paid for by the Town. Mr. Weinrieb commented that he feels that DOT is overreaching their rights by telling the Town that because they allowed a private developer to make these improvements, the Town will have to agree to maintain them.

**John Samonas, owner of 1215 Ocean Blvd.,** explained that he is okay with the results of getting the six units instead of the original eight. He feels that the process lent itself to the correct outcome. He considers the project to be a huge improvement to pedestrian and vehicle traffic in the area. He pointed

out that the fifteen units on the property, the restaurant and the swimming pool will all go away and there will be six residential units. That in itself will be a huge improvement to the existing situation on that corner intersection.

During the sessions with the Planning Board, safety issues were closely reviewed. Mr. Samonas pointed out that he agreed to put in a painted sidewalk the length of the property because of the people that walk west on it, (on the south end of Wallis Road). He also wanted to install a push button pedestrian signal for people to use when crossing. The Town accepted this offer, during the approval process. The Town also wanted an emergency driveway where an existing full-service driveway was. This was for emergency fire and police vehicles to access the property if Wallis Road was blocked or flooded. Mr. Samonas stated that he wanted to eliminate it, thinking that the driveway from Wallis Road was adequate. However, he agreed to the emergency driveway and is going to install it.

Mr. Samonas pointed out that the rest of the stipulations by the State are confusing:

1. Moving the Sidewalk to the North side of Wallis Road (Petey's Side)
  - a. Mr. Samonas does not have permission to put a sidewalk on Petey's land.
  - b. The sidewalk will cross directly into the Town of Rye's residential parking area.
    - This would be extremely unsafe.
    - The Town will lose four to five parking spaces.

Mr. Samonas summed up by saying that leaving the sidewalk on the south side would be better for him and the Town because he can give the Town the land to do it. He can also mandate that it be plowed by the same contractor that plows the condos and the emergency driveway that he has committed to plow and keep open. He pointed out that after it took over six months to get an answer from the State, he feels that all the other stuff that the State is looking for is inappropriate and confusing.

Mr. Weinrieb stated that they are trying to find a path forward through the DOT permitting. They need the guidance of the Board of Selectmen as to what they want in this area. Also, he and Mr. Samonas would like to know how the Board feels about the DOT mandates that puts infrastructure in the State right-a-way which they will not maintain and the Town would have to maintain. He suggested a meeting with the DOT, Dennis McCarthy and the Selectmen to see what would be acceptable.

Chair Winslow stated that one of the biggest concerns would be the parking spaces. The Town is not willing to give up four to five beach permit parking spaces. He asked Selectman Epperson if he would be willing to meet with DOT and Dennis McCarthy to see if there is a plan that is more acceptable.

Selectman Epperson agreed.

Mr. Weinrieb stated that he would report back to the Board the outcome of the meeting and will be working on a new proposal to present in order to move forward.

Chair Winslow asked the other Selectmen if they would be in favor of installing the electric crosswalk signal. He added that if that was the only thing that the Town had to do, he would be in favor of it.

Selectman Epperson stated that he has talked to Dennis McCarthy about the cross signal. He pointed out that currently the Town has two on Route 1-A that it pays the electric bills for. It runs about \$200 a year each. This is the busiest and most dangerous intersection in the seacoast and he would be in favor of supporting the maintenance of it.

Vice Chair Roman was also in favor.

Chair Winslow stated that this was a good decision, considering the tradeoff of the safety.

Police Chief Walsh asked to see in writing where the DOT is making these request. He pointed out that Bill Lambert is the Traffic Engineer for the State and always gives an overview of any changes. He is surprised that the written documents have not been presented to the Board showing what the State is requiring. The State is making these requirements to improve an intersection where the Town will be losing land and the Town will be require to maintain the infrastructure. Chief Walsh agreed that the sidewalk would be a good idea, as that it is an extremely dangerous intersection.

Mr. Weinrieb explained that in the packet that went to the Town there is a document dated March 4, 2020 of Bureau of Traffic Comments, that was crafted by Mike O'Donnell, Senior Traffic Operations Engineer. The letter from the District references the Bureau of Traffic's Memo.

### **C) Travel Guidelines for Employees**

Town Administrator Bergeron stated that there were two proposals; one that Attorney Closson reviewed and the other was updated guidance that she received from a fellow town administrator that has recently gone through the same process. Mr. Closson has not taken a look at the second proposal yet. However, Ms. Bergeron feels that it is a little more streamlined and in keeping with what the Board is trying to accomplish; which is, to give the employee some guidance when they are traveling to areas that have high community-based transmission. Her preference would be to start the policy in the same manner as the first one and then to incorporate the small section regarding personal travel. She stressed that this is just a temporary measure while they are getting through the Covid pandemic.

Ms. Bergeron read as follows:

#### ***Personal Travel***

***Employees traveling outside the U.S. on their personal time, or to any U.S. community with sustained community transmission, are asked to notify their supervisors of the destination date and mode of transportation for their travel, including such travel of any close family member with whom the employee has close and regular contact. Such supervisors are asked to forward such information to the Town Administrator. Before the employee can return to work, employees that choose to travel may be subject to a minimum of a fourteen-day quarantine period commencing after the day of such travel, at the discretion of the Board of Selectmen. The quarantine period would be unpaid, unless you use your accrued vacation, sick or paid time off, or if your situation qualifies for paid leave under the Families First Coronavirus Response Act.***

Vice Chair Roman recommended that Attorney Closson review it before the Board approves it.

Administrator Bergeron stated that she will run it by Attorney Closson tomorrow. After which, she will send it back to the Board and they can sign it as a temporary policy.

Chair Winslow recommended making this policy effective through the end of the year.

The Board agreed.

**Motion by Keriann Roman to adopt the temporary policy on personal travel pending Attorney Closson's review and approval. If there are any changes the Board of Selectmen will have to review it again for approval. Seconded by Bill Epperson.**

**Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Keriann Roman – Aye**

**Motion passed.**

**D) Financial Update**

Administrator Bergeron announced that there was good news from NHMA. The governor has confirmed that he has no intention of reducing the State aid amounts. This means the rooms and meals tax distribution revenue, that the Town anticipated a severe reduction in, will mirror 2019, which was about \$280,000. The Highway Block Grant is projected at a 7% decrease. State revenue sharing should be about what was received in 2019, which was about \$22,000.

The Town Clerk's office has reported that motor vehicles is significantly up, as they are catching up to the plates that were deferred. At this time in 2019 registrations was at \$732,861; 2020 year-to-date is \$702,889. There were 350 beach stickers issued in May, bringing the revenue from \$22,300 to \$31,000.

**E) Re-Opening Progress: Beaches, Parking, Outdoor Seating at Restaurants**

Police Chief Walsh presented the Board with a memo regarding comparisons in parking tickets for 2018, 2019, and 2020 for the months of March, April, and May. He pointed out that this year was significant because of the beaches being closed. When the department is seeing the same amount of tickets being issued in the same location, they are working with DPW to make some adjustments on signage, as well as paying close attention to the appeals that are coming in. If there is an area that isn't signed appropriately, they have been lenient on the appeals and getting out there and re-signing the area. He explained that the department wants to be fair in what they are doing, while educating the public as to where they can and can't park. He pointed out that he also included in his memo a three-year comparison of motor vehicle stops for March, April and May. He felt this was important because he realizes that the Board is getting complaints regarding vehicle behavior. He reported that the officers are getting out there and stopping motor vehicles when appropriate.

Chief Walsh reported that animal control on the beaches is being coordinated with the staff at the State Parks. The beach patrol officer is now full-time Wednesday through Sunday, from 11:00 a.m. to 7:00 p.m. Bob McGrath is doing a great job with education and awareness and even handing out information and dog toys in order to get people to pay attention to the rules on the beach. Bob will be transferring to a bike to do extra patrols at Odiorne. There is a beach area that runs between Wentworth Road at the New Castle line to Odiorne State Park where the Science Center is. This area has become challenging, due to open containers and underage drinking.

Fire Chief Cotreau reported that the department is working with about seventeen restaurants and businesses. Most of them are not changing their operating foot print. This means that they will not have to go through the temporary permit process. They still have to follow the 2.0 guidelines. There are eight that have no change, four that have their permits in and signed, and three are in the process. The department is still trying to get in touch with one or two more restaurants. Lt. DiBartolomeo is making weekly visits, even in the areas where there were no changes, just to be the educator and to make sure that folks are aware of the 2.0 requirements.

Chief Walsh commended Dennis McCarthy and his staff for their diligent work on Monday and Tuesday getting all the signs up at the beaches.

**F) Trolley Barn RFP Results**

Town Administrator Bergeron reported that the RFP to solicit an appraiser for the Trolley Barn went out at the beginning of May. This was in response to the warrant article that was passed in 2018. The RFP

went out to about six appraisers. The Town has received one response, from Brian White Appraisals. Ms. Bergeron recommended that the Board not award the bid at this time, given the unknown circumstances regarding the TD Bank/Parsonage transaction.

The Board agreed.

## **VIII. CORRESPONDENCE**

### **A) Email rec'd from Steve Hillman re: Planting on Rye Beaches**

Chair Winslow asked for clarification as to the background on this matter. It was his understanding that the Board was not going to be pursuing anything on the beaches. There were two property owners that had expanded their properties with grass. One got approval from DES. The outstanding question is; Who owns the beaches?

Vice Chair Roman thought that the Board had decided that they wanted to confer with Attorney Donovan to see if the Town could develop some kind of an application process. The application process would look at things such as, if the planting interferes with access to the beach. Also, would the application go to the Select Board and/or to Conservation. She recommended that the Board send these questions onto Attorney Donovan.

Chair Winslow questioned the Town's authority in this matter.

Selectman Epperson stated that he has heard that once grass is planted like that it becomes a jurisdictional wetland.

Vice Chair Roman stated that she feels that these plantings should at least be reviewed by Conservation.

Selectman Epperson agreed that there should be some sort of advisory Commission to help understand why the plantings are being done and what the impact or benefit to the beach may be.

Chair Winslow recommended the importance on having clear set criteria that allows for approval or not from the Commission.

Vice Chair Roman stated that Attorney Donovan will need to help in this process.

Chair Winslow asked Administrator Bergeron to contact Attorney Donovan.

## **IX. NEW BUSINESS - none**

## **X. OLD BUSINESS - none**

## **XI. OTHER BUSINESS**

### **A) Minutes**

1) Non-Public Session, Wednesday, April 1, 2020 (1) per RSA 91-A:3 II (a) Personnel  
**Motion by Phil Winslow to approve the minutes of the non-public session of April 1, 2020 per RSA 91-A:3 II (a) Personnel as written and to not seal them. Seconded by Keriann Roman.**

**Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Keriann Roman – Aye**  
**Motion passed.**

2) Non-Public Session, Wednesday, April 1, 2020 (2) per RSA 91-A:3 II (a) Personnel  
**Motion by Phil Winslow to approve the minutes of the non-public Session of April 1, 2020 per RSA 91-A:3 II (a) Personnel as written and to not seal them. Seconded by Keriann Roman.**  
**Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Keriann Roman – Aye**  
**Motion passed.**

3) Meeting, Monday, April 13, 2020, 6:00 p.m., via Zoom  
**Motion by Phil Winslow to approve the meeting minutes of April 13, 2020 as written. Seconded by Keriann Roman.**  
**Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Keriann Roman – Aye**  
**Motion passed**

4) Meeting, Monday, April 27, 2020, 6:00 p.m., via Zoom  
**Motion by Phil Winslow to approve the meeting minutes of April 27, 2020 as written. Seconded by Bill Epperson.**  
**Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Keriann Roman – Aye**  
**Motion passed**

5) Meeting, Friday, May 1, 2020, 10:00 a.m., via Zoom  
**Motion by Phil Winslow to approve the meeting minutes of May 1, 2020 as written. Seconded by Bill Epperson.**  
**Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Keriann Roman – Aye**  
**Motion passed**

#### **ADJOURNMENT**

**Motion by Bill Epperson to Adjourn at 8:06 p.m. Seconded by Keriann Roman.**  
**Roll Call Vote:**  
**Phil Winslow – Aye; Bill Epperson – Aye; Keriann Roman – Aye**  
**Motion passed**

Respectfully Submitted, Dyana F. Ledger

**Katelyn Drago**

*10-8-20 Correspondence Item A*

**From:** STEVE J HILLMAN <steveandkate@comcast.net>  
**Sent:** Friday, May 22, 2020 4:31 PM  
**To:** Katelyn Drago  
**Subject:** Attn: Rye BOS

Even though I am no longer on the Beach Committee, this situation needs the attention of the BOS....see original message/follow-up below...I will pursue as a private citizen if need be. It would be great to get an update from the BOS.  
Thanks - Steve

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Attn: Rye BOS

I would like to follow up with you regarding the original letter sent (9/16/19) on behalf of the Beach Committee regarding resident planting on Rye beaches.

We have not heard back from you (the BOS) but we did meet with the RCC to discuss this issue at one of their October meetings.

Our intent is not to have the town pursue litigation against the questionable plantings that are currently in place...instead we want the town to come up with a comprehensive beach planting plan that will utilize current town boards to oversee the entire process (from conception to approval to final inspection) to insure residents are not negatively affecting public space/beach with random plantings.

We look forward to your reply.

Thanks for your time.

Steve Hillman/on behalf of the Beach Committee