

**TOWN OF RYE – BOARD OF SELECTMEN  
MEETING**

**Monday, April 23, 2018  
6:30 p.m. – Rye Town Hall**

***Selectmen Present:* Chairman Priscilla Jenness and Vice-Chair Phil Winslow**

***Others Present:* Town Administrator Michael Magnant**

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

Chairman Jenness called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

**II. ANNOUNCEMENTS**

- A **School Safety Forum** is being held on **Wednesday, May 2<sup>nd</sup>, 6:30 p.m., Rye Junior High**. Residents are encouraged to attend to discuss safety in the schools.

**III. 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.)

**J.M. Lord, 560 South Road**, spoke to the Selectmen about the proposed new developments along Lafayette Road in Rye and the possibility of extending the sewer line along that corridor.

**Peter Crawford, 171 Brackett Road**, supported Mr. Lord's comments regarding the sewer extension. He also spoke in regards to the town hiring a management company to manage the Parsonage Apartments.

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

- A.** Email rec'd from Brenda & Frank McDermott re: Their opinion on the Town charging a fee for beach permits.
- B.** Raffle Request: The American Heart Association requests permission to hold a raffle on Saturday, 5/5/18 at Abenaki Country Club

- C. Letter rec'd from Robert Jesurum re: Saunders Point
- D. Appointment: Rye Energy Committee – Unlimited Term
  - 1. Matt Marra: Requests appointment as a member, letter rec'd 3/20/18
  - 2. Recommendation letter rec'd 4/11/18 from Danna Truslow, chair

The Selectmen pulled items A and D off the Consent Agenda for discussion.

**Motion by Phil Winslow to approve Consent Agenda Items B and C. Seconded by Priscilla Jenness. All in favor.**

**Discussion:**

- Email rec'd from Brenda & Frank McDermott re: Their opinion on the Town charging a fee for beach permits.

Chairman Jenness reviewed the letter from Brenda and Frank McDermott regarding their support in charging businesses a fee for use of the beach and the funds being used for the public beaches. She explained that when they started having people apply for a permit it wasn't a money making idea. It was to keep track of the amount of business that was using public space. At the previous Selectmen's meeting, Police Chief Walsh brought in a map showing the locations that would be used for each yoga class, paddleboard rentals or other business requesting a beach permit. It was agreed at the end of that presentation that the Town has all that it can handle and that was all that would be entertained, as far as beach use is considered. There were ten requests for permits with eight being approved at the last Selectmen's meeting. That is all that the Town will have. As far as fees, in the past it has been the practice of the Selectmen to look at fees for everything all at once. This could probably be included but it would probably not be a good idea to do it in isolation.

- Appointment: Rye Energy Committee – Matt Marra

**Matt Marra, 62 Star Fish Circle**, introduced himself to the Selectmen and spoke about how he would like to contribute to the Energy Committee.

**Danna Truslow, Rye Energy Committee Chair**, spoke in support of Mr. Marra's appointment to the Committee.

**Motion by Phil Winslow to appoint Matt Marra as a member to the Rye Energy Committee. Seconded by Priscilla Jenness. All in favor.**

**V. DISCUSSION ITEMS**

- A. Meeting Minutes
  - 1. Meeting, Monday, April 9, 2018, 6:30 p.m., Town Hall

The following corrections were noted:

- Page 11, it should be noted that **Summer Sessions uses the area to the left of Brown's Cottages on Sawyers Beach, which is the northern portion of the beach.**
- Page 13, 2<sup>nd</sup> paragraph from bottom, 5<sup>th</sup> sentence should read: **If all the roads were newly resurfaced, with a good space on the side, that would be one thing but the edges of the roads are erratic.**

**Motion by Phil Winslow to approve the minutes of April 9, 2018 as amended. Seconded by Priscilla Jenness. All in favor.**

**B. Art Ditto – Update on Seacoast Drinking Water Commission**

**Art Ditto, Representative to the Seacoast Drinking Water Commission**, gave an update to the Selectmen on the work of the Commission. The Commission was established to look at the long term goals and requirements for drinking water. They are tasked with making legislative recommendations related to drinking water supply availability, threats to drinking water quality, and to allow better coordination between municipalities on water issues. The Town's website has a link to the Commission's website for anyone who would like to review the meeting minutes or other information. The Commission is made up of members from the House of Representatives, Senate, Aquarion Water, NH Department of Environmental Services, Rockingham Planning Commission and multiple municipalities from the seacoast. The first meeting was held in October 2017 with a final report of the Commission's recommendations being due on November 1, 2018. Mr. Ditto will give another report to the Selectmen on the Commission's work sometime in August.

**C. ABATEMENTS**

**The Assessor recommends approval** of the following abatements.

**Scott Marsh, Town Assessor**, spoke to the Selectmen about the following abatements.

1. Stephen & Catherine Hillman, 399 Central Road, map/lot 008-005  
Current: \$441,300. Proposed: \$413,700. Abatement: \$291.46+int.

**Motion by Phil Winslow to approve the abatement for Stephen and Catherine Hillman for 399 Central Road in the amount of \$291.46 plus interest. Seconded by Priscilla Jenness. All in favor.**

2. Scott Family Rev Trust, 1237 Ocean Blvd., map/lot 173-003  
Current: \$791,200. Proposed: \$753,800. Abatement: \$394.94+int.

**Motion by Priscilla Jenness to approve the abatement request for 1237 Ocean Boulevard, tax map 173 lot 003, in the amount of \$394.94 plus interest. Seconded by Phil Winslow. All in favor.**

3. Samuel Hatem & Lee Arthur, 700 Central Road, map/lot 005/027  
Current: \$887,500. Proposed: \$842,600. Abatement: \$465.16+int.

**Motion by Phil Winslow to approve the abatement for Samuel Hatem and Lee Arthur for 700 Central Road, tax map 005 lot 027, for in the amount of \$465.16 plus interest. Seconded by Priscilla Jenness. All in favor.**

4. Edward & Barbara Novak, 291 Harbor Road, map/lot 008/048  
Current: \$851,000. Proposed: \$808,600. Abatement: \$447.74

**Motion by Priscilla Jenness to approve the abatement for 291 Harbor Road, map 008 lot 048, in the amount of \$447.74 plus interest. Seconded by Phil Winslow. All in favor.**

5. Netishen Irrevocable Trust, 15 Bernard Drive, map/lot 052/167  
Current: \$762,300. Proposed: \$698,900. Abatement: \$657.46+int.

**Motion by Priscilla Jenness to approve the abatement for 15 Bernard Drive, tax map 052 lot 167, in the amount of \$657.46 plus interest. Seconded by Phil Winslow. All in favor.**

6. Roberta & Steve Murray, 120 Perkins Road, map/lot 052/179  
Current: \$551,900. Proposed: \$519,200. Abatement: \$339.10+int.

**Motion by Priscilla Jenness to approve the abatement for 120 Perkins Road, tax map 052 lot 159, in the amount of \$339.10 plus interest. Seconded by Phil Winslow. All in favor.**

7. Raymond W. Castro, 1631 Ocean Blvd., map/lot 013/022  
Current: \$931,600. Proposed: \$890,400. Abatement: \$453.07+int.

**Motion by Phil Winslow to approve the abatement for 1631 Ocean Boulevard, tax map 013 lot 022, for the amount of \$453.07 plus interest. Seconded by Priscilla Jenness. All in favor.**

8. Ronald & Linda Cote, 35 Cable Road, map/lot 084/010  
Current: \$424,500. Proposed: \$398,700. Abatement: \$267.55+int.

**Motion by Priscilla Jenness to approve the abatement for 35 Cable Road, tax map 084 lot 010, in the amount of \$267.55 plus interest. Seconded by Phil Winslow. All in favor.**

***The Assessor recommends denial of the following application resulting in no change in the existing assessment.***

Mr. Marsh explained that the following applications were not filed before the deadline so he is recommending denial for that reason. The information submitted by the property owners will be reviewed and any appropriate changes will be made for the 2018 tax year.

1. Jeffrey & Lori Grave, 200 Sagamore Road, map/lot 022-043  
Current: \$509,800 Abatement: \$0+int.

**Motion by Priscilla Jenness to deny the abatement request for 200 Sagamore Road, tax map 022 lot 043. Seconded by Phil Winslow. All in favor.**

2. Christopher & Rebecca Hoag Trustees, 21 Rock Orchard Lane, map/lot 018-029  
Current: \$687,900 Abatement: \$0+int.

**Motion by Priscilla Jenness to deny the abatement request for 21 Rock Orchard Lane, tax map 018 lot 029. Seconded by Phil Winslow. All in favor.**

3. Jonathan & Jean Murphy, 25 Big Rock Road, map/lot 052-076  
Current: \$1,030,500. Abatement: \$0+int.

**Motion by Priscilla Jenness to deny the abatement request for 25 Big Rock Road, tax map 052 lot 076. Seconded by Phil Winslow. All in favor.**

#### **D. All Veterans Tax Credit**

Mr. Marsh noted that there have been twenty-three applications since the Town adopted the new legislation called the All Veterans Tax Credit, which allows non-wartime veterans of the armed forces to qualify for the credit. The deadline for filing was April 15<sup>th</sup>; however, the Assessing Office is working with people who have been delayed due to waiting for necessary paperwork from the government. He noted that there is also a pending legislation to allow towns to increase the limit from \$500 to \$750. If that passes, the Town will have to vote on raising the tax credit before the new limit could be put in place.

#### **E. Lee Arthur, Recreation Director – RFP Results for the Rye Recreation Area Turf Management and Mowing Program**

**Lee Arthur, Recreation Director**, presented the bids for the mowing and management of the recreation area turf.

- Seaside Landscaping \$10,920.
- Preferred Landscaping, LLC \$14,736.
- Make a Difference, LLC \$23,860. (Disqualified - did not provide a turf management plan)
- Piscataqua Landscaping \$42,070. (Disqualified – was not sealed or complete.)

The Recreation Commission has recommended the bid be awarded to Seaside Landscaping in the amount of \$10,920. Seaside did the work in 2017 and the Commission was pleased with their work. (The low bid was chosen so a motion is not needed.)

**F. Finance Director/Asst. Town Administrator Position Vacancy**

Town Administrator Michael Magnant spoke to the Selectmen regarding the position of finance director/assistant town administrator which will be vacant August 31<sup>st</sup> due to the retirement of the current finance director. He presented an updated job description for the Selectmen to review. He asked for permission to move forward and engage with MRI to do the recruitment and hiring for the position.

There was discussion on adding to the job description:

- Attends the Deliberative Session, Budget meetings and Board of Selectmen's meetings as needed.
- Trains a staff member to prepare payroll or other material that would be required in an emergency.

**Motion by Phil Winslow to approve the job description as amended. Seconded by Priscilla Jenness. All in favor.**

The Selectmen agreed to move forward with finding a candidate to fill the position.

**G. Boston Post Cane**

Town Administrator Magnant stated that when they discussed the cane at the previous meeting, it was mentioned that it was on display at the museum; however, that is not the case. Currently, the cane is being stored in the clerk's office. He continued that he has spoken with Alex Herlihy from the Historical Museum and he would love to display the cane at the museum if the Selectmen are so inclined.

After some discussion, the Selectmen agreed to loan the Rye Boston Post Cane to the Rye Historical Museum for public display for an indeterminate time, conditioned upon it being displayed in a glass case and it being returned immediately to the Town upon request.

**VI. CORRESPONDENCE**

- None

## **VII. NEW BUSINESS**

Town Administrator Magnant stated that the Dogs at Large Committee had their first meeting and a couple of the members were not able to attend. There was a concern from a member of the public that people attended the meeting representing the members who were not able to attend and they may or may not have voted. He asked if the Selectmen if it is permissible for a member to have someone attend the meetings for them if they are not available.

Chairman Jenness explained that this was set up as a Selectmen's Committee. There cannot be substitutes, otherwise they would have set up for alternates. The committee was carefully chosen from a list of people that was submitted by Chief Walsh, who he felt would represent both sides as well as being neutral on the issues.

There was some discussion on whether the Selectmen should consider adding two more members to the committee, one pro-leash and one non-proleash, with one being a female, to keep balance.

Police Chief Walsh stated that he feels they have a good committee and it will remain organized with the number of members they have. He emailed the people who were on his list that were not chosen for the committee and strongly suggested that they participate by having their voices heard through the people on the committee. He feels that people will be represented fairly by the members that have been chosen for the committee.

## **VIII. OLD BUSINESS**

- None

## **IX. OTHER BUSINESS**

- None

## **ADJOURNMENT**

**Motion by Phil Winslow to adjourn at 7:56 p.m. Seconded by Priscilla Jenness. All in favor.**

Respectfully Submitted, Dyana F. Ledger

DRAFT MINUTES of the Board of Selectmen's Meeting 4/23/18  
See minutes of 5/14/18 for approvals/corrections

4-23-18 Consent Item  
A

**Janice Ireland**

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**From:** Brenda McDermott <brenda.mcdermott@comcast.net>  
**Sent:** Tuesday, April 10, 2018 3:37 PM  
**To:** Janice Ireland  
**Subject:** Permitting process

Dear Members of the Board,

Last night we watched the Board of Selectmen review and unanimously approve the requests of 9 individuals to obtain permits to use the public beach for the monetary gain of their businesses. There is no charge for these permits, yet they require review from town employees. If one puts an addition on their house or does electrical work within it, one must pay the town to obtain a permit. I suggest the town charge a fee for these permits or some percentage of the profits that these businesses make from their use of the "public" beach.

Please have the selectmen read this letter into their minutes.

Sincerely,

Brenda and Frank McDermott  
30 F St  
Rye, NH 03870



DRAFT MINUTES of the Board of Selectmen's Meeting 4/23/18  
See minutes of 5/14/18 for approvals/corrections

4-23-18 Consent Item  
B



**Founders Affiliate**  
2 Wall Street | Manchester, NH 03101  
www.heart.org

April 9, 2018

Dear Town of Rye,

The American Heart Association is pleased to announce that for the first time, their annual Heart Ball will be taking place on the New Hampshire Seacoast. The Abenaki Country Club is the host of our annual event that will bring together 225 of the Seacoast Community's leaders in an evening of education and celebration of the advancements of the American Heart Association in New Hampshire.

We are requesting your permission to conduct a "Traditional Draw" raffle at the event, taking place on the evening of May 5, 2018. Guests 18 years of age and older will be asked to donate \$250 to participate in the draw. We will be offering 10-12 packages of items that will include Dining experiences, Sports tickets and memorabilia, Overnight stays, Jewelry, and Shopping excursions that have been donated to our organization. The drawing will take place that evening during our program of events.

Each person who donates \$250 will be given a ticket that states the name of our organization, the price they donated for the ticket, when the drawing will take place, and the list of items that are being offered.

We hope that you will allow us to conduct this raffle to help us raise the funds needed to continue to support the research and education needed to continue our fight against cardiovascular disease and stroke.

Sincerely,

Donna Stevens  
Executive Director of the American Heart Association

*"Building healthier lives,  
free of cardiovascular  
diseases and stroke."*

life is why™ es por la vida™ 全為生命™

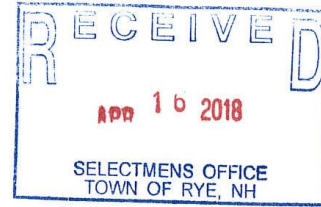
DRAFT MINUTES of the Board of Selectmen's Meeting 4/23/18  
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4-23-18 Consent Item C

April 13, 2018

11 Harborview Drive  
Rye, NH 03870

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



Sir and Madams:

I appeared before you at your last meeting in what the Portsmouth Herald described as blasting the Town of Rye. However, I was trying, for perhaps the last time, to influence the Town of Rye to join the public in securing the future of our public easement accessing Little Harbor Beach.

Now, we have received notice that another Rockingham Superior Court hearing will take place on May 10, 2018. It was truly painful to see your lawyer huddled with the opposition at the last hearing, and I am begging you again to re-examine the position the town has taken. WBTSCC should neither be burdened nor trusted with the responsibility of the maintenance of an area which was historically maintained and regulated by the Town of Rye. Please consider huddling with me this time to see if we can assure the long-term viability of this precious victory. There is no reason for the Town of Rye to continue in opposition to the interests of its public.

Thank you.

Yours truly,

A handwritten signature in blue ink, appearing to be "Robert Jesurum", written in a cursive style.

Robert Jesurum

cc: Michael Magnant  
Paul McEachern