

TOWN OF RYE – BOARD OF SELECTMEN
Monday, August 27, 2018
6:30 p.m. – Rye Town Hall

Present: Chairman Priscilla Jenness, Vice-Chair Phil Winslow and Selectman Keriann Roman

Others Present: Town Administrator Michael Magnant

6:30 p.m.

I. CALL TO ORDER.

Chairman Jenness called the meeting to order at 6:30 p.m.

II. NON-PUBLIC SESSION (1) per RSA 91-A:3, II (d) Acquisition

At 6:30 p.m., Phil Winslow made a motion to go into Non-Public Session per RSA 91-A:3 II (d) Acquisition. Seconded by Keriann Roman. Roll Call: Jenness – Yes, Winslow – Yes, Roman - Yes.

At 6:49 p.m., Keriann Roman made a motion to come out of Non-Public Session. Seconded by Phil Winslow Roll Call: Jenness – Yes, Winslow – Yes, Roman - Yes.

Motion by Keriann Roman to seal the minutes on the Non-Public Session just concluded until the P&S is signed. Seconded by Phil Winslow. All in favor.

7:00 p.m. RECONVENE PUBLIC MEETING

III. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairman Jenness reconvened the public meeting at 7:00 p.m. and led the Pledge of Allegiance.

IV. ANNOUNCEMENTS

- **N.H. Primary Day is Tuesday, September 11th.**

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.)

Peter Crawford, 171 Brackett Road, expressed his concerns about his submitted questions not being answered by the representatives from Verizon at the July 31st ZBA/PB joint meeting. He requested that the Selectmen ask the town attorney to present the full list of questions to Verizon so the residents have them answered in adequate time before the ZBA meeting on September 4th.

Selectman Roman noted that her review of the questions was not done “behind closed doors”. It was done at the meeting and the rest of the Planning Board received a copy of the questions.

Steven Borne, 431 Wallis Road, speaking for the Rye Civic League, stated that the Civic League will be holding a Candidates Night in October (date to be determined). Speaking as a resident, he spoke in regards to the fire department's capital plan, which was recently presented to the Selectmen at their August 13th meeting by Fire Chief Cotreau. He also spoke about the condition of Sagamore Road and the need for it to be paved. He expressed support for the library's draft compensation policy, which was presented at the August 13th Selectmen's meeting.

Matt Westover, 9 Perkins Road, spoke to the Selectmen about safety concerns with the beach parking that is allowed along the south side of Perkins Road.

Mary Westover, 9 Perkins Road, also expressed her safety concerns with regard to the parking.

Kathy McCabe, 135 Brackett Road, spoke about access to public records in the building department.

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

- A.** Chief Walsh – Event Permit Application: Run for the Fallen NH, Sunday, 9/16/18, 7:30 – 11:00 a.m.
- B.** Letter rec'd from Peter Crawford requesting permission for 3 individuals to hold signs and pass out literature related to the proposed Verizon Brackett Road Cell Tower on Saturday, 9/1/18.

Vice-Chair Winslow requested discussion on Consent Agenda Item B.

Motion by Keriann Roman to approve Consent Agenda Item A, Run for the Fallen NH. Seconded by Phil Winslow. All in favor.

Speaking to the Public Works Director, Vice-Chair Winslow asked if he has seen the application to hold signs at the transfer station on September 1st.

Dennis McCarthy, Public Works Director, noted that the firefighters are holding a Boot Drive on that day at the transfer station. He pointed out that in the past, the select board has not allowed politicking for issues that did not specifically relate to the politics of the town. He commented that the fire department will have three to five people for the Boot Drive. If the people stay up near the fence and spread out there will be room. If there are any issues, the transfer station staff will put a stop to the activity.

Vice-Chair Winslow asked if they are setting a precedent by allowing for the promotion of an issue that is going before the zoning or planning board.

Chairman Jenness stated that they have allowed people to pass out information regarding the town hall in the past. It is a similar rationale for allowing information to be distributed.

Motion by Phil Winslow to accept Consent Agenda Item B. Seconded by Keriann Roman. All in favor.

VII. DISCUSSION ITEMS

A. Meeting Minutes

1. Meeting, Monday, August 13, 2018, 6:00 p.m., Town Hall

The following corrections were noted:

- Page 1, under #2, 1st sentence should read: **Chairman Jenness asked Director McCarthy to describe where we are with the paving project.**
- Page 6, 2nd paragraph, 1st sentence should read: **After discussion, the Selectmen agreed to put out an RFP to address replacement of the siding, below the highest sill of the windows, to see if the work can be completed without holding back the painting project.**
- Page 7, Item #2 & #3 should read: **That if such loan be made**

Motion by Phil Winslow to approve the minutes of August 13, 2018 as amended. Seconded by Keriann Roman. All in favor.

2. Meeting, Thursday, August 23, 2018, 11:30 a.m., Town Hall

- It should be noted that Attorney Michael Donovan was present by telephone.

Motion by Phil Winslow to approve the August 23, 2018 minutes as amended. Seconded by Keriann Roman.

3. Non-Public Session, Thursday, August 23, 2018 (1) per RSA 91-A:3, II (c)
Reputation

Motion by Phil Winslow to approve the non-public minutes of August 23, 2018, under 91-A:33 as written. Seconded by Keriann Roman. All in favor.

Motion by Keriann Roman to seal the non-public minutes of August 23, 2018 because if they are not sealed it will render the proposed action ineffective. The time frame for sealing will be until the legal matter is resolved. Seconded by Phil Winslow. All in favor.

B. Rye Public Library Trustees – Proposed RPL Compensation Policy

Karen Allen, Library Trustee, presented the proposed Rye Public Library Compensation Policy to the Selectmen. The basis of the policy is derived from the written compensation study completed by Thornton and Associates on behalf of the Library Trustees. Thornton's report recommended a performance and market based policy. Also consulted, were other human resource and informational professionals with ideas from the Aaron Culter Library Compensation Policy, Litchfield, NH, considered. During countless public meetings, the RPL Board vetted many ideas for the proposed compensation policy. The RPL Compensation Policy is designed to provide structure, while also providing a method to recognize experience and performance to address compensation. The Trustees, with input from the Library Director, will annually determine the amount of the wages line item in the budget, including a recommended performance compensation budget. When the Board of Selectmen issue a municipal adjustment (COLA), the same adjustment will be given to the RPL employees. Market paid comparisons with other N.H. libraries will be reviewed regularly and adjusted as needed to maintain competitive salaries. All RPL employees have a performance review at least once per year. Each RPL employee receives a salary that falls within the range that has been established for their position within the compensation scale. The location of each employee's rate within that range is determined by the outcome of the employee's annual performance review. The library employees are the key to the success of RPL and they receive rave reviews from the community.

Mrs. Allen answered the Selectmen's questions regarding the performance paid adjustments and the overall compensation policy.

C. Marty Chapman, The Housing Partnership – Parsonage Lease Agreement

Marty Chapman, The Housing Partnership, met with the selectmen to discuss and review the Parsonage Lease Agreement, which is nearing the end of its twenty year lease for affordable housing. He is proposing a one year extension in order to relocate the existing tenants, as The Housing Partnership will not be able to enter into a long term lease for affordable housing.

The Selectmen agreed that the lease should be sent on to Attorney Donovan for his review.

- D.** David Rimbach would like to discuss widening the roads to make it safer for pedestrians and bicyclists

David Rimbach, 731 Washington Road, spoke to the Selectmen in regards to widening the roads throughout Rye, as his road was done seven years ago, to allow for safer pedestrian and bicycle use.

Dennis McCarthy, Public Works Director, noted that widening the road adds substantially to the town's repaving program costs. The town is not up to par on where they should be with funds for maintaining the road, therefore, funds have not been dedicated for widening roads. To add more width and more road costs, will require a commitment from the town to add additional costs. He suggested that they determine which roads should be widened, as not every road in Rye needs to be done.

Selectman Roman commented that the current policy (February 2011) needs to be revised.

The board agreed that Mr. McCarthy should make a recommendation on a policy.

Vice-Chair Winslow requested a cost for widening when they are considering which roads will be done. It may be a good idea to present this on a warrant article to the voters.

Chairman Jenness commented that highway funding may be available for this specific purpose.

Vice-Chair Winslow noted that the ten year plan includes widening the road from the bridge at Seavey Creek to Odiorne Point and the road from New Castle to Route 1B.

Steven Borne, 431 Wallis Road, spoke about the possibility of state or federal funds to cover the costs of maintenance and widening of the main "biking" roads in Rye.

- E.** Dennis McCarthy, Public Works Director – Catch Basin Cleaning Bid Results

Mr. McCarthy noted that one bid was received; however, the department has worked with them in the past and he recommends the company for the work.

- F.** Collateralization of Town Funds

Selectman Roman reviewed a draft letter to TD Bank requesting amendments to the Letter of Credit Agreement with the Federal Home Loan Bank of Pittsburg.

G. Revenue Analysis

The Selectmen discussed the idea of reviewing ways to increase the town's revenues outside of the taxpayers. It was agreed to review the fees currently charged by the town to see if there is a way to increase that revenue. Some fees to consider include cabin fees, impact fees and parking fines. The Beach Committee will also be presenting recommendations for ways to increase revenue. The board will continue this as an ongoing discussion for future meetings.

VIII. CORRESPONDENCE

- Email from Susan Shepcaro, Rye Conservation Commission

An email was received from **Susan Shepcaro, RCC Member**, notifying the board about the recently passed motion at the August RCC Meeting to implement temporary leash zones in the Town Forest. The temporary zones will be in place from September 15th to April 1st, which at that time, a different plan may be in place from the March town vote. At the Dogs at Large Committee on August 15th, it was determined that the selectmen should be consulted before this plan is implemented per Attorney Donovan's opinion that the Selectmen control, while RCC manages, the Town Forest. The RCC is requesting support from the Selectmen in time to post the areas before September 15th.

Mike Garvan, 220 Washington Road, Conservation Commission and Dogs at Large Committee Member, stated that the principal problem with dogs in the forest is on the western side, where there are three abutters who have had significant issues with dogs on their properties. The property owners hunt on their properties and this has caused safety issues for dogs entering onto their land. Mr. Garvan reviewed the areas on the Town Forest map for the proposed temporary leash law. He requested that the Selectmen pass an emergency ordinance for the protection of the property owners, as well as the dog owners and their dogs. The intent is to have the program in place from September 15th to April 1st until a permanent solution can be put in place. The Dogs at Large Committee will be making recommendations to the Selectmen about other control measures for dogs at large with the intent of having a warrant article at town meeting in March.

Police Chief Kevin Walsh spoke about the difficulties in enforcing this proposal; however, he supports trying it to help eliminate some of the problems.

Susan Shepcaro, RCC Member, spoke in support of the temporary leash law for the protection of the Town Forest, as well as people and dogs.

The Selectmen agreed that Town Administrator Michael Magnant should work with the Police Chief and Attorney Donovan on drafting an ordinance, which will need to be presented at a public hearing at their meeting on September 24th.

IX. NEW BUSINESS

- The Selectmen and Dennis McCarthy (DPW) discussed the request from the Rye Driftwood Garden Club in regards to planting a tree in town in observance of their fiftieth anniversary being celebrated this year. Further research is needed in order to give the Garden Club some suggestions for locations.
- Selectman Roman spoke to the board about resident's concerns regarding seaweed being dumped and corralled on the north end of Jenness Beach. The perception is that the seaweed is being taken from all areas of the beach and being dumped in that location.

Chairman Jenness stated that seaweed has always been prevalent at that end of the beach. It's the prevailing winds that bring it in. During bad storms it has been mounded 10 to 20 feet high.

Mr. McCarthy noted that the seaweed is just from that end of the beach. The seaweed gets pushed up and the beach rake is unable to reach it because of the rocks. He has instructed his department to leave the seaweed if it cannot be hauled out.

X. OLD BUSINESS

- Dennis McCarthy, Public Works Director, presented the contract for engineering fees for the Harbor Road Bridge repair in the amount of \$10,714.
(Note: Phil Winslow recused himself from the discussion.)

Selectman Roman took a copy of the contract to review for the next Selectmen's meeting.

- 2019-2020 NHMA Legislative Policy Review

Finance:

#1 - No determination of utility value by the DRA can be used by the utility in application for abatement for tax.

The Selectmen support the policy.

#2 - Support the continuing existence of a retiring system for state and local government employees. (NH Retirement System)

The Selectmen support the policy.

#3 - Expansion of local authority to institute fees

Selectman Roman stated that anything that gives municipalities more local control she is in favor of.

Vice-Chair Winslow agreed.

The Selectmen support the policy.

#4 – Strengthen the Enforcement of Motor Vehicle Registration Laws

The Selectmen support the policy.

5 – Lien for uncollected ambulance/EMS billings

Selectman Roman explained that the policy is proposing a property lien for uncollected accounts.

Chairman Jenness pointed out that the town has had trouble with trying to contact the person if they give a false address or fake social security number.

Selectman Roman noted that this policy would only help the town and give them another option.

The Selectmen support the policy.

6 - Require entities to file name changes and ownership changes at the Registry of Deeds to ensure that property taxes are assessed to the proper owners.

The Selectmen support the policy.

7 – Create a study commission to address municipality concerns regarding billing for property taxes and/or municipal utility fees on manufactured housing on land of another.

The Selectmen support the policy.

XI. OTHER BUSINESS

- None

ADJOURNMENT

Motion by Keriann Roman to adjourn at 9:40 p.m. Seconded by Phil Winslow. All in favor.

Respectfully Submitted,
Dyana F. Ledger

DRAFT MINUTES of the Board of Selectmen's Meeting 8/27/18
See minutes of 9/10/18 for approvals/corrections

8-27-18 Consent Item B

Peter A. Crawford
171 Brackett Rd.
Rye, NH 03870

August 23, 2018

Ms. Keriann Roman
Mr. Phil Winslow
Ms. Priscilla V. Jenness
Rye Town Hall
10 Central Rd.
Rye, NH 03870

Dear Mr. Winslow, Ms. Jenness and Ms. Roman:

I request that this letter be added to the agenda for the August 27, 2018 Select Board meeting and that it be considered at that meeting.

The Friends of Brackett Road, consisting of John McNair, Kathy McCabe and John Welch, have asked that I write to you making this request. I hereby request permission for these three individuals, or substitutes designated in writing by each of them, to hold signs and pass out literature related to the proposed Verizon Brackett Rd. Cell Tower on Saturday, September 1, 2018. The activities of holding of signs and passing out of literature will be conducted by a maximum of three persons at a time and may also include a small table no larger than 3 feet by 6 feet. It will be conducted away from the unloading area in the usual location designated for these types of activities.

Please note that, in 2016, Article 25 passed, making permanent the electioneering zone at the Transfer Station and making Board of Selectmen approval contingent only on safety and operational considerations.

Sincerely,



Peter A. Crawford