

TOWN OF RYE – BOARD OF SELECTMEN
Thursday, December 27, 2018
7:00 p.m. – Rye Town Hall

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

Others Present: Town Administrator Michael Magnant, Finance Director and Assistant Town Administrator Becky Bergeron.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairman Jenness called the meeting to order at 7:17 p.m. and led the Pledge of Allegiance.

II. ANNOUNCEMENTS

- None

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.)

Robert Wylde, 29 Oak Ave., spoke to the Selectmen regarding his suggestion to use one of the bays at the Public Safety Building for salvage electronics and mechanical components.

Police Chief Kevin Walsh reported on the work of the officers over the last few months.

- Officer Lynch and Officer Fuglestad met with the White Birch community residents to educate them about I.D. fraud.
- Corporal Webster, Officer Miller and Lt. Blaisdell have been conducting active shooter training with Star Island, school staff, town hall staff and the Evolve Facility. They will be reaching out to other groups and organizations for education and training in the future.

Lori Carbajal, 18 Tower Ave., Beach Committee member, asked if the Selectmen have made a decision on the port-a-potty issue at Sawyer's Beach.

Chairman Jenness noted that no decision has been made.

Fred Clark, 24 Red Mill Lane, expressed his opposition, as an abutter, regarding the proposal for a port-a-potty at Sawyer's Beach.

Steven Borne, 431 Wallis Road, as a representative for the Rye Civic League, noted that the Civic League will be holding a discussion on January 24th for any resident who is interested in serving on a board or commission in the community. A representative from each board and commission is being asked to attend to talk about the work they do for the community. The Civic League will also be discussing the annual budget and upcoming warrant articles on January 30th. Candidates Night will be held on Monday, March 4th, at the Rye Public Library.

Mr. Borne, speaking as a resident, stated that the application committee for Plan N.H. has asked to meet with someone from the Heritage Commission, Select Board, Historic District Commission and Planning Board. The date has been set for January 10th and he will confirm the time when he hears back from Plan N.H. He also spoke to the Selectmen in regards to the concerns of the neighbors of Webster at Rye about an upcoming proposal for an expansion of the facility. He also commented on the Parson's Creek Watershed Report that has been posted on the town's website.

Joe Cummings, Washington Road, spoke about the recent S.A.U. 50 Public Hearing for 2019 Rye School Budget and his concern on the process at that meeting for public comments.

Chairman Jenness suggested to Mr. Cummings that he address his concerns with the School Board.

Dan Philbrick, 1393 Ocean Blvd., addressed the Board about his issues working with the Building Department during his renovation project of the Crown Colony Hotel property. He also expressed his disappointment in not being able to speak with the Selectmen at their last meeting.

Chairman Jenness invited Mr. Philbrick to set up a meeting with the Selectmen's secretary for a non-public meeting with the Board.

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

- A.** Heritage Commission requests permission to accept and expend funds received from donations in the amount of \$450 for Town Hall purposes and unrestricted funds received in the amount of \$1225.
- B.** Conservation Commission requests permission to accept and expend funds received from donations in the amount of \$245 for Goss Farm.

Motion by Phil Winslow to accept Consent Agenda Items A and B as presented. Seconded by Keriann Roman. All in favor.

V. DISCUSSION ITEMS

A. Meeting Minutes

1. Meeting, Monday, November 26, 2018, 6:30 p.m., Town Hall
2. Meeting, Thursday, November 29, 2018, 9:00 a.m., Town Hall

(Addressed later in meeting.)

B. Brandee Laughlin, NH Dept. of Natural & Cultural Resources – Applying to put the Town Hall on the Federal Registry of Historic Places

Brandee Laughlin, N.H. Division of Historic Resources, met with the Board to discuss and answer questions about listing the Town Hall on the Federal Registry of Historic Places.

Chairman Jenness asked what strings would be attached to listing the building on the registry.

Ms. Laughlin replied there are absolutely none. She continued it is a fabulous program. It documents the building as it is. It opens opportunities for different grants and funding. It is an honorary designation. There is no obligation to do anything to the building or any restriction to keep anything from being done to the building.

Vice-Chair Winslow asked how much time is involved in doing the application. He asked if professional help is needed.

Ms. Laughlin explained that as part of the Certified Local Government Program (CLG) Rye can apply to get funding for help in getting the property listed. It is recommended that a professional handle the paperwork. There is a lot of historical research and architectural descriptions that are required. There are also very specific photographic and format requirements. The CLG funds those one hundred percent. If Rye was to receive the grant, it would not cost the Town anything, except for some time from town administration.

Mae Bradshaw, Historic District Chair, spoke on the possibility of having the person who is being paid by CLG to do the application, also work on the State form for the Parsonage. There may be funds going forward for the Parsonage that would not be available without getting the building on the State registration.

Ms. Laughlin commented it may be financially efficient if the Town would like to apply for both of those together for the grant. The professional would already be working on the application for the national register. It would just be a matter of “tacking on” some additional photos and information for the Parsonage for the State.

Vice-Chair Winslow asked if there are any restrictions with putting a building on the State registry.

Ms. Bradshaw replied no.

Town Administrator Michael Magnant asked what type of professional consultant would be hired to do this work.

Ms. Laughlin explained it would be a historic preservation specialist. There are quite a few in the State. She noted that the Division of Historic Resources maintains a list on their website. They recommend that the Town reach out to several people on the list to get a cost estimate for the work, which will be needed for the grant application.

Selectman Roman asked what the financial benefits for the Town would be for having the building on the national registry.

Ms. Laughlin explained that there are some grant programs that require a national listing. Grants are the biggest potential for a municipality. For private entities, it makes the property eligible to take advantage of tax credits. She noted that if the Town can get the grant, it will not cost anything but time. It will give the Town a good baseline documentation, in addition to the Historic Structures Report. She commented that the Town has already done quite a bit of work. It is great that the Town is thinking about building on that work.

Ms. Bradshaw stated that one of the letters of intent that was sent for the CLG federal funds was related to doing an interior space study of the building (Town Hall) for preservation and effective utilization. That architectural study could be paid for by the CLG but not until the building is on the federal registry.

The Selectmen thanked Ms. Laughlin for meeting with them and look forward to getting started on the project.

C. Scott Bogle, Rockingham Planning Commission – Rails to Trails
To be addressed at the Selectmen's meeting on January 14th.

D. Parsonage Apartment Building
To be addressed at a Selectmen's meeting in January.

E. Approval of Agreement to Convey Limited Access Easement (over Port Way to Tax Map Parcel 23/1).

Motion by Phil Winslow to approve the agreement with Arik Jones, Debra and Thomas Gosselin, and Peter Kornechuk, Trustee to convey a Limited Access Easement over Port Way and to authorize each Selectmen to sign once the agreement is signed by the other parties. Seconded by Keriann Roman. All in favor.

- F. Withdrawal of petitioned zoning amendment placing Tax Map 23/2 in Wireless Telecommunications District.

Motion by Phil Winslow to authorize the Town Administrator to withdraw the petitioned zoning amendment, which would add Tax Map 23, Parcel 2, to the Wireless Telecommunications District, once the signed agreement is received to convey a Limited Access Easement from the property owners. Seconded by Keriann Roman. All in favor.

VI. CORRESPONDENCE

- A. Email rec'd from Joe Falzone asking that new roadways "Signature Drive" and "Autumn Lane" are placed on the 2019 Town Warrant to be accepted as Town roads.

Town Administrator Michael Magnant noted that Public Works Director Dennis McCarthy does not have any issues with this request. The building inspector also does not have any issues, under the condition that the final overlay be approved by the Selectmen, DPW Director and the Planning Board. That language would be in the warrant if this is moved forward.

Motion by Phil Winslow to move to the Town Warrant. Seconded by Keriann Roman. All in favor.

- B. Comcast Commencement of Renewal Process

The Selectmen reviewed the renewal letter received from Comcast.

Motion by Phil Winslow to authorize the Town Administrator to respond to Comcast's letter. Seconded by Keriann Roman. All in favor.

VII. NEW BUSINESS

- None

VIII. OLD BUSINESS

- Chairman Jenness suggested that the port-a-potty issue be put on the next meeting agenda so the Selectmen can come to a conclusion.

Town Administrator Magnant noted that the State Biologist called him last week and wanted to be sure that the Town was aware of the NH DES Regulation that any port-a-potty has to be 32ft away from the high-water mark. He responded to the State that the Selectmen are aware and no decision has been made at this time.

Selectman Roman asked if DES has taken a position that it is within 32ft.

Mr. Magnant replied that the biologist did not say. DES has not been out there to take measurements.

Vice-Chair Winslow commented that if it cannot be placed outside 32ft, then it is a moot point. Also, the Selectmen should know if there are any restrictions in the purchase contract for Sawyer's Beach that would preclude any structure.

Mr. Magnant noted that the Selectmen's secretary has been researching this information and it will take quite a few more hours. She is also keeping a file of all correspondence received on this issue, for and against the proposal. Most of the letters received are against the idea.

Selectman Roman commented that if the Selectmen decide to not move forward on the warrant article, it could be brought to the warrant as a citizen's petition by the residents who proposed the idea.

The Selectmen agreed the appropriation for the expense of the port-a-potty should remain in the proposed budget for 2019. If the Selectmen do not move the article forward and a citizen's petitioned article is brought forth, the money would be budgeted if it is approved by the voters. The money would not be spent if the article is not approved.

Vice-Chair Winslow noted that people are worried about the cosmetics of the port-a-potty, regulations, safety and the accumulation of trash.

Town Administrator Magnant agreed to ask DES for further help with the regulation.

- Selectman Roman stated that negotiations are still on-going with Verizon to complete a lease for the town property off Port Way. Other towns have been researched on what they have gotten for leases on town land, including escalation clauses. Once the Town reaches an agreement with Verizon it will go on the town warrant for the voters to vote on. It is anticipated that it will be ready for the March vote.
- **Steven Borne, 431 Wallis Road**, encouraged the Selectmen to reach out to residents who are experts in the IT field to help guide the Town's decision on IT infrastructure.
- Mr. Magnant noted that the 2018 Beach Bacteria Report has been received with a copy being forwarded to DES. He has been coordinating with FB Environmental to have them give a presentation at one of the Selectmen's meetings. He also noted that the report is available on the town's website.

IX. OTHER BUSINESS

- Meeting minutes – 11/26/18

The following corrections should be noted:

- It should be noted that the non-public meeting was with Attorney Thomas Closson.
- Page 3, 4th paragraph, 2nd sentence should read: **She is happy to have this chance to use her background and experience in Fine Arts.**
- Page 4, under B, 3rd sentence should read: **Ms. Eberhardt explained that this is not a proposed project for implementing plans right now.**
- Page 4, item 2, 2nd sentence should read: **the work can be expanded to any publically owned land in New Hampshire.**
- Page 7, 1st paragraph, 2nd sentence should read: **He stressed the importance of the public understanding the payback of their \$700,000 investment.**
- Page 10, 2nd paragraph, last sentence should read: **He also provided a map of the Rye coastline that showed Sawyer's Beach as the only stretch along the coastline at the highest level of protected operational management land.**
- Page 10, last paragraph, 4th sentence should read: **The process also required attendance of interested contractors at a mandatory site meeting in October.**
- Page 12, 1st bullet, it should be noted that Starbord Way should be spelled Starboard Way.
- Page 12, 2nd bullet, last sentence should read: **he recommended that the Board award the bid to Keith Bridge Electrical.**
- Page 12, 3rd bullet, 2nd paragraph should read: **Selectman Roman stated that the Town has a planning administrator who works closely with the Rockingham Planning Commission for guidance on projects so there is no interest at this time.**
- Page 12, 2nd bullet, last paragraph, 1st sentence should read: **Chairman Jenness stated that the Town of Rye had a five member board for a few years and got rid of it very quickly because it did not work in Rye.**

**Motion by Phil Winslow to approve the minutes of November 26, 2018 as amended.
Seconded by Keriann Roman. All in favor.**

- Meeting minutes – 11/29/18

**Motion by Phil Winslow to approve the minutes of November 29, 2018 as presented.
Seconded by Keriann Roman. Vote: 2-0-1 Abstained: Priscilla Jenness.**

- New Police Officer

Motion by Phil Winslow to hire Charles E. Graham as an entry level police officer for the Town of Rye. Seconded by Keriann Roman. All in favor.

- **Pumper Ladder Truck Warrant Article**

Selectman Roman noted that the selectmen had discussed the warrant article; however, there was a question about how the article was worded. The warrant article has been reworded.

To see if the Town will authorize the Selectmen to enter into a long term purchase lease agreement in the amount of five hundred thousand dollars (\$500,000) payable over a term of five years for a new pumper ladder truck for the fire department with the first payment due in 2020 and to raise and appropriate the sum of four hundred and ninety-two thousand dollars (\$492,000) for the down payment on a lease purchase due in 2019 with one hundred twenty-three thousand dollars (\$123,000) to come from the Ambulance and Fire Vehicle Special Revenue Fund and to authorize the withdrawal of three hundred sixty-nine thousand dollars (\$369,000) from the Fire and Ambulance Vehicle Capital Reserve Fund for a total of four hundred ninety-two thousand dollars (\$492,000). The total cost of the pumper ladder truck is nine hundred ninety-two thousand dollars (\$992,000). This article is addition to the operating budget. 3/5 vote required.

Motion by Keriann Roman to move the warrant article, with recommendation, to the town warrant. Seconded by Phil Winslow. All in favor.

ADJOURNMENT

Motion by Phil Winslow to adjourn at 8:30 p.m. Seconded by Keriann Roman. All in favor.

Respectfully Submitted,
Dyana F. Ledger