

TOWN OF RYE – BOARD OF SELECTMEN
Wednesday, January 23, 2019
1:00 p.m. – Rye Town Hall

Present: Chair Priscilla Jenness, Vice-Chair Phil Winslow

Selectman Keriann Roman, via: Telephone from her office at work.

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

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Priscilla Jenness called the meeting to order at 1:03 p.m. and lead the Pledge of Allegiance

II. 2019 Budget Work Session

A. Reconsideration of Warrant Articles

Finance Director Becky Bergeron explained that the Department of Revenue has reviewed all of the money warrant articles and has made recommendations and changes on three of the articles as follows:

Article #6: It is a statutory requirement that the 10% override language precedes this article.

ARTICLE 06. (By Petition) Passage of this article shall override the 10% limitation imposed on this appropriation if not recommended by the Budget Committee. To see if the Town of Rye will vote to authorize the Rye Selectmen to raise and appropriate the sum of three million five hundred thousand dollars (\$3,500,000) gross budget for the purpose of building a new Town Hall Structure on its current site, along with equipment and furnishings, with some changes to foundation location, and to raze the old Town Hall building. ~~Passage of this article shall override the 10% limitation imposed on this appropriation if not recommended by the Budget Committee.~~

To construct, pursuant to the design for a new Town Hall, as developed by Rye resident John Loftus, and licensed New Hampshire Architect Robert A. Schaefer, AIA, LEED BD+C from the firm of R.A.SCHAEFER & D. M.WHITE ARCHITECTS.

To authorize The Rye Selectmen, to go forward with the completion of “contract documents”, including required and necessary engineering, by licensed New Hampshire Architect Robert A. Schaefer, AIA, LEED BD+C from the firm of R.A.SCHAEFER & D.,M. WHITE ARCHITECTS, and with further project design input by Rye resident John Loftus. The “contract documents” will take into account all applicable codes and ADA requirements. (Please note: Mr. Loftus has not been offered, has not asked for, and will NOT accept any remuneration for any of his design work.)

To authorize The Rye Selectmen, to seek competitive bidding for the physical construction of a new Town Hall, as per the prepared contract documents, and to choose the best bid.

To authorize the borrowing of up to three million five hundred thousand dollars (\$3,500,000) through the issuance of not more than three million five hundred thousand dollars (\$3,500,000) of bonds or notes, for a 30 year term only, in accordance with the provisions of the Municipal Finance Act (N.H. RSA Chapter 33 as amended).

To authorize the Selectmen to issue and negotiate such bonds or notes, for a thirty year term only, to determine the rate of interest thereon, and to take such actions as may be necessary to effect issuance, negotiation, sale and delivery of such bonds or notes as shall be in the best interest of the Town of Rye, and further, to apply for and accept and expend Federal and State Grants and any private donations toward this purpose.

(60% vote required) This appropriation is in addition to the operating budget.

This article not recommended by the Selectmen (3-0)
This article is not recommended by the Budget Committee. (6-4)

Motion by Phil Winslow to accept Article 6 as amended. Seconded by Keriann Roman. Roll Call Vote: Phil Winslow – yes; Keriann Roman – yes; Priscilla Jenness – yes.

Article #8: The language of this article has been vetted by the Department of Revenue, Town Attorney Donovan, Town Administrator Magnant and Town Finance Director Bergeron. All parties agree to the following amendments: 1. The gross appropriation is \$992,000. 2. The Board of Selectmen will have the authority to negotiate the interest on the lease/purchase.

ARTICLE 08. To see if the Town will authorize the Board of Selectmen, as the governing body to enter into a long-term lease/purchase agreement in the amount of ~~five hundred thousand dollars (\$500,000)~~ nine hundred, ninety two thousand dollars (\$992,000) payable over a term of five (5) 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 the lease-purchase due in 2019 with \$123,000 to come from the Ambulance and Fire Vehicle Special Revenue Fund and to authorize the withdrawal of \$369,000 from the Fire and Ambulance Vehicle Capital Reserve Fund ~~(total of \$492,000). The total cost of the pumper/ladder truck is \$992,000.~~ This article is in addition to the operating budget. (3/5 vote required).

NOTE: The Board of Selectmen will negotiate the interest rate on the lease/purchase as shall be in the best interest of the Town.

This article is recommended by the Selectmen (3-0)
This article is recommended by the Budget Committee. (10-1)

Motion by Phil Winslow to accept Article 8 as amended. Seconded by Keriann Roman. Roll Call Vote: Phil Winslow – yes; Keriann Roman – yes; Priscilla Jenness – yes.

Article 14: The Department of Revenue wanted the .37 dropped from the article and the language that stated that the amount is coming from the unassigned fund balance of the Fire and Ambulance Vehicle Capital Reserve Fund added to the article.

ARTICLE 14. If Article 13 is adopted, to see if the Town will vote to raise and appropriate the sum of eleven thousand seven hundred fourteen ~~and 37/100~~ dollars (\$11,714.~~37~~) (\$11,714) the sum of which to come from unassigned fund balance, to the Fire and Ambulance Vehicle Capital Reserve Fund, which was re-established under a change of purpose by Article 15 of the 2018 Town Meeting. Note: This is the amount transferred to the General Fund by Article 14, so there is no net impact on the tax rate if Articles 14 and 15 are adopted. (Majority vote required).

This article is recommended by the Selectmen (3-0).
This article is recommended by the Budget Committee (11-0).

Motion by Phil Winslow to accept Article 8 as amended. Seconded by Keriann Roman. Roll Call Vote: Phil Winslow – yes; Keriann Roman – yes; Priscilla Jenness – yes.

Finance Director Bergeron was dismissed from the meeting at 1:16 p.m.

III. OTHER BUSINESS

A. Beach Parking Issue

Selectman Roman explained that residents of Perkins Road have been attending the Beach Committee meetings over the past year regarding the parking issue. Many residents have been very vocal about safety concerns and the quality of life concerns on that road. It was their understanding that there was going to be some proposal from the Beach Committee about how to start addressing some of these concerns. She pointed out that the Board got a report from the Beach Committee but no proposal. One of the ideas was to restrict parking on all side roads to resident only parking; however, that was not put forward by a warrant article. She stated that since the petition warrant article deadline was January 9th, she explained to the residents that at this point, the only way to place a warrant article would be if it was a Selectmen's article. A proposal from the residents for a warrant article was given to the Board.

- Christine McGill, 1000 Washington Road, referred to data collected by the Rye Police Department and the Tighe and Bond study. She read:

The seacoast is a popular summer destination with Ocean Boulevard, (Route 1-A) corridor in the Town of Rye an attractive destination for residents and visitors. This scenario is not unique and is typical of summer vacation areas, depending on the day (i.e., weekend versus weekday) and weather condition. While the seasonal impact to residents can be disruptive, we have noted that there is an adequate "Resident Only" parking supply along the corridor.

Also:

We reviewed crash data provided by the Rye Police Department for the past 3 years, and no one area of factor seemed to be dominant with the reported collisions.

Also:

It appears that the on-street parking along Ocean Boulevard corridor may help to reduce vehicle speeds, acting similar to a traffic calming device.

Ms. McGill stated that it is important to know these facts before any decision is made. She stated that she is opposed to adding to the resident only parking.

Police Chief Walsh stated that all changes to the parking will just push the parking issue further into areas that are currently not experiencing the issues. The number of cars during the six weeks of summer is not going to go away. The only thing that can be done is to do a better job of parking management. This comes from enforcement, awareness, education and changing strategies to do the best possible job to regulate the parking issue. Restricting the parking is not the answer.

- RJ Joyce, business owner of the Carriage House, read the following statement:

Over the last decade, the Town of Rye has witnessed the disappearance of public parking and commercial businesses along the entire Route 1-A corridor. The southern stretch of Ocean Boulevard has been particularly affected by this trend. From Rye Harbor to the Beach Club, we have lost over 60 parking spots with the expansion of no parking zones alongside every driveway and town road as well as the expansion of the bath house. Along the same stretch of road, only two miles long, we have lost a staggering percentage of local businesses. Staple local businesses that have survived for decades were coughed out by the parking bands and residential developers. The Wild Flower Café, Saunders, Joseph's, The Rye Motel, The Pagoda Colony, and Summers Crossing have all disappeared and have become condos or new residential housing. Commercial space in Rye is disappearing. Businesses are not expanding. They are declining at an alarming rate. The elimination of public parking has a direct negative impact on the few remaining businesses in Rye. In 2015, the Town of Rye paid for a parking study. This parking study unequivocally states that there is not a shortage of "Resident Only Parking Space". There is, however, a parking shortage. That shortage is public parking. The further elimination of public parking will exasperate the existing parking shortage and further jeopardize Rye's few remaining businesses. A vote for the elimination of more public parking is a vote against local businesses. We respectfully ask the Selectmen to put a moratorium on further elimination of public parking in Rye.

Sincerely,

Ryan, Tyler and Martha McGill

Mr. Joyce stated the he cannot comment on the statement, but as a local business owner he shares a lot of their concerns as well. He added that many of their guests and employees are people that use those parking spaces.

Matt Westover, 9 Perkins Road, stated that he supports the local businesses. He said that this is not about restricting parking. It is about providing more parking for town residents. He added that he agreed with the Police Chief that there is a problem at the beach and he doesn't want to push that problem into other neighborhoods; however, the neighbors on Perkins Road do not want to bear the brunt of the problem. He pointed out that eliminating parking is not what the proposed article is about. The Town currently issues about two thousand permits a year and there are only about 132 parking spots at the beach for these permits. All the warrant is asking for is 100 more spaces so that the people of Rye can enjoy the beach like anyone else. It is simply allowing more access for the local Rye residents to come to the beach and support the Rye businesses. It is in no way to hurt the businesses.

Chair Jenness summed up the issue. There is a request to not add more resident parking because businesses require out of towners. While homeowners that are in those residential areas are sick of people changing on their lawn. Dividing the Town is not the answer. She suggested that by making some town owned property residential parking and having the state road public parking, there may be cooperation from the State. The Board has talked in the past about metered parking but more important than the money is how the people are affected in the summer. She added that she is very concerned about what is being imposed on the residents in those areas.

Selectman Roman pointed out that if the 100 residential spaces are provided near Jenness, an unintended positive consequent could be that it will push the public up toward Wallis, which will help those businesses in that area.

Mary Westover, 9 Perkins Road, stated that this is about calming the neighborhood down. It is not about speeding or taking away public access. She added that it is not fair that Rye residents who cannot get to the beach at 4 in the morning, do not have an opportunity to access the beach.

James Cassin, 17 Perkins Road, spoke in favor of creating more access for residents. He pointed out that a lot of older residents cannot access Sawyer's Beach because of the shale pile. He stated that he would like to see a warrant article get to the residents and have them vote on it.

Mary Westover stated that it seems that there is a lot of tension between the Town of Rye and the State. She suggested that it seems like it would be to the Town's benefit to try to work with the State. It appears that there is not the same tension between the State and North Hampton, Hampton and Portsmouth.

Chair Jenness stated that there is no animosity with the State. Rye has worked over the years to have a good relationship with the State.

Police Chief Walsh agreed with Chair Jenness that the Town has a great relationship with the State. He reported that as the Emergency Management Director, he has taken it upon himself to share alerts and information with the State Parks. The Town gets bulletins from the State and the Emergency Management Team shares these bulletins with the State Parks supervisor.

Chair Jenness pointed out that Route 1-A was built by the State in 1900. The length of the coast was built for the use of the entire State. In talking about the number of people that would like to use the beach in the entire State, compared to Rye's population, Rye would probably have one parking space if it was figured by ratio.

Mary Westover asked if the Town could manage the illegal parking. She also asked if the parking could be redirected to Wallis Beach. A lot of time Jenness Beach will be packed and Wallis will be empty. A lot of out of town people do not know about Wallis.

Peter Crawford, 171 Brackett Road, stated that he has occasionally seen cars lined up to get in; however, most of the time the lot is half to three fourths full, even on busy days. He pointed out that the area along Ocean Blvd and south, is "No Parking" on either side. Also, on Marsh Road there is "No Parking". He said that he doesn't see cars parked on Parson's Road. He summed up by stating that he knows there will be some unintended consequences but he wonders how severe they would be. He observed that this issue and the same kinds of problems have been going on for twenty to thirty years and nothing is getting done and the people are getting frustrated. He hopes that the Board will start to take steps this year because it has been way too long. Waiting another year is not a good option.

Dennis Foss, 47 Foss Circle, stated that he had not seen the proposed warrant article and asked what Roads are included.

Chair Jenness read the proposed article as follows:

To see if the Town will vote for and approve an expanded opportunity for resident only beach parking by reallocating 100 spaces from the neighborhoods of Locke Road, Cable Road, Old Beach Road, Baker Road, and Perkins Road for resident parking by permit.

Dr. Foss spoke in favor of the article for safety concerns and quality of life concerns. However, he is not sure how replacing non-resident parking with resident parking will address the safety issues. He suggested that there needs to be loading and unloading zones at the beginning of the right-of-ways.

Christine McGill, 1000 Washington Road, stated that she has lived in Rye for 67 years. She talked about the natural growth that happens to all beautiful communities, over the country. She spoke against what she called privatizing the beach.

Selectman Roman stated that she has heard from some of the Perkins Road and Old Beach Road residents that they just want a chance for the voters to decide. They feel that this opportunity keeps getting taken away from them.

Karen Vose, 79 Old Beach Road, agreed that it should be put to a vote for the residents to decide.

Dennis Foss, 47 Foss Circle, spoke in regards to the quality of life issue. He also stated that he appreciates what Chief Walsh has done in terms of setting a tone for his officers. The way the Town presents themselves to other people is important. It is important to enforce the laws but it is also important that the Town is courteous and welcoming.

Chair Jenness suggested that without knowing all the details, this may be too fast to know what the outcome will be.

Peter Crawford stated that he watched the Beach Committee meeting and the discussion was for 15 spaces on Perkins and 15 on Old Beach Road. He does not know where 100 spaces came from. However, he stated that he was sure the residents would be happy with a smaller number than with nothing at all.

RJ Joyce agreed that this uncertainty shows that this decision is being rushed and deserves more time.

Matt Westover stated that the 100-space number came from a number of people walking the area. It is easy to see how many cars are in "off pavement legal parking". The 100 number is not unreasonable. There are over 2,000 permits being issued by the Town for resident parking and only 132 spaces available. The warrant article is talking about four streets.

Referring to the Tighe and Bond report, Selectman Roman stated that there are 50 spaces on Old Beach Road and Cable Road together.

Chair Jenness figured 50 on Old Beach and Cable and Perkins is listed at 13-16. Total 63 spaces.

Town Administrator Magnant added 6 for Baker. Which leaves Locke Road.

Vice-Chair Winslow pointed out that the Board had a commitment from the Beach Committee that they would be coming back with a proposal so that this could be put on the warrant. That has not happened. He feels that the things that are being done, like increasing the fines and more enforcement, is a good step. He suggested that more advertising for Wallis Sands State Beach would help. He added this issue is way too complicated to try to resolve in one afternoon. The time constraints make it inappropriate for the Board to make this decision. He pointed out that it will take time and discussion with the Police Chief.

Melanie Logan, 36 Old Beach Road, agreed that it is a large problem that requires a lot of consideration. She would appreciate the Board's consideration on making the parking for residents only.

James Cassin, 17 Perkins Road expressed disapproval of the Beach Committee. He stated that the residents of the area have been meeting with the Beach Committee for the last couple of months in anticipation that the committee would give a recommendation of some resolution to the problems that residents in that area are facing. He stated that in his opinion the Committee just fell apart. They gave nothing and left it up to the residents to come forward with this warrant. He stated that he understands this has been dumped on the Board, but there has been a lot of meetings and discussions regarding this

and the residents are desperate and are looking for some resolution. They don't want to restrict access to the beach, they just want to make it safer. That is why they want to have it resident only parking. The residents would be respectful and considerate of the neighborhood; as far as, times, trash, changing clothes, and urination. He summed up by saying that they are looking for some relief.

Chair Jenness asked who authored the warrant article.

Town Administer Magnant stated it was a citizen's article. It came by way of e-mail. Because the petition warrant article period is closed it would have to become a Selectmen's article.

Vice-Chair Winslow referred to the report from the Beach Committee which states:

The Beach Committee, based on our parking meeting discussion held on Saturday, January 19, 2019 have concluded that for 2019 no parking changes should be implemented to add residents only parking, or no parking, on Perkins and Old Beach Road.

Vice-Chair Winslow pointed out that the Beach Committee is recommending no changes this year. This doesn't mean that the Town shouldn't be looking at it for next year. The Selectmen should take responsibility for it. He added that the Board needs to rely upon the Beach Committee to make a recommendation.

Selectman Roman pointed out that the report that the Selectmen received prior to the January 19th meeting said the contrary, in particular about Perkins Road. It was represented to a Perkins Road resident that some sort of parking proposal would come from the committee this year. What came out of the January 19th meeting conflicts with the earlier report that has been represented to the Perkins Road group.

Chair Jenness expressed that not having any input from the Beach Committee is particularly concerning.

Town Administrator Magnant pointed out that the Board has the authority to address parking issues any time during the year with an ordinance change. It could then be put on the next ballot for the voters to decide.

Selectman Roman agreed with Mr. Magnant that a Selectmen's ordinance can be put in place anytime during the year. She stressed that she is concerned and the Board hears what the residents are saying. Selectman Roman stated that if the Board is not ready to put this article on the warrant for the voters to vote on, she is ready to commit to the community, that following Town meeting, a parking committee will be put together to get recommendations for temporary parking restrictions that the selectmen can use this year and put before the voters next year.

Vice-Chair Winslow said that Selectman Roman would be a good choice for the Selectmen's Rep on the parking committee and that Chief Walsh should also be on the committee.

After further discussion, the Board agreed that forming a parking committee is the appropriate way to proceed.

Motion by Phil Winslow to not present the warrant article referencing expanded beach parking for “residents only parking” as written. Seconded by Priscilla Jenness.

Roll Call Vote: Phil Winslow – yes; Priscilla Jenness – yes; Keriann Roman – abstain.

The Board promised to put this issue on the next Selectmen’s Agenda. To form a committee in order to get recommendations prior to the summer season.

ADJOURNMENT

Motion by Phil Winslow to adjourn 3:15 p.m. Seconded by Priscilla Jenness. All in Favor.

Respectfully Submitted,
Dyana F. Ledger