

**TOWN OF RYE – BOARD OF SELECTMEN**  
**Tuesday, October 15, 2019**  
**5:30 p.m. – Rye Town Hall**

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

*Others Present: Acting Town Administrator, Becky Bergeron*

**5:30 p.m.**

**I. CALL TO ORDER**

Chair Winslow called the meeting to order at 5:30 p.m.

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

**At 5:30 p.m., Keriann Roman made a motion to go into Non-Public Session per RSA 91-A:3 II (d) Acquisition. Seconded by Phil Winslow. Roll Call: Winslow – Yes, Roman – Yes, Epperson - Yes**

**At 5:49 p.m., Keriann Roman made a motion to come out of Non-Public Session. Seconded by Phil Winslow. Roll Call: Winslow – Yes, Roman – Yes, Epperson - Yes.**

**At 5:49 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 6:34 p.m., Keriann Roman made a motion to come out of Non-Public Session. Seconded by Phil Winslow. Roll Call: Winslow – Yes, Roman – Yes, Epperson - Yes.**

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

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

Chair Winslow called the meeting to order at 6:42 p.m. and led the Pledge of Allegiance

**IV. ANNOUNCEMENTS**

- Chair Winslow reported that he attended the meeting of the Dredge Management Task Force earlier in the week. There were representatives from Senator Shaheen’s and Senator Hassan’s offices in attendance. The discussion was about dredging Rye Harbor. The sense is that funding

will be available; however, it is not sure if the Army Core of Engineers will use the funding for Rye Harbor. In the past, the Senators could earmark the funding for specific projects; however, that is no longer the case. So, they are going to be working closely with the Core of Engineers to make sure that Rye Harbor is at the top of the list. If it does happen, the project will start October or November of 2020 and be completed by March of 2021.

- Chair Winslow reported that there have been two meetings of the Town Center Committee. They will be presenting an update to the Board of Selectmen in about a month.

**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.)

- **Steven Borne, 431 Wallis Road:** Mr. Borne reminded the Board that at the last meeting he had asked for the readings for the monitoring of Parsons Creek. He stated that he still cannot find the reports since December 2018. In December of 2018, the report shows that the creek is over saturated with pollution. He finds it hard to believe that all of a sudden there is no pollution there.
- Mr. Borne also asked about the website. He acknowledged that the website is being redone and wanted to know what the goal is.
- Mr. Borne noted that on the agenda the Board is planning to appoint Becky Bergeron as the Town Administrator. He stated that he has nothing against Ms. Bergeron, but this is the time to stop and ask the strategic questions; “What is the right structure for the Town?” “What do we need for the organization?” He added that before the Board locks into something, they should be having that public discussion.

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

- A. Appointment of Jeff Ross to Budget Committee until March 2020 Municipal Election to fill the vacant position on the Committee
- B. Chief Walsh – Event Permit Application: Surfrider Foundation. Spooked Kook Beach Clean Up & Dress-up Surf Competition, Saturday, 10/19/19, 11:00 a.m. – 1:00 p.m. to benefit Surfrider Foundation
- C. Request from Kerri Vivathana, of the Stratham Skatepark Project, to hold a raffle at Rye Airfield Skate & Bike Par on October 26<sup>th</sup> from 6:00 – 9:00 p.m.
- D. Dennis McCarthy, Public Works Director – Glass Pulverizer Purchase

E. Dennis McCarthy, Public Works Director – Town Hall Gutter Replacement

**Motion by Phil Winslow to accept the Consent Agenda Items as presented. Seconded by Keriann Roman. All in Favor.**

## **VII. DISCUSSION ITEMS**

### **A. PUBLIC HEARING: TOWN WIDE FEE SCHEDULE**

The purpose of the hearing is to hear public input regarding proposed changes to the town wide fee schedule.

Fire Chief Cotreau reviewed the two fee changes for the Fire Department as follows:

- The LP Propane and Oil Burner Inspection Fees.
  - These fees overlap the permit fees from the Building Department.
  - The Fire Department is proposing the discontinuation of the second inspection fee.
  - The Fire Department will continue to do the second inspection, in conjunction with the Building Department.
  - The fee charged by the Building Department will cover the costs of the inspections.
- Fire Department Outside Detail Rates.
  - Historically, the Fire and Police Department Details have been billed at the same rates. Last year, the increase to the Fire Department’s Detail Rate was overlooked.
  - The apparatus rate will stay at \$8.00 an hour.
  - The increase will be in the hourly rate of the officer, in order to mirror the rate of the Police Department.

Chair Winslow reviewed the proposed application fee for the Historic District Commission:

- A new application fee of \$100 is proposed from a homeowner that is applying to the Historic District Commission to make changes to their property located in the District.
- The fee is to cover the costs of posting and recording of the meetings as required.

Chair Winslow opened the public comment Session at 6:52 p.m. There being no public discussion. Chair Winslow closed the public comment session at 6:53 p.m.

**Motion by Keriann Roman to approve the proposed changes to the Fire Department and Historic District Commission fees as present. Seconded by Phil Winslow. All in Favor.**

**B. Rye Elementary School 4<sup>th</sup> Grade Class requests approval to sell lemonade at the Recycling Center on Saturday, 10/19/19 from 8:00 a.m. – 12:00 p.m.**

Fourth grade teacher, Mrs. Jacquie Defreze, accompanied three of her students as they addressed the Board. Libby told the Board that their class read a book called “The Lemonade War”. There were two characters named Evan and Jessie. They had a lemonade war where they both set up lemonade stands to try to get \$100. They were competing. Libby told the Board that she, Analise and Hunter decided that

they wanted to do a project on this book. They decided that it would be good to do a lemonade stand. She said that they want to donate the money to “Alex’s Lemonade Stand”. Analise gave the Board a handout about “Alex’s Lemonade Stand”. Libby explained that Alexandra was a girl that had childhood cancer. She started a lemonade stand and made a lot of money to help find a cure for cancer. Alex unfortunately passed away, but her mom and dad are still doing “Alex’s Lemonade Stand” and people can donate money to try to find a cure for cancer. The girls asked the Board of Selectmen for permission to have their lemonade stand at the recycling center on Saturday from 8:00 to 11:00 a.m. Lemonade will be free but there will be a donation jar.

Public Works Director Dennis McCarthy stated that there would be no problem with the children doing the lemonade stand on Saturday.

**Motion by Keriann Roman to approve the lemonade stand on Saturday, October 19, 2019 from 8:00 to 11:00 a.m. Seconded by Phil Winslow. All in Favor.**

#### C. Appointment of Town Administrator

Chair Winslow stated that the Board has reviewed the Town’s structure. They considered whether a Town Administrator or a Town Manager fits the needs of Rye. Upon this review, they have decided that the administrator structure works well for the Town and that they will continue this.

**Motion by Phil Winslow to approve Becky Bergeron as the Town of Rye Administrator. Seconded by Keriann Roman. All in Favor.**

Vice Chair Roman stated that the Board is continuing to look at the rest of the structure and will be talking about that at the next meeting.

Chair Winslow pointed out that the former finance director’s position will be changed to a finance administrator and they will be filling that position soon.

#### D. Tax deeding – Properties with unpaid 2016 property taxes/2017 lien, will be deeded to the Town if taxes remain unpaid.

##### 1. 22 Pioneer Road, ATCO Realty Trust

Chair Winslow reported that this item will be taken off the agenda, as the property owner has paid off the tax lien.

#### E. Representative Jaci Grote – Legislative Update

Representative Grote is not in attendance.

**F. Chief Cotreau – Acceptance of the AFG Grant that was approved**

Chair Winslow reported that in order to accept this grant, the Board needs to have a public hearing. The public hearing will be scheduled for the next meeting.

**G. Quitclaim Deed of the 14-acre Port Way parcel to the Conservation Commission**

Chair Winslow stated that this is part of the cell tower process on Port Way that was approved at Town Meeting. The Board will be signing the quitclaim deed to transfer the 14-acre parcel to the Conservation Commission.

**VIII. CORRESPONDENCE**

**A. Letter rec’d from NH DOT re: the Hampton Beach Rail Trail Agreement**

Vice-Chair Roman stated that she takes issue with the letter from DOT. The letter stated that they told the Town that they would give the indemnity language the Town agreed to, to the AG to see if they would approve it. But they didn’t and are not going to do that. So basically, it is take it or leave it. Ms. Roman pointed out that the Board had made a motion back on January 28, 2019 that stated:

***Motion by Keriann Roman that if the Attorney General rejects the Hampton language, the Board authorizes Mr. Magnant to sign the original insurance version, provided that Primex signs off on it. Seconded by Phil Winslow. All in Favor.***

Administrator Bergeron stated that she will contact Primex and follow up on this issue.

**Vice Chair Roman moved to reaffirm the motion. Seconded by Phil Winslow. All in Favor.**

**IX. NEW BUSINESS**

**A. Dedication of the 2019 Annual Report**

**Motion by Phil Winslow to dedicate the 2019 Annual Report to Joe Mills for his 25 years of service to the Town. Seconded by Keriann Roman. All in Favor.**

There will also be a memorial page recognizing the work of Peter Crawford.

## **X. OLD BUSINESS**

### **A. Social Media Policy**

Vice-Chair Roman stated that the policy will be town wide. The department heads and Administrator Bergeron will be authorized to post on the sites. They will be able to delegate this to their key people, but they will be responsible. The only authorized sites at this time are Facebook, Twitter, and Instagram. For now, the Town Hall will only be using Facebook. Facebook is the only one that has the no comment option. It will not take much time to set up the page.

**Motion by Bill Epperson to approve the Social Media Policy as presented. Seconded by Phil Winslow. All in Favor.**

### **B. Update on the Cell Tower Status**

Administrator Bergeron reported that the shot clock has been extended to December 31, 2019. The application from Verizon has been received by the Building Inspector’s office. Attorney Donovan and Building Inspector Rowell worked on a denial letter and it went out to Verizon’s Attorney in late September. Within that denial letter, it described the specific releases that will be required. The Planning Board and the Zoning Board will be holding a joint meeting to entertain the releases needed. Ms. Bergeron pointed out that just because the application has been denied, doesn’t mean that the project has been denied. The denial has just moved the application to the Planning and Zoning Boards for their oversight, which is just the next step in the process.

### **C. Town Website**

Administrator Bergeron reported that the website is still under construction and she is working closely with the departments, boards, and committees to get their input. Certain decisions are being made and there is still some migration that is being done from the old website. The project will be in process over the next couple of months.

Chair Winslow asked Police Chief Walsh the name of the emergency notification presentation made by the State.

Chief Walsh stated that it was the ReadyNH 911 system.

Chair Winslow recommended that this information be put on the new website with a link.

Discussion item E. Representative Jaci Grote – Legislative Update - **Representative Grote arrived at the meeting at 7:08 p.m.**

Representative Grote reported that the State Budget was approved in September. There was no change to the effect on Rye from the original budget that was submitted in June. The only effect on Rye is the Keno money that the schools have received in the past. This year, Rye would have received \$68,000 in benefits from Keno; however, the Town will not receive that due to a reallocation of the money. The allocation

will now be made in direct correlation with the number of free lunches in the school. Ms. Grote notified the School Board in June so that they would be aware of this change.

Representative Grote also reported that all the legislation for the 2019-2020 year has been submitted by the legislators. She informed the Board that she submitted a bill regarding telephone poles, which would require the utility companies that change out telephone poles to remove the old poles within 90 days. Ms. Grote stated that even though there will be pushback from the Utility Companies, there are a lot of town administrators that are supporting this bill. This issue is State wide. Ms. Grote stated that she has seven sponsors for the bill from different districts.

Representative Grote also stated that she and Kate Murray have initiated a bill regarding jet skis in marshes. She pointed out that this has not been an issue for Rye previously; however, Hampton is not allowing it anymore so she wanted to make sure that the issue doesn’t migrate north.

Ms. Grote informed the Board that she is co-sponsoring a bill with Chuck Grassy in regards to the definition of prime wetlands. It can be a continuous area; it does not have to be a defined area. She feels that because Rye has a very strict wetland buffer rule, the bill will not have an effect on Rye. The bill is to maintain wetlands throughout the State.

Ms. Grote reported that by November 14<sup>th</sup> the Committees will be starting their work again. The House starts back in session in January.

There was also discussion on SB306. Ms. Grote stated that she thinks it has been pushed back until 2021, but will look into it and verify where it stands.

On behalf of the Conservation Commission, Ms. Grote announced that Sunday, October 20<sup>th</sup> the Commission will be hosting a “Trail Gate” Party at Cedar Run.

#### D. County Tax

Chair Winslow asked Administrator Bergeron what she found out about the increase in Rye’s county taxes.

Administrator Bergeron stated that the tax assessment on Rye was the second highest increase, behind Salem, NH. She heard back from County Treasurer Chuck Nickerson and also had a conversation with Rye’s assessor, Ed Tinker, to try to understand the factors involved in the assessment. She reported that in 2017-2018, Rye picked up \$294,000,000 in equalized value between property and utilities. The revaluation in 2017, set the Town at 95% of valuation. In 2018, the ratio dropped to 85.6%. The drop in the ratio means that the Town has to pick up more of the equalization value in order to get to the 100%. The percentage of county tax went from 4.3 to 4.6. The increase in the valuation creates an increase in the tax dollars collected from the property owners. Administrator Bergeron reported that the Town Assessor feels that there will not be a material impact on the Town.

#### E. Rye Day Plans

Vice-Chair Roman stated that she has talked to Alex Herlihy regarding plans for Rye Day. Tentatively, the idea would be to not have it on the fourth of July. It would be individual events held throughout town

by the different boards and departments, with something to tie them all together, like a picnic at Parsons Field. It would be a day all about Rye. She added that she really would like to set up an official committee.

Chair Winslow stated that the Goss Farm group will be meeting on November 21<sup>st</sup> to discuss if it would be good to have another Goss Farm Open House around the second or third week in September. It could be noted as a Selectmen’s meeting and the discussion could include the possibility of combining the events.

Vice-Chair Roman stated that she would attend the meeting. If combining the events is not a possibility, a Rye Day Committee could be set up.

## **XI. OTHER BUSINESS**

### **A. Meeting Minutes**

1. Meeting, Wednesday, August 21, 2019, 5:00 p.m., Rye Library

**Motion by Phil Winslow to approve the meeting minutes of August 21, 2019 as written. Seconded by Keriann Roman. All in Favor.**

2. Non-Public Session. Wednesday, August 21, 2019 RSA 91-A:2, I (b) Collective Bargaining

**Motion by Phil Winslow to approve the non-public minutes of August 21, 2019 per RSA 91-A:2,I (b) Collective Bargaining as written. Seconded by Keriann Roman. All in Favor.**

3. Meeting, Tuesday, September 17, 2019, 5:30 p.m., Rye Public Library

The following changes were noted:

- Page 2; second from the last paragraph reads: What is the logistics for getting together and sharing information?  
It should read: What are the logistics for getting together and sharing information?
- Page 4; fourth paragraph from the bottom reads: The Selectmen have to find a way of promoting it using ~~their~~ reflections, and word-of-month presentation, so there is a really good job of ground roots communication on this process.
- It should read: The Selectmen have to find a way of promoting it using Rye reflections, and word-of-month presentation, so there is a really good job of ground roots communication on this process.

**Motion by Phil Winslow to approve the meeting minutes of September 17, 2019 as amended. Seconded by Keriann Roman. All in Favor.**

4. Meeting, Monday, September 23, 2019, 5:45 p.m., Town Hall

The following changes were noted:



- Page 1; Announcements reads: He recognized Sally King, Lee Arthur and Anne Decker as the core group responsible for the event.  
Chair Winslow would like to also recognize Bev Giblin for the work she did on the project.
- Page 10; Under Old Business it reads: Chair Winslow pointed out that the Goss Farm event required a tremendous amount of time and effort. He stated that he could not expect that on this program.  
Chair Winslow meant that he could not expend that amount of time on the Rye Day Program.
- Page 8; fourth line from the bottom reads: Vice Chair Roman stated that it is also to protect the property/dunes from erosion.
- It should read: Vice Chair Roman stated that the property owners claim it is to protect the property/dunes from erosion.

**Motion by Phil Winslow to approve the Meeting minutes of September 23, 2019 as amended. Seconded by Keriann Roman. All in Favor.**

5. Non-Public Session, Monday, September 23, 2019 (1) per RSA 91-A:3, II (a)  
Personnel

Vice-Chair Roman requested that the minutes be amended by striking all of bullet point #2 except the first two sentences.

**Motion by Phil Winslow to approve the non-public minutes of September 23, 2019 per RSA 91-A:3, II(a) Personnel as amended. Seconded by Bill Epperson. All in Favor.**

## **ADJOURMENT**

**Motion by Phil Winslow to adjourn at 7:40 p.m. Seconded by Bill Epperson. All in Favor.**

Respectfully Submitted,  
Dyana F. Ledger

DRAFT MINUTES – of the Board of Selectmen's Meeting 10/15/19  
See meeting of 10-28-19 for approvals/corrections

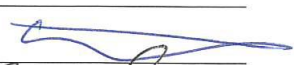




Town of Rye Board of Selectmen  
PUBLIC HEARING  
October 15, 2019, 6:30 p.m., Rye Town Hall

The purpose of the Hearing is to hear public input regarding proposed changes to the town wide fee schedule.

Name (please print)

Address

Signature

Mark Comer	555 Washington Rd	
Jacquie DeFreze	RES	
Kyle Der		
Abbie-Rose Attaya	20 Pioneer Rd	
Paul M. ATTAYA	20B Pioneer Rd	
Stewart Bone	437 Wallis St	

10-15-19 Disc. Item A

**Town of Rye, New Hampshire  
NOTICE OF PUBLIC HEARING**

The Town of Rye Board of Selectmen hold a Public Hearing on **Tuesday, October 15, 2019**, at 6:30 p.m. in the Town Hall, 10 Central Road, Rye, NH. The purpose of the hearing is to hear public input regarding proposed changes to the town wide fee schedule as follows:

**Fire Dept.:** Non-Emergency Standby Detail Rate from \$100 for first hour, additional per hour \$50/2hr min. to \$71 per hour/4hr min.; Eliminate Oil Burner Permits and LP Storage Tanks (up to 1000 Gallons) – Above Ground - Install; Under Ground - Removal; Under Ground - Install; Under Ground - Removal & Reinstall as the Building Department charges for and issues these permits under Mechanical Permits. **Historic District Commission:** Applications that require a public hearing \$100 + \$5 per abutter

Town of Rye  
Board of Selectmen

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Posted Tuesday 9/24/19: Town Hall, Library, Town Website  
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