

**TOWN OF RYE - SELECT BOARD
MEETING**

**Tuesday, October 10, 2023 – 5:00 p.m.
Rye Town Hall & via Zoom**

Selectmen Present: *Chair Tom King, Vice-Chair Bill Epperson, and Selectman Bob McGrath*

Others Present on behalf of the Town: *Town Administrator Matt Scruton and Finance
Director/Asst. Town Administrator Becky Bergeron*

5:00 p.m.

I. CALL TO ORDER

Chair King called the meeting to order at 5:02 p.m.

**II. NON-PUBLIC SESSION (1) per RSA 91-A:3, II (b) Hiring
(2) per RSA 91-A:3, II (c) Reputation
(3) per RSA 91-A:3, II (d) Acquisition**

At 5:02 p.m., Tom King made a motion to enter Non-Public Session per RSA 91-A:3 II (d) Acquisition. Seconded by Bill Epperson. Roll Call: Epperson – Yes; McGrath – Yes; King – Yes

At 5:24 p.m., Tom King made a motion to come out of Non-Public Session. Seconded by Bob McGrath. Roll Call: Epperson – Yes, McGrath – Yes, King - Yes.

At 5:25 p.m., Tom King made a motion to enter Non-Public Session per RSA 91-A:3 II (l) Legal Advice. Seconded by Bill Epperson. Roll Call: Epperson – Yes; McGrath – Yes; King – Yes

At 5:29 p.m., Tom King made a motion to come out of Non-Public Session. Seconded by Bill Epperson. Roll Call: Epperson – Yes, McGrath – Yes, King - Yes.

At 5:30 p.m., Tom King made a motion to enter Non-Public Session per RSA 91-A:3 II (a) Personnel. Seconded by Bob McGrath. Roll Call: Epperson – Yes; McGrath – Yes; King – Yes

At 6:01 p.m., Tom King made a motion to come out of Non-Public Session. Seconded by Bob McGrath. Roll Call: Epperson – Yes, McGrath – Yes, King - Yes.

At 6:02 p.m., Tom King made a motion to enter Non-Public Session per RSA 91-A:3 II (c) Reputation. Seconded by Bob McGrath. Roll Call: Epperson – Yes; McGrath – Yes; King – Yes

At 6:07 p.m., Tom King made a motion to come out of Non-Public Session. Seconded by Bill Epperson. Roll Call: Epperson – Yes, McGrath – Yes, King - Yes.

At 6:07 p.m., Tom King made a motion to enter Non-Public Session per RSA 91-A:3 II (I) Legal Advice. Seconded by Bob McGrath. Roll Call: Epperson – Yes; McGrath – Yes; King – Yes

At 6:16 p.m., Tom King made a motion to come out of Non-Public Session. Seconded by Bill Epperson. Roll Call: Epperson – Yes, McGrath – Yes, King - Yes.

At 6:16 p.m., Tom King made a motion to enter Non-Public Session per RSA 91-A:3 II (a) Personnel. Seconded by Bill Epperson. Roll Call: Epperson – Yes; McGrath – Yes; King – Yes

At 6:27 p.m., Tom King made a motion to come out of Non-Public Session. Seconded by Bill Epperson. Roll Call: Epperson – Yes, McGrath – Yes, King - Yes.

6:30 p.m. RECONVENE PUBLIC MEETING

III. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair King reconvened the public meeting at 6:33 p.m. and led the Pledge of Allegiance.

IV. ANNOUNCEMENTS

- An open house is being held at the Public Safety Building on Sunday, October 15th, from 12:00 to 2:00 p.m., with refreshments being served.
- Chair King congratulated the Rye Recycling Committee. They received two grants this year; one was received in January and one recently for the bailer. The Committee has done an incredible job with the Swap Shop at the Recycling Center to get it open and keep it running appropriately.

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.)

- DPW Director Jason Rucker introduced the Department's new transfer station attendant Robert Pierce. Mr. Pierce joins DPW with fifteen years of public works experience; including, winter plowing and operations, CDL licensing, and transfer station experience, as well as extensive waste water treatment plant operation with numerous accreditations. Director Rucker noted that Mr. Pierce will be a welcome addition to the Transfer Station.

Mr. Pierce thanked Director Rucker and the Select Board for the opportunity to become involved with the Town of Rye. He has met a lot of the Rye residents already and everyone has been welcoming. Mr. Pierce noted that he has a lot of experience in the field and looks forward to working in Rye.

The Select Board welcomed Mr. Pierce to Rye and congratulated him on his new position.

- **Jeff Ross, 333 West Road**, noted that he is a member of the Budget Committee and would like to make a comment about one of the agenda items pertaining to the budget. The Select Board is going to be entertaining a conversation with the Regional Association Review Committee. He commented that the Regional Association Review Committee is a great idea and didn't exist a couple of years ago. The budget this committee considers is a line item in the town budget. There was a suggestion a couple of years ago that the line item should be removed and put into a warrant article for the Town to vote on the \$56,000 that was in this budget line item. Ultimately, the Budget Committee asked the Select Board to put this back into the budget and that's where it's been ever since. Mr. Ross continued that it's a fairly substantial amount of money, but it's not particularly well looked at in terms of which organizations are getting the money and how much. The Select Board, in its wisdom, formed and chartered this committee, which is a great idea. There are now some members from the public who are very carefully and thoughtfully going over the organizations that are asking the Town for money. He is happy to report that the interaction between the Budget Committee and the Select Board has hatched a good committee that is looking after taxpayers' dollars and how it's being used. He thanked the Select Board for the idea of the committee. He also thanked the committee for being so diligent.

VI. AGENDA ITEMS

A. Greg Bauer – Beach Access Request

Greg Bauer, Bauer Construction, spoke to the Select Board about revetment work that he will be conducting at Rye Harbor at the end of Straw's Point. He will be accessing Rye Harbor at the far end at the Straw's Point jetty. The resident who owns this property has given permission to unload the excavator onto their property, and walk across the marsh to the backside of Harbor Road. Mr. Bauer has also received permission for access through Straw's Point. The work is expected to start within a month and will last through the winter. Bauer Construction has been hired by the property owners in this area to do the work and all NH DES Permits are in place. Mr. Bauer confirmed that homeowners in the area will be notified before work is started.

Director Rucker confirmed that he is working with Mr. Bauer and his engineer to be sure the bridge can accommodate the truck loads. He will also be taking photos and video footage documenting pre-construction conditions. All insurance will be in place before work begins.

B. Aquarion Water Update

Carl McMorran, Aquarion Operations Manager, and Adam Simonsen, Director of Business Development, met with the Select Board to give an update on Aquarion operations.

Mr. McMorran noted that Aquarion has a new water treatment plant in the works, which will treat the wells located off River Road in North Hampton. Those two wells produce up to 1.7 million gallons per day. The new treatment plant will be replacing an existing older and smaller plant. The plan is for construction to begin next year with it being ready for operation in 2025.

Mr. McMorran reviewed the data showing how Aquarion Water stands against the NH DES PFAS regulations. The EPA is intending to come out with new regulations by the end of the year, but it may stretch past that time. The new regulation is significantly lower than the currently regulation at 4 parts per trillion. In reviewing Aquarion's numbers, Mr. McMorran pointed out that two of their testing locations are under the proposed MCL's and two are right on the cusp. There will be something in the plan to address the one well at the Jenness Beach station. Aquarion's objective is to make sure that all water produced meets the standards. He noted there are many regulations that they have to comply with; such as, copper rules, etc. There are a lot of forces that impact the water business and Aquarion is in a good position to deal with those issues.

Mr. Simonsen noted that he looks at acquisition over New England for Aquarion. He would like to bring the Select Board up to speed on conversations that were held with the Rye Water District about a possible acquisition and Aquarion's interest. He continued that Aquarion is the largest investor in water utility in New England with about two hundred forty thousand customers over seventy-two towns throughout New England. Over the last twelve years, Aquarion has done quite a few acquisitions and has integrated about ninety water systems into the company's service territory. Mr. Simonsen pointed out there are just over ten thousand customers in N.H., with about nine thousand seven hundred being in North Hampton, Hampton, and Rye (800 properties served in Rye). The rest of the customers are spread across Bow, Belmont, Gilford, and the Town of Carroll.

Mr. Simonsen commented that the challenges facing the water industry are getting harder and harder. There are constant capital needs going into the systems to address an aging infrastructure. The water quality issues continue to get more and more complex. Also, the availability of supply is not getting any easier. The workforce in general is a challenge, especially on a smaller district level. There are benefits in regards to that within a larger organization. He continued that in general, customer expectations continue to rise, as well. Customers want more information and they expect more out of their utilities. These are challenges that are across the industry.

Mr. Simonsen pointed out that he received information from the Rye Water District and looked at the facilities. He thinks there are some clear benefits in having Aquarion acquire the Water District. The water business itself has extremely high fixed costs. The treatment facilities that are going in are millions of dollars. RWD is looking at a new treatment facility with a cost of ten to eleven million dollars. When looking at spreading that cost over fourteen hundred customers, it becomes incredibly expensive. A larger customer base can be used to spread some of those costs around. The other piece that is of particular interest is the idea of bringing the two staff teams together from RWD and Aquarion. This would certainly benefit the entire town. In looking at it from a cost basis, Rye Water District customers pay quite a bit more today for their water than an Aquarion customer. He pointed out that with the RWD, a significant amount of the revenue is derived through property tax. In looking at the total revenue that is coming in, it's quite a bit more on the RWD side. He pointed out that the rate design is completely different. The consumption portion of the bill for RWD is significantly smaller than the consumption portion that is paid as an Aquarion customer of Rye. In thinking about the long-term, the

fourteen hundred RWD customers needing to shoulder all the infrastructure, on a standalone basis, the delta will continue to grow versus where Aquarion is at. Mr. Simonsen noted that Aquarion would like to make a formal proposal to quantify all the benefits, but more detailed information is needed. He commented there is a healthy amount of nervousness on the RWD's side that says they may not want to consider this. He would love to change folks mind on that, as it's a townwide issue to have a strong, resilient water utility. It's important to the entire town.

Vice-Chair Epperson noted that Rye Water District is a standalone system, at this time. He asked if there is an interconnect aspect to this with Aquarion.

Mr. Simonsen replied that there certainly could be. There are other infrastructure benefits as well too. For instance, Aquarion is going to have to build another water tank if the two systems stay separate. The idea of merging the systems, as a net, will probably lower the overall operational costs of the system.

Selectman McGrath asked how RWD compares to Aquarion's other acquisitions in N.H., size wise.

Mr. Simonsen noted that the systems they talked about are all really small systems. RWD would probably be the largest on the N.H. side. He pointed out that there was an acquisition in Connecticut last year with ten thousand customers. In Massachusetts, Aquarion purchased a system with about three thousand customers. He commented that Aquarion has done a good job in integrating systems and making it a seamless transition. Having a larger more resilient system is a win for everybody.

Chair King asked if it's safe to say that Aquarion has done this enough that they have a cookbook or gameplan with a checklist.

Mr. Simonsen replied there's always something that's different or a unique set of circumstances. There's certainly a gameplan in terms of how to integrate the pieces and do it as seamlessly as possible.

Chair King asked if Aquarion Water is regulated by the Public Utilities Commission (PUC) in N.H.

Mr. Simonsen confirmed.

Chair King asked if Aquarion has a method for acquiring the staff with the benefits and retirements, which is usually state level.

Mr. Simonsen replied that it's never "cookie cutter" with the employees. There are always different situations. For Aquarion, they need and want all the employees to come over, so it has to be sure it's in their best interest. Those details are laid out in some kind of asset purchase agreement or transfer agreement.

Selectman McGrath asked why there's thought that there is a nervousness in town.

Mr. Simonsen commented that he has spent a lot of time talking to municipalities throughout New England. There's a feeling of never wanting to give up control, which is a normal and natural thought. In talking about all the regulations and all the ways that things have to be done, at the end of the day, there's really not a tremendous amount of control, because it's really bound by all the regulations that have to be complied with to provide safe drinking water.

Selectman McGrath asked if the RWD Commissioners have been introduced to other people who were sitting in the same seats they are now in the past. Maybe they were on the fence about a decision, but actually went through the process.

Mr. Simonsen replied no.

Selectman McGrath commented it's a good idea.

Referring to the water treatment plant that Aquarion is starting next year, Chair King asked where the capital is coming from. He asked if the PUC is allowing Aquarion to spread the cost over a certain customer base. Is it just N.H. customer base or corporate?

Mr. Simonsen explained that the way the capital investments work is that Aquarion Water Company of N.H. is making the capital investment. At some point in the future, Aquarion will seek to get recovery of that through rates. The PUC will look at whether the capital investment is used and useful, and if the expenditures were prudent. PUC will go through an audit on every capital expenditure to determine whether they will allow the expense to be recovered in rates, typically over the depreciable life.

Chair King asked if it matters if RWD buys a water treatment plant and levies it on fourteen hundred customers, or if it is done by Aquarion. He asked if Aquarion can spread the recovery over a wider base than RWD would.

Mr. Simonsen replied most likely, as long as it can be shown there are clear benefits to the entire customer base. He continued that in looking at a high level in terms of water quantity, the design of the water treatment plant might be able to change so it doesn't have to be quite as robust because there are other sources. There are opportunities to lower the overall capital cost.

Vice-Chair Epperson asked if this makes the interconnect more valuable long term.

Mr. Simonsen confirmed.

Chair King stated that the Rye Water District is a separate municipal body from the Select Board. The Selectmen appreciate the information, but do not have a direct say in this issue.

Vice-Chair Epperson requested the information associated with calculating the twenty percent more for RWD customers.

Mr. Simonsen agreed to provide the information.

Selectman McGrath commented that he thinks this is referring to the people who are the top users in Rye, the twenty-percent.

Mr. Simonsen noted that if the customer is using around one hundred thousand gallons a year, the savings is really closer to ten percent. Aquarion imposes more of a penalty for what is considered excess water use, nonessential water use.

Vice-Chair Epperson asked about the breakdown.

Mr. Simonsen explained that with RWD, most of the bill is a fixed charge through property taxes based on the home's value and the consumption piece is really small. An Aquarion Water customer has a fixed charge and the consumption piece is significantly higher. If the customer is a conservative user, they will pay significantly less. Someone using a lot of water is going to pay quite a bit more.

Vice-Chair Epperson noted that the message has to be very clear, as to how it's broken down. As said, RWD water bills are relatively low, generally speaking. However, people are not equating that with the taxes they pay to the District.

The Select Board thanked the representatives from Aquarion for sharing the information.

C. FB Environmental Update – Parsons Creek

Luke Frankel, FB Environmental, joined the meeting via Zoom to review the proposal for both the annual water quality monitoring and update of the watershed based plan. The watershed based plan was originally written for Parsons Creek in 2011. The proposal includes six primary tasks:

- 1) General project management and kickoff;
- 2) Technical Advisory Committee;
- 3) Watershed survey, which includes desktop analysis to identify areas that are pollutant sources, field work with the primary focus on stormwater runoff, and recommendations for best management practices to reduce pollutant loading from stormwater;
- 4) Water quality goal development for the waterbody, which involves modeling, data analysis and working with the technical advisory committee to establish a goal;
- 5) Revision of the action plan and public forum to get public input; and
- 6) Combining all information into a complete document that satisfies all nine elements by EPA, which will open the door for federal funding implementation of the plan.

Optional tasks:

- a. Looking at the feasibility of restoring flow, essentially dredging, and removing the barge in the outlet;
- b. Added DNA sampling to annual monitoring; and
- c. Expanded education and outreach based on the findings in the plan.

Mr. Frankel noted that the recommended markers are DNA from septic systems; K-9, bacterial sources from pet waste; and Canada Goose. The lab at UNH does not specifically test for

raccoon or rats. There would be a total of six testing sessions through the year across five sites with three duplicates for a total of thirty-three samples.

Mr. Frankel also noted that the standard annual samplings have been done for over ten years. Ten years is used in looking at data trends. Continuing the annual sampling would add another year to the data set. It would show the impacts to the water shed since the Town implemented the septic system pump-out ordinance. The annual sampling would add more data to evaluate long-term trends. It's recommended that this continue, as it's a key piece. He continued that bacteria pollutant can come from a variety of sources; septic systems, stormwater runoff, and animals. The DNA sampling is an add-on to the annual monitoring to look at possible sources of pollutants.

The Select Board reviewed the recommended tasks in the proposal, along with the costs to the Town. There was some discussion about the possibility of having FB Environmental train up to two of the Town's personnel on how to sample, so additional sampling can be done during the year, if needed, which would be more tactically based than strategically based. After discussion, the Select Board agreed to continue with the standard water quality monitoring (\$7,740.00) and ask FB Environmental to train two town personnel in sampling.

Mr. Frankel agreed to revise the proposal and send it back to the Select Board.

The Select Board discussed whether to move forward with the update of the watershed based plan, which is a total of \$55,000. The optional tasks would be in addition to the watershed based plan. It was agreed that human DNA testing should be included in the proposal.

Chair King opened to the public for comment.

Steven Borne, 431 Wallis Road, suggested tabling the decision to a work session. He noted that the Town took \$100,000 and spent it. What was the outcome? Where does the Town want to get to? What does the Town know already? There needs to be a line drawn in the sand. Updating the watershed plan should be how to fix the problem. He doesn't know that more testing is needed. The Town has known for twenty years what the issues are. The question is what can be done to mitigate and fix the problem. In listening to this conversation, he wonders who really understands this. He doesn't think there is anyone on staff that understands. How can the Parson's Creek Watershed problem be fixed? He reiterated that this should be tabled to a work session. One of the things that should happen, is the update to the watershed plan, so there will hopefully be a better understanding of the actions and who will own them. He noted that the Town gets these recommendations, but no one is assigned the responsibility and the Town doesn't get measurable results.

Peter Drinkwater, 36 Concord Point, asked if the 319 Grant is only for water quality and watershed protection studies. He asked if there are grants that can be used for infrastructure, to remove and improve flow, and water quality, based on contamination. One may be a more direct route and give a better result, quicker.

Mr. Frankel explained that the 319 Grant is very specific in what it can be used for. The 319 Grant is generally focused on nonpoint source pollution. There may be different funding sources available for dredging, which would be more of an Army Corps funding effort.

Mr. Drinkwater stated that if there are two different pots of money, there may be two different directions that could be approached. There may be one that might get the Town to the end game quicker of water quality improvement. Water flow may be one way and finding the “smoking gun,” and going after the source, may be the other way. Both may have to work together.

Mr. Frankel pointed out this is why a watershed based plan update was a recommendation. A watershed based plan sets the water quality goal, what needs to be done to meet that goal, and what is the funding. The action plan outlines all the items required to meet that water quality goal, assigns a responsible party, estimate the cost of each task, and list all grant opportunities to meet those costs.

Selectman McGrath reviewed possible action plans: septic pump-out ordinance; animals out of drainage systems; and dredging.

Chair King commented that the Town relies on FB Environmental, as they are the experts. At some point, the Select Board needs more than their own comments on this. He didn’t think they would make a decision on this at this meeting, as much as indicate whether they are receptive. Then the Town can try to find someone that could add credible knowledge.

Scott Marion, 71 Washington Road, agreed with Mr. Borne. In this case, if the Town is not going to do anything, why test? There are people who don’t get their septs inspected, even if there is rule in place. The Town should make an action plan to actually do something. He urges the Select Board to have a work session. He also urges gathering experts, as it’s good to have more.

The Select Board agreed that they are receptive to the basic water quality monitoring and human DNA testing. The rest of the proposal was tabled for a work session.

D. Regional Association Review Committee – 3-year term ending 4/1/2026

1. Jeanne Maher: Appointment as a member – email rec’d 9/24/23
2. Recommendation email rec’d 10/3/23 from Linda Toumpas, Chair

Jeanne Maher introduced herself to the Select Board. She is a Seacoast native and has a background working in the non-profit sector. She is very familiar with many of the agencies in the area. She has lived in Rye for seventeen years.

The Select Board thanked Ms. Maher for her willingness to volunteer.

Motion by Tom King to appoint Jeanne Maher to the Regional Association Review Committee with a three-year term ending 4/1/2026. Seconded by Bill Epperson. All in favor.

E. Regional Association Review Committee Final Recommendations

Linda Toumpas, 10 Bass Drive, Regional Association Review Committee Chair, presented the final recommendations of the Committee to the Select Board. Along with Ms. Toumpas were other members of the Committee: Susan Cole-Ross, Valerie Fagin, and Ronna Werner.

The Committee reviewed the 2024 funding requests submitted by twenty-one associations, which totaled \$80,400. The association requests were reviewed looking at the criteria of need, relevancy, and proportionality with a focus on the needs of families and individuals in the Town of Rye and surrounding communities. The donations from Rye are not to fund programs or give grants. More importantly, they are not given to reimburse the associations for the individuals that they serve in the Town of Rye. The average amount requested was between \$1,500 and \$2,000., which was used as a baseline during the Committee's review. Ones that were approved for higher amounts were found to have a great need for the services that the association provided. It is important to note that just because an association requested funding at a certain level, it's not necessarily the amount that they should receive. All associations have fundraisers in their organizations and send out to other places requesting funding.

Committee recommendations:

- 1) **The American Red Cross** – Exceptionally well-funding organization with an overall budget of over eight million dollars. The Committee recommends a decrease in funding from \$3,000 to \$1,500 in keeping with the majority of the associations that Rye funds.
- 2) **Big Brothers/Big Sisters** – The organization serves three Rye families. They match caring mentors with at risk youth ages 6 to 18. In keeping with the funding of other associations, the Committee recommends a reduction from \$3,000 to \$1,500.
- 3) **The Center for Wildlife** – The organization provides a place to call with questions about wild animals or bring an injured or orphaned wild animal. There were fifty-nine Rye residents who brought in injured or orphaned wild animals, as well as one hundred calls seeking help identifying species in their backyard or information on best lawn care for the environment. The organization is located in Cape Neddick, Maine. They serve the area from Falmouth, Maine to Newburyport, Massachusetts. The organization requested funding of \$10,000. The Committee does not recommend using taxpayer dollars to fund this organization and recommend they be removed from the funding list.
- 4) **Cross Roads House** – The homeless shelter offers supportive services, school transportation, visiting nurses, and is a designated emergency shelter for Rockingham County. The Committee does not recommend funding this organization for their requested funding of \$12,000. The Committee recommends funding of \$2,500.
- 5) **Great Bay Services** – This agency is based in Dover and serves thirty-one individuals in the Seacoast and Southern Maine area. The agency provides advocacy and individualized job training for individuals with intellectual and development disabilities. The agency is requesting \$14,185 to fund a new nutritional program. The Committee recommends not funding the nutritional program for \$14,185 and recommends funding of \$1,500 to keep within the funding levels of most of the associations.
- 6) **Haven Organization** – Well funded with federal and state grants. The organization did not indicate how many were served in Rye or the surrounding area. They provide much needed support for violence protection, prevention, and improvement in the well-being of

children. The Committee recommends reducing the funding request from \$3,250 to \$2,000., keeping in line with similar donations.

- 7) **Home Health VNA** – No information was submitted. This organization is part of Tufts Medical Center located in Massachusetts. The Committee recommends the funding form not be sent to this organization next year and be removed from the funding list.
- 8) **Millstone Wildlife Center** – Sections of the funding form were left unanswered and financial information was not provided. There was no accounting for how donations were used in the past or how they will be used in the future. The Committee does not recommend using taxpayer dollars to support this wildlife organization, as they do not support the focus and mission of serving the people of Rye and surrounding communities. The Committee does not recommend funding and recommends that this organization be removed from the funding list.
- 9) **New Generations** – Part of NH Catholic Charities. They also provide services through New Frontier Church. The Committee feels that the Town should not be supporting religious organizations in keeping with the separation of church and state and fairness to all denominations. The Committee recommends that funding not be provided and they be removed from the funding list.
- 10) **Seacoast Shipyard Association** – This organization is a lobbying group for the Portsmouth Naval Shipyard, which was created for the improvement of business conditions. The Committee does not recommend funding this lobbying organization and recommend they be removed from the request for funding list.

After careful consideration of all requests in the total amount of \$80,400., the Committee recommends funding in the amount of \$40,966 for the 2024 budget.

Selectman McGrath noted that every injured animal that Rye Police receives is brought to the Center for Wildlife for rehabilitation and they do not charge. Research shows that the local veterinarians will only take certain animals, and will charge money to euthanize the animal. He continued that the Center for Wildlife are the only ones that will take animals from Rye and it happens a lot more than people know. When a resident or visitor of Rye has an injured animal, it's very important to them to know that the Town is taking care of it and it's not just going to be put down. When the animal is brought to the Center for Wildlife, the Town also provides a notice with an actual patient number, so the resident can be called and given an update of how the animal is doing. The most common animals are seabirds that are brought to the Center for Wildlife. Without them, he doesn't know what Rye would do with the animals. He reiterated that this is the only organization that will take them. He pointed out that the Center for Wildlife just built a new facility. He commented that if the Committee is determined to not give this organization any money, he is going to give money to the Town and ask that it go to the organization in the Town's name. He would be embarrassed if this town doesn't give something.

Police Chief Kevin Walsh stated that the Police Department uses the Center for Wildlife, Cross Roads, and Haven because there is an expectation for service. The police chiefs in this immediate area are stumbling hard with humanitarian ways to take care of wildlife and Rye is at the top. This agency is calling the animal control officers to help them with advice, and wildlife resource. To bring the animal to this organization to be euthanized is a lot more humane and that's what people are expecting. There are a lot of police chiefs who use this resource. He

wouldn't stand up for these three organizations if they weren't actually providing services. At times, it may not be for people who directly live in Rye. However, Rye is a host community with the longest coastline in the State and five state parks. The Town gets a lot of people, not just from surrounding states but from around the country. These community resources are needed to help them.

Susan Cole Ross, Regional Association Committee Member, noted that the Committee realized they needed to come up with a system with priorities and a responsible and ethical approach to spending taxpayer dollars that had nothing to do with personal favorites or concerns. The way that the list came about was by the taxpayers voting for those organizations to be supported through warrant articles. The Committee is committed to a fair and equitable system that looks at the ethics of the piece, so integrity is represented and it doesn't become anyone's "horse in the race." That is how the Committee came to their decisions in terms of proportionality, relevance, and need. She pointed out that these systems that the Committee came up with were voted on by the Select Board. The Committee would like to stick to them for their own integrity and the integrity of the process in representing the taxpayers.

There was discussion about how the agencies were approved for funding initially. It was explained by Town Administrator Matt Scruton that traditionally, the Town of Rye asked the non-profits to submit a request by warrant article for funding for that year and it seems that the funding has carried over to future years. However, it's not a requirement for the Town to consider non-profits through the warrant article process. The Town can review and make recommendations to fund a non-profit in the budget without a specific separate warrant article. The taxpayers would have a say through the budget and Deliberative Session process.

There was further review by the Select Board in regards to the recommendations made by the Regional Association Committee. Further discussion was held with members of the Committee in regards to the process for adding organizations to the funding list and why certain recommendations were made by the Committee.

Vice-Chair Epperson noted that the criterion is about the responsibility to the Seacoast and the Town of Rye. He thinks that the Center for Wildlife should be funded because Rye is associated with them in such an important way. He thinks the Police Chief would agree that the Center for Wildlife takes care of things that Rye would normally have to take care of themselves. He reiterated they should be funded in some way, shape, or form.

There was a lengthy discussion regarding the recommendations made by the Regional Association Committee. Discussion included the suggestion made by Chair King to put the Center for Wildlife on a warrant article, recommended by the Select Board, to be included on the list for next year. This would maintain the process of getting it on a warrant article to see if the residents support funding the organization. Discussion also included putting other organizations on a warrant article for next year; such as, New Generations.

It was explained by Finance Director Becky Bergeron that the recommendations from the Committee, in the amount of \$40,966., would be included in the operating budget for 2024, if

agreed on by the Select Board. Any organization that is presented to the voters in a warrant article would be separate from the overall operating budget.

Town Administrator Scruton pointed out that the Select Board should consider the impact to the welfare line in the budget. If the welfare service organizations are being cut below their requested amounts, there may be a direct budget impact in this area if there were an issue that the Town was obligated to fund. To be conservative, the Select Board may want to increase the allocation of the welfare budget that could be spent if needed.

Finance Director Berger noted that over the years, the Town has been able to wean down the Director Assistance line item in the budget, due to the fact that the Town funds some of these organizations, which keeps the direct assistance/welfare numbers low. If the funding is cut to the regional associations, there may be increases in other areas. Administrator Scruton also noted for process consideration, the Select Board will make a proposal, based on the recommendations of the Committee, to the Budget Committee. The Budget Committee can then make further changes to the recommendations in the budget, which ultimately goes to a public hearing and the Deliberative Session.

Chair King asked the Committee to provide a recommended amount for a warrant article for the Center for Wildlife. The Committee agreed.

Motion by Bill Epperson to recommend forty thousand nine hundred sixty-six dollars (\$40,966) for the purpose of regional associations for the operating budget. Seconded by Bill McGrath. All in favor.

F. Fire Truck & Ambulance Update

Fire Chief Mark Cotreau and Deputy Chief Kevin Wunderly met with the Select Board to give an update on the Fire Department's fleet of fire trucks and ambulances.

Deputy Chief Wunderly explained that last year the voters approved \$370,000 through a warrant article to purchase a new ambulance, which was funded through a capital reserve fund. An RFP was sent out in May with five proposals received. Four of the proposals came in over budget, as there has been a one percent increase on vehicles month after month. The supply chain is very challenging and vehicles are taking longer to build. Supply and demand have really affected the purchasing process. There is one product that the Department has deemed viable, which is sold by the Department's local dealer. Wheeled Coach is one of the largest manufacturers of ambulances in the country and have been around for many years. He continued that since getting the proposal back, several of the department members have travelled around New England looking at the Wheeled Coach ambulances and getting feedback from current users. The Department is comfortable with the product and is ready to move forward. The intent is to have a contract in front of the Select Board within the next few weeks. The proposal for the ambulance came in at \$377,000. In speaking with the sales representatives, they are confident they can get the pricing down to \$370,000 with some minor changes in the proposal. Also, the 2008 ambulance will be used as a trade-in to help get to that pricing.

Referring to the Department's mini-pumper, Chief Cotreau noted that when it was voted on two years ago and approved, the vehicle had a 510 day delivery date. The pumper should have been delivered to the Town by now. However, the issue is that they are waiting on the chassis in order to finish the truck. The order keeps getting pushed out and it's now in a slot for September 2024. Chief Cotreau noted that the truck is \$300,000 and the Town is locked into that price.

Chief Cotreau continued that in 2025, the Department is coming up on an Engine 3 replacement. Engine 3 is a 2003 truck with a lot of miles and engine hours. It's been a great truck, but it's time to purchase a new one. The issue is that it's going to be more expensive in 2025 and it's anticipated that it will be two to three years to get the truck from that point.

Bob Bernard, Greenwood Emergency Vehicles, stated that a few weeks ago, Deputy Wunderly reached out asking about truck specs and pricing for the 2025 budget year. He continued that Greenwood has purchased several demo fire trucks. Greenwood has everything from ladder trucks to pumpers. He noted that the truck he has presented will be built and delivered to Greenwood in April 2025. The price is locked in from the time the truck is ordered. The proposed pumper truck mirrors the current fleet in Rye. The configuration of the cab is going to be exactly what the firefighters are used to driving now. It will basically be a twin of what the Department has now, but will be a 2025. He noted that the truck actually comes with a stainless steel body, which is more durable than aluminum; especially for the seacoast. The truck will have galvanized frame rails with a four coat process to extend the life of the truck. He explained that the Town could sign a contract on this truck. It would be contingent upon approval in 2025. The Town would be reserving the truck; however, if the funding isn't approved in 2025, Greenwood would just sell it to another department that needs a new fire truck.

Chief Cotreau commented that representatives from each level of the Department looked at what was being offered and whether it was a good fit for Rye. He thinks this is a very good deal for the Town long-term, in terms of the money that will be saved. The original price was \$709,000. There were some additions that needed to be made, so the adjusted price is \$789,000. In looking at the increases expected by 2025, this would be saving the Town \$211,000. The budget figure in the Capital Improvements Plan (CIP) for the truck is \$850,000. He thinks the truck checks all the boxes and keeps the Town with the same vendor. He noted that he has dealt with Greenwood for over thirty years and they are a solid, reputable dealer. He recommends that the Town enter into this agreement, given that if the funding is not approved it doesn't move forward. He thinks there's a compelling reason to protect the pricing on something that the Town is going to need. Chief Cotreau noted that the current balance in the capital reserve fund is \$316,000. If the plan is followed, the balance at the beginning of 2025 should be \$582,000.

There was some discussion about the funding for the ambulance and the fire truck.

Motion by Tom King to put under contract the E-One Titan Pumper, as specified, for seven hundred eighty-nine thousand dollars (\$789,000) with the following conditions:

- 1) Approval by town counsel;**
- 2) Approval by Primex; and**
- 3) Vote of the residents in 2025.**

Seconded by Bill Epperson. All in favor.

G. CIP Update

Chair King noted that phase 2 and phase 3 of the Annex is in the CIP; however, there are no numbers. The CIP Committee said that with no number, they would prefer that it be pulled and added later. He asked the Selectmen how they want to treat phase 2 and 3 of the Annex for CIP purposes.

After discussion, the Select Board agreed to take out the phases for the Annex and add them back in with numbers in 2025.

H. Personnel Policy

Chair King noted that the personnel policy hasn't been updated in a while. Town Counsel will be reviewing the policy to bring it up to date with new requirements.

I. Accept & Expend funds received from TD Bank in the amount of \$1,490.27 which is a rebate from the Town's credit card program

Motion by Bill Epperson to accept and expend funds received from TD Bank in the amount of \$1,490.27 which is a rebate on the Town's credit card program. Seconded by Bob McGrath. All in favor.

J. Rye400 Monument

Andy Stecher, Chair of the Rye400 Committee, along with **Debbi Toohey, Vice-Chair of the Rye400 Committee**, spoke to the Select Board about the proposal for a monument to commemorate the 400th Anniversary Celebration that took place in 2023. The intent of the monument is to acknowledge that the event took place and to express gratitude for all who participated. They presented a picture showing the proposed plaque which is 5ft tall with a brass plate. Greg Bauer will be donating the rock and putting the monument into place. The proposed location is near the crosswalk on town land in front of the Church.

Motion by Bill Epperson to approve the Rye400 plaque to be placed on town property adjacent to the Church with the pending approval of the Historic District Commission. Seconded by Bob McGrath. All in favor.

VII. CORRESPONDENCE

A. Email rec'd from Jen Thompson re: her resignation from the Town Center Committee

Motion by Tom King to accept the letter of resignation from Jen Thompson from the Rye Town Center Committee. Seconded by Bill Epperson. All in favor.

VIII. NEW BUSINESS

None

IX. OLD BUSINESS

A. Beach Parking Permits

The Select Board reviewed the information from Town Clerk Donna Decotis for the costs of the beach stickers and dog tags for 2024. The Select Board agreed that Clerk Decotis can place the order for stickers and tags.

B. Public Works Director Jason Rucker – Perkins Road Safety Improvements Update

DPW Director Jason Rucker noted that construction of the Perkins Road Safety Improvement project has started. The State has removed the asphalt where the raised curbing will go. The raised curbing has been installed and the concrete needs to be poured to back up the curbing. At that point, the Public Works Department will prep the site for sidewalk installation. The State will then finish the asphalt around the raised curbing. Next year, in conjunction with paving, the DPW will finalize a painting scheme with the hybrid solution the Select Board has chosen.

X. OTHER BUSINESS

A. Select Board Work Sessions

A traffic safety workshop was scheduled for Wednesday, October 25th, 9:00 to 11:00 a.m. A work session addressing the Parsons Creek Watershed was scheduled for Thursday, October 26th from 9:00 to 11:00 a.m.

B. Seacoast Drinking Water Commission Request

Administrator Scruton noted that the Seacoast Drinking Water Commission would like to use the Town Hall on December 5th to pass out sample bottles to residents with wells who would like to have their water tested. The Select Board did not have an issue with the request. If there is a conflict with another meeting taking place, the Commission can use the Annex.

C. Meeting Minutes

1. Non-Public Session, Wednesday, September 6, 2023, 11:00 a.m., Rye Town Hall

Motion by Tom King to accept the non-public meeting minutes of September 6, 2023 as written and to seal. Seconded by Bill Epperson. All in favor.

2. Non-Public Session, Wednesday, September 6, 2023 (1) per RSA 91-A:3 II (d) Acquisition

Motion by Tom King to accept the non-public meeting minutes of September 6, 2023, at 11:11 a.m., as amended and to seal. Seconded by Bill Epperson. All in favor.

3. Meeting, Monday, September 11, 2023, 5:00 p.m., Rye Town Hall

Motion by Tom King to accept the meeting minutes of September 11, 2023 as written. Seconded by Bill Epperson. All in favor.

4. Non-Public Session, Monday, September 11, 2023 (1) per RSA 91-A:3 II (b) Hiring
(2) per RSA 91-A:3 II (a) Personnel

Motion by Tom King to accept the non-public meeting minutes of September 11, 2023, at 5:02 p.m., as written and not seal. Seconded by Bob McGrath. All in favor.

Motion by Tom King to accept the non-public meeting minutes of September 11, 2023, at 5:21 p.m., as written and not seal. Seconded by Bill Epperson. All in favor.

ADJOURNMENT

Motion by Tom King to adjourn at 10:44 p.m. Seconded by Bill Epperson. All in favor.

Respectfully Submitted,
Dyana F. Ledger