

**TOWN OF RYE SELECT BOARD
MEETING**

**Monday, December 4, 2023, 5:30 p.m.
Rye Town Hall & Via Zoom**

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

Others Present: *Town Administrator Matt Scruton, and Asst. Town Administrator/Finance Director Becky Bergeron*

5:30 p.m.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair King called the meeting to order at 5:31 p.m.

II. NON-PUBLIC SESSION (1) per RSA 91-A:3, II (I) Legal Advice

At 5:31 p.m., Tom King made a motion to go into Non-Public Session per RSA 91-A:3 II (I) Legal Advice. Seconded by Bill Epperson. Roll Call: Epperson – Yes, McGrath - Yes, King -Yes.

At 6:24 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 meeting at 6:30 p.m. and led the Pledge of Allegiance.

IV. BUDGET WORK SESSION

1. Capital Outlay

The Select Board reviewed the memo from Finance Director Becky Bergeron with regard to suggestions for keeping capital outlay for 2024 in line with prior years' numbers, while still trying to get the most accomplished in one year. Her first suggestion was outlined as follows:

- Remove the request for Recreation in capital outlay of \$150,000 and break the request up into two warrant articles: 1) \$75,000 for the creation of a softball field on a portion of the soccer field; and 2) \$75,000 for the design and engineering of Phase 1 of the Recreation Master Plan with the sum to come from the Recreation donation account, which has a balance of approximately \$126,000. It was confirmed that the donation account can be used for this project because past uses of that fund have been consistent with a global recreation effort. It was noted that if the design and engineering comes from the donation account, there would be no current tax impact, as it is coming from a fund that is not covered by the Town.

Recreation Director Dyana Martin spoke to the Select Board about why the Recreation Commission was proposing to fund the projects from capital outlay. However, the Commission is cognizant of the impact of the budget this year on the taxpayers. The Commission is willing to spend the money from the donation fund in hopes that it will create goodwill with the taxpayers by showing they are trying to be fiscally responsible.

Chair King pointed out that if the Select Board approves all capital outlay requests, the amount for 2024 would be \$203,000 more than last year's capital outlay. This is a 30% increase; however, \$203,000 out of a twelve million dollar budget is about 1.5%. He commented that this is not going to make a difference in this case.

Finance Director Bergeron noted that they are not making cuts per say. She is just suggesting some different alternatives for funding. She reminded the Select Board that they have not even entertained the warrant articles yet. There are some fairly significant warrant articles. Providing some alternative funding to get as much done for the Town as possible, while spreading it out and mitigating the impact to the taxpayers, seems prudent.

Chair King stated that public safety is necessary and is also the biggest part of the budget. However, the Town has a responsibility to all residents to provide more than that; whether it's recreation like the softball field, conservation acquisition, the library, or Senior Serve. He continued that the Select Board needs to be concerned about everyone in town, and the other entities and programs. Some of the biggest problems in the State are suicide, drug overdoses, and mental health. Rye is not immune to these issues. There's public safety and then there's the public health and recreation to try to help with some of the issues. He thinks it's incumbent upon the Select Board to help fund these expenditures. It can't be all about public safety. It has to be more. He thinks that some of the requests need to be funded. If it drives the budget up some, they need to decide what's an acceptable level, and then "bite the bullet" and say this is what's needed. At some point, some of these programs need to be funded.

It was noted that the budget for 2023 was just about twelve million. At this time, the proposed 2024 budget is at thirteen million without capital outlay and warrant articles, which is 8.3%. Right now, one million dollars is a 4% increase in the tax rate. There's a proposed increase of one million in the operating budget and \$874,000 in capital expenditures being requested. However, the capital outlay is only \$203,000 more than what was requested for 2023, so the

increase to the overall budget is 1.2 million, which would equate to about .37 more on the tax rate, if all capital outlay requests were funded along with the budget.

The Select Board had a lengthy discussion about the best way to approach the capital outlay expenditures being requested, while staying fiscally responsible to the taxpayers. After discussion, it was agreed to proceed with reviewing and considering each capital request.

Recreation:

- Softball Field will be presented in a warrant article for \$75,000.
- Engineering and design for phase 1 of Recreation Master Plan for \$75,000 to come from the donation fund, which will be presented in a warrant article.
- Recreation vehicle will come from capital outlay in the amount of \$40,000.

Motion by Tom King to recommend removing \$75,000 from capital outlay for the Recreation Master Plan. Seconded by Bill Epperson. Vote: 3-0

Town Hall:

Security System \$51,050

The security system would involve a key fob program, in order to track staffing coming in and out of the building. It would also cover security cameras, which would be tied into the Public Safety Building. The Select Board reviewed the details of the proposal for the security system and spoke to Police Chief Walsh about the need for security cameras at the Town Hall Annex.

Motion by Bill Epperson to recommend \$51,050 for the installation of a security system at the Town Hall Annex. Seconded by Bob McGrath. Vote: 3-0

Building Department:

Vehicle \$40,000

The Building Department is requesting a capital expenditure for a new vehicle in the amount of \$40,000. There was some discussion about the possibility of leasing vehicles for the Town. There was also discussion about having a vehicle plan. It was agreed that the Board supports the \$40,000 expenditure for the Building Inspector's vehicle, with the proviso that alternative scenarios are investigated for acquiring the vehicles for both the Recreation and Building Departments.

Motion by Tom King to recommend \$40,000 for Building Inspector vehicle, subject to the Select Board's intentions for acquiring the vehicle in a different fashion. Seconded by Bob McGrath. Vote: 3-0

Townwide:

Computers \$35,280

The Town is on a five year replacement plan, but have found that it's necessary to move to a three to four year replacement plan. The computers are becoming less efficient and having connectivity issues when waiting the five years. The capital expenditure being requested for

computers covers five laptops with docking stations and monitors. It also covers five traditional desktop computers. Another part of the proposal covers the server replacement for the Town Hall Annex and town trust software.

**Motion by Bob McGrath to recommend the amount of \$35,280 for new computers.
Seconded by Bill Epperson. Vote: 3-0**

Public Works:

Fence	\$50,000 (original request)	\$40,000
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Public Works Director Jason Rucker noted that the Select Board had suggested that he try to find a more secure fencing, with a chain-link fence and privacy slats. This has resulted in the request costing less than the cedar fencing, as originally proposed. The fencing will cover 520', along the Grove Road section; between the main entrance to the intersection of Central Road. Director Rucker spoke to the Select Board about the possibility of putting this request into a warrant article with the funds coming from the capital reserve accounts; Municipal Buildings and Maintenance, and Construction and Renovation. The capital reserve accounts have adequate funding to cover the costs of this project.

Finance Director Bergeron noted that the Town has traditionally used the Building and Maintenance Expendable Trust for unanticipated catastrophic failures; such as, the Public Works heating system. In terms of looking towards the future, every municipal building has a new or updated heating system, at this time. It was pointed out by Finance Director Bergeron that the Select Board are agents to expend on these capital reserve accounts, so a warrant is not necessary. This can be handled in a public meeting with a vote.

The Select Board agreed with the proposal for the fencing expense as presented by DPW Director Rucker and Finance Director Bergeron.

Cemetery:

Finance Director Bergeron noted that a contract was received for the survey in the amount of \$4,250 for the cemetery, so these funds will be encumbered from 2023. This results in a reduction from the original request. She also noted that her recommendation is to create a warrant article request for the remaining \$42,489 with the appropriation coming from general taxation, separated out of the capital outlay.

Conservation Commission:

<i>O Pioneer Road</i>	\$42,489 (original request)	\$18,000
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Susan Shepcaro, Conservation Commission Member, spoke to the Select Board about the request for 0 Pioneer Road to improve the property by addressing the invasives and dangerous trees, improving access to/around the property, and planning. She noted this may be a time for the Conservation Commission to step back and ask for less, if the Select Board is not willing to support the \$42,000. They request that the expenditure still remain in capital improvements for the work on invasives, trees, and access to the property, along with planning.

Hugh Lee, 220 Pioneer Road, spoke about taking the money from Conservation's consulting and/or legal accounts to cover these expenses, which would come directly from the operating budget. He expressed concerns about the parking on this property. He feels there is no need for parking on the site, as there are eight to ten spaces within 150' of the property.

Police Chief Walsh reviewed the photos submitted by Mr. Lee showing vehicles parked in those nearby locations. He commented that it seems the vehicles are associated with the home that is under construction. He also pointed out that there is line of sight issue. Chief Walsh would not encourage parking along that corner.

Chair King noted that procedurally, the Select Board has already addressed and approved this capital outlay request.

Vice-Chair Epperson clarified that the Select Board was informed in 2022 about this piece of property. There was a site walk and everyone agreed it was a unique piece of waterfront property. There were also specific conversations about having recreation on that property. Without having access to this piece of property, there cannot be recreation on the site. If that's the case, why would the Town even have the property? Why wouldn't it go to a developer to develop a house on the site? Obviously, the Town has significantly more control over the parcel this way, versus someone building a house in the property. He thinks that access on the property should be allowed and then there should be a plan for what is going to be done on the site specifically. It's certainly a great place to be and enjoy the waterfront.

The Select Board spoke to Susan Shepcaro, Karen Oliver, and Mike Garvan, from the Conservation Commission, about the projects that need to be addressed on the site in 2024. They also spoke to Mr. Lee about the engineering information he presented at previous meetings where a safer curb cut could be located for that property.

Susan Shepcaro pointed out that no decisions have been made for the property and no votes have been taken. The Conservation Commission will be holding a public hearing during the first quarter of 2024.

Referring to the proposal to decrease the amount being requested, Karen Oliver commented that's its clear that the invasives and dangerous trees need to be removed. Also, further study is needed for the site to come up with a plan. The Conservation Commission wants to move forward with improving the property.

It was noted by Mike Garvan that some of the \$18,000 being proposed would be required for the engineering and permitting work to see if there is feasible and safe access to the property. The Conservation Commission and the Select Board were in support from the start of getting public access. One reason for having access on that parcel is because the fisherman who park along Brackett Road are going across Mr. Keefe's property. Mr. Garvan continued that it's his understanding that the Town is concerned that if access comes from a private property to a town property, there may be some liability issues. All along, the Conservation Commission has

thought about a parking lot and a trail. This has been discussed and is in the Commission's minutes. This was also discussed in the public hearing that was held, in which only one resident attended. The Conservation Commission wants to move forward; however, they like the input that they have received from residents about better ways to do this and perhaps there's a better location for the curb cut. Before the Conservation Commission moves forward, there needs to be engineering work done for the site on where it should be done to meet the proper envelope for the environment, as well as town criteria. Part of the \$18,000 is just for plan evaluation.

Chair King stated that at one of the last Select Board's meetings, he had said that there was an agreement for this. He noted that he misspoke. He was saying that the Select Board and Conservation Commission were "in agreement," not that there was any written agreement. He reiterated that the Select Board and Conservation Commission were in agreement that this was purchased for recreational opportunities.

Mike Garvan confirmed that the Commission and the Select Board had an understanding. There were several non-public meetings, which is normal practice with acquisitions. There were also publicly advertised noticed site walks. He personally took Selectman Epperson and Selectman Winslow on the property. During the course of those events, there was an understanding that the Select Board agreed that it was an important aspect of the property for the public to have access.

It was confirmed by the Conservation Commission Members present that \$18,000 would be used for engineering work for a solid plan, education for the public with a public hearing, and work on the property to address the invasives and dangerous trees. The construction estimate for the parking lot (curb cut) is the remainder of the full \$42,000 request. It was also confirmed by the Commission that at this time, the inclination is to reduce the request from \$42,000 to \$18,000 to try to help with budgetary pressures, while still moving this project along.

After discussion, it was the consensus of the Select Board to reduce the request from \$42,000 to \$18,000. Selectman McGrath noted that he is going to abstain from voting because he was not part of the beginning of the venture. However, he appreciates the Conservation Commission's willingness to reduce the amount being requested.

Motion by Bill Epperson to recommend reducing the Capital Outlay request of \$42,489 to \$18,000 to include invasive species, timber cutting, and an engineering study for 0 Pioneer Road. Seconded by Tom King. Vote: 2-0-1 Abstained: Bob McGrath

Public Works:

<i>MS-4</i>	\$40,000
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It was recommended to the Select Board that the full request be funded, due to unknown regulations and mandates that may be coming in the future for MS-4 reporting.

Motion by Bill Epperson to recommend \$40,000 out of capital outlay for MS-4. Seconded by Bob McGrath. Vote: 3-0

Parsons Creek:

Continued Studies & Monitoring \$54,797

This funding will provide an updated watershed-based plan, which would enable multiple sources of possible grant funding. It also includes additional monitoring and testing.

Motion by Bob McGrath to recommend the sum of \$54,797 to be used for continued studies of Parson's Creek. Seconded by Bill Epperson. Vote: 3-0

Infrastructure:

Fiber Connectivity \$46,595

Finance Director Bergeron noted that this request is for the fiber to link all the municipal buildings together. It was initially presented to the Select Board as a two-phased approach; however, it can be broken up into three phases. The first phase would address the Annex. This would reduce the cost to \$10,155.

After discussion, it was agreed to move forward with the full amount requested, in order to address connectivity issues at Public Works.

Motion by Tom King to recommend capital outlay for infrastructure in the amount of \$46,595. Seconded by Bill Epperson. Vote: 3-0

2. Warrant Articles

Tabled

V. OTHER BUSINESS

- A. Resignation of Mathew Paugh from the Public Works Department effective November 30, 2023**

Motion by Bill Epperson to accept the resignation of Mathew Paugh from the Public Works Department effective November 30, 2023. Seconded by Bob McGrath. All in favor.

- B. Acceptance of a donation to the Rye Fire Department in the amount of \$2000.00 from the Rye400 Committee**

Fire Chief Mark Cotreau spoke to the Select Board about the donation in the amount of \$2,000 from the Rye400 Committee to be used towards the purchase of a second ventilator for the Department.

Motion by Tom King to accept and expend the donation to the Rye Fire Department in the amount of \$2,000 from the Rye400 Committee. Seconded by Bill Epperson. All in favor.

- The Select Board thanked the Police and Fire Departments, along with DPW, for their work with the past weekend's holiday events.

ADJOURNMENT

Motion by Tom King to adjourn at 8:40 p.m. Seconded by Bill Epperson. All in favor.

Respectfully Submitted, Dyana F Ledger