

**TOWN OF RYE SELECT BOARD
MEETING**

**Thursday, January 18, 2024, 3:00 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, Asst. Town Administrator/Finance Director Becky Bergeron, Police Chief Kevin Walsh, Fire Chief Mark Cotreau, DPW Director Jason Rucker, Building Inspector Chuck Marsden, and Sewer Director Lee Arthur*

3:00 p.m.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair King called the meeting to order at 3:00 p.m. and led the Pledge of Allegiance.

2. OTHER BUSINESS

The Select Board met with Police Chief Kevin Walsh, Fire Chief Mark Cotreau, DPW Director Jason Rucker, and Building Inspector Chuck Marsden to discuss the recent storm events of January 9th, 10th, and 13th, and receive an update on infrastructure damage and ongoing cleanup and repairs being done by town departments. There was discussion about damage to some of the Fire Department's equipment, which was incurred during emergency calls throughout the storm events. There was also discussion about funding for repairs to infrastructure and equipment due to damage from the storms, which could possibly be covered by the town's insurance or through the town's contingency reserve accounts, depending on the nature of the damage.

The Select Board agreed to waive any restrictions, with regard to work times, schedules, and access onto the beaches, in order to make any necessary repairs in a timely manner. Department heads will report to Town Administrator Scruton, who will make approvals on behalf of the Select Board for work that is needed. The Board also agreed to authorize the use of the Emergency Management Capital Reserve, which has a balance of \$25,000.

The Selectmen thanked the Department Heads and their teams for their hard work, dedication, and professionalism during these emergency events.

4:00 p.m.

3. PUBLIC HEARING – Building Resilient Infrastructure and Communities (BRIC) Grant

The purpose of the hearing is to hear public comment on acceptance and expenditure of a Building Resilient Infrastructure and Communities (BRIC) Grant to complete a sewer infrastructure vulnerability assessment for the Town of Rye. The total expenditure for this project is \$74,000.00. The amount of the Federal portion of this grant is \$55,500.00. The amount for the local cost share is \$18,500.00.

At 4:00 p.m., Chair King opened the public hearing for the Building Resilient Infrastructure and Communities (BRIC) Grant.

Sewer Director Lee Arthur opened the discussion with the Select Board by giving an overview of how the Sewer Department's infrastructure was affected by the recent storm events.

Director Arthur presented a summary for the BRIC Grant:

The New Hampshire Department of Safety, Division of Homeland Security and Emergency Management (HSEM) has awarded Rye a FFY 2023 Building Resilient Infrastructure and Communities (BRIC) Grant to complete a sewer infrastructure vulnerability assessment for the Town of Rye. The Federal portion of the grant is \$55,500.00 and the local cost share is \$18,500.00, of which the Town of Rye will satisfy through the sewer budget which is supported by user fees.

The Town of Rye sewer system consists of 6.9 miles of gravity sewer, three pump stations, one of which is in an existing FEMA 100-year designated flood zone, and 3.5 miles of force main that directly abuts the Atlantic Ocean, which runs through the towns of North Hampton and Hampton where it discharges to the Town of Hampton sewer system. This critical infrastructure is increasingly vulnerable to the impacts of climate change including increased flooding from heavy rainfall and projected sea level rise based on projections derived from the State of New Hampshire.

The goal of the grant proposal is to develop a vulnerability assessment for the Town of Rye's existing sewer infrastructure to evaluate impacts associated with climate change and develop specific goals and options for increasing infrastructure resiliency. The Town will engage a consulting engineering firm in the development of the vulnerability assessment. The process for developing the vulnerability is anticipated to be as follows:

- Step 1: Inventory existing sewer infrastructure in Rye; determine existing conditions, location, past impacts from extreme weather events, etc.
- Step 2: Determine extent of flood risk to existing infrastructure using sea level rise and groundwater rise data projections as well as projected increases in extreme precipitation derived from the New Hampshire Coastal Flood Risk Guidance Part 1: Science.
- Step 3: Using data from Step 2, determine the existing infrastructure's tolerance for flood risk and areas most vulnerable to damage or disruption from flooding.
- Step 4: Identify and evaluate adaptation strategies for mitigating flood risk to existing infrastructure.

- Step 5: Prioritize adaptation strategies for future implementation. The intent of the grant proposal is to result in a complete project application for future funding opportunities to support the mitigation activities derived from the assessment. It is worth noting that Rye's Hazard Mitigation Plan (2022) identifies completing a vulnerability assessment of the Town's sewer infrastructure as an explicit mitigation strategy.

The project grant period ends on November 13, 2026 and a final performance and expenditure report needs to be sent to the State by December 13, 2026. All applicable federal and state laws, rules, regulations, and requirements need to be followed. The Town needs to maintain financial records, supporting documents, and all other pertinent records for a period of three years from the grant period end date. In these records, the 25% cost share required by this grant needs to be documented.

An audit in compliance with OMB Circular 2 CFR 200 Is required, if applicable. If a compliance audit is not required, at the end of each audit period the Town will need to certify in writing that the amount of federal funds that would require a compliance audit (\$750,000), have not been expended.

Chair King opened for public comment.

Joe Cummins, 990 Washington Road, asked about the long-term goals for the grant and how those goals will be implemented.

Director Arthur answered Mr. Cummins' questions and spoke about the Sewer Department's expectations for the grant project.

Hearing no further public comment, Chair King closed the public hearing at 4:27 p.m.

Chair Tom King moved to accept the New Hampshire Department of Safety, Division of Homeland Security and Emergency Management FFY 2023 Building Resilient Infrastructure and Communities (BRIC) Grant (CFDA #97.047) to complete a sewer infrastructure vulnerability assessment for the Town of Rye. The total cost of the project is estimated to be seventy-four thousand dollars (\$74,000.00). The amount of the Federal portion of this grant is fifty-five thousand five hundred dollars (\$55,500.00). The amount for the local cost share is eighteen thousand five hundred dollars (\$18,500.00). Further, to authorize Town Administrator Matthew Scruton to execute the grant agreement for the Town of Rye and any additional agreements necessary to obtain approval from the Governor and Council.

**Seconded by Bob McGrath. Vote: 3-0
All in favor.**

Motion by Bill Epperson to allow Chair Tom King to sign the following statement:

I, Tom King Chair of the Select Board of Rye, New Hampshire, hereby certify that Matthew Scruton, Town Administrator, has the authority to sign and enter into a grant agreement with the State of New Hampshire Division of Homeland Security and Emergency Management on January 18, 2024 for the Town of Rye; and further, hereby authorize Matthew Scruton to execute

any and all contracts and agreements related to the Building Resilient Infrastructure and Communities (BRIC) Grant. Tom King further attests that Matthew Scruton is granted hereby authority prior to the day of the grant agreement was signed and it has not been amended or repealed as of the day the contract was signed.

**Seconded by Bob McGrath. Vote: 3-0
All in favor.**

4. OTHER BUSINESS

- **Warrant Articles**

ARTICLE A. Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein totaling twelve million, nine hundred twenty-nine thousand, four hundred fifty-five and 00/100 dollars (\$12,929,455.00)? Should this article be defeated, the default budget shall be eleven million, eight hundred eighty-nine thousand, eight hundred fourteen and 00/100 dollars (\$11,889,814.00) which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. (Majority vote required.)

NOTE: This operating budget warrant article does not include appropriations in any other warrant articles.

This article is/is not recommended by the Select Board
This article is recommended by the Budget Committee: 7-0

**Motion by Bill Epperson to recommend Article A as written. Seconded by Bob McGrath.
Vote: 3-0**

- **Transfer Station Use Application**

The Select Board reviewed the Transfer Station Use Application which was recently drafted, which is separate from the Town's event form. The application asks the type of activity that will be performed at the Transfer Station; however, it does not ask for a review of materials that may be used. Town Administrator Scruton asked the Board to authorize him, as town administrator, to sign the Transfer Station use applications, as there was a recent request to use the Transfer Station that didn't allow for enough time to go through the normal approval process before the Select Board. This would allow the Town Administrator to sign. He would then send the information out to the Select Board and contact the DPW Director with the details.

It was agreed to table the document for further clarification from town counsel with regard to whether the use of the Transfer Station can be restricted to only residents of Rye and others with business beneficial to the Town.

Motion by Tom King to adjourn at 4:51 p.m. Seconded by Bill Epperson. All in favor.

Respectfully Submitted, Dyana Ledger