

**TOWN OF RYE SELECT BOARD
MEETING**

**Tuesday, December 26, 2023, 6:00 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, and Asst. Town Administrator/Finance Director Becky Bergeron*

6:00 p.m.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair King called the meeting to order at 6:02 p.m.

II. NON-PUBLIC SESSION (1) per RSA 91-A:3, II (b) Hiring

At 6:02 p.m., Tom King made a motion to go into Non-Public Session per RSA 91-A:3 II (b) Hiring. Seconded by Bill Epperson. Roll Call: Epperson – Yes, McGrath - Yes, King - Yes.

At 6:30 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 6:35 p.m. and led the Pledge of Allegiance.

IV. ANNOUNCEMENTS

- A.** The Town Offices will be closed Monday, January 1, 2024 for the New Year's Day Holiday.
- B.** The Rye400 closing ceremony is being held on Wednesday, December 27th, 2:00 p.m., at the Rye Congregational Church.

- C. Fire Chief Mark Cotreau introduced Adam Brackett and Brian Tully who will be joining the Rye Fire Department as per diem firefighters. Both gentlemen have experience and the Department is looking forward to working with them.

- 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.)

Fire Chief Mark Cotreau spoke about the passing of Lieutenant Charles Gallant. Lt. Gallant was an exceptional firefighter and gave greatly to the community. He was a family man and loved his family immensely. Chief Cotreau noted that the Rye Fire Department is a close knit “family” and it’s a small house. Lt. Gallant’s passing has affected the Department greatly. Fire Chief Cotreau thanked the Rye residents who have reached out to the Department to express their condolences. He also thanked the Department Heads and the Select Board who have shown their support to the Fire Department. He’s grateful to all the fire departments that have sent staff to help cover the station. He’s humbled to be a fire chief and humbled to lead such a great group of people.

Hugh Lee, 220 Pioneer Road, expressed concerns about the proposed joint statement by the Select Board and the Rye Conservation Commission.

Alex Herlihy, 55 Lang Road, expressed sentiments in regard to the passing of Lt. Gallant. He also spoke about the possibility of incorporating Rye Day into the 4th of July.

Julie Tucker, 960 Washington Road, also spoke about her concerns with the joint statement from the Select Board and Conservation Commission.

Joe Cummins, 990 Washington Road, spoke about the Transfer Station Use application and how it relates to the 2016 Warrant Article 25 which was passed by the voters.

VI. AGENDA ITEMS

A. PUBLIC HEARING – TOWN WIDE FEES

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

Police Dept.: Permit Parking Fines from \$100 to \$125 with a 20% penalty assessment if unpaid after 5 days (\$150); No Parking Fine from \$50 to \$75 with a 20% penalty assessment if unpaid after 5 days (\$90).

At 6:56 p.m., Chair King opened the public hearing.

Police Chief Kevin Walsh spoke in regard to the proposed increase to the permit parking and no parking fines. The permit parking fine will be increased from \$100 to \$125 with a twenty percent assessment if unpaid after five days. The no parking fine will be raised from \$50 to \$75 with a twenty percent penalty assessment if unpaid after five days. Chief Walsh explained there

are certain designated spots along Ocean Boulevard that have been designated as permit parking only, which are for town residents. The taxpayers have the opportunity to have prime parking as they are paying to be the caretakers of the beaches through their taxes to pay for beach cleanup, trash pickup, and beach staffing. The no parking fines pertain to areas where parking is not allowed for any vehicle.

Chair King opened to the public for comments.

Joe Cummins, 990 Washington Road, asked about the parking tickets that have not been paid for last season.

It was noted that by Chief Walsh that 1,999 tickets were issued and 551 are listed as unpaid, which are still being actively collected by parking staff.

Mr. Cummins commented that the scale of the increase seems to be in keeping with the inflation rate and is not out of line. He asked about the penalty rate increase after five days, as the percentage seems high for a short amount of time.

Chief Walsh explained that it's standard practice that parking tickets are to be paid within five business days.

Hearing no further comments, Chair King closed to public comments at 7:10 p.m.

Motion by Bill Epperson to increase the Permit Parking Fines from \$100 to \$125 with a 20% penalty assessment if unpaid after 5 business days (\$150). Seconded by Tom King. All in favor.

Motion by Bob McGrath to approve the increase for the No Parking Fine from \$50 to \$75 with a 20% penalty assessment if unpaid after 5 business days (\$90). Seconded by Bill Epperson. All in favor.

B. PUBLIC HEARING – SPECIAL BRIDGE PAYMENT

The purpose of the hearing is to consider acceptance of twenty-one thousand eight hundred six dollars and sixty-nine cents (\$21,806.69) from the State of NH as a special one time bridge payment in accordance with House Bill 2. These non-lapsing funds are to only be used for the maintenance, construction, or reconstruction of municipally owned bridges.

At 7:11 p.m., Chair King opened the public hearing.

Finance Director Becky Bergeron explained that the Town received a one time payment of \$21,806.99 earmarked for the maintenance or reconstruction of bridges. The funds are non-lapsing. The only requirement is that the money be spent in furtherance of repairs on a bridge.

Referring to the Harbor Road bridge, DPW Director Jason Rucker noted that there are some additional repairs proposed by Hoyle Tanner that are not included in the warrant article that is being presented this year; such as, guard rail improvements, bridge abutment rehabilitation, and redoing the sheet piling for structural integrity. He pointed out that the Town accepted a similar grant a couple of years ago, which has been used to offset the design cost and subsurface test bores that were completed. DPW has been utilizing these welcomed grants and funds in the most appropriate way.

Chair King opened for public comment.

Mr. Cummins made comment on how the funds can be used.

Hearing no further comments, Chair King closed to public comments at 7:20 p.m.

Motion by Bill Epperson to accept and expend the sum of twenty-one thousand eight hundred six dollars and sixty-nine cents (\$21,806.69) from the State of New Hampshire as a special one time bridge payment in accordance with House Bill 2. These non-lapsing funds are to only be used for the maintenance, construction, or reconstruction of municipally owned bridges. Seconded by Bob McGrath. All in favor.

C. PUBLIC HEARING – SPECIAL HIGHWAY PAYMENT

The purpose of the hearing is to consider acceptance of thirty-eight thousand four hundred fourteen dollars and forty-nine cents (\$38,414.49) from the State of NH as a special one time highway payment in accordance with House Bill 2. This payment is to be used for maintenance, construction and reconstruction of Class IV and V highways.

At 7:21 p.m., Chair King opened the public hearing.

Chair King explained that the Town receives an annual block grant from the State. These funds can be used for maintenance and reconstruction of Class IV and V highways.

DPW Director Rucker noted that the Town previously received a Highway Block Grant, which was earmarked by the Select Board for the repair of the Harbor Road bridge. He suggests that the Select Board do the same with these funds to help pay for additional repairs of that bridge. The Harbor Road bridge is a Class IV highway (generic term for all roads). He commented that the funds could be used for resurfacing the roads on the approaches to the bridge.

It was noted by Finance Director Bergeron that the funds could be redirected by the Select Board, through a vote, if the funds are earmarked at this time for work with regard to the bridge.

Chair King opened to the public for comments.

Hugh Lee, 220 Pioneer Road, suggested not designating a particular usage for these funds, as it may be more appropriate to use the money elsewhere.

Mr. Cummins asked about the purpose of a public hearing, as he doesn't see anything negative about accepting these funds.

Town Administrator Matt Scruton spoke about RSA 31:95-b which requires a public hearing to be held anytime a town wants to accept unanticipated revenue in excess of \$10,000.

Hearing no further comments, Chair King closed to public comments at 7:33 p.m.

Motion by Bill Epperson to accept and expend the sum of thirty-eight thousand four hundred fourteen dollars and forty-nine cents (\$38,414.49) from the State of New Hampshire as a special one time highway payment to be used to further repair the Harbor Road bridge in accordance with House Bill 2. This payment is to be used for construction and reconstruction of Class IV and V highways, in this case the Harbor Road bridge. Seconded by Bob McGrath. All in favor.

Motion by Tom King to encumber thirty-eight thousand four hundred fourteen dollars and forty-nine cents (\$38,414.49) from the one time highway payment funds for the Harbor Road bridge in 2024. Seconded by Bill Epperson. All in favor.

D. Rye Mosquito Control Commission recommendation for 2024 mosquito services

Town Administrator Scruton noted that the Mosquito Control Commission has made a recommendation to award the contract for mosquito control services for 2024 to Dragon Mosquito Control in the amount up to \$85,040. Three bids for the 2024 season were received and reviewed by the Mosquito Control Commission. Dragon Mosquito Control has been the Town's vendor for several years. The bid was not the lowest cost bidder.

- Northeast Vegetation and Mosquito Control: \$82,500
- Swamp, Inc.: \$83,600
- Dragon Mosquito Control, Inc. \$85,040

Motion by Bill Epperson to accept the Rye Mosquito Control Commission's recommendation to contract with Dragon Mosquito Control, Inc. for 2024 for up to \$85,040 and to authorize the Town Administrator to sign the agreement. Seconded by Bob McGrath. All in favor.

E. Chief Cotreau – Ambulance Contract Approval

Fire Chief Mark Cotreau presented the proposal for the purchase of a new ambulance through Greenwood Emergency Vehicles for a net contract price of \$370,000. The purchase of the new

ambulance was approved by the voters at town vote in March 2023. Chief Cotreau confirmed that the contract has been reviewed and accepted by town counsel.

Motion by Bob McGrath to approve the Greenwood Emergency Vehicles, LLC proposal for a new ambulance with a net contract price of three hundred seventy thousand dollars (\$370,000) and to authorize the Town Administrator or the Fire Chief to sign the agreement. Seconded by Bill Epperson. All in favor.

- F. The Rye Heritage Commission requests permission to accept and expend funds received from the Rye400 Committee in the amount of \$8,400.00.

Motion by Tom King to allow the Rye Heritage Commission to accept and expend funds received from the Rye400 Committee in the amount of seven thousand dollars (\$7,000) for up to four new historic signs. Seconded by Bill Epperson. All in favor.

Motion by Tom King to allow the Rye Heritage Commission to accept and expend funds received from the Rye400 Committee in the amount of one thousand four hundred dollars (\$1,400) to be used for the restoration of the Ocean Wave Hotel gazebo. Seconded by Bill Epperson. All in favor.

- G. Joint statement of the Select Board and Conservation Commission

The Selectmen reviewed the joint statement of the Select Board and Rye Conservation Commission, which RCC has voted to accept with some minor edits. It was noted that both Town Attorney Maher and RCC Attorney Manzelli have reviewed and accepted the document.

Chair King noted that four pages of the statement are the historical timeline of the process from the Town's perspective. The purpose of the document is to provide a statement from the board and commission that were involved of what happened.

Vice-Chair Epperson stated that this was created by someone who came into town, couldn't follow the rules, did exactly what he wanted to do, and was caught. The Select Board has a responsibility to the Town to protect the assets of the Town and not allow people to do things that are detrimental to the community. He commented that if the attorneys and RCC have looked at this, he is okay with the statement.

Selectman McGrath asked what makes the document required. He asked if this is a historical precedent to provide a document every time there is a lawsuit to explain the suit. If it was his decision, he would've announced the court's decision on the Town's website and given the links to all the court documents for people to do their own research. He pointed out that the document has made a lot of people upset. He doesn't think the document is helpful in bringing peace to this town.

Chair King commented that this is one of three opinions from the Select Board and there are nine opinions on the Conservation Commission. He noted for the public that the topic is not going to be opened up for the public to speak. This is the Select Board's statement in regards to the conclusion of a legal issue.

Motion by Bob McGrath to overrule the chair on public comment. (*Motion failed due to lack of a second.*)

Selectman McGrath reiterated that he is really concerned about this particular document. He asked why it was required to be written and who asked for the information. People could just be directed to do their own research with links to the court files. He doesn't see the gain and doesn't think it's helpful.

Vice-Chair Epperson stated that when the Town was presented with this particular situation, it was so a grievous to the rules and regulations. This person did this without any kind of representation whatsoever. Vice-Chair Epperson commented that he's sorry the Town had to spend the money and go down the rabbit hole. However, the statement explains it pretty well.

The Select Board agreed to open for public comment.

Referring to the joint statement, **Julie Tucker, 960 Washington Road**, commented that it's not a history of the matter. It's a history of the Select Board's representation of the history. On the statement, which is supposed to be transparent, not all the information is given. DES gave a permit in retro because one had not been applied for when the work was done. DES then approved the dam that was built, and in their decision said it was a "wetlands enhancement" non-dangerous. The RCC, despite being told by the State experts this was an enhancement, appealed that decision with taxpayer money without asking the taxpayers. This is not transparent as the taxpayers were not informed. Why would RCC appeal something the DES said was a wetlands enhancement without asking the taxpayers how to spend the money? When it went to the Wetlands Council, they also found it to be an enhancement. She pointed out that this is not put in the statement, which is supposed to be the history of the case. She continued that with taxpayer money, it was appealed to the Supreme Court. It was not transparent as the taxpayers were not told it was going to be appealed. She reiterated that the statement is not transparent. There is nothing in the document about money. That information should be in there or it should say it's from the Select Board's and RCC's perspective, it's not all the historical facts.

Hugh Lee, 220 Pioneer Road, stated that he takes exception with the statement that "they started this." They started the issue with building without a building permit; however, they didn't start the issue of appealing to the Wetlands Council for \$140,000. To him, that is a pure vindictive action on the part of the Conservation Commission.

Vice-Chair Epperson stated that his personal opinion is that this was done because they were trying to protect the Town from something that was so egregiously done. It's still not known

what the impact is going to be. Had the dam never been built, no one would be having this conversation.

Mr. Lee commented there may not be a better condition. It might be worse conditions. That's why as part of the DES process, both sides hired their experts. The Wetlands Council found the experts hired by the Conservation Commission to be less credible and didn't like what they said. They appealed to the Wetlands Council against a permit that had been issued, which is virtually certain to fail. He agrees that they shouldn't have started construction without building permits; however, once they have been called out, brought their permits up to date, and moved buildings away from property lines, it then should have been a neutral action, instead of the vindictive action that went forward spending \$140,000 of taxpayer money to no avail. He commented that the statement should have all the facts and it should be accurate. This is not transparency. It's a one-sided attack.

Susan Shepcaro, 45 Recreation Road, RCC Member, noted that all the litigation documents are posted on the Rye Conservation Commission's page on the Town's website.

Chair King stated that with twenty/twenty hindsight, it's easy to say that the Town should've known they were going to lose and they shouldn't spend a nickel. He pointed out that the Town didn't start this, but they did finish it. This is incrementalism. It's not known that five to six years and \$140,000 is going to be spent when starting out. He also pointed out that each decision was made with the best possible information at the time by the Select Board. He noted that the Conservation Commission has no authority to sue on their own. This was done with the permission and direction of the Select Board as agents for the Town. The Select Board took the zoning violations and the Conservation Commission took water impoundment.

Johanna Silkowski, 120 Garland Road, stated that they had experience with the former building inspector who led them to believe that certain things on the property did not require building permits. When they thought they needed a building permit, they applied for one, which was how the discovery was made about the units on the property that had no foundation, no electric, and were moveable buildings with no heating. As soon as this was found, they started working on getting permits for these things. She commented that they didn't do this egregiously. She noted that many people have been to their property from town. She doesn't think anyone who has been there would agree with the comments about how the property has been treated, or how the Town or people in town have been treated. She pointed out that the structure was built in order to protect the property, to stop phragmites from expanding, and stop beaver impounding, which was stopping the waterflow down to the White Cedar Swamp, even though scientists went on to show that water coming from the property doesn't impact the White Cedar Forest at all. The two structures that exist on the property are permitted. One is in jeopardy of being washed out by the increase in the rainfall and the velocity of water that comes down through the small stream that exists above and below the property. The DES found that they wanted improvements to that already permitted structure. What was built had zero impact on the DES evaluation of the property. The improvements that are going to take place are for something that was permitted long before they owned the property.

Ms. Silkowski continued that there was a settlement many years ago where they paid \$75,000 for the work that was done without a permit. The Conservation Commission should be focusing their energy on conserving land. What was done on the property is a significant environmental enhancement. The people on the Wetlands Council were so impressed by the work that had been done that they had commented about how beautiful the restoration was. She commented that making a statement and signing onto it is so wrong on so many levels. She feels it's being done as a political stunt to try and further the actions that were done in retaliation. To co-sign this letter is a misrepresentation of the Town's feelings, Town's previous statements, and what the Town's position should be. This is a statement to justify actions that were done to punish somebody for something that the Select Board didn't think should've been done.

Joe Cummins, 990 Washinton Road, asked the Select Board to consider consulting with an attorney as he is concerned with people being put in a false light, which has a legal aspect.

Mr. Lee pointed out that \$140,000 is just from December 2021 to date. There was quite a bit more spent before that time for attorneys in addition to consultants.

Chair King closed to public comment at 8:33 p.m.

Selectman McGrath asked if Rye is better off today than it was yesterday before the document. His answer is "no." He will vote no on adopting the document.

Vice-Chair Epperson suggested tabling the document for information from Town Counsel as to how the document was drafted.

Chair King agreed this suggestion is reasonable. He pointed out that the objective was to get something out in short proximity to the Wetlands Council decision in order to try to explain what happened. Not everyone is going to agree with the document.

Joint statement tabled.

VII. CORRESPONDENCE

- A. Letter rec'd from Carla Cole** re: Request for an ADA compliant porta potty to be placed at the town beach entrances alongside the standard porta potty

Carla Cole, 77 Liberty Common, spoke to the Select Board about her request for an ADA compliant porta potty to be placed at the town beach entrances.

DPW Director Rucker spoke about the current porta potty conditions. He noted that there are two porta potties at each public access locations; Cable Road and Wallis Extension. The porta potties have been encapsulated with wooden, tamperproof houses, which were rebuilt last year at considerable cost. The service providers strongly recommend that the encapsulated houses

remain. He pointed out there may be some operational issues with making one of those houses ADA accessible, as they're built up off the ground. He also pointed out that space is limited in those areas. An additional porta potty would remove at least one parking space at Cable and one at Wallis Extension. Currently, there is no formal handicap accessible ramping from either Pirates' Cove or Cable Extension. At Wallis Sands State Beach, the State has provided both male and female handicap accessible bathrooms, as well as a handicap accessible ramping down to the beach. This is provided at Jennes Beach, as well.

The Select Board agreed that this is something that should be addressed. There was discussion with Director Rucker about how ADA compliant porta potties could be added to the existing facilities. Ms. Cole noted that she has brought this issue to the Beach Committee Chair who has agreed to put this on the Committee's agenda for discussion. The Select Board agreed to let the Beach Committee work on a solution.

VIII. NEW BUSINESS

A. MTS Software for accounting and payroll

Town Administrator Scruton spoke to the Select Board about the proposal for new accounting/payroll software for the Finance Department. Municipal Technology Systems (MTS) is supported by Municipal Resource (MRI), Inc. There are a number of components that would be beneficial to the Town; such as, general ledger reports, accounts payable, bank reconciliation, payroll, budget development, and DRA reporting. This software would replace the current software being used by the Finance Department. The request is to sole source the agreement and encumber the full cost of the software of \$45,200 from this year, so there will not be a budgetary impact in 2024.

- Software: \$37,200
- Annual Maintenance: \$ 6,500
- Installation: \$ 1,500

Motion by Tom King to sole source and agree to the MRI MTS software proposal for new software and to authorize the Town Administrator to sign an agreement to purchase. Seconded by Bill Epperson. Vote: 3-0 All in favor.

Motion by Bill Epperson to encumber \$45,200 from the 2023 budget for the approved MRI MTS software proposal. Seconded by Bob McGrath. Vote: 3-0 All in favor.

IX. OLD BUSINESS

None

X. SELECTMEN'S 2024 BUDGET WORK SESSION

A. Encumbrances

The Select Board reviewed the list of requested encumbrances submitted by Finance Director Bergeron.

- Total encumbrances: \$598,089.49

Motion by Bill Epperson to approve the encumbrances from the 2023 budget in the amount of \$589,089.49. Seconded by Tom King. Vote: 3-0 All in favor.

XI. OTHER BUSINESS

A. Meeting Minutes

1. Meeting, Tuesday, October 10, 2023, 5:00 p.m., Rye Town Hall

The following corrections were noted:

- Page 13, 3rd paragraph, 1st sentence should read: **Finance Director Bergeron noted that over the years, the Town has been able to wean down the directory assistance line item in the budget, due to the fact that the Town funds some of these organizations, which keeps the direct assistance/welfare number low.**

Motion by Bill Epperson to approve the minutes of October 10, 2023 as amended. Seconded by Bob McGrath. All in favor.

2. Non-Public Session, Tuesday, October 10, 2023:
(1) per RSA 91-A:3, II (d) Acquisition

Motion by Tom King to accept the minutes of the non-public session of October 10, 2023, 5:02 p.m., as written. Seconded by Bill Epperson. All in favor.

Motion by Tom King to seal the non-public minutes of October 10, 2023, 5:02 p.m. Seconded by Bill Epperson. All in favor.

- (2) per RSA 91-A:3, II (l) legal advice

Motion by Tom King to accept the minutes of the non-public session of October 10, 2023, 5:25 p.m., as written. Seconded by Bill Epperson. All in favor.

- (3) per RSA 91-A:3, II (a) Personnel

Motion by Tom King to accept the minutes of the non-public session of October 10, 2023, 5:30 p.m., as written. Seconded by Bill Epperson. All in favor.

Motion by Bill Epperson to seal the non-public minutes of October 10, 2023, 5:30 p.m. Seconded by Tom King. All in favor.

(4) per RSA 91-A:3, II (c) Reputation

Motion by Tom King to accept the minutes of the non-public session of October 10, 2023, 6:02 p.m., as written. Seconded by Bill Epperson. All in favor.

Motion by Tom King to seal the non-public minutes of October 10, 2023, 6:02 p.m. Seconded by Bob McGrath. All in favor.

(5) per RSA 91-A:3, II (l) Legal Advice

Motion by Tom King to accept the minutes of the non-public session of October 10, 2023, 6:07 p.m., as written. Seconded by Bill Epperson. All in favor.

(6) per RSA 91-A:3, II (a) Personnel

Motion by Tom King to accept the minutes of the non-public session of October 10, 2023, 6:16 p.m., as written. Seconded by Bob McGrath. All in favor.

3. Meeting, Thursday, October 12, 2023, 8:15 a.m., Rye Town Hall

The following correction was noted:

- Page 1, 1st paragraph, 2nd: Recreation Assistant should be **Recreation Deputy Director**.

Motion by Tom King to accept the minutes of October 12, 2023 as amended. Seconded by Bill Epperson. All in favor.

4. Non-Public Session, Thursday, October 12, 2023:
(1) per RSA 91-A:3, II (a) Personnel

Motion by Tom King to accept the minutes of the non-public session of October 12, 2023, 9:42 a.m. Seconded by Bob McGrath. All in favor.

5. Meeting, Monday, October 23, 2023, 6:30 p.m., Rye Town Hall

Motion by Tom King to accept the minutes of October 23, 2023 as written. Seconded by Bill Epperson. All in favor.

6. Non-Public Session, Monday, October 23, 2023:
(1) per RSA 91-A:3, II (a) Personnel

Motion by Tom King to accept the non-public minutes of October 23, 2023, 8:18 p.m., as written. Seconded by Bill Epperson. All in favor.

7. Meeting, Monday, November 13, 2023, 5:45 p.m., Rye Town Hall

Motion by Tom King to accept the minutes of November 13, 2023 as written. Seconded by Bill Epperson. All in favor.

8. Non-Public Session, Monday, November 13, 2023:
(1) per RSA 91-A:3, II (b) Hiring

Motion by Tom King to accept the minutes of the non-public session of November 13, 2023, 5:45 p.m. as written. Seconded by Bill Epperson. All in favor.

- (2) per RSA 91-A:3, II (a) Personnel

Motion by Tom King to accept the minutes of the non-public session of November 13, 2023, 6:05 p.m., as written. Seconded by Bill Epperson. All in favor.

- (3) per RSA 91-A:3, II (d) Acquisition

Motion by Tom King to accept the minutes of the non-public session of November 13, 2023, 6:20 p.m., as written and seal. Seconded by Bill Epperson. All in favor.

- (4) per RSA 91-A:3, II (c) Reputation

Motion by Tom King to accept the minutes of the non-public session of November 13, 2023, 6:24 p.m., as written. Seconded by Bill Epperson. All in favor.

Motion by Tom King to seal the non-public minutes of November 13, 2023, 6:24 p.m. Seconded by Bill Epperson. All in favor.

At 9:25 p.m., Tom King made a motion to go into non-public session per RSA 91-A:3, II (c) Reputation. Seconded by Bill Epperson.

Roll Call: McGrath – Yes; Epperson – Yes; King - Yes

At 9:47 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.

ADJOURNMENT

Motion by Tom King to adjourn at 9:48 p.m. Seconded by Bob McGrath. All in favor.

Respectfully Submitted,
Dyana F. Ledger

12-26-23 Corrus. A

December 13, 2023

Janice Ireland
Maryann Sullivan
Jason Rucker
Rye NH 03870

Dear Select Board, Beach Committee and DPW Director,

I am writing to you as a Rye resident that frequents the beaches of our beautiful coastline. I would like to request that an ADA compliant porta potty be placed at the town beach entrances alongside the standard porta potty.

Although we do not personally experience a disability in our family, I do recognize the need for accessible facilities. If we are going to offer a porta potty we should offer them for all residents, regardless of abilities.

Can I ask that you commit to addressing this request?

Thank you for your time,

Sincerely,

Carla Cole

77 Liberty Common

Rye NH 03870



