

TOWN OF RYE – SELECT BOARD
Monday, March 8, 2021
6:00 p.m. – Via Zoom

Present: Chair Phil Winslow, Selectman Bill Epperson and Selectwoman Mae Bradshaw

Others Present: Town Administrator Becky Bergeron

6:00 p.m.

I. CALL TO ORDER

Chair Winslow called the meeting to order 6:00 p.m.

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

At 6:00 p.m., Phil Winslow made a motion to go into Non-Public Session per RSA 91-A:3 II (e) Reputation. Seconded by Bill Epperson. Roll Call: Winslow – Yes, Epperson – Yes, Bradshaw - Yes.

At 6:44 p.m., Phil Winslow made a motion to come out of Non-Public Session. Seconded by Bill Epperson. Roll Call: Winslow – Yes, Epperson – Yes, Bradshaw - Yes.

6:30 p.m. RECONVENE PUBLIC MEETING

III. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Winslow called the meeting to order 6:45 p.m. and led the Pledge of Allegiance.

Reading of Attestation

Statement by Phil Winslow:

As Chair of the Select Board for the Town of Rye, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are providing public access to the meeting by telephone, with additional access possibilities by video and other electronic means. We are utilizing Zoom for this electronic meeting. All members of the board have the

ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone number: 646-558-8656 and Password:352125 or by clicking on the following website address: www.zoom.com ID #828 6768 3681.

- a) Public notice has been provided to the public for the necessary information for accessing the meeting, including how to access the meeting using Zoom telephonically. Instructions have also been provided on the Town of Rye website town.rye.nh.us
- b) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access.
- c) Adjourning the meeting if the public is unable to access the meeting. In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that all votes that are taken during this meeting shall be done by roll call vote.

If anyone has a problem accessing the meeting please email the Town Administrator at: BBergeron@town.rye.nh.us

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call vote.

Roll call attendance of Select Board:

- Bill Epperson - Alone
- Mae Bradshaw – Burt In the Room
- Phil Winslow – Wife is in the house

IV. ANNOUNCEMENTS

Fire Chief Cotreau announced that Sunday, February 28th, there was a two-alarm fire at a home on Holland Drive. There was an injury involved in the fire and the home cannot be occupied. If anyone would like to make a donation, either monetarily or non-monetarily, they can contact Lieutenant Chuck Gallant at the Rye Fire Department. The contact information is on the department's website.

Chief Cotreau also thanked the Rye firefighters and the mutual aid companies that responded.

Chief Cotreau reported that the department uses houses that are marked for demolition for training. It is done typically once or twice a year. This week on Thursday and Saturday, they will be using the building at 10 Causeway. They do not burn the building; however, they use a smoke machine to simulate fire conditions, so smoke will be coming from the building. There will be a sign out front and the neighbors have been notified.

- V. PUBLIC COMMENT** – (at the beginning of the meeting, for any comment by any Rye resident on any topic. Request time limit, up to 5 minutes each person.)
- **Robert Glowacky, 22 Pine Street**, recommended that the meetings be streamed on YouTube or Face Book to encourage community awareness and engagement with the meetings. Streaming the meetings will help more people access them.
- VI. CONSENT AGENDA ITEMS** – (to be discussed at the meeting only if pulled off the consent agenda by one of the three Selectmen.)
- A. Email rec'd from Roseann Clark re: her resignation from the Beach Committee effective 4/1/21**
- B. MOU – COVID-19 Vaccination Aid**

Chair Winslow asked that a letter of thanks be sent to Roseann Clark for her service on the Beach Committee. He asked that Consent Agenda Item B be taken off for discussion.

Selectman Epperson stated that he would like to re-enforce the importance of the Beach Committee and all they do. Roseann has been on the committee for quite a while. He thinks it is appropriate to send her a letter, but he also would like to thank her personally for her service.

**Motion by Phil Winslow to accept Consent Agenda Item A. Seconded by Mae Bradshaw.
Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.
Motion Passed.**

Town Administrator Bergeron explained that the MOU is a Memorandum of Understanding between the Town of Rye and the State of New Hampshire for a number of Rye Paramedics to participate in administering the Covid vaccine to residents. This memorandum allows the Town to be reimbursed for their expenses.

Selectman Epperson asked how the expenses are reconciled.

Chief Cotreau explained that it is his understanding that records are kept at the vaccination sites. When the paramedics come back from their tour at the vaccination site, they put their time in with the shift commander. The shift commander will sign their slip, which is then turned into the chief. The reimbursements are submitted by the 15th of each month.

**Motion by Phil Winslow to allow Town Administrator Bergeron to sign the MOU.
Seconded by Bill Epperson.
Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.
Motion Passed.**

VII. DISCUSSION ITEMS

A. Finance Administrator Position

Chair Winslow announced that Ned Paul has been hired as the Finance Administrator for the Town. Ned has served on the CIP Committee for ten years. He was the first chair of the Town Hall Space Needs Committee. He is very familiar with the Town and its finances. He comes in with a strong finance background.

Chair Winslow and the Board welcomed Mr. Paul.

Motion by Phil Winslow to appoint Ned Paul as the Finance Administrator for the Town of Rye. Seconded by Bill Epperson.

**Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.
Motion Passed.**

B. Senator Sherman & Representative Grote – Legislative Update

Chair Winslow stated that the Board is very pleased to have Senator Sherman and both State Representatives Jaci Grote and Kate Murray at this meeting. The legislative updates are very helpful.

Representative Grote updated the Board on some of the current bills. Many of the bills are being assessed by committees. She reminded the Board that the last time they met with the Energy Committee there were four bills of interest.

House Bill 584: Addresses efficiency credits and the bill was actually instrumental in the efficiency credits gathered by New Hampshire Save. The Committee retained the bill, so right now there is no action.

House Bill 315: Aggregating Community Power. The Committee got a lot of resistance from Towns like Rye, saying they don't want this. The bill was recommended by the utility companies. There were four very strenuous work sessions on this bill. It was passed on March 8th as amended. It describes how Community Power will work with utilities and it does not take away the Community Power Program. She will keep the Board posted as to when it goes on to the consent calendar.

House Bill 225: Addressed the recalculation of energy credits. This bill was killed in the Committee.

House Bill 213: Addressed the renewable energy portfolio in New Hampshire. It reduces the requirements from 25% to 8%. This goes against the direction of what many other states in the country have done, where they have much higher portfolio standards than New Hampshire. There was so much resistance on this that the Committee retained the bill.

Representative Grote pointed out that these are some really good wins for Rye and she appreciates all the input that she received.

There are two additional bills that Ms. Grote wanted to address:

HB426: This bill has to do with shoreland septic systems. It was brought forth by Representative Judith Spang from Durham. Before a house is sold, it must have a septic system that is approved by DES. If the septic system is greater than twenty years old and there is a failed system, there has to be a detailed evaluation to determine compliance. She felt that this would be very good for Rye.

HD398: This bill addresses wastewater projects. It's a finance bill that provides \$6 million to certain areas. One of them is the Portsmouth expansion of primary treatment water. In regards to the sewer on Route 1, Rye might be able to get funds to fulfill the other half of the needed funds from different resources from the federal government and the state. There could be money in this bill and she is just keeping an eye on it.

Selectman Epperson noted that his goal this year is to try to establish a TIF District to begin to create funds in order to build the infrastructure along Route 1 without raising the taxes in Rye.

Senator Tom Sherman reported that Stratham has done a TIF. Town Administrator Bergeron may want to reach out to David Moore in Stratham for information. He recommended talking to Mr. Moore about how to make sure the Town understands what a TIF really means. It is not a threat to the Town. It is a great way to save a lot of tax dollars. In the end, it will reduce property taxes.

Representative Grote announced that she has joined the Legislative Committee on the Rockingham Planning Commission. They are watching approximately 50 bills at various stages moving through the House and Senate.

Representative Murray referred to the Sewer Bill. She stated that it may be possible in the next biennium to put that in as a bill. What typically happens in finance around those issues is they will get those bills and retain them. As best as they can, they will put those bills into HB2 as part of the budget, so that it becomes a budget project. If it gets pulled out of the budget, they hang onto the bill in order to push the bill forward.

There are some concerns regarding the budget proposal:

1. The County will be expected to come up with another 17%, in terms of support of the Rockingham County Nursing home. Which, will in turn affect property taxes. The basic rule of thumb is that when the BET, BPT and the Rooms and Meals Tax go down, property taxes will go up.
2. The Governor has cut public education and increased chartered schools. The bills that come out of education will go to Finance or Ways and Means, depending on how they are written. Finance will retain those bills until they can determine how they will fit into the budget. Finance is doing its best to protect what the state has provided for education.
3. Currently, there appears to be a one hundred- and fifty-million-dollar gap between the Governor's projected revenue and Ways and Means projected revenue. Ways and Means revenues are very conservative. Finance is waiting to hear from Ways and Means in regards to how much money there will be to distribute to all the various departments and programs.

4. There are some policy changes that are of concern. There is a change in public education. There is also the potential merger system with the University System and the Community College System. There is also the proposal for the Department of Energy. All of these things could potentially be good. There are a lot of public hearings on these issues in order to get input.
5. There was a bill that passed in the Committee last year and died in the Senate (Covid prevented it from being moved forward). It was to protect the estuaries in the back channel of New Castle from personal water crafts and the damage that they do to the wildlife. This bill passed again through Resources. It will go to the House and is on the consent calendar.

Chair Winslow asked that the State Reps help stop the downshifting from the State to the taxpayers. It will be forcing people out of their homes and communities.

Representative Grote stated that anytime they hear about cuts in state revenue, they do everything they can to prevent it. They are very sensitive to it. She has been thinking about putting together a group of people from the State to look at what other options of funding sources there could be for state revenue.

Representative Murray added that they are keeping a close eye on this issue this year because it is such an issue. They have pointed out areas to the Governor and have said that it would be a downshift. The Governor's response is; *"No, I am not downshifting. You need to take that up with your local select board. If they choose to raise taxes, that is on them."* Finance is keeping very close tabs on everything that he is cutting that will come back to impact property taxes across the State.

Senator Sherman asked if Rye had a decrease in property tax this past year.

Selectman Epperson responded that it was kept the same as the previous year.

Chair Winslow explained that they used some of the fund balance to keep the same rate for the Town. The schools increased, but the county decreased and the Town stayed the same.

Senator Sherman explained that the budget that was signed by the Governor in 2019, which effects the current biennium, included \$40 million to be returned to municipalities across the State. Rye got some, but not as much as other communities. A lot of it was based on a formula. What they are now seeing is that most communities were able to either drop their property taxes or keep them the same, in spite of Covid. He mentions this because they just passed SB118 by bipartisan vote. SB118 does the same thing for the next biennium. SB118 was tabled and then put into the budget.

He added that when there are state level tax cuts or revenue reduction, it means that unless there is a rise in revenue across the board, property taxes will go up. There are other expenses that will drive up property taxes, such as charter schools. The State just accepted \$40 million from the Federal Government last November to create a whole group of new charter schools.

The funds will be all for the construction and the institution of the schools. There will be no money for the maintenance, thereof. So, the maintenance for the public charter schools will have to come from the same pot that the public schools get their money.

A couple of things that happened in the Senate last Thursday are going to put pressure on property taxes, because they are not funding it through the state.

They were able to block a few things because they go against the constitution, because they are an unfunded mandate.

SB95: This will allow the public body to meet remotely, putting the compacity of Zoom into long term use. Senator Sherman and NHMA support this bill. Senator Sherman feels that it will do good in the Senate. However, the House is working on bills that will limit the Governor's ability to put the State in a state of emergency and keep us in the state of emergency.

Representative Grote stated that these bills are coming from her committee. There has been a tremendous amount of resistance on both sides of the isle. She felt that the bills will be put together in a work session and will be significantly different.

Senator Sherman expressed the only concern in the Senate was that the original \$1.25 million that came from the federal government did not go the legislative fiscal committee.

Referring to the Omnibus Bills coming from the Senate, Senator Sherman explained that these bills try to group bills that are similar in topics or are germane. It allows them to have hearings on all the bills at once. It makes it much more efficient in the Senate. He is not sure how the House will handle these, as they have more committees. One of these bills is SB131, Section 9, which addresses private roads. Section 9 allows for people that live on private roads to be reimbursed for all their maintenance costs. NHMA came out strongly against it. Section 9 is unlikely to survive. Senator Sherman pointed out that there are two areas where this is unconstitutional. He is opposed to this and will fight it.

SB158: The Education Bill is currently in committee. Senator Sherman is watching it very closely and has already stated his intent to vote against anything that would resurrect donor towns. He stated that this is not a partisan issue, but more of a regional issue. Everyone understands there has to be modification of funding, but they do not have the solution.

SB72: This bill proposes a return of 15% of the pension costs. It used to be 30% paid by the State. The State currently pays none. This bill is currently in Finance. He feels this will go to the budget when it passes the Senate.

Representative Grote stated that it better go into the budget, because there was a similar bill in that got killed in the House and it was for only 5%.

Senator Sherman pointed out that he did not feel the Governor was going to be in favor of it because he is looking at other cuts.

Senator Sherman discussed his work on the Transportation Committee. He reported that they will be looking at the ten-year plan next year. He recommended that he and the Select Board sit down and have a chat about priorities.

He also sits on the Drinking Water and Groundwater Advisory Committee and is the vice-chair of the Trust Fund Advisory Commission. They granted two approvals to the Rye Water District last year.

Chair Winslow responded that as far as the ten-year plan is concerned, he feels they should include Representative Grote, as she and he are on the Rockingham Planning Commission. They should also include Dania Seigle who is Rye's representative on the Transportation Planning Commission.

Senator Sherman asked Town Administrator Bergeron to reach out to Jenny Horgan, his legislative aid, to coordinate a meeting.

Chair Winslow asked that Chief Walsh and Public Works Director McCarthy be included, as well.

Senator Sherman addressed the issue of the new stimulus money coming back to the municipalities. It is his understanding that it will be more targeted and not as freewheeling. He offered to organize a meeting and get someone from the Senator's office to present and answer questions.

Chair Winslow asked if there is a Senate Bill that is being considered that would increase the rooms and meals taxes coming back to the Towns.

Senator Sherman responded that there were two. One is from Senator Cindy Rosenwald which is a temporary return of rooms and meals. His understanding is that it is in committee. The other is to return the full 40%, which is SB99 by Senator Ricciardi of Bedford. This bill removes the limit on the annual increases of the distribution of rooms and meals tax revenue, so that 40% of the revenue is distributed annually. Senator Sherman said that unfortunately, this is some of the budget shenanigans that happens every two years. While this bill would be nice to pass, it could also be overruled in the budget process. It would certainly set the position of the Senate. He feels that if it passes the Senate it would be tabled for the budget.

Senator Sherman explained the budget process. The budget goes through three different cycles. The first is the Governor's budget that is presented to both chambers. Then the House has a crack at it and then it is passed along to the Senate. The Senate then passes their version of HB1 and 2 which is the budget and the Rider Bill that enacts all the budget. There is an intense committee of conference, where representatives of the House and the Senate come together to develop a final HB1 for the budget and HB2 for the Rider Bill, which goes to the Governor to be signed.

Senator Sherman told Selectman Epperson that he would be happy to help in any way that he can with the work on the TIF.

Selectman Epperson asked if Senator Sherman has any visibility on the gas tax revenues.

Senator Sherman responded that he knows of no bills coming before the Senate to change those. However, there is significant potential federal support for the State's electrical vehicle charging. New Hampshire is way behind the rest of New England on this, so there may be federal money coming.

There was another bill that came before the Senate and was passed SB86. A lot of people in the Housing Board of Appeals were fighting hard against this bill. One component of it reauthorizes the New Hampshire Housing and Conservation Planning Program. This is a grant program and it doesn't raise property taxes. The program is completely enabling and completely voluntary, so a town or municipality can choose to participate or not. The recommendations that come out of the planning process are meant to be supportive. Senator Sherman could not see why there was such a push back on this bill.

C. Deliberative Session Discussion

Chair Winslow reminded the Board they are looking at three things that need to be balanced.

- 1.) The health and wellbeing of both the voters and the election workers.
- 2.) Protection of the democratic process.
- 3.) To balance this with the staffing and resources that the Town has to deliver an effective deliberative session.

He pointed out that the dates have been set. The Deliberative Session will be held on June 5th and the Election is July 13th. He noted that Town Administrator Bergeron has some concerns.

Town Administrator Bergeron stated that the concern is with the July 13th date. July is when the first issue for property taxes goes out. There are also beach stickers being issued and the Clerk's Office will be tasked with sending out the absentee ballots.

Town Clerk/Tax Collector Donna DeCotis stated that her department just doesn't have the manpower to handle it all at one time. She recommended possibly moving the process up a month.

Deputy Town Clerk/Tax Collector Amy Thibodeau reported that she has talked to the Secretary of State's Office to get a feel on their sentiments. They said that if the Town has the Election on the 13th of July, the Supervisors of the Check List will have to meet on July 3rd, which is a holiday weekend. She added that Memorial Day is the turning point in the work load in their office. They go from pretty steady to overwhelming very quickly. Another concern is that in a seasonal town, such as Rye, having an election during the season can open the Town up to a lot of questionable things. The seasonal people coming in see all the election signs and advertising and they think they are able to vote. If they bring in their tax bill or utility bill they can register to vote and vote that day. They may not realize that it is just a town election and may not even

know the issues. The other thing usual happens in July is that there is a sewer warrant that goes out.

Both Ms. Thibodeau and Ms. DeCotis agreed that moving the Deliberative Session to May and the Election to June would solve the problem.

There was some discussion about hiring someone temporary for the eight-week period. Ms. Thibodeau pointed out that last year it took five people to keep up with processing the beach stickers. She stated that she even took them home at night to work on them. She also pointed out that they are currently processing eight to twelve new car registrations a day. They have never seen anything like this volume.

Moderator Bob Eaton expressed concern regarding the confusion that is being created by changing the election date. He also expressed concern about not being informed that this issue was going to be discussed at this meeting.

Supervisor of the Check List Sally King also stated that she was not aware that this was going to be discussed this evening. She felt that this issue should have been discussed between the Moderator, the Supervisors and the Town Clerk's Office prior to coming to the Board. She blamed the disjointedness of not having that conversation to Covid. She added that Donna and Amy have worked incredibly hard and she wants to support them any way she can. She also feels that it needs to be mutual. They all have to know what is going on and the possibility of changing dates is really important.

Chair Winslow assured everyone that the intention at this meeting was not to change the dates. It was to listen to Ms. DeCotis and Ms. Thibodeau, hear their concerns and to try to find a solution.

Moderator Eaton said that he is all for helping people wherever he can. He asked how this got on the agenda and why he wasn't notified.

Town Administrator Bergeron explained that the reason she brought this forward was not necessarily to change to date, but to discuss the concerns that her staff brought forward about the amount of work in conjunction with the July 13th election and to see if there was a way to remedy those concerns. If there was going to be a date change, Mr. Eaton and Ms. King would absolutely been included in the conversation.

Chair Winslow asked what could be done to support the Town Clerk/Tax Collector's Office and to alleviate some of the pressure of the workload during that time. He asked Town Administrator Bergeron to find out the requirements and training involved with getting someone state certified to handle some of the election work, car registrations and beach stickers. He also asked her to speak with Donna and Amy about tasks on the lower end of the scale, which they have to contend with on the front desk, that someone else may be able to take on. Could staffing be provided for support during that time? How can the Town residents be encouraged to use electronic means for communication and payments?

Town Administrator Bergeron pointed out that it is a two-prong process. Donna and Amy still have to process all the transactions. It is not just a collection issue. It is also a processing issue.

Chair Winslow asked if the tax bills could be sent out a month later.

Donna and Amy stated that they would have to check to see if the date is mandated by the State. They believe that it is a July 1st due date.

Chair Winslow asked them to verify if it is dictated by state statute. He also asked Town Administrator Bergeron to look at the impact on the cash flow.

Town Clerk/Tax Collector DeCotis stated that her main concern with the dates is the impact and the work load that it is going to put on her office. She and Amy are the only two that are certified to do much of the work. She just wants to alleviate some of the stress.

Deputy Thibodeau also pointed out that by putting all of those components together in July, they are just opening the door for human error. Human error is almost inevitable with that much work on their plates.

Chair Winslow asked Town Administrator Bergeron if she could look at each component of work produced from the Town Clerk/Tax Collector's office to see if there are other ways to deliver those in an efficient fashion. Those ideas may include getting someone state certified, if needed. It may also include looking for additional staff and doing a very aggressive PR campaign to get residents to do more of their transactions electronically. Also, there is the possibility of moving the collection of taxes out by one month. He asked her to look outside the box to see if there are things that can be done to substantially take the pressure off that department.

Sally King stated that she is available to help out more with the election work.

Town Clerk DeCotis stated that she has to thank Sally because during the last two elections, Sally has stepped up to the plate and has taken a tremendous load off the office.

Selectman Epperson said that he feels that they have a really good team. Everyone is looking at this in the same direction and are trying to do this safely.

Chair Winslow recommended that these issues be brought back to the Board at the next meeting on March 22.

D. Public Works Director- Bid Results.

1. Road Crack Sealing

Public Works Director Dennis McCarthy reported the results of the bid opening for the road crack sealing. The low bid was Nicom Coating Corporation at \$1.90 per pound. He recommended that they receive the bid award.

2. Road Pavement Markings

Director McCarthy also reported the results of the bid opening for the road pavement markings. The low bid was from Industrial Traffic Lines. They have done the job for the Town for the past four to five years. Their price was the same as last year's. Total cost will be around \$26,000. He is recommending that they be awarded the bid.

Note: *No vote is needed from the Board as they are both the low bidder.*

E. Comcast Franchise Renewal

Town Administrator Bergeron reported that the Comcast Franchise Contract is set to expire May 22nd. The Board has copies of the current contract as it stands. Now is the time to negotiate any changes the Board may want. This Contract renewal would be for five years. Selectman Epperson had talked about changing the term to 36 months. She stated that she can go back to Jay Somers to see if that is something that they can negotiate. Also, keep in mind that prior to the approval date, the Board will have to hold a public hearing to inform the public.

Selectwoman Bradshaw asked if the Town is receiving the full 5% of Comcast's gross annual revenue under the current contract?

Administrator Bergeron explained there are two components to this. The contract allows the Town to enter into an agreement with Comcast to collect franchise fees from the residents. It has historically been the consensus of previous Boards not to pass along those fees to the residents. The cable franchise fees can do two things. First, it would be a general revenue to the Town. Second, it could also help augment the Town's telecommunications and help get a PEG Channel up and running. There is a two-fold benefit to it. However, it has been the consensus of previous Boards that cable is already expensive enough for the residents without tacking on another 3% to 5%. The Town does not have public television because they do not have the franchise fees to support the PEG Channel.

Chair Winslow explained the logic behind changing the term to three years from five years. He stated that Consolidated trucks have been in town putting up wiring on all the telephone poles. They have not gotten full confirmation, but it appears that Consolidated may be considering to compete with Comcast for phone and TV service. If that is the case and Consolidated came in at a lower rate, it would be good to be in a position to be able to consider it.

Selectwoman Bradshaw stated that she would be interested in having the term set at one year. During that time, they could find out if there is any interest in having a dedicated public access programming opportunity with the cost being passed on to the users.

Selectman Epperson stated that he will not pay anymore for cable and he is not going to sign a 58-page contract with Comcast without knowing what is in it.

Referring to page 39 of the contract, Selectwoman Bradshaw noted that it says the Town will be given reports 60 days after the year-end on all of the income and revenue. She suggested that if the Town has not been receiving those reports, they should request them. She asked Town Administrator Bergeron to look into it.

Referring to Section 5-1, page 34, under Customer Service, Selectwoman Bradshaw noted that it says they pride themselves on putting their phone number out there when they first sign someone up. She felt that the contract should require them to affirmatively put their customer service number on every bill they send out.

Administrator Bergeron said that she will take these issues back to Jay Somers which is Rye's representative at Comcast and then report back to the Board.

Selectman Epperson talked about the temporary 90-day suspension of services. He explained that Comcast would allow the customer to suspend their service for 90 days anytime, other than in the summer. When he was building his house, he asked for the 90-day suspension and Comcast would not allow it. He feels that it should be the customer's choice when they need the 90-day suspension. He asked Administrator Bergeron to add that to the list of issues to talk to Jay Somers about.

F. Dispersal of Parsonage Artifacts

Chair Winslow reported that there are still Parsonage artifacts stored in the Trolley Barn. If there is going to be a sale on the Trolley Barn, then the Board needs to address finding homes for these articles. He suggested that maybe the Historic District Commission would take a look at them.

Selectwoman Bradshaw, Selectmen's Rep to the Historic District Commission, stated that they could do that.

Administrator Bergeron stated that there is no formal inventory; however, Alex Herlihy has asked to pick up the items that are going to the museum. She will go over to the Trolley Barn this week and do an inventory of what is left.

Chair Winslow asked that pictures be taken of the items.

G. TAP Grant Application

Chair Winslow reported that the Board has received the TAP Grant application from the Town Center Committee. He has a change that he would like to make. He explained that in talking to the DOT last year, they were saying that the Safe Routes to School Program and the Master Plan of the Town had an important role in this. He would like to include on page 2, under the Project Benefits; *"This project supports the 2008 Safe Routes to School Program, the Rye Master Plan and the Town Charette Program recommendations"*.

Selectwoman Bradshaw recommended that it be placed on page 6, where it says "Supporting Plans".

Chair Winslow felt that it would have more impact if it was as close to the beginning of the application as possible.

Selectwoman Bradshaw also recommended that if they are going to mention plans, they should include just the page from those plans which speaks to how this plan would fit in with the application as one of the exhibits to the application. She suggested that she and Administrator Bergeron review this to come up with one or two pages as exhibits.

Selectman Epperson stated that the Master Plan Vision Statement should be exhibit A. He also recommended mentioning Plan NH, as they have credentials in the State of New Hampshire.

Selectwoman Bradshaw explained that during the training on the application, they were advised to not attach a complete vision of any of the plans because the reviewers have too much information to work through.

Chair Winslow asked about the cost of the program, the funding and how it matches up with the warrant article.

Selectwoman Bradshaw explained that during training they were told that there is no advantage to increasing the Town's share of the project. They recommended staying with the 80/20% formula. However, the Town would need to have non-participating funds to handle contingencies and management of the program. The State now offers to do the management for 10% of the project, which may be the most economical way to go. The Town Center Committee took the \$300,000 that was approved by the warrant article and divided it up between the 20% match and created a non-participating fund pool. The new breakdown is as follows:

- Federal Funds = \$740,000
- Town Match = \$185,000
- Non-Participating Funds = \$115,000

The project total is now \$925,000; however, at no extra cost to the Town. It is the same amount of money for the Town that was approved, just a different allocation.

Chair Winslow asked how the reimbursements are handled and how much up-front money the Town would need and how this would affect the cash flow.

Selectwoman Bradshaw stated that the Town would have to pay for the engineering, and for any temporary and non-temporary easements up front to get started. It is a reimbursement program. As the Town pays, they would submit for reimbursement.

Administrator Bergeron expressed some concerns: First she reminded the Board that because the gross amount of the project has increased, it will be necessary to amend the warrant article on the floor from \$800,000 to \$925,000. If it does not pass at the \$925,000., they will have to rework the scope of the project. She also expressed concern that the Select Board are talking about moving the first issue of tax bills back a month which will affect the cash flow. She cautioned

that there may be a cash flow issue. They may not be able to get started as soon as they would like.

After further discussion, it was thought that the engineering and the easements would total about \$145,000. With the RFP process, it will be fall before any money will be needed. Construction would not be starting until summer of 2022.

VIII. CORRESPONDENCE

A. Email from Dania Seiglie requesting approval to hold a public fundraising event at Goss Farm, Saturday, 9/18/21, 4:00-8:00 p.m.

Ms. Dania outlined the details of the request. She reminded the Board that she is on the Budget Committee. One of the discussions with the Conservation Commission was that the Goss Barn had needed repairs, which the Budget Committee ultimately approved. With that information, she began discussing with others in town what Goss Farm means to them. She has found that the Farm means a great deal to the residents. This led to discussions with the farmers that work on Goss Farm and the Conservation Commission. A committee was formed to lead this cause. Along with Dania Seiglie the members include:

- Dr. Cynthia Bear Doctor and Philanthropist
- Nina Parrott Founder and Owner of Fifth Favor Catering
- Janet Davis Professional Fund Raiser and Grant Writer
- Christine LaBluc Book Editor and Publisher

They will also be consulting with Lee Arthur and Karen Oliver.

The Committee has come up with a proposed fundraising event for Saturday, September 18th for four hours. It will be a family-oriented event. The format of the event will be educational, including beehive presentations and pollination. There will be a farm stand and music. The funds will go for very specific improvements that need to be addressed at the Goss Farm. The number one project that both the farmers and the Conservation Commission have been discussing is to improve the irrigation system to provide more water to expand the community plots. This project is estimated at \$15,000. Second, the heritage apple orchard will be restored. The estimates on this are not yet available. Third, is to build a fieldstone well with a wellhouse over the well located in the parking area. This is for function and safety. The Committee believes that this will be a very pleasant event. It will be four hours on a fall evening. There will be food to purchase. They have actually located Goss Farm Ice Cream to bring in from Massachusetts.

Chair Winslow explained that for a town event there will need to be an event permit filled out. It contains information regarding liability issues, and safety issues, etc.

Chief Walsh promised to mail Ms. Seiglie the event permit form first thing in the morning.

Ms. Seiglie informed the Board that Chief Walsh has been working with her to access parking for the four hours of the event. There will be a “Go or No Go” date in August. The event will depend upon the safety issues surrounding Covid.

Sally King stated that the Conservation Commission is looking forward to the event and working with Dania and her Committee. It is a great opportunity.

The Board agreed that the Committee has their consent for the event, contingent upon approval of the event application by Chief Walsh.

IX. NEW BUSINESS

Chair Winslow announced that the meeting calendar calls for the Select Board to have a meeting on April 26th. That meeting needs to be moved back to April 19th.

Motion by Phil Winslow to change the meeting date from April 26th to April 19th. Seconded by Bill Epperson.

Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Mae Bradshaw – Aye.

Motion Passed.

Town Administrator Bergeron reminded the Board that they need a motion and vote to sign the TAP Grant.

It was decided that Town Administrator Bergeron will be named the contact person on the TAP application.

Motion by Phil Winslow to accept the TAP grant application as amended, with the information regarding Safe Routes to School, the Master Plan and Plan New Hampshire Charette. Seconded by Bill Epperson.

Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Mae Bradshaw – Aye.

Motion Passed.

Chief Walsh discussed Beach Permit requirements with the Board. He presented the Board with an outline that he wants to include with the beach permit application. He stated that this outline is to assist the applicants with a beach plan, and to keep the beaches as healthy and opened to as many as possible. The goal is to mirror what other beach communities in the state are doing for consistency.

- Beach Yoga will be 1 instructor with 10 participants – This mirrors the state parks.
- Lessons on the Beach will be 1 instructor with 5 participants with a maximum of 3 lessons in the same area at one time.

He pointed out that there is no science behind these numbers. As the applicants come before the Board with their request, it can be adjusted by the Board if it makes sense. This is strictly a guideline. They are going to have to use a lot of common sense and judgment in managing it this

summer. At this time, he feels that the camps should still not be allowed because they have too many participants to be safe. The lessons and rentals should be allowed.

Chief Walsh reported that Odiorne State Park will be open Friday, Saturday and Sunday. They are limiting their parking. The state will not be restricting any parking on Ocean Boulevard this year.

Chair Winslow expressed concerns regarding the Town's liability by allowing yoga and lessons, if there were to be a case where there is a death due to Covid that could be traced back to that lesson.

Chief Walsh noted that he will talk to Primex about the Town's liability in this situation.

Selectwoman Bradshaw reported that there is an overlapping conflict on grant applications, as two are going in during the same grant period; one from the Planning Board for training and one from the Conservation Commission for the Natural Resource Inventory. The one for the Conservation Natural Resource Inventory is in the CIP for this year in the amount of \$15,000. The funding source is the general fund, not a grant.

Town Administrator Bergeron responded that she has a solution to fund the NRI in the Interim of having the operating budget approved. She has reached out to Suzanne McFarland to discuss the possibility of the Conservation Commission withdrawing their application and allowing the Planning Board to submit their application. She has not heard back from Ms. McFarland at this point.

Selectwoman Bradshaw recommended that the Board support the Planning Board's application, which isn't funded in anyway.

Selectman Epperson concurred. He pointed out that he did not know that there would be an overlapping conflict. However, the work that needs to be done on the master plan is way overdue and needs to be started. They were going to start earlier but were waiting for the 2020 census.

Chair Winslow recommended that the Board waits until Town Administrator Bergeron hears back from Ms. McFarland and then make a decision. Due to the timing of the application, the Board could schedule another meeting to discuss it, if needed.

X. OLD BUSINESS

Chair Winslow reminded the Board that at the last meeting, they heard the issue from Mr. Frost regarding seaweed removal for the north end of Jenness Beach. Mr. McCarthy was going to get back to the Board after he followed up with DES and looked at the costs.

Public Works Director McCarthy reported that the Town would have to get a DES permit. They will not be able to deal with the volume of the material at the transfer station. He doesn't think they can take it to Turnkey, because it is composable material. He is looking to a place that will

accept the material. It will have to be hauled in dumpsters, so there will be a dumpster fee and a tipping fee. They will need another truck and person down there four days a week when they do the regular seaweed removal. At this point, he is just trying to figure out a place to take it to and figure out the costs. The DES permit will be \$5,000.

Selectman Epperson pointed out that the Town is working on a default budget. There is not even enough money to do the things that are budgeted for. This is just something that the Town cannot do.

Chair Winslow stated that he would like to have the numbers.

Director McCarthy promised to have them in two weeks at the Board's next meeting.

Selectwoman Bradshaw reminded the Board that they promised Lee Arthur an answer in regards the 4th of July Celebration at this meeting because she needs to go out to bid for the fireworks for the event.

Chair Winslow reminded the Board that Ms. Arthur was going to contact the surrounding communities to see what they are doing for 4th of July events. He would like to hold off this discussion until they hear back from Ms. Arthur. It would be inappropriate to make any decision without her input.

Town Administrator Bergeron contacted Ms. Arthur by phone. Ms. Arthur reported that she has had the discussion with a lot of the Towns in the Seacoast Recreation Group and a lot of them have not made a decision yet. However, it doesn't look like a lot of them will be having the fireworks. Ms. Arthur's biggest concern is the population control and social distancing. She added that she just doesn't have the staffing.

It was decided to meet again on this matter on Monday, March 15th at 3:00.

XI. OTHER BUSINESS

A. Meeting Minutes

1. Meeting, Thursday, February 11, 2021, 3:00 p.m. via Zoom

Motion by Phil Winslow to accept the meeting minutes of Thursday, February 11, 2021 as written. Seconded by Bill Epperson.

Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Mae Bradshaw – Aye.

Motion Passed.

2. Non-Public Session, February 11, 2021 (1) per RSA 91-A:3, II (I) Legal Advice

Motion by Phil Winslow to accept the minutes of the Non-Public Session per RSA 91-A:3, II (I) Legal Advice as written. Seconded by Bill Epperson.

Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Mae Bradshaw – Aye.

Motion Passed.

3. Meeting, Monday, February 22, 2021, 4:00 p.m. via Zoom

Note: the following corrections were noted:

- Page 4, last paragraph, second sentence reads: The proceeds will be used to rehab ~~to~~ TD Bank and to start on the rehab of the Town Hall.
- It should read: The proceeds will be used to rehab the TD Bank and to start on the rehab of the Town Hall.
- Page 7, 4th paragraph reads: Moderator Eaton stated that wearing masks is at the moderator's ~~digression~~ and that he is planning on mandating that requirement, whether the Select Board requires it or not.
- It should read: Moderator Eaton stated that wearing masks is at the moderator's discretion and that he is planning on mandating that requirement, whether the Select Board requires it or not.
- Page 8, 1st paragraph, last sentence reads: He spoke to some of the neighbors and it can be ~~smelt~~ it as far back from the ocean as Drake Lane.
- It should read: He spoke to some of the neighbors and it can be smelled it as far back from the ocean as Drake Lane.
- Page 8, 2nd paragraph reads: Chair Winslow commented that people who frequent the north end of Jenness Beach are fully aware of the odor and the ~~contaminates~~.
- It should read: Chair Winslow commented that people who frequent the north end of Jenness Beach are fully aware of the odor and the contaminants.

Motion by Phil Winslow to accept the meeting minutes of Monday, February 22, 2021 as amended. Seconded by Bill Epperson.

Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Mae Bradshaw – Aye.

Motion Passed.

ADJOURNMENT

Motion by Bill Epperson to Adjourn at 9:56 p.m. Seconded by Mae Bradshaw. Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Mae Bradshaw – Aye.

Motion passed

Respectfully Submitted,
Dyana F. Ledger