

**TOWN OF RYE SELECT BOARD**  
**Monday, July 12, 2021**  
**6:00 p.m.**  
**Rye Town Hall**

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

*Others Present: Town Administrator Becky Bergeron*

**6:00 p.m. – Rye Town Hall**

**I. CALL TO ORDER**

Chair Winslow called the meeting to order at 6:03 p.m.

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

**At 6:03 p.m., Phil Winslow made a motion to go into Non-Public Session per RSA 91-A:3 II (e) Legal. Seconded by Bill Epperson. Roll Call: Winslow – Yes, Epperson – Yes, Bradshaw - Yes.**

**At 6:39 p.m., Bill Epperson made a motion to come out of Non-Public Session. Seconded by Phil Winslow. 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 at 6:40 p.m. and led the Pledge of Allegiance.

**IV. ANNOUNCEMENTS**

Chair Winslow announced the following:

- A. The Town Municipal Election will be held Tuesday, July 13, 2021 8:00 a.m.-7:00 p.m. at the Rye Elementary School. Face masks will not be required.

**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.)**

- **Steven Borne, 431 Wallis Road,** commented on the out-of-date notices on the bulletin board at the Rye Post Office. He suggested that someone should refresh the board.

**VI. CONSENT AGENDA ITEMS** – (to be discussed at the meeting only if pulled off the consent agenda by one of the members of the Select Board)

- A. Email rec'd from Richard Furber re: his resignation from the CIP Committee
- B. Resignation of Dennis McCarthy, Public Works Director effective 1/1/2022
- C. Letter rec'd from Ronald Janowitz re: Complaint about a parking ticket he received.
- D. Chief Walsh – Event Permit Application: Saunders at Rye Harbor 10K Road Race, Saturday, 08/21/21, 5:00-8:00 p.m. to benefit the NHSPCA.

Chair Winslow asked that a thank you letter be sent to Richard Furber for his service on the CIP Committee.

Chair Winslow noted that Mr. McCarthy has been with the Town for eleven years. He has submitted a ten-page review of the department, along with his recommendations. The Board will begin the process of looking for Mr. McCarthy's replacement.

Selectman Epperson asked that Consent Agenda Items A & C be pulled for discussion.

Chair Winslow asked that Consent Agenda Item D be pulled for discussion.

**Motion By Phil Winslow to accept Consent Agenda Item B as presented. Seconded by Phil Epperson. All in favor.**

Selectman Epperson reported that he reached out to Mr. Furber to asked why he was resigning from the CIP Committee, as he has only been on the committee for a short amount of time. Mr. Furber stated that he has just gotten extremely busy with his job.

Selectman Epperson pointed out that there are one-hour parking signs in the area where Mr. Janowitz received his ticket and it must be enforced. Chief Walsh reported that the one-hour parking is being strictly enforced, as part of the Beach Management Plan working together with the State.

Chair Winslow asked about the location of the Saunders Race.

Chief Walsh explained that it will be held in the old location with some changes. The old location started and finished at Rye Harbor. The change is that the start and finish will be at the old Outdoor Pride property, but it is the exact same route. The other change is that it will be held on a Saturday evening, instead of a Thursday evening. Because of these adjustments, Chief Walsh has eliminated one of the outside details. He recommended that the Board approve the application conditioned upon the proper insurance being in place prior to the event. The event will be limited to 350 participates.

**Motion by Mae Bradshaw to approve the Event Permit Application: Saunders at Rye Harbor 10K Road Race, Saturday, 08/21/21, 5:00-8:00 p.m. to benefit the NHSPCA, conditioned upon the proper insurance being in place prior to the event. Seconded by Bill Epperson. All in favor.**

## **VII. DISCUSSION ITEMS**

### **A. Chief Cotreau – Fire Works Permit (Motion required)**

#### **1. Sawyer's Beach July 24<sup>th</sup> Beach Club Fire Works (July 25<sup>th</sup> rain date)**

Chief Walsh reported that he has reviewed this event with Chief Cotreau and can answer any questions the Board may have. The same vendor is being used by the Beach Club as in prior years. Chief Cotreau has been making sure this event meets with the State's Fire Marshall's requirements and is working on the insurance documentation. Chief Walsh also explained that the minute the fireworks/explosives arrive on the property, the road will be closed off.

Chair Winslow asked that any resident that is within the 360 radius be notified of the event.

Chief Walsh agreed.

**Motion by Mae Bradshaw to approve the Event Permit Application: Fire Works Permit Sawyer's Beach July 24<sup>th</sup> Beach Club Fire Works (July 25<sup>th</sup> rain date), conditioned upon the proper insurance being in place prior to the event. Seconded by Bill Epperson. All in favor.**

### **B. Rye Town Center Committee re: The town green abutting the cemetery should be included within the scope of their charge.**

Chair Winslow stated that the area abutting the cemetery know as the town green is under the jurisdiction and control of the Trustees of the Cemetery. It would be inappropriate to ask them to come in with a plan or proposal for that area. Therefore, the Select Board will not take up this matter.

Selectwoman Bradshaw stated that she will let Karen Stewart, the Chair of the Town Center Committee know.

## **VIII. CORRESPONDENCE - None**

## **IX. NEW BUSINESS**

Selectman Epperson noted that about 43 resumes were received for the position of Recreation Director, all of which were qualified people. The selection committee has narrowed it down to seven candidates. They ended with two finalists. They made an offer to one of the two and she declined the offer. There are a few more people that are in the mix and the committee will be finalizing their research within the next few days.

## **X. OLD BUSINESS**

Selectman Epperson stated that he has spoken to the Superintendent of Rye Water District Arik Jones. Mr. Jones has reported that the wells are recharged and the levels are back to the levels of 2018, prior to the drought season. It is encouraging that they are coming back, but Selectman Epperson recommended that the town keeps the voluntary water restrictions in place.

- A. Letter rec'd from Richard Harty, Asst. Director Seaside Safari Camp at the Seacoast Science Center, requesting a beach parking permit for his vehicle to access the beach for the program they're running this summer at Rye beaches.

Chief Walsh recommended that this application be denied. He spoke to the Director of the Seacoast Science Center, who was unaware of this request.

**Motion by Phil Winslow to deny the request from Richard Harty, Asst. Director Seaside Safari Camp at the Seacoast Science Center for a beach parking permit. Seconded by Phil Epperson. All in Favor.**

**B. Comcast Franchise Agreement Extension**

Chair Winslow explained that the Board had asked Comcast to change the term of the franchise agreement extension from five to three years. The purpose of doing that was that if another carrier were to come into town, they would like to be able to take advantage of having competition. Also, at the last Select Board meeting, Chief Walsh stated that the town currently gets cable from Comcast for free. However, the public safety building pays \$180.00 for broadband usage as a backup system for the current system in case of a catastrophic event. He was wondering if Comcast would waive that fee.

Town Administrator Bergeron checked with Comcast and they denied the request.

**Motion by Mae Bradshaw to approve the Comcast Franchise Agreement Extension for a three-year term. Seconded by Phil Epperson. All in Favor.**

**XI. OTHER BUSINESS**

Chair Winslow explained that the Board has reviewed the phase one plans from Architect Charlie Hoyt of the Town Hall Annex.

There was concern regarding the Treasurer's Office space being too large. There was a suggestion that it be the Finance Administrator's Office instead.

Town Administrator Bergeron explained that the next step will be that she will meet with the employees to make sure the spaces are adequately laid out to meet their needs as outlined in the prior space needs studies. She will take that information back to Mr. Hoyt for adjustments. He will then send another plan back for consideration.

**Motion by Mae Bradshaw to approve the plan of phase one, the internal reconfiguration of the Town Hall Annex, subject to the adjustments being made by the Town Administrator in conjunction with the employees and Charlie Hoyt. Seconded by Bill Epperson. All in Favor.**

Chair Winslow asked Town Administrator Bergeron to prepare the RFP to go out as soon as the plans are ready.

Administrator Bergeron stated that she could have the draft RFP ready for the next Select Board's meeting on July, 26<sup>th</sup>. They could potentially have the bid opening at the first Select Board meeting in August.

Chair Winslow asked Administrator Bergeron for the status of the Port Way Cell Tower.

Administrator Bergeron stated that she has not gotten a recent update; however, she knows that the building permit has not been issued yet. The tower is being constructed off-site and the base has been constructed.

Selectman Epperson reported that they are laying the cable.

Chair Winslow asked Administrator Bergeron to reach out to Verizon for an update and completion date.

### **ADJOURNMENT**

**Motion by Bill Epperson to adjourn the Select Board meeting at 7:05 p.m. Seconded by Mae Bradshaw. All in Favor. Motion Passed.**

Respectfully Submitted,  
Dyana F. Ledger

7-12-21 Consent Item C

Ronald Janowitz  
88 W Haven Rd  
Manchester NH 03104  
ron@ronjanowitz.com

Selectmen's Office  
Town of Rye  
10 Central Rd  
Rye NH 03870

Rye Selectmen:

I am sure you have more important items on your agenda, but I write to make a complaint, and make you aware of your town's overly aggressive parking enforcement.

On June 24 I received a parking ticket while parked at Lot 1, along the coast in one of your parking lots. The lot is posted as "one hour parking". I exceeded the time.

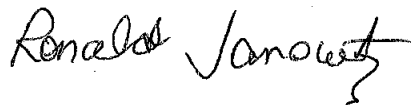
I parked there to start a short bike ride along the coast. The friend who I was with told me she frequently parked there for bike rides. She said the parking restriction was not enforced, as she never received a citation. Unfortunately, I learned painfully that is not the case.

I accept responsibility for my action, however the \$50 citation is grossly excessive. It appears the Town is relying on parking citations as a revenue center, rather than to manage a limited supply of parking. The Town is punishing offenders (just because they can), rather than encourage good behavior.

Considering there were only six cars in the vast lot, a warning sticker would have sufficed. The parking citations at the NH State Park, just north of the lot in question are \$25. See attached from the State Park website. As a minimum, the signage should state the penalty, as is done in other parking lots.

I already mailed a check for payment of citation 29164. However, if you agree that the citation was unwarranted or excessive, I request a refund.

I hope the Selectmen review their parking policy.



Ronald Janowitz

*NY State Parks*

Parking citations will be issued for the violations listed below:

Warning Citation	\$0.00	Motorcycle Parking Only	\$25.00
Expired Meter	\$25.00	Length Limit	\$25.00
No Receipt Displayed	\$25.00	Parked in Roadway	\$25.00
Receipt Face Down/Unreadable	\$25.00	Other (See Comment)	\$25.00
No Parking Area	\$25.00	Parked at Fire Plug	\$50.00
White Line Violation	\$25.00	Handicapped Placard Unreadable	\$25.00
Crosswalk	\$25.00	Handicapped Space Only	\$250.00
Parking - Police Only	\$25.00		