

TOWN OF RYE SELECT BOARD

Monday, September 13, 2021

5:30 p.m.

Rye Town Hall & Via Zoom

Present: Chair Bill Epperson, Vice-Chair Phil Winslow and Selectman Tom King

Others Present: Town Administrator Becky Bergeron

5:30 p.m.

I. CALL TO ORDER

Chair Epperson called the meeting to order at 5:30 p.m.

**II. NON-PUBLIC SESSION (1) per RSA 91-A:3,II (1) Legal Advice
(2) per RSA 91-A:3, II (d) Acquisition**

At 5:30 p.m., Bill Epperson made a motion to go into Non-Public Session per RSA 91-A:3 II (1) Legal Advice. Seconded by Tom King. Roll Call: Winslow – Yes, Epperson – Yes, King - Yes.

At 5:24 p.m., Bill Epperson made a motion to come out of Non-Public Session. Seconded by Tom King. Roll Call: Winslow – Yes, Epperson – Yes, King - Yes.

At 5:25 p.m., Bill Epperson made a motion to go into Non-Public Session per RSA 91-A:3 II (d) Acquisition. Seconded by Phil Winslow. Roll Call: Winslow – Yes, Epperson – Yes, King - Yes.

At 6:35 p.m., Bill Epperson made a motion to come out of Non-Public Session. Seconded by Phil Winslow. Roll Call: Winslow – Yes, Epperson – Yes, King - Yes.

6:30 p.m. RECONVENE PUBLIC MEETING

III. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Epperson called the meeting to order at 6:40 p.m. and led the Pledge of Allegiance.

IV. ANNOUNCEMENTS

- Covid-19 Vaccination Clinic to be held on Tuesday, September 21st at two different locations:

Wallis Sands State Park from 8:00am to 1:00pm and the Public Safety Building from 2:00pm to 7:00pm. All three vaccines will be available at no charge. Walk-in – no appointment is necessary.

- Goss Farm Fall Fair will be held on Saturday, September 18th from 12:00 to 4:00pm.
- The Board encourages the town department heads and public in general to answer the Visioning Survey and to return it as soon as possible.

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.)

- **Robert Wylde, 29 Oak Ave**, asked why all the doors and windows are being replaced in the new town annex. He also asked why they did not just put in new storm doors and storm windows.
- **Police Chief Kevin Walsh** referred to an article on Seacoast Online, dated Saturday, September 11, 2021, entitled, Cop Shortage. Why Seacoast Police have trouble finding good recruits. Chief Walsh thanked the Select Board, the community, and specifically the town residents, for allowing competitive benefit and salary packages for the department. The officers realize that there are a lot of people in town on fixed incomes who make personal sacrifices which allow them to have these benefits.
- **Fire Chief Mark Cotreau** referred to the department's strategic plan of having six paramedics. Currently, the department has four paramedics. The department's newest hire, Peter Anania, has just been accepted into paramedic school. He will be starting the fifteen-month education forum in January.
- **Joe Cummins, 990 Washington Road**, noted that the school board meetings are not available on Town Hall Streams. He stated that the School Board/District is looking to hire a new superintendent. A collaboration committee, which was formed to unify the four towns in the district, will be responsible for the superintendent search; not the towns' people.

Motion: Bill Epperson motioned to move 'New Business' to this time in the meeting.

Seconded: Tom King. Motion passed 3-0.

Chair Epperson acknowledge that all the department heads are in attendance in order to discuss adopting a new mandate that all non-union, newly hired, town employees be vaccinated.

- Police Chief Walsh spoke about what the departments have been doing regarding following best practices and standard procedures and the challenges it has had on everyone over the past year.
 - Mandating the vaccine, will narrow the pool of qualified recruits.
 - Vaccination should be the individual's and their primary care's decision.
 - It's the department heads responsibility to provide town employees with the best health equipment, health training and policies.

- There should be reviews done on the departments' practices and procedures on a consistent basis.
- Fire Chief Cotreau agreed with Police Chief Walsh.
 - Current department protocol requires the employee to wear a mask from the minute they leave the station on a call, during the time at the hospital, and until they return to the station. If medically possible, the patient is also wearing a mask.
 - The Town, through the efforts of the Fire Department, will continue to have the connection and correlation with the State and the CDC, to be sure precautions are in place.
- Deputy Building Inspector/Code Enforcement Officer Marsden spoke about the confusion surrounding the variants and how they are transferred.
 - There have been cases where individuals have caught Covid or have been a carrier of it, even though they have been vaccinated.
 - How effective would the mandate be?
- Recreation Director Meghan Spaulding reported on the Recreation Department's interaction with the children.
 - The Recreation Department is taking all the same precautions as the school.
 - They are encouraging outdoor activities as much as possible in small groups.
 - Staffing is already an issue for the Recreation Department, as they hire high school and college students. Having the mandate would add another requirement layer to an already existing problem.
- Rye Water District Superintendent Arik Jones noted that he had not discussed the issue with the water commissioners.
 - The Water District has very little turnover in personnel and does not anticipate any in the near future.
 - He is not in favor of the mandate.
- Town Clerk/Tax Collector Donna DeCotis was not in favor of the mandate.
- Sewer District Administrator Lee Arthur has not had an opportunity to talk to her commissioners regarding this matter.
 - The sewer commission contracts all their labor to private companies.

The Select Board will deliberate on this matter. No decision was made at this time.

VI. CONSENT AGENDA ITEMS- (To be discussed at the meeting only if pulled off the consent agenda by one of the Selectmen.)

- A. Conservation Commission requests permission to accept the donation of apple trees that have been planted at the Goss Farm by Piscataqua Landscaping with a value of \$560.00**
- B. Conservation Commission requests permission to accept and expend funds received from donations in the amount of \$2,500.00 for the Goss Farm Fall Fair Projects**
- C. Email rec'd from Georgina Saravia re: Her resignation from the Recreation Commission**

D. Letter rec'd from Robert Wylde re: Swap Shop hours of operation

E. Recreation Building Roof Repairs

F. Email rec'd from the UNH Technology Transfer Center announcing that two Public Works Department employees received Road Scholar awards. Joshua Blaisdell has achieved the status of Safety Champion and Duncan O'Brien has achieved the status of Roads Scholar 1.

Motion by Bill Epperson to pull Consent Agenda Items C, D, and F for discussion. Seconded by Tom King. Motion passed 3-0.

Motion by Phil Winslow to accept Consent Agenda Items A, B, and E as presented. Seconded by Bill Epperson. Motion passed 3-0.

Consent Agenda Item C: Email rec'd from Georgina Saravia re: Her resignation from the Recreation Commission

The Select Board thanked Ms. Saravia for her time and service to the Recreation Commission.

Consent Agenda Item D: Letter rec'd from Robert Wyle re: Swap Shop hours of operation

The Select Board will defer conversation on this item until they can talk to Public Works Director McCarthy.

Consent Agenda Item F: Email rec'd from the UNH Technology Transfer Center announcing that two Public Works Department employees received Road Scholar awards. Joshua Blaisdell has achieved the status of Safety Champion and Duncan O'Brien has achieved the status of Roads Scholar 1.

The Select Board thanked Joshua Blaisdell and Duncan O'Brien for their dedication to continuing their education on topics important to the Public Works Department.

VII. DISCUSSION ITEMS

A. PUBLIC HEARING – ARPA Funds

The purpose of the hearing is to consider acceptance and expenditure of two hundred, eighty-six thousand, three hundred twenty-six dollars and eighteen cents. (\$286,326.18) from the State of NH as part of the American Rescue Plan Act Local Fiscal Recovery Fund Program.

The Public Hearing was opened at 7:10 p.m.

The American Rescue Plan Act was signed in March of 2021. It authorized the Treasury to make certain payments from the Coronavirus Local Fiscal Recovery Fund. The intent of these funds is to offer aid to eligible cities and towns to respond to the Covid-19 pandemic and to bring back jobs.

Rye submitted its application in August and has received its first installment of its \$572,752 allocation in the amount of \$286,326.18. The second installment will be on or about June 2022.

There are five distinct uses the funding can be allocated to:

- Public health expenditures
- To address the negative impacts of Covid
- To replace the loss of public revenue
- To provide premium paid for essential workers
- To invest in water, sewer and broadband infrastructure

B. PUBLIC HEARING – Vaccination Aid Program Funds

The purpose of the hearing is to consider acceptance and expenditure of forty-five thousand, seven hundred sixty-six dollars and seven cents (\$45,766.07) from the New Hampshire Department of Health and Human Services Vaccination Aid Program.

In February of 2021, Fire Chief Cotreau was notified by the State that they would be doubling their resources at each of the state sights for the Covid vaccine. They would be running 12 hours a day, 7 days a week. The State was reaching out to the municipalities' fire departments for help. The Rye Department mobilized with the Select Board's approval. There were five members of the department that participated: Lieutenant Jake MacGlashing; Lieutenant Kevin Wunderly; Firefighter John Klanchesser; Firefighter Chris Bohling; and Firefighter Mike Rivet. They accumulated 770 hours and the Town's reimbursement was 100% at \$45,766.07.

- Chief Cotreau stated that it was a privilege to partake in giving the vaccine out and saving lives.
- Chief Cotreau asked that the Select Board consider the EMS Budget the funds were originally expended from.
- Joe Cummings, 990 Washington Road, asked the proper procedure regarding acceptance and expenditure of these funds.

It was explained that the funds have already been received by the Town. By law, the Town must have a public hearing in order to accept and expend the funds. Should the Select Board vote not to accept the funds, the funds would be returned to the giving agency.

- Joe Cummings, 990 Washington Road, asked the Select Board to keep the residents that lost jobs in mind when deciding on how to distribute the ARPA Funds. He suggested a possible tax abatement.

The Public Hearing was closed at 7:17 PM

Motion by Phil Winslow to accept and expend the sum of forty-five thousand, seven hundred sixty-six dollars and seven cents (\$45,766.07) from the New Hampshire Department of Health and Human Services Vaccination Aid Program and to transfer that amount to the EMS Budget. Seconded by Bill Epperson. Motion passed 3-0.

Motion by Bill Epperson to accept and expend the sum of two hundred, eighty-six thousand, three hundred twenty-six dollars and eighteen cents (\$286,326.18) from the State of NH as part of the American Rescue Plan Act Local Fiscal Recovery Fund Program. Seconded Phil Winslow. Motion passed 3-0.

Public Works Director McCarthy joined the meeting electronically. He was asked to give his thoughts on the suggested mandate that would require future non-union new hires to have been vaccinated.

- Public Works Director McCarthy stated that he certainly embraces the vaccine and doesn't understand individuals' resistance to it.
 - There shouldn't be different standards between the union and non-union workers.
 - Public Works does not currently have any open positions.

Motion by Bill Epperson to move 'Old Business' to this time in the meeting. Seconded by Tom King. Motion passed 3-0.

The Select Board asked Mr. McCarthy to talk about the reasons behind awarding a bid to a single source.

Mr. McCarthy explained that the process for engineering typically includes sending out an RFP and asking for qualifications. That is not necessary with firms that already do business with the town. Additionally, town meeting was so late this year, there wasn't as much time to get these projects under contract prior to year-end. The only one that has been awarded is CMA, on the drainage analysis at Jenness and Atlantic. CMA is already working in that area with the State of NH DOT, so they already have a lot of valuable information needed for that project.

Addressing Selectman Winslow's concern at the Select Board meeting of August 23rd regarding control of the pricing of these projects, Mr. McCarthy explained that the contracts are, "Not to Exceed" contracts.

In line with the budgeted amounts:

- | | |
|---|------------------|
| • CMA was budgeted at \$32,000 | Bid was \$22,500 |
| • Wright Pierce was budgeted at \$60,000 | Bid was \$57,000 |
| • MS4 with Wright Pierce was budgeted at \$30,000 | Bid was \$25,100 |

C. Unmerger Request – Joyce Revocable Trust 366 Washington Road

Selectman King noted that there are two easements or rights-of-way on the property. Both are conveyed to a Rand property that is owned by Conservation.

Shawn Joyce stated that he has had his attorney look into this matter and there are no mentions of easements or rights-of-ways on the deeds to either parcel.

Motion by Bill Epperson to approve the unmerger request based on the review by Attorney Donovan, specifically of the two rights-of-ways. Seconded by Tom King. Motion passed 3-0

D. Dania Seiglie – Update on TAC (15 minutes)

Rockingham Transportation Advisory Committee Representative for Rye, Dania Seiglie joined the meeting electronically. She asked the Board to define the role of the TAC Representative that would ideally better serve the Board and Rye and would be more effective in the communications between TAC and the Board. TAC has been quite active and there are decisions to be made.

It was explained that TAC had to be approved by the Rockingham Planning Commission and a number of towns were seeking approval. The focus of Rye will be traffic safety. The Board will be meeting in a work session Tuesday, September 14th to discuss this. There will be a request presented to the Board to look at the intersection of North Road and U.S. Route 1, in order to get it on the 10-year plan.

The Board requested that Ms. Seiglie report TAC activity to the Board on a quarterly basis.

Ms. Seiglie stressed the importance of Rye's TAC Representative being included in conversations concerning issues relating to transportation, in order for the representative to go forward and lobby for Rye.

E. Town of Rye Municipal Survey

The Planning Board and the Long-Range Planning Committee asked for the Board's input to develop the 2021 Vision Chapter framework to begin the update of the Town's Master Plan. The Planning Board is charged with periodically updating the Master Plan as outlined in RSA 674:2. The purpose of the survey is to collect feedback from municipal staff, elected officials, town officials, boards, commissions, and committee members.

The survey will be followed by community visioning sessions in the fall of 2021 to further identify and discuss issues important to the town.

The following are the questions as presented on the survey and the Select Board's responses:

1. Please indicate your affiliation with the town.

- Rye Select Board

2. Evaluate how Rye's Master Plan is useful to your work.

a. Accessible either on-line or at Town Hall

- Yes

b. User friendly – easy to find information in document

- Needs improvement

c. Not easy to find information – If not why.

- Information can be found by category; each paragraph is a category
- Information is not easy to find within a category

d. Contains relevant content.

- Yes

e. Is the Master Plan vision clearly defined?

- It is not clearly defined because it shouldn't be.

- It should be a broad scope of ideas
 - f. **Does the Master Plan provide a clear plan to implement its recommendations?**
 - No
 - g. **Does the Master Plan convey recommended actions that are useful in your work?**
 - Somewhat
 - a. **If yes; how**
 - b. **If no; Why not.**
3. **What if any; additional tools, forms and types of data or other specific information would be useful in your work and service to the community?**
- a. **Statistical data**
 - b. **Narrative informational summaries**
 - c. **Research or technical studies**
 - d. **Demographics**
 - e. **Maps**
 - f. **Data resources**
 - g. **Historical information**
 - h. **Current and projected climate change data**
 - i. **Other**
 - Yes; to all the above
4. **What methods of communication do you employ with the public to distribute vital information? For example: residents, businesses, property owners, renters, and visitors.**
- a. **Town website**
 - Yes
 - b. **Town e-mail list**
 - Yes
 - c. **Community based groups, publications, and e-mail lists**
 - No
 - d. **Rye Civic League**
 - Yes
 - e. **Rye Citizens' handbook**
 - Yes
 - f. **Personal e-mail lists**
 - No
 - g. **Town newsletter**
 - No
 - h. **Rye magazine**
 - No
 - i. **Direct mailings**
 - No
 - j. **Community flyers or other printed information**
 - Yes

- k. Civic League's Newsletter**
 - Yes
 - l. Other**
- 5. If these existing communication methods are not sufficient to perform your work, service or accomplish your mission, what changes would you recommend to improve communications to residents, businesses, property owners, renters, and visitors?**
- Encourage more people to sign up for the Town's e-mail list
- 6. When engaging with the public, for example; residents, businesses, property owners, renters, visitors and community stakeholder groups, what are the top three to five issues that come up repeatedly?**
- Traffic
 - Telecommunications
 - Taxes
 - Beach Access and Parking
- 7. What is the greatest challenge to providing services to the town?**
- a. Public Interaction**
 - b. Social Media communication methods**
 - c. Staffing Capacity**
 - d. Municipal Facilities**
 - e. Operational Space**
 - f. Technology, Equipment, Communication**
 - g. Infrastructure**
 - h. Funding**
 - i. Audience**
 - Yes; to all but h. & i.
- 8. Would increase community engagement and communication improve your level of service or response? If yes explain how in the comment box below.**
- Yes, because normally there are only about 6 people of the public at a meeting.
 - After the meeting, there are speculations, rumors and miscommunications
- 9. Has climate change impacted your department, board, commission or committee or informed your work and town services? If yes; select all that apply.**
- a. Drought - yes**
 - b. Water supply and demand**
 - c. Water quality - yes**
 - d. Extreme temperature - yes**
 - e. Air quality**
 - f. Natural resources and ecosystems**
 - g. Surface waters and their buffers - yes**
 - h. Invasive Species - yes**
 - i. Coastal flooding - yes**
 - j. Storm water management and drainage - yes**

- k. Road closures and damage - yes
- l. Fire risks
- m. Utilities supply and demand
- n. Coastal properties - yes
- o. Municipal services
- p. Infrastructure
- q. Coastal storm and sea level rise and flooding - yes
- r. Water and sewer service - yes
- s. Work force and labor
- t. Budget and expenditures - yes
- u. Greenhouse gas emissions

10. What is your greatest challenge with respect to being better prepared to implement climate change adoption adaptation acts, and be more resilient to climate change impacts?

- Coastal Storms and sea level flooding – Coastal properties
- Coordination with the State DOT regarding Route 1A – and raising it by three feet.

11. Briefly describe successes that you have implemented for climate change preparedness, adaptation, and community resilience.

- The expansion of the culverts; the costs was supposed to be \$125,000 each, they came in at \$450,000.

12. What area, topic or service would benefit most from increased funding?

- Storm water management
- Rebuilding the seawalls and shale piles

Survey completed.

Senator Tom Sherman joined the meeting at this time. He was asked if he could give his thoughts on the suggested mandate that would require future non-union new hires to have been vaccinated.

Senator Sherman stated that “bottom-line”, vaccines work and are safe for people that are medically eligible. They have been approved by the FDA. The science behind the vaccine has been around for over a decade. It’s not experimental. There is so much misinformation being spread by social media sites. These sites are being hit more than the sites like CDC. He demonstrated the decline in Covid cases and the increase in vaccines in the State of New Hampshire in the past year. The lines actually crossed. As the number of vaccines given increased, the number of Covid cases declined. As of the end of July, New Hampshire was at 56% vaccinated. Since then, the State has seen an increase in cases, with 300 cases currently documented across the State. Unvaccinated individuals make up 98% of hospitalizations and deaths.

The cost of an unvaccinated patient to taxpayers is approximately \$22,000 per unvaccinated patient. Businesses are pushing for a mandate because the costs to all other vaccinated insurance policy holders are increasing.

Masks are great for indoors. The reason to wear a mask is to protect others from yourself. Even if vaccinated, an individual can still get the virus; however, it is likely to be less severe. By not wearing a mask, they can transmit it. They are still at risk for Long Covid. Long Covid is the chronic impact of Covid. Symptoms may be neuropathy (tingling in the legs), neurological symptoms such as; fuzzy head, or the loss of the sense to smell or the loss of the ability to function. If an individual is not vaccinated, they are more accessible to getting sick, especially with the Delta Virus. However, if an individual can not be vaccinated due to medical reasons or age, they are safer in an environment where everyone around them are vaccinated. It's the concept of "Herd Immunity", which is a population level or a family level. Of the three tools in the tool box, vaccine, social distancing and mask, vaccine is the most critical.

HB 220 was a bill that would not allow the mandate of vaccine to anyone. It passed, but was modified. It was pared down in scope and current exemptions were added. This bill allows the public to go anywhere without being vaccinated but it's fuzzy about the issue of employment. Employees have a choice. They either work for a company or they don't. The President's new mandate further talks about this.

Rye has employees that work with children. How is this micro-group safe (the children)? They are safest when the people around them are all vaccinated. A town employee that can't be vaccinated for medical reasons is also safest when the people around them are vaccinated. The NHMA has some legal advice and also advises that the town consults with its legal counsel. They believe that the focus of HB220 is on the customer. A business that is dealing with the State can not force its customers or clientele to wear a mask. It does not use the word "employee or worker".

Senator Sherman stated that he may be filing an appeal against this bill.

The Department of Public Health believes that the employer does have the ability to restrict. The concern is also the liability for the town: 1.) The health insurance premiums are likely to increase due to unvaccinated employees. 2.) The liability of the town; if an unvaccinated employee gets sick, would the town be subject to litigation or civil action.

Senator Sherman summed up by saying that the next step would be encouraging vaccination, mandating masking, and mandating testing. He recommended following up with town counsel. No other towns that he is aware of is mandating at this point.

F. Certified Local Government Certificate of Municipality

The Rye Historic District has been awarded a grant from the CLG for better communications outside of the District and across departments. In partnership with the Historic Preservation Alliance, the subject of the program is how to communicate better with the community.

Motion by Bill Epperson to Resolve: This municipality shall enter into a contract with the State of New Hampshire acting by and through the government of natural and cultural resources providing for the performance by this municipality of certain services of document within the forgoing grant application and the Town Administrator Rebecca Bergeron on

behalf of this municipality is authorized and directed to enter into said grant agreement with the State of New Hampshire and they are to take any and all such actions that may be deemed necessary, desirable, or appropriate in order to execute, seal, acknowledge and deliver any and all documents, agreements and other instruments on behalf of this municipality in order to accomplish the same.

Resolve: The signature of the above authorized party, of this municipality will affix to any instrument of the document described in or contemplated by these resolutions, shall be conclusive evidence of the authority of said party to bind this pacific municipality thereby:

- a. The foregoing resolutions have not been revoked at all, or amended in any manor what so ever and shall remain in enforce and effect as of the date thereof

The following party has been duly elected and now occupies the offices indicated: Town Clerk/ Tax Collector Donna DeCotis and Town Treasurer Jane Ireland
Phil Winslow Seconded. Motion passed 3-0.

G. CLG Grant Acceptance – Historic District Commission alternate, Mae Bradshaw

There are currently three CLG grants the Board needs to address:

1. The CLG/Preservation Alliance Program Grant.
 - o The Select Board needs to accept and expend the funds.
 - o The grant is to host educational programing for member communities of CLG.
 - o The programs will be held on October 18th and October 28th.
2. The 2019 grant funds that were underspent by \$2,500.
 - o This grant was for work done to get the Town Hall on the National Registry.
 - o The HDC has commissioned two posters to be placed in the Town Hall.
 - o These will have to be billed and paid by September 30, 2021.
3. The third grant is to help pay for the update of the HDC guidelines by Dominique Hawkins.

Motion: Bill Epperson to accept the grant for the Preservation Alliance Communication workshop. Tom King Seconded. Motion passed 3-0.

H. Town Administrator, Becky Bergeron – 12 Months COLA Average

During the last round of union negotiations, linking the COLA to the average CPI was taken out of the contracts. The COLA was fixed at 2.75% for the three-year duration of the current contracts. It has been the past practice of the Select Board to award the same COLA to the non-union workers as the unions.

There was discussion on providing a financial incentive to encourage employees to get the vaccine. It was decided that a one-time bonus would be appropriate; however, the COLA is not the place for this type of incentive.

The Board will continue the discussion of providing a financial incentive to encourage employees to get the vaccine at their workshop of Tuesday, September 14th.

**Motion by Bill Epperson to approve 2.75% COLA for all non-union town employees.
Seconded by Phil Winslow. Motion passed 3-0.**

I. ARPA Funds Project

Town Administrator, Becky Bergeron; Rye Water District Superintendent, Arik Jones; Sewer District Administrator, Lee Arthur; and Public Works Director, Dennis McCarthy discussed three projects that would best serve from the distribution of the ARPA funds.

1. Sewer pump station upgrades
2. Painting of the Breakfast Hill Water Tank
3. Perkins Road culvert for storm water

The ARPA Funds are non-lapsing funds as long as the projects are under contract by 2024 and fully expended by 2026.

1. The Town of Rye was mandated to go on the sewer system due to the environmental impact, particularly on the beaches. When that accrued there was significant bonding by the Town. The bond was paid, 40% by the Town of Rye and 60% by the sewer users. The sewer capital assets, of pump station, structural lines in the road, the force mains, and the gravity sewer are currently aging. It is not from neglect. The pump stations are thirty-years old. Currently, the system is operating with one of the submersible pumps being rented. There is also a need for electrical upgrades due to the outdated electric service and control panel. The generator at the Abenaki station was a used generator from a pump station in Hampton (Cir. 1985) it is now 36 years old. There are also HVAC, heating, lift system and roof issues at Abenaki station. The cost of this project would be \$166,200. Additionally, funding for engineering and other upgrades will need to be paid for by the sewer users.
2. The Rye Water District does not have an exact amount to paint the Breakfast Hill tank. They are working with Wright Pierce on a package which will include that information. The estimate should come in between \$250,000 to \$325,000. The project will include sandblasting, cleaning, and painting. The last time it was painted was 2009. It is showing deterioration on the inside from ice. The exterior isn't critical yet, but will be in the next couple of years, due to the exposure to the elements.
3. Public Works Department does not have a firm number on the Perkins Road culvert project. The estimate should come in between \$50,000 to \$100,000. Mr. McCarthy anticipates having a firm number before the end of the year for next year's budget.

The Board talked favorably about the Sewer upgrade project. They felt that it would be responsible for the Sewer Commission to go before the voters in 2022 to set up a capital reserve fund in order to prepare for future system upgrades. The Sewer Commission will be meeting to discuss hiring an engineering study in order to take the next steps.

Motion by Phil Winslow to approve the use of the ARPA Funds for the Sewer Pump Station Upgrade Project in the amount of \$166,200 and the Perkins Road Culvert/Storm Water Project of up to the amount of \$100,000. Seconded by Tom King. Motion passed. 3-0.

VIII. CORRESPONDENCE

A. Letter rec'd 9/2/21 from Paula Tarta re: her Hydrangea hedge on Cable Road

The hydrangea hedge has been the subject of complaints regarding the sight line from the road. It has caused a safety issue for bikes, pedestrians and vehicles. The property owner cuts the hedge back in the winter. They don't cut it back in the spring because it will prevent the hedge from blooming. After discussion, the Board agreed that the road sight line seemed alright. This issue is just with the sight line of the sidewalk. They suggested that the property owner cut back the hedge more severely this winter than last. Then see what the condition is like next summer. Chief Walsh will discuss this with Ms. Tarta.

IX. NEW BUSINESS – Discussed earlier in the meeting

X. OLD BUSINESS

Fire Chief Cotreau reported that he received a call last week from the owner of the Carriage House Restaurant regarding outdoor dining. Due to the delta variant, the owner is preparing a request to the Planning Board for some outside dining for next year. However, he is asking if the Board would allow him to continue with outdoor dining until Columbus Day this year.

After further discussion, the Board agreed to extend this ordinance to all restaurants in town until Columbus Day. This would not allow them to exceed their normal seating capacity.

Motion by Bill Epperson to extend the ordinance to all restaurants in town until Columbus Day. Seconded by Phil Winslow. Motion passed 3-0.

A. Meeting Minutes

1. Meeting, Friday, July 2, 2021, 3:00 p.m., Rye Town Hall

Motion by Phil Winslow to accept the meeting minutes of July 2, 2021 as presented. Seconded by Bill Epperson. Motion passed 2-0. Abstained: Tom King

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

Motion by Phil Winslow to accept the non-public session minutes of July 2, 2021 (1) per RSA 91-A:3 (1) Legal Advice as presented. Seconded by Bill Epperson. Motion passed 2-0. Abstained: Tom King

Motion by Phil Winslow to seal the non-public session minutes of July 2, 2021 Seconded by Bill Epperson. Motion passed 2-0. Abstained: Tom King

3. Meeting, Wednesday, July 14, 2021, 4:00 p.m., Rye Town Hall

Motion by Phil Winslow to accept the meeting minutes of July 14, 2021 as presented.

Seconded by Bill Epperson. Motion passed 3-0.

4. Non- Public Session, Wednesday, July 14, 2021 (1) per RSA 91-A:3 II (1) Legal Advice

Motion by Phil Winslow to accept the non-public session minutes of July 14, 2021 (1) per RSA 91-A:3 II (1) Legal Advice as presented. Seconded by Bill Epperson. Motion passed 3-0.

Motion by Phil Winslow to seal the non-public session minutes of July 14, 2021 Seconded by Bill Epperson. Motion passed 3-0.

5. Meeting, Monday, August 23, 2021, 6:30 p.m., Rye Town Hall

The following corrections were noted:

- Page 2, 3rd paragraph from the bottom reads: There would be barricades at Locke and Harbor Road with signs stating that the road is closed to local traffic only.
- It should read: There would be barricades at Locke and Harbor Road with signs stating that the road is closed, opened to local traffic only.
- Page 5, D. Revenues & Expenditures reads: The report ~~as~~ is through the end of July and the expenditures are at 41%.
- It should read: The report is through the end of July and the expenditures are at 41%.
- Page 7, Lange Road should be Lang Road.

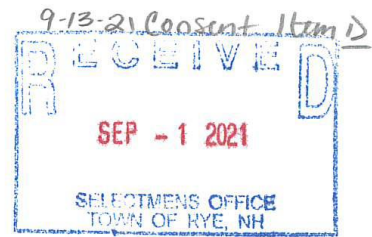
Motion by Phil Winslow to accept the meeting minutes of August 23, 2021 as amended. Seconded by Bill Epperson. Motion passed 3-0.

ADJOURNMENT

Motion by Phil Winslow to Adjourn the Select Board meeting at 9:34 p.m. Seconded by Bill Epperson. Motion passed 3-0.

Respectfully Submitted,
Dyana F. Ledger

To The Board of Selectmen,
Greetings;



You may remember that the last time I wrote you concerning the transfer station, the hours to the Swap Shop were 11:00 - 2:00; Wednesday, Thursday and Friday.

I have no way of knowing if you have since instructed them to expand these hours, but I can tell you that they remain the same.

It would be very convenient if the hours to the Swap Shop would be 9:30 - 3:00 ~~the~~ the five days the transfer station is open, as it had been at one time before it closed and then later re-opened.

I would also remind you of my ideas to prevent abuse of the Swap Shop. Namely that it be staffed by volunteers whom the town buys lunch for, and a clapper bell that the volunteer rings after trying to discourage the abuse. I also recommend a \$30.00 fine above ~~the~~ said dis-posal fine. This fine should be published in the newspaper as a warning.

Sincerely, Robert Wilde

9-13-21 Consent Item E



MEMORANDUM

To: Rye Board of Selectmen
From: Cory Belden, Recreation Commission Chair
Date: September 10, 2021
Re: Recreation Modular Roof Shingle Replacement

This will be withdrawn from the agenda if not approved at the Monday, September 13th Recreation Commissioners meeting.

The Recreation Commission solicited proposals for Shingle Replacement on the Modular building, which holds the office of the recreation department.

We received 3 submissions. After evaluating the proposals the Recreation Commission recommends J. Carnes and Son Roofing.
Proposal of \$4,411.71.

2021 RESULTS
Rye Recreation Modular Roof Shingle Replacement

J. Carnes and Son Roofing	\$4,411.71
Exeter Roofing Corp	\$4,900.00
Signature Roofing Co.	\$6,340.00

Mailing: 10 Central Road, Rye, NH, 03870
Physical: 55 Recreation Road, Rye, NH 03870
Tel. (603) 964-6281 Fax (603) 964-1516

9-13-21 Consent Item F

Janice Ireland

From: Marilee Enus <Marilee.LaFond@unh.edu>
Sent: Friday, September 10, 2021 8:05 AM
To: Becky Bergeron; Dennis McCarthy; selectmen
Subject: Congratulations 2021 NH Roads Scholar Recipients, Duncan and Joshua!

Good morning,

The UNH Technology Transfer (T2) Center, through support from FHWA and NHDOT, provides training and outreach to public works road agencies throughout New Hampshire. Our *NH Roads Scholar* program recognizes various training achievement levels by individuals participating with UNH T2. It is our pleasure to inform you that two Rye employees received NH Roads Scholar awards recently - Joshua Blaisdell completed the level of **Safety Champion**, and Duncan O'Brien completed **Roads Scholar I**.

Roads Scholar I is the first achievement level of the six levels in the Roads Scholar Program. It requires the completion of 25 contact hours training with UNH T2. The Safety Champion award is given to those who complete 20 hours of training in Safety-related topics. We invite you to learn more about our NH Roads Scholars program by [visiting our website](#). We've also put together a [Press Kit with several editable templates](#) to help you celebrate and share this achievement with others in your community. We're proud of your team's NH Roads Scholars; and we expect your community members will be, too!

We'd love to schedule a time to visit Rye to distribute their awards. I'll be in touch to coordinate a date. On behalf of the Technology Transfer Center, I applaud Duncan and Joshua's dedication to professional development in the public works and transportation industry, and for the drive to maintain a leading edge in the field of local road maintenance. We expect that this knowledge and expertise will be a benefit to your organization and the community beyond.

Sincerely,
Marilee (LaFond) Enus
Director, Technology Transfer Center

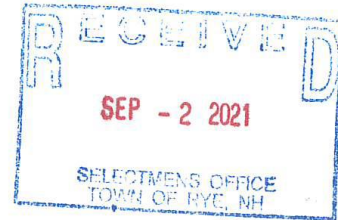


www.t2.unh.edu [Connect with us!](#)



9-13-21 Corres. A

Paula J. Tarta
125 Cable Rd.
Rye, N.H. 03870



Dear Gentleman,

September 2, 2021

I am sending this letter requesting an "exception" or variance to the town rule regarding my Hydrangea hedge - and charge that the flowers are causing an obstruction of view along the sidewalk. Attached with this letter is a print of the "offending Hydrangea flowers" with the view of the road from the corner of Fielding Way - the area in question.

For the past five years, Denise McCarthy, representing Rye Township has forwarded a letter to me during the summer, advising that he has received a complaint about the Hydrangea hedge in question and that it needs to be trimmed. In contrast to last year's visit from the Chief of Police, who noted perhaps the hedge could be moved back several feet further on my property.

In our discussion of this matter with Mr. McCarthy, he has explained that this issue is in reference to a town "rule", and would need to be taken up with you the selectmen of Rye. Further to this matter, please consider the following.

The Hydrangea flowers, in their attempt to seek light do stretch out over the sidewalk in some areas. Each year during the winter months, we have the hedge trimmed back to not obstruct the sidewalk for the next season. The problem being that this type of Hydrangea should only be trimmed while they are dormant (i.e.: winter months), now, while in the peak flowering season they are most susceptible to damage from trimming, even causing them not to flower in the next season. Rain of course causes the flowers to droop down - although, this is only temporary.

Additionally, this hedge is renowned in town, with the house being known as the "Hydrangea House" of Cable Road, Rye (you may recall the hydrangea hedge being on the front cover of the Rye magazine last summer) - celebrating one of the towns beautiful vistas. We have received literally hundreds of emails in response to a posting on the "Cable Road News" about this issue, all noting the exceptional beauty of the plantings, with comments from numerous brides and individual couples who have stopped to have photos taken along the sidewalk in front of the bushes. These notes are all in praise of this beautiful hedge, mentioning that they go out of their way in the summer to pass by just to view Rye's hedge in full bloom.

This all in contrast to the individual complainant (name currently unknown to me) who has apparently made this obstruction of view complaint annually for the past several years. He or she is far in the minority of individuals who reach out directly to me regularly praising the beauty this hedge offers to our community. Without intention, we have become a landmark on Cable Road.

Additionally, Denise has advised us that the rocks on the lawn strip near the road need to be removed (which they have). These rocks however were placed there to prevent the landscaping crews trucks and baseball fans from parking on the lawn / sidewalk along Cable road - thereby making it necessary

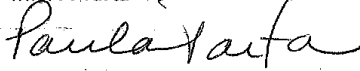
for people walking by, bicyclist, runners, children, mothers with babies in strollers, etc. to walk in the road which as we all know, unfortunately, has seen much increased traffic during the summer months.

I would like to propose that perhaps a stop sign at the corner of Fielding Way and Cable Road would encourage drivers to stop at the corner, allowing them to view oncoming traffic on Cable Rd. heading their way. At present a "rolling stop" is more often the case. A full stop would allow them a clear view down Cable Rd. where the Hydrangea hedge does allow a clear view of the oncoming traffic and road.

We will of course await your decision on this matter, and as in the past, comply with the town's requirements.

Thank You,

Mrs. P. Tarta



The Honorable Mr. Mayor

Mr. Mayor

Mr. Mayor

