

TOWN OF RYE –SELECT BOARD
Monday, December 14, 2020
6:30 p.m. – Via Zoom

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

Others Present: Town Administrator Becky Bergeron

Reading of Attestation

Statement by Phil Winslow:

As Chair of the Rye Select Board, 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: 159357 or by clicking on the following website address: www.zoom.com ID #860-7371-8779.

- 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:

- Phil Winslow
- Bill Epperson
- Mae Bradshaw

Note: The Selectmen stated where they were at home and stated that their spouse was the in the home during the meeting.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Winslow called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

II. ANNOUNCEMENTS

The Town Offices will be closed on Friday, December 25, 2020 for The Christmas Holiday. The Town Clerk's office will be closed on Thursday, December 24th. The other staff will start to leave for the day at 1:00 p.m.; however, the building will be open until 4:30 pm. The transfer station will be closed on Friday, December 25th, but will be opened on Saturday, December 26th.

III. PUBLIC COMMENT – (at the beginning of the meeting, for any comment by any Rye resident on any topics. Requested time limit, up to 5 minutes each person.)

- **Hugh Lee, 220 Pioneer Road**, stated that he delivered a petition for a warrant article to the Town Hall regarding the Parsonage land issue and the Library. The intent is to retain, for the benefit of the Town and the Library, a portion of the lot that is being proposed to be transferred to 500 Washington, LLC. The portion that would be retained is the portion that 500 Washington, LLC is proposing to retain as open space. For the near future, the space will be maintained as open space and possibly in the future, a small portion of it on the southernly end might be used for the library expansion. He further believes that the Town needs to obtain voters' approval, as the amended exchange/swap agreement is so markedly different from what was approved by the voters earlier this year. He asked the Select Board to support and recommend the adoption of the warrant article as described in the petition. He also asked the Select Board to work with Mr. Philbrick to amend the amended swap agreement to comport with the proposed petition. He stressed that it is very difficult when a town is engaging in intricate warfare with one of its entities. The taxpayers end up paying for both sides of the litigation. He noted that the petition has over 100 signatures.
- **Kathy Hodson, 616 Center Road**, expressed her objection and disapproval of the November 25th demolition of the Parsonage
- **Karen Oliver, 1159 Washington Road and Library Trustee**, gave her perceptions and understanding of the timeline of the events that led up to the November 25th demolition of the Parsonage, along with the Library Trustees part in the events that led up to it.
- **Funi Burdick, 257 Washington Road**, spoke in support of what Ms. Oliver stated. She also expressed her concerns regarding the swap agreement.

- **Jeff Ross, 333 West Road and Chair of the Library Trustees**, spoke about a right-to-know request that was filed with the Town on June 12th by the Library Trustees. The response to that request was received by the Library Trustees last week. He expressed his concerns with how difficult communication has been and the lack of communication over the period of the events. He also gave his views on the timeline of the events over the last year, by referring to examples of documents such as emails, letters, and minutes, all questioning the property line. He stressed that the property lines were an issue and concern for the Trustees well before the March election.
- **Steven Borne, 431 Wallis Road**, noted that at the last meeting he asked what would be the protocol for the deliberative session. He also asked for an update on the 2020 Parsons Creek test results. Neither subject was discussed under ‘New Business’ at that meeting. He has sent a letter to all the members of the Select Board and Ms. Bergeron and it is not on the agenda. The letter is about publishing notices. He read the preamble to RSA 91:A: *Openness in conduct of public business is essential to a democratic society. The purpose of this chapter is to ensure both the greatest possible public access to the actions, discussions and records of all public bodies, and their accountability to the people.* He stated that the zoning and planning board agendas are getting submitted to the Portsmouth Herald a week in advance, but are not being posted with the rest of the planning and zoning board agendas. In regards to the Fire Chief’s proposal to expand the number of firefighters, Mr. Borne applauds the Chief as he seems to be one of the few people to acknowledge the fact that the demographics and the population of Rye is changing. The departments need to charge in order to serve the people of Rye. Mr. Borne stated that he is not against having the right number of people with the right skill sets. This is a very complex problem and the Chief is taking a very linear approach that is under his control, which is what he has put forth. It is by far the most elegant and efficient solution for the communities. The key point in the presentation by the Chief was that out of 11% of the calls, there was a second call coming in where there was no one on staff to respond. The next vehicle on site will very seldom be from Rye. It will be from an adjacent community. What needs to happen is that Rye needs to work with the other communities that have these same problems. What would be the right solution for the manpower across Hampton, North Hampton and New Castle? He stressed that Rye is over saturated in equipment. The Town needs to be shifting the funds away from the equipment to balance out the equipment and work together with other communities to make sure the staff is at the level to cover all the community’s needs, so all get better service without Rye carrying the burden. Mr. Borne stated the swap was sold to the residents as being free. He feels that it is fair that everyone should know how much the Town has spent on it so far. He supports everything that everyone has been saying.
- **David Choate, 108 Washington Road**, stated that he is very disappointed in the Select Board’s lack of vision in regards to the Parsonage. He pointed out that there were many options that were not explored. He highlighted the process that should have been followed through the building department and the Demolition Review Committee, prior to the demolish of the Parsonage. He protested that none of that process was followed. He warned that the Demolition Review Committee will be watching what is proposed for the Trolley Barn and the process will be followed.
- **Dominique Winebaum, 52 Cable Road**, thanked Town Administrator Bergeron for including her letter under the ‘Consent Agenda’. The letter is in regards to the process for planning for the next update of the Master Plan. She stressed that it should not fall through the cracks. The Town has not had a visioning by the residents since 2002. She recommended that a steering committee be formed. Budgeting and planning for the Master Plan should be done ahead of time and put in the CIP and then it should go before the budget committee.

- **Paula Tsetsilas, 12 Rock Orchard Lane**, spoke in regards to the Wedgewood Land behind the Rye Junior High School. The land was purchased five years ago and is now being used for outdoor educational and recreational use. They eventually want to open it to the community at large. Marie Soucy, the Principal of the Junior High, is forming a committee made up of parents, teachers and a student. She is looking for a community member to serve on the committee. If there is anyone that is interested, they can email Marie at msoucy@sau50.org by December 21st. The first meeting will happen virtually on January 14th. Following up on Ms. Weinbaum's comments, Ms. Tsetsilas feels that with the census data coming out next year, it is a really good time to revisit the Master Plan. Referring to the Parsonage, she stated that looking back the Town should have hesitated a bit at the phrase "land swap". However, after hearing more about it, it became very intriguing and she voted for it. It seems it has been messy along the way and there may have been some missteps. She stated that she is okay with where the Town has landed. Looking at the results of the charette and wanting the history in the community, the Town still has some of the historic elements with the Rye Town Hall. She is glad that will be open for community use in years to come. She is glad the Town has a parcel with land attached to it and is curious to see where the Town is ten years from now and how they are using that land. This will be very critical in the planning of the Town Center. She is glad to see that the Town may have a home for some of the town workers from the Town Hall. She added that she would never work, in such poor working conditions. It is not efficient work space. She added that the Town would not have gotten to this point without some of the bold moves that have happened.
- **Joann Hodgdon, 63 Cable Road**, reminded the Select Board of its roll, as stated on the town website. She read the posting, as outlined by RSA 41:8B. She agreed with David Choate regarding the Parsonage. She stated that what has happened lacked transparency and a private development does not belong in the center of Rye. It is a tragic loss to the Town.

Selectman Epperson read a statement for the Select Board regarding their timeline of the events surrounding the TD Bank/Parsonage exchange. A copy of the statement is attached to these minutes and is also posted on the town website.

IV. CONSENT AGENDA ITEMS – (to be discussed at the meeting only if pulled off the consent agenda by one of the three Selectmen.)

A. CIP Committee Appointment: Unlimited Term

1. William Roach – Appointment as a member, letter rec'd 12/03/2020
2. Recommendation letter rec'd 12/10/2020

B. Letter rec'd from Dominique Winebaum re: her opinion on the planning for Master Plan updates

C. Email rec'd from Frank Hwang re: The Parsonage/TD building swap

D. Email rec'd from Joann Hodgdon re: The Parsonage Demo

Chair Winslow asked that consent agenda item A be taken off for discussion.

Motion by Phil Winslow to accept Consent Agenda Items B, C and D and to have them attached to the minutes for future reference. Seconded by Mae Bradshaw.

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

Motion Passed.

Chair Winslow asked Mr. Roach to introduce himself.

Mr. Roach stated that he is currently working as a project manager for Liberty Mutual Insurance based out of Boston. However, he works in all their other buildings in capital planning. His portfolio includes the five buildings that Liberty owns, which are all capital infrastructure projects. He grew up in Rye. He feels that he can provide some valuable input where needed.

Selectwoman Bradshaw stated that if she was going to describe the perfect person for the CIP Committee, she would use Mr. Roach's resume'. His resume' is stunning. He came to the last CIP meeting and everyone on the committee is very happy the he has expressed an interest in joining them.

Ned Paul, chair of the CIP, agreed.

Motion by Phil Winslow to appoint William Roach to the CIP Committee for an unlimited term.

Seconded by Bill Epperson.

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

Motion Passed.

The Select Board welcomed Mr. Roach.

V. DISCUSSION ITEMS

A. PUBLIC HEARING: CAPITAL IMPROVEMENTS PLAN 2021-2026

The purpose of the Hearing is to consider accepting the CAPITAL IMPROVEMENT PLAN 2021-2026

Chair of the CIP Committee Ned Paul lead the discussion on the CIP presentation. He introduced the members of the committee:

- Ned Paul - Chairman
- Mae Bradshaw- Select Board Representative
- Steve Carter - Vice Chair, Planning Board Representative
- Margaret Honda - School Board Representative
- Richard Furber - Community Representative
- Kevin Brandon - Budget Committee Representative
- Bill Roach – Community Representative

The Committee worked closely with Planning Administrator Kim Reed. Mr. Paul also thanked Town Administrator Bergeron for her help putting the document together, along with the department heads who supplied the information and answered their questions during the process. The CIP is a six-year plan. This addition is 2021-2026. The Committee is an advisory board appointed by the Select Board. They meet annually, pursuant to RSA 674:5. The Committee's charge is to prepare and recommend a program of municipal capital improvement projects over a period of at least six years. The Committee has met in public sessions from August until the present. They encourage public attendance and welcome public comments. The CIP is responsive to changes in the town's environment. It continues to inform town residents, guide the budget process and help reduce fluctuation of the property tax rate. The CIP is an essential town planning component. Although the CIP Committee recommends to the Select Board, it is the town's voters who approve the capital outlay at the annual town meeting. The projects in the CIP are informational only and are not to be considered authority to fund or to proceed with the project. It is just a list of the Town's needs.

The large submissions were:

- Conservation Land Acquisition Bond - \$3.5 million in 2024
- Fire Department Capital Equipment - \$1.2 million
- Public Works Equipment - \$1.1 million
- Town infrastructure paving projects - \$2.8 million
- Town infrastructure culverts project - \$525,000
- Water District projects - \$9.5 million

Priority ranking:

- 1 – To secure life and property
- 2 – To Maintain the present standard of living
- 3 – Improve the community

The total Capital Projects for 2021 came to \$2,009,319, (2020 was \$1.981 million).

In ranking order, the Priority 1 items are:

- | | |
|--|------------|
| • Fire Department Pumper/Ladder payment | \$ 112,215 |
| • Sewer Department Hampton WWTP payment | 17,837 |
| • Works Department Salt Shed | 350,000 |
| • Recreation Department Public Restrooms | 75,000 |
| • Perkins Rd/Ocean Blvd Traffic Study | 50,000 |
| • Perkins Road Culvert Replacement | 175,000 |

Large items in Priority two are:

- | | |
|---|------------|
| • Fire Department Engine #1 Class A – Mini-Pumper | \$ 300,000 |
| • Public Works Front End Loader \$204, Cat | 200,000 |
| • Infrastructure – Road Paving | 400,000 |

CIP 2021 Recommendations:

- Fund the salt shed replacement to protect Rye ground/drinking water - \$350,000
- Request a Fire Department annual water article to upgrade capital equipment - *amount to be determined*
- Request Rye Public Works annual warrant article of \$100,000 to upgrade capital equipment.
- Hampton waste water treatment of Rye sewer is a contractual agreement and must be paid.
- Savings can come from a one-year delay of the Perkins Road culvert replacement of \$175,000.

Motion by Phil Winslow to accept the 2021-2026 Capital Improvement Plan as presented.

Seconded by Bill Epperson.

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

Motion Passed

B. PUBLIC HEARING: CARES ACT REIMBURSEMENT & HEALTHTRUST SURPLUS

The purpose of the Hearing is to consider acceptance of twenty-eight thousand, four hundred seventy-eight dollars and forty-nine cents (\$28,478.49 from the State of NH for Coronavirus Aid, Relief, and Economic Security (CARES) Act reimbursement for the 2020 elections. It is also to consider acceptance of sixty-three thousand one hundred forty dollars and sixty-five cents (\$63,140.65) for return of surplus from the HealthTrust for FY 2020.

Town Administrator Bergeron explained that this is phase two of the CARES Act that the Town applied for earlier this year. The \$28,478.49 for the 2020 election was derived from a stipend per absentee ballot vote sent out and casted.

Motion by Mae Bradshaw to accept and expend the twenty-eight thousand, four hundred, seventy-eight dollars and forty-nine cents (\$28,478.49) from the State of NH for Coronavirus Aid Relief and Economic Security Act. Seconded by Bill Epperson.

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

Motion Passed

Town Administrator Bergeron explained that Health Trust notified the Town in August that there was going to be a surplus of premiums returned to the members this year. The Town received \$63,140.65 in surplus. The Select Board had previously voted to distribute the employees prorated portion back to them. Ms. Bergeron presented the Board an outline of the distribution to the employees.

Motion by Mae Bradshaw to accept and expend the sixty-three thousand, one hundred, forty dollars and sixty-five cents (\$63,140.65) from Health Trust and to distribute the employees' share as outlined. Seconded by Bill Epperson.

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

Motion Passed

C. Rye Mosquito Control Commission Recommendation for 2021 Mosquito Services

Tim Sanborn, chair of the Rye Mosquito Commission, stated that the Commission met Friday to review the proposals for mosquito services for 2021. Their recommendation is to stay with Dragon Mosquito Control. He noted that for the first time in many years, they received a third vendor's proposal. It was from Northeast Vegetation and the Commission welcomed their bid.

Chair Winslow noted that Dragon is not the low bidder; however, they have done an excellent job over the last few years. He supported the Commission's decision to stay with Dragon.

Selectwoman Bradshaw agreed. She noted that Swamp talked about managing the aquatic plants and clearing the marsh of some of the invasive species. She asked if Dragon also addresses this issue.

Mr. Sanborn stated that what Selectwoman Bradshaw is describing is marsh management. He had talk to Mike Morrison who owns Swamp, Inc. Mr. Morrison's company has large contracts in Florida where they try to control the aquatic vegetation as a way to approach the issue. Mr. Sanborn pointed out that comparing the two methods is like comparing apples to oranges. One Florida county alone has a \$24 million budget to remove the vegetation from the canals, plus larviciding, as well as using Minos and other fish. The concept is great if the food chain works. Unfortunately, it doesn't work that way in a town like Rye that has so much marsh land. The largest part of the budget in Rye is \$50,000 for

larviciding in the tidal pools. He suggested that maybe next year they include some kind of marsh management in their RFP to address this issue.

Sally King, member of the Rye Conservation Commission, stated that there has been a lot of talk over the years about marsh management and how it relates to Conservation verses Mosquito Control. Conservation has taken the lead over many years. They do actively control invasives and marsh management through Rockingham County, so this has been something in the Conservation's purview for years. She feels that they are doing an admirable job. There has always been some overlap with Mosquito Control verse Conservation, as far as marsh management. However, she believes that they have proven that they are doing a good job. She feels that it should be left as it is with the Conservation Commission managing it progressively and actively.

Mr. Sanborn agreed and added that if the Town wanted to pursue the concept, it could be done through the Conservation Commission.

Chair Winslow read the 1996 warrant article that created the Mosquito Control Commission, which outlined its purpose. His interpretation of the warrant article is that the purpose of the Commission is to control and manage the company that does the larviciding. To go beyond that, would require a new warrant article to expand the Commission's responsibilities. Chair Winslow agreed that the marsh management should stay with the Conservation Commission.

Ms. King stated that Dragon does an incredible job with the marshes. She feels that even though they may be a little more expensive, they are way more visible and active in the marsh than any other vendor has been over the years.

Motion by Phil Winslow to approve the bid from Dragon Mosquito in the amount of \$81,560, for the year 2021. Seconded by Bill Epperson.

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

Motion Passed

D. Tim Sanborn, Chair of the Rye Mosquito Control Commission – *discussion re: changing the name of the Commission and adding alternates*

Mr. Sanborn stated the reason for this request is that over the years, the Commission has taken on not just mosquito control, but also tick control and other insects that are harmful to the town's people. The idea of a broader name would capture more of the overall objectives and responsibilities. He suggested a name like The Rye Environmental Safety Commission.

Chair Winslow felt that that name was too broad and that it should be more specific. He also felt that it may need to go back to the town for a vote.

Mr. Sanborn asked if the Commission could have alternate members, as they have had interest from some individuals that would like to get involved. He had been told that they could not because of the way that the original warrant article structured the Commission.

Chair Winslow stated that he felt a good starting point would be to revisit the mission statement. He read the current mission statement: ***Mosquito Control Commission provides oversight and management of the company selected to provide mosquito control for the Town of Rye.*** Chair Winslow asked for a revised mission statement and proposed name by the Select Board's meeting on December 28th, in order to produce a warrant article.

E. Aquarion Water- update of their continued efforts during COVID and their efforts during the drought. (20 minutes)

Note: Carl McMorran operation manager for Aquarion Water was experiencing audio difficulties. John Walsh, Vice President of Operations, took over the presentation.

Mr. Walsh introduced himself. He has been with the company for twenty years and with the New Hampshire operation since 2012. Their primary mission is to provide high quality water that meets both State and Federal drinking water standards at the tap 24/7, while providing safety and reliability.

Their infrastructure includes:

- 17 wells
- 5 treatment facilities
- 4 Storage tanks

Their Distribution System includes:

- 140 Miles of water mains
- Over 9,000 service connections
- 600 public and private hydrants
- 1,400 valves

The 2020 drought lasted in to the fall; however, Aquarion did not implement any restrictions, but residents and businesses were encouraged to follow best practices for outside watering.

Operations

- Aquarion flushes the mains annually to clear out the sediment from the bottom of the mains.

Water Quality

- Lead and copper have been an important issue in the water industry for decades.
- Aquarion did a round of sampling this year.
 - They picked homes that were at high risk for lead and copper.
 - 61 of 63 homes had no detectable levels of lead.
 - There were trace levels of copper.
 - They have no lead service lines in their distribution system.
 - They also treat the water by controlling PH and by adding a corrosion inhibitor.
- PFAS Levels
 - Levels Do Not exceed MCLS

PFAS monitoring at Mill Road Well Field showed high levels of PFAS in well 6. There are six wells at the Mill Road Well Field. Two years ago, they connected all the wells, so the water from all the wells can be blended before it goes out to the distribution system. They do intend to treat well 6 in the future.

- Aquarion has had no water quality violations for the past 25 years.

Investment in Water Supply and Treatment

- Mill Road Water Treatment Plant (In service 02/2020)
 - Consolidates treatment for 6 wells
 - Improves consistency and efficiency of treatment
 - Enhances safety
- Well 22 (in service 06/2020)
 - First new well since 2003
 - Will be largest well after treatment installed (> 1 million gallons per day capacity)
 - Ensures adequate supply for the communities for decades to come
- Upcoming Treatment Projects
 - 2021 – Treatment to remove PFAS at Well 6
 - 2022/2023 – New chemical treatment and arsenic removal treatment at Wells 7 and 22

Aquarion has been actively addressing PFAS:

- NHDES set limits for 4 PFAS in 2019
- Aquarion has been doing voluntary testing since 2016
- Conducting and evaluating treatment methods
- Will be applying for funds from the Drinking Water and Groundwater Trust Funds to defray costs and reduce the impact of the rates
- Communicating PFAS test results with public officials and stakeholders
- Communicating treatment alternatives, costs and impact on water rates with public officials

Investment in Water Main Replacements:

- Aquarion has replaced about eight miles of water main in the last ten years
- Cost has been included in their rates

Settlement Agreement 04/2019 requires Aquarion to file a General Rate Case Application no later than 2020. The agreement was with the Public Utilities Commission and the Town of Hampton.

- General rate case application will request a rate increase
- Infrastructure investments from 2012 through 2020 are the primary reason for the rate increase request
- O & M expenses have been well controlled growing approximately 1% per year since 2011

The average increase for the residential customer will be less than \$10.00 per month. The Notice of Intent is requesting an annual revenue increase of \$1.2 million.

Chair Winslow thanked Mr. Walsh for the update.

Chief Walsh asked for updates from Aquarion for emergency response contacts.

Mr. Walsh promised to get the information to Chief Walsh.

F. Town Center Committee

Chair Winslow stated that he has forwarded information to Karen Stewart from the NH DOT stating they will be accepting applications for the TAP Grant Program in 2021. The Select Board has asked the Town Center Committee to hold off on rechartering until they had more information about the TD Bank. However, due to the fact that the TAP Grant was one of the main focuses of the Town Center Committee, he suggested that the Board move forward to charter the committee, initially to focus on the TAP Grant application. As soon as they get a clear understanding of where they stand on the TD Bank, they should include that as part of the charter.

Town Center Committee Chair Karen Stewart stated they are anxiously awaiting to reconvene. She didn't feel that the original charter was specific to buildings, so there shouldn't be any objection to pursuing the TAP Grant. That was certainly a primary focus of the committee last year and they would like to see it move forward. She expressed concern that the Select Board would restrict the Committee's scope of work too much.

Chair Winslow stated that he certainly accepts that concern. However, the Board does not want to waste the Committee's time. If they had them look at the TD Bank and the land and the Parsonage and something happens, that changes the plans and the Committee has wasted their time. The Board is hoping to have some direction on the TD Bank within the next two months.

Ms. Stewart agreed and pointed out that there were certainly other items that the Committee was interested in pursuing.

Town Administrator Bergeron explained that they will have to place a new warrant article for the matching funds for the grant, as the funds from the warrant article currently in place will lapse if not under contract by the end of the year.

Chair Winslow recommended stating in the new warrant article "for expenditures in 2021 or 2022", in order to allow time for the grant process.

There was discussion regarding phasing in the charter. Chair Winslow recommended just chartering the TAP Grant work initially and then phasing in the rest of the Town Center Committee functions after the issues with the TD Bank and the Parsonage are resolved.

Ms. Stewart did not feel that that was necessary. She felt that the Board should just recharter the Committee using the language as presented and trust the process that brought them to the TAP Grant and getting the Town's approval.

Chair Winslow felt that the process is sidelined until they get a clear direction on the TD Bank and the Parsonage.

The Select Board felt that it is premature to start work with all the unknowns.

Chair Epperson suggested just reinstating the Committee with the understanding that they will only focus on the TAP Grant until further notice.

Ms. Stewart felt that the Committee has put in a lot of time on the TAP Grant and would be very interested in seeing that succeed. However, to restrain the Committee's decisions as to what their priorities will be moving forward doesn't seem right.

Chair Winslow stated that the Board is not refraining the Committee from moving forward, just for the next couple of months. He suggested that the Select Board have Town Administrator Bergeron put together the charter as discussed.

Ms. Stewart expressed concern regarding the timing, and having a warrant article prepared for early January. They have a meeting scheduled for Wednesday December 16th, if they are re-chartered.

Chair Winslow noted that they will be re-chartered with the initial focus on the TAP Grant.

Selectman Epperson asked how the charge would be changed in order to make the TAP Grant the priority. He recommended adding language to the current charge to have the Committee focus on the Tap Grant. They could vote on it tonight and Ms. Stewart can move her committee forward.

Selectwoman Bradshaw recommended taking the current charge and adding language at the end of the first paragraph that states:

The Select Board request that the Town Center Committee focus on completing an application for the Tap Grant and any warrant articles relating there-to.

That will give the focus through March. She noted that the charge had been expended until 2022; however, over the course of this conversation, she feels that it should be expanded to 2023.

Motion by Phil Winslow to include the recommendations from Selectwoman Bradshaw and to approve the Rye Town Center Committee charge as amended. Seconded by Bill Epperson.

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

Motion Passed

G. Rye Telecommunications Infrastructure Committee

Town Administrator Bergeron explained that the intention is to just recharter the Committee. It is primarily for developing viable sites for potential new cell towers.

Howard Kalet, chair of the Rye Telecommunications Infrastructure Committee, addressed the Board. He explained that the telecommunication consultant that the Committee is working with has recommended that the Town needs four locations, in order to fully cover the Town. Even with the Port Way Tower, there is still a large area in the center of town with little to no coverage. They have been working to develop potential locations on town owned land. Many of them have restrictions on them, so the work is far from being done.

Chair Winslow recommended extending the charge to March 31, 2022.

Motion by Phil Winslow to approve the Rye Telecommunications Infrastructure Committee charge as amended. Seconded by Bill Epperson.

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

Motion Passed

Steven Borne, 431 Wallis Road, reminded the Board that the consultant strongly recommended that the Town take action to develop regulations to address small cells. It is not in Rye's ordinances, as it is in other Towns. It is not on the Planning Board's radar.

Chair Winslow commented that was a good point. He asked Mr. Kalet to take another look at the consultant's report and get back to Town Administrator Bergeron with any recommendations that can be forwarded to the Planning Board.

Mr. Kalet agreed to do this. However, it was his understanding from the consultant that adding small cells is not an economic way in a town that is as diverse and spread out as Rye. It makes sense for larger towns.

Chair Winslow thanked Mr. Kalet for his leadership and thanked the members of the Committee.

H. Temporary Travel Policy Amendment

Town Administrator Bergeron explained that the DHHS (Department of Health and Human Services), the CDC (Center of Disease Control) and the NH EOC (New Hampshire Emergency Operation Center) have provided updated guidance with respect to travel of the Town's employees. The Town's Temporary Travel Policy needs to be amended to incorporate those changes.

Motion by Mae Bradshaw to approve the Town Travel Policy as amended. Seconded by Bill Epperson.

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

Motion Passed

VI. CORRESPONDENCE - None

VII. NEW BUSINESS

Town Administrator Bergeron reminded the Board that Selectwoman Bradshaw was looking for approval from Attorney Donovan to share his decision regarding solar in the Historic District. Attorney Donovan has no concerns, provided that the Board votes to share that opinion.

Chair Winslow stated that he has no issue with sharing it. He just wondered why they were doing it.

Selectwoman Bradshaw stated that it has become an issue before the Historic District Commission, as the School Board has voted to put solar panels on the roof of the junior high school.

Motion by Mae Bradshaw to wave any privilege of the report from Attorney Donovan on solar panels in the Historic District, so that it can be shared with the Historic District Commission. Seconded by Bill Epperson.

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

Motion Passed

Chair Winslow asked Chief Cotreau to give an update at the December 28th meeting regarding the schedule for the vaccine injections.

Chair Winslow reported that Moderator Bob Eaton is attending a course at NHMA, addressing the protocols for having the deliberative session. As soon as he has finished the course and comes back with recommendations, it will be appropriate for the Board to discuss it. There is not enough information at this time for the Board to make any decisions.

VIII. OLD BUSINESS – None

IX. 2021 BUDGET WORK SESSION

A. 4915 Capital Reserves:

• Revaluation	\$ 30,000.00
• Fire & Ambulance Vehicles	100,000.00
• Grove Road Landfill	3,000.00
• Highway Heavy Equipment	100,000.00

Motion by Bill Epperson accept the Capital Reserve Plan as presented. Seconded by Mae Bradshaw.

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

Motion Passed

B. 4916 Expendable Trusts:

• Employee Accumulated Leave	\$ 50,000.00
• Municipal Buildings	35,000.00
• Library Maintenance	5,000.00
• Library Employee Expendable Trust	10,000.00

Motion by Mae Bradshaw approve the Expandable Trusts as presented. Seconded by Bill Epperson.

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

Motion Passed

C. Revenue:

• Fund One	\$3,163,028.00
• Fund Two	341,210.00
• Fund Seven	163,210.00
• Fund Eight	46,011.00
• Fund Nine	259,832.00
• Fund Twelve	38,102.00

Motion by Mae Bradshaw approve the Revenue as presented. Seconded by Bill Epperson.

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

Motion Passed

D. Encumbrances:

Town Administrator Bergeron explained that there will be more encumbrances coming before the Board. Currently, under contract the amount is \$391,041.59.

Motion by Bill Epperson approve the amount of \$391,041.51 to be encumbered from 2020 to 2021. Seconded by Mae Bradshaw.

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

Motion Passed

E. Warrant Articles:

- *To see if the Town will to vote raise and appropriate the sum of two hundred thousand dollars (\$200,000) for the purchase of a backhoe, frontend loader and authorize the withdrawal of two hundred thousand dollars (\$200,000) from the Highway Equipment Capital Reserve Fund created in 1994 for this purpose. This article has no current tax impact.*

The balance in the Highway Heavy Equipment Capital Reserve is \$237,425.

Motion by Bill Epperson approve this warrant article as presented. Seconded by Mae Bradshaw.

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

Motion Passed

- *To see if the Town will vote to raise and appropriate the sum of one hundred thousand dollars (\$100,000) to be added to the Highway Equipment Capital Reserve Fund created in 1994. This appropriation is in addition to the operating budget.*

Motion by Bill Epperson approve this warrant article as presented. Seconded by Mae Bradshaw.

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

Motion Passed

- *To see if the Town will vote to raise and appropriate the sum of one hundred thousand dollars (\$100,000) to be added to the Fire and Ambulance Vehicle Capital Reserve Fund the purpose of which was amended by Article 16 of the 2018 Town Meeting. This appropriation is in addition to the operating budget.*

Motion by Mae Bradshaw approve this warrant article as presented. Seconded by Bill Epperson.

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

Motion Passed

- *To see if the Town will vote to raise and appropriate the sum of Fifty Thousand Dollars (\$50,000) to be placed in the expendable general trust fund known as The Employees' Accumulated Leave Fund, established pursuant to RSA 31:19-a by Article 14 of the 1990 Rye Town Meeting for the purpose of funding Town Employees' accumulated leave accounts. This appropriation is in addition to the operating budget.*

Motion by Mae Bradshaw approve this warrant article as presented. Seconded by Bill Epperson.

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

Motion Passed

- *To see if the Town will raise and appropriate the sum of thirty-five thousand dollars (\$35,000) to be added to The Municipal Buildings Maintenance Expendable Trust Fund established by Article 11 at the 2007 Town Meeting under the provisions of RSA 31:19-a, for the purpose of major repairs to municipal buildings.*

The balance in the Municipal Buildings Maintenance Expendable Trust Fund is \$155,000.

**Motion by Bill Epperson approve this warrant article as presented. Seconded by Mae Bradshaw.
Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.
Motion Passed**

- *To see if the Town will raise and appropriate the sum of thirty thousand dollars (\$30,000) to be added to The Revaluation Capital Reserve Fund established by Article 24 at the 2020 Town Meeting under the provisions of RSA 35:1, for the future revaluation of the Town so that the assessments are at full and true value, at least as often as very fifth year as required by RSA 75:8-a.*

**Motion by Bill Epperson approve this warrant article as presented. Seconded by Mae Bradshaw.
Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.
Motion Passed**

- *To see if the Town will vote to raise and appropriate the sum of ten thousand dollars (\$10,000) to be added to the Library Employees' Accumulated Leave Fund established by Article 22 at the 2018 Town Meeting under the provisions of RSA 31:19-a, for the purpose of finding Library Employees' accumulated leave. This appropriation is in addition to the operating budget.*

**Motion by Bill Epperson approve this warrant article as presented. Seconded by Mae Bradshaw.
Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.
Motion Passed**

- *To see if the Town will vote to raise and appropriate the sum of five thousand dollars (\$5,000) to be added to the Rye Public Library Building Maintenance Expendable Trust Fund established by Article 14 at the 2005 Town Meeting under the provisions of RSA 31:19-a, as a maintenance fund for the Rye Public Library building. This appropriation is in addition to the operating budget.*

**Motion by Bill Epperson approve this warrant article as presented. Seconded by Mae Bradshaw.
Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.
Motion Passed**

- *To see if the Town will vote to raise and appropriate the sum of three thousand dollars (\$3,000) to be added to the Grove Road Landfill Capital Reserve Fund established by Article 11 at the 1994 Town Meeting. This appropriation is in addition to the operating budget.*

**Motion by Mae Bradshaw approve this warrant article as presented. Seconded by Bill Epperson.
Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.
Motion Passed**

- *To see if the Town will vote to raise and appropriate the sum of three hundred fifty thousand dollars (\$350,000) to mitigate future salt intrusion into the ground by erecting a salt storage handling and storage facility at the existing Public Works Transfer Station property 309 Grove Road, and to authorize the withdrawal of Ninety-two thousand dollars from the Salt Shed Storage Capital Reserve Fund, created in 2005 for this purpose.*

Motion by Phil Winslow approve this warrant article as presented. Seconded by Bill Epperson.
Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.
Motion Passed

Conservation Budget:

Town Administrator Bergeron explained that at the budget session last week, the Conservation Commission presented an updated budget. They added \$2,000 to the legal line item and \$18,000 to the consulting line. This makes a total of \$25,000 for legal and \$20,000 for Consulting. The total Conservation Budget was \$90,850 and is now \$110,850. This is to cover a one-time expense.

Motion by Mae Bradshaw approve the Conservation Budget in the amount of \$110,850. Seconded by Bill Epperson.
Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.
Motion Passed

X. OTHER BUSINESS

A. Minutes

1. Non-Public Session, Wednesday, August 12, 2020 (1) per RSA 91-A:3 II (I) Legal Advice

Motion by Phil Winslow accept the non-public minutes of Wednesday, August 12th as written. Seconded by Bill Epperson.
Roll Call Vote: Bill Epperson – Aye; Phil Winslow – Aye; Mae Bradshaw - Abstained.
Motion Passed

Motion by Phil Winslow seal the non-public minutes of Wednesday, August 12th until March 31, 2021. Seconded by Bill Epperson.
Roll Call Vote: Bill Epperson – Aye; Phil Winslow – Aye; Mae Bradshaw - Abstained.
Motion Passed

2. Meeting, Monday, August 24, 2020, 2:00 p.m. Site Walk

Motion by Phil Winslow accept the site walk minutes of Monday, August 24th as written. Seconded by Bill Epperson.
Roll Call Vote: Bill Epperson – Aye; Phil Winslow – Aye; Mae Bradshaw - Abstained.
Motion Passed

3. Meeting, Thursday, November 5, 2020, 8:00 a.m. via Zoom

The following corrections were noted:

- Page 2 - 5th line the semi-colon after include should be a **colon**.
- Page 2 take out the extra period after \$582,163.
- Page 2, last paragraph the semi-colon after the word include should be a **colon**.
- Page 10, 3rd sentence the word operates should be **operate**.

Motion by Phil Winslow accept the meeting minutes of Thursday, November 5th as amended.

Seconded by Bill Epperson.

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

Motion Passed

4. Meeting, Monday, November 23, 2020, 6:30 p.m. via Zoom

The following corrections were noted:

Page 2

- Steven Borne of 431 Wallis Road: The Tax Rate information has been posted, but he ~~can not~~ find the document to link to it on the website.
- Should read: Steven Borne of 431 Wallis Road: The Tax Rate information has been posted, but he cannot find the document to link to it on the website.

Page 6

- He pointed out that there were two ~~thing~~ that were decided at the meeting and they prepared two articles.
- He pointed out that there were two things that were decided at the meeting and they prepared two articles.

Page 7

- Selectman Epperson recommended that the Board look at Mr. Myles' request and ~~analysis~~ it and try to come up with a response to his request.
- Selectman Epperson recommended that the Board look at Mr. Myles' request and analyze it and try to come up with a response to his request.

Motion by Phil Winslow to accept the meeting minutes of Monday, November 23rd as amended.

Seconded by Bill Epperson.

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

Motion Passed

ADJOURNMENT

Motion by Bill Epperson to Adjourn at 9:58 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

12-14-20 Consent Item B

Planning for the next updates of the Master Plan

Opinion: Dominique Winebaum

As a Rye resident who has been closely following and commenting on the Master Plan and its updates since 2011, I would like to share my knowledge – and ongoing concerns – with all who care about planning for the future of Rye.

Budgeting sessions during this past November – Select Board and Budget Committee – are indicative of past trends in regards to planning for updates of the Master Plan, namely taking a piecemeal approach.

In short, what was presented and approved is to budget a “Visioning Session” in the spring, and this under the category of the “printing budget” of the Planning Department. As simply stated by the Planning and Zoning Administrator, “we haven’t had a Visioning Session since 2002” to justify the increase in the “printing budget,” which also illustrates the approach in “planning” for the next update(s) of the Master Plan.

Prior to “planning” for an update of the Master Plan, it is worth taking a look at the Rye Master Plan. Please understand that “Visioning” is only the starting point and that all chapters, but for the “Coastal Hazards and Climate Adaptation” chapter, in all likely hood should be updated given the lack of any adequate public visioning since 2002, not to mention that additional chapters needing to be created in order to have a Comprehensive and Strategic Rye Master Plan (the CIP is still referring to the 2013 Master Plan).

<https://www.town.rye.nh.us/planning-department/pages/master-plan>

A Master Plan Steering Committee should have been formed/created and made up of members serving on Town boards (CC, ZBA, BC, HDC..., as well as two members of the public, in order to plan for the next updates of the Master Plan. This is certainly the perfect opportunity to “start from scratch,” so to speak, in terms of planning – an approach that encompasses the community at large (as was done with the 2006 Master Plan created from the 2002 visioning) as opposed to simply following “directives” from the Planning Department, as represented by the Planning Administrator as “we” and “the Planning Board.”

This concept of "Visioning" is much needed, however, not as presented and to be executed. In 2016, the Select Board approved funding for the creation of a new chapter (Coastal Hazards and Climate Adaptation) as well to amend 3 chapters – Natural Resources, Transportation, and Land Use. This included two "Visioning" sessions with the second one attended by only 6 people. Funding was provided via a grant (\$ 8,500) with an additional \$11,500 approved by the Select Board, for the 2017 updates. The new chapter and the updates to existing chapters were not proof read by the Planning and Zoning Administrator until a core group of residents intervened and provided extensive corrections and additions.

Proper planning for the updates of the Master Plan via a Steering Committee would provide a clear and detailed plan regarding which chapters need to be updated – and added – which would also include budgeting over time and via the CIP for all the updates – not just the Visioning part. The format of the Master Plan, as was discussed during the adoption of the Coastal Hazards and Climate Adaption chapter, should be made more reader and user friendly as there is currently both redundant and outdated content . Ideally, a different entity than the Rockingham Planning Commission (RPC) should be contracted to execute the updates to bring fresh ideas and competencies to help the process and result succeed. Town support is also key – residents should not have to beg for drafts to be posted on the Town website as in the past – there is a lot that can be done to increase interest and participation via online public networks.

Time should be taken to re-visit this "proposal" to contract the RPC which should also be part of a CIP item (as was the case with the LDR) in 2019.

12-14-20 Consent Item C

Janice Ireland

From: Frank Hwang <hwangfr@gmail.com>
Sent: Monday, November 23, 2020 6:00 PM
To: Janice Ireland
Subject: for the BOS re: Library, Parsonage and more

Thanks Janice. Can you pass to the BOS?

Hello to you all and happy early Thanksgiving,

I wanted to reach out to you as I have been following the events related to the Rye Public Library, The Parsonage property and the TD Bank property.

First off, we as residents and direct neighbors (on Olde Parish) of both the Parsonage and Rye Public Library (RPL) have a vested interest in the outcome of this important action for our wonderful town of Rye. We want to ensure that the will of the Townspeople is upheld from the warrant article related to the sale. We believe that the original article and its request of the sale / swap will be extremely beneficial for the town as a whole.

Our understanding is that there has been an amendment proposed to the original warrant article which potentially eliminates a portion of the Rye Public Library's current property footprint. It appears that this amendment has occurred without any discussion with the Public (forgive me if I missed a meeting), and this concerns us.

Our hope is that the Town, Dan Philbrick and RPL can come to an agreement on the proposed sale / swap that meets all parties' needs without any type of superseding or change of intent by any of the parties involved. We would also be concerned this change may also directly affect us as neighbors to the properties. To reduce the footprint and plans of the RPL seems to be a significant detriment to the town and its citizens as well as the proposed plans of a town center.

Thanks for listening, and I look forward to the next steps regarding this important step forward in our wonderful town.

- Frank

Frank Hwang
18 Olde Parish Rd

12-14-20 Consent Item D.

Janice Ireland

From: JoAnn Hodgdon <joann@pcgit.com>
Sent: Thursday, December 3, 2020 8:38 PM
To: Janice Ireland
Subject: Parsonage/please read at mtg

12/3/2020 Tell the Truth

To the Selectmen,

How sad that the tax-paying neighbors on Old Parish Road, adjacent to this historic property did not even know that the historic Parsonage property was being raised! One emailed me and stated, "I left for work, and came home and it was gone!"

There is something terribly wrong and deceptive within a Town "Select Board" and a Planning Board that does not appreciate our rich history over private development and never hesitated to make the voters aware that a Warrant Article vote means nothing.

What is next to be "traded" unbeknownst to the taxpayers of our town? Parson's Field, Goss Farm, Recreation Fields, playgrounds, beachfront property, school property?

Voters of Rye, you braved a Pandemic in March to let your voice be heard and your vote counted regarding the "trade" and the parameters surrounding it.

You participated in the Rye Charettes discussing the future of Rye Center. You sat and listened to the findings and recommendations of professionals regarding our Town Center.

What happened to your time and most importantly, your vote?

We all love our Town. We give of ourselves and our means, (time and money) in many ways. We all want to protect the rich history of Rye. We want a "Town Center" that serves the needs of us all. That's what "WE", the voters, voted for.....not a private development.

In regard to the town office needs: You have left the current Town Hall in ruin and deterioration. You even refused to paint the outside of the building for years. The pitiful staged photos of file boxes in hallways and leaking pipes is embarrassing. You have an expansive building crying for historic renovation.

\$500,00.00 will never renovate the ugly TD Bank building for your needs. What happened?

The most recent newsletter announcing to the tax payers what you chose to do over their interests is baffling.

Please explain your logic.

No more backdoor deals!

Tell the Truth!