

**TOWN OF RYE - SELECT BOARD
MEETING**

**Monday, June 13, 2022 - 6:00 p.m.
Rye Town Hall & Zoom**

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

Others Present: Town Administrator Becky Bergeron and Police Chief Kevin Walsh

6:00 p.m.

I. CALL TO ORDER

Chair Epperson called the meeting to order at 6:05 p.m.

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

At 6:05 p.m., Bill Epperson made a motion to go into Non-Public Session per RSA 91-A:3 II (b) Hiring. Seconded by Phil Winslow. Roll Call: Epperson – Yes, Winslow – Yes, King - Yes.

At 6:44 p.m., Bill Epperson made a motion to come out of Non-Public Session. Seconded by Phil Winslow. Roll Call: Epperson – Yes, Winslow – 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 6:50 p.m. led the pledge of allegiance.

IV. ANNOUNCEMENTS

- Selectman King announced that the Pease Development Authority's monthly meeting is this Thursday, June 16th at 9:00 a.m. The contractor that the Board was most concerned about (East West) will not be presenting their proposal this month. There is no July meeting, so it should be on the agenda in August.
- Vice-Chair Winslow announced that Rockingham Planning Commission had a meeting this week. The focus was on workforce housing and transportation needs.
- Chair Epperson announced that June 14th is the Junior High School's graduation at 5:00 p.m. in Parsons Field. The Select Board is very proud of the students and teachers.

- Chair Epperson read a memo issued by the Board. The Board has asked Chief Walsh to step in to take over the interim Town Administrator's position. Due to a staffing shortage and lack of experienced candidates, the current Town Administrator, Becky Bergeron, has agreed to take on the Finance Director/Assistant Town Administrator's position. A formal recruitment effort will be initiated to hire a permanent Town Administrator. Chair Epperson thanked both Ms. Bergeron and Chief Walsh for stepping into these roles.

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.)

- **David Winn, 21 Gray Court**, expressed his concerns regarding the parking permit policy. He pointed out that it has not been well received by many people in town. It's a real inconvenience to many families that have more than two cars. He feels that the policy is unamerican because it treats property owners different from tenants. He was a property owner in Rye for thirty years, but now he is a tenant and has to get permission from his landlord to get a beach permit. It's a two-family house with four adults and they can only have two permits for the whole house. This is a real inconvenience. Seabrook, Hampton, North Hampton and New Castle, as well as York and Ogunquit, Maine, all use residence as a requirement for a parking permit, not property ownership. He felt that the Board should change the rule immediately to allow any resident who has a driver's license and registers their car in Rye, to have a beach parking permit. At least allow multi-family units to have two permits per unit.

Chair Epperson explained that there are only 132 resident permit parking spaces in town. Last year, there were over 3,100 parking permits issued. The Board realized that they had to resolve this problem. After lengthy discussions, they implemented this policy with the understanding that they would revisit the issue at the end of the season to make sure that it is fair and equitable and they will change it if they have too. They are trying to maintain the integrity of the process.

- **Steven Borne, Rye Civic League**, noted that the Civic League will be hosting an event "Newish in Rye" on Thursday, Sept. 30th at 7 p.m. at Gibb's Garage Grille & Bar. This is a way for new Rye residents to meet their neighbors.
- **Steven Born, 431 Wallis Road**, stressed the need for a town planner with leadership experience. He noted that he didn't get the agenda posting for the May 9th meeting. He disagreed with the approval of spending another \$100,000 on a study of Parsons Creek. A 2021 report suggested that both storm water runoff and ground water are significant sources of contamination. The low-lying topographic area and the high groundwater table in the water shed make leach fields susceptible to malfunction, which is likely the source of fecal contamination of the water at the beaches. Mr. Borne continued that he was on the town website trying to find where to fill out a form to campaign at the transfer station. He is running for State Rep as an independent. He needs to collect 150 signatures.

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

Chair Epperson suggested that all the consent agenda items be pulled for discussion.

- A. Sign Request: Rye Recreation request permission to put a sign at Parsons Field announcing the July 4th Celebration on Friday, July 1, 2022. The sign is requested from 6/24/22 to 7/1/22.

Motion by Phil Winslow to accept the Rye Recreation sign request as presented. Seconded by Bill Epperson. All in favor.

- B. Chief Walsh – Event Permit Application: Granite State Quest, Saturday, 7/9/22, 7:00 – 11:00 am to benefit Mass General Hospital.

Deputy Chief Blaisdell reported:

- All documents are in order, as well as the insurance
- There are 125 participants
- It is a non-competitive bike race
- It will come from North Hampton; down Route 1A - Ocean Blvd. and turn around at Route One
- There is a rest stop at the Dunes Motel
- This is a recurring annual event

Motion by Bill Epperson to approve the Granite State Quest event permit with the provision that they pay for an officer to be stationed at the Dunes Motel. Seconded by Phil Winslow. All in favor.

- C. Chief Walsh – Event Permit Application: Cystic Fibrosis Foundation Cycle for Life 2022, Saturday, 7/16/22, 6:00 a.m. – 4:00 p.m. to benefit the Cystic Fibrosis Foundation.

Deputy Chief Blaisdell reported:

- All documents are in order, as well as the insurance
- There are 200 participants
- It is a non-competitive bike race
- This starts in New Castle, down Route 1A, to the round-a-bout, down Pioneer Road to Ocean Blvd. Turn onto Harbor Road and Locke Road, back to Central Road then Washington Road, Wallis Road and Sagamore to the round-a-bout.
- There is a rest stop at the Rye Public Safety Building
- This is a recurring annual event

Motion by Bill Epperson to approve the Cystic Fibrosis Foundation Cycle for Life 2022 event permit as presented. Seconded by Phil Winslow. All in favor.

- D.** Letter rec'd from Trisha Katkin re: Her resignation as Asst. Town Clerk/Tax Collector.

Chair Epperson stated that the Board accepts Ms. Katkin's resignation and asked that a letter of appreciation be sent on the Board's behalf.

- E.** Event Application: Rye Congregational Church request permission to hold a social cookout on the town owned part of the church parking lot on Sunday, July 17, 2022, 11:00 am - 1:00 pm.

Motion by Phil Winslow to approve the Rye Congregational Church request to hold a social cookout on July 17th as presented. Seconded by Bill Epperson. All in favor.

VII. DISCUSSION ITEMS

Selectman King asked that Discussion Item B, Regional Association Review Committee Update, be moved to Discussion Item A.

Regional Association Review Committee Update.

Linda Toumpas of 10 Bass Drive presented:

- The Town donates to 21 different agencies
 - The agencies are all nonprofit
 - This is done by a petition warrant article
 - The last one was done in 2012
 - The Regional Association Budget is \$56,000
- After a thorough review, the committee pulled nine agencies that they questioned the need to donate to. These did not fully express what they do for the Town of Rye.
- The committee established a rating system and researched each of the agencies.
- The committee felt that the letter that is sent out from the Town is not specific enough as to what should be sent in to give the Town an understanding of the agencies' needs.
 - These letters go out in mid-July
 - They are due back in August
 - The committee has rewritten the letter (for Select Board approval)
- The committee asked that they be extended until September.
- A change in the process may require a warrant article.

Chair Epperson pointed out that the program is a Regional Program and the Town has to be responsible for the regions needs, regardless of anyone being helped in Rye.

- The committee has included the Seacoast area, they did not include the entire county.
 - There was a suggestion to standardize the financials, in order to compare like interests

Chair Epperson asked if the committee considered making a templet for requirements.

The committee members agreed that it was a good idea and would be happy to embrace that.

Chair Epperson asked that the committee give the Board another couple of weeks to review and wordsmith the letter.

Chair Epperson stated that he had no issues with extending the committee until next year.

Selectman Winslow thanked the committee for taking on this task.

Motion by Bill Epperson to extend the Regional Association Review Committee until December 31, 2022. Seconded by Tom King. All in Favor.

- A. Chief Walsh – 2022 Beach Permit Application
 - 1. MAKN, LLC

Deputy Chief Blaisdell reported:

- The insurance is in place
- It would be held at Foss Beach
- Maximum participation of ten people
- The scope would be during July and August
- It would be held only one day a week
 - 6 to 7 am (at sunrise)
 - Depending on the tides
- They would be using yoga mats
 - No other equipment or music would be used

Chief Walsh explained that they currently have six beach permits and this would put it at seven. He asked that it be capped at eight.

Motion by Bill Epperson to approve the MAKN, LLC 2022 Beach Permit Application for Foss beach only. Seconded by Phil Winslow. All in favor.

- A. Regional Association Review Committee Update – (addressed earlier in the meeting)
- B. Chief Cotreau – Fireworks Permits
 - 1. Fireworks at Parson’s Field, Friday, July 1st by American Thunder Fireworks

Fire Chief Cotreau reported:

- American Thunder is the same vendor that has done the Beach Club Fireworks in years past.
- This is their first time working for the Town of Rye
- The Recreation Director, Chief Cotreau and American Thunder personnel has done a site walk of the area.
- The insurance is in place
 - There are two certificate holders

- The Town of Rye
- The Fire Marshall's Office
- The application must be approved by the Police Chief and Fire Chief and then forwarded to the Fire Marshall's Office
 - The application is currently at the Fire Marshall's Office
- There is no rain date.

Chief Cotreau recommended approval.

Motion by Bill Epperson to approve the fireworks at Parsons Field on July 1st by American Thunder Fireworks. Seconded by Phil Winslow. All in favor.

2. Rye Surf Club July 2nd Fireworks, 1200 Ocean Blvd. Rain Date July 5th

Fire Chief Cotreau reported:

- Central Maine Pyrotechnics is the vendor
- The insurance is in place
- The application is currently at the Fire Marshall's Office

Chief Cotreau reported he has never had any safety issues with either vendor. He also stated there will be fire and police personnel at both events. The Surf Club and Beach Club are charged for the services of the Fire and Police personnel.

Chief Cotreau recommended approval.

Motion by Bill Epperson to approve the fireworks at the Rye Surf Club on July 2nd with a rain date of July 5th by Central Maine Pyrotechnics. Seconded by Phil Winslow. All in favor.

Chief Cotreau reported that the Rye Beach Club is planning to have their fireworks on the 3rd of July with a rain date of July 9th. They are using American Thunder. The Board does not have any of the paperwork yet, because they did not get their paperwork into the Chief until today. On first review, Chief Cotreau stated that everything seems in order, except for the second certification on the insurance. He will be getting the package to the Board as soon as it is complete.

Selectman King encouraged Chief Cotreau to have the completed package to the Board by Wednesday afternoon. The Board will be meeting on Thursday morning.

Selectman Winslow asked that Discussion Item E be moved ahead on the agenda.

- **RPC – Call for Transportation Projects and Priorities**

Dania Seigle of 633 Central Road and Rye's representative to the Regional Transportation Advisory Committee presented:

- They are soliciting new projects that are important and of interest to the towns.
- They are reviewing and amending, if necessary, existing projects that are included in the long range Transportation plan.
- The current list of projects submitted by Rye include:
 - Route One culvert replacement, north of Locke Road - pending approval
 - Washington Road TAP project
 - New Castle & Rye bicycle and pedestrian safety on Route 1A - pending approval
- All project proposals are due into the RPC by July 15th.

Selectman Winslow stated that the Board is concerned with the intersection of Dow Lane onto Route One. That intersection has been a problem for the past ten-years. It is only going to get worse when the new condo development goes in right across Route One from that intersection.

Ms. Seigle responded that she has spoken to David Walker and he agrees this is one of the areas that should be presented as a new project.

The Board moved Correspondence Item B up on the agenda.

- **Email rec'd from Lisa Jacobus re: Speeding Concerns on Perkins, Cable and Pine.**

Ms. Jacobus of 39 Pine Street addressed the Board regarding this issue. Her daughter is in elementary school and takes the bus. They walk to Cable Road to get the bus. There is a group of kids that get the bus at that spot. Every morning cars are going by at ridiculous speeds. The police are at the schools and are unable to patrol the area at that time of day. She has asked people to slow down, only to be yelled at. She pointed out that Pine Street is a cut through to Perkins. There are no speed limit signs on Pine. There is a yellow line. There is also a sharp corner and a huge pothole in the middle of the road. There are a lot of children in the neighborhood. She asked that an electronic speed sign or a speed table be placed on Cable. She also suggested installing temporary speed bumps during the summer months to slow traffic.

Public Works Director Rucker stated that the pothole is already on the list to be taken care of. If the Select Board approves it, he can put a speed limit sign on Perkins.

Police Chief Walsh stated that the electronic speed sign would be placed at the beginning of the road at the intersection. He advised that this type of sign is most effective if it is moved around. He cautioned against placing it in one spot for long periods of time. The effect is that it becomes part of the surrounding area and is not noticed by drivers that frequent the road. The management program is education awareness, which is the sign. Enforcement and the Highway Safety Grant has provided for an extra officer to target some of these areas.

There was discussion regarding habitual offenders; which include, contractors and landscape vendors working in the area. One neighbor recommended calling the offending commercial vehicles' insurance companies to complain. She reported that she did this to Waste Management and it seemed to help.

Chief Walsh reported that he recently sent out a letter regarding speed on Ocean Blvd. The State Police are helping with that issue. He pointed out that a lot of the stops that are being made are residents. The letters that are going out are to get buy-in from the residents.

There was discussion in regards to having seasonal speed limits and lowering the speed limit on certain roads during the summer/beach season. Selectman King suggested trying it out for a summer to see if it is effective.

C. Jason Rucker, Public Works Director – MS4 - Designation of Authorized Representative

Chair Epperson referred to a letter that certifies that Public Works Director Rucker has the responsibility of producing the MS-4. He is the designated person, has all the credentials, and is capable of leading the initiative.

Mr. Rucker stated that was correct. It is a formality that the Town must assign a designated representative to file its MS-4.

Motion by Bill Epperson to authorize Jason Rucker as the responsible person for the MS-4 for the Town of Rye. Seconded by Phil Winslow. All in favor.

D. Hazard Mitigation Plan Certificate of Adoption (*Signatures and Approval Needed*)

Chair Epperson read the resolution for the Hazard Mitigation Plan as follows:

Resolve by the Rye Select Board:

First, the plan is hereby adopted by the official plan of the Town of Rye.

Second, the respective individuals identified by the mitigation strategy of the plan are hereby directed to pursue implementation and recommendation action assigned to them. Next, further revisions and plan maintenance required by 44CFR201.6 and FEMA are hereby adopted as part of the resolution for a period of five years from the date of this resolution. An annual report of the progress of the implementation element of the plan shall be presented to the Select Board by the Town's Emergency Management Director or Town Administrator. Now therefore, it is resolved that the Rye Select Board adopt the Rye Mitigation Plan update.

Seconded by Phil Winslow. All in favor.

E. RPC – Call for Transportation Projects and Priorities – (addressed earlier in the meeting)

F. Eversource Pole Attachment Application

Motion by Bill Epperson to authorize Selectman King to sign the Eversource pole application. Seconded by Phil Winslow. All in favor.

G. Select Board Top 5 Objectives for 2022

Chair Epperson stated that he has three objectives:

1. Get the Town Hall Annex up and running
2. Get an engineering study done on the Route One sewer project
3. Establish a Tiff District on Route One

Selectman King recommended Digitalization.

Selectman Winslow recommended Parsons Creek.

VIII. CORRESPONDENCE

- A. Email rec'd from Dave Winn re: The Beach Parking Permit Policy – (addressed earlier in the meeting)
- B. Email rec'd from Lisa Jacobus re: Speeding Concerns on Perkins, Cable and Pine – (addressed earlier in the meeting)

IX. NEW BUSINESS

None

X. OLD BUSINESS

Selectman Winslow asked Chief Walsh if the old mopeds have been sold.

Chief Walsh noted that they still have them. He is waiting on the DPW to set up an equipment auction.

Director Rucker responded that typically the equipment auctions are held in the fall.

Selectman Winslow asked for an update on the window project in the Town Hall.

Administrator Bergeron stated that she has not reached out to the gentleman who is doing the restoration because the entire building has to be swabbed for lead. They will have to wait for a report back from that. The areas where they did the reinstallation were done and came back fine.

Chair Epperson asked Chief Cotreau if the shark monitors are out.

Chief Cotreau reported that they are not out yet. He explained that Seacoast Science Center and Jack Farrell from Star Island and the Harbor Master are working together with the Rye Fire Department to launch them. The Seacoast Science Center will be watching the science of the project and doing some promotional materials to inform the public about why they are doing this program. The plan is to hopefully have them out between this week and next. They are looking at either Thursday or Saturday morning during a high tide. There are four monitors; Sawyer's, Cable, Foss and Wallis. These units will give data on the number of hits and if they are getting

the same shark coming back. If there is one or two sharks, typically they are transient. If you get the same group coming back, there is a problem. Chief Cotreau felt that they have transient issues.

Acting Administrator Walsh reported that Sewer Administrator Lee Arthur has asked if the Select Board would like to have a work session with Rye Sewer and Portsmouth Sewer. She gave two dates and times; Tuesday, June 28th from 2:00 to 3:30 pm or Thursday, June 30th from 9:45 to 11:00 am. This work session will be about the Route One Sewer connection. The Board agreed to Thursday, June 30th 9:45 to 11:00 am.

Assistant Administrator Bergeron reported that she has been approached by a resident of Port Way regarding people trespassing on private property, due to the way the cell tower property is situated. They come through the State part but end up on private property. The resident asked if the Select Board would support a padlocked gate at the end of the Gosling property.

The Select Board agreed they need to do a site walk in the area.

Assistant Administrator Bergeron stated that she could have Arik Jones meet them there.

It was agreed to schedule a site walk on Thursday, June 30th, either before or after the Sewer Department meeting.

Selectman King stated that he has questions on where they stand on irrigation restrictions. Aquarion Water currently has the odd/even watering in place. He felt that it would not be out of the realm if the Board to do that. He would also like to get the status of the water treatment plant and other infrastructure upgrades.

Selectman King announced that the Rye 400th Website has gone live. It is ryenh400.org

XI. OTHER BUSINESS

A. Meeting Minutes

1. Meeting, Monday, March 28, 2022, 5:45 p.m., Rye Town Hall

The following was noted:

- Page 9; 5th paragraph, should read: **Vice-Chair Winslow pointed out that Saturday the 2nd would be easier for people who work to get there.**
- Page 12; last paragraph, should read: **He had talked to Chuck in the building department and there are over 100 people that have not submitted the documentation that they have had their systems pumped yet.**
- Page 15; 3rd paragraph, should read: **Vice-Chair Winslow reported Kevin Brandon from the Planning Board will be replacing Steve Carter on the CIP Committee.**

**Motion by Phil Winslow to approve the meeting minutes of March 28th as amended.
Seconded by Bill Epperson. All in favor.**

2. Non-Public Session, Monday, March 28, 2022 (1) per RSA 91-A:3 II (b) Hiring

Motion by Phil Winslow to approve and not to seal the minutes of March 28th non-public session as presented. Seconded by Bill Epperson. All in favor.

3. Non-Public Session, Monday, March 28, 2022 (2) per RSA 91-A:3 (c)
Reputation

Motion by Phil Winslow to approve and not to seal the minutes of March 28th non-public session as presented. Seconded by Bill Epperson. All in favor.

4. Meeting, Monday, April 11, 2022, 5:45 p.m., Rye Town Hall

The following was noted:

- Page 12; 1st sentence, should read: **Mr. McMorran responded that he didn't know of any federal money, but there may be some state money.**
- On page 14; Selectman King asked that the Historical Society Director, Ginna MacDonald be identified.

Motion by Phil Winslow to approve the meeting minutes of April 11th as amended. Seconded by Bill Epperson. All in Favor.

5. Non-Public Session, Monday, April 11, 2022 (1) per RSA 91-A:3 (c)
Reputation

Motion by Phil Winslow to approve and not to seal the minutes of April 11th non-public session as presented. Seconded by Bill Epperson. All in favor.

6. Non-Public Session, Monday, April 11, 2022 (2) per RSA 91-A:3 (b) Hiring

Motion by Phil Winslow to approve and to seal the minutes of April 11th non-public session as presented. Seconded by Bill Epperson. All in favor.

7. Meeting, Monday, May 9, 2022, 6:30 p.m., Rye Town Hall

The following was noted:

- Page 2 reads; should read: **Town's pre-application and they have submitted the actual application. It has not gone to Governor's Executive Council yet, but they are hopeful that it will and will be passed. As soon as it passes Governor's Executive Council they will be going to work.**

Motion by Phil Winslow to approve the meeting minutes of May 9th as amended. Seconded by Bill Epperson. All in favor.

ADJOURNMENT

Motion by Phil Winslow to adjourn the meeting at 8:52 p.m. Seconded by Tom King. All in favor.

Respectfully Submitted
Dyana F, Ledger