

**TOWN OF RYE - SELECT BOARD
MEETING
Monday, October 17, 2022 – 6:00 p.m.
Rye Town Hall**

Present: *Vice-Chair Tom King (acting as chair); and Selectman Bill Epperson*

Others Present on behalf of the Town: *Town Administrator Matt Scruton and Finance Director/Asst. Town Administrator Becky Bergeron*

6:00 p.m.

I. CALL TO ORDER

Acting Chair King called the meeting to order at 6:00 p.m.

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

At 6:00 p.m., Bill Epperson made a motion to go into Non-Public Session per RSA 91-A:3 II (b) Hiring and (d) Acquisition. Seconded by Tom King. Roll Call: Epperson – Yes, King - Yes.

At 6:41 p.m., Bill Epperson made a motion to come out of Non-Public Session. Seconded by Tom King. Roll Call: Epperson – Yes, King - Yes.

6:30 p.m. RECONVENE PUBLIC MEETING

III. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Acting Chair King reconvened the public meeting at 6:41 p.m. and led the pledge of allegiance.

IV. ANNOUNCEMENTS

- The Wedgewood Festival will be held at the Rye Junior High School on Friday, November 4th from 5:00 to 7:00 p.m. The first festival was held last year and a lot of money was raised. All are invited to attend this fun filled event.
- Trick-or-Treat night will be held on Sunday, October 30th from 5:00 to 7:00 p.m.

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

Wendy Stanley Jones introduced herself to the Selectmen. She is running for District 24 State Representative for Rye and Greenland.

Public Works Director Jason Rucker introduced the Public Works Department's newest hires Roger Harbour and Ryan Bereznoski. Mr. Harbor comes from a municipal background with North Reading and Exeter. He has years of experience as a plow truck driver, driver operator, and equipment operator. Mr. Bereznoski comes from Manchester with a background in delivery services.

The Selectmen welcomed them both to the Town of Rye and look forward to working with them.

Steven Borne, Rye Civic League, noted that Candidates' Night is being held on Thursday, October 20th, 7:00 p.m., at the Rye Junior High School, which will cover Executive Council District 3, State Senate District S24, and Districts H24 and H38. The event will also be available to view by Live Stream.

Steven Borne, as a resident, 431 Wallis Road, noted that people have reached out to him to ask about Parson's Creek and how to receive updates. People have also reached out to him about the Professional Fire Fighters fundraiser and asked about its legitimacy. He would also like to understand how more people can get on the NH Alerts System, as some people did not receive any notices about the recent water boil order. This is an opportunity to help people to understand what the options are for signing up.

Acting Chair King introduced Town Administrator Matt Scruton who started in the position at the beginning of October. The Select Board is looking forward to working with Matt and welcome him to Rye.

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

Acting Chair King pulled all five consent agenda items for discussion.

- A.** Email rec'd from Seana Zelazo re: Her resignation from the Beach Committee effective 9/21/22

An email was received from Seana Zelazo in regards to her resignation from the Beach Committee. Ms. Zelazo is an author and has recently written a new book. She is now busy with promoting her book and is not able to fit the Beach Committee into her agenda. Ms. Zelazo has done a great job on the Committee and will be missed. The Select Board reluctantly accepted her resignation.

The Select Board thanked Ms. Zelazo for her service to the Town and asked that a letter of thanks be sent.

- B.** Email from Shawn Joyce & David Tilton re: Ensuring RCC follows fair/ethical protocols

Acting Chair King explained that he reached out to the Conservation Commission and it appears that this was an oversight. The RCC Chair was attempting to allow a certain member of the Commission to respond to the letter. That member was not in attendance at the September meeting, so it was carried over to the next month's meeting. Because it was carried over, the email was not attached to the minutes. This has since been taken care of in the Commission's October meeting. He pointed out there was nothing nefarious. It was just an administrative error.

- C. Chief Walsh – Event Permit Application: Seacoast Half Marathon, Sunday, 10/30/22, 8:00 – 11:30 a.m. to benefit Portsmouth400

Deputy Police Chief Scott Blaisdell noted that the Seacoast Half Marathon is schedule for Sunday, October 30th from 8:00 to 11:30 a.m. There is a maximum of 1200 runners and the marathon goes through three towns starting in Portsmouth. There will be three officers for the detail. All insurance paperwork is in order.

The organizer of the event confirmed that there will probably be around 800 runners this year, as they are just shy of that number at this time.

Motion by Bill Epperson to approve the event permit for the Seacoast Half Marathon to be held on October 30, 2022 and not to exceed 1200 runners. Seconded by Tom King.

Vote: 2-0 All in favor

- D. Letter rec'd from Lee Arthur re: Her concerns with a solicitation letter from a third-party fundraiser that was sent to residents on behalf of the Professional Fire Fighters of Rye

Fire Chief Mark Cotreau and **Firefighter/AEMT Peter Anania** spoke to the Select Board about the recent third-party fundraising letter that was sent out to residents of Rye on behalf of the Professional Fire Fighters of Rye. It was noted that the third-party company is no longer being used for the Professional Fire Fighters of Rye fundraising events. The letter addressed a fundraiser that the organization had been doing for a number of years. The letter was sent during a transitional period. In the future, the Fire Fighters Union will be having more community-based fundraisers. The union will be organizing fundraisers internally in the future and will be more interactive with the community.

- E. Beach Committee – 3 year Term
 - 1. Cybele Grier: Appointment as an alternate – email rec'd 9/22/22
 - 2. Recommendation letter rec'd 9/22/22 from Mary-Ann Sullivan, Chair

Selectman Epperson noted that Cybele Grier has sent a brief resume outlining her background. Ms. Grier has spent thirty-six years in the IT high-tech industry. She retired last year from Applied Materials where she led a global team of about two hundred people managing multi-million-dollar budgets. She has a BS and MS from Boston University. She is currently on the board at Lovering, a family planning center in Greenland. She also volunteers with 9 to 10 year old girls in a non-profit that empowers girls to become involved in science, technology,

engineering and math (STEM). Ms. Grier has a son attending aviation school in the Marine Corps. Her daughter lives in Los Angeles. Ms. Grier and her husband are very concerned about the ocean and the beach.

Motion by Bill Epperson to appoint Cybele Grier to the Beach Committee as an alternate. Seconded by Tom King. Vote: 2-0 All in favor

3. Recommendation letter rec'd from Mary-Ann Sullivan, Chair regarding the appointment of Joan Zofnass to the Beach Committee as a member

Motion by Bill Epperson to appoint Joan Zofnass to the Beach Committee as a member. Seconded by Tom King. Vote: 2-0 All in favor

Motion by Tom King to accept Consent Agenda Items A, B, and D. Seconded by Bill Epperson. Vote: 2-0 All in favor

VII. DISCUSSION ITEMS

A. PUBLIC HEARING – BODY CAMERA GRANT FUNDS

The purpose of the hearing is to consider acceptance and expenditure of up to twenty-seven thousand four hundred eight-two dollars (\$27,482.00) grant funding from the State of NH Department of Safety for the purpose of reimbursement of 50% of the costs to equip the Police Department with body-worn cameras and cruisers with dashboard cameras as well as the ongoing costs of maintenance and storage of data recorded by body-worn and dashboard cameras.

At 7:01 p.m., Acting Chair King opened the public hearing for the body camera grant funds.

Deputy Police Chief Scott Blaisdell explained that in September, a presentation was given to the Select Board regarding the purchase of body cameras for the Rye Police Department. As part of that, the Town was awarded a grant in the amount of \$27,482 towards the purchase of body cameras within a five year period. The grant was awarded to the Town in June of 2022. The grant now has to be accepted or not accepted from the State. If the Town accepts the grant, but does not end up purchasing the body cameras for any reason, there is no penalty and the money would just stay with the State. The funds will be disbursed by the State as purchases are made and invoices are submitted. The Police Department is requesting the Town accept the grant for the body cameras to be purchased over the next five year period.

It was noted that the grant is a 50% matching grant. The Town will be contributing \$33,000 towards the purchase of the body cameras. The Town's funds will be budgeted in the 2023 budget. It was also noted that the Police Department is in the process of drafting a policy addressing the use of the body cameras. The policy is being guided by State law and other agencies that have already put this program into place.

Lt. Heather Cote spoke about the benefit of having the body cameras. The key benefit is transparency for both the public and the officers. This program will provide a record of exactly

what transpired during a call handled by an officer. There's guidance from the State on record retainage.

Acting Chair King opened to the public for comment. Hearing no comments, he closed the public hearing at 7:08 p.m.

Motion by Tom King to accept \$27,482 in grant funding from the State of New Hampshire Department of Safety for the purpose of reimbursement for costs to equip the Police Department with body worn cameras and cruisers with dashboard cameras, and to authorize Town Administrator Matt Scruton to sign the final grant agreement. Seconded by Bill Epperson. Vote: 2-0 All in favor

Note: *The following agenda item was taken out of posted agenda order.*

- **Rye Water District Boil Order Update**

Rye Water District Commissioners Art Ditto and Scott Marion, along with Water District Superintendent Arik Jones, met with the Select Board to discuss details and updates regarding the recent boil order that was placed on the Rye Water District system on October 12th.

Superintendent Jones outlined the events leading up to the boil order:

- **10/4/22:** RWD conducted routine monthly sampling and delivered those samples to the NH DES lab. Those samples consist of testing for the absence or presence of E. coli and coliform bacteria.
- **10/7/22:** RWD received the results from the sample testing; four positive hits for coliform, no E. coli present in any of the five samples that were taken.
- **10/11/22:** Due to the hits of coliform that were detected on four locations, repeat samples required by NH DES were taken and delivered to the DES lab.
- **10/12/22:** Superintendent Jones was contacted by Jennifer Mates from DES at 1:19 p.m., who informed him there were three E. coli hits; Parsons Road, end of Washington Road, and 271 Lafayette Road.

Selectman Epperson asked if the results are categorized by severity.

Superintendent Jones explained it's absence or presence. Coliform bacteria is a precursor to E. coli. In the first samples, there was a hit for coliform and that is why the repeat samples were taken. Once the E. coli was detected, the boil order went into effect.

Superintendent Jones continued his outline of events:

- **10/12/2022:** After being contacted by Jennifer Mates, DES, Superintendent Jones was in contact with the Water District Commissioners, as well as the Water District operators, town officials, and Police Chief Kevin Walsh. At that time, some inspections were done at the tank site on Washington Road to see if any human or wildlife activity could be detected. Everything was found to be in good condition; screens, vents and a visual internal inspection did not detect any issues.

- **10/12/2022:** Superintendent Jones and RWD Commissioners met with Jennifer Mates from DES to move forward with the Boil Order. Police Chief Kevin Walsh was notified and he moved forward with issuing a public safety notice. The RWD Commissioners worked with Jennifer Mates on public noticing which has strict requirements set by DES. The Water District contacted Seacoast Online and was contacted by WMUR. Public notification was posted to the Water District's website, as well as the Town website.
- **10/13/2022:** Superintendent Jones and Jennifer Mates, DES, meet and the process is started for the Level 2 Assessment of the system, which is required by the State. The Level 2 Assessment is done to help identify potential reasons why E. coli is present. Nothing was identified during that assessment to be a possible reason for the problem. Superintendent Jones and Jennifer Mates also discuss the development of a lift plan to remove the boil order, which might include flushing and chlorination. The final plan will need to be reviewed by DES for approval.

Superintendent Jones noted that repeat samples require a sample of the original hit site, and samples downstream and upstream. The well is also required to be sampled. Due to the fact there were four coliform hits out in the system, there is also a requirement to sample the wells for a colony count of bacteria for each hit of the presence of coliform. The wells had twelve samples pulled in total; four from Garland, four from Bailey Brook and four from Cedar Run. All those samples came back clear. Superintendent Jones emphasized it is not a source issue. It's a distribution issue.

Selectman Epperson asked if the District has the ability to chlorinate if needed.

Superintendent Jones confirmed. He explained that the District does chlorinate during flushing, which is April and October. The District also chlorinates in situations where it is warranted; such as in the case of a main break when there may be potential for contamination at that time. There are various locations throughout the system that have been setup for injecting chlorine while flushing.

Selectman Epperson asked if the District feels they were on top of this as fast as possible.

Superintendent Jones stated that in looking at his notes and the time that he was notified at 1:19 p.m., the public was notified by 4:00 p.m.

Selectmen Epperson commented that he didn't receive anything on his cell or house phones, but that was probably because he wasn't signed up for the alert.

Commissioner Marion stated that they just had a conversation with the Fire and Police Chiefs about coordinating the NH Alert System and that is something that will be worked on moving forward. He pointed out that people can sign up for alerts from the Water District on the District's website, which would be for Water District issues.

Selectman Epperson noted that Eversource sends alerts to his landline. He asked if this is a process that the Water District could follow.

Commissioner Marion pointed out that he received a call on his landline from the State.

Outline of events continued:

- **10/13/2022:** Samples were pulled from the Breakfast Hill site and another sample was pulled on West Road. All samples from that day came back positive for coliform, but E. coli was not detected. E. coli is bacteria from fecal material. Coliform is a large category of bacteria. One of those bacteria is E. coli.
- **10/14/2022:** The RWD staff starts to flush and chlorinate in various areas. The Breakfast Hill tank was taken offline and the water system was put into pressure mode. The operators flush in the areas of West Road, and Parsons Road. A low dose of chlorine was introduced into the Breakfast Hill tank. By the end of day, the tank is shutoff from the system and a super chlorination is done.
- **10/15/2022:** The first set of five lift samples for the system were taken and brought to the lab. It's a 24-hour wait period from the time the lab starts processing the samples. The lab may not process the samples immediately, as they have 72-hours to get them into processing. RWD also works extensively with Seacoast Analytical, which is a State accredited lab that is able to process samples over a weekend. Samples are also hand-delivered to the lab at the Department of Health and Human Services in Concord. RWD Staff continues work on the Washington Road tank and samples are pulled from the tank.
- **10/16/2022:** The second round of lift samples were pulled after 24-hours from the first samples. Those samples were delivered to the lab.
- **10/17/2022:** Test sample results received from the Saturday lift samples are all negative for E. coli; however, two sites have tested positive for coliform. The results negate the first round, as they have to be clear across the board. The lift samples from Sunday have not yet been received, but are anticipated for 10/18. A third set of lift samples were taken and sent to the lab, as there needs to be two sets of clean samples in a row.
An internal inspection of the Breakfast Hill tank was conducted and it was found that the tank was in excellent condition.

Superintendent Jones noted that there have been a lot of calls from residents who are on wells. This is a Rye Water District distribution situation and does not involve private wells.

Acting Chair King stated that it sounds like RWD is doing everything they can with regard to the water situation. However, he is concerned about the notification. Neither he nor his wife got any personal notification on their phones. As a select board member, he was notified by the Town Administrator at 3:21 p.m. by email. He has since learned that people have to register for alerts on both the Rye Water District's website and the NH Alert System. He knows that he is not the only person in town that did not know that.

RWD Commissioner Marion noted that there has been a meeting with both the Fire and Police Chief about this. There is going to be a concentrated effort to get people registered, which will have to be done regularly. RWD will follow the guidance of the two chiefs on this issue.

Acting Chair King stated that through Emergency Management there has to be a better job. There have been two instances; the Seabrook false alarm this past summer and now the boil order. He has received calls from people all weekend who are just now finding out about the boil order. There were some people who are really upset with immune compromised children who were scared. He thinks there is some work to do on the notification side. He commented that he personally thought some Reverse 911 system is supposed to take care of the alerts. Apparently, that doesn't exist.

RWD Commissioner Ditto stated that in going through the acute notification form requirement for DES, they talk about the Reverse 911. DES must have the same reservations about the process because there has to be certification that everyone got the message if Reverse 911 is used. If that certification can't be met, another method that is listed by DES has to be used. In concept, Reverse 911 should work great; however, not everyone has a cell phone and it's not one hundred percent. That is why RWD has the message boards out, has posted in the newspaper, and on the websites. The posting in the newspaper was for three consecutive days. He commented that it's hard to reach everyone. He pointed out that they called the major facilities in Rye to be sure that they knew firsthand; such as, the schools, Benchmark, Webster, and daycare facilities.

Superintendent Jones noted that the District also asks for customer information updates in their billings that go out. In a lot of cases, residents will respond, but there are a lot of residents who don't.

Acting Chair King commented that the District could put out this example of why the contact information is needed.

Selectman Epperson asked if the Reverse 911 Achilles heel is the lack of cell phone service in town.

RWD Commissioner Ditto explained that the DES guidance is statewide, so he doesn't think it's necessarily because a lack of cell service. DES isn't comfortable with that being the solo method.

Fire Chief Mark Cotreau stated that there's going to be an after-action review. The communication piece is one thing that will be reviewed. He continued that it seems as though there are folks who are not signing up. He has heard from folks that they think they are signed up, but still did not get notified. One thing that he and Chief Walsh have to do is to be sure the paperwork is there still. It's a matter of reinforcing the methods that are available for signing up. If people are not sure if they have signed up, they need to sign up. He noted that they have already started working on this issue.

Steven Borne, 431 Wallis Road, stated this first came up when Aquarion had a problem. When the NH Alert System came out it was pushed. However, this is not that simple. This is Rye Water District. How are the people on the Rye Water District system broken out. There are also people in Greenland that receive Rye water. There are different scenarios and different levels of communication. The last question is where did the coliform come from?

Superintendent Jones explained that from this point forward, there are some areas that RWD personnel will be investigating further. If something is identified, this will determine what protocols are put into place to rectify the situation. The downside is that in systems the size of the District and larger, it may never be found. One thing to remember is that RWD not only does State samples that are required, but also sampling that is not required. There are a lot of levels of defense in place. The biggest defense is testing of the water.

RWD Commissioner Marion noted that most likely they will never know what caused this. There may be speculations, but they won't know for sure. He also noted that it's important to be clear that the wells were not contaminated. It's distribution, as opposed to source.

- B.** Request for approval of the Annual Town Holiday Parade – Sunday, December 4th at 3:00 p.m. The parade is coordinated by the Rye Fire Department and the Rye Lions Club with Firefighter Chuck Gallant serving as Chairman.

Motion required: "To approve the Rye Holiday Parade on Sunday, December 4, 2022 as a Town event coordinated by the Rye Fire Department and the Rye Lions Club acting as volunteers on behalf of the Town."

Lt. Chuck Gallant spoke to the Select Board about the upcoming Holiday Parade. This year, the start of the Rye400 Celebration is being combined with the parade. The parade time has been moved from 1:00 to 3:00 p.m. He has worked on the parade rules with Chief Walsh based on rules by the City of Portsmouth. The rules have been reviewed by Fire Chief Cotreau. The whole package was sent to Dave Witham at Primex who is in support. Lt. Gallant asked that the Select Board accept this as a town function and approve the parade rules.

The Select Board reviewed the parade rules submitted. They expressed a few concerns on how restrictive the rules seem. It was agreed that the rules could be accepted for this year and they can monitor how it goes. If one of the rules seems to be an issue for this year, Lt. Gallant will return to the Select Board to discuss.

Motion by Tom King to approve the Rye Holiday Parade on Sunday, December 4, 2022 as a town event coordinated by the Rye Fire Department and the Rye Lions Club acting as volunteers on behalf of the Town. Seconded by Bill Epperson. All in favor.

- C.** Congestion Mitigation/Air Quality (CMAQ) Discussion

Public Works Director Rucker noted that Chair Winslow had asked about this. This is an Air Quality Improvement Grant. Some of the opportunities that might be presented to Rye are non-recreational bicycle and pedestrian facilities, and sidewalks. However, he's not sure there is a lot of opportunity for Rye with this grant.

The Select Board agreed to table the discussion to the next meeting for more information.

D. Chief Cotreau – Discussion on Prehospital Ventilators

Fire Chief Mark Cotreau, along with three of the Fire Department's EMS Coordinators, met with the Select Board to give a presentation on prehospital ventilators and how the purchase of one for the Fire Department would benefit the Town. It was noted that 10% of the Fire Department's calls are respiratory related situations. Another 10% of calls turn into respiratory situations; such as, cardiac respiratory complications. The Towns of Newmarket and Epping are already using the machine. The Department's medical director is very enthusiastic about Rye getting a ventilator. The contract price for the ventilator is \$10,245. Chief Cotreau pointed out that the Department has a donation account. Most donations that are made are for the ambulance. He has been looking for something that would make a critical difference for the community and this fits the bills. There's about \$4,700 in the donations account. Local 4411 has offered \$1,500 from their fundraiser to help fund the ventilator. The amount remaining would be a little over \$4,000. Chief Cotreau confirmed that he can get the remaining funds from the Department's budget. The machine comes with a one-year warranty. There's an extended warranty that Chief Cotreau recommends the Department pickup in next year's budget, which is between \$3,000 to \$5,000 for four years.

Motion by Bill Epperson to approve the purchase of the portable ventilator in the amount of \$10,245.90 with the following proceeds: \$4,700 from the Rye Fire Department donation account; Local 4411 donation in the amount of \$1,500; and \$4,045.90 from the Rye Fire Department Budget. Seconded by Tom King. Vote: 2-0 All in favor

E. Public Works Director, Jason Rucker – Subdivision Acceptance – Stoneleigh Preserve

Public Works Director Rucker stated that the Public Works Department and the Planning/Zoning Administrator would like to notify the Select Board that the Stoneleigh Preserve Subdivision, which consists of Autumn Lane and Signature Drive, has been completed. Final inspections and walk-throughs have been completed. Planning/Zoning and Public Works would recommend, conditioned upon Select Board's approval, pursuant to Warrant Article 19, March 12, 2019, that the Stoneleigh Preserve Subdivision be accepted by the Town. Final paving was completed on August 8, 2022 and everything has been well documented. Lot 1 is still undeveloped and has been twice removed from the original developer of the subdivision. The access to this lot for development can be off of South Road, so there wouldn't be any damage to the existing new pavement in the subdivision.

Acting Chair King opened to the public for comments.

Steven Borne, 431 Wallis Road, suggested that the Town to figure out what the total cost of the subdivision cost the Town; planning board labor hours, building department labor hours, and the settlement.

Motion by Bill Epperson to accept the Stoneleigh Preserve Subdivision as complete. Seconded by Tom King. Vote: 2-0 All in favor

F. Public Works Director, Jason Rucker – Beach Sticker Permits Revenue Dispersal

Public Works Director Rucker respectfully requested that the Select Board consider a reallocation of the beach parking permit funds. He is asking that the beach parking permit funds, which are currently split 50/50 between DPW and the Town of Rye General Fund, be converted to 75/25.

Speaking to Police Chief Walsh, Selectman Epperson asked if parking enforcement is paid from that fund.

Chief Walsh confirmed that 60% operates parking enforcement and 40% goes to the general fund. There's also a line item that is used to pay for the beach stickers from these funds.

Selectman Epperson asked Director Rucker why he wants the split to be 75%.

Director Rucker explained that historically, the DPW's beach expenditures have exceeded the revenue. All costs of services from contractors are increasing dramatically.

Finance Director Becky Bergeron pointed out that historically, Beach Fund 12 has been in a deficit and the auditors have made note of that for several years in a row. The Town needs to fund that account more and/or increase the price of the beach parking permit. Last year, the amount of \$11,000 had to be transferred from the general fund to cover the multi-year deficit. The only reason the fund won't be in a deficit this year is because the beach was not cleaned this year due to equipment failure. Her recommendation is to relocate to 75/25 or to dramatically increase the cost of the beach parking permit. She explained that it will take a warrant article to reallocate the funds.

Steven Borne, 431 Wallis Road, suggested that they do some research because he believes there was a warrant article in the past that allocated 50% of the beach sticker funds for monitoring. He doesn't think that raising the cost will cause the Town to lose to many beach sticker sales. Costs are going up and an increase is warranted.

The Select Board agreed that at this time, the 75/25 takes care of the issue that the auditors had. They will have to address the cost of the beach parking stickers in the future. The Select Board will need to put a warrant article forward for 2023 to reallocate the funds.

G. Work From Home Policy

Police Chief Kevin Walsh spoke to the Select Board about the Work from Home Policy that he drafted during his time as interim town administrator.

The Select Board agreed that the policy should be sent to each department head for review.

H. Discharge of Lien from 1984 on 62 Big Rock

Finance Director Bergeron explained this is a minor housekeeping issue. The Town has no record that a prior hardship lien still exists on this property for any funds owed. The City of Portsmouth has also confirmed that they do not have any outstanding liens. The lien on the property just did not get released when it was supposed to.

**Motion by Tom King to discharge the lien on 62 Big Rock Road dated April 2, 1984.
Seconded by Bill Epperson. Vote: 2-0 All in favor**

I. Current Town Hall Building Future Renovations

Tabled to the next meeting

J. NH Alerts System

Police Chief Kevin Walsh stated that when the NH Alert System first came out, they were diligent about the advertisement. He and Fire Chief Cotreau will get together to be sure the proper information is redistributed. They will put out a campaign, which will be tunneled through all town departments, to get the word out about how to sign up for the alert system. The key is to encourage people to sign up for the alerts. There also has to be continuous campaigning for sign ups every six months. He noted that there will be a review of the current boil order notification process and what could have been done better.

K. Rye Water District Boil Order Update

Addressed earlier in the meeting. See minutes above.

VIII. CORRESPONDENCE

A. Email rec'd from Laura Webb, Rye Lions Club President re: Trek Benches the club would like to donate to the Town.

Laura Webb, Rye Lions Club President, spoke to the Select Board about the possible donation of trek benches to the Town from the Rye Lions Club. The benches are made out of plastic bags. They have two benches they would like to donate. She suggested the locations of the Town Hall Annex and the Public Safety Building for the benches.

The Select Board agreed to take this under advisement and find a place for the benches. They will get back to Ms. Webb. They thanked the Lions Club for their gift.

IX. NEW BUSINESS

Public Works Director Rucker presented a letter of resignation to the Select Board from **Public Works Employee Lee Adams**.

After review of the letter, the Select Board thanked Mr. Adams for his 32-years of service to the Town and wished him well in his retirement.

**Motion by Tom King to accept Lee Adams resignation. Seconded by Bill Epperson.
Vote: 2-0 All in favor**

X. OLD BUSINESS

A. Gazebo Restoration

Selectman Epperson noted that the Heritage Commission agrees that the base of the gazebo is worthless. The historical top of the gazebo is really what they want to save. Triple Construction has agreed to construct a base for the gazebo, which will include the top. A couple of companies have agreed to do the site work pro-bono, once it is built. The Heritage Commission has also applied for a couple of grants for gardening around the gazebo.

B. Harbor Road Bridge Update

Public Works Director Rucker gave an update to the Select Board in regards to the Harbor Road bridge repairs. The ground penetrating radar scan concluded three prestressing strands in each of the bridge beam stems or girders. With this new information and a new road rating calculated, there will be about as much load capacity that was determined in 2018 during the deck rehabilitation project. In its current configuration with one lane, the bridge will be back to its old load rating, prior to finding this deficiency. He confirmed that a fire truck, ambulance, and oil truck are able to cross the bridge. He noted that the money was well spent on the radar scan. Hoyle Tanner has recommended that the Town go through the correct process of a superstructure replacement. They recommend that the next steps would be to create a more robust traffic control plan. The Town also needs to work on getting a new contractor, as the current one is about to expire. The intent is to get a new contract for a superstructure replacement, which would include design, development of construction drawings, and bid documents. Standard operating procedures for these kinds of structures will be followed for the replacement and repair.

XI. OTHER BUSINESS

A. Meeting Minutes

1. Meeting, Friday, September 2, 2022, 8:00 a.m., Town Hall

Motion by Bill Epperson to approve the meeting minutes of September 2, 2022 as presented. Seconded by Tom King. All in favor.

2. Non-Public Session, Friday, September 2, 2022 (1) per RSA 91-A:33, II (b) Hiring

Motion by Bill Epperson to approve the non-public meeting minutes of September 2, 2022 and to seal. Seconded by Tom King. All in favor.

3. Meeting, Monday, September 12, 2022, 5:30 p.m., Town Hall

Motion by Tom King to approve the meeting minutes of September 12, 2022 as written. Seconded by Bill Epperson. All in favor.

4. Meeting, Monday, September 19, 2022, 6:30 p.m., Town Hall

**Motion by Tom King to approve the meeting minutes of September 19, 2022 as written.
Seconded by Bill Epperson. All in favor.**

ADJOURNMENT

Motion by Tom King to adjourn at 9:02 p.m. Seconded by Bill Epperson. All in favor.

Respectfully Submitted,
Dyana F. Ledger

10-17-22 Consent Item B

Janice Ireland

From: Shawn Joyce <sjoyce@nerallc.com>
Sent: Wednesday, October 5, 2022 9:51 AM
To: Janice Ireland; William Epperson; Phil Winslow; Tom King; d.truslow@comcast.net; Dyana Ledger; heathersoberg@hotmail.com; ojgrote@mac.com; jeffsawako@hotmail.com; klwolver@comcast.net; Katharine Brown; Kim Reed; mgarvan@comcast.net; Padi Anderson; Sally King; Shawn Joyce; Susan Shepcaro; suzanne.ryeconservation@gmail.com; Vikki Howard; Kevin Walsh; Bob McGrath; Kacie Burgoyne; s.borne@comcast.net
Cc: Dave Tilton - Tilton Equipment Company (dbtiltonsr@gmail.com); Shawn Joyce
Subject: Ensuring RCC Follows Fair/Ethical Protocols

Dear BOS:

Please see the following letter that was sent to the RCC on 8/24/22.

It was never acknowledged on the RCC's public agenda, nor was it included with the public minutes of the meeting, even though it was clearly requested.

This is a reoccurring issue with matters RCC leadership would rather not objectively address. It is unethical, suppresses fair process, transparency and distorts the public record. As stewards of the town, RCC leadership should embrace working with the public and not have the ability to disregard public communication.

The practice allows residents to question the integrity of Rye's government. Considering several RCC members take part in Rye's election process, and one is a State Representative, it's even more important they be required to follow ethical protocols. We ask that the BOS consult with the town attorney to ensure this happens.

In closing, we respectfully request that this email be noted as received on the 10/17/22 meeting agenda and included with the public minutes that are circulated by email and posted on the town's website.

Respectfully – Shawn & Dave

Shawn Joyce
PO Box 5
270 Washington Rd
Rye, NH 03870

David Tilton
390 Washington Rd
Rye, NH 03870

From: Shawn Joyce <sjoyce@nerallc.com>
Sent: Wednesday, August 24, 2022 9:56 AM
To: Janice Ireland <Jireland2@RYENH.US>; William Epperson <WEpperson@town.rye.nh.us>; Phil Winslow <philwins@gmail.com>; Tom King <tking@town.rye.nh.us>; Danna Truslow <d.truslow@comcast.net>; Dyana Ledger <dyana.ledger@yahoo.com>; Heather Reed <heathersoberg@hotmail.com>; Jaci Grote <ojgrote@mac.com>; Jeff Gardner <jeffsawako@hotmail.com>; Karen Oliver (klwolver@comcast.net) <klwolver@comcast.net>; Katharine Brown <kkab1979@gmail.com>; Kim Reed <KReed@town.rye.nh.us>; Mike Garvan <mgarvan@comcast.net>; Padi Anderson <padi.anderson@gmail.com>; Sally King <sallyking57@yahoo.com>; Shawn Joyce <sjoycemail@comcast.net>; Susan Shepcaro <sshepcaro@yahoo.com>; Suzanne McFarland <suzanne.ryeconservation@gmail.com>; Vikki Howard <howardvc@hotmail.com>; Kevin Walsh <KWalsh@town.rye.nh.us>; Bob McGrath <rye603aco@gmail.com>; Kacie Burgoyne <kburgoyne@town.rye.nh.us>

Cc: Dave Tilton - Tilton Equipment Company (dbtiltonsr@gmail.com) <dbtiltonsr@gmail.com>; Shawn Joyce <sjoyce@nerallc.com>
Subject: Protecting Wildlife & Supporting Leash Zone Compliance

Dear RCC & BOS Members:

In follow up to our email below dated 2/23/22, wildlife inventory cameras were deployed in the Town Forest from 6/14/22 through 8/18/22 in an area that is protected by the Town of Rye Selectmen Ordinance No 35 - Town Forest Leash Ordinance.

https://www.town.rye.nh.us/sites/g/files/vyhlf3751f/uploads/35_bos_dog_leash_ordinance_town_forest.pdf

The same area the cameras were deployed is also protected by the RCC green trail leash zone during the breeding season. RCC Meeting Minutes B. Dog leash requirements in section of Town Forest

https://www.town.rye.nh.us/sites/g/files/vyhlf3751f/minutes/02-10-22_cc_minutes.pdf

There are 206 images of people with dogs. 23% of them had their dogs leashed which is great. The other 77%, many repeat offenders, including an RCC member and their partner, did not. There were only a few wildlife images in very early morning hours and/or at night when off leash dogs were not present.

The poor compliance adversely impacts the wildlife reserve area. It also leads to off leash dogs running wildlife through adjacent private property and over Washington Rd, reasons for Ordinance No. 35. With the fall approaching and more dogs coming off beaches into the forest, we ask the BOS and Rye PD to enforce the leash zones covered by Ordinance No 35.

In closing, we respectfully request that this email be noted as received on the next RCC and BOS meeting agendas and included with the public minutes that are circulated by email and posted on the town's website. We would also like to continue to extend that if the RCC and BOS would like any help from us with conservation efforts, please let us know. We are very willing to do the work and glad to help. Above all, we sincerely appreciate folks doing the right thing for conservation, protecting wildlife and habitat, and ensuring that all uses are compatible.

Sincerely – Shawn & Dave

Shawn Joyce
PO Box 5
270 Washington Rd
Rye, NH 03870

David Tilton
390 Washington Rd
Rye, NH 03870

From: Shawn Joyce <sjoyce@nerallc.com>

Sent: Wednesday, February 23, 2022 5:23 PM

To: Janice Ireland <JIreland2@RYENH.US>; William Epperson <WEpperson@town.rye.nh.us>; Phil Winslow <philwins@gmail.com>; Tom King <tking@town.rye.nh.us>; Danna Truslow <d.truslow@comcast.net>; Dyana Ledger <dyana.ledger@yahoo.com>; Heather Reed <heathersoberg@hotmail.com>; Jaci Grote <oigrote@mac.com>; Jeff Gardner <jeffsawako@hotmail.com>; Karen Oliver (klwoliver@comcast.net) <klwoliver@comcast.net>; Karen Rolecek <krolecek@gmail.com>; Katharine Brown <kkab1979@gmail.com>; Kim Reed <KReed@town.rye.nh.us>; Mike Garvan <mgarvan@comcast.net>; Padi Anderson <padi.anderson@gmail.com>; Richard Snierston <rss222@comcast.net>; Sally King <sallyking57@yahoo.com>; Shawn Joyce <sjoycemail@comcast.net>; Susan Shepcaro <sshepcaro@yahoo.com>; Suzanne McFarland <suzanne.ryeconservation@gmail.com>; Vikki Howard <howardvc@hotmail.com>; Kevin Walsh <KWalsh@town.rye.nh.us>; Bob McGrath <rye603aco@gmail.com>

Cc: Shawn Joyce <sjoyce@nerallc.com>; Dave Tilton - Tilton Equipment Company (dbtiltonsr@gmail.com)

<dbtiltonsr@gmail.com>

Subject: RE: 2/10 CC Minutes

Dear RCC and BOS Members:

We read the minutes from the 2/10/22 RCC meeting regarding continuation of the dog leash requirement in the wildlife reserve area of the Town Forest. There was discussion among long term RCC members who believe there is a lack of data regarding the effectiveness of the dog leash zones with protecting wildlife and habitat. We would like to offer the following:

On 9/28/21, there was an excellent presentation at the Rye Library called "Rye's Wild Neighbors," which focused on living with wildlife and preventing conflicts. Bob McGrath, Rye's former Animal Control Officer, and Sgt Jeremy Hawkes of New Hampshire Fish & Game did a nice job educating residents. It was an excellent opportunity for RCC members to have participated, supported, and attended yet they can still watch the livestream. https://townhallstreams.com/stream.php?location_id=66&id=40145.

At 1:14:41 into the presentation, Mr. McGrath recounted the saddest moment of his tenure when last spring he had to pick up a freshly killed fawn by an off-leash dog on Rye conservation land. The majority of these kind of incidents are not reported. Mr. McGrath went on to say that dogs should be leashed on town land during breeding season. Sgt Hawkes, who has made many visits to the Town Forest and bordering private land, recommends that dogs always be leashed to protect wildlife and habitat.

On 3/11/21 the RCC received a letter from NH Fish & Game regarding resources for protecting wildlife and habitat. The RCC has never had a public discussion about the letter, its resources and the importance of wildlife and habitat conservation. Last year we respectfully asked that all RCC and BOS members watch the Trails for People and Wildlife Webinar at <https://wildlife.state.nh.us/trails/>. It is an excellent overview of best practices included in the Trails for People and Wildlife Guidebook, authored by well-respected wildlife biologists. It can also be downloaded at the webinar link. We again ask that RCC members utilize this valuable, credible resource.

It was obvious from last year's public Town Forest discussions that a few long term RCC members had not read the guidebook and/or sought input from competent wildlife biologists. They lobbied against protecting wildlife and sensitive habitat from unleashed dogs. It was great that selectperson Roman was involved at that time. She had done her homework, reviewed the forest easements that protect wildlife and habitat. She brought a level of transparency and fairness to the discussions resulting in the RCC majority voting to do the right thing, requiring that dogs be leashed on the green trail at least during breeding season.

Moving forward, it would be great if the RCC conducted a public discussion as to how it intends to educate its members, follow best practices as outlined in the guidebook for all Rye's conservation land and seek residents' comments, feedback and assistance. That would preclude future needs by citizens to continue to engage selectmen, easement holders, wildlife biologists and advocates for their support with the protection of wildlife and habitat in Rye. We love dogs. However, with all the communities with leash laws, Rye has become the seacoast's dog park for personal and commercial off-leash use at the expense of wildlife, habitat and other users of the land. Sensitive, wildlife and habitat reserve parcels deserves protection.

In closing, we respectfully request that this email be noted as received on the 2/28/22 BOS and 3/10/22 RCC meeting agendas and it be included with their public minutes that are circulated by email and posted on the town's website. This allows residents to also be aware of this great resource and the RCC being asked to have a public discussion about it. If discussions are open, honest, transparent, based on facts and best practices, more people will want to get involved, help the RCC and the town. If you would like any help from us with conservation efforts, please let us know. We are very willing to do the work and glad to help. Above all, we sincerely appreciate folks doing the right thing for conservation, protecting wildlife and habitat, and ensuring that all uses are compatible. Sincerely – Shawn & Dave

Shawn Joyce

David Tilton

10-17-22 Disc Item B

ANNUAL RYE HOLIDAY PARADE DECEMBER 4th

The Town of Rye and The Rye Lions Club would like to invite your organization to participate in the annual Rye Holiday Parade. This year will be a little different, as the Holiday Parade will be the kick off of the Town of Rye's 400th Anniversary celebration. After the Parade there will be a candle light stroll through the center of Town and end with a tree lighting ceremony at Parsons Field, sponsored by the Rye400 Committee and the Rye Historical Society.



Date/Time: Sunday, December 4, 2022 at 3:00 p.m.

The parade will form behind Webster at Rye, 795 Washington Road at 2:00 p.m. and will march along Washington Road to the Rye Junior High School.

Trophies will be awarded to the winning entries following the parade at the Rye Junior High School.

This year's theme will be "VINTAGE RYE HOLIDAY".

Please return entry forms as soon as possible to: Attention: Parade Chairman, Rye Fire Department, 555 Washington Road, Rye, NH 03870. For additional information call (603) 964-6411.

Thank You,

Chuck Gallant
Rye Holiday Parade Chairman

Organization _____

Address _____

Phone _____ Email _____

Contact person _____ Phone _____ Email _____

Type of entry - Please circle: BUSINESS NON-PROFIT FIRE APPARATUS FLOAT BAND WALKING
UNIT EQUESTRIAN

- **ANY FLOATS CARRYING CHILDREN MUST HAVE ADULTS ON BOARD TO SUPERVISE CHILDREN. NO EXCEPTIONS.**

This parade is a town event coordinated by the Rye Fire Department.



Parade Rules and Conditions

Town of Rye, New Hampshire



- No items of any sort will be thrown from moving vehicles or floats to spectators
- Participants shall not get on or off floats while the float/parade is underway
- Walking participants shall not retrieve items like candy from floats while moving
- Alcoholic beverages and other controlled substances are prohibited
- Equestrian units must have a clean-up person in keeping with the entry
- Vehicle operators will possess the proper licensure for the vehicle being operated
- The float/vehicle shall be properly registered and insured with copies of said documents available
- Portable generators will be securely mounted as well as a fire extinguisher readily available
- Children must have adult supervision before, during, and at the end of the parade
- Persons riding bicycles in the parade are required to wear a helmet
- Floats shall not be more than 35 feet long and no more than 12 feet high
- All floats/vehicles must have wheel guards on rear wheels exceptions with approval include antique vehicles or horse drawn carriages not originally designed to have wheel guards but shall travel at walking speed with an adult walking on each side while in motion during the parade
- All participants on floats must be seated with a safety barrier 360 degrees around them and with children in addition an adult shall be on both sides of the float
- Any standing participants must wear a safety belt or harness to prevent falls from the float

I hereby certify that I have read and understand the rules and conditions stated set forth by the Town of Rye, New Hampshire.

Printed Name: _____ Signature: _____

Date: _____

***Insurance is required for all vehicles, Groups, or Organizations**

A certificate of Insurance for General Liability (Bodily injury and property Damage) and Automobile Liability (If vehicle is in your entry) shall be required of **All Entries with no Exceptions**

Liability Insurance Provided Parade Official Sign-Off Initials _____