

**TOWN OF RYE - SELECT BOARD
MEETING
Monday, February 27, 2023 – 5:15 p.m.
Rye Town Hall**

Present: *Acting Chair Tom King and Selectman Bill Epperson*

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

5:15 p.m.

I. CALL TO ORDER

Acting Chair King called the meeting to order at 5:18 p.m.

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

At 5:18 p.m., Tom King made a motion to go into Non-Public Session per RSA 91-A:3 II (d) Acquisition. Seconded by Bill Epperson. Roll Call: Epperson – Yes, King - Yes.

At 5:41 p.m., Tom King made a motion to come out of Non-Public Session. Seconded by Bill Epperson. Roll Call: Epperson – Yes, King - Yes.

At 5:45 p.m., Tom King made a motion to go into Non-Public Session per RSA 91-A:3 II (a) Personnel. Seconded by Bill Epperson. Roll Call: Epperson – Yes, King - Yes.

At 6:26 p.m., Tom King made a motion to come out of Non-Public Session. Seconded by Bill Epperson. Roll Call: Epperson – Yes, King - Yes.

Motion by Tom King to seal the minutes of the non-public sessions just held. Seconded by Bill Epperson. All in favor

6:30 p.m. RECONVENE PUBLIC MEETING

III. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Acting Chair King reconvened the public meeting at 6:31 p.m. and led the Pledge of Allegiance.

IV. ANNOUNCEMENTS

- The Town Election will be held on Tuesday, March 14th with polls being open from 8:00 a.m. to 7:00 p.m. at the Rye Elementary School. Requested town absentee ballots have been mailed to residents; however, the school ballots were not available for the mailing. School ballots should be available within the next few days and will be mailed as soon as possible. Voters are encouraged to follow up with the Town Clerk's office with any questions.

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.)

- DPW Director Jason Rucker introduced Jim Chase the new transfer station attendant. He has been working with the department for a week and offers many skills to the position. Mr. Chase has a CDL with truck driving and mechanic experience. He also has welding and heavy equipment experience. Mr. Chase has over fifteen years of experience running operations at the Portsmouth Country Club, as the facilities operation manager.
The Selectman welcomed Mr. Chase to Rye and look forward to working with him.
- **Rosalie Lopresto, 64 Liberty Common**, spoke about the Breakfast Hill Landfill monitoring report. She noted that back in 2021, Section 6E of the report states “the landfill currently poses minimal risk to human health and the environment.” She would like to know if they feel that is still the case. She continued that the Grove Road Landfill report states “the landfill is achieving post-closure performance standards.” She would like to know if this is still the case, in light of the new changes from the EPA on PFOS and PFOA. She pointed out that the Grove Road Landfill sits on Rye's most pristine stratified aquifer. Rye really needs to preserve its drinking water supply. She asked if there are any comments for future remediation or other plans for the two landfills.
- **Joe Cummins, 990 Washington Road**, thanked the Select Board for influencing the decision to allow brush to be brought to the Transfer Station on any day the station is open. He also thanked them for pushing back the date that cash will no longer be allowed at the Transfer Station. Mr. Cummins spoke about the process of the Budget Committee.

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

- A. **Letter rec'd from Heather Reed** re: Her resignation from the Conservation Commission

Acting Chair King noted that Heather Reed has been a volunteer for the Conservation Commission for several years. He asked that a thank you letter be sent to Ms. Reed for her service on the Commission.

VII. DISCUSSION ITEMS

A. PUBLIC HEARING – RYE WATER REIMBURSEMENT OF FUNDS

The purpose of the hearing is to consider acceptance and expenditure of twenty-four thousand four hundred eighty-two and 80/100 dollars (\$24,482.80) in funds received from the Rye Water District for reimbursement of bottled water that was distributed to residents during the boil order.

Acting Chair King opened the public hearing at 6:41 p.m. No questions or comments were heard from the public. The public hearing was closed at 6:42 p.m.

Motion by Bill Epperson on behalf of the Rye Select Board to authorize the acceptance of twenty-four thousand four hundred eighty-two and 80/100 dollars in funds received from the Rye Water District to defer the cost of water provided by the Emergency Management Department during the boil water event. Seconded by Tom King. All in favor.

B. Breakfast Hill Landfill Testing Results and Future Testing Plans

Craig Musselman, CMA Engineering, along with **Jodie Strickland, CMA Project Engineer**, met with the Select Board to give a presentation on the testing results and future testing plans for the Breakfast Hill and the Grove Road Landfills.

The Breakfast Hill Landfill was started by the Town of Rye when the Grove Road Landfill closed around 1975. The landfill operated from the mid-70's to the early 80's. It was an unusual landfill at the time. The Public Works Director at that time, had the idea that there should be some clay beneath the landfill. This may have been the first effort at lining a landfill in the mid-70's. Trenches were excavated and clay was put in the bottom of the landfill. The clay wasn't continuous laterally, so water went through the trash still, hit the clay and seeped into the groundwater. Later, there was a deal made between the Town of Rye and the City of Portsmouth to accept trash from the waste energy plant at Pease. The last layers of the Breakfast Hill Landfill were ash. With some of the contaminants, PFAS in particular, ash is less of a source than trash. The landfill was eventually capped with a soil cap. The Breakfast Hill Landfill is located on the corner of Route 1, Washington Road, and Breakfast Hill Road on the left side of Lafayette Road. There are a series of monitoring wells for the landfill. The groundwater in that area flows across the end of Washington Road and Lafayette Road. It flows in a northeasterly direction towards the homes on Random Road, through conservation land and eventually recharging into Bailey's Brook. The Breakfast Hill Landfill site has nothing to do with the Rye Water District water source. To the best of CMA's knowledge, there is no private well being used for drinking water in this area. Also, to the best of CMA's knowledge, there has never been thought by the Town of Rye to excavate the landfill.

CMA Engineering monitors landfill sites in N.H. to meet State regulations. The regulations generally require that drinking water standards be met within the Groundwater Management Zone. Two of the monitoring wells showed exceedance of manganese over the years and were not in compliance with the monitoring regulations. The Town, in response to a suggestion from

DES, established a zoning overlay over the property that is now condominiums (at the end of Washington Road), so the groundwater on the site could not be used as a drinking water source. There is a test well near that development at the end of Washington Road, which is a downgradient well from the landfill. That well now shows exceedances for PFAS and manganese.

PFAS stands for per-and polyfluoroalkyl substances. Four of those substance compounds are regulated in N.H. The State of N.H. has some of the lowest drinking water standards in the Country. PFAS is measured in parts per trillion for drinking water. PFOA and PFOS are most relevant at the Breakfast Hill Landfill, which are common with landfills. There are many different landfills around the State and almost all have PFAS, which is a compound that is widely used in many different products. Over the years, compounds have been changed so the regulated compounds are not being manufactured as much as before. PFAS can be found in groundwater commonly. It is almost always found downgradient of landfills. It's also in waste water, so it's found downgradient of septic systems. PFAS are called forever chemicals and do not degrade. The level of PFOA in Monitoring Well (MW) 6-A has consistently been in exceedance. The standard is 12 ppt and the MW-10 well tested at 15.8 ppt and 39.9 ppt last time. From a regulatory standard, MW-10 is showing an exceedance, which has been the case for the last two years. Probably sometime in 2023, the Town will most likely need to extend the zoning overlay to prohibit the use of groundwater for drinking purposes. The last time the zoning overlay was put in to place, the property owners in that area had no issue as they were being served by Rye Water District anyway. The Town will need to confirm that everyone downstream, in the Random Road area, is connected to Rye Water based on the District's connection data. As long as no one is drinking the groundwater in that area, the water will flow downhill and eventually discharge to Berry's Brook. It will have no surface water quality impact. If a new monitoring well is installed, it may be best at the end of Random Road in the conservation land area. As long as everyone is using public water, it should be a nonissue. Establishing another monitoring well in this area would be done through discussions with DES.

Rosalie Lopresto, 64 Liberty Common, asked how it is known that there are no drilled wells in the Random Road area.

Mr. Musselman explained that it's believed that any private well in that area is not being used for drinking water purposes now. However, a completely thorough search has not been done. The property at 6 Random Road used to have a well that was used for drinking water; however, they connected to Rye Water about two years ago. That property is sampled annually as part of this program. It has not shown hits of PFAS for the past three or four years, and there were low levels prior to that. If there is anyone on Random Road who is on a private well for drinking purposes, the Town needs to know.

Dr. Lopresto asked if there is a way to monitor the wells more than once per year to give more current data.

Mr. Musselman explained the wells are monitored in accordance with a DES Groundwater Discharge Permit. This site has been monitored since the late 90's so there is 25 years of data. Up until analyzing for PFAS started, it was found that the contaminants levels were in steady

decline. As the contaminant levels subsided, most of the sites went from testing twice a year to once a year. DES did this a good while ago with the Breakfast Hill Landfill. In fact, the levels aren't varying much and it's expected to slowly subside over the next few decades. It is unlikely that there will be a spike. On this site, as long as no one is using the groundwater downgradient for drinking water purposes, twice a year testing would not be necessary as it would only give more data but it would be in the same ranges. For the Breakfast Hill Landfill, it would not be necessary to do more testing during the year. For the Grove Road Landfill, the Town and the Water District are both proposing to do testing more regularly and that is a much more sensitive site. Mr. Musselman commented that the current frequency of sampling for the Breakfast Hill Landfill is acceptable.

Arik Jones, Superintendent for Rye Water District, confirmed that all properties on Random Road are connected to Rye Water. Adam's Trailer Park is also connected, as well as the developments on Airfield Drive.

Acting Chair King asked Mr. Musselman if it is his opinion that testing once per year is sufficient and the current budget is sufficient to continue to monitor as is.

Mr. Musselman replied that for 2023 it is sufficient. If DES asks the Town to install a monitoring well in addition to MW-10 downgradient, it would not be covered under the current budget. There would be a process with DES to locate the monitoring well and get all approvals. That would have to be under a separate budget. A zoning overlay expansion would have to be a town meeting vote in 2024, if it gets to DES in time.

Acting Chair King asked who would initiate the request for a new monitoring well.

Mr. Musselman explained that the CMA staff could contact DES to have discussions. He suggested that contact be made before 2023 is over to see how DES wants to proceed.

Ms. Strickland pointed out that the Groundwater Management Permit for the Breakfast Hill Landfill needs to be renewed in October, so the additional monitoring well can be part of that discussion.

Howard Kalet, 90 Colburn, stated that it appears that the data shows the lowest detectable limit as 5 ppt.

Mr. Musselman noted it's in the 4's and keeps going down. At this time, the testing result is 2.05 ppt and previously, it was 4.05 ppt. He further noted that the testing is done in labs in California. They are highly regulated and it's exacting testing. There is variability in every data point. The variability can be from the sampler, the equipment, or lab variability.

Ms. Strickland commented it could be from personal care products the sampler is wearing. There's a huge list of protocols for people who sample for PFAS and what they are allowed to wear.

Mr. Musselman stated that if there is a number that was 6.54 ppt last year and it's 6.09 ppt this year, it's not different. It's an incredibly small number. However, there is no question there is some variability. Mr. Musselman reiterated that there is a downwards trend for the Breakfast Hill Landfill. The PFAS numbers now appear to be lower than they were in 2017 when sampling started.

Lisa Sweet, 7 Winslow Way, asked about the comment made that N.H. has the lowest drinking water standard.

Mr. Musselman explained that N.H. is more stringent with drinking water standards.

Ms. Sweet questioned PFAS.

Mr. Musselman noted that PFAS is found in makeup, personal products, pots and pans, and clothes. It's found in just about everything.

The presentation continued with the Grove Road Landfill. It's not entirely sure how old the Grove Road Landfill is, which is located on a dirt road off Grove Road. It was the town dump from the late 1920's until 1975. It was a burning dump for the first 30 years. It may be that the landfill goes back earlier than the 1920's. In 1975, the Rye Water District established the Garland Road Well. At that time, the Rye Water District bought the site from the Town and the solid waste operation stopped. The waste at this landfill is about twenty feet deep in the middle. In one corner, it had a very small fire pond that went down to the groundwater table. It was very deep and narrow. At the end of operations, the fire pond was backfilled with trash. Beneath the site, the original groundwater table is moving from north to south and trending southeast. Groundwater generally flows from Washington Road, across the site, and towards the Rye Water District's Garland Well.

The monitoring wells for the Grove Road Landfill include an upgradient well (MW-1), which may be impacted by waste material above that location and may not be truly upgradient. The downgradient wells for this site are MW-5, MW-3, and MW-3D, which is monitoring what is coming down from upgradient. MW-6 is on the edge of the site. In 1995, two of the wells were not functioning properly and giving odd data. At that time, CMA Engineering put a well right into the area of the trash sitting in the groundwater. The groundwater at that site is now much higher than the regional groundwater level because when trash gets wet, it keeps water from draining down. CMA has found that monitoring in MW-6, which is immediately downgradient of the small fire pond, a higher source of PFAS concentrations is being seen, which is coming from the waste that is in groundwater.

There was some silty soil that was put on top of the Grove Road Landfill site in the 80's. The surface doesn't drain off site, so precipitation moves through the waste. There were exceedances at MW-6, so the Groundwater Management Zone was expanded and MW-102 was installed, which is now the downgradient well for compliance purposes. MW-102 is upgradient of the Garland Well. MW-101 is the monitoring well that is in the trash in the groundwater perched above the regional groundwater table. MW-6 and MW-101 are all in exceedance of established standards. MW-102 has shown no exceedances. This monitoring well is about halfway between

the landfill and the Garland Well site, and sits in the likely flow direction. MW-102 is showing similar levels to what the Garland Well is showing, which are both within drinking water standards. The levels in the monitoring wells within the Grove Road Landfill itself are not showing that they are going down. A downward progression can be seen for the Breakfast Hill Landfill. However, the most critical monitoring locations at the Grove Road Landfill are showing similar levels with each sampling. It appears from the data that the significant concentrations are coming from what used to be the old fire pond and not nearly so much from the old (mostly ash) trash that is sitting on site.

Consideration was given in 1995 to cap the landfill. If the site were to be capped, the trash would need to be excavated out of the groundwater, which would be difficult to do. There was also concern that the process of construction equipment driving over the site to put a plastic cap on top would likely create more groundwater quality impact than what was occurring. The Grove Road Landfill is a “pre-81 landfill.” DES’s solid waste regulations came into play after this landfill stopped operating. The requirement that the landfill site be capped does not apply to the Grove Road Landfill. There was also consideration given to putting in some finer soil and clay to get it to drain positively. The concerned voice at that time was that the equipment on top of the landfill might create more groundwater quality impact than it would resolve.

Mr. Musselman noted that from an administrative standpoint, the Town is okay. He’s not sure there is any more monitoring that should be done. The Water District requested this year that the program be changed from once per year, which is required by DES, to test three times per year. CMA is now proposing to test MW-102 and MW-1 in April, July, and October, which are the months that correspond with the Water District’s single sample at the production well. In terms of a resolution, the levels are below an aggressive drinking water standard and it’s treatable. There are PFAS contaminated public water sources in NH that are now treated by using activated carbon for treatment of the public water supply. There are a number of municipalities that have built treatment facilities. It’s doable; however, it costs money; such as, capital, operation, and maintenance costs.

Dr. Lopresto asked about Fire Fighting Foam B (AFFF), which was used to put out a fire in 2012 in the area slightly downgradient in the southeasterly direction of MW-3D. Just this year alone, MW-102 shows PFAS and it didn’t show it before. It’s known that AFFF is PFAS. It makes sense that this is why PFAS is being seen in MW-102.

Mr. Musselman noted that the fire was in a vehicle right next to MW-103. Foam was used for that fire. It was a relatively small quantity. MW-102 and TW-1574 would have been the monitoring location to monitor for that event, as they are downgradient of the event. In looking at MW-102 and MW-1, the levels are not different. With the monitoring system that is in place, data is showing that downgradient MW-102 has similar levels to what is being seeing in MW-1. Also, high levels are not being seen in MW-3 and MW-3D. CMA believes the short-term incident has been monitored. The more significant source for years, and continuing, is the fire pond that shows up in MW-6. If there were a significant source it would have been seen at some point in MW-102; however, the travel time from the fire event to MW-102 would have to be calculated and taken into consideration. Mr. Musselman reiterated that he doesn’t think the AFFF is a significant source compared to the landfill.

Acting Chair King asked if it's anticipated that there will be a need to expend the Groundwater Management Zone for this landfill or add more monitoring wells.

Mr. Musselman replied that he doesn't anticipate that, unless different data is seen out of MW-102. With most of the landfill sites, he thinks the levels will subside. However, he doesn't think that will be much the case on the Grove Road Landfill site because there is trash in the groundwater. He thinks that will leach PFAS until it's all gone out of that material. He doesn't think there is anything reasonable that could be done that wouldn't make it worse. The solution is to treat it with a water treatment plant.

Selectman Epperson asked Mr. Musselman for his recommendation.

Mr. Musselman stated that his suggestion is to let the voters decide whether they want to spend the money. He pointed out that right now, the Rye Water District is meeting an aggressive drinking water standard, so a treatment plant is not mandatory. He does not think a capping system at the Grove Road Landfill is wise. At the end of the day, there will most likely be similar levels of PFAS anyway.

Art Ditto, Water District Commissioner, stated that right now, the Water District meets the drinking water standards. There isn't a problem from a regulatory standpoint. There may be a problem from what people perceive as far as the contaminants. The Water District Commissioners can't decide to build a treatment plant. Some people in the District may ask why a treatment plant is being built if it's not in noncompliance. If everyone said that they don't care what the standards are and they want a treatment plant and want to spend the money, then it could move forward. If EPA comes up with new regulatory standards, which may be less than what is being seen now in the sampling, the District would then be required to do a treatment plant. This issue is not unique to Rye. It's a countrywide issue. The standards may come to such a level that every community will probably have to do a treatment plant. He thinks EPA is wrestling with what the financial impacts of this are going to be. He noted that if someone proposed a treatment plant through the District's annual meeting and the voters approved to move it forward, then RWD would move forward to do it because that's what the voters want the District to do. However, the District cannot propose a treatment plant because it's not within the Commissioner's jurisdiction to spend money that is not needed to be spent.

Selectman Epperson noted that the estimate for the treatment plant has been in the Capital Improvements Plan (CIP) for years. He asked the last number submitted to the CIP.

Mr. Ditto explained that the original treatment plant was to deal with iron and manganese if the District had to start chlorinating. He pointed out that the District is now chlorinating, so that is being dealt with in a good fashion. The original design was about six million dollars back in 2012. The current number that is being carried in the CIP is eleven million dollars, which is probably on the low side.

Joe Cummins, 990 Washington Road, asked how many people were served by the Rye Water District in 1975.

RWD Superintendent Jones noted that there were approximately 700 customers at that time. At present, there are just over 1700 customers.

Dr. Lopresto commented that the Grove Road dump is located above RWD's primary drinking water well and everything is draining into the public drinking water.

Mr. Musselman agreed.

Dr. Lopresto stated this is very concerning because there is no remediation other than doing the water treatment plant. She asked about corn products called Pyro Pure and DEXSORB that are being used in sampling wells. She noted there's a pilot study using this product in Newburyport, Massachusetts. There's also a new treatment with this product in eastern Massachusetts. It's a corn based product that absorbs PFAS. She commented that she was in contact with the CEO of the company that makes this product who said he would be willing to do a pilot study in Rye at no cost. She asked if using this product in the sampling wells around the landfill would be worthwhile, so contaminants are not going further into the drinking water.

Mr. Musselman explained that it would have an effect on the water passing through the monitoring well and the PFAS would not be seen. However, it would do nothing for the water that is five feet away and moving by the monitoring well. The monitoring wells do not pull groundwater into them. They sample the water that's flowing by. Mr. Musselman continued that there will be other treatment technologies in coming years. The state of the practice currently is activated carbon. There may be other medians that would work. The water that is going to be treated has to be collected altogether to treat all of it. It doesn't apply to the monitoring wells. He reiterated that it would look like there's no PFAS anymore; however, it would still be getting to the Garland Well.

No further questions were heard from the Select Board or the public. The Select Board thanked Mr. Musselman for his presentation.

C. Harbor Road Bridge Contract Extension

DPW Director Rucker submitted a copy of the Harbor Road Bridge contract extension to the Select Board for their review. Aaron LaChance from Hoyle, Tanner & Associates was present to answer questions from the Selectmen regarding the contract extension, which covers the design and RFP process through to bid and contractor selection, along with the permitting process with NH DES. The intent is to start the design process and bidding this year. The permitting process with DES will involve a public outreach component because of the proposed closure of the bridge for several days during construction. Mr. LaChance confirmed there will be a range of options for the bridge closure for the Town to take into consideration to address the residents' needs, along with the needs of the Police and Fire Departments. He also confirmed that the goal is to receive bids from two to three firms for construction. A couple of firms who have worked with Hoyle, Tanner & Associates on past projects are waiting for the RFP to be posted.

Director Rucker noted that the funds for the contract are being covered through last year's Highway Block Grant. With the Bridge Block Grant and the Highway Block Grant there is approximately \$115,000 available at this time with another block grant anticipated for 2023. He also noted that the Bridge Aid Program through NH DOT is going to be reopened. This bridge is currently not "red listed" so the Town will not be receiving any aid for this construction project. However, the bridge will probably be red listed once the results from the October inspection are set back into the program. It may behoove the Town to wait one year and get everything in order with funding and the possibility of aid in place for construction next year.

Motion by Bill Epperson to approve the amount up to ninety-nine thousand three hundred fifty dollars for the design and bid phase for the Harbor Road Bridge. Seconded by Tom King. All in favor.

D. Wastewater Asset Management Program Grant Authorized Signer

Sewer Director Lee Arthur met with the Select Board to request that the Select Board appoint an authorized signer for the Wastewater Asset Management Program Grant.

Motion by Bill Epperson on behalf of the Rye Select Board to authorize Town Administrator Matt Scruton to sign the New Hampshire Department of Environmental Services Clean Water State Revolving Fund Grant application for the purposes of developing a wastewater asset management program. Seconded by Tom King. All in favor.

E. Energy Committee – Community Power Update

Lisa Sweet and Howard Kalet, Rye Energy Committee Members, met with the Select Board to give a NH Community Power update. The launch date has changed from April 3rd to April 17th because of delays with utility companies providing necessary data. On March 1st the authorized officers from the communities will attend a Risk Management Committee meeting. That will be the last time that Rye will be able to exercise the option to not authorize procurement. At this time, everything looks great for pricing and procurement. By March 6th, the procurement should be completed and the Select Board should be able to set the default rate. It was noted that the Granite Basic rate is anticipated to be the least expensive for now. The Energy Committee recommends that the Select Board authorize the Town Administrator to vote for Granite Basic. Each individual customer can make a choice whether to have more renewable energy and pay a bit more.

Motion by Tom King that the least expensive option becomes the default rate and it's assumed that will be Granite Basic, should the decision be made to go forward. Seconded by Bill Epperson. All in favor.

A mailing will be going out to residents in mid-March, which will be thirty days before launch. Within fifteen days of the mailer, there will be a public meeting so people can receive further information. The public meeting is scheduled for March 13th at the Town Hall. There will probably be a need for another public meeting, which has not yet been scheduled. That meeting will be held at a bigger venue. The Rye Energy Committee will have a table set up with more

information at the Town Election on March 14th. There is also information on the **Rye.CommunityPowernh.gov** website.

There was a request from the Rye Energy Committee to be at the Transfer Station on Saturdays to hand out information.

Motion by Bill Epperson to allow the Rye Energy Committee, on behalf of Rye Community Power, to hand out flyers at the Transfer Station on all four Saturdays in March in the area approved by the DPW Director. Seconded by Tom King. All in favor.

F. Congressional Direct Spending Request

Town Administrator Matt Scruton reported that there are no projects going forward currently. The deadline is March 10th and he will let the Select Board know if anything changes before that time. It's a competitive based spending request and there is a lengthy application process.

VIII. CORRESPONDENCE

A. Email rec'd from Alex Herlihy & Sally King requesting the Parsons Field plaque on a boulder in Parsons Field be moved closer to the entrance of the field.

Alex Herlihy spoke to the Select Board in regards to the request to move the boulder with the Parsons Field plaque closer to the field entrance.

The Select Board did not have any concerns with the request. DPW Director Rucker agreed to take a look at the site. He does not think there will be an issue with moving the boulder. Mr. Herlihy will set up a stake marking the preferred location.

IX. NEW BUSINESS

None

X. OLD BUSINESS

A. Highway Garage Furnace Replacement Update

DPW Director Rucker submitted three quotes for the highway garage furnace replacement for the Selectmen to review. Director Rucker is requesting approval to move forward with the quote from Dowling Plumbing and Heating, who has done a lot of HVAC work for the Town. The bid from Dowling is also the lowest bid received. The funds to do the work will be coming from the Building and Maintenance Expendable Trust Fund, upon approval from the Select Board.

Motion by Bill Epperson to approve the bid from Dowling Corporation for eight thousand six hundred seventy-four dollars for the replacement of the furnace at the Highway Garage, 39 Grove Road, to be expended from the Building and Maintenance Expendable Trust Fund. Seconded by Tom King. All in favor.

B. Bench Donation from the Rye Lions

Town Administrator Scruton noted that the Select Board had asked him to look at possible locations for the bench that the Rye Lions Club would like to donate to the Town. He presented a photo showing the Rye Recreation area near the parking lot. It's an area where people wait for rides and would be a very visible location for people pulling into the lot. He agreed to work with Director Rucker to be sure that snow removal will not be impeded. Administrator Rucker also noted that the Lions Club is looking to donate another bench, which may possibly go to the school.

It was the consensus of the Select Board that the recommended location at the recreation field would be a good fit for the donated bench.

XI. OTHER BUSINESS

A. Meeting, Monday, January 23, 2023, 5:30 p.m., Rye Town Hall

The following was noted:

- Page 5, Item E, it should be noted that the road closure for Garland Road for the Rye Water District pipe installation will be taking place **on/or about March 15th**.

Motion by Bill Epperson to approve the minutes of January 23, 2023 as amended. Seconded by Tom King. All in favor.

- B. Non-Public Session, Monday, January 23, 2023** (1) per RSA 91-A:3 II (a) Personnel
(2) per RSA 91-A:3 II (b) Hiring
(3) per RSA 91-A: 3 II (c) Reputation

Motion by Tom King to approve the non-public session minutes for January 23, 2023 per RSA 91-A:3 II (a) Personnel and to seal. Seconded by Bill Epperson. All in favor.

Motion by Tom King to approve the non-public session minutes for January 23, 2023 per RSA 91-A:3 II (b) Hiring and not to seal. Seconded by Bill Epperson. All in favor.

Motion by Tom King to approve the non-public session minutes for January 23, 2023 per RSA 91-A:3 II (c) Reputation and not to seal. Seconded by Bill Epperson. All in favor.

ADJOURNMENT

Motion by Bill Epperson to adjourn at 9:00 p.m. Seconded by Tom King. All in favor.

Respectfully Submitted,
Dyana F. Ledger