

**TOWN OF RYE – SELECT BOARD**  
**Wednesday, April 21, 2021**  
**1:00 p.m. – Via Zoom**

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

*Others Present: Town Administrator Becky Bergeron, Police Chief Kevin Walsh, Fire Chief Mark Cotreau and Town Moderator Bob Eaton*

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Chair Winslow called the meeting to order 1:03 p.m. and led the Pledge of Allegiance.

**Reading of Attestation**

Statement by Becky Bergeron:

As Administrator for the Town of Rye, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

- a) Providing public access to the meeting by telephone, with additional access possibilities by video and other electronic means. We are utilizing Zoom for this electronic meeting. All members of the board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone number: 646-558-8656 with meeting ID number: 895 0252 7400 Password: 987654 or by participating via Zoom: [www.zoom.com](https://www.zoom.com) ID # 895 0252 7400 Password: 987654.
- b) Providing public notice of the necessary information for accessing the meeting, including how to access the meeting using Zoom telephonically. Instructions have also been provided on the Town of Rye website at [town.rye.nh.us](https://town.rye.nh.us)
- c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access. If anyone has a problem, call 603-964-5523 or e-mail at [Bbergeron@town.rye.nh.us](mailto:Bbergeron@town.rye.nh.us).

- d) Adjourning the meeting if the public is unable to access the meeting. In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that all votes that are taken during this meeting shall be done by roll call vote.

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Roll call attendance of Select Board:

- Bill Epperson – Wife is in the house
- Mae Bradshaw – Others in the room
- Phil Winslow – Three people in the house

❖ **TEMPORARY MASK ORDINANCE**

Chair Winslow reminded the Board that this meeting is a follow-up to the discussion from the regular Select Board meeting of April 19<sup>th</sup> in regards to the mandate of the requirement of wearing masks. Given the fact that the Governor has eliminated the mandate for the State, the three questions that were discussed were:

- Does the Town follow the Governor and have no mandate at all?
- Does the Town require social distancing and masks at all town sponsored functions and town owned facilities?
- Does the Town require social distancing and masks at all town owned and commercial facilities (i.e., retail and restaurants)?

Selectman Epperson stated that he has been following this topic. He recommended that in the proposed ordinance, people who have been vaccinated should be addressed. Also, he felt that the Town should not mandate to the businesses in town, and it should be left up to their discretion. He felt that there is a certain amount of responsibility for people to take care of their own protection. He recommended that the ordinance be reviewed again prior to May 31<sup>st</sup>. The Governor may drop the State of Emergency and change the private businesses mandate to a suggestion. Selectman Epperson would be in favor of that.

Chief Walsh reported that the Governor is using data from Dr. Caneva from Homeland Security, along with other national data, and is proceeding cautiously. The vaccination number in the State is at a good level and increasing. Also, the hospitalization rate has leveled off and, in some areas, has decreased. He felt that the Board should follow the lead of the Governor. He recommended waiting two to four weeks after the Governor's deadline, in order to watch the results.

Selectwoman Bradshaw was in favor of keeping the mandate until May 31<sup>st</sup>.

A member of the public messaged into the meeting saying he felt that the Board should continue with the mandate in town buildings and at the transfer station only. He is generally in favor of personal choice; however, he agrees with protecting the Town's employees.

After further discussion, Chair Winslow recommended that the Town facilities/buildings be listed in the ordinance.

Town Administrator Bergeron promised to reach out to the Library Trustees regarding their policy at the Library. She will also ask if they want the Library to be added to this ordinance.

Selectman Epperson pointed out the language in the ordinance that reads:

The ordinance will automatically and immediately terminate without the necessity of further action by the Town of Rye Select Board if one of the following conditions is met:

- 41 days has passed following the date which the ordinance came into effect and the ordinance was not extended or reenacted. (May 31<sup>st</sup>)
- If the Governor of the State of New Hampshire ends the Covid 19 State of Emergency. (This should be followed by a special meeting by the Select Board to discuss what that means and to make a statement to the public as to how the Board feels about it.)

Chair Winslow recommended that the second condition be reworded to say; "If the Governor of the State of New Hampshire ends the Covid 19 State of Emergency, the Select Board will hold a special meeting to determine how that will affect the Town of Rye's mask ordinance".

Selectwoman Bradshaw was opposed to the ordinance as amended. She felt that it should include all business in town until May 31<sup>st</sup>.

**Motion by Phil Winslow to adopt the Temporary Mask Ordinance as amended.**

**Seconded by Bill Epperson.**

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

**Motion Passed.**

## **II. OTHER BUSINESS**

Chief Walsh informed the Select Board that after the approval of the two beach permits on April 19<sup>th</sup>, one of the applicants has reached out to him wanting to change something on the permit. He will be bringing this back to the Board at their next meeting, along with the application from Summer Sessions.

Chair Winslow announced that the Governor has weighed in on the issue of Rye Harbor Lobster. He has allowed them to continue to operate this year (2021). At the same time, they will be working on a plan to be consistent as far as parking, access and egress into the parking area with the other fishermen and tour boat business.

Selectwoman Bradshaw noted that the notice encouraged Rye Harbor Lobster to use the local fishermen as some of their suppliers. She felt that was a great recommendation.

Chief Walsh has contacted Portsmouth Harbors to offer his assistance with working out the parking and traffic control issues.

Chair Winslow reported that Nat Hanscom, the owner of Rye Harbor Lobster, asked the Governor for funds to have a traffic engineer do a traffic study, in order to have some qualified information to work with.

Chair Winslow outlined the criteria by which Parson's Field can be used:

- Any organization that wants to hold an event at Parsons Field will be required to fill out an application.
- The policy is non-binding on the Rye Board of Selectmen (They are allowed to modify it.)
- The Selectmen approve field use based by application by a non-profit organization with input from Rye departments and Commissions

Thus, restricting use to non-profit organizations.

## **ADJOURNMENT**

**Motion by Bill Epperson to Adjourn at 1:43 p.m. Seconded by Mae Bradshaw.**

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

**Motion passed**

Respectfully Submitted,  
Dyana F. Ledger