

**NOTES OF DECEMBER 9, 2013 RYE BOARD OF SELECTMEN MEETING**  
Final Revision B – Provided by the Rye Civic League

Present: Selectmen Jenness, Musselman and Mills. Also present: Mike Magnant. Cyndi Gillespie.

Also present from the Town: Town Clerk Beth Yeaton, Public Works Director Dennis McCarthy, Fire Chief Skip Sullivan, Police Chief Kevin Walsh.

Persons present from the public included: Peter Crawford, Katy Sherman, Keith Eveland, Steven Hillman, Ryan McGill, Tom Farrelly, Devin Farrelly, Jaci Grote, Jim Raynes, Sally King, Ray Jarvis, Lindsey Josephs, Mel Low.

*Editor's note: For ease in finding particular sections using the archived video and audio on the Town website, the elapsed time is indicated. Use the slider and the elapsed time indicated at the bottom of the video window to fast forward to the desired section. Videos on the Town website may currently be accessed at [www.town.rye.nh.us](http://www.town.rye.nh.us) by clicking on "Town Hall Streaming" at the bottom left of the screen. Follow the link for "Town Hall Live Streaming," then find the meeting by date under "Previous."*

*The video begins at 6:47:04 p.m. (0:00 elapsed)*

Summary

1. Officer Blais promoted to Sargeant, Jeff Miller hired as new Police Officer.
2. Attempt to rename Oral Ln. and Foyes Rd. to Frontier Rd. rejected for now after strong opposition from residents.
3. Seventh grader, citing help from the Rye Civic League, states that she will submit a petitioned warrant article discouraging smoking on the beaches.
4. Past and future responsibilities of the Beach Commission are discussed.
5. Budget increase of \$10,000 for beach parking study is approved.
6. Selectman Musselman states that he is not in favor of \$3 million Conservation warrant article, matter is tabled.
7. Warrant articles to purchase \$390,000 in equipment for Public Works are recommended.
8. Warrant article for hiring an additional police officer is recommended.
9. Changes to beach-related revolving funds is discussed, but the matter is tabled.
10. Second ambulance and changes to funding of ambulance purchases from the cell tower fund are discussed. Selectmen decide on no changes for now, with no second ambulance this year.
11. Assistant Town Clerk position increased from 24 to 32 hours, with decision to make full-time deferred until next year.

Approval of minutes (0:37 elapsed)

The minutes of the site walk on November 25, 2013 were unanimously approved without changes. The minutes of the meeting on November 25, 2013 at Town Hall were unanimously approved with changes.

Approval of construction vehicle parking on Harbor Rd. (1:47 elapsed)

Greg Bauer addressed this issue. He stated that a sign would be placed at the bridge indicating residents only, no parking. The vehicles will be parked at the turnaround. Phil Winslow was OK with it, as was Mr. McLaughlin. Mr. Bauer said. There was laughter. *Editor's note: This section of Harbor Rd. was the subject of litigation which went all of the way to the New Hampshire Supreme Court. The issue of whether the Town was obligated to plow the road, which depended on whether it was private. See Gordon v. Town of Rye, 162 N.H. 144 (2011).* Mr. Bauer continued, stating that the project will last 6-7 weeks, and involve 180 feet of the sea wall. Mr. Bauer stated that he has been plowing the road for years, and would continue to do so. It was agreed that, during construction, the Town would be obligated to plow only to the bridge. *Editor's note: As determined by the litigation referred to above, the Town portion of the road extends past the bridge, approximately to the turnaround.* The question arose as to whether the bridge would support the weight of the construction equipment. Public Works Director Dennis McCarthy quipped that, if it wasn't this would be a good way to get a new bridge. Laughter ensued. *Editor's note: See the notes of the November 13, 2013 meeting. The latest CIP Plan had this bridge slated for replacement in 2018, however, Selectman Musselman, who is the principal of the engineering firm, CMA Engineers, had one of his engineers look at the bridge. It was determined that repairs would suffice.* Selectman Musselman stated that the bridge needed maintenance and that it had not been rated.

The motion to approving the parking of equipment from January 1 to March 15, subject to maintaining accessibility to residential traffic and Mr. Bauer plowing a section of the road that is public (because Town plows could not turn around past that), carried unanimously. A sign saying "residents only" was also approved. Selectman Mills, before voting, asked whether he could have some of the wood that was stacked up that Mr. Bauer apparently owned. Selectman Musselman indicated that this would not be accepted as part of the motion. All voted in favor of the motion.

Approval of contract for Recreation Department software (8:15 elapsed)

Lee Arthur addressed this issue. She stated that the Recreation Commission had recommended Vermont Systems, which proposed the only software meeting the requirements. The first year cost is \$15,922, the cost for year five is \$22,900. The motion to award the contract in the amount of \$15,922 carried unanimously.

The discussion then turned to the issue of online payments. Ms. Arthur stated that the software would be able to handle this. Town Clerk Beth Yeaton, who was present, indicated that the Town would be signing a contract permitting credit card use. This capability would be ready in approximately five weeks, she said.

Update on Parsonage Apartments (11:14 elapsed)

Marty Chapman of the Housing Partnership addressed this issue. *Editor's note: See the notes of the July 22, 2013 meeting, during which a number of problems with this facility, which is owned by the Town, were discussed. See also the notes of the October 15, 2013, October 28, 2013, and November 25, 2013 during which residents, including Anne Morrissey, have complained about the condition of the apartments.*

Mr. Chapman went through the work that had been done on the Parsonage Apartments. JSN Associates, a local firm, had been retained to perform the work, which had included the decks and the second means of egress. There had also been general cleaning of the basement, removal of old building material, removal of dead wires, labeling of electrical panels and installation of a vapor barrier in the basement. The boiler had been inspected. It is sound, but appears to be 15-20 years old and is not the most efficient. There is evidence of prior leakage on the zone valves. In addition, a switch was added for a light on the second floor, flashing was added to the roof in places and siding and sheathing was replaced. The exterior paint is near its life expectancy. The windows and trim were painted. Carbon monoxide detectors were installed. House numbers were repainted and work was done on the doors. Tree limbs were trimmed and the gutters were cleaned.

Selectman Mills asked who would be paying for the parking lot. *Editor's note: See the notes of the October 15, 2013 and November 25, 2013 meetings. There have been problems with residents, many of whom are handicapped, tripping on the irregular pavement. Public Works obtained an estimate, however it is too late in the season to apply more permanent paving. Applying a temporary cold patch has been mentioned.*

Mr. Chapman responded that the issue of payment for the parking lot has not been resolved. Their lease is up for renewal in the next 2-3 years. The Town owns the building. The property is in need of improvement. A second round of improvements can be discussed in the near future, he said.

The discussion then turned to the need for a capital reserve for repairs. Selectman Jenness stated that the boiler, exterior paint and roof will be coming up. Mr. Chapman added that the parking lot was an issue as well. He added that the Housing Partnership has access to public funding. Selectman Mills added that money would need to be put into an account for these types of expenses. Mr. Chapman stated that the lease started in 1996 and was for a 20 year duration. Mel Low, who was in the audience, stated that a grant for \$200,000 had been applied for through the Housing Partnership and had been received.

Selectman Mills complimented Mr. Chapman for a very thorough report.

#### Promotion of Officer Blais to Sergeant (22:02 elapsed)

A number of Officer Blais' co-workers and family filed into the room as the agenda item was announced. Police Chief Kevin Walsh stated that Officer Blais has been with the department over 12 years. He is able to fix things with a "shoestring and a pencil." He indicated that anyone who could train Alan Gould on a computer had strong skills. *Editor's note: Alan Gould is the former Police Chief of Rye.* Jeff Pierce had retired in June, Chief Walsh stated, continuing. Chief Walsh then stated that "Bill" had been doing an outstanding job, and requested that he be promoted to Sergeant.

Selectman Musselman stated that he so moved. Selectman Mills paused. Selectman Musselman then quipped “did you give him a ticket?” The room erupted in laughter. Selectman Jenness told Selectman Mills that he was not the deciding vote. Selectman Mills then stated that Billy Blais is “a hell of a cop.” He is a proud addition to the Town of Rye, even though he is a “Brooker.” Applause ensued. *Editor’s note: Persons from Seabrook are sometimes referred to as “Brookers.”*

Town Clerk Beth Yeaton then read the appointment document and swore Officer Blais in as a Sergeant. Sergeant Blais’ father then stated, for the record, that the family had all been born in Massachusetts.

#### Appointment of Jeff Miller as a Police Officer (28:26 elapsed)

Chief Walsh then stated that Jeff Miller is from North Hampton. After Officer Cody left, Mr. Miller had been picked to fill the position. He is a graduate of Winnacunnet High School and Northeastern University, with a BS degree in Criminal Justice. He has been working as a hockey referee for the past several years.

There was then a discussion about the schooling that Mr. Miller would need. He stated that, if he goes in January, he will be back in April, in time for the summer. Fire Chief Sullivan asked whether Selectman Mills would describe his pickup truck, a white one without plates. Selectman Musselman stated that he knew Mr. Miller’s father, as they had worked together. The motion to appoint Mr. Miller as an officer carried unanimously.

Selectman Mills described his pickup truck as a white one with commercial plates, “317.” Selectman Musselman quipped, “two miles over the speed limit...”

#### Renaming of Foyes Rd. and Oral Ln. (32:26 elapsed)

Fire Chief Skip Sullivan addressed this issue. He stated that the three department heads had discussed the issue and had sent letters to the residents. Foyes Rd., Oral Ln. and Frontier Rd. should all have the same name for efficiency reasons. There is a concern about ambulances from out of town locating the houses. *Editor’s note: These streets are all just north of Foyes Corner, to the east of Sagamore Rd. The road changes names as it makes slight changes in direction.*

Mark Schlieper, 20 Frontier Rd. stated that the Oral Ln. is a section about 50 yards long, Foyes Rd. is about 60 yards long, and Frontier Rd. is the rest of the length. He stated that it would be nice if there was one street name.

Sylvia Stewart, 1 Frontier, stated that she had lived there since 1966. She spoke about problems with the police finding houses in the area. Nevertheless, she is living on a fixed income and would not enjoy needing to change the number.

Mary Engle, 22 Oral, stated that she had made a chart indicating how the houses would need to be renumbered if they were all located on Frontier St.

Mrs. Stewart asked who would pay the added expense of the renumbering. Selectman Mills stated that the Town should pay these costs. Selectman Musselman stated that, a number of years earlier, his address on Long John Rd. had changed from 703 to 649. He still receives mail once a month addressed to the old number. But the change did not cost him anything.

Ms. Stewart asked whether the deeds would need to be changed. Selectman Musselman stated that that would need to be done only the next time there is a change. He would rather make the change in order to avoid a 2-3 minute delay in receiving medical care.

Phil Engle, 22 Oral, stated that, if the numbers are to be contiguous, renumbering would have to be done half the way down Frontier. Fire Chief Sullivan stated that, on page two of what they had delivered, there was a recommendation for improved signage. *Editor's note: The signs at the intersection of with Sagamore Rd. refer to all three streets. These are very confusing as, some of these are oriented parallel to Sagamore Rd. and Sagamore is not one of the signs.*

Francis Drenzek, 16 Frontier, stated that he also represented the residents of 4 Frontier and 8 Frontier, which are disabled. They are against changing the numbers. Selectman Mills stated that the main problem was emergency vehicles. Mr. Drenzek responded that, in 30 years, he had never seen another vehicle there.

One of the residents stated that the most practical course of action would be to give new signage a chance. All of the residents could mark their mailboxes clearly with the number and the street name, he suggested.

Fire Chief Sullivan stated that the issue had been brought up a number of times. It should be put to bed. Perhaps the Town should try new signs.

Selectman Mills suggested that it should be tabled for now.

Public Works Director McCarthy stated that signs would not resolve the problem. Since 1994, 911 legislation, every town in every state has needed to use a single road name from one intersection to another. It is not a huge inconvenience. The deed does not need to be changed until the house is sold.

Selectman Musselman agreed with Mr. McCarthy.

There was then discussion as to whether ambulances are dispatched using GPS. Chief Sullivan stated that the Rye and Portsmouth ambulances are. Chief Walsh stated that Portsmouth does its own dispatching and indicated that there might be a problem.

Town Clerk Beth Yeaton stated she had gone through a change. Long John Rd. used to be Sagamore Rd. between Washington Rd. and Wallis Rd. The change was necessary. It was confusing for the first few months.

One of the residents stated that her clients would need to be alerted and business cards would need to be changed.

Mr. Drenzek stated that there is an emotional aspect to the address. It is changing where people grew up.

Selectman Mills stated that they would try the signage for 6-9 months.

#### Petitioned warrant article to ban smoking on the beaches (64:39 elapsed)

Isabella Hillman, a seventh grade student, was invited to come up and sit in Selectman Mills' chair. She read the petitioned warrant article that consisted of a non-binding resolution that all Town beaches should be made smoke free. She stated that she had received assistance from the Rye Civic League with the warrant article. She then described the informal survey that had been conducted, and that they were working to get sponsorship from Portsmouth Hospital.

Jim Raynes stated that he agrees 100 percent with the warrant article. There are more cigarette butts than anything picked up on the beaches. *Editor's note: Mr. Raynes is Chairman of the Conservation Commission.* Ms. Hillman stated that there are more than 4.5 trillion cigarette butts picked up annually worldwide.

Lindsey Josephs asked how York is enforcing their ordinance. Ms. Hillman responded that the warrant article is non binding, so there would be only signs, not enforcement.

Sally King suggested that Mr. Hillman pass the petition around in the meeting to get signatures. Selectman Mills stated that she should go for 30 signatures. Only 25 are needed but the "meanie in the corner," referring to Town Clerk Beth Yeaton, throws some out.

#### Cub Scout popcorn sale (74:07 elapsed)

The motion to approve the request from Jim Horgos, Cubmaster, to hold a popcorn sale the following Saturday at the Recycling Center carried unanimously.

#### Request to collect signatures for Petitioned Warrant Articles (74:32 elapsed)

Peter Crawford stated that there was a group putting together petitioned warrant articles. While both January 4, 2014 and January 11, 2014 were requested, only one of these Saturdays would probably be needed, he said. It would be 1-2 people, with perhaps a small table at the Recycling Center.

There was then discussion about where the gathering of signature would occur, whether others gathering signatures for petitioned warrant articles would be able to use the area at the same time, and the group that Mr. Crawford was associated with. Mr. Crawford stated that others could also use the area and the table, if there is one. He stated that the Rye Civic League does not sponsor warrant articles, and has not done so for two years. That is why he has made this request on his own behalf. A number of the individuals working on the petitioned warrant articles are active with the Civic League, he acknowledged.

Selectman Jenness made a motion to approve the request, provided the directions of Public Works Department are followed. After a pause, Selectman Musselman seconded the motion, which carried unanimously.

#### Resignation of Bob Whittet from the Rye Fire Department (77:40 elapsed)

Selectman Mills stated that he believed that Mr. Whittet was a call fireman for 23 years and was a very valuable asset and a nice guy. Selectman Musselman moved to accept his resignation with a letter of thanks to be sent. The motion carried unanimously.

#### Letter regarding the Beach Commission (78:51 elapsed)

Peter Crawford addressed his letter. Mr. Crawford stated that, in researching beach issues he had come across a 1999 warrant article establishing the Beach Commission. He stated that he had also noticed that there were no minutes for the Beach

Commission since 2011. He stated that he confirmed with Mike LaBrie that the Beach Commission has not been meeting since then. Mr. Crawford also noted that Selectman Musselman had mentioned at the last Beach Use Ordinance Committee meeting that there was uncertainty as to whether the Beach Commission would be continuing in existence.

Mr. Crawford stated that that had raised the issue as to (a) what the process would be followed if the Beach Commission were to be dissolved and (b) what the process has been the last couple of years. It appears that the Chairman of the Beach Commission has been meeting with the Fire Chief, he stated. It would be helpful to have more public input, as the Beach Use Ordinance Committee demonstrated. Regular meetings would be a way for the residents to express their concerns. That possibility does not exist when the Chairman is conducting business on his own. Mr. Crawford stated that there are a number of questions in his letter and he hopes that they can be answered.

Selectman Musselman acknowledged that he had made the comment attributed to him. In the last several years there has been a change in the function of the Beach Commission. Five to ten years ago, the Commissioners were regularly on the beach and interacting with the lifeguards. In the last year or two, the Fire Department was brought into a more central role. The head lifeguards were often only 22 years old and relatively inexperienced, and it was inappropriate for them to interact with three Beach Commissioners. The decision to put the oversight under the Fire Department was publicly made, with the hiring decisions made jointly.

Mike LaBrie has played his role as Chairman well, Selectman Musselman said. One would need to talk with him regarding the contribution of the other two Commissioners. There has been discussion about the role going forward. In the past, the Commission has worked with the Fire Department in the Spring on hiring decisions. There had been discussion about whether the Beach Commission needed to continue. However, the Selectmen do not believe that they have a unilateral right to abrogate a warrant article. No one would take that position. To the extent that the Beach Commission gets changed, it would be a warrant article. There is not an article now. Going forward, there are two Beach Commissioners whose terms expire soon. Mr. LaBrie is not returning as Chairman.

A fair topic is what the Beach Commission would be 2-4 years from now. But, nobody is going to do anything without proper authority, Selectman Musselman said.

Selectman Jenness noted that the complexity of beach issues has grown beyond what was envisioned in 1999. The original article provided no money, so a Beach Supervisor could not be hired. Safety was the number one issue. The Beach Commissioners typically worked and were not available during the day. It was important that the Fire Department be available to provide supervision as they are available during the day. The guards at the beach can now get help rapidly. The radios, the contact, the training and the scheduling put in place have worked out. The process has been very transparent. Another look needs to be taken to see what can be done.

Mr. Crawford stated that the Warrant Article is vague and he was unable to find much in the minutes of the time frame surrounding its adoption. He does not know what people expected. However, the reference to a Beach Supervisor indicates that a role beyond that of the role of the Head Lifeguard may have been anticipated. Selectman Jenness stated that she does not believe that the Head Lifeguard was intended to be the

Beach Supervisor. It was not a role that was ever defined. Selectman Musselman stated that, in part, the role is probably being played by the Fire Department.

Fire Chief Skip Sullivan stated that, the prior year, the responsibilities of the Animal Control Officer, Greg Kendall, had been altered. He had taken on some of the role of a Beach Supervisor and has taken care of some of the logistics.

Selectman Jenness noted that, according to Chief Sullivan, many towns on the coast or those having lakes are putting the lifeguards under the Fire Department.

Mel Low noted that, in York, the Recreation Department is in charge. *Editor's note: Mel Low was a Selectmen at the time that the 1999 warrant article was adopted. He was apparently referring to activities on the beaches.*

E-mail from Frank McDermott regarding 12/1/13 editorial in the Portsmouth Herald (91:02 elapsed)

Selectman Mills stated that the e-mail was quite lengthy, but that it would be attached to the minutes. Steve Hillman asked whether it was a letter to the editor or an editorial. Selectman Mills read a part of the letter which referred to an editorial in favor of reasonable restrictions on the commercial and private use of Rye beaches.

Temporary help for Building Inspector (92:06 elapsed)

Town Administrator Magnant stated that he had received a request from the Building Inspector regarding the filling of a clerical vacancy in his office. *Editor's note: Sue Dunfey, previously with the Building Inspector's office, transferred upstairs to work for Finance.* Selectman Musselman stated that the Budget Committee had recommended a budget for Finance which included the new person. He stated that it was a "crap shoot" as to whether a temporary employee would work out. Filing is critical. The position should be posted. The motion to permit posting of a part-time position carried unanimously.

Storage of gravel from Route 1A water main replacements (93:39 elapsed)

Public Works Director Dennis McCarthy stated that he had received a request from Roger Philbrick to stockpile gravel from the water main project at the Public Works area for eventual use at the cemetery. They are planning to use it on future roads that they want to build. It might be there for a year, he said.

Selectman Mills asked whether it could be placed at the Garland Rd. area where the Rye Water District has a maintenance building. Mr. McCarthy stated that it would then be within 400 feet of a well. Although Public Works is also in the wellhead protection area, it is not located that close to wells.

Jim Raynes, Chairman of the Conservation Commission, stated that the gravel could be stockpiled at the Airport for a year or two, at the runway. Mr. McCarthy stated that he had also thought of that. It is a good idea. The area, which is conservation land, has been chained because people have been stealing firewood and jacking deer at night, Mr. Raynes said. *Editor's note: The term "jacking deer" refers to using a spotlight to cause the deer to freeze, enabling them more easily to be shot.*



1914 Federal Fire Truck formerly belong to Rye Fire Department (97:31 elapsed)

Selectman Mills stated that this fire truck had belonged to the Fire Department from 1948 to 1957. It is now up for grabs. The Goss Barn, which had been suggested, is not suitable due to the dust. He hates to pass it up, but there is no garage available.

Fire Chief Sullivan stated that the lineage of the fire truck is really Lynn, not Rye. Sally King interjected that it is not appropriate for the barn. *Editor's note: Sally King is a member of the Conservation Commission which owns, on behalf of the Town, the land on which the barn is located.*

The motion to decline the donation of the fire truck to the Town passed, Selectman Mills voting against.

Chief Sullivan stated that, if it goes to Lynn it will be in the museum there, and he will make sure that Rye is mentioned as part of the history.

Model A fire truck (99:58 elapsed)

Chief Sullivan stated that "the Association" is in the process of registering this fire truck. *Editor's note: This is an apparent reference to the Rye Fire Association.* There will need to be a bill of sale from the Rye Beach Village District. It should be housed as it is now. Primex became nervous when they became aware that it was owned by the Association, but bore Town municipal plates. *Editor's note: Primex is the insurer for the Town.* The cost of registering and insuring the vehicle is very low. The vehicle will be stored in the Public Safety Building.

Town Administrator Magnant indicated that it should be insured and that the Town will need to receive proof. It is not Town property so the Town cannot insure it.

It was decided that the Association would register the vehicle and then insure it, and that a motion would then be made to permit the vehicle to be stored at the Public Safety Building.

Budget Work Session

Capital outlay (106:29 elapsed)

There was discussion regarding replacement of an eight year old phone system at the Public Safety Building at a cost of \$16,700. The current NEC system used by the police and fire departments is no longer supported and the maximum number of extensions has been reached, unless an additional card is added, Chief Walsh said. The system at the Town Hall is even older, at 20 years, Ms. Gillespie said. Replacing that system as well would permit all of the buildings to be connected, so that transfers could be done using a single button. This could lower line rates as there would be fewer internal calls.

The cost of the new phone system for Town Hall is \$11,700, which is part of a \$16,500 total capital expenditure. The other \$4800 is for GIS software for Town Hall, which a number of departments will be able to take advantage of.

There was also discussion regarding \$9000 for energy modeling of the Public Safety Building. Selectman Musselman stated that he was 100 percent for that, but that the quote was from a Civil Engineer. He suggested that a quote from a Mechanical Engineer be obtained.

Cyndi Gillespie stated that they are planning to replace six computers. These are for the police and fire departments, as well as one for Lee Arthur, the Recreation Director.

Selectman Musselman stated that the Town should look into laptops with docking stations, as these are not a lot more money and they are portable. He suggested that Mr. Magnant should have a laptop. Then, he quipped that Selectman Mills should have one as well, so that messages could be sent to him, rather than driving to his house. There was laughter. Then Selectman Musselman suggested a tablet. Mr. Magnant suggested an “etch a sketch.” *Editor’s note: In prior meetings, it has come to light that Selectman Mills does not have a computer and cannot receive e-mail.*

In addition, there is \$5000 to paint a Public Works building, \$15,000 to repaint a fence on the Washington Rd. side of the Recycling Center, and \$8000 to set the property corners.

Finally, the dispatch center cost that may be imposed as a charge to towns by Rockingham County would be a capital outlay cost.

#### Beach Parking study (120:24 elapsed)

Selectman Musselman raised the issue of a parking study for the beach. The estimate is \$5,000 to \$10,000. It might address the idea of parking meters and whether there is enough of a season to provide a return to the Town. There is also the issue of whether that might drive parking onto the side roads. There is pressure from people at the beach to do something. The study might also address driveway problems as was observed at Wallis Sands two weeks earlier. *Editor’s note: This is an apparent reference to the site walk there on November 25, 2013.*

Selectman Jenness stated that the parking was only getting worse and that they should move forward. She asked whether the study could also extend several hundred feet inland. Selectman Musselman concurred. Selectman Jenness expressed concern that people might start parking on Sea Rd. and South Rd. and walk to Sawyers Beach. Selectman Mills responded that there was no parking on Sea Rd. Police Chief Walsh stated that this is also true of South Rd.

In response to a question from Selectman Musselman, Public Works Director McCarthy stated that the Town controls parking in Rye Beach.

Selectman Musselman stated that the situation north of Jenness Beach also generates complaints, with indications that people are parking west of Ocean Blvd. Yet, there is a sense of the Town that they want full public access to the beach. There is pressure from both sides, and professional help is needed.

Selectman Jenness stated that she is not sure what access means. It was not initially about parking. It was about getting from Route 1A to the sand.

Selectman Mills asked whether the study would be binding. Selectman Musselman said that it would not be. There would be projections of revenues and costs. It would also indicate where the parking would go if restricted in one place. Mr.

Magnant stated that he arrived at the figure by talking to a couple of parking consultants. Chief Walsh stated that the ticket collection process should be looked into as well. Some improvements have been made in the collection percentage, but they may not have thought of everything.

Selectman Jenness stated that the residents may have a concept that charges for parking may pay for increased enforcement, but they have no idea what the costs would be. Selectman Musselman quipped that there would be revenue for only the eighteen sunny days. *Editor's note: This is apparently referring only to weekend days during the peak summer season.*

Cyndi Gillespie stated that there was significant money in Fund 8, which is for parking enforcement. She stated that the money could perhaps be taken from there, but they would first need to check with Town Counsel.

Selectman Musselman's made a motion to add \$10,000 to the budget for a parking study, paid for either as a Public Works capital outlay or from the parking enforcement fund. The motion carried unanimously.

#### Capital outlay budget approved

The motion to approve the remaining capital outlays of \$89,650 carried unanimously.

#### Capital reserves (128:26 elapsed)

Ms. Gillespie stated that Public Works is looking for \$100,000 in accordance with the CIP Plan for the Highway Equipment Capital Reserve. The warrant articles will deplete the reserve this year with expenditures for a couple of vehicles. There is currently \$278,000 in this account. If approved \$65,000 plus \$150,000 will be taken out.

Selectman Musselman asked why no addition had been made to the employee leave reserve last year. Ms. Gillespie explained that they had been close to the 50 percent funding recommended, however \$52,000 of that reserve had been drawn down because three employees had left.

Selectman Musselman asked about \$5000 for the library maintenance expendable trust. Selectman Musselman moved to approve the \$150,000 bottom line, but ask the Library to explain the \$5000 for the maintenance expendable trust. *Editor's note: It appears that the \$150,000 was for the Highway Equipment and Employee Leave reserves.*

#### Conservation warrant article (132:00 elapsed)

Ms. Gillespie suggested that everything be cleaned up together as the Board of Selectmen had not voted on the Conservation Commission operating budget.

Jim Raynes stated that the \$50,000 in the operating budget would not be used if the warrant article passes. Selectman Musselman stated that there had been discussion about \$2.95 million for the warrant article, but that would be an odd number for the bond. Sally King stated that they would ask for the \$50,000, but agree not to spend it if the warrant article passes.

Selectman Musselman stated that he was not in favor of the \$3 million warrant article. Large tract land acquisitions should be done on a case-by-case basis. It is more transparent. It gives a better opportunity to explain the pros and cons of acquiring an individual large parcel to the public. The Board of Selectmen has not done a very good job in their role as a check and balance on the Conservation Commission. Questions have been asked but not followed through on. He will vote no on the warrant article, but is perfectly happy if the other two Selectmen vote yes, he said.

Sally King suggested that Ray Jarvis speak to the issue.

Mr. Jarvis then stated that he was involved in 2003 with Lindsey Josephs on the \$5 million warrant article. The Conservation Commission has formed an Open Space Subcommittee this year. The reason that \$3 million is being sought up front is that there must be some ability to act in a short period of time when something comes on the market. That is not to say that the functioning of the Conservation Commission cannot be improved. It is not in the Town's benefit to limit the Conservation Commission's ability to act.

Mr. Jarvis continued, stating that Chapter 6 of the Master Plan is on natural resources. In 2002, an opinion survey was done. There was almost a 20 percent response rate. People liked the beaches and the semi-rural aspect of Rye. The Town should be careful about permitting development to be fragmented so that it loses its ability to protect its watershed.

What seems to be good from a fiscal point of view might cripple the ability of the Conservation Commission to get on with its work. That is not to say that improvements in efficiency or openness cannot be made, he said.

The \$3 million, paid off over ten years with interest, would cost approximately \$320,000 annually. That is only 1.6 percent of the Town budget. *Editor's note: Mr. Jarvis appears to be including the School budget in that calculation.*

Jim Raynes added that the track record of the Conservation Commission is good. *Editor's note: Mr. Raynes is Chairman of the Conservation Commission.* They took the \$5 million received last time, leveraged it, and obtained \$11 million worth of land. Without money there is no ability to get grant money. He spoke about leveraging \$750,000 with a \$1.5 million purchase of a parcel on Wallis Rd. through the Trust for Public Land. The Conservation Commission is looking at four properties right now. With regard to the Berry Brook watershed and wildlife corridor, the Town already has about 50 percent of that protected, from Breakfast Hill to Pioneer Rd. Sally King noted that the watershed would be a major issue going forward.

*(146:08 elapsed)*

Selectman Musselman stated that his concerns are not fiscal, but are regarding the process. To date, the process has repeatedly not been transparent. There have been repeated questions about individual land purchases, about easements vs. purchases, about the lack of public access, about how surveys of property corners have been done, and about where there are easements and where there are not. They have not been getting answers. In almost every one of those circumstances the questions were not answered and they went ahead anyway. He acknowledged that he had been part of that. It would be a much more transparent process if they went parcel by parcel and got the public's questions answered. A lot of the acquisitions have taken years. The authorization could

have been obtained while the process was ongoing. The need for transparency trumps the other issues.

Mr. Raynes stated that the transparency issue is addressed by the Town Report each year, which indicates what is owned and what are easements. Selectman Jenness stated that transparency is needed before the acquisition is made. Selectman Musselman agreed, adding that everything is done in non-public sessions. Not all of the reasonable questions have been answered. He has not seen a need to do major acquisitions in a month.

Jaci Grote of the Conservation Commission stated that she understood that Rye is different than it was ten years ago. She also understands the pressure on the Selectmen for transparency. It is not necessary that the same process be used. However, by limiting the discussion to a parcel by parcel basis, the negotiating strength of the Conservation Commission would be limited. There are different people on the Conservation Commission now, and we can help you with transparency, she said. The Conservation Commission should not be handcuffed because of a process that was OK ten years ago, but now is not.

Mel Low stated that he can see both sides of this issue. The Selectmen should have all of the information before they approve anything. Absolutely, he said. That's the safeguard. Mr. Low continued, stating that he is on the Planning Board. There is a plan on the Rand property now. If they had the money we would not be in this position.

*Editor's note: The Rand property was auctioned earlier in 2013. The deed, Book 5430, Page 837 in the Rockingham County Registry of Deeds, recorded on April 13, 2013, reflects a purchase price of \$1.125 million. The accompanying mortgage, Page 841 of the same Book, reflects a mortgage amount of \$1.2 million.*

Mr. Low continued, stating that now the Planning Board is under pressure to approve development of the front portion, which everyone seems to agree with, without the back portion coming to the Town. The abutters almost all agree with the development as long as the back portion goes to the Town. But, if he were the Selectmen, he would want to see everything, including the appraisals, before they approved an acquisition.

Selectman Jenness stated that she feels somewhat differently than Selectman Musselman. There is a difference between large tracts and easements. Both are equally important. She stated that she is concerned about the \$3 million as she does not want to jeopardize the Town Hall, which desperately needs to have something done. She recognizes that the \$3 million would not be spent in one year. The \$5 million lasted quite a while, but when it was gone it was gone, leaving us vulnerable, she said. The process can be changed if everyone agrees, but the intent still should not be telegraphed with regard to a piece of property that is desperately needed.

There was then discussion about a 1992 or 1993 report on Berry's Brook that Mr. Low had located in the Building Inspector's office. The report states the importance of the corridor.

Mr. Raynes stated that they already have 40-50 percent of the Berry's Brook watershed under ownership or easement. That includes Bellyhack Bog and 2-3 others in a row right on Washington Rd. There are two more in the offing.

Selectman Jenness stated that she would approve the warrant article, but they need to look at what brought people to Rye. That includes open space and the way we live, but Town Hall is the heart of the matter. It is in desperate need.

Sally King stated that they looked at the CIP Plan and tried to “deconflict” projects. With regard to the Rand property, allowing the Southeast Land Trust to acquire that would prevent the Town from controlling it and being able to decide what happens with the watershed that passes through there.

Selectman Mills asked what the drop dead date was for this warrant article. Ms. Gillespie responded that it was in January.

*(156:44 elapsed)*

Selectman Mills then reminded Mr. Raynes that there were four properties on the list for which he had put the property owners in touch with the Conservation Commission. *Editor’s note: It is unclear what list Selectman Mills was referring to. Apparently it was a list of purchases made with the \$5 million.* Mr. Raynes stated that they had worked in the best interest of the Town and the people. There was a fifth property, Rand, on Locke and Central Roads that was not out of this money, Selectman Mills continued. He emphasized that he had supported “you people” in the past. However, when the taxpayers find out that \$1.2 million was paid for the property and that \$1.5 million would be paid just for the back portion, there would be a reaction. Mr. Raynes interrupted, saying that they do not know how much it would be. They are still negotiating. There should not be discussion about this in a public session, he said.

Selectman Musselman stated that he agreed that discussions regarding the price should be in a non-public session. That can be negotiated and agreed to between the parties, subject to a Town Meeting vote. Then, not just the five or six people on the Conservation Commission, or whatever constitutes a quorum, and two Selectmen would be involved. There would be no delay in the current schedule if this article was made for this piece of property for that amount of money. The voters could then be apprised of the implications once there is a tentative agreement with the owner. He asked what would be wrong with that.

Sally King stated that it would not work for every property. Selectman Musselman responded that it would work for this property and that is the only one that is known about currently. Mr. Raynes and Ms. King disagreed with this. Selectman Musselman stated that the taxpayers could vote on the Rand property. Jaci Grote then brought up the other three properties. Selectman Musselman responded that they should be lined up, with agreements subject to Town Meeting approval.

Jaci Grote stated that, if Selectman Musselman had made his decision, they would try to influence the other two Selectmen. Selectman Mills stated that he had not yet decided, and would not decide that evening. Ms. Grote continued, emphasizing that, had the Town had the money, it could have acquired the Rand parcel for the amount actually paid. *Editor’s note: This may or may not be true. It appears that this was a sealed bid auction. The Town would not have known what the other bids were, and might have either bid higher, leaving money on the table, or bid lower and lost the auction.* The taxpayers should not be begrudged because someone is able to capitalize on something, Ms. Grote said.

Selectman Mills stated that it would not be a good example for the people if half of the package is obtained for more than the price paid for the full package. *Editor's note: This is somewhat misleading, as the back parcel constitutes most of the acreage, although a significant part of it is wetlands.*

Ray Jarvis stated that the Town would be voting on the warrant article based on its confidence in the Conservation Commission. Shoehorning individual properties into a Town Meeting schedule is not a way to run a business or a town. Buying something, splitting off part of it and then selling it is capitalism. If the voters have problems with capitalism they should go to a socialist country. There was laughter from the audience.

Lindsey Josephs described a transaction that she had entered into with the Conservation Commission. Flexibility was important in permitting that transaction to proceed. The opportunity was missed on the Rand property because the money was not there.

Mr. Raynes stated that the Rand property had been sold at auction by the bank. Before that occurred, he, Ms. King, David Borden and Joe Tucker had tried to work something out to keep the Rand property as Rand. *Editor's note: David Borden is one of the two State representatives for Rye. Mr. Tucker is a builder who lives in Rye.*

Ms. Grote stated that putting the issue before the Town Meeting would mean negotiating with 5000 people. Selectman Musselman responded that it would be a done deal before then, subject to an up or down vote of the Town. A lot of other towns do this, he said. Land acquisitions in York follow this process year after year.

Tom Farrelly, 18 Gray Ct., stated that he is in the commercial real estate business. If the Conservation Commission had had the ability to act decisively, they should have been able to keep the part that they needed and sell the other part for more money. This could be a way to save a lot of money, he said.

Selectman Mills stated that Selectman Musselman is against this warrant article, Selectman Jenness is for it, and I am undecided. So, it will not be decided tonight, he said.

Peter Crawford said that he had looked at the RSAs. There is a provision where the Town can acquire property, but the voters have a time period to come up with 50 signatures to block the Selectmen from acting. In that event, Town Meeting would need to approve it, and a special Town Meeting could probably be convened to do so. Selectman Mills stated that special Town Meetings are not always granted. Mr. Crawford responded that it might be different if the money was set aside in advance so that a bond could be drawn down. Mr. Crawford stated that, as he reads the RSAs, the fifty signature provision would not apply to the Conservation Commission. This could be an out which would permit the Town to weigh in on an acquisition.

Mel Low stated that, starting with Parsons Park, which took three years, the Town has been very successful.

#### Town Hall renovation (170:32 elapsed)

Selectman Mills read the proposed article, which lacked a cost. Ms. Gillespie stated that it was a place holder.

#### Front end loader (171:23 elapsed)

Selectman Mills read the proposed warrant article. The total price for the rubber tire front end loader for Public Works is \$175,000, to be leased. The payment in the first year is \$45,000. There is an escape clause.

Mr. McCarthy stated that the front end loader is not a replacement. Instead the equipment eliminated would be a track mounted bulldozer that was formerly used in the stump dump. An existing front end loader would be moved to the Transfer Center. It is expected to have another ten years of life. It's less expensive to have two front end loaders than one front end loader and a track mounted bulldozer.

The motion to approve the warrant article carried unanimously.

#### Six wheel dump truck (173:10)

Selectman Mills read the proposed warrant article. It provides for the replacement of an existing, high mileage, six wheel dump truck with a new one. The cost is \$150,000, to be withdrawn from the Highway Equipment Capital Reserve Fund created in 1994.

Mr. McCarthy stated that this was the truck discussed the prior year that they wanted to get one more year out of. There are now two trucks that are neck and neck as to which should be replaced. That decision will be made later.

Selectman Mills asked whether this wasn't the truck that the Selectman had canceled the prior year. Selectman Musselman laughed and said, yes, and he still needs it. Mr. McCarthy stated that he still needs it, and now there are two trucks that may need replacement. There was laughter. The mileage is 60,000 to 70,000 miles, but the issue is the number of winters that it has gone through, Mr. McCarthy said. The trucks are 16-17 years old.

The motion to approve the expenditure was made by Selectman Musselman and seconded by Selectman Jenness. Selectman Mills then asked Selectman Jenness whether she was going to vote. *Editor's note: See the notes of the December 10, 2012 meeting. Selectman Mills had voted no on the dump truck replacement and then suggested that Selectman Jenness should have recused herself because her son is employed by the Public Works Department. She then did so, leaving only one vote in favor, that of Selectman Musselman.* Laughter ensued, and the motion carried unanimously.

#### One ton dump truck (175:56 elapsed)

Selectman Mills read the proposed warrant article. It requested \$65,000 for a one-ton dump truck to replace a ¾-ton dump truck. The money would be withdrawn from the Highway Equipment Capital Reserve Fund.

Mr. McCarthy explained that this truck was scheduled for replacement this year. It will be the last one ton truck that will be bought for a while.

The motion to approve this warrant article carried unanimously.

#### Additional full-time patrol officer (176:24 elapsed)



Selectman Mills read the proposed warrant article. It provides \$46,915 for the last six months of 2014. It includes wages, benefits and the required outfitting equipment, and is calculated at current wage and benefit rates. The annual cost would be \$88,326.30 at current wage and benefit rates.

Police Chief Kevin Walsh explained that he had provided documentation discussing the pros and cons of a full-time officer versus part-time officers. A full-time officer would be more cost effective in the long run. He referred to an October 11, 2013 document that described the calls for service over the last 4-5 years. There are challenges year-round, Chief Walsh said. The shifts would be adjusted to take into account summer issues, in response to the townspeople and the Board of Selectmen. This would be difficult with the current staffing level, he said.

Selectman Mills stated that he was not ready to make a decision. If he needed to do so tonight, his vote would be against.

Selectman Musselman stated that more coverage is clearly needed at the beach. It was not fair that Chief Walsh had to spend time at the beach to fill in last summer for officers on vacation. Chief Walsh explained that two officers had left, one in June and one in July. Any vacations were no longer than a day in duration. Week long vacations are not typical during the summer, he said.

Selectman Musselman asked about getting a retired officer, such as a Jeff Pierce, to help with alcohol, dogs and trash and other issues at the beach. He accepts that it isn't possible to hire and train someone who is only going to be there for the summer. However, hiring a retiree might be feasible. Then, someone could be dedicated to the beach. He asked whether that could be tried for 2014.

Chief Walsh responded that it would take a lot of time to do that. It took three months to hire the new officer who was presented today. Part-time personnel require direct supervision. Saturdays and Sundays are the top days. Full-time employees have the buy in and know what the schedule is. Part-time employees may not feel like working those days. Retirees want to get away from mass numbers of tickets and the follow up, with reports and court appearances.

Selectman Jenness asked Selectman Musselman whether he was ready to vote. He responded that he is convinced that more staff is needed. The argument for adding staff is there.

Chief Walsh stated that Moultonborough has the same type of dynamics and has two more full-time officers than Rye.

Selectman Jenness stated that she would support a full-time officer. Perhaps things could be arranged so that less overtime was needed. Chief Walsh stated that, with full-time employees, report writing could be deferred until less crowded days at the beach occur.

Selectman Musselman stated that he would be willing to support it. He asked Selectman Mills whether it would be a 2-1 vote. Selectman Mills affirmed and stated that he knew a lot more of the particulars than the other Selectmen. Chief Walsh referred to internal things in the department which have been adjusted. Some vacancies have been filled, he said.

Selectman Musselman asked Selectman Mills whether he would change his mind in January. Selectman Mills responded that he would not. He asked what Chief Walsh

would do with the officer from September to May. Selectman Musselman also requested that Chief Walsh address that issue.

Chief Walsh responded that the gap, when there is only one officer on duty after 1:00 a.m., would be filled. They are now working on three major cases, two of which are cold.

Selectman Musselman asked about single officer graveyard shifts in surrounding towns. Chief Walsh responded that Greenland has a single officer due to its size. Stratham and North Hampton have double coverage. The October 11 document summarizes some of the significant things that have occurred on the graveyard shift, he said. It takes 5-8 minutes for an officer to arrive from another town. It has taken him 15 minutes to get in from home.

In response to a question from Selectman Musselman, Town Administrator Magnant stated that the Police Chief makes good points. Professionally, he does not believe that the experiment will be successful. *Editor's note: Mr. Magnant is the former Police Chief of Portsmouth.*

Selectman Musselman then moved that the warrant article be approved as presented. Selectman Jenness seconded. Both were in favor, Selectman Mills voted against.

#### Funding of Highway Equipment Capital Reserve Fund (193:17 elapsed)

Selectman Mills read the warrant article, which adds \$100,000 to this fund. Ms. Gillespie stated that the warrant article had already been voted on, as part of the capital reserves.

#### Change to beach parking fund (193:36 elapsed)

Selectman Mills read the article, which changes the fund created by a 2004 warrant article that created the Beach Parking Violation Fund. The percentage expenditure from the fund is decreased from 60 percent to 50 percent. A two-thirds vote is required. Ms. Gillespie stated that the fund balance has been growing, and is now at \$53,000. It has been growing by about \$8000 per year. Currently, the general fund gets 40 percent of the revenues. This would increase that percentage to 50 percent to prevent the fund balance from growing as fast. She is going to check to see if the parking study can be funded out of this fund.

Selectman Musselman asked whether the fund could be repurposed, for example for beach cleanup. Ms. Gillespie stated that there is already a fund for that, financed by the parking permits. That fund has a 75/25 split, with 25 percent going into cleanup and 75 percent going to the general fund. Selectman Musselman asked whether some of these funds couldn't go towards the additional policeman to reduce the tax impact. Ms. Gillespie stated that some of the enforcement revenues could be used for that as the description refers to enforcement.

Selectman Mills asked what the parking permit revenues were. Town Clerk Beth Yeaton responded that the permits are \$20 each and almost 2000 are sold annually. Ms. Gillespie stated that \$30,573 had been collected year to date through October from the beach enforcement fund. The other one has \$11,645 from the sale of permits. *Editor's*

*note: This must be the 25 percent portion of the beach permits, if Ms. Yeaton's assertion that approximately 2000 permits are sold annually is correct.* The fund balance in the beach cleaning fund is \$22,700, Ms. Gillespie said. That fund does not grow as rapidly as the enforcement fund, she said. Mr. Magnant cited language referring to parking enforcement, suggesting that the funds could not be directed towards an additional policeman.

Selectman Musselman stated that there might be \$20,000 to \$30,000 that could be available from beach-related revenues. Selectman Musselman suggested that a new beach fund be set up that could be used for police, parking and similar items. This would pool the various revenue sources that are going to the general fund. Selectman Mills stated that it would not go far. Selectman Musselman said that parking meter revenue could go there.

The issue was tabled, as Ms. Gillespie indicated that additional research would be needed.

#### Parsonage Apartments (203:19 elapsed)

Selectman Mills read the warrant article which would, pursuant to RSA 31:95-c, restrict 50 percent of the revenues from the Parsonage Apartments to a fund for major building repairs that will be called the Parsonage Maintenance Fund.

Mr. Magnant stated that this warrant article had come from him and his discussions with Marty Chapman. He had brainstormed with the Town Attorney regarding this.

Ms. Gillespie stated that the revenue from the Parsonage Apartments is \$838 per month. Selectman Musselman asked whether the Town was recouping an investment, and asked how the building was acquired. Mr. Magnant explained that he understood that the Town and the Housing Partnership had obtained a grant for major renovations to the building and had entered into the lease agreement at that point. Beth Yeaton stated that she thought that the building had been acquired by the Town from Fred Cook. The Town was a landlord for a number of years and then entered into an agreement with the Housing Partnership. Selectman Mills confirmed that the apartments had been purchased from Mr. Cook, but stated that Mr. Cook had then been hired to manage the apartments for the Town.

The warrant article was approved unanimously as presented.

#### Cell tower fund, ambulance and fire truck purchases (206:56 elapsed)

Selectman Mills read the proposed warrant article. It would, in accordance with RSA 31:95-c, restrict 50 percent of the revenues from the cell tower on Johnson Ln. off Grove Rd. fund to the New Ambulance Vehicle Fund, established in 2005. The article changes the percentage from the original 100 percent to 50 percent.

Ms. Gillespie explained that there were copies passed out of warrant articles to be presented by Fire Chief Sullivan. There is currently \$220,179 in the cell tower fund, and it is growing. If the percentage changes the Board may want to designate where the other money would go. Selectman Musselman suggested that it go for the beach. Selectman

Mills suggested that it go to Conservation. Selectman Musselman stated that it should go to a new specific purpose and that the Town should be able to vote on that.

Selectman Mills stated that there had been quite a fight with Conservation on the issue. Selectman Musselman asked whether Selectman Mills had won. Selectman Mills affirmed. Selectman Mills further stated that it should not be touched. The article was put in because the three Selectmen would one day need the ambulance. He did not want the money to go into the general fund and be blown, Selectman Mills said.

Selectman Musselman asked about the meaning of “new.” Fire Chief Sullivan stated that he had asked Town Attorney Donovan to revisit his conclusion the prior year that a used vehicle could not be purchased and rechassied because it would need to be registered as a 2014 vehicle. He had not heard back yet.

Ms. Gillespie stated that the annual cell tower revenues were \$40,000.

Chief Sullivan stated that he had proposed a warrant article for \$175,000, which would be a savings of approximately \$35,000 relative to purchasing a pre-owned ambulance. \$30,000 of the ambulance cost would come from general taxation so that the fund would not be drawn down completely.

Raymond, Stratham, Kingston, Seabrook and Brentwood have two to four ambulances, Chief Sullivan said. Larger communities such as Portsmouth and Hampton have 2-3 ambulances and they staff two, with one ambulance held in reserve. Rye’s current ambulance is five years old, with 60,000 miles, and will be out of service more and more. The cell tower fund would be sufficient in 2017 to replace or rechassis the existing ambulance.

Selectman Musselman asked how much a new ambulance would cost. Chief Sullivan responded that it would be \$215,000 to \$220,000.

Selectmen Jenness asked about the ambulance calls from Sanctuary Care. Chief Sullivan stated that, at one point, there were two per day, but these have dropped right off. However, Rye has a higher percentage of residents over 65 than any community in the area other than New Castle. The average person transported is 75 years old.

Selectman Mills asked about mutual aid. Chief Sullivan affirmed that other towns provide services in Rye. Portsmouth charges \$400 to \$500 every time they take a call, so Rye is losing revenue. Selectman Mills asked how many calls there had been. Selectman Jenness interjected that it would take a lot of revenue to match \$220,000. Chief Sullivan stated that in 2013 through September 5, Portsmouth had responded to Rye 20 times, and North Hampton had responded to Rye 3 times. Rye had responded to Portsmouth 12 times, and to North Hampton 13 times. North Hampton has one ambulance, he said.

Selectman Musselman stated that the numbers don’t seem large and are not very imbalanced.

Selectman Jenness asked whether there was room for an additional ambulance in the Public Safety Building. Chief Sullivan stated that there was, if the mutual aid truck was housed by some other town. That is not the Bearcat police vehicle, he said, it was the one seen in the recent parade.

In response to a question from Selectman Mills, Chief Sullivan denied that he would be looking for additional personal in 2016 to staff the additional ambulance. People would come in to cover, he said.

Ryan McGill asked whether there was a problem with assists from other towns, as the cost is only \$3200, compared to \$220,000 to purchase another ambulance. Selectman Mills responded that “you’d better shut up, or you’re in deep trouble.” Selectman Musselman said that they respond to every call.

Selectman Musselman said that, if it’s 40 calls, that amounts to \$10,000 to \$15,000 annually. Ms. Gillespie stated that over \$40,000 a year is going into the ambulance fund. Selectman Musselman stated that that would pay for a new ambulance every 5.5 years, which would keep the Town in two ambulances.

There was discussion about the word “new” in the 2005 warrant article. Selectman Musselman stated that it was a difficult issue to present at Town Meeting.

Selectman Mills moved to withdraw the article and instruct the Fire Chief that the Town would not purchase a new ambulance this coming year, whether refurbished, new, or used. Selectman Musselman seconded for discussion purposes. He stated that he was not sure that another ambulance would be needed this year. He asked when a new ambulance would be needed. Chief Sullivan indicated that it would be perhaps 3-5 years before the 2008 ambulance would need replacement, although it has 65,000 miles and a lot of idle time. The fire department’s fleet has not expanded in a long time. They are not trying to overreach, he said.

Selectman Jenness indicated that more ambulances would be needed, as opposed to fire trucks. This is self supporting from the cell tower revenues.

Chief Sullivan stated that he would like to go to the Budget Committee and Town Meeting with the Selectmen’s approval. Selectman Musselman asked whether that could be coupled with a provision that Rye would commit to have all firefighter/paramedics by 2017. *Editor’s note: See the notes of the October 30, 2013 all-day budget session. The Town only has 3 firefighter/paramedics to cover 4 shifts.* Selectman Mills laughed. Chief Sullivan stated that they were getting into the discussion at the executive session earlier that evening. Not everyone is cut out to be a paramedic, he said. However, when people leave they will be replaced with firefighter/paramedics.

Selectman Musselman stated that, if there is going to be a second ambulance, with the ability to “go out,” the Town would want two paramedics per shift. Chief Sullivan disagreed, stating that the second ambulance would be there for redundancy and backup, and would be staffed with off duty and call personnel. Chief Sullivan stated that two calls are handled at the same time frequently during the summer.

Chief Sullivan explained the other warrant article that he had requested. This provides for a \$15,000 match towards the purchase of a used quint fire truck, most of which would be paid for by a grant. The \$15,000 would be a five percent match.

Selectman Mills asked to return to his prior motion that was on the table. Selectman Musselman clarified that the revenues would be left as is. All were in favor of the motion, which withdrew the warrant article for the second ambulance.

Selectman Musselman indicated that a new ladder truck would be \$700,000 and asked to return to that issue. Selectman Mills asked how many ladder trucks Portsmouth has. Chief Sullivan stated that they have two, however one is too large to use in Rye except perhaps on some buildings along Route 1 or 1A.

Selectman Musselman again clarified that the cell tower contribution to the ambulance fund would remain at 100 percent, and that they would wait to hear back from

Town Attorney Donovan on the issue of whether the fund could be used to purchase a used ambulance.

Selectman Musselman moved to approve the warrant article for the \$15,000 match. Selectman Mills seconded. All were in favor.

Other warrant articles (232:53 elapsed)

There was then brief discussion about other draft warrant articles that was unclear as these were not read into the record. It was asserted that these were not ready for prime time.

Increase in hours for Assistant Town Clerk (234:00 elapsed)

Town Clerk Beth Yeaton asked whether her budget would be revisited and the increased staff hours would be discussed. She requested that the discussion focus on the position and not the individual occupying it.

Selectman Mills stated that the position had not been there a year yet. He asked whether there should be a probationary period before the hours are increased. Ms. Yeaton argued that, if the position is made full time, by April 1, the person in the position would have served her six months probation. The job has needed to be full-time for several years, she said.

Public Works Director McCarthy, in response to a question from Selectman Musselman clarified that the individual is still working one day a week at the Transfer Station. Selectman Musselman suggested that those hours be filled through another means and that the time that the individual spends with the Town Clerk's office be increased to 32 hours for the duration of 2014. A decision would then be made at this time next year, considering that the transition to full-time would add benefits of an additional 60 percent and there would be further cost increases resulting from vacation and sick leave. Ms. Yeaton stated that vacation and sick leave are already pro rated.

Ms. Yeaton stated that going to full-time as of April 1 would add \$20,000 to the budget next year. Ms. Gillespie clarified that the cost would be \$61,400 for a full-time person for a year including fringe benefits. Selectman Musselman said "holy cow." Selectman Jenness stated that that was what health insurance had done. Ms. Yeaton stated that, at 34 hours per week, the cost would be \$33,500 for a full year.

Ms. Yeaton stated that assistants need not be residents. The person is likely to leave if a full-time position opens up in another town. That is not the case with deputies, who must be residents.

There was then clarification that the current budget had been based on 24 hours rather than 32 or 34 hours. Ms. Gillespie stated that the budget of \$245,080 for the department had been approved by the Selectmen and the Budget Committee, however that had been based on 24 hours a week for most weeks, with more for certain weeks. Ms. Gillespie agreed to recheck the figures.

Selectman Musselman moved that the position be converted to 32 hours, and that the issue of making it full-time be reevaluated in a year. The motion carried unanimously.

Adjournment (248:24 elapsed)

After Selectman Mills asked whether there was any new business, and there was no response, Selectman Musselman noted that there were a number of people in the back who had been smiling at each other and were leaving without having said anything. The motion to adjourn then carried unanimously.