

**TOWN OF RYE BUDGET COMMITTEE
2024 TOWN BUDGET WORK SESSION
Thursday, December 7, 2023, 6:30 p.m.
Rye Town Hall**

Budget Committee Present: *Chair Scott Marion, Vice-Chair Jeff Ross, Clerk Steven Borne, Doug Abrams, Kate Dumas, Rye Beach District Rep Shawn Crapo, Rye Water District Rep Ralph Hickson, School Board Rep Katherine Errecart, and Selectmen’s Rep Bob McGrath*

Others Present on behalf of the Town: *Finance Director Becky Bergeron, Police Chief Kevin Walsh, Public Works Director Jason Rucker, Deputy Fire Chief Kevin Wunderly, Recreation Director Dyana Martin, Building Inspector Chuck Marsden*

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Marion called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

II. WORK SESSION: 2024 TOWN PROPOSED BUDGET

A. Town Departmental Budgets – Any unfinished business
None

B. Capital Outlay

Town Hall Annex:

Security System \$51,050

The security system involves the Town Hall Annex for security cameras and a key fob system for the employee entrance. This would all be tied into the server at the Public Safety Building, so public safety officials will have access to the videos. The company proposed to put in the system is the same company that put in the system at the Public Safety Building, so they are familiar with Rye’s municipality. This is phase 1 of 3 phases for townwide municipal security.

Police Chief Walsh spoke to the Committee about the need for security in the municipal buildings.

Motion by Doug Abrams to zero the amount for this year and have it be included in next year’s warrant article for the expansion.

Motion failed due to lack of a second.

It was noted that phase 2 for the expansion of the Town Hall Annex is in the CIP for the year 2025; however, this doesn’t mean it will end up on the ballot or in capital outlay. After some

discussion, on the timeframe for the annex expansion, some members of the Committee agreed that security for that building is important and putting it off for a year or two is not a good idea, as the staff in that building handles several financial transactions in a day.

There were concerns expressed by members of the Budget Committee that the security system was not taken into consideration when the Town Hall Annex was being completely renovated when it could have possibly been done for less money. It's now being presented, a year later, as a necessity that has to be addressed immediately. There were also concerns and questions about what the yearly maintenance and operational costs will be to run the system.

After discussion, it was agreed that the capital request should be tabled for more information on the yearly maintenance and operational costs.

Motion by Katherine Errecart to table the Security System Capital Outlay request until the next Budget Committee meeting. Seconded by Doug Abrams. Vote 9-0

Police Department:

Police Cruisers \$130,000

Police Chief Walsh reviewed the capital request of \$130,000 for the purchase of two police cruisers for the Department. Currently, there are five cruisers with one of the cruisers being used 24/7 and the others running about 18 to 20 hours a day. When a cruiser is decommissioned, it's revamped by the Highway Department and then sent to a town department that needs a vehicle. At this time, Rye has three town vehicles that will not pass inspection, due to body rot and mechanical issues, and those cars are being taken out of service. The two police cruisers being proposed for replacement have over 150,000 miles on them. Normally, the Town replaces only one cruiser in a year. However, due to the fact that the outside detail account has been drained for a few years, a police cruiser was not purchased in 2023. The Department has been rotating and alternating the two main line cruisers in order to keep the mileage stable. The purchase of two vehicles will put the Department back on track with vehicle rotation. The capital expenditure proposed will include the vehicles, outfitting, and interior parts. The intent is to have the cruisers in service soon after town vote in 2024.

Motion by Steven Borne to recommend the capital outlay request in the amount of \$130,000 for the two police cruisers. Seconded by Doug Abrams. Vote: 9-0

Building Department:

Vehicle \$40,000

Building Inspector Marsden spoke to the Committee about the capital expenditure for a new vehicle in the amount of \$40,000 for the Building Department. At a previous select board meeting, the Selectmen voted to recommend the vehicle purchase for the Building Department with the proviso that the Finance Director research the option of leased vehicle financing.

Motion by Doug Abrams to table the request until more information is available with regard to the lease process. (Motion failed due to lack of a second)

Finance Director Bergeron reminded the Committee that a lease is a long-term debt, which will need a warrant article with supermajority vote. It's not just about transferring it from capital outlay and putting the yearly lease payments in the operational budget.

Motion by Doug Abrams to recommend the request of \$40,000 for the purchase of a vehicle for the Building Department. Seconded by Katherine Errecart. Vote: 9-0

Recreation Department:

Vehicle \$40,000

Recreation Director Dyana Martin spoke to the Committee about the capital request for the Recreation Department for the purchase of a new pickup truck in the amount of \$40,000. A pickup truck is being requested to help with hauling recreation equipment and supplies to off site events, along with equipment for field maintenance.

Motion by Doug Abrams to recommend capital outlay in the amount of \$40,000 for the purchase of a vehicle for the Recreation Department. Seconded by Katherine Errecart. Vote: 9-0

Conservation:

0 Pioneer Road/Junkins Property \$18,000

Selectman McGrath noted that he was not involved in the purchase of this property, as he is a new selectman. In August this year, Hugh Lee was at a select board meeting and inquired about the property. At that time, Select Board Chair Tom King said that the plans had not been discussed and there have been no plans in front of the Board showing what will be done on the property. At the meeting when the \$42,000 was presented to the Select Board for capital outlay, it was said that the Board had an agreement with the RCC to purchase the parcel to allow public access to the property. Since that meeting, Select Board Chair King had realized there wasn't a formal agreement and it was "an understanding." The understanding was that the public access was going to be done to allow the purchase, which was a verbal understanding. Selectman McGrath noted that he has abstained from any votes because he was not part of the acquisition process. Selectman McGrath pointed out that the Conservation Commission went to the Select Board last week and reduced the capital outlay request, which he feels is a good move in the right direction. RCC has also said that they are going to have a public meeting to get public input. When the RCC met with the Select Board last week, they talked about taking care of invasive plants, dangerous trees, and potential engineering.

Hugh Lee, 220 Pioneer Road, spoke to the Committee about his concerns with the capital outlay request. He noted that the November 9th RCC minutes show that the invasive work on the Junkins property for next year is \$1,600. He also noted that the engineering will be a fraction of the \$8,200. There is no need for the \$18,000 capital outlay, as there is more than enough money in the operating budget, which was recommended by the Select Board and Budget Committee.

Tim Boorman, 200 Pioneer Road, commented that there was a meeting with RCC. He had asked a conservation commission member why the Seavy parking lot couldn't be used with a trail being cut through, it was said by this RCC member that this wasn't on the table.

Member Crapo stated that he is going to recommend zero for this capital outlay for next year, or possibly \$2,000 to address the invasives. He pointed out there's a lot of capital outlay for next year. This piece of land, other than the invasives, is not hurting anyone and it can set there for a few years before anything has to be done. There is nothing that has to be done, unlike cruisers and infrastructure that is dilapidating. He pointed out that RCC has a maintenance budget that can handle the land. As far as construction of a parking lot, he thinks that should be a warrant article, along with the engineering.

Mike Garvan, Conservation Commission Member, commented there are objections to the project, as well as objections to the process. RCC had an opportunity to purchase this property. It's a unique property that ranks very high on the Town's national resource inventory. It has wonderful conservation values. RCC received approval from the Selectmen prior to the closing and funds were used from the Town's acquisition bond. The closing on the property took place in April 2022. Prior to the closing, a public hearing was held about the acquisition. At that public hearing, there was discussion about the conservation attributes of the property. There was also discussion about potential uses for the property; such as, trails, and a possible boardwalk on the marsh. He pointed out that there was definitely talk about public access. He thinks it eminently reasonable, if the Town pays money for public property, that there should be public access. RCC does this on every conservation parcel where possible; Seavey Acres, Goss Farm, Brown Lane Farm, and Cedar Run. The only access to the creek is from Brackett Road, across Mr. Keefe's property or the private property on the other side of the creek. There is a parking lot at Seavey Acres, but it needs a lot of work. The parking lot accommodates four cars. To expand that parking lot, a dozen large trees would have to be cut on the property. A section of an old stonewall would have to be removed and fill would have to be brought in. A trail could then be created down to the creek. However, the parcel has terrible site lines and the parking lot would have safety issues, as it's right on a curve. That is why the Conservation Commission is not in favor of doing a massive improvement on that site; however, they will be addressing the mud, etc.

Chair Marion asked if Chief Walsh has weighed-in on the issue of safety.

Police Chief Walsh commented that the angle has to be reviewed and it's up to the State as to what they will allow. He added that he is going to approach the Town with an ordinance that will address campers, tents, and people sleeping on properties overnight, as this is also a concern with the neighbors to this property. This ordinance will give the officers an opportunity in their toolbox to manage camping and sleeping in a vehicle overnight. This is something the Town doesn't want because it creates trash and other quality of life issues. He noted that the Town is at the point where they are seeing it sporadically in different areas.

Member Abrams commented that there are one hundred fifty people who have signed a petition in adversity to this project. He thinks RCC should find a mutual ground. Unfortunately, that's going to be one hundred fifty people who will be voting against the conservation budget in years to come.

Member Borne noted that RCC is asking for \$18,000 to do some work on the land. The parking lot and other work that everyone is upset about, has been tabled. His understanding is that RCC is going to do some work, do some engineering, and then have public sessions to engage with people. He pointed out that the Town is working on the Master Plan and it would be a great thing if all this energy would go into that master plan with regard to what the Town wants for conservation, so there is more clear direction on the services and uses of conservation land.

Mr. Garvan continued that RCC closed on the property in April 2022. There was a public hearing and discussions at RCC's regular meetings about what will be done with the parking lot. RCC heard nothing from the public all that time. In July 2023, Mr. Lee came to the RCC with a proposal for a different location for the curb cut for the parking lot, which was a nice solution and it seemed like Mr. Lee might be trying to improve the project. At that time, Mr. Keefe also expressed some concerns about the project. RCC decided that they needed to have a listening session, and a site walk on the property to show the approximate location of where the parking lot might go, which was done. The site walk was attended by almost the full RCC, one select board member, John Chagnon from Ambit Engineering, and twelve members of the public. RCC heard a lot of things that they hadn't heard before. Mr. Garvan confirmed that RCC wants to engage with the public. At that meeting, RCC committed to having a public meeting, which is going to be held in the first quarter of 2024. One reason the RCC is not asking for the \$42,000 is to give time for engaging with the public to work out a solution.

Selectmen's Rep McGrath asked Mr. Garvan to speak to the understanding prior to the purchase with the Select Board.

Mr. Garvan explained this is nothing unique with conservation acquisitions. The Select Board likes to see public access. The Conservation Commission likes to see public access. There was no stipulation. This is a unique property for several reasons and it would be great to have public access on public land, and not through private land.

Selectmen's Rep McGrath stated that his concern is that Select Board Chair King said that the Town does not have any waterfront property in town, other than the ocean. There are also parking areas at each conservation site. Selectman McGrath continued that there has never been a water access area, so there is nothing to judge how much attention this property is going to get, especially on a main road to the beach area. This property could get swamped with people with kayaks and canoes. There's no history of what kind of participation, car wise, will be there.

Motion by Shawn Crapo to recommend zero on this capital outlay request. Seconded by Doug Abrams.

Karen Oliver, Conservation Commission Member, stated that she understands that everyone wants to be heard, but it's important to know that they will be. That's one of the things the RCC has committed to. People are upset about something that hasn't even happened yet and it may not happen, depending upon public input. Procedurally, the process is what's important, so everyone knows what's going on. As soon as this became an issue, the idea was to take another look and listen what everyone has to say. She just doesn't feel that the budget committee meeting is the place for people to come to talk about the parking lot; otherwise, everything the RCC spends money on would need to be revisited. She pointed out that this was approved a year ago and fell through the funding last year, and it was approved again this year. It was the Conservation Commission who said they wanted to pull back to be sure the process of getting public input is followed.

Member Borne stated that his understanding is that when Conservation uses public money to buy land, it's expected that Conservation is to do things to provide easements, access, water rights, and other things; this is the intent when a parcel is purchased.

Member Errecart noted that the Committee's task at this meeting is to vote on \$18,000., or adjust the amount. The money is being asked for to pay for potential permitting fees, remove dangerous trees, and deal with invasive plants on the property.

Chair Marion explained there are two issues going on and people are burying one on the other. First, it was about money. He is also hearing that people don't want a parking lot on the land and are using the money as a way to try to stop the parking lot/access.

Member Errecart pointed out that if the Budget Committee says "yes" to \$18,000., they are not saying "yes" to a parking lot.

Chair Marion agreed.

Member Crapo commented that in this cycle, none of this has to occur right now.

Jeff Keefe, 3 Brackett Road, stated that he is most effected by three issues. The first is that he supports good stewardship. He doesn't know how they can take one of the most sensitive areas in the State of New Hampshire and turn it into parking for access, where access already exists. He also has a problem with fiscal responsibility. He doesn't believe it's fiscally responsible to use taxpayers' money to build a parking lot where access already exists in several different spots. He has a big problem with due process and that's why everyone is here tonight. This is not the Budget Committee's problem, but the public hasn't had the opportunity to share their opinion. He continued there was a listening session on the site, but that's only because people showed up at meetings when this project started moving forward without any abutters being notified. Due process has not been completed. People were also told there was a stipulation and there is someone on video saying there was a stipulation. Also on video, the chair of the Conservation Commission said that if the new owner of 3 Brackett Road doesn't want fishermen across his

land, then RCC would look at putting in a curb cut. Mr. Keefe stated he is fine with people walking across his land to fish. He wants people to use it.

Chair Marion pointed out this could be stopped at any time.

Vice-Chair Ross commented that he doesn't believe that RCC can accept that as access. They can't say to the public that they can access the Junkins property through 3 Brackett Road.

Mr. Keefe submitted documents to the Budget Committee from an engineering study that has been done for the Junkins property. He doesn't understand why they are requesting money for engineering when there has been no public session and an engineering study has already been done. The Conservation Commission spent taxpayers' dollars for engineering and they are now asking for money for an engineering study. Mr. Keefe also submitted a plot map showing the location of each resident who signed the letter. He noted that people all over town have concerns about this proposal because it hasn't been handled properly.

After discussion with the public, Chair Marion called for a motion on the floor made by Member Crapo:

**Motion by Shawn Crapo to recommend zero on this capital outlay request. Seconded by Doug Abrams. Vote: 3-4-2 Abstained: Bob McGrath and Katherine Errecart
Motion failed**

Member Errecart stated that it's clear there needs to be more discussion and more input on a potential plan for this land. She pointed out that RCC is saying that also. She thinks a good signaling function would be to remove the permitting fees from the \$18,000 and to just approve the basic removal of trees, and removal of invasive plants, to signal a further process is needed. She's not sure what that would mean for a number against the \$18,000 because the breakdown is not known.

Member Crapo pointed out it would make it close to \$2,000., which would put it in the RCC operating budget.

Member Borne stated that RCC could do this permitting through their budget anyway. His assumption is that this is information they'd like to know, in order to have a fruitful public discussion.

Vice-Chair Ross commented this is why he'd like to keep the capital outlay and allow for RCC to do the work. He thinks the best thing, for everyone concerned, is to figure out how access is going to be provided to this property. He doesn't think the work should be delayed. It needs to move forward. The Town should be moving on taking care of that property and investing to be sure it can be accessed to the best of its ability. Zeroing out the request and not doing anything is kicking the can down the road. He distinctly trusts the Rye Conservation Commission to have meetings in town with everyone about what will happen, once they figure out what maybe could happen.

Chair Marion pointed out that the Committee doesn't have the line items for the \$18,000. He doesn't think it would be responsible for the Committee to vote on this without seeing that information.

It was confirmed by Finance Director Bergeron that as part of the asset management procedure that's in place, the amount of \$15,000 is the guideline for what items are included in capital outlay; although, there are some items of lesser value in public works, in the aggregate it's more than \$15,000. If this were to fall below \$15,000., she would recommend it go back into RCC's operational budget with a revote.

After further discussion, some members of the Committee agreed that they would like to see more information on the breakdown of expenditures for the \$18,000.

Motion by Steven Borne to table the request, until the Budget Committee's meeting on December 14th, for further information on the \$18,000 being requested. Seconded by Ralph Hickson.

Vice-Chair Ross commented that the other thing that has caused this to "go off the rails" is process. He hopes that what they've been able to do at this meeting, with regard to process, is to put it back on the rails in such a way that when a decision is finally made, people will understand why it was made and that it was for the good of everyone involved.

Mrs. Oliver stated that RCC is all ears. She's sorry this has evolved into the situation that it has, but she wants it to be clear that RCC wants everyone's input on what would be best for this beautiful piece of property.

Chair Marion called for a vote on the motion to table:

Vote: 9-0

Townwide:

Computers \$35,280

The capital expenditure being requested for computers covers five laptops with docking stations and monitors. It also covers five traditional desktop computers. Another part of the proposal covers the server replacement for the Town Hall Annex and town trust software. It was noted that the fiber connectivity is going to be presented to the Budget Committee also; however, either the fiber or server will need to be addressed in 2024, but not both. The reason the server is being proposed is because there is currently no connectivity to the Public Safety Building to run applications. If the fiber is approved, the Annex would be directly connected to the Public Safety Building and the server would not be needed. The expense for the server is \$10,780.

It was agreed to address the fiber connectivity request before taking a vote on townwide computers.

Infrastructure:

Fiber Connectivity \$46,595

This request is for the fiber to link all the municipal buildings together. This is phase 1 of a phased approach, which will connect the Annex and Public Works to the Public Safety Building. Recreation will be done in its own phase at a later date. The intent of having dedicated fiber is to reduce the dependence upon an outside internet provider, increase speed and efficiency, and secure endpoints. This will be dedicated town fiber with less access doors and opportunities for infiltration into the system.

There was discussion amongst the Committee about whether this expenditure is prudent, as there have been concerns from taxpayers with regard to the tax rate and expenditures continuing to climb. There was also concern with some members on the Committee about having a dedicated line, as there is question as to whether the Town will be able to keep up with maintaining the line, along with future capacity needs and equipment changes.

Motion by Doug Abrams to recommend \$35,280 for townwide computers. Seconded by Steven Borne. Vote: 8-1 Opposed: Jeff Ross

Referring to the fiber connectivity, Member Abrams expressed concerns that the Committee doesn't have enough information and they don't know what the options may be.

**Motion by Doug Abrams to recommend zero for the fiber connectivity request.
(Motion failed due to lack of a second)**

Member Borne expressed concerns in spending money to run optic cables to Recreation and DPW.

Finance Director Bergeron spoke to the Committee about her concern with the Town's buildings being dependent upon a third party cable provider.

**Motion by Kate Duman to recommend \$46,595 for fiber connectivity. Seconded by Ralph Hickson. Vote: 6-2-1 Opposed: Doug Abrams and Scott Marion Abstained: Steven Borne
Motion passed**

**Motion by Steven Borne to reconsider the capital outlay request for townwide computers.
Seconded by Shawn Crapo. Vote: 8-1 Opposed: Doug Abrams**

**Motion by Steven Borne to recommend \$24,500 for the Townwide Computer Capital
Outlay. Seconded by Jeff Ross. Vote: 8-1 Opposed: Doug Abrams**

Police Department:

Security Cameras \$90,000

The capital outlay request for \$90,000 is for security cameras at the Public Safety Building for the interview room in the Police Department, booking room with two cells, and the sallyport.

The current system was installed in 2006 and failed in 2015. The software is no longer supported for the video and audio, and needs to be updated. It's anticipated that the cameras currently in place can be used with only the sallyport, booking room, two cells, and interview room being replaced. The majority of the cameras in the building have been replaced over the sixteen years the current system has been in place.

Software \$26,830

The Police Department's current software is going to be obsolete within the next five years. The Police Department is dispatched by the Rockingham County Sheriff's Department and that will continue into the future. The Sheriff's Department has made an offer to change its software to Central Square. The multi-jurisdictional dispatch center will be spreading the costs of this software over five years and will include the towns of Rye, New Castle, Newington, and one other town. The expense of \$20,000 is an estimate from Central Square to migrate all the Town of Rye Police Reports into the Rockingham County Sheriff's Department server. In December of 2024, the reports from all twenty-seven of the Sheriff's Departments police agencies will be migrated into the new software. This will setup the same type of reporting service the Department receives now, as the agencies will be integrated with the State. There is also an annual maintenance fee of \$6,500 for five years.

Motion by Doug Abrams to recommend \$116,830 for the outlay requests for the Police Department. Seconded by Steven Borne. Vote: 9-0

Note: *Shawn Crapo left the meeting at 9:15 p.m.*

Public Works Department:

Hotbox \$50,000

The capital expenditure is for the purchase of a hotbox, which is a heated trailer to hold asphalt to make permanent repairs to the roads, instead of using the costly cold patch as a temporary fix to road repair, which the Town uses currently. The purchase of a hotbox would allow the DPW to make permanent repairs and the cold patch would not be used as extensively. This would ultimately provide a permanent repair, as well as a cost savings. DPW has looked into a few options and the request of \$50,000 will purchase a hotbox that will meet the needs of the Town. The DPW is proposing the purchase of a hotbox that has been used as a demonstration model through a local provider who can provide the Town with service and repair parts in the future.

Pavement Condition Evaluator \$25,000

The capital expenditure being proposed will provide the DPW with a pavement condition index for the roads in Rye. This will help the Town to determine the level of funding that is necessary for keeping the roads in good condition. This plan has been used twice in the past and the Town should continue every four to five years. The last time this was completed was in 2020.

There was some discussion about whether this expense is critical for 2024, as it was just done in 2020.

Perkins Rd Traffic & Pedestrian Safety Improvements \$5,500

Currently, the concrete sidewalk and granite curbing has been installed in partnership with the NH Department of Transportation in a cost sharing effort for this project. DPW is now asking for capital outlay funding to help with the completion of the project. The capital expenditure will encompass the painting of the crosswalks and pedestrian walkways. There is also a component of the project that will remove a significant amount of asphalt from the northern side of Perkins Road, to reduce the speed of traffic turning onto the road from Ocean Boulevard. The capital expenditure will cover the removal and disposal of the asphalt, as this is not something that can be disposed of at the Transfer Station. There are also funds for the addition of pedestal pedestrian crossing signs that are at the intersection of Perkins and Route 1A (Ocean Blvd).

Seawall at Sawyer's Beach \$7,000

The seawall at Sawyer's Beach is the only revetment along the Atlantic Ocean and Route 1A that is the responsibility of the Town of Rye. During a storm last year, the revetment failed, which is not an unusual occurrence for that revetment, and repairs need to be done. Currently, the Town is in its last year of a ten-year permit to allow heavy equipment onto the beach to fix and repair the revetment as needed. This will be done by a permit by notification through NH DES. The capital expenditure being requested will cover the costs of an engineering firm to make sure the permitting is complete and in compliance with DES in order to obtain the wetlands permit to continue the maintenance and repairs of the seawall.

It was the consensus of the Committee to not fund the pavement condition evaluator for 2024.

Motion by Doug Abrams to recommend \$62,500 for Public Works Capital Outlay. Seconded by Steven Borne. Vote: 8-0 (*S. Crapo not present for vote*)

Note: *Katherine Errecart left the meeting at 9:30 p.m.*

MS4 Assistance \$40,000

The capital expenditure request is for MS4 assistance to continue with the EPA unfunded mandates for town reporting. The Town currently works with Wright-Pierce Engineering to cover tasks required as part of the MS4 reporting; which includes, the development of an outfall priority ranking system and vulnerability factor study, and a municipal property retrofit for best management practices for stormwater management. It also includes updates to the stormwater management program, as well as the stormwater pollution prevention program, as required by the MS4 program.

Motion by Steven Borne to recommend \$40,000 for MS4 Assistance. Seconded by Kate Dumas. Vote: 7-0 (*S. Crapo and K. Errecart not present for vote*)

Parson's Creek Watershed Plan \$54,797

The Parson's Creek Watershed Management Plan needs to be updated in order to take advantage of 319 Grants through the State.

Motion by Steven Borne to recommend \$54,797 for the Parson's Creek Watershed Plan. Seconded by Bob McGrath. Vote: 7-0

III. OTHER BUSINESS

- The Budget Committee will address warrant articles, capital reserves and expendable trusts at its meeting on December 14th.

ADJOURNMENT

Motion by Steven Borne to adjourn at 9:35 p.m. Seconded by Ralph Hickson. All in favor.

Respectfully Submitted,
Dyana F. Ledger