

**SELECT BOARD  
TOWN OF NEW CASTLE**

**Tuesday April 16, 2024, 7:00 PM  
Town Hall. 49 Main St.**

**APPROVED**

**PRESENT:** Chair William Stewart, Select Board Member Jane Finn, Select Board Member Pam Cullen, Town Administrator, Mike Tully, Finance Administrator Lori Ruest, Building Inspector Russ Bookholz, via Zoom Director of Public Works, Chris Robillard, via Zoom, Fire Chief Ted Hartmann, Police Chief, Don White.

**ALSO PRESENT:** Randy Bryan, Guy Stearns, Paul Legere, Catherine Eames, Ian Moodie, Diane Foster, UNH, Nat Reynolds, UNH, Chief Warrant Officer Kaminski, US Coast Guard

Participating via Zoom: Beth Barnhorst, Sally Martens, Mike and Ann McAndrew.

Chair Stewart opened the Public Agenda session meeting at 7:00 PM, noting that the non-Public session scheduled for 6:30 PM was cancelled. He asked that those wishing to speak during any portion of the meeting should sign in with name and address, and when one does speak to state name and address, and if someone on Zoom has a question to use the “raise your hand” feature in the Chat section to be recognized.

**CONSENT CALENDAR**

**1. Review and Approval of Previous Select Board Minutes of April 2, 2024.**

After review and edits, Chair Stewart called for a Motion.

MOTION: To Approve the Select Board Minutes of the April 2, 2024, meeting as amended.

MOTION: P. CULLEN

SECOND: J. FINN

UNANIMOUS

**2. Acceptance of Payroll Manifest Dated April 11, 2024, in the amount of \$37,637.80**

**3. Acceptance of Accounts Payable Manifest dated April 5, 2024, in the amount of \$81,277.92.**

MOTION: To Accept the Manifests as presented.

MOTION: P. CULLEN

SECOND: J. FINN

UNANIMOUS

Chair Stewart stated that prior to hearing the report of the Town Administrator, he suspended the agenda to hear a presentation from those present from the US Coast Guard and UNH to address the issue of storm damage and the current extent of the damages caused. Diane Foster, Director of UNH Marine Science began the presentation and asked Anthony Kaminski, Commanding officer of the Coast Guard Station to review the extent of the damage of the January 10<sup>th</sup> and 13<sup>th</sup> storms.

The lighthouse, the landing, the walkway has crumbled around it, and you can't get to it anymore. The granite stone that protected the Fort is now half into the ocean, half crumbled. The granite blocks held together by Rebar weighed about 6,000 pounds. There is now an 80 by 30-foot sinkhole there. He detailed damage to the helicopter pad. While the UNH pier was protected, the Coast Guard boat house was destroyed by wave action. He had to move his rescue vessels into the river, with one at Prescott Park. He detailed further damage to the boat house and stated as of now it can't be used for the necessary boat house. The boat house must be repaired or removed and rebuilt. This is a 3–5-year project. Funding and job bidding are underway, but it will be a 3-to-5-year project. Due to damage to the boat house, USCG cannot house the NH Marine Patrol and Fish and Game personnel. With that, UNH helped, and the Coast Guard put one of its boats (47 model: heavy weather rescue boat) on the UNH Pier. He explained how the Guard goes out for rescue in 10 to 30 feet seas. The other rescue vessel had to be stored in Portland Maine as Cmdr. Kaminski had nowhere else to put the vessel. The NH Port Authority took one of the 29 model vessels and housed it at their facility. The USCG was able to keep it there until April 1<sup>st</sup>, then they had to bring it back to the pier. They can also use their summer pier temporarily. Ms. Foster from UNH is trying to figure out ways to continue to help as summer is approaching and UNH has vessels to be put in place. Cmdr. Kaminski did a time test for response, and results were 27 minutes to Port authority, and 53 minutes to get to buoy 2KR. Basically, that would be an hour rescue time. Keeping vessels at UNH is the best option for safety response time.

Ms. Foster reiterated that UNH really values its relationship with New Castle, and with USCG. She explained the various vessels that UNH has contracts with (. Hassler, for example and others) She met with NH Emergency Management to come up with some solutions. One possibility is a new floating dock on the North side of the pier to support the USCG. There are several issues, such as possible interference with the mooring field, but it looks as if that would not be a problem. It is a complicated situation when it comes to funding. UNH really wants to support the USCG and would welcome any comments or questions from the Select Board. Select Board Member Cullen asked if Cmdr. Kaminski had approached the Wentworth Marina and was told nothing available after April 1. Off season the rate is \$4,000 a month to moor there, and the Coast Guard was told they could not stay past April 1<sup>st</sup>. No break in the rate was offered. Resident Catherin Eames serves as a Board Member at the Wentworth (Master Association) and the association has a relationship with the Marina and will investigate this matter. As of right now the USCG has four vessels that need to be housed. Chair Stewart inquired about the Portsmouth Naval Shipyard. Cmdr. Kaminski did explore the Navy as a possibility but there were complications, and logistical problems that rendered that option not feasible. They did moor there temporarily, but there was insufficient power support. There is now an urgency to this situation. He is working with Marine Patrol, Port Authority and Fish and Game to come up with solutions for boat placement. It's a tangled game of chess to keep the vessels on the water.

Select Board Member Cullen commented on the severity of the storms and having lived in Harts Cove for many years he had never seen the level of the water that high. Chair Stewart asked if UNH were considering expanding their footprint. Ms. Foster responded that demand for UNH services is growing, but she reiterated UNH will not think about those issues until the Coast Guard has a new home. Cmdr. Kaminski offered a tour to the Select Board and a video viewing. If they can find a place to lease, USCG can do that. He needs housing for two 47's and one 29 right now and will need an additional vessel to replace the one they no longer have. Chair Stewart asked if having the floating pier to keep the vessels would solve the problem? Cmdr. Kaminsky stated this would work. Power would need to be reconfigured as well. UNH has investigated renting flexi-floats as a possible solution; however, that is expensive. But the main goal is to construct on the northern side. Chair Stewart wants to help solve the problem. Ms. Foster asked the Board to let her know who her point of contact should be. Chair Stewart thanked the presenters.

## **REPORT OF THE TOWN ADMINISTRATOR.**

### **Police:**

Officer Poirier And Officer Mcgee will be completing an annual firearms recertification Instructor Course. They will then assist with training the new recruits at Police Standards and Training for two days. Chief Pollock's graduation ceremony from PSTC is on April 26 at 1:00 PM.

The motorcycle will be back on patrol starting May 1<sup>st</sup>.

### **Fire:**

Chief Hartmann received very positive feedback regarding the Town's performance after the third and final exercise for Radiological Emergency Preparedness with the State and FEMA. The Chief also attended a Portsmouth Naval Shipyard emergency planning workshop. Topics discussed included town notification procedures and upcoming changes to their facility and the impact on the town.

A zero-match grant was applied for gear washing equipment. Personnel assisted our neighbors in Rye with two fires during last week's weather events.

### **Highway:**

Public Works spent a lot of time responding to and cleaning up from the storm last week: plowing, removing trees from the roadway, and cutting up 4 trees that came down at the Common.

Picnic tables are being built, and we put all winter equipment to bed while taking out and tuning up mowers.

Crawlspace work is 95% complete at Town Hall. Playground equipment delivery may be moving up a week to the week of April 22<sup>nd</sup>.

**Facilities:**

**Town Office:**

Basement work is complete except for connecting some pipes for drainage which should be completed this week.

**Fire/Police Building:**

Flooring will be installed the week of 4/29/24/. The final cost will be approximately \$19,000 which is less than 50% of the original cost submitted.

**The Common:**

Budget numbers have been sent to the Select Board to assist in determining the next steps in repairing damage. A discussion can be scheduled whenever the Board is ready. Director Robillard has expressed concerns about the jetty and safety issues. There may have to be discussion on moving this item to a higher priority in the budget.

**Projects:**

**Budget:**

The budget has been approved and the final warrant is being drafted/reviewed.

**Computer/IT:**

Employees met with Portsmouth Computer Group (PCG) and created a punch list for work required. Some have been completed, and more will be completed in the next two weeks.

**Solid Waste:**

TA Tully reported that he and Chair Stewart met with representatives from our refuse provider, Casella, to discuss the contract. They will be returning numbers to us shortly. The current contract is done as of July1.

**TAC and RPC Position:**

The meeting minutes for the appointments were forwarded to the Rockingham Planning Commission. The appointments are for a term of three (3) years.

### **Goals Meeting:**

TA Tully is prepared to schedule a goals workshop with the Select Board when they are ready to discuss.

### **Elementary School.**

TA Tully met with Brian Heflick, facilities director for the SAU. Conversation revolved around ways the Town and school could work together to save time and money in the future. It was a positive meeting and the DPW Director will be setting up a meeting to discuss it further in the next few weeks.

### **August 10,2024 Fireworks/Town Event:**

Planning is well underway. The band is booked along with the event coordinator. We are currently working on food trucks and the beer garden. Thank you to Chief White for stepping up and moving this forward.

The Select Board's next meeting is scheduled for May 7 at 11:00 AM

Chair Stewart asked for an update on Safe Path and the TAP grant. TA Tully stated he has reached out to CMA and is awaiting a response.

### **OLD BUSINESS**

#### **Ocean Street Property Committee Update. – Paul Legere, Committee Chairman.**

Mr. Legere presented his slides, giving an update on where the Advisory Committee is to date. This is the build for the Town Meeting presentation to the public. The Committee consists of 6 members at present, appointed by the Select Board. The charge to the Committee was to go and get input from the community on what to do with the property on Ocean Street. The Committee has received approximately 70 responses. (65 Email responses, 5 hard copies). The next meeting is on April 22<sup>nd</sup> when the Committee will finalize its report, and then present it to the Select Board. Mr. Legere reported that the good news is that there is consensus among the responses.: namely, make the green space a park. Many comments stated to make sure the focus stays on benefiting the residents. One of the big items is to restore the property that we lost in the storm. The wall was destroyed and is now in the ocean.

Mr. Legere addressed the “way ahead” stating the Committee should be extended, and now deal with the bone of contention with the housing, as well as park design. Consensus is the Committee should establish a non-profit organization to accept donations in case of absence of other funding. Among many other suggestions are to remove the pavement, and the sidewalk and have a nice stone walkway or path; and look at the end of Ocean Street and remove parking there. This is a reaffirmation of green space. The four main areas of consensus are: Preserving

the green space as an open area park, focused on residents only basis (Commons are for public); minimize costs to maintain property and restore the damaged shoreline.

Chair Stewart expressed his approval of the reaffirmation of green space. He complimented the Committee's good feedback loop, and well documented research and findings, and expressed his appreciation for their efforts.

Resident Ian Moodie said he wants to ensure the Conservation Commission is involved in planning the buffer zone associated with the property. Resident Randy Bryan thanked the Committee and stated he would like 2 members to serve on Committee to be direct neighbors to the property. Guy Stearns inquired about handicap parking. (Chief White stated there is one space in the area) and the UNH cell tower. Chair Stewart indicated the UNH project is on hold, as it is unfunded.

## **NEW BUSINESS**

### **Discussion/Permission of Banner at the Commons on May 18,2024, Plant Sale (2 weeks prior)**

After a brief discussion, it was the sense of the Select Board to approve this request.

### **Conservation Commission.**

TA Tully reported that no one wants to be the Chair of the Commission or do agendas or any other ministerial tasks. The question before the Board is how to go forward. Should the Building Inspector take over some of the functions? Building Inspector Bookholz said he and Darcy, Chair of the Planning Board could confer and bring matters to the Planning Board. The Board could dissolve the Commission until someone would agree to be Chair.

Chair Stewart talked about the value of having a Conservation Commission, which gives advice to the Planning Board on many key subjects. The Commission also works with NH DES. (Environmental Services) Chair Stewart outlined the many responsibilities of the Commission having served as a member and Chair in the past. He is planning to chair the May meeting if that is possible and will go from there if no one steps forward. Catherine Eames asked questions about the role and responsibilities of the Commission and expressed interest in the Commission. Chair Stewart explained it is an advisory board to the Planning Board, and often deals with grants which may be available from NH DES. The Commission is a pinpoint for environmental issues which may be affecting various areas on the Island. (pesticides, culvert issues storm water run-off, buffer plantings). If a person has a building permit which may affect the wetlands, they must go before the Commission for a recommendation or referral to the Planning Board for a CUP (Conditional Use Permit). The Planning Board may then incorporate the recommendations of the Commission into their final decision. The Building Inspector does the enforcement. Ms. Eames said she has heard from others that the Commission is worth keeping. She does believe it is a good thing and was in favor. Ian Moodie said he intends to return to the Commission in a few months and would be willing to Chair the group. Chair Stewart reiterated that if the schedule allows, he will chair the May meeting. There may be a court case he will have to

attend. He wants the Select Board to have a conversation with the Commission to stress their value. Select Board Member Cullen referred Ms. Eames to the Zoning Book which describes in detail all the workings of the Commission.

### **Legislative Update:**

TA Tully updated the Select Board on the status of various pieces of legislation which could affect municipalities. Most are before the Senate, having already been dealt with by the House of Representatives. One that has been defeated, and was of most concern, was the “donor towns” under which New Castle could have conceivably ended up with New Castle taxpayers paying \$2.60 more on our tax rate as a donor town (See HB 1583 SWEPT bill). This was defeated. HB 1479 was killed by the House and dealt with lobbying. No federal state or local employee could lobby for a particular piece of legislation. HB 1279 deals with State and local contributions to the employees’ retirement system. The State will now take back responsibility for 7.5% contribution. Previously it was a 40% contribution. HB 1291 and 1399 deal with ADU’s. According to TA Tully this is an attempt to remove local control over ADU’s, which could lead to further intrusions by the State. Both have passed the House and are in the Senate for consideration. TA Tully continues to work with Coalition Communities.

### **PUBLIC COMMENT**

Resident Mark Whitehouse, who coaches girls’ softball (Rye Rec) was present to address the window damage at the Rec Center when the team was practicing. Someone supposedly brought in a hard ball, and a double paned window was broken, as well as indentations in the walls. The Rye Rec League, who reserved the Rec Center on a recurring basis, has offered to pay for the damage. Now that the spring season is here, the team will be going outside, but he expressed interest in once again reserving the Rec Center for next winter season. Select Board Member Cullen is not in favor of this arrangement. Select Board Member Finn also raised the issue of damage to the net. After further discussion, TA Tully will meet with Mr. Whitehouse and report back to the Board. Chair Stewart recently found out about this and plans to view the area. He would like to have a conversation about how things can be improved so that the facility can be used. A more cohesive plan may be able to be formed for the benefit of the kids. TA Tully will arrange to go with Mr. Whitehouse to view the damage and report it back to the Board.

### **OTHER:**

Select Board Member Cullen brought up a resident complaint (abutter to the Common) about the noise level of music being played at a park event, and wants it stopped by 8:00 PM. Ms. Cullen feels 10:00PM is reasonable. Select Board Member Finn indicated this could be remedied by positioning the speakers in a certain way. Chief White added information about the wind and how the noise carries in certain situations. He also noted he received no other complaints. Chief White did agree that there could be some repositioning of tents and speakers as part of the reservation/permit process. Discussion ensued about the software reservations remaining private. Director Robillard confirmed this. This was in response to a question by Ms. Eames about

notifying residents when an event was scheduled. There was also discussion about reviewing the fees charged for certain events. Because both Odiorne Science Center and Rye Harbor will not be allowing events this summer due to storm damage, there is increased demand for the Common. No specific action was taken however this evening, but TA Tully will confer with staff and report back.

There being no further business to come before the Select Board, Chairman Stewart called for a motion.

MOTION: To Adjourn

MOTION: P. CULLEN  
SECOND: J. FINN  
UNANIMOUS

Meeting Adjourned at: 9:00 PM.

Respectfully submitted,

Bette Jane Riordan  
Recording Secretary