

TOWN MEETING MINUTES MAY 8, 2018
TOWN OF NEW CASTLE
At New Castle Recreation Center, Great Island Common
301 Wentworth Road, New Castle, New Hampshire

Former Select Board member, Dave McGuckin, presented Wayne Semprini, who served the town as Moderator for 30 years, a tribute and a gift for his years of service. Mr. Semprini received a standing ovation.

The Annual Town Meeting of the Town of New Castle, NH was called to order by Moderator John Poisson at 7:08 p.m. with approximately 320 people in attendance. Over 200 chairs were filled and several dozen people had to stand at the back and sides of the room. Registered voters checked in with Supervisors of the Checklist to receive orange placards which were used during the meeting for hand counts and more importantly shown to Supervisors of the Checklist to get a secret Yes/No ballot for Article 7 and Article 8.

Moderator Poisson led the Pledge of Allegiance and then asked for a moment of silence to remember citizens who passed away.

Moderator Poisson introduced members of the Select Board: Bill Stewart, Tom Maher, and Damon Frampton; Town Counsel Keri Roman, Town Clerk Priscilla Hodgkins, and Secretary to the Select Board, Pamela Cullen.

Moderator Poisson presented general rules of procedure to be fair to all citizens and keep the meeting moving.

- By majority vote, the voters may overrule the Moderator and any rule the Moderator establishes. For Articles 7 and 8, a paper secret ballot is used. The polls will remain open for one hour. Once voters have cast their ballots they shall return to their seats and we will continue the meeting.
- For Article 11, the various charitable contributions, the Moderator will be allowed to summarize the Article during the re-read that occurs prior to voting.
- Only registered voters can be recognized.
- The Moderator may call upon non-resident experts to discuss an article in which their expertise is needed.
- The Moderator may consult with the town's attorney to review matters of procedure. If needed, she may address the assembly to clarify a position.
- Spirited discussion is always encouraged as an integral part of the process.
- Please stick to the issue and never make things personal.
- Amendments must be in writing and legible.
- An amendment will be voted on separately before being incorporated into the Article.
- Anyone asking to "move the question" or "call the question" is really making a motion to end discussion.
- A two-thirds vote is required to end discussion. This helps assure there is adequate debate on an issue.
- In fairness to all citizens, we will limit any citizen wishing to speak to an article or an amendment to two times. An exception will be if you are addressed by another citizen to

clarify a point. Town officials with a particular expertise on the subject are an exception so long as they are not giving a personal opinion.

- Initial presentation on an article shall be limited to approximately 5 minutes and further discussion on an article or amendment will be limited to 2 minutes per speaker.
- Any five voters (all must be present) may request, in writing, the vote on an article to be by secret ballot.
- For Articles 7 & 8 a secret ballot voting process will be used
- Any motion to reconsider an Article previously defeated must follow such defeated Article prior to the closing of the meeting.
- Each citizen must be recognized by the moderator.
- Residents must state their name and address before speaking.

Motion moved, seconded and carried to accept the rules.

Article I – VI Balloting for town offices and zoning articles held throughout the day. Results tabulated after end of business meeting and listed here.

ARTICLE I TOWN OFFICES

SELECT BOARD MEMBER	BILL STEWART: 227; Write-ins: 5
TOWN MODERATOR	JOHN POISSON: 235; Write-ins: 0
BUDGET COMMITTEE 3 year term	TOM SMITH 225; Write-ins: 1
CEMETERY TRUSTEE	CAROL WHITE: 239; Write-ins: 0
LIBRARY TRUSTEE 3 YEAR	JANE FINN 241; Write-ins: 0
TRUSTEE of the TRUST FUNDS 3 year	Write-ins: KATHY RICHARDS: 41; others: 5
SUPERVISOR CHECKLIST 2 year	MELISSA RIGAZIO: 222; Write-ins: 5
SUPERVISOR CHECKLIST 4 year	MERCEDES TYLER: 226; Write-ins: 2
SUPERVISOR CHECKLIST 6 year	Write-ins: LORN JONES: 21; others: 8
SCHOOL BOARD MEMBER	DAPHNE SCHWAB 243; Write-ins: 4

ARTICLE II: Zoning Amendment Number 1: Are you in favor of adopting Zoning Amendment Number 1, as proposed by the Planning Board to change the wording in Section 2.0 Definitions, 2.3.38 to read: Lot Coverage: That percentage of the plot or land area covered by impervious surfaces including but not limited to paved, bricked, or gravel areas, buildings, or other structures, decks, patios, driveways, walkways, sheds, tennis courts, swimming pools and hot tubs.

Yes 181; No 66

ARTICLE III: Zoning Amendment Number 2: Are you in favor of adopting Zoning Amendment Number 2, as proposed by the Planning Board to add the following definition in Section 2.3.35 Impervious Surface to read: Impervious Surface: A modified surface that cannot effectively absorb or infiltrate water, including but not limited to, decks, patios, driveways, parking areas, walkways, tennis courts, swimming pools, and hot tubs, unless such structures have been designed to effectively allow for water to infiltrate or be absorbed. Roofs are always considered impervious surfaces regardless of infiltration systems.

Yes 187; No 58

ARTICLE IV: Zoning Amendment Number 3: Are you in favor of adopting Zoning Amendment Number 3, as proposed by the Planning Board to add the following Section 9.5.9 Colocation procedures – An applicant for colocation of an antenna or antennae on an existing PWSF shall

comply with RSA 12-K:10 and 11, the Telecommunications Act of 1996, all pertinent F.C.C. regulations, and the requirements of New Castle Ordinance sections 9.5.6.1.c, 9.5.6.2, 9.5.6.3 and 9.5.6.4. No applicant pursuant to this Section shall be required to file for a Conditional Use Permit pursuant to Section 9.5.5. For the purpose of reviewing a colocation application under RSA 12-K:10, the Authority shall be the Building Inspector.

Yes 186; No 52

ARTICLE V: Zoning Amendment Number 4. Are you in favor of adopting Zoning Amendment Number 4, as proposed by the Planning Board to change Section 9.2 Wetlands Conservation District under 9.2.5.2 Conditions, to read: the applicant shall agree to submit to the Town a performance security, in a form and amount satisfactory to the Planning Board to ensure that all construction and any required restoration and/or mitigation per section 9.2.5.5.d or 9.2.5.2.h, is carried out in accordance with the approved design plans and stated conditions. A security and Site Access Agreement shall be submitted and approved, prior to the commencement of any work and prior to the issuance of any permit authorizing construction. The form of security posted shall be “Self Calling” to insure that if no certificate of completion of the required restoration and/or mitigation work is received within one (1) year, and if no extension approved by the Planning Board is obtained and submitted, the security is automatically paid over to the Town of New Castle.

Yes 190; No 56

ARTICLE VI: Zoning Amendment Number 5. Are you in favor of adopting Zoning Amendment Number 5, as proposed by the Planning Board to change Section 9.5.5 Conditional Uses under 9.5.5.1 Conditional Use Permit, to amend: All applicants for Personal Wireless Service Facilities (PWSF) under this ordinance, except applicants for colocation under Section 9.5.9, shall apply to the Planning Board for site plan review in accordance with the requirements of the Town site plan review regulations. All decisions rendered by the Planning Board shall be in writing and the Planning Board may impose conditions in granting a conditional use permit.

Yes 151; No 57

ARTICLE VII AND ARTICLE VIII

Moderator announced that **Article VII** that asks for Five Million Fifty Thousand Dollars (\$5,050,000) in municipal bonds to fix the town’s water system and **Article VIII** that asks for Four Hundred Fifty Thousand (\$450,000) for repairs, replacement of private water lines on private roads, will be addressed together, before voting commences by secret Yes/No balloting that would be available for one hour. Moderator opted to not read the article at this time, but would read it in full just before voting begins.

Select Board Member Bill Stewart explained the need for the new system: the findings, the issues and resources the Board reviewed before deciding on the proposed solution.

Brief summary of Mr. Stewart’s remarks:

- The Town asked the Select Board to take action to ensure safety of the town after the fire that destroyed the Tarbell House. There were concerns that water pressure was not adequate.
- The Select Board reviewed recommendation to fix the system and decided major work has to be done to the water system as described in **Article VII**
- Funding options are open and include the state revolving loan fund up to \$5.5m; the best option as it offers viable, low-cost funding

- Estimated cost to taxpayers is \$0.45 on the tax rate over a 20 year period.
- Currently there is \$0.17 on tax rate which will roll off next year, leaving the impact of about \$0.28 on the tax rate. If the town delays for a year, the interest rates will likely increase substantially.
- He noted that different parts of the island have varied concerns and described how it would benefit those on the public water system and those on properties that are on private roads with private water systems.
- The improvements will include looping technology to bring more water pressure to the private water systems. A test will be performed on the looping system on Main Street and Wentworth Road.

Mr. Stewart noted that while the Select Board has the right to condemnation of property by law, it is described in Article VII to make it clear to residents who might question this law.

A few questions prompted Mr. Stewart to propose removal of those words as they are not necessary.

A brief discussion followed including the advice of Town Attorney, Keri Roman, who said the removal or inclusion of the language does not affect the Select Board's authority for condemnation of property.

Question moved and seconded; vote by raising placards; counted individually as count was close. Motion was defeated.

Discussion commenced about Article VII

The following topics were addressed by residents of private roads with private or Portsmouth water service primarily located on the southern part of town: Water pressure in private road water systems, safety of their homes in case of fire, the unfairness of residents in the southern end of town having to pay betterment fees to City of Portsmouth as well as tax increase, prediction of interest rates, the feeling there are two New Castles: one on town water and those in the southern part of town that receive water services directly from Portsmouth or live on private roads.

Fire Chief Dave Blanding spoke in support of improvements to the water system and stated the Fire department will be in good shape for any fire issues once system is in place and that it was a great project.

Mr. Stewart explained that the looping system will address concerns about water pressure on private systems and introduced Keith Pratt, President of Underwood Engineers. Mr. Pratt addressed concerns about the southern part of town and referred to their engineering report issued in September, 2016: Alternate 1-D to make loop improvements around island. The new system will increase flow three times its current level along Wentworth Road by bringing water in from two sides rather than just one to their water main.

A Cranfield Street resident reminded everyone how the proposed sewer installation back in the early 1970s was initially defeated and passed two years later when the state mandated the town install a sewer system. If this water system is turned down, the town will eventually be mandated to improve the system and it will be at a higher cost.

In response to a question, Mr. Stewart explained that by law the town may not extend the town water system onto private property.

In response to a question about the town gaining access to private property to install the new looping system, Mr. Stewart stated that the Select Board would work with home owners to solve any issues and that he expects this could be challenging work even though the looping system will improve their water pressure.

Brian Goetz, Deputy Director of Public Works for the City of Portsmouth, the supplier of the town's water explained that he met with the Capital Improvement Committee about the Wentworth Road booster station which will improve the integrity of the system.

Select Board Members stated that all factors that contributed to the Tarbell house fire have been addressed and urged people to approve Article VII tonight, as any delay will not serve the town. Discussion of Article VII ended.

Mr. Stewart gave a brief description of Article VIII, which asks for \$450,000 to allow private roads with private water systems to participate in the project. The town, by law, may not spend public funds on private roads.

Discussion opened to the public on Article VIII only.

The question of the town using a water tank was proposed and answered by Select Board members that it was unfeasible, costly, and not effective for maintaining safety of the water supply. Other residents expressed concern that the plans should not leave any resident out; that we are one town, not two.

The Moderator read Article VII and Article VIII in full and gave instructions about the process of voting: two ballots, two ballot boxes, one following the other to separate ballots boxes for VII and VIII.

He then opened secret balloting at 8:40 which would proceed for one hour.

Poles for deciding Articles VII and VIII closed at 9:40 and vote counters commenced counting secret ballots.

ARTICLE VII: To see if the Town will vote to raise and appropriate Five Million Fifty Thousand 00/100 Dollars (\$5,050,000.00) (gross budget) for the planning, design, and construction of water system improvements presently located in the Town of New Castle, including such portions that may be located within private and public rights of way, portions of said water system infrastructure are owned by the Town of New Castle and portions of which are owned by the City of Portsmouth, under such terms and conditions as the Select Board decides is in the best interest of the Town, and further to authorize the issuance of not more than Five Million Fifty Thousand 00/100 Dollars (\$5,050,000.00) of bonds and notes in accordance with the provisions of the Municipal Finance Act (RSA 33:1, et. seq.) and to authorize the Select Board to issue and negotiate such bonds or notes, to determine the rate of interest thereon and the maturity and other terms thereof, and to take any other action the Board deems appropriate to effectuate the sale and/or issuance of said bonds; and further to authorize the Select Board as applicable to apply for, obtain and accept federal, state or other aid, grants or other funds, if any of which may be available for said project that may reduce the amount to be financed with bonds or notes, and to participate in the Drinking Water State Revolving Fund (DWSRF), RSA 486:14, established for this purpose, and to allow the Select Board as applicable to expend such monies

as they become available and pass any vote relating thereto; and further to authorize the Select Board to negotiate and execute an Inter-Municipal Agreement with the City of Portsmouth pursuant to RSA chapter 53-A for the purposes of such water system improvements, under such terms as the Select Board decides are just and reasonable; and *to further authorize the Select Board to acquire ownership, rights, titles, and/or interests to private water lines or infrastructure which are connected to any public water system by condemnation or other lawful means as deemed necessary or appropriate by the Select Board.*

Two-Thirds (2/3) ballot vote required to pass.

RECOMMENDED BY THE SELECT BOARD and the BUDGET COMMITTEE

With 319 people voting:

266 voted YES;

53 voted NO.

With 83% approval, Article VII Passes.

ARTICLE VIII: To see if the Town will vote to raise and appropriate Four Hundred Fifty Thousand 00/100 Dollars (\$450,000) (gross budget) as may be needed for repairs, replacement and/or improvements of any private water lines and infrastructure which the Select Board deems necessary for the efficiency and efficacy of the public water infrastructure presently located in the Town of New Castle, both owned by the Town of New Castle and the City of Portsmouth, under such terms and conditions as the Select Board decides is in the best interest of the Town, and subject to an Inter-Municipal Agreement between the Town of New Castle and the City of Portsmouth related to such repairs, replacement and/or improvement as negotiated and executed by the Select Board; to further authorize the issuance of not more than Four Hundred Fifty Thousand 00/100 Dollars (\$450,000) of bonds and notes in accordance with the provisions of the Municipal Finance Act (RSA 33:1, et. seq.) and to authorize the Select Board to issue and negotiate such bonds or notes, to determine the rate of interest thereon and the maturity and other terms thereof, and to take any other action the Board deems appropriate to effectuate the sale and/or issuance of said bonds; and further to authorize the Select Board as applicable to apply for, obtain and accept federal, state or other aid, grants or other funds, if any of which may be available for said work that may reduce the amount to be financed with bonds or notes, and to participate in the Drinking Water State Revolving Fund (DWSRF), RSA 486:14, established for this purpose, and to allow the Select Board as applicable to expend such monies as they become available and pass any vote relating thereto; and further to authorize the Select Board to adopt a betterment plan, whereby the costs of the improvements to any privately owned water lines or infrastructure will be assessed to and reimbursed by the owners of those water lines and infrastructure that are specially benefited by such improvements.

Two-Thirds (2/3) ballot vote required to pass.

RECOMMENDED BY THE SELECT BOARD and the BUDGET COMMITTEE

With 318 people voting

278 voted YES

40 voted NO.

With 87% approval, Article VIII passed

The Business Meeting continued at 9:14 p.m. after residents had voted and returned to their seats and the secret balloting remained open until 9:40 p.m.

ARTICLE IX: To see if the Town will vote to authorize the Select Board to acquire any and all easements, rights, titles, and interests necessary to allow the Town of New Castle or the City of Portsmouth to make capital improvements to existing public water infrastructure located on private property within the Town and to acquire such easements, rights, titles, and interests to repair, operate, and maintain any water infrastructure owned by the Town or the City existing on, in, or under said private property, and to further authorize the Select Board to negotiate the terms of any and all agreements and deeds necessary to acquire such rights.

RECOMMENDED BY THE SELECT BOARD and the BUDGET COMMITTEE

Question Moved and Seconded: Vote by show of placards: passed

ARTICLE X: To see if the Town will vote to raise and appropriate the Budget Committee's recommended operating budget in the amount of \$3,074,929 for the general operation of the Town.

RECOMMENDED BY THE SELECT BOARD and the BUDGET COMMITTEE

Question Moved and Seconded

Discussion: Tom Smith, Town Treasurer, stated this year's budget less by \$15,000 than last year's budget.

Vote by show of placards: passed

ARTICLE XI: To see if the Town will vote to raise and appropriate the sum of \$12,000 to be used to pay Town donations to local non-profit agencies that serve the New Castle community as follows:

Area Home Care & Family Services	\$ 750
CASA – Court Appointed Special Advocates	\$ 500
Center for Wildlife	\$ 300
Child Advocacy Center	\$ 500
Child & Family Services	\$ 500
Community Toolbox	\$ 450
Families First	\$ 750
Haven	\$ 750
McFarland Children's Center	\$ 500
Meals on Wheels	\$1,000
Red Cross	\$ 300
RSVP (Retired Senior Volunteer Program)	\$ 750
Seacoast Food Panty	\$ 750
Seacoast Mental Health Center	\$1,000
Seacoast Visiting Nurses Association	\$ 700
Womensaid of Greater Portsmouth	\$ 400
Cross Roads	\$ 250
Salvation Army	\$ 400
Southern NH Services	\$ 250

One Sky	\$ 200
New Castle Scholarship	\$1,000
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TOTAL	\$12,000

RECOMMENDED BY THE SELECT BOARD and the BUDGET COMMITTEE

Question Moved and Seconded: Vote by show of placards: passed

ARTICLE XII: To see if the Town will vote to establish a contingency fund for the current year for unanticipated expenses that may arise and further to raise and appropriate the sum of \$30,000 to go into the fund. This sum to come from taxation. Any appropriation left in the fund at the end of the year will lapse to the general fund.

RECOMMENDED BY THE SELECT BOARD and the BUDGET COMMITTEE

Question Moved and Seconded

Discussion: a resident asked why the increase from 10K to 30K
 Select Board member explained that it was due to outstanding liability for paying retiring employees.

Vote by show of placards: passed

ARTICLE XIII: To see if the town will vote to raise and appropriate the sum of \$132,000 to be added to the Vehicle and Equipment Trust Fund previously established.

RECOMMENDED BY THE SELECT BOARD and the BUDGET COMMITTEE

Question Moved and seconded: Vote by show of placards: passed

ARTICLE XIV: To see if the Town will vote to raise and appropriate the sum of \$80,000 to be added to the Roads and Streets Capital Reserve Fund previously established.

RECOMMENDED BY THE SELECT BOARD and the BUDGET COMMITTEE

Question Moved and Seconded: Vote by show of placards: passed

ARTICLE XV: To see if the town will vote to establish a Town Government Building Capital Reserve Fund under the provisions of RSA 35:1 for capital repairs, maintenance, and improvements of town buildings and to raise and appropriate the sum of \$25,000 to be place in this fund. Further, to name the Select Board as agents to expend from said fund.

RECOMMENDED BY THE SELECT BOARD and the BUDGET COMMITTEE

Moved and seconded

Discussion: a resident asked if the budget will cover renovations of town buildings?
 Select Board Member Tom Maher: 25K is a start to establishing the fund; it's not enough to improve all buildings, but it's a beginning.

Vote by placard: motion carries by unanimous consent

ARTICLE XVI: To hear the reports of agents, officers, committees, boards, and others heretofore chosen and to pass any vote in relation thereto. There were no speakers.

Meeting paused until 9:40, end of secret ballot voting hour. See Article VII and VIII above for results.

ARTICLE XVII: To transact such other business as may legally come before the meeting. Nancy Driscoll spoke in favor of supporting extension of Safepath

Motion made and seconded to dissolve the meeting

Meeting concluded at 9:58 pm

Respectfully Submitted

Priscilla Hodgkins, Town Clerk/Tax Collector