

MINUTES OF THE SELECT BOARD
Monday July 6, 2020, 7:00 PM
Via Zoom

Present: William Stewart, Chair, Tom Maher, Selectman, Dave McGuckin, Selectman, and Jennifer Smith, Secretary.

Also present: Please see attached list of attendees

Chairman Stewart explained the nature of the meeting, indicating it is considered an Emergency Meeting which meets all the State requirements of posting, and noted the availability of a phone number to call if a participant could not connect via Zoom.

Chairman Stewart opened the meeting at 7:02 PM.

1. Approve Select Board minutes of June 8, 2020.

Selectman Maher made a Motion to Approve the minutes of Select Board Meetings of June 8, 2020 as amended. Selectman McGuckin seconded said motion. Roll call: Selectman Maher, voted yes, Chairman Stewart voted yes, Select McGuckin abstained. Motion passed 2-0-1.

2. Public Questions and Answers.

There was no request from the public to speak at this time.

3. New Business.

Chairman Stewart stated that the agenda would be modified to address The Common first under new business and the Water/sewer update last.

Point of Order

Chairman Stewart stated for clarification that the Select Board had met unintentionally while reviewing the re-opening process, traffic, etc., at the Common on July 1st. At that time, he and Selectman McGuckin had a discussion based on emerging trends with Covid. Based on what they felt was important for the safety of the residents, requiring urgent action, they voted to move opening the Common for parking from July 1st to July 15th. He further stated that in order to ratify that meeting, he would like to have a vote to move the opening from July 1, 2020 to July 15, 2020.

Selectman McGuckin made a motion to move the opening of The Common from July 1, 2020 to July 15, 2020. Selectman McGuckin seconded said motion. Roll call: Selectman McGuckin, voted yes, Chairman Stewart voted yes, Select Maher abstained. Motion passed 2-0-1.

Selectman McGuckin requested that Curt Springer be allowed to speak to the matter.

Curt Springer, 98 Cranfield St, stated that with an Emergency Meeting the Select Board is still obligated to notify the public and let them attend. Meetings could be posted with less than 24 hours notice and have the ability to notify people on the automated emails system, thereby eliminating the need to ratify votes. He further stated that the Select Board is mandated to have minutes.

Chairman Stewart thanked Mr. Springer for his input.

Pamela Cullen, 11 Becker Lane, asked if the meeting had been posted.

Chairman Stewart responded that the meeting of July 1, 2020 had not been posted. Thomas Smith, Treasurer, requested that until Town Hall is open to the public all Select Board meetings be held by Zoom and that his request be entered into the minutes. He concluded by stating that the acoustics at the Rec Building make it very difficult to hear.

a. Common.

Chair Stewart stated that given the Select Board and public have previously discussed the protocols that have been put in place for the opening of the Common, he felt it would not be necessary to speak to those protocols again.

Chairman Stewart displayed a graph titled "Key Metrics for Covid Suppression" for all to see. He stated that Selectman Maher would make the link with the graph available to the public (<https://globalepidemics.org/key-metrics-for-covid-suppression/>).

The Harvard chart showed the 7-day moving average of Covid in counties close to New Castle, NH. He explained that last week Rockingham County was in the neighborhood of 1.6 cases. Both Rockingham County and Essex County in Massachusetts are trending in the right way. He further explained that he did not want to minimize or diminish the risk of Covid, but he wanted to highlight the numbers as they currently exist in our backyard.

Selectman Maher next displayed the nationwide map of new cases. It showed 85% to 90% of new cases in the country are mostly in the South and West. New Hampshire continues to trend down. He further stated that was not a reason to ease up on restrictions, but that it is good to see that data.

Selectman Maher opined that the south is experiencing their "winter" in that people are more inside and that being inside is a real magnifier for Covid. Selectman Maher compared this scenario to the current scenario of the Common, which is 32 acres, citing the Select Board is really trying to be reasonable and safe when considering opening the Common to parking.

Chairman Stewart stated that one of the reasons the Select Board chose to close to parking on July 1st was the potential for the holiday weekend to be excessively taxing on new town

staff. He further stated that the Select Board thought it prudent at that time to take a step back to wait for two weeks to better assess the data that was surfacing.

Selectman McGuckin offered his two reasons for voting to close the Common that day. First, he felt the information the Town was receiving regarding the current state of Covid was conflicting and inconsistent. Second, he was concerned about the vulnerability of the elderly residents of New Castle. He further stated that he was not certain he was in favor of opening the Common in two weeks.

Brooks Kennedy, 131 Davidson St., asked the Board why the Common had to be opened at all.

Chairman Stewart responded that there are several reasons, including some residents would like to have access to the park parking, another being that New Castle is not a gated community and we are part of a larger community where we receive benefits from our neighbors. He cited that most people visiting the Common would be within a short driving distance, not flying in from other areas of the country.

Selectman McGuckin stated his belief that the Select Board's responsibility is to the residents of New Castle, period.

Chairman Stewart agreed, stating he was not suggesting the Board sacrifice the New Castle Community, that the Select Board has a reasonable plan where it can participate in this greater community without putting New Castle residents at risk.

James Cerny, 44 Portsmouth Ave., stated that the 2010 Census for New Castle had the town with 31% of its residents over 65 years of age and that number would have only increased since then.

Pamela Cullen, 11 Becker Lane, stated that she walked the Common on July 1st and was impressed with the number of people social distancing and commended the Town Staff on their efforts. She further stated that VRBOs within the Town are a big concern that is not being discussed.

Todd Baker, 23 Main St., opined that it is a disservice to close down the Common.

Selectman McGuckin read Dr. James Zuckermann's, Health officer for New Castle, letter into the record. In it, Dr. Zuckermann requested that the Select Board wait two weeks in order to gather more information regarding Covid-19 before opening the Common. His letter also expressed his concern for the elderly population of New Castle.

Steve Cook, 10 Mainmast Circle, expressed his belief that the Common should be open to everyone, but if it cannot be, he questioned whether residents could have a designated area for parking.

Chairman Stewart responded that there is resident parking on surrounding streets.

Selectman Maher stated that he agreed with Ms. Cullen and questioned why the Town would close the Common but still allow VRBOs.

Malcom Rosenson, 32 Quarterdeck Lane, an Infectious Disease Specialist, stated that the numbers have been favorable but there are a few factors that need to be considered. Other areas of the country have seen high numbers decline and return to a higher rate of infection again, so predicting is estimable. And while the current data is good, the data we are looking at is 2 to 4 weeks behind. He opined that we may be doing residents a disservice by opening.

Selectman Maher stated that if the Common were an indoor facility this would be an absolute not. He then went on to ask if there would be a reasonable number of visitors given it is 32 acres of outdoor use?

Dr. Rosenson stated that Selectman Maher was actually asking a human behavioral question but, given his experience, it is difficult to have people maintain the suggested mandates. He ended by saying he would recommend what he always recommends, the safest thing is the best thing.

Chairman Stewart stated he was comfortable waiting until the next Select Board meeting to take a vote to open or not.

Selectman Maher stated that he would be happy to discuss the matter in two weeks but he felt the Select Board needs to make a clear decision. He stated that the Board has already met with department heads and implemented a plan.

Dr. Rosenson stated that the behavior of pandemics is that at any time risk can change. If we knew the rate would stay constant it would be a much easier decision. Waiting 2 to 4 weeks is not going to rid us of the notion that the numbers could rise.

Selectman McGuckin proposed the Select Board wait two weeks and at that point re-examine the data.

Sara Varela, 258 Wentworth Road, remarked that the issue of high growth bacteria in the water has not come up and the Town should take into consideration that people may not be able to go in the water.

Ms. Cullen stated that it is not uncommon for the Common to close several times in a season due to bacteria levels.

Chairman Stewart stated that the water is tested weekly by the State. Heavy rains and a large amount of water fowl can account for the bacteria and typically it clears up in a few days.

b. Board Appointments

Chairman Stewart displayed the names and committees of the board appointments.

Selectman Maher made a motion to accept the entire slate of Town Boards and Committee Appointments as presented, which was duly seconded Selectman McGuckin. Said motion carried unanimously.

c. Abatements.

Ms. Cullen reported that there were 6 abatements this year, with 3 applicants each with 2 lots.

Ted and Mary Ann Robbins, an abatement of \$3636.42

Tom and Kathy Shippee, an abatement of \$4663.26

Lawrence Grey, \$ 1659.42, with one of his abatements being denied.

Ms. Cullen stated the other topic is the Church and Avitar is writing a letter regarding the matter.

Selectman Maher made a motion to approve the abatements. Chairman Stewart duly seconded. Selectman McGuckin abstained. Said motion passed on a vote of 2-0-abstain.

d. Accept Unanticipated Funds/1st Responder Stipends

Chairman Stewart stated that due to Covid-19, First Responders were given a stipend of \$9814.27 which was initially paid by the Town and reimbursed by the State. Those unanticipated funds need to be accepted by the Select Board.

Selectman Maher made a motion to accept the unanticipated funds amounting to \$9814.27, which was duly seconded Selectman McGuckin. Said motion carried unanimously.

e. Dog Ordinance Clarification.

Selectman McGuckin clarified the current Dog Ordinance for the Town by quoting the minutes of November 14, 2014 which reflected the permanent acceptance of the trail period that allowed dogs on the beach early morning to 8:30am, May 15th through September 15th. The original trail period had also included 6pm to 9pm and that was voted down unanimously at that same time.

f. Sprinkler System – Richard White.

Richard White, a member of the Water and Sewer Commission, stated that the Church is requesting permission to tap off the 6" water main that runs down the driveway between Town Hall and the Church. The Church hired a Fire Protection Engineer, as requested, and the engineer said that it could be done. The Church feels it has met all the criteria the Select Board required of them and now respectfully requests they be allowed to access the water main to aid in installing a sprinkler system.

Selectman Stewart asked if they have spoken with the Fire Chief.

Mr. White responded, yes, they have followed the chain of command.

Selectman Maher made a motion to allow the Congregational Church to tap into the 6" Water Main that runs between Town Hall and the Church for the purpose of installing a sprinkler system, was duly seconded Selectman McGuckin. Said motion carried unanimously.

g. Garden Club – Request to use Rec Building.

Patricia Lenz, 41 Ducks Head, represented the New Castle Garden Club in their request to use the Rec Building for their meetings on September 15, 2020, October 13, 2020 and November 10, 2020. She stated that the club generally has between 20-25 people in attendance and they have booked guest speakers for the meetings as well.

Chairman Stewart stated that the Select Board has informed other non-profit organizations that they are not currently renting out the Rec Building. It is being used for town purposes only. He further stated that the Select Board may be able to accommodate them come fall if they have some flexibility to wait on an answer.

Ms. Lenz stated that they have some flexibility and the Garden Club will seek to get back on the agenda at a later date.

h. Pinetree Waste – New Contract

Chairman Stewart stated that the new contract presented by Pinetree Waste is for 3 years, from 7/1/20 to 6/30/23, and has a 5% increase each year. He informed the Board that the contract proposed appears to be in line with what the Town has been doing in the past and that his only question is with indemnification regarding dumping. He would like to ask Counsel their opinion to make certain the Town is protected before moving forward with the contract.

i. Covid Response

Selectman Maher stated that he has a discussion each morning with Public Safety staff regarding the Covid trends and numbers and any other general information being disseminated by the State. At this point in time, the numbers are looking better in New Hampshire, with New Castle having only 1-4 cases reported in the past.

Ted Hartmann, Fire Chief, said he echoed Selectman Maher's assessment of the current trends and stated he maintains a close watch on the data and information shared with his industry. He further stated that the Town is in a good position right now.

Don White, Police Chief, stated that the Police Department has had extra staff on during the weekend and that he appreciates the residents' support.

j. Water/Sewer update

Chairman Stewart stated that the Water Project is moving along well. There had been an issue with some ledge but they were able to move past that. The detour seems to be working well and temporary water was installed today.

A resident requested that Chairman Stewart provide an update of the loops for the Water Project.

Chairman Stewart stated that there are 3 loops in the New Castle side and 4 in the Portsmouth side. The pricing for these loops came in significantly higher than anticipated by our engineers, but the Town is still looking to move forward with replacing the loops and he is hoping to have more feedback over the next couple of weeks.

4. Old Business.

Chairman Stewart provided the new list of ex officio committee assignments for the Select Board.

5. Committee Reports

Selectman Maher read the Fire Department monthly report into the record.

6. Adjourn

There being no further business to come before the Board, Selectman Maher made a Motion to Adjourn, which was seconded by Selectman McGuckin. Said motion carried unanimously.

Respectfully submitted,

Jennifer Smith,
Recording Secretary