

MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2017 – 6:45PM

Present: Chairman William M. Stewart, Selectman Thomas Maher, Selectman Damon Frampton II, Secretary Pamela Cullen

Guests: Jim Cerny, David Borden, Ralph Lincoln, Paul Hamblett, Nancy Borden, David McGuckin, Thomas Merriman, Richard McIntyre, Fred Pulitzer

Chairman Stewart opened the Select Board Meeting and the public hearing at 6:49pm.

Chairman Stewart explained some background about Senate Bill 38 and the Highway Block Grant. Towns receive highway block grant funds annually based on road mileage within town borders. This year because of SB 38 New Castle is receiving additional unbudgeted funds from the program. The Town generally receives around \$19,200 from the fund. This year, in addition to the nineteen thousand dollars the Town is set to receive an additional \$16,860.27. To accept the additional funds, the Town is required to hold a public hearing under RSA 31:95-b,11(a).

Chairman Stewart open the hearing to public comments:

Paul Hamblett asked about acceptance and where the money goes if accepted or what happens if it is not accepted. Chairman Stewart said if the funds are accepted by the Town they go into revenues for use on transportation or roads. He indicated that he was unaware of how the State would reclaim the funds should the Town not accept them. Hamblett asked what the town had done in prior years with the funds. Chairman Stewart explained that the funds go toward Town road maintenance and other transportation related expenditures.

David Borden, 40 Walbach, feels very strongly the Town should accept the funds and use those funds to improve safety. Nancy Borden also strongly suggested that the Town accept the funds.

The Board along with members of the community discussed how the funds might be used. Specifically, they discussed continuing the sidewalk work in Town and making Route 1B safer for pedestrians. Ralph Lincoln a resident with property on Shaw Circle that abuts 1B discussed a large ledge outcropping that prevents sight lines for cars entering and exiting Shaw Circle as well as pedestrians using 1B. He stated he was in favor of any work that would improve safety in that area including work on his property.

David Borden discussed extending the existing sidewalk from wild rose lane to the first entrance at the Common, he also discussed using some of the funding to remove the ledge by Shaw Circle. The land between Wild Rose Lane and the Common is owned by Peter Taylor. He has said verbally that if the project extends beyond the right of way onto his property he has no objection. Last year CMA Engineering did a drawing for the extension and Rye Beach Landscaping gave an estimate of \$26k for the work. Borden

said the town would need to get an agreement from the abutter, obtain final construction drawings, and to be sure there are no other conflicts with other construction projects such as repaving. Chairman Stewart said that the repaving of Route 1B would be late September.

Borden said that the town will need to have NHDOT approval and then talked about possible ways to meet the funding needed for the project above the Highway Grant money. He said the 16K would not cover the cost so the Town would need to raise some funds possibly privately before construction could start. If the BOS decided that Shaw circle made sense we would need construction drawings. Ralph Lincoln, property owner, would need to agree to the plan. Selectman Maher said he would like to see drawings for a visual prospective. Ralph Lincoln stated that this is a very dangerous area and would go along with what ever is necessary.

Further comments were addressed about sidewalk extension, Shaw Circle and other options.

Chairman Stewart seeing no one come forward to offer additional comment closed the public comments section of the hearing.

Selectman Maher made a motion to accept the Highway Grant Funds that have been allocated to the town. Selectman Frampton seconded the motion. Motion carried.

Chairman Stewart said discussions will continue as to how to use the funds once drawings are developed or located. Borden passed around a preliminary drawing which would extend sidewalk to the Common for the Board. Chairman Stewart would like to see some plans on Shaw Circle.
ACTION ITEM.

Chairman Stewart closed the public hearing and returned to the regular Select Board meeting of August 21, 2017 and asked for a motion to accept minutes of August 7, 2017. Selectman Maher made a motion to accept minutes as amended. Selectman Frampton seconded the motion. Motion carried.

Chairman Stewart asked for Public Questions and Answers:

Cemetery Chairman Jim Cerny explained an issue that has arisen regarding Riverside Cemetery. Cerny was contacted by Laurie Clark who has subdivided her land which abuts Riverside Cemetery. At the corner of the lot, there is a private burial ground for four cemetery plots. Clarke was proposing to have this area with the lots become part of Riverside Cemetery and then she produced a deed which appear to convey the land to the Town in 1969. Cerny explained that he researched the records to see if the town had accepted this land as there were no town official signatures. After receiving permission to contact Attorney Keriann Roman, she provided official steps to accept the land under RSA 41:14-a. There would need to be a title search. Chairman Stewart asked if we had a quote for the title work and if it would be paid for from the existing cemetery budget.

Cerny said there were some funds in his budget. Discussion ensued about fencing, size of lot and how to proceed about accepting the land. Secretary Cullen said that the tax collector uses a person for a title search and may want to talk to her. The Board agreed to proceed.

ACTION ITEM

Other items:

Dave McGuckin spoke and felt there were as many as half dozen items that could be handled by a Town Project Coordinator and where is the town on finding someone for this position. Chairman Stewart stated that the Board is currently engaged in the interview process. Selectman Maher said that he had spoken with several candidates and that the Board was proceeding with interviewing six potential candidates in the next week. Maher said that they are looking to fill this position possibly by October 1.

Piscataqua Rangers Fife and Drum Corps.

Director Tom Merriman of the Piscataqua Rangers Jr Fife and Drum Corps introduced himself and his assistant, Director Richard McIntyre. Merriam gave a brief history of the corps and their quest to locate a new home to practice, hence their attendance seeking approval from New Castle for indoor and outdoor practice spaces and limited storage. The corps is comprised of 27 kids and meets once a week to practice. They currently meet on Tuesdays from 6 to 8pm practicing outside during warmer months and inside during colder months. Merriam discussed what they might need in terms of space and possibly a storage area. Chairman Stewart asked if they have thought about Fort Stark. Merriman said they do not have a place to store anything. Selectman Frampton said that he would attend their next practice and report back to the board.

ACTION ITEM

Avitar Associates Contract – Renewal

Chairman Stewart explained the Avitar Contract and the role it plays in the Town's assessing work.

Chairman Stewart explained the charges along with the utility charges (assessing the land used by utilities in Town for tax purposes). Selectman Maher explained how the Town is bound by the contract but that it is contingent on annual budget funding. Given that, he was in favor of the four-year contract. Selectman Maher made a motion to accept the four-year contract with utilities. Selectman Frampton seconded the motion. Motion carried.

BOS meeting change for September 5, 2017

Selectman Frampton said that he had a conflict with the meeting on Tuesday, September 5th meeting at 7pm. The Board discussed other time options and decided upon the same day, Tuesday, September 5 but changed the time to 2pm.

Tree debris on Wentworth Road

Chairman Stewart reported that the tree debris will be removed at the same time Dan Hughes has two trees removed from his property.

Pole license

Selectman Maher indicated that the Board would need a public hearing and gave a brief history of the pole assessment, and that both Eversource and Fairpoint have license on the poles which allows the town to charge them taxes. The Board agreed to hold a public hearing at their next meeting on Tuesday, September 5th at 2pm.

ACTION ITEM

Rye Recreation request

Rye Recreation works in conjunction with New Castle in a quid-pro-quo where New Castle residents can participate in Rye programs, and Rye gets the use of the Recreation Building for the tennis programs. Chairman Stewart added that the town also gives Rye Rec \$7k to participate in its recreation programs. Selectman Maher made a motion to approve the fall session for Rye Recreation in the town rec building. Selectman Frampton seconded the motion. Motion carried.

Selectman Stewart talked about the budget and the town giving \$7k to Rye Rec. There was a discussion as to whether the Town is receiving a proportionate amount of services from Rye Rec and if the \$7k expenditure was appropriate. Selectman Maher would like to know the number of New Castle residents who participate in these Rye programs. The Board wanted to have Guy Stearns attend a meeting and to track New Castle residents that use the programs.

ACTION ITEMS

Follow up items

Abatement - 76 Ducks Head

The letter to Avitar from Wilbur's, questioning their abatement, is still pending. Chairman Stewart said he had the opportunity to talk to the homeowner today, and explained to her that the town is in the process of responding to their letter.

ACTION ITEM

Fire monitoring services for the Town Hall

Selectman Maher said that he will continue to work on this item and develop a plan to have all our monitoring equipment brought up to date.

ACTION ITEM

Proposed recreation subcommittee – Poulin/Pruna

The Board discussed having Recreation Committee Chair Guy Stearns attend the next meeting to discuss suggestions for a subcommittee.

ACTION ITEM

Fire Boat demo August or September

Selectman Maher reached out to Chief Blanding and the demo could be either Monday, September 11 or 18. Chairman Stewart would like to do it when it is still light. Maher said he will push for the 11th.

Chairman Stewart said he received an email today from a resident about a fire suppression gel which is a new product to fight fires Chairman Stewart said that he forwarded the email on to Fire Chief Blanding for his review. Some benefits of upgrading the water would be water quality and water movement.

Water/Sewer project update

Chairman Stewart said that the Board recently had a meeting with Portsmouth and recently received new information for cost structure for water upgrades for the town. Stewart said that put us in position to petition the court for a special town meeting to move the project forward. The Chair read the motion: "Motion for the Town of New Castle to petition the Superior Court of NH pursuant to RSA 31:5 to authorize a Special Town Meeting on or before December 1, 2017, which shall have the same authority, in all respects, as the annual Town Meeting."

Selectman Maher second the motion for a special town meeting. Chairman Stewart said that this petition would discuss raising and appropriating the sum of approximately \$5,500,000 for upgrades and improvement of the water system providing water to and located in New Castle to alleviate fire safety concerns brought about by deficient water flow in the water system.

Selectman Maher said that we need to expedite this especially for what we can accomplish over the winter months for planning and design which would give us a head start to do the work rather than wait until the May Town Meeting. This would keep the town on parallel tracks with the City of Portsmouth on their doing their part of the project, which Wentworth Road.

McGuckin asked if the residents would be able to vote absentee ballot. Chairman Stewart replied that generally absentee ballots would not be available for this type of vote. That said, given it is a special Town meeting, there may be exceptions and that all of this would be determined by the attorneys and the RSAs.

Chairman Stewart explained why December 1 is the date listed on the petition. Because it gives the Town flexibility based on the court schedule and he added that he would like to see actual date in early or mid-November. The goal is to hold the Special Town Meeting Pre-Thanksgiving. Jim Cerny asked about Portsmouth having the Wentworth Road work in their CIP plan. The board discussed the Wentworth Road section and planning level costs.

Chairman Stewart explained that New Castle completed a pre-application for state revolving loan fund and was approved to borrow up to \$5.5 million. at a rate of 2.4 percent for 20 years. Selectman Maher walked us through the City of Portsmouth's

process. How they would unlock the CIP items. The project would require City of Portsmouth City Council approval by February and would need to be approved by early May 2018 so that funds could be allocated for July 1, 2018 for Portsmouth's fiscal year 2019. Jim Cerny asked if it is a 2/3 vote to approve the expenditures at Town Meeting. Yes, a 2/3 vote would be required for funding to be approved. The board voted unanimously, motion carried. To petition the Court, the Motion must be posted by the Town for ten days consecutive days.

Agreement with the State re: two bridges from Portsmouth

Chairman Stewart said that there were pending questions with the state but most were answered in an email that had been received. The State is requesting approval of a draft article to move forward to a formal contract. Selectman Maher made a motion to approve the draft for Municipal Work Zone Agreement for New Castle. Selectman Frampton seconded the motion. Motion carried.

New business

There being no new business, Chairman Stewart asked for committee reports.

Committee reports.

Selectman Frampton said that he wants to call Attorney Roman regarding the two different answers for Mrs. O'Conner's sewer billing and get some clarity.

Selectman Maher made a motion to adjourn the meeting. Selectman Frampton second the motion. Motion carried. The meeting adjourned at 8:22 pm.