

**MINUTES OF THE SELECT BOARD**  
**Monday, June 5, 2017 – 7:00 PM**

**Present:** Bill Stewart, Chair, Bill Stewart, Tom Maher, Selectman, Damon Frampton, Selectman, and Bette Jane Riordan, Secretary.

**Also present:** Pam Cullen, Assistant to the Select Board, Christiane McAllistair, Town Accountant, Jim Cerny, Nick Diana, Bill Grenier, Craig Strehl

**1. Approval of Select Board Minutes.**

Approval of May 15<sup>th</sup> minutes was deferred until the next Select Board Meeting.

**2. Public Question and Answer.**

Chair Stewart recognized Bill Grenier.

**a. 81 Piscataqua Street.**

Bill Grenier of 39 Mill Pond Kittery Maine, presented information regarding request for an easement at 81 Piscataqua Street to bury power lines. The current telephone pole which provides power to the residence is sandwiched between NCHS (Old Library Museum) and a residence. As the area for the power line is on Town property, the property owners of 81 Piscataqua need an easement. When questioned by the Board Mr. Grenier stated the depth of the area is over 2' and he plans to lay the line at approximately 18" and cover with concrete. There are two main pipes: 3" and 1 ½". Further discussion included questions about ledge, the driveway, the property line and other concerns. Selectman Maher noted there are issues with the site and Chair Stewart would like further study, along with a written proposal and more detailed plans. Pam Cullen stated the Town should not have to cover any costs of deed recordation. Chair Stewart stated there needed to be a review of the subject of easements and plans, and discussion with Steve Tabbutt. Mr. Grenier will submit the requested information.

**3. Items.**

**a. Craig Strehl's request for street closure on June 10<sup>th</sup>.**

The Board considered and discussed Mr. and Mrs. Strehl's request to do a "soft close" of a portion of Piscataqua Street from Walbach Street to Atkinson Street from 5:45 PM to 6:30 PM to prevent non-resident vehicular traffic noise during the wedding ceremony of their daughter. All neighbors have agreed and there is no event at the PYC that evening. Only traffic cones will be required and both Chief Blanding and Chief White have approved conditioned upon approval of the Select Board. Expected duration is 15 minutes. The Strehls' will pay for any costs associated with the soft close. Selectman Frampton expressed concerns about the Board's ability to approve this. The Board agreed that the road would not be officially closed but that they would allow Mr. Strehl to request and pay for a police

detail on the street that evening to direct traffic to alternative routes if possible. This will be confirmed with Chief White and incumbent upon Mr. Strehl to take care of the necessary paperwork, compensation and scheduling.

**b. Nick Diana's request for proposed road race 2018.**

This was Mr. Diana's second appearance before the Select Board. He has filed a request for a permit from the State of NH and is scheduled meet with Portsmouth Police to request permission for a part of the race which will occur in Portsmouth, once he gets approval from New Castle. He doesn't really need the Rec Building but is willing to rent it. He will bring volunteers and portable toilets, and will arrange the police details. The proposed date is April 1, 2018, which turns out to be Easter Sunday. Selectman Maher said to consult with the local Church about their service hours. Pam Cullen stated there would need to be proof of insurance on file with the Town. The Select Board has no problem approving the race however there needs to be further discussion regarding date of race, rental rates, and other costs prior to final approval.

**c. Appointments to Boards.**

Chair Stewart nominated Steve Tabbutt for a one year appointment as Road Agent. Selectman Maher made a Motion to Approve the appointment for a one year term-2017-2018. Selectman Frampton seconded, and the Motion carried.

Chair Stewart brought forth names of individuals for appointment to the following boards:

Holly Fraumeni for one year as alternate with the Cemetery Trustees – May 2018  
Beth Barnhorst as Library Trustee for one year – May 2018.  
Darcy Horgan as member of the Planning Board for three years- May 2020.  
Rebecca Gold as member of Zoning Board of Adjustment for three years- May 2020.  
Beth Barnhorst as member of Conservation Commission for three year term- May 2020.  
Irene Bush as member of the HDC for one year-May 2018.  
Todd Baker as member of ZBA for one year-May 2018.  
William Marshall as member of Conservation Commission for one year-May 2018.

Selectman Maher made a Motion to Approve the Appointments of all nominees by the Chair, which was seconded by Selectman Frampton. Motion carried.

**d. Water quality violation letter/annual water quality report.**

The letter to all residents will go out June 6<sup>th</sup>. This letter is entitled "Notice of Standard Maximum Contaminant Level (MCL) Violation". The letter emphasizes there is no emergency, and provides the Town's remediation plan to reduce TTHMs forming in the drinking water supply which is being done in conjunction with Portsmouth's plan. Other results need to be submitted to the State Department of Environmental Services by June 10<sup>th</sup>. Chair Stewart would like Ben Jankowski who recently joined the Dept. of Public Works to take the State Water Operator test to be able to assist with these efforts.

Action Item: Selectman Frampton, as Liaison to DPW, will discuss with Ben Jankowski taking the operator exam and the timing of the test.

**e. 4 Oliver Street -Town right of way.**

As a result of actions by her neighbor, which cause water to be directed to her basement, Margaret Riffe is seeking permission (building permit) to build a small wall, and stonework swale to alleviate the problem. She submitted a picture or “rough drawing” of the planned work, and stated in a letter dated May 23, 2017, that she had been advised by the Building Inspector to seek permission from the Select Board as the planned work will encroach on the town road. According to the applicant the neighbor pumps water on to the street. The Building inspector has advised the neighbor not to continue with this practice.

Chair Stewart asked if a license was needed to build on Town property. He did note that if the Town does any damage to the proposed work that the property owner’s would be financial responsibility to repair it. Prior to taking any action on this request, Chair Stewart would like Steve Tabbutt’s opinion. He also directed Pam Cullen to check with NHMA (New Hampshire Municipal Association) to obtain a legal opinion. A draft policy done in conjunction with the Building Inspector maybe needed.

**f. Wentworth Bridge snow maintenance of the pedestrian sidewalks.**

The Board discussed the fact that Rye does not do any snow removal, and the Wentworth Hotel is on record as stating they will not do it. The State has not removed the snow from the sidewalks over the bridge. Discussion ensued over what New Castle will do given the recent signing of a particular agreement dealing with the upcoming bridge replacement. This matter was deferred for decision pending further information.

**g. Town Hall Smoke Alarm Issue: Deferred until next meeting. Negotiations with service providers pending.**

**h. Kennedy letter regarding berm.**

The Select Board next acknowledged receipt of a letter from Brooks and Mary Kennedy, 131 Davidson Street regarding a request to have the Town pay for damage to the berm. The berm was originally installed by the Town to help with waterflow on Davidson. Since its installation the Kennedy’s have made enhancements to its size etc. According to their communication with the Town they paid \$5,000 last summer for a new driveway and berm to replace the existing which was crumbling. They claim the berm was damaged this winter by Town Snow Plows.

The Board acknowledged that this berm situation has been an ongoing problem since 2000, when the property owners made the berm larger. Regular problems with snow plowing resulted. Selectman Frampton has spoken with the owners and after discussion, will

request that if they have a signed plan denoting the exact location and particulars to please submit this information.

**i. Handicap door opener.**

Selectman Frampton is proceeding with acquiring the installation of an automatic door opener to complete with full replacement of handicap access to Town Hall via the newly constructed ramp at the rear of the Town Hall building. Chair Stewart also suggested better identifying the parking space, as no painting has taken place. Selectman Frampton will follow up and report back.

**j. Town Administrator.**

Chair Stewart stated that there is money in the budget for a new position, effective July 1<sup>st</sup>. However, the position and the compensation are still being reviewed. A full job description and duties is expected to be completed in the near term. Much depends on the scope of the Portsmouth/New Castle water sewer project and the need for a project manager, which may take precedence over the day to day project management of the Town currently being done by the Select Board. Chair Stewart expressed reasons for not being ready to go ahead and implement the position by July/August. He is thinking this may be more of a project oriented position which could better meet the needs of the Town as it embarks on this major infrastructure project. Selectman Maher agreed with this position. Selectman Frampton pointed out that now is the time to plug in someone with qualifications sooner rather than later, as it would give the person time to familiarize him or herself with the workings of the Town and there are already plenty of ongoing unfinished projects which need attention. After further discussion about the scope and detail of duties of the position, the Select Board agreed to hold a Work Session on this topic for public input.

**k. Sewer by-pass and pump replacement update.**

Chair Stewart reported that the River Road by-pass work has been completed, and the Quarterdeck Lane problem has been resolved. He met with all parties involved about the problem which consists of having to rebuild the man-hole, and may require additional funds to complete the work. Repairs on Steamboat Lane starts tomorrow (June 6<sup>th</sup>). A report will be made to the Water and Sewer Commission.

Regarding pump replacement, the DES requires stamped plans and Northeast Integration is taking care of this. Chair Stewart stated he wants Underwood Engineering to be a technical advisor to review Northeast's work and recommended to the Board that the Town engage them for this purpose. This will be part of the overall project cost. Information from Northeast is expected within two weeks.

With respect to water issues, quotes are expected within 3 weeks, which times well as the Board is scheduled to meet with Portsmouth just before the 4<sup>th</sup> of July.

**4. New Business.**

**a. Personnel Policy changes: ( Please refer to handout which will be an attachment to these minutes).**

After review and discussion, Selectman Maher made a Motion to Approve the proposed changes to the Personnel Policy(excepting those changes regarding Compensatory time). Selectman Frampton seconded, and the Motion carried.

**5. Committee Reports.**

**a. Fire Dept.**

Selectman Maher reported on the Fire Department's monthly report which will be included in these minutes as an attachment.

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

Meeting adjourned at 9:20 PM.

Attachments: May Fire Dept Report  
Personnel Policy Changes