

**MINUTES OF THE SELECT BOARD**  
**Monday, February 3, 2020 7:00 PM**

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

**Also present:** Chief Ted Hartmann, Pam Cullen, Administrative Assistant to the Select Board, Christiane McAllister, Accountant, Ken McDonald, TAPC, Jim Cerny, Daphne Schwab, Dave McGuckin, Dave Borden, Richard White, John Ireland, David Muisan.

**1. Approve Select Board minutes of December 16, 2019, and January 21, 2020.**

Selectman Maher made a Motion to Approve the minutes of the Select Board meeting of December 16, 2019 and January 21, 2020 as edited and amended. Selectman Stewart seconded, and the Motion carried unanimously.

**2. Public Questions and Answers.**

Pam Cullen had the following items:

**a. Pontine Theater Request:**

The Pontine Theater group has requested permission from the Select Board to use the Town lots next to the Coast Guard Station, as well as erecting a small tent near the edge of the parking areas for ticket sales and for volunteers to staff their annual New Castle Garden Tour scheduled for Sunday, June 14, 2020 from 1-4:30 PM. They are also requesting permission to use the unpaved lot next to the public library for volunteers to park. The Police Chief has already been notified and approved. After brief discussion, the Select Board approved the request.

**b. Warrant Article for Veterans:**

Pam provided a copy of NH RSA 72-28-b "All Veterans Tax Credit" to the Select Board to support her request for a warrant article to provide a \$500 tax credit to veteran residents of the Town. While the Town currently has approximately 70 veterans who take advantage of the credit as it is currently written, adoption of this article would eliminate some of the prior restrictions on qualifications for the exemption. She did not expect a major increase in the amount of people requesting the exemption. The new language is as follows: " A person shall qualify for the all veterans' tax credit if the person is a resident of this state who served not less than 90 days on active service in the armed forces of the United states and was honorably discharged or an officer honorably separated from service; or the spouse or surviving spouse of such resident, provided that Title 10 training for active duty by a member of a national guard or reserve shall be included as service under this paragraph; provided however that the person is not eligible for and is not receiving a credit under RSA 72:28 or RSA 72:35.

After discussion, Selectman Maher made a Motion to Approve the adoption of the warrant article regarding Veterans' Tax Credit, and to submit it at Town Meeting. Selectman Stewart seconded, and the Motion carried unanimously.

**c. Cemetery Trustees: 2-Chair issue.**

Pam had received their annual report, and noted there are two co-chairs. She checked with NHMA legal counsel who strongly advised that there be only one chair. Pam requested that the Select Board notify the trustees that there should only be one Chair. Chair Frampton will notify the trustees.

**d. Citizens Petition.**

Pam explained that the proposed article from 25 or more eligible voters, submitted by Bill Kingston was received today in Town Hall.

Selectman Maher explained that every ten years, based on the census, there is redistricting of the legislative districts lines, which is done by the State Legislature. This petition would direct that an independent redistricting commission be formed, apart from the Legislature to do the redistricting. Selectman Maher read the petition's purpose. He explained that while it is going before the Town Meeting as it has the requisite number of signatories (assuming they are all currently registered to vote in New Castle), his personal preference would be not to have this part of the Town Meeting, but he does understand the requirements. He feels that preferences can be directly expressed or communicated to the various state legislators, and not have to bog down our Town Meeting process. Tom Smith asked if the Select Board had an option of whether to include it or not. Pam indicated there is no option. If it has the requisite number of citizens then it must be presented at Town Meeting.

After further discussion, the Select Board accepted the petition, and it will be reviewed to assure that all signatories are registered voters. It will be placed before the public at the May 2020 Town Meeting.

**e. Public Hearing Folders.**

Pam reported that she, John Ireland and Ken McDonald have been reorganizing the land use boards' public hearings folders to assure that all have the requisite documents, including timely submission of Notice of Decision, minutes, legal notices, etc. She indicated she is not receiving all of the documents in a timely fashion and requested that the Select Board members send a Memo to all Board and Commission Chairs addressing these issues. Ken McDonald stressed the need to tighten up the processes and get procedures in place. The Building Department cannot issue a permit without a Notice of Decision. Ken pointed out examples of problems he has identified. Selectman Stewart indicated he feels it's appropriate to call a meeting of the Board Chairs to discuss. He noted this had been done in the past but is worth doing now. The Board should work on the requested memorandum to discuss at this meeting.

**3. New Business.**

**a. School Chairwoman Daphne Schwab-MIT school scholarship clarification.**

Selectman Stewart stated there had been confusion as to whom or which entity required the pool of applicants for the scholarship to exceed the Town of New Castle. The language cannot limit the applicant pool to solely New Castle students, or the program runs afoul of

IRS Federal Taxation requirements, according to the NH Charitable Foundation. The Town had included in the previous Town warrant an amount of money designated for the scholarship under the annual donations to non-profit entities, but has not yet paid the money due to questions concerning the limiting language, which may not meet the intent of the taxpayers in approving the scholarship funding.

Daphne did submit the proposed language changes, which the School Board recommended. Selectman Stewart noted that there is a pact with the taxpayers that the monies would be used for New Castle students, and to expand the pool to meet the IRS requirements and those of NHCF, would not be acceptable to the taxpayers. Consideration had been given for a scholarship to be Town supported. Selectman Stewart said other options can be pursued, but at present tax payer dollars can't be used, as it is contrary to the intent of the taxpayers. The original intent was for the Town to support a scholarship, but somewhere along the way the language was changed enabling students from Rye and other surrounding municipalities were awarded the money. Daphne did indicate that the school will continue to promote the scholarship, but understands that for the present time, the Town will not be contributing to the fund. Both the Select Board and the School Department will continue to monitor the progress of the NHCF managed fund as it relates to the selection of New Castle students.

John Ireland wished to go on record as being opposed to using taxpayer monies for this scholarship as it presently stands.

**b. Ken McDonald –Recap of Town Projects.**

Ken provided a recap of accomplishments for the past year.

**Website:** Converted old to new layout, and made several requested changes and updates, based on working with each of the Board/Committee Chairs. He created a Procedures Manual describing how to Post Minutes and Agendas; how to update the Town Calendar and the Library Calendar; and how to update existing documents and load new documents.

Selectman Stewart asked Ken to find out the number of people enrolled in receiving automatic Emails of notices, minutes, etc., which is a feature of the website.

Ken reported that he will be able to post pictures of the progress of the water project on the website, capturing what it will look like and the actual work and effects on various sections of the Town, such as one way traffic.

**Safe Path:** This project involves continuation of the pathway from Wild Rose Lane to Rogers Boulevard. It is not the "TAP" project. He has created a new section on the website just for Safe Path which is accessible under "Boards and Commissions". He reported the finalization of the contract with Rye Beach Landscaping, obtained all Certificates of Insurance and waivers from all companies that worked on the project. The sidewalk was installed. He needs to clear up the "puddling" issue with DOT, and in the interim has withheld a payment to Rye Beach until the matter is resolved to the Town's satisfaction.

**TAP:**

Ken created what is known as the bible for policies and procedures for this project for Ben Jankowski who is the designated town employee and point person for this project. There is a new section on the website under Boards and Commissions for all TAP information. Ken has placed a major effort on trying to improve the communication/notification with abutting residents between Beach Hill Road and Pit Lane.

**Avitar: The Town's Assessing Provider).**

Ken reported that the installation of the Building Inspector/Department software has been done. It allows for the creation of building permits for demolition, electrical, Major, Minor, mechanical and plumbing. He has worked extensively with Avitar on updating data as well as the "shape" files that drive the maps section of the software. He has updated all properties within the software that are within the Historic District. He still needs to load applications and building permits. He noted there is a great reporting package with the software that allow for various needed reports, such as how many "open" permits there are.

**Trustee of Trust Funds:**

Ken did an exhaustive revision of their website, adding hyperlinks to state statutes (NH RSA's), and to specific documents, such as Minutes of meetings and Warrant Articles. The Trustees have given him very positive feedback.

**For 2020:**

He will be focusing on the Building Department, communicating with the Inspectors. He is currently working with Darcy Horgan, Planning Board Chair. The goals are to clean up the files from 2004 forward. He is struggling a bit because he needs to be around with the inspectors in order to learn their processes, but they are extremely busy. Ken has made the Zoning Ordinance Book more available to them. He is working on loading plans and Notices of Decisions. He does not yet have a timeline on accomplishing all of the tasks involved with the Building Department.

Ken continues to update websites as requested in conjunction with Pam.

Ken brought up issues with phone lines and ports and potential costs to address these issues and his concerns about recent interruptions due to failures of the various lines and systems. This originated with a request to install a phone to handle conference calls for use in the Select Board Conference Room. Selectman Maher requested more information on the providers and what we are paying them and for what specific services. First Light was identified as a source of concern. After further discussion, Selectman Stewart requested that Ken do an overview of needs, problems and decision points for Select Board review.

Ken raised issues concerning the Rec Center, and the need for a repeater.

**c. New part time employee:**

Christiane reported that she now has an assistant in the Accounting office, Chris Robillard, and explained some of his job responsibilities focusing on the water and sewer billing.

**d. Town Mileage Policy. Tabled until next meeting to allow for further Select Board review.**

**e. Rye Rec- summer camp.**

Rye Rec submitted its request to hold a two-week summer camp at the Common (same as last year) for a two-week period beginning the last week of June and 1<sup>st</sup> week in July. Pam reported that Steve Tabbutt and Ben from DPW said the program went very well. After brief discussion Selectman Maher made a Motion to Approve the Rye Rec Summer Camp program as presented. Selectman Stewart seconded and the Motion carried.

**f. Fire Sprinkler System- New Castle Congregational Church:**

Dick White, spokesman for the Church, presented the request for the Church to tap off the Town's 6-inch main located in the driveway between the two properties. Selectman Stewart noted that Steve Tabbutt supports this as the best solution. After discussion Selectman Maher asked for something in writing from Steve regarding this, and the matter will go on the Agenda for the next Select Board meeting which is scheduled for Tuesday, February 18 at 3:00 PM.

**g. Water Sewer Update.**

Selectman Stewart reported that the cost sharing agreement with Portsmouth has been drafted and commented upon, and he agrees with most of it. The cost share (Shapleigh-Peirce Island portion of the project) will be 50-50. There is one ambiguity involving eminent domain, which he indicated our Town Counsel feels comfortable with, No easement work is contemplated at this time. Selectman Stewart would like to move this forward as soon as possible. John Ireland, speaking as a member of the Water Sewer Commission asked that the Commission be able to weigh in on the agreement prior to signing off, noting concerns about the 10 foot issue for water and sewer lines. Their next meeting is in three weeks. Selectman Stewart agreed to send over a copy of the agreement to the Commission Chair, but will not be waiting three weeks, but will of course listen to feedback on any major concerns.

Selectman Stewart noted that the main water project will now be in Winter Shutdown, to restart in full in the Spring as soon as the go ahead is given by the State DOT.

**4. Committee Reports:**

**a. Fire Department: January 6<sup>th</sup> to February 3, 2020**

Selectman Maher reported the topline highlights as follows:

Calls for service- 10

Medical aid -6

Fire alarm activation-2

Assist other agencies-0  
Check Hazardous condition – 1  
Fire Alarm -0  
Service call -1  
Full report attached.

**b. Police Report**

Selectman Stewart reported the highlights:

Building property checks-79  
Traffic Enforcement -9  
Traffic stop-8  
Walk through/extra patrol-30  
Full report attached.

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

Meeting Adjourned at 8:20 PM.

Respectfully submitted,

Bette Jane Riordan  
Secretary