

MINUTES OF THE SELECT BOARD
Monday, June 15, 2015 7:00PM

Present: Chair, Lorn Buxton, David McGuckin, Selectman, William Stewart, Selectman, and Bette Jane Riordan, Secretary.

Also present: Chief Don White, Perrie Purcell, Henry's Restaurant, Michael and Ann McAndrew, Will Connell, John Palmer, and Jim Cerny.

Chair Buxton convened the meeting at 10:00 AM, and proceeded to the first item on the agenda.

1. Approve Select Board minutes of June 1, 2015.

Selectman McGuckin made a Motion to Approve the June 1, 2015 Select Board minutes as amended. Selectman Stewart seconded and the Motion carried.

2. Public Q & A.

None.

3. Items.

a. Rockingham County Planning Commission – Mike McAndrew.

Selectman McGuckin thanked Mike for attending all of the Commission meetings, and being New Castle's representative. He praised him for his very detailed reports, highlighting items pertaining to New Castle. In appreciation, the Board presented Mike with a gift certificate for The Green Bean. Mike reported on Green Waste Day and indicated 60 cars came through. Chair Buxton spoke about the memo on "Tides to Storms" meeting notice. Mike indicated there are new maps projecting out 75 years. Jim Cerny asked if they were different from the recent FEMA maps. Mike was not sure and mentioned Julie LaBreque was a good contact to ask. Selectman Stewart asked how this issue related to Representative Dave Borden's plan. Mike suggested meeting with Portsmouth's representative. He suggested the proposed meeting include the Fire and Police Departments. Selectman Stewart said he would check with Rep. Borden and report back to the Board.

b. 79 Wentworth Road.

Chair Buxton reported that the tax maps and cards have been modified regarding this property, and there are two lots: Map 13, Lot 28 and Map 13, Lot 28-1. He told Will Connell, representing 79 Wentworth Road, that the Town will record the ZBA decision separately.

c. Fishing on pier structure at Common.

John Palmer of Oliver Street, and frequent fisherman at the pier stated he had heard of a prior flare up between a particular fisherman and others trying to use the pier, stemming from this fisherman's attempt to save space for additional poles. The police had to show up, and John offered a solution to this recurring situation. He suggested that fishermen be limited to two poles and to put up signage. Chief White reported on the flare up, noting

that the fisherman in question shouted “I’m going to get you”. Chief White suggested no fishing be allowed during park hours, stressing that the Common is a family park. Selectman McGuckin questioned how close observers get to the fishing expressing his concern about possible injuries from hooks. Chair Buxton asked Chief White about any other problems involving fishing and Don reported none. Selectman Stewart asked if it was just a few individuals, to try and work this out. He did not want a blanket prohibition. Chair Buxton closed public comment in order for the Board to discuss the matter.

Selectman McGuckin asked Chief White for a recommendation, who suggested the person in question perhaps be ejected for a 30 days. Chair Buxton suggested limiting to two poles per fisherman. . . After further discussion Selectman McGuckin made a Motion to suspend the individual from fishing at the Common pier for a period of thirty days, and to erect signage regarding the two-pole limitation. Selectman Stewart seconded, and the Motion carried. In response to a question from Chief White, Chair Buxton clarified that the two-pole limitation is a park rule. The goal is to keep the area family friendly and not tolerate threats.

d. 1 Steamboat Lane, wetland.

Selectman Stewart stated that property owner went to the Conservation Commission with a plan showing two unapproved floats and requested “after the fact” approval. As the area involves a Town Right of Way, the owner was asked to go to the Select Board, which they have not yet done. The NH DES noted they presented a letter signed by Steve Tabbutt (See Letter on Riverside & Pickering Marine Contractors, dated May 4, 2015), indicating the Town had no objection to the encroachment. Selectman Stewart asked what the next step should be. He does not believe the letter is valid or sufficient for Town approval. He agreed to follow up with the State. Chair Buxton agreed that Steve Tabbutt did not have the authority represented in the letter. Selectman Stewart stated that the Board owes it to the Town to have the applicant to come in and explain the application to the Board. There is a 20 foot setback requirement and the current application as being discussed has zero setbacks. Chair Buxton said to first establish the facts surrounding the letter and Selectman Stewart will follow up and report back to the Board.

e. 131 Davidson Street.

This matter involves a transfer of property and the Kennedys regarding an easement on Ritson Street. Chair Buxton stated the Town has authority to make the transfer as a result of the passage of Article 15 at Town Meeting this year. The matter must first go through the Planning Board and Conservation Commission followed by two public hearings. A nearby neighbor is objecting to the transfer. Selectman McGuckin stated the objection should be heard at one of the meetings. Chair Buxton stated the matter needs to move to the Conservation Commission but the Board needs attorney Loughlin to draft the proper paperwork to be reviewed. He noted the lines are jagged and this proposal would straighten them out and clarify Town title to the easement. He stated that notice needed to be given to Jim Verra, surveyor. Selectman Stewart agreed to speak with Mr. Verra, follow up, and report back to the Board.

f. Roland Moring E-mail of June 10, 2015 – parking request.

The Board received an E-mail from the Marine Corps League requesting use of the dirt lot at the Library for parking for attendees of their planned picnic at the Coast Guard Station on Saturday, August 22, 2015. They intend to shuttle the guests from the Library to the picnic site. The Board approved the request.

g. Henrys’.

Perrie Purcell stated that Henry’s has received permission to serve beer and wine outside and needs a letter from the Select Board to the NH Liquor Commission. Selectman McGuckin stated he will check with Pam Cullen, Assistant to the Select Board regarding the Notice of Decision and a provide the letter.

h. Planning Board appointment of Tom Hammer.

The Board signed papers for Tom Hammer’s appointment as a member of the Planning Board.

i. Fairpoint and PSNH appeals-Avitar letter.

Chair Buxton explained the background of this matter regarding assessments for easements for telephone poles and lines. He noted that the Town had reached a settlement for two prior years, abating 10%,. In response to a question from Jim Cerny, Chair Buxton stated we have paid approximately a thousand dollars for the Fairpoint issue. We are part of a large group of towns defending our right to assess Fairpoint and PSNH. Our costs are an allocated portion. The current lawyers handling this matter have resigned and a new team has been recommended by Avitar. Chair Buxton will follow up with Avitar, assessor for the Town.

j. PA-28 request- Property Inventory Form.

Chair Buxton explained that requiring residents to fill out this form annually results in revenue to the Town of \$4,000 in fines for those who file late. . There was much discussion about the purpose of this form and its usefulness. Selectman Stewart suggested an alternative checklist for various deadlines for forms and filings that citizens could use. The Board agreed to table the matter until the next meeting and have the input of Pam Cullen on this matter.

k. Rockingham County Commissioners letter of June 5, 2015.

Chair Buxton stated the Commissioners want to meet with the municipalities on Thursday, July 16th at 6:00 PM, regarding a number of issues. New Castle should send a representative. Chair Buxton noted that the Town pays \$700,000 annually to the County and the Town needs to attend. He will try and find an appropriate representative.

l. Organized Sporting Activities – Common.

This matter is before the Board as a result of use of the park before park hours by exercise groups. The Town has received requests from groups requesting use during off-hours. Presently one group has been using it without issue, however now with additional requests the Select Board is being asked if a policy should be put in place or if the Town should address this differently. Selectman McGuckin stated that Summer Park Director Ben

Jankowski has drafted a “use” policy agreement and asked the Board to review and comment. Chair Buxton stated that the Town already has a policy of not approving “for-profit” activities. Selectman Stewart asked if the approved volleyball groups were not for profit. After further discussion, including the fact there may be deed restrictions, Mike McAndrew made the suggestion to allow the current group to continue for this season, but terminate their future use. Selectman McGuckin will talk to the Park Director and report back to the Board.

Selectman Stewart brought up the matter of dogs on the beach and asked about current policy and rules, as someone had asked him if he could walk the dog around the loop. Selectman McGuckin explained that no dogs are allowed on the Common from mid-May to September 15th. They are allowed on the beach up until 8:30 in the morning, and must approach and access through the opening next to Beach Hill Road path or Ocean Street. The primary reason for this is that park workers are mowing, and preparing the park for use. He noted that the problem is when the dogs are “off leash”.

4. OTHER OLD BUSINESS.

a. Building permit fees.

Selectman McGuckin brought up the matter of waiving fees on school building permits which was agreed to by the Board.

b. Wentworth Bridge.

Selectman McGuckin agreed to respond to Stephanie Dyer-Carroll, who works with Jill Barrett for the State regarding any matters. The Board indicated there were no current issues.

c. Personnel Reviews.

Selectman Stewart reported on his progress indicating he had received self-assessments except for one. Selectman McGuckin will follow up. Chair Buxton asked Selectman Stewart to send an E-mail for potential meeting dates.

5. OTHER NEW BUSINESS.

a. Snow Ban sign.

Selectman Stewart asked to change the Snow ban signs at either end of the Town and replace it for the season with something a little more welcoming. Discussion ensued and he will follow up and report back to the Board.

b. Teddie Golter request.

Teddie has requested that patriotic flags be affixed to telephone poles on patriotic holidays. Selectman McGuckin was not in favor of having the Public Works Department fund it and do the work required. After further discussion the Board agreed to have Teddie provide more information. Chair Buxton will follow up and report back to the Board.

c. Palmer & Sicard proposal.

Chair Buxton asked about the status of the proposal of Palmer & Sicard for maintenance of the air conditioning at the Recreation Building. Selectman McGuckin will follow up and report back to the Board.

d. Virtual Town Hall.

Chair Buxton reported on the cost to have individual E-mail accounts as requested by Selectman Stewart. Virtual Town Hall charges \$50 per user, which Selectman Stewart said was too high. He will research other providers and report back to the Board.

e. Trolley Service.

Selectman Stewart stated there used to be a trolley service available to New Castle which went from the Wentworth Hotel to Portsmouth, and he would like to have this service make a couple of stops in New Castle which would benefit New Castle residents and others as well. He will follow us on cost and availability and report back to the Board.

Committee Reports.

a. Library.

Chair Buxton reported that the Library has passes fro the Boston Museum of Fine Arts, the Currier Museum in Manchester, and the Portland Maine Museum of Art..

b. Town Hall Committee.

Chair Buxton reported that the Committee met and discussed energy conservation.

c. Business Office.

Chair Buxton stated the new accounting software installation is on schedule, and that paychecks are ready to be signed.

d. Police Department.

Selectman McGuckin stated that these reports will be monthly.

e. New Castle Common.

Selectman McGuckin stated that revenues from the Common are on target..

f. Fire Department.

Selectman Stewart reported that he will report monthly, therefore the next report will be July 6th.

There being no further business to come before the Board, Chair Buxton called for a Motion to Adjourn which was made by Selectman McGuckin. The Motion was seconded by Selectman Stewart. Motion carried.

Meeting adjourned at 9:15 PM.