

## SELECT BOARD MEETING MINUTES

OCTOBER 23, 2015 – 9:30 AM

Meeting called to order at 9:45 AM

Present: Selectman Dave McGuckin, Selectman Bill Stewart, and Select Board Chair Lorn Buxton

Water Sewer Co-Chairman Walter Liff, Water Sewer Co-Chairman John Ireland

Selectman McGuckin proposed making a change to Section IX – Penalties of the Water and Sewer Town Ordinances. The proposal was to modify the wording as follows:

### *SECTION IX – PENALTIES*

*B. Any Person who shall continue in violation beyond the time limit provided for in Section IX, Paragraph A, shall be fined in the amount not exceeding \$500 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.*

Chairman Buxton referenced RSA 149-I:6 stating that the Town has the authority to impose civil penalties up to \$10,000 per day for violations. He also noted the RSA calls for the Town to notify NHDES within tens days of commencing any action under the RSA.

Chairman Buxton made a motion to replace paragraph B of Section IX of the Town of New Castle's Water and Sewer regulations. The motion was seconded by Selectman McGuckin.

During discussion that followed, Mr. Ireland proposed a fine amount of \$1,000 or higher. Selectman McGuckin agreed that a higher amount was appropriate and made a motion to amend the motion on the floor changing the fine amount to: not to exceed \$1000... The motion to amend was seconded by Chairman Buxton and the Board voted unanimously to pass the motion.

The Motion on the floor was then voted on as amended and was approved unanimously.

The final wording of the amended motion is as follows:

### *SECTION IX – PENALTIES*

*B. Any Person who shall continue in violation beyond the time limit provided for in Section IX, Paragraph A, shall be fined in the amount not exceeding \$1,000 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.*

Meeting adjourned at 10:10 AM.