

MINUTES OF THE SELECT BOARD
Tuesday, February 16, 2016 – 10:00 AM

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

Also present: Pam Cullen, Assistant to the Select Board, Jim Cerny, Town Historian, Clint Springer, Alan Gayer, Dr. Jim Zuckerman, Reggie Whitehouse, Phyllis Stibler, Andy Schulte, Tom Smith, Treasurer, Jim Rini, VJ Strehl, Dick Spaulding, John Ireland, Peter Rice

1. Approve Select Board Minutes of February 1, 2016.

The Select Board Minutes of February 1, 2016 were approved as amended.

2. Public Q&A. – None.

3. Items.

In order to accommodate members of the public, Chair Buxton rearranged the order of items on the agenda.

a. Fire Update.

Chair Buxton addressed the recent letter from VJ Strehl regarding her request to establish a task force to deal with the issues brought up by the recent Tarbell fire. Before addressing that subject Chair Buxton stated he disagreed with Selectman McGuckin's recent letter to the Editor of the Portsmouth Herald. He wanted to ensure that the citizens of New Castle were aware of all the positive progress the Town has made and commend its employees and the volunteers of the Fire Department. He noted that the Town has built a new fire station, added weekend coverage, and added emergency power to the Recreation Building. The Town is working on the conveyance of water/sewer infrastructure with Portsmouth as evidenced in a letter of March 2014. The Town has received a list of recommendations from the Fire Chief regarding the water lines. He stated the Town has done major renovations to the school, and is involved with the storm surge project with the Rockingham County Planning Commission. The Town also has its CIP program and the Vehicle and Equipment Trust Fund to provide for maintenance and replacement of equipment. Chair Buxton concluded his comments by commending the Fire Department, Police Department, and Public Works Department.

The Board next addressed the comments of VJ Strehl. Selectman McGuckin asked VJ to comment. She expressed her concerns about tension between the Select Board and the Fire Wards which she observed at the last Fire Wards meeting. First she noted she appreciated the efforts of both groups. The tone of her letter was meant

to be “thanks for the work”, but concerns about contentiousness and defensiveness exhibited at the meeting of February 9th. She asked, “How do we get to an open discussion”, and get past “no large expenditures”. She asked how does the Town fully vet these issues, and establish both short term and long term solutions. She stated that a task force along with a 3rd party consultant (civil engineer or related firm) might be able to assist. She suggested the Town fund the task force and hire someone.

Chair Buxton asked the other Board members to comment.

Selectman McGuckin stated it was good idea to have an objective third party firm involved, and to have a separate and distinct group look at the water issues.

Selectman Stewart had prepared some comments. He looked at what the Town could do and outlined four preliminary priority areas: community outreach and education on the importance fire prevention; water infrastructure; department \ Town operational procedures and enhancements; and Town ordinance changes. He noted the solutions need to come from a variety of sources including a community of engaged citizens, civil engineers and professionals engaged in review of water infrastructure, Town departments, and Planning Board \ Planning Commissions. He noted that the Board had debriefed with the Fire Department, the Police department and the DPW on the fire, the outcomes and on specific concerns regarding the water infrastructure. He noted that on February 11th the Select Board met with Portsmouth DPW engineers regarding a review of the Town’s sewer infrastructure. During the course of that meeting it was asked if the Town could conduct a similar review of its water infrastructure with a specific review of the fire flows. It was estimated that a review of that nature could be completed within a 2 to 3-month timeframe. It was also discussed that a third party engineer may be appropriate to ensure the scope meets the needs of New Castle, specifically as to what information would come from the study. As for possible Town ordinance changes, the Board still has to explore what changes may be needed, and would obtain input from the Planning Board and Building Inspector. He sees the Task Force’s role as providing a needs analysis, and coming up with action items and assisting in implementation. Although action items may come and be implemented throughout the next year. Selectman Stewart would like all the work to be completed within a nine-month period in an effort to have any major initiatives presented to the Town for a vote at the 2017 Town meeting.

Chair Buxton stated it was the consensus of the Select Board to be in favor of a task force concept, but further discussion was needed.

Chair Buxton opened up the discussion by recognizing other speakers.

Jim Cerny talked about a recent Men’s Coffee Meeting at which Richard White, former Fire Chief spoke about possible solutions. He felt he had excellent suggestions.

Clint Springer stated that as a former Selectman he understood the nature of the problems and noted when he was a young engineer he did water tests. If he were a current Selectman he would not push the can down the street, but would call an engineer and have the water tests done now. This could be done in April, and the engineers can point out various solutions. There simply isn't enough water to fight a fire. He felt there was no need for a committee, but the Select Board needed to act now.

Tom Smith spoke as a member of the CIP Committee, and suggested the Board meet with Richard White, former Fire Chief, who knows the system and can move the issue forward.

Dick Spaulding stated there was no longer a need for fact finding by a task force, and suggested the priorities be split up between community outreach/education and the actual problems with the infrastructure. He suggested obtaining expertise.

VJ Strehl stated that while she admired engineers, the task force should be comprised of a balance of disciplines, and does not like the idea of waiting 9 months for a result. Selectman Stewart clarified this point, stating no one needed to wait that length of time for action items that can be implemented immediately.

Chair Buxton summarized the discussion indicating the expressed need for a Task Force. However, there are other things to consider, and there is a need to come up with actionable items. He stated there needs to be a review of the water system. A study, jointly commissioned by New Castle and Portsmouth, of the sewer portion of the Town infrastructure has just been presented in draft by a professional engineering firm. The next step will be a similar study of the water system.

Selectman McGuckin stated that at the end of the day the Town has a water flow problem, until we get the right size pipes. The long-term approach is to replace the water lines.

Reggie Whitehouse, Fire Ward spoke about the number of structure fires in the Town, with 1969 being the last total loss. He pointed out that there had in fact been several structural fires since that time which did not result in total loss. He stated that Portsmouth is waiting for the replacement bridge at the Wentworth, which if it is a fixed bridge, would allow them to hang a water line and extend it, which would alleviate some of the problem. He feels the lines should be replaced now.

Selectman McGuckin pointed out that it's Portsmouth's call and he does not agree that the Select Board hasn't done enough.

Clint Springer spoke about the difference in decision-making between New Castle, where the citizens have the power to expend monies, whereas Portsmouth has nine City Councilors who decide what to spend. He noted that New Castle's problems are a low priority for Portsmouth.

VJ Strehl stated there is a need to take the matter into our own hands, and reprioritize.

Alan Gayer stated he has been hearing about water problems for a long time, and likes the idea of a Task Force. He suggested using the next three months to come up with proposals to present at Town Meeting in May.

Normand Houle, member of the Water and Sewer Commission, stated there is more to the problem than just the infrastructure. He stressed the need to act now and to consult an engineer. Portsmouth won't buy a pig in a poke, so the Town needs to take care of itself.

Dr. Zuckerman stressed the need for prevention efforts and early fire detection.

Selectman McGuckin referenced the recent flier provided by the Select Board regarding the fire and noted there are suggestions from the Fire Chief contained in it. He stressed that prevention needs to be part of the solution.

b. Water & Sewer Update.

Selectman McGuckin reported that the Select Board met with Underwood Engineering regarding the sewer assessment, and that the Town had paid for the assessment. Chair Buxton stated the Town received a first draft and need to comment on it. There is an opportunity to have them do a study to assess the water needs for the entire island. He asked if the Town should proceed with that. It was the sense of the Board to proceed with this. Selectman Stewart noted that fire flow tests are important and should be part of the scope. Normand Houle pointed out cost figures and said not to waste any more time. He said the City of Portsmouth wouldn't take over the infrastructure without improvements. He said we have to pay. Mr. Gayer agreed with Norm but asked how it would be paid for? He thought the sewer rate base would be the mechanism. The Select Board needs to make the decision. There was brief discussion about a possible 4% bump up due to Portsmouth's sewer plant upgrade.

Chair Buxton called for a Motion.

Selectman Stewart made the following Motion:

For the Select Board to commission a water study by Underwood Engineering to include an analysis of water flows throughout New Castle to be completed prior to the May 2016 Town Meeting, and to be funded from the Water Trust Fund.

Selectman McGuckin seconded, and the Motion carried.

Norm Houle stated he had provided comments on the draft study, and asked for an Executive Summary to be completed. Selectman McGuckin agreed to be the point person for providing access to the draft study. Jim Rini expressed some concerns but was directed to provide his comments to the Wentworth Master Association.

c. HB 464.

Selectman McGuckin wanted to discuss the possibility of New Castle challenging this law which was passed in the last legislative session. It concerns municipalities' restriction from regulating storage of fishing gear on residential properties. The bill was originally sponsored by seacoast area representatives. He had spoken with the Town's lawyer who also is a member of the Rye Planning Board who indicated Rye had issues with this new law, noting that the language is open to interpretation. Chair Buxton noted the Town has no options but there is a little wiggle room. He discussed the possibility of a court challenge. He expressed concern that this law is yet another restriction placed upon municipalities by the State. Selectman Stewart expressed disagreement with getting an attorney's opinion for this fishing gear issue. There are other issues which he would consider pursuing but not this one. Selectman McGuckin stated local government should have a say and not be restricted in this fashion. Andy Schulte felt Selectman McGuckin's concern was primarily because his next-door neighbor stores fishing gear. Selectman McGuckin firmly denied the assertion. Chair Buxton stated that as a Select Board they should allow an attorney to weigh in and suggest wording and perhaps take the issue to the Planning Board. John Ireland stated he would not be in favor of spending money for an attorney's opinion.

Dick Spaulding asked to speak about Fire education. He suggested a neighbor to neighbor program. Selectman Stewart told him about the Preparathon program sponsored by FEMA, which includes a fire education component.

d. Requests

The Select Board approved the request of Rye Recreation for use of the Rec Center for tennis lessons and also approved the request of Pontine Theatre's annual request to allow for the use of town parking lots for the garden tour on June 12, 2016 from 1-4 PM.

e. Budget.

Chair Buxton stated that the Select Board has to present a recommended budget to the Budget Committee. He noted that revenues are up and expenses are down. After discussion and minor changes, Chair Buxton made a Motion to Approve as amended. Selectman Stewart seconded, and the Motion carried.

4. Other Old Business. – None.

5. Other New Business.- None.

6. Committee Reports.-None.

7. Any other Business to come before the Board.

Selectman McGuckin asked about whether there had been a resolution of his question about the sale proceeds of the old DPW truck. Chair Buxton stated the money goes back to the General Fund.

Chair Buxton noted that he has been advised that spouses /life partners can serve on the same local board but the relationship must be disclosed.

Selectman Stewart stated that he is waiting for two more quotes on the Property and Liability Trust matter.

Chair Buxton noted that the Town's contributions to the NH Retirement System are going to be audited, and Town Accountant Deb Knowles stated it would only be for the last three years.

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

Meeting adjourned at 12:30 PM.