

Town of Newington, NH
Board of Selectmen Meeting Minutes
Monday, July 1st, 2019 Town Hall

Present: Chair Ted Connors, Selectman Mike Marconi, Selectman Ken Latchaw, Martha Roy, Town Administrator, Karen Anderson, Special Projects Coordinator and Eleanor Boy, Recorder.

T. Connors called the meeting to order at 5:00pm, followed by the Pledge of Allegiance.

M. Marconi moved to enter a nonpublic session at 5:01pm per RSA 91-A:3 II (a & e). K. Latchaw seconded the motion and T. Connors asked for a roll call vote: M. Marconi- Yes, K. Latchaw- Yes, T. Connors- Yes. All were in favor.

K. Latchaw moved to return to public session, seconded by M. Marconi. T. Connors asked for a roll call vote: M. Marconi- Yes, K. Latchaw- Yes, T. Connors- Yes. All were in favor.

The Board returned from the nonpublic session at 5:56pm.

M. Marconi moved to seal the non-public minutes indefinitely. K. Latchaw seconded the motion and T. Connors asked for a roll call vote: M. Marconi- Yes, K. Latchaw- Yes, T. Connors- Yes. All were in favor.

T. Connors called for a 5-minute break.

T. Connors called the meeting back to order at 6:00pm.

The Board asked M. Roy to send a letter to the Board of Fire Engineers about the fire boat donation. They want an agreement to be entered into with Sprague and Sea3 or a simple letter from each company stating that there are no strings attached to the donation.

The Board of Selectmen asked M. Roy to conduct a salary survey of the surrounding towns.

The Board asked M. Roy to send a thank you letter to Collis Adams of Dept of Environmental Services for his help with the Alteration of Terrain permit for the Eversource laydown yard.

The Board asked M. Roy to send a thank you letter to Lillian Wilson for planting the flowers in the town pocket gardens.

Tree work on the Frink, Pickering and Poulin properties will take place during the second week of August.

The AOT permit was received and final reviews and approvals are taking place on the lease for the laydown area. All Eversource soils will be stored in the industry district.

Issues encountered this week included a power outage to a residence that was caused by the drilling of a guide wire. Power was restored later that evening and the permanent fix was done. The resident was complimentary of the repair crew that came out.

A resident adjacent to the Flynn Pit came into the Town Hall very concerned that the cutting was too close to her property. Town Hall staff provided maps to show where the cutting was being done and the town and Eversource representatives reached out to her. Cutting was in the Eversource easement area.

A resident at the intersection of Little Bay Road and Old Post Road expressed concern about trees on her property that were adjacent to the existing power lines that should be trimmed. The project work did not extend onto the owner's property, however Eversource agreed to review the trees and work with the resident to trim or remove the trees if they were a danger.

The building inspector identified two trees on the right of way between the town hall and the police station that were dead and in danger of falling across the road toward the new power lines. Eversource was asked to look at those trees for removal and they have notified the town that the trees will be removed.

Water Contamination Update: K. Anderson was pleased to report that the Board's concerns, that were sent to DES regarding the proposed maximum contaminant levels for PFAS chemicals, were heard and acted on by the NHDES.

The DES initially proposed limits of .38 ppt for PFOA, .70 ppt for PFOS, .85 PFHxs and .23 ppt PFNA. After reviewing the numerous comments received, NHDES released revised and stricter regulations for those 4 chemicals in New Hampshire drinking water. The proposed maximum contaminant levels are some of the most protective when compared with other states. The final proposed limits are .12 ppt for PFOA, .15 ppt for PFOS, .18 PFHxs and .11 ppt PFNA. If these final numbers are approved by the NH Joint Legislative Committee for Administrative Rules, there are likely a few more residential wells in Newington that will no longer be under the limits and will need to have filtration systems installed.

M. Roy and K. Kelley spoke to Clark Freise, Assistant Commissioner of the NHDES, about the new limits and how they will affect Newington. C. Freise stated that affected

K. Latchaw moved to approve the assignment of the commercial lease to Eversource, subject to legal counsel approval, and authorize the chair to sign the contract. M. Marconi seconded the motion with all in favor.

The Board reviewed the 2019 budget as of June 30, 2019.

Adjournment: M. Marconi moved to adjourn at 6:56pm. K. Latchaw seconded the motion with all in favor.

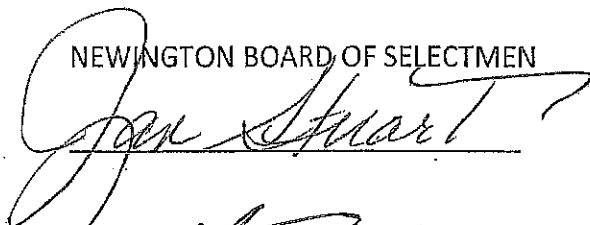

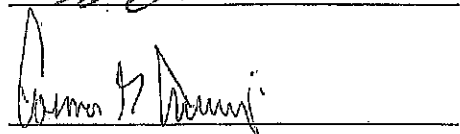
Respectfully submitted,
Eleanor Boy, Recorder

AGREEMENT

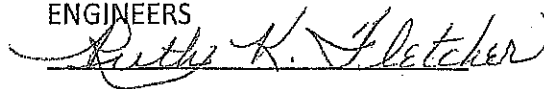


Introduction: This 23rd day of September the Newington Board of Selectmen ("BOS") and the Newington Board of Fire Engineers ("BFE") agree to resolve all pending claims and meaning to buy peace hereby agree as follow:

- A. The Ordinance adopted by the Town of Newington in 1980 and modified in 1981 shall be amended to reflect the following:
 1. Labor Negotiations--The BFE is, for the purposes RSA 273-A, the Public Employer. The BOS is the Governing Body for the purposes of RSA 32. For the purposes of negotiating a Collective Bargaining Agreement with the IAFF, the Management Negotiating team shall consist of two members of the BOS and two members of the BFE. The Chairs of each Board shall serve on the Management Negotiating Team and shall each appoint one member from their respective boards to serve on the Management Negotiating Team. A tentative agreement requires a majority of the four members of the Management Negotiating Team. The Town Administrator and the Fire Chief will serve as advisors during the negotiation process.
 2. Budgeting Process—The BFE shall, pursuant to RSA 32:1, prepare its annual budget and submit it to the BOS for review and comment. The BOS and the BFE shall meet and confer to attempt to resolve any differences with the goal of submitting an agreed-upon budget to the Budget Committee. If they are unable to do so, the BFE budget may submit its budget directly to the Budget Committee without alteration by the BOS. The BOS may, however, submit its own budget for the Fire Department and for comment on the BFE's budget as it sees fit.
 3. Line item transfers after funding are subject to BOS approval pursuant to RSA 32:10.
- B. The parties further agree that the Management Negotiating Team for the first negotiation session with the IAFF shall be led by an attorney experienced in negotiating public labor contracts who will agree to do so for a flat fee, and who shall be agreed upon by a majority of the Management Negotiating Team.
- C. The BOS will withdraw its appeal in Supreme Court No. 2014-0474. The BFE will withdraw its lawsuit pending in the Rockingham County Superior Court Docket No. 218-2014-CV-00363.
- D. The BOS agrees to pay the attorney's fees incurred by the BFE in the amount of \$13,500, \$3,500 of which will come from the Fire Department's budget.

NEWINGTON BOARD OF SELECTMEN

NEWINGTON BOARD OF FIRE
ENGINEERS

9-23-2014

NEWINGTON, NEW HAMPSHIRE VOLUNTEER FIRE DEPARTMENT

ORDINANCE OF ORGANIZATION, PROCEDURES, RIGHTS, AND DUTIES

There is hereby created a department of the Town to be known as the Newington Volunteer Fire Department, the object of which shall be the prevention and extinguishment of fires, and the protection of life and property incidental thereto, within the limits of the Town of Newington.

Section 1

Article 1. Control of all apparatus designed, used for, or incident to the extinguishment of fires in the Town, and all persons whose duty it is to aid in extinguishing fires shall be vested in a Board of three persons, to be known as the Board of Fire Engineers. The Board shall promulgate rules and regulations as necessary.

Article 2. The Board of Fire Engineers shall be elected for terms of three years by the Town at an annual Town Meeting. No Fire Engineer shall, at the same time, be an officer of the Department.

Article 3. The Board of Fire Engineers shall elect a clerk annually and adopt a badge of office.

Article 4. Vacancies in the Board of Fire Engineers created by death, resignation, or any other cause shall be filled until the next Town Meeting by appointees of the remaining members.

Section 2

Article 1. The Department shall consist of a Chief and other officers as the Chief and Board of Fire Engineers may deem necessary for the effective operation of the Department.

Article 2. The Chief shall be appointed by the Board of Fire Engineers for an indefinite period of time, and his tenure of office shall depend upon his good conduct and efficiency. The Chief shall be technically qualified by training and experience and shall have ability to command personnel and hold their respect and confidence. If his performance is unsatisfactory to the Board following a public hearing, he may be removed by a majority vote of the Board of Fire Engineers.

Article 3. The Chief shall be held responsible to the Board of Fire Engineers only, and shall make written and verbal reports thereto as the Board of Fire Engineers may require. All other Department and Company officers shall be accountable to the Chief only.

Article 4. Any Assistant Chiefs shall be appointed by the Board of Fire Engineers. Other Department and Company officers shall be elected by the men in their respective companies. Such officers shall be accountable only to the Chief, and are subject to removal by the Board of Fire Engineers.

Section 3 Duties of the Chief

Article 1. The Chief shall be responsible to the Board of Fire Engineers for the personnel, morale, and general efficiency of the Department.

Article 2. The Chief shall determine the number and kind of companies of which the Department is to be composed, and shall determine the response of such companies to alarms.

Article 3. The Chief shall at least once a month conduct suitable drills or instruction in the operation and handling of equipment, first aid and rescue work, salvage, a study of buildings in the Town of Newington, fire prevention, water supplies, and all other matters generally considered essential to good firemanship and safety of life and property from fire.

Article 4. The Chief shall see that complete records are kept of all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the Department.

Article 5. The Chief shall report monthly to the Board of Fire Engineers the condition of the apparatus and equipment; the number of fires during the month, their location and cause, and the date of same and loss occasioned thereby; the number and purpose of all other runs made; and the number of members responding to each fire or other run, and any changes in membership.

Section 4 Membership

Article 1. The membership of the Department shall consist of such persons as may be recommended by the Chief and accepted for membership by the Board of Fire Engineers. All Personnel shall pass a suitable physical examination. It shall be given by a doctor chosen by the Board of Fire Engineers, at the expense of the Department.

Article 2. Any member of the Department may be suspended from the Department by the Chief at any time he may deem such action necessary for the good of the Department. On written request of such member to the Board of Fire Engineers he shall be given a public hearing, by that Board, on the charges brought by the Chief. The Board may grant reinstatement.

Section 5 Equipment

Article 1. The Department shall be equipped with such apparatus and other equipment as may be required from time to time to maintain its efficiency and properly protect life and property from fire.

Article 2. The Board of Fire Engineers, consulting with the Chief, shall prepare an annual budget by categories of expense for the ensuing year. Such report to be submitted to the Budget Committee no later than 25 days after the close of the fiscal year.

Article 3. All equipment of the Department shall be safely and conveniently housed in such places as may be designated by the Board of Fire Engineers.

Article 4. Suitable arrangement or equipment shall be provided for citizens to turn in an alarm, and for notifying all members of the Department so that they may promptly respond.

Article 5. No person shall use any fire apparatus or equipment for any private purpose, nor shall any person wilfully and without proper authority take away or conceal any article used in any way by the Department.

Article 6. No person shall enter any place where fire apparatus is housed or handle any apparatus or equipment belonging to the Department without authority.

Article 7. The Board of Fire Engineers is hereby authorized to enter into agreements or contracts with nearby incorporated communities or the governing bodies of any Federal organizations to provide such communities or organizations with fire protection or to establish a mutual aid system.

Section 6/ Ambulance Service

Article 1. The Town ambulance and medical service equipment shall be under the control of the Board of Fire Engineers.

Article 2. The Board shall appoint, with the power of removal, a Director of Ambulance Service who shall be technically qualified by training and experience.

Article 3. The Director shall maintain a list of EMT and/or other qualified personnel for ambulance work and provide for, as far as is possible, proper coverage for emergency ambulance and other medical services available.

Article 4. The Director shall report monthly to the Board of Fire Engineers on the condition of the equipment, the number and purpose of runs made, and the number of members responding to each run.

Article 5. The Membership shall consist of qualified Fire Department members and others who may not be Firepersons, although it shall be encouraged that members be qualified for both services. All members shall have the same physical examination as fire personnel.

Section 7 Special Officers

Article 1. The Department may elect a President, Vice President, Secretary, and Treasurer, to be known as Social Officers. Said Secretary shall serve as clerk of the Department. Such officers may be elected in any manner and for any term the membership may decide upon, and their duties shall be to arrange for and manage any or all social functions sponsored by the Department.

Article 2. The functions and duties of said Social Officers shall in no way interfere with those of the regular Department officers who are charged with responsibility for all fire service activities of the Department.

Section 8

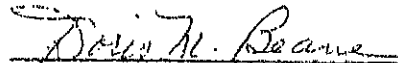
Article 1. Any article in this ordinance may be rescinded, or amended or new articles added, after a duly warned public hearing, by the Selectmen after conferring with the Board of Fire Engineers, or by the Board of Fire Engineers with the concurrence of the Selectmen.

Article 2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Amendment approved by Majority Aye vote is as follows: "Delete Sections 7 and 8, and renumber Section 9 to 7 and Section 10 to 8."

This Fire Department Ordinance was Adopted as amended, at the Annual Town Meeting in Newington, New Hampshire, March 15, 1980.

ATTEST:


Town Clerk



The Town of Newington
New Hampshire

Incorporated 1764

AMENDMENT TO NEWINGTON, NEW HAMPSHIRE VOLUNTEER FIRE
DEPARTMENT ORDINANCE OF ORGANIZATION, PROCEDURES,
RIGHTS AND DUTIES.

Amend Section 2, Article 2, by deleting the present
wording and substituting with the following:

" The Chief and other necessary officers shall be
appointed for a term of two years by the Board
of Fire Engineers. They may be reappointed for
additional terms at the pleasure of the Board
of Fire Engineers.

All officers shall be qualified by training and
experience. Should their performance prove
unsatisfactory they may be removed by the Board
of Fire Engineers after a Public Hearing before
that Board."

Public Hearing held June 15, 1981

Paul Kent
Paul Kent

T. Dean Cole
T. Dean Cole

Paul L. deRochemont
Paul L. deRochemont

Peter Quinn
Peter Quinn

Leonard N. James
Leonard N. James
BOARD OF SELECTMEN

Robert E. Haskins
Robert E. Haskins
BOARD OF FIRE ENGINEERS

Dated: June 1, 1981

Dated: June 1, 1981

AMENDMENT TO NEWINGTON, NEW HAMPSHIRE VOLUNTEER FIRE DEPARTMENT
ORDINANCE OF ORGANIZATION, PROCEDURES, RIGHTS AND DUTIES, AS
VOTED AT TOWN MEETING MARCH 13, 1979:

Section 1

Article 2. The Board of Fire Engineers shall be elected for terms of Three years, by the Town at an annual Town Meeting.

Section 4

Article 1. The membership of the Department shall consist of such persons as may be recommended by the Chief and accepted for membership by the board of Fire Engineers, and shall be able-bodied person, and shall not be restricted to residents of the Town of Newington, New Hampshire.

Paul L. deRochemont

Gerald O. Philbrick

Paul Kent

Board
of
Selectmen

Entered in the records of the Town of Newington: May 2, 1979

Doris M. Beane
Doris M. Beane, Town Clerk

RECEIVED & RECORDED

On May 2, 1979

At 13:23 P.M.

Book: IV Page 155

Doris M. Beane
TOWN CLERK NEWINGTON, N. H.