

**Newington Board of Selectmen
Meeting Minutes**

**March 3, 2003
Newington Town Hall
6:30 p.m.**

In attendance: Residents Richard Stern, Chris Cross, Linda Khalsa and Bob Hart Sr., Representing Wal-Mart Robin Labrie, Treasurer George Fletcher, Asst. Fire Chief Dennis Cote, BI Charles Smart, Chairman Board of Selectmen Cosmas Iocovozzi, Selectman Jack O'Reilly, Selectperson Jan Stuart, AA Cynthia Gillespie.

Pledge of Allegiance

The meeting was called to order at 6:34 p.m.

Minutes

The minutes of the February 3rd Selectmen's Meeting were reviewed. Selectmen O'Reilly made a motion to approve the minutes. Second by Selectperson Stuart. Vote 3-0.

Miscellaneous

Dennis Cote Asst. Fire Chief was addressed. He spoke regarding a grant that the Fire Department was applying for. The grants were to be used for a couple of floating pumps and some other miscellaneous equipment. Asst. Chief Cote said that they have to encumber 10%. Chairman Iocovozzi stated that if the total amount does not have to be encumbered first then there should not be a problem. Asst. Chief Cote said that the money goes directly to the vendors and should not have to go through the Selectmen. AA Cyndi Gillespie explained how she posted the amounts received from the State for the grants. Asst. Chief Cote stated that he would keep Cyndi posted as to where the money is coming from and when it should be posted.

Robin Labrie representing Wal-Mart was addressed. Ms. Labrie noted that she is the Community Relations Coordinator at the Newington Wal-Mart. She wanted to meet all the Selectmen and discuss with them the top things that they would like to see the Wal-Mart store accomplish to better the community. Ms. Labrie mentioned that they do a couple of grants per year with the Fire Department and the Police Department. They have several programs available with matching grants. An employee of the company generally raises money for the grant and Wal-Mart is bound to a matching fund of up to \$1000. Asst. Chief Dennis Cote mentioned that they had received over \$6000 in the past 3 years. Chairman Iocovozzi asked if the \$1000 was for the entire Town or if each department could receive the matching funds. Ms. Labrie said that it was \$1000 max to each organization i.e.: Police Department or Fire Department.

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She also mentioned that there is an environmental grant that is going help to rebuild the stone wall in an old cemetery in Town. Ms. Labrie mentioned another program that they have available that does not require the matching funds. Selectmen O'Reilly said that the Town has some old books that we are going to get preserved. Would that be something that Wal-Mart would be interested in granting? Ms. Labrie was not sure but said she would check into it. It was noted that the Selectmen has encumbered \$6000 for that project his year. Ms. Labrie stated that the company is becoming concerned that the stores are not giving back to the community. Selectman O'Reilly recommended that she speak to the Conservation Commission because they would appreciate help as well. Selectperson Stuart asked Ms. Labrie if there was anything that the Selectmen could do for Wal-Mart. She mentioned that they were disappointed that they were not allowed to have any sidewalk sales. Selectmen O'Reilly noted that that's in regards to the Planning Board and not the Board of Selectmen. There was discussion on the maintenance plan that Wal-Mart was supposed to be giving to the Conservation Commission with a plan laid out as to what they were going to accomplish on the grounds, such as landscaping.

A memo from Kay Ackerley was read regarding manure piles being deposited on the field at Fox Point.

A memo was read from a resident regarding the manure piles.

Selectperson Stuart did notice that there was a smell down there but she would assume that they would spread it out as soon as they could work it. In defense of the farmer, the corn has not been coming up and the fields are not fertilized enough to sustain the corn. They need added fertilizer; he does need to fertilize the field. Chairman Iocovozzi stated that this is a farming community and there is nothing that can be done about it. George Fletcher mentioned that he walks by there every morning and never smelled a thing. Chairman Iocovozzi stated that they would ask the farmer if he could put it out farther, if he couldn't then that was fine.

A letter was read from the US Fish and Wildlife Service which stated that they are going to add 8.2 acres of land, Map 51 Lot 6, in the Town of Newington to Great Bay National Wildlife Preserve. This parcel will be added to the National Wildlife Refuge System. It is located at the refuge on Fabyan Point Road; there is an existing 24,096 s.f. single family house on the eastern most part of the property. Included in the letter was a list of the native trees, birds, and other animals to this property. Selectmen O'Reilly made a motion to reply that the Board of Selectmen are in favor of the acquisition. Second by Selectperson Stuart. Vote 3-0.

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Chris Cross was addressed in regards to the Exit 4 project. Chris Cross stated that the State proposes to delete the entrance to the on-ramp for the underpass traffic and replace it with about 1500 feet of two lane road with extensive shoulders and to connect at Nimble Hill Road at a three lane intersection. There will be no signal light there but cables will be installed so the addition of signals will not require digging up the road. They are going to take the off-ramp of the northbound highway and it will be doubled in distance from the turnpike and will come to a T intersection with River Road, the through road, and the traffic coming off the intersection will stop. Chairman Iocovozzi interrupted Chris Cross so that he could address the issue of water and sewer.

Selectperson Stuart asked what the situation was in regards to the water and sewer to the properties in the Tricky Cove area. Chris Cross said that the State was addressed regarding this issue a year ago and it was said that the Town would look very favorably if the water and sewer was extended down the length of the new roadway onto Nimble Hill Road. They indicated that they researched and looked into it and as far as water they do not have a requirement to have water along a State road, including any requirements for hydrants. As far as sewer they also have no requirements for Sewer. They would be willing as part of this project to have the contractor also put in a water line and a sewer line if the Town would pay the difference since it would be Town maintained and the Town land owners would benefit from it.

Selectperson Stuart stated that her understanding, from Richard Stern, was that he was led to believe that it was going to happen. Also, that he was led to believe that it was going to be paid for by the State of New Hampshire or the Sewer Commission who would be putting it in. She asked the group of attendants what happened. "How did these guys get left out? Why were they promised this?" Chairman Iocovozzi said that they were trying to do whatever they could to get sewer in there. First they went to the State and asked them, they responded that it was not within their budget and it was never planned with this particular project. It is not a State highway requirement. Selectperson Stuart said that she understood but did not know why they were told that it would be done. Chairman Iocovozzi said that they went back to the sewer department, Dennis Messier, and asked if the Sewer Commission would put up the money to run the line up there for engineering costs and what ever else needed to get it in. Then they could bill the people accordingly. Dennis had not gotten back to him. George Fletcher said that Dennis had not gotten back to them either and the subject has been spoken about before and all three members of the Sewer Commission agree that they will not fund the line. Chairman Iocovozzi said that he has spoken to Dennis a few times about it and asked George Fletcher about how far back it would need to be.

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George Fletcher stated that it hadn't been discussed but that the Sewer Commissioners never agreed; not even close to agreeing to front the money to install the line. It was brought up from Richard Stern that he just wanted to know what was going to happen so that he could make plans accordingly. Chris Cross said that he had spoken to Rick as well as the other businesses around there indicating that the sewer and water was something that would be looked into to see if there was a way of doing it. Chairman Iocovozzi said that the parcels down on the water need to be taken care of because there is no more room with all the set backs and everything where leech fields could be put in. There has to be a line there to get that sewerage out of there because there is no other place to put it. If you look down there the lots are too small, there is not enough frontage there just isn't enough room to put it in. In addition, the soil conditions are not conducive for them. Richard Stern's septic system would have to be run about 150' away from where his house is. Chairman Iocovozzi said that if this could be fixed it would benefit the Town Residents as well as there would not be a problem with polluting the Bay. George Fletcher said that if someone else would be willing to foot the cost of it, maybe the Conservation, because the Sewer Commission would not do it. Chairman Iocovozzi responded that if the houses could use gravity then it would go to the line in the road. Chris Cross mentioned that there was a parcel that had a gravity in mind that at the elevation they could get a distance of 500'-600'. Chris Cross explained the process they were looking into and where the catch basin would be using mostly gravity from the parcels. George Fletcher said that it was all cost and they were not paying for it. Selectman O'Reilly asked who, under normal circumstances, would put it in. George Fletcher said that the houses would normally pay to have it put in unless it was part of the deal with the contractor. Chris Cross said that the key is the one developed parcel down there, the entire 11 acre parcel has to be bisected by the new road. This new road makes that developable. He wrote a letter to the owner suggesting that he donated it to the State for the benefits that accrue and anything else that he asks. The owner responded back that he did not want to donate it because it will be about 1 ½ acres lot that will be a solitary piece. Another portion is about 5 ½ acres that's left and he has direct access to sewer. If he is allowed to make two lots out of it then whoever developed the second lot would have to put in a sewer line or at least a catch basin in which case other potential lots could benefit from it. He noted a few other lots that would need sewer. Chairman Iocovozzi asked George Fletcher if they would consider doing it and get impact fees or other monies from it, not do it for nothing. These impact fees would be used to offset the costs of installing the line.

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If they can run a line, the parcel owners will pump into a basin and then it goes out gravity to the line, then the Sewer Commission is not responsible for the pumps and stations. If you put it in what you do is charge them for the installation, either per lot or per foot. He asked if the line was already in place then they could take in the impact fees when the properties are developed. So once they develop they don't need to go in and rip everything up again. Bob Hart Sr. said that the problem would be that if it was done for this then the other people in Town that want sewerage would want mains. It would cost a lot of money to put sewerage in for the whole Town. Sewerage cannot be put in for certain people and say that it can't be done for someone else. Chris Cross said that the circumstance that makes this slightly different is that this particular area has commercial development potential. A residential area does not. It is precluded by Town Ordinance not to run sewer lines beyond a certain drainage ditch. Most of the properties are commercial land with the exception of Richard Stern's and two other houses. Mr. Bernard has prime development land and he is just waiting for the opportunity. The roadway will provide the right opportunity where he can sell, not as a hard to access 11 acre lot but as prime 3 acre and 2 ½ acres lots. George Fletcher asked why Mr. Bernard couldn't pay for the installation of the line. Chris Cross responded by saying that it was a matter of timing and when he is ready to develop then he will have it installed and he will pay for it. Unless he wants to put up the money now, and that is a valid question. George Fletcher said that he thought that would be the way to go. Have him front the money and they can put it in. Chris Cross said that the State would, in the process of installing the road, monitor the installation of the sewer and water lines so the Town doesn't have to. They need the money to pass onto the contractor because the State will not pay for that. George Fletcher said that the ones that are benefiting from it should pay to have it installed. He said that the current Sewer Treatment Plant is up to about 48% of capacity. Chris Cross said that only sewer has been discussed and that there is no funding source for water installation, they are looking to see if it can come from the State. Chairman Iocovozzi said that there is a program from the Federal Government right now for sensitive areas and he will get the name for Chris Cross. There was discussion on the plans for the Newington Inn property. And that it will not be developed.

Selectperson Jan Stuart said that she did not understand how this project is going to benefit the residents. It is only good if they are going north to Dover. If not then the on-ramp to the highway will still be horrible. The exit from Mitchell's will still cause problems getting on the highway. Chris Cross said that the State does understand that that area is a problem and they want to make the on-ramp runway more than twice as long.

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This will allow for more time to get up to speed as well as ability for Mitchell's patrons to have more room to come out. Secondly, they are putting up a barrier on the side of the highway that they are hoping will help with accidents. He mentioned that there is also the option to take the new road under the highway and go down to River Road and take the ICR to Woodbury Ave and avoid the highway altogether. Selectperson Stuart noted that the underpass is not wide enough for two lanes and that would be dangerous too. Chris Cross responded by saying that the State has measured this area and it is large enough for two lanes and a shoulder but it is about two feet narrower than the State highway standard for large trucks but that is constrained because the cost to make the underpass bigger is so much. George Fletcher asked about the trucks going through there. Selectman O'Reilly asked what would happen if one meets another under the bridge. Chris Cross said that they have the width to do it there because there is a sidewalk there and a 8 feet concrete area that narrows it and that will go away and become part of the 15 or 16 feet that is already paved there. Chairman Iocovozzi said that these are questions that will be asked at the Public Hearing. Chairman Iocovozzi asked what would be the sewer tap in fee if the line was tapped into the line at the motel. George Fletcher said that he did not know how much it would be. Chris Cross mentioned that this project is an improvement. He understands that it has some problems but it will get us closer to where the Town wants to be in respect to the traffic volume. It does provide a number of improvements. It will provide some increased safety for the next seven years. The elimination of the center reverse direction is going to make it safer.

Linda Khalsa was addressed regarding selling of her property. Chairman Iocovozzi mentioned that she should bring in the surveying paperwork so that the Selectmen could review it and discuss it with the Planning Board. Linda Khalsa stated that the property is exactly 90,000 s.f. and it adjacent to the Town's property. Chairman Iocovozzi requested that Linda Khalsa bring any appropriate paperwork on the property to the Planner, Tom Morgan.

Building Inspector Communications

BI Charles Smart was addressed regarding the indoor air quality test. A letter was read regarding the Town Hall's test. There was discussion on the work that was recommended to be done. Chairman Iocovozzi stated that with all the repairs that are coming up in the future it may be a good idea to set up a Capital Reserve Fund for repairs.

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BI Smart noted that the architect wanted to replace the entire Police Department roof. He wants to call JSN to do a structural test on the building as well. Chairman Iocovozzi said that these things can be discussed down the road.

Town Hall Use Form

A Town Hall Use form for the BI was discussed. It will be a meeting regarding Plumbing Codes with the State. Application approved. 3-0.

A Town Use form for Nancy Cauvet was discussed. Application approved. 3-0.

A Town Hall Use form for the Sea Breezes was reviewed and approved.

A Town Hall Use form for the Girl Scouts was discussed and denied.

Selectman O'Reilly made a motion to enter into Non-Public Session according to RSA 91a:3, II. Second by Selectperson Stuart. Vote 3-0.

Non-Public Session was entered into at 8:10 p.m.
No votes were taken.

Selectman O'Reilly made a motion to adjourn. Vote 3-0.

Meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Jennifer Nadeau, Secretary