

**Newington Board of Selectmen
Public Hearing
Industrial Corridor Road**

**March 24, 2003
Newington Town Hall
6:00 p.m.**

In attendance: Board of Selectmen Chairman Cosmas Iocovozzi, Selectman Jan Stuart, Selectmen Jack O'Reilly, AA Cynthia Gillespie, Conservation Commission Chairman Margaret Lamson, Sewer Commissioner George Fletcher, Building Inspector Charles Smart, Planning Board Member Dennis Hebert, Road Agent Leonard Thomas, Gerard Gagne Meridian Land Services, Richard Staines Con Edison Development, Water Beck Co Edison Development, Michael Desrochers Edward and Kelcey, John Ratigan Donahue, Tucker & Ciandella, Residents: Harry Sanborn and Joyce Libby Old Dover Road, Dee Dee and Mike Walsh Old Dover Road, Irving Beebe Patterson lane.

Call to Order at 6:32 p.m.

Pledge of Allegiance

The purpose of this hearing is to conduct a question and answer session with the residents of the Town of Newington regarding concerns and issues relating to the Industrial Corridor Road, prior to the Town taking ownership of the same.

Sewer Commissioner, George Fletcher stated that he was concerned about the manhole risers. He asked if there would be any guarantee, in writing, after the acceptance of the road. Richard Staines representative of ConEdison Development stated that there will be \$510,000 left in escrow for a period of three years as a Maintenance Bond. He added that ConEdison's engineers reviewed the specs and agreed that the way the risers were put in was correct. However, if there are any problems, within the next three years there will be enough money in the escrow to take care of them.

Selectman O'Reilly asked if the Maintenance Bond would cover just the physical road or would it include the shoulders, foliage and trees. Richard Staines stated that the trees could be a problem, because trees can die through no fault of the landscape contractor. Dennis Hebert stated that typically, in this type of situation there is a one year guarantee from the supplier of the product. Usually a tree that is going to die will, within the first year. Richard Staines said that ConEdison has that type of guarantee now and he has no problem with giving the Town a one year guarantee on the trees. The Board of Selectmen indicated that they would accept a one year guarantee from ConEdison if the Conservation Commission has no problems with it. The Board asked to have Margaret Lamson, Chairman of the Conservation Commission address this issue. (Mrs. Lamson was attending the Planning Board meeting in the Sawyer Room and was asked to join this hearing.)

**Newington Board of Selectmen
Public Hearing
Industrial Corridor Road**

**March 24, 2003
Newington Town Hall
6:00 p.m.**

Gerard Gagne presented the Board of Selectmen with the recording drawings for the dedication of the roadway. He stated that copies were also given to Michael Desrochers and John Ratigan. He said that these are the final copies that have been sealed and that Meridian Land Services believes them to be complete and ready for recording, as soon as Attorney Ratigan reviews and approves them.

Mrs. Lamson arrived to address the issues concerning the Conservation Commission. Selectmen O'Reilly told Mrs. Lamson that the Board was concerned about the plantings along the Industrial Corridor Road. Mrs. Lamson said that the Conservation really must walk the road before they could tell if the original plan is being followed. She stated that just because the Town has Commercial and Industrial doesn't mean that the road cannot be made attractive for the residents that live there. Selectmen Iocovozzi said that the issue is how long the guarantee on the vegetation should be. Mrs. Lamson said that it is up to the Board of Selectmen because the Conservation Commission does not have the authority to make that decision. However, she felt that if the Town has a three year guarantee on the road, it should be for the same length of time for the vegetation, to make sure that it is continually planted and maintained, and also that the maintenance plan is being followed for replacements.

Selectmen Iocovozzi asked Mr. Gagne if there is a maintenance plan. Mr. Gagne stated there was no specific plan; however the contractor is responsible to ConEdison to maintain his materials for one year. Richard Staines agreed and added that there was about 50% of the vegetation plant to date. Dennis Hebert repeated that the usually practice is to have a one year guarantee. Mr. Hebert suggested that as a compromise between the one and three year options that a one year guarantee start at the time of the last planting. Richard Staines said that the last plantings will be in about 1 ½ to 2 months from now.

Again Mrs. Lamson said that the Conservation Commission would like the opportunity to walk the road. Gerard Gagne said that it is a little premature for the Conservation Commission to walk the road. He recommended that they wait until all the nursery stock is planted. Richard Staines agreed. Mrs. Lamson stated that she would take this information to the Conservation Commission meeting on April 10th. She asked Mr. Gagne to send her his plan of pledge species, so the Commission can compare it to the original plans. Mr. Gagne stated that this was included in the Phase Four Contraction Drawings, which he will send to her for review.

**Newington Board of Selectmen
Public Hearing
Industrial Corridor Road**

**March 24, 2003
Newington Town Hall
6:00 p.m.**

Harry Sanborn of Old Dover Road asked if the road will eliminate or decrease the truck traffic as it is now. Selectmen Iocovozzi stated that the road has three functions. 1. To serve the power plant, 2. To take as much truck traffic off Woodbury Ave. as possible, and 3. To open up all the other property on both sides of the road for commercial and industrial development.

Dennis Hebert of the Planning Board explained the maps of the road in detail, to the assembly. He explained that the road was part of the 1991 Master Plan and that it will be a great benefit to the Town.

Gerard Gagne explained the road and traffic flow plans in further detail at the maps.

Selectman O'Reilly stated that any truck that originates out of the industrial area will be forced North on the new road however, if the truck originates out of Portsmouth, they will stay on Woodbury Ave.

Mr. Gagne said the speed limit on the road is 30 mile per hour. All the intersecting roads are Stopped Controlled, so the trucks will have a free run. Selectmen Stuart asked why there were no traffic lights planned for the intersection of Patterson Lane and the ICR. Mr. Gagne stated that Federal guidelines indicate that the intersection does not warrant a traffic light. He stated that in order to have traffic signals the road must show a specific volume of traffic and meet other criteria.

Michael Desrochers from Edwards and Kelcey explained that even if the criteria is met, it maybe advisable in some cases not to install traffic signals because they can create an unsafe condition. Irvin Beebe of Patterson Lane asked why Federal regulations govern what the Town does to a Town own road. He stated that he is concerned about not being able to get out of his driveway during perk traffic times, if there is no traffic light. Mr. Desrochers stated that the Federal regulations govern all roads, rather Federal, State or Town owned.

Dennis Hebert stated that the entire road was based on sound design criteria from the State. The Town does not have an ordinance that is different from these criteria. Selectmen O'Reilly asked if the Town wanted to put a stop sign at the intersection would the Federal guidelines prevent it. Mr. Hebert say the Town could put in a stop sign but it may not be a safe thing to do.

Mike Walsh asked if a stop light will be put at the intersection of Avery Road. Mr. Desrochers said that the study did not warrant any signal. Mr. Walsh said that he can not believe that with the amount of traffic on the road that a signal is not warranted.

**Newington Board of Selectmen
Public Hearing
Industrial Corridor Road**

**March 24, 2003
Newington Town Hall
6:00 p.m.**

DeeDee Walsh said that with Avery Road staying open, can the Town guarantee that there will be no trucks going over that road. Selectmen Iocovozzi said that the road will be posted. The Walshes both expressed concerns with the lack of traffic enforcement in the area. They stated that even now the trucks do not pay attention to the signs. Selectmen O'Reilly said that maybe the Town will have to park a cruiser there for a while. Dennis Hebert said that ideally, with long term plans, the Planning Board would like to see Avery Road closed off completely. However, there is no guarantee that it will happen. Mr. Beebe said that even if Avery Road is closed when the Industrial Corridor Road is open, the public will find out about it and start using it as an alternative route. The traffic is going to increase. Mr. Beebe stated that the road needs to be posted for No Jake Braking. He also asked that when the Town does except the road, they do a survey on the traffic volume.

Mr. Gagne stated that the Planning Board required that the hill from Beane's Farm down Patterson Lane be posted for No Jake Braking. Mr. Sanborn asked if the top of Woodbury Avenue could also be posted. Selectman Iocovozzi said that it would be up to the State. Dennis Hebert recommended that the Town write to the State and request the posting. He felt that the State would accommodate the Town.

Dennis Hebert said that the road is ninety nine percent complete. He recommended to the Board of Selectmen that all of the parties involved in the acceptance do an inspection walk of the road very soon. He suggested that any comments on the walk be directed to what was in the contract between the Town and ConEdison. Selectmen O'Reilly said that the snow is not even off the road yet, so it will be hard to see what condition the road is in. He added that he would like to see an engineer walk the road first. Dennis Hebert recommended that the Town do a "Beneficial of Occupancy". Richard Staines said that Edwards and Kelcey did a walk-through in the fall. He added that his understanding was that the next step would be the final walk-through and that there would not be a need for a second engineering walk-through. Selectmen Iocovozzi said that the engineers should join the Selectmen on the final walk as well as, the Sewer Commission, Planning Board and Conservation Commission. That way if there are any problems they can be discussed at that time. Mr. Staines said that the issue is that the road has to be accepted by the Town in order to finish Phase Four, which includes Shaftmaster Drive.

Selectmen Stuart said that based on the Selectmen's schedule the earliest the walk could be scheduled would be April 26th. Selectmen O'Reilly agreed. Dennis Hebert warned that the contractors will be accepting other jobs because the weather is breaking. He said that the Town may miss an opportunity to get the contractors working on the Phase Four work, if the Selectmen wait until April 26th to walk the road. He recommended that

**Newington Board of Selectmen
Public Hearing
Industrial Corridor Road**

**March 24, 2003
Newington Town Hall
6:00 p.m.**

Edward and Kelcey and Meridian do another engineering walk and report their findings to the Selectmen.

Selectmen O'Reilly said that the walk could happen during the week because of day light savings time. He suggested that the three selectmen drive the road at 5:30 on April 7th, which is the date of the next Selectmen's meeting.

Selectmen Iocovozzi asked Michael Desrochers of Edwards and Kelcey to have the engineering report ready as least two days before the walk on April 7th.

Dennis Hebert said that when the road is finally opened to the public he would like to see some kind of a notice that tells people that the road is open and that they must obey the speed limits and all other restrictions of the road. Selectmen Iocovozzi said that the Town will probably need to have a cruiser there for a while.

Mr. Beebe said that he agrees with Dennis and that the sooner the Town opens the road the better, as long as the Town plans to accept the responsibility and when there are problems the Town fixes them.

Selectmen Stuart asked Walter Beck for an update on the agreement between the Town and ConEdison on the money that the plant would pay the Town for each noise incident. Mr. Beck said that the agreement is still enforce. He said that the incident reports are e-mailed to Tom Morgan. He said that he would fax a status report to the Town Office tomorrow. Mike Walsh asked when the plant would reach the noise decimal limits. Mr. Beck said that the only issue now is with the pure tone noise associated with the cooling tower fan drive. The plant received the designs on Friday and returned their design comments back to Morey today. He added that these design modifications will be done over the next month. The modification is a "Dog House" that fits over the motor. Mr. Beck added that as of today the steam turbine has been on consecutively for 103 days. It has not been taken of line, nor has it been started in 103 days. This is an indication that what problems the plant had with the steam turbine have been resolved. The plant has not been taking units off line. The only outage that has occurred was a forced outage, on January 18th of about 24 days on unit two.

The Public Hearing on the Industrial Corridor Road was closed at 7:48pm.

**Newington Board of Selectmen
Meeting Minutes**

**March 24, 2003
Newington Town Hall
6:00 p.m.**

Meeting Minutes

Selectman Iocovozzi made a motion to accept the Meeting Minutes of March 17th.
Seconded by Jan Stuart. Vote 3-0.

Miscellaneous

Selectman Iocovozzi made a motion that Selectman Jack O'Reilly be made the Chairman of the Board of Selectmen for 2003. Seconded by Selectman Stuart. Vote 2-0.

A letter from the State of New Hampshire Department of Transportation was reviewed. The State is conducting a "Spaulding Turnpike Improvements Feasibility Study". They are requesting that two people from Newington represent the Town on this committee. They requested the two representatives be selected before April 7th. Selectman Iocovozzi suggested asking Ralph Estes of Little Bay Road and David Sweeney of Fox Point Road.

A notice from Michael Morrison of Municipal Pest Management regarding the onset of mosquito control activities was read. The Control of larval mosquitoes in stagnant bodies of water will begin on April 7, 2003. Adulticiding (street spraying) is planned to begin in late May and continue through September.

A letter from NHDES concerning Newington DPW, 356 Nimble Hill Road: Technical Specifications for Soil Vapor Extraction System was reviewed. Selectmen Iocovozzi explained that the DES does not want Jacques Whitford to act as the Town's contractor in this matter. Selectmen O'Reilly said that the Board of Selectmen will act as the General Contractor. Selectmen Iocovozzi instructed AA Gillespie to write to Maureen Estabrook of the DES to let her know.

AA Gillespie asked the Board of Selectmen about the copier in the Town Office. She explained that the service contract on the copier is with DANKA. It expires on April 24th. However, the copier contract with Toshiba does not expire until July 10th. If the Town does not cancel the service contract before it automatically renews, it will cost the Town \$1,700 for another year. She recommended that the Town cancels the service contract and hope that the copier does not break down in the next three months because the plan is to get a new copier in July. She told the Selectmen that she is already getting bids from copier companies. The worst thing that can happen is the copier breaks down and we bring in a new one earlier than planned. The Selectmen agreed to terminate the DANKA service contract as of April 24th.

**Newington Board of Selectmen
Meeting Minutes**

**March 24, 2003
Newington Town Hall
6:00 p.m.**

Selectmen Stuart mention that she went down to Fox Point to inspect the stairs, because someone at the Town Meeting have said that they where broken and dangerous. She said that she agreed with them, the stairs need immediate attention. She said the stairs need to be roped off. Selectman O'Reilly said that the stairs in the condition they are in now are a liability. He said that if the Town wants to keep the stairs, they need to be maintained. Jack O'Reilly told Lenny Thomas to rope off the stairs until they can be repaired.

The Board of Selectmen signed a revised Purchase Order and Petty Cash Policy, taking the wording, "An authorization must be a signature" out. Selectmen O'Reilly said that by removing this wording there will be less confusion.

Selectmen Iocovozzi said that he thought that a Blanket Purchase Order has to be for a contract. AA Gillespie stated that a Blanket Purchase Order could be for a contract; however Blanket Purchase Orders can be used for any company where there is a consistence to the purchases. She used the example of Morton Salt, the consistence is that the only thing that can be purchased from Morton Salt is road salt.

Road Agent, Lenny Thomas asked for permission to put in the hot water heater at the Town Garage. Selectmen O'Reilly instructed Lenny to get a price on the water heater and to put in a Purchase Order for it.

Barbara Hill reported to the Board that she met with Brown River Bindery last week. Five of the old Town Record books, which were in the worst condition where sent to Vermont for restoration. The five will cost \$5,937.00. She told the Board that usually there is a Dedication put in the front of Town Books that are restored. The representative from Brown River Bindery suggested wording that said: "This Record has been restored due to The Town Meeting of 2003". She asked the Board to think about this and let her know what they would like to do. Selectmen O'Reilly asked if there could be a different dedication in each book. Barbara confirmed. Selectmen O'Reilly asked Mrs. Hill if the Historic Commission could recommend some people from the history of the Town, to be used in individual books in the future. She said they would work on it.

Building Inspector Communication

A memo from Building Inspector, Charles Smart regarding OEM Disaster Relief Funds was reviewed. BI Smart explained that he attended a meeting in Exeter about applying for reimbursement of money spent, during the snow event of February 17 and 18. BI Smart told the Board that he would follow up with the other departments to determine if the Town qualifies for reimbursement.

**Newington Board of Selectmen
Meeting Minutes**

**March 24, 2003
Newington Town Hall
6:00 p.m.**

Building Inspector Smart informed the Board about pending House Bill 409. This bill is to revise RSA 643:1 and RSA 676:13. By taking the word “knowingly” from these two RSAs it could mean that the Town would have to increase its insurance coverage to include Errors and Omissions Insurance. The Building Inspector would also be required to carry personal liability insurance. Selectmen Iocovozzi suggested that AA Gillespie call NHMA to ask about Errors and Omissions insurance for not only the Building Inspector, but also for all officials.

Building Inspector Smart presented the Board with a memo regarding ADA Compliance for Town owned buildings. Chairman O'Reilly asked about getting engineers into the Mott House. Building Inspector Smart recommended that the Town wait until the engineer from SHPO comes in for the Stone School and possibly have him do all the buildings. He recommended that the Town does not wait for the Grant Application to be approved but just to get the engineer from SHPO in and pay for the service. BI Smart said that he would follow up with SHPO.

Town Hall Use

A Town Hall Use form from Richard Rines for an April 11th meeting of the Seabreezes was approved.

A Town Hall Use form from Rockingham Planning Commission for an April 24th was approved.

There being no further business before the Board the Public session was:

Adjourn 8:30

Non-Public Session in accordance with RSA 91A:3,II Legal. No votes were taken.

Adjournment: 8:40

Respectfully submitted,

Cynthia L. Gillespie
Administrative Assistant