

**Newington Board of Selectmen  
Meeting**

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**May 17, 2004  
Newington Town Hall  
6:30 p.m.**

**In attendance:** Chairman Board of Selectmen Jan Stuart, Selectman Cosmas Iocovozzi, Selectman Jack O'Reilly, Building Inspector Charles Smart and AA Cynthia Gillespie.

***Pledge of Allegiance***

The meeting was called to order at 6:30 p.m.

Selectman O'Reilly made the motion to accept the minutes of May 3, 2004. Seconded by Selectmen Iocovozzi. Vote 3-0.

**Miscellaneous**

A letter of response from Police Chief Loomis regarding a letter from the Noseworthys, of Nimble Hill Road about school traffic was read. Selectman O'Reilly made the motion to table this issue until there is a response from the School Board. Seconded by Selectman Iocovozzi. Vote 3-0.

A quote from AAA Fences Inc. for backstops at the school was reviewed. Selectman O'Reilly made the motion to get other quotes and then refer this to the School Board. Seconded by Selectman Iocovozzi. Vote 3-0. Selectman Iocovozzi recommended contacting Upright Fence for a quote.

A motion was made by Selectman Iocovozzi to take down and dispose of the pavilion by the school yard. Seconded by Selectman O'Reilly. Vote 3-0.

**Signatures and Approvals**

An Application for Current Use from Barbara Baird was reviewed and signed. Motion to approve made by Selectman O'Reilly. Seconded by Selectman Iocovozzi. Vote 3-0.

A motion was made by Selectman O'Reilly to approve and sign a Timber Tax Levy for Kenneth Peterson. Seconded by Selectman Iocovozzi. Vote 3-0.

A motion was made by Selectman Iocovozzi to approve and sign the Application for Discretionary Preservation Easement from John and Lydia Frink. Seconded by Selectman O'Reilly. Vote 3-0.

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A motion was made by Selectman O'Reilly to approve and sign the Application for Discretionary Preservation Easement from Paul and Carolyn Harvey. Seconded by Selectman Iocovozzi. Vote 3-0.

An application to the State of NH for the Newington School Supporters Road Race was approved and signed.

Selectman Iocovozzi made the motion to accept the recommendation of Wil Corcoran, Assessing Agent and sign an abatement for PSNH in the amount of \$23,072.06. Seconded by Selectman O'Reilly. Vote 3-0.

Selectman Iocovozzi made the motion to accept the recommendation of Wil Corcoran and sign an abatement for Sea-3 Inc. in the amount of \$78,375.41. Seconded by Selectman O'Reilly. Vote 3-0.

Selectman O'Reilly made the motion to accept the recommendation of Wil Corcoran and sign an abatement for Sprague in the amount of \$51,570.95. Seconded by Selectman Iocovozzi. Vote 3-0.

Selectman O'Reilly made the motion to accept the recommendation of Wil Corcoran and sign an abatement for Nimble Spaulding Properties in the amount of \$441.64 plus interest. Seconded by Selectman Iocovozzi. Vote 3-0.

Selectman O'Reilly made the motion to accept the recommendation of Wil Corcoran and sign a letter to Gurubhai Khalsa regarding a future abatement for parcel 11-21. Seconded by Selectman Iocovozzi. Vote 3-0.

Selectman Iocovozzi made the motion to accept the recommendation of Wil Corcoran and sign a letter to Marlon Frink regarding a future abatement for parcel 23-33. Seconded by Selectman O'Reilly. Vote 3-0.

Selectman Iocovozzi made the motion to accept the recommendation of Wil Corcoran and sign a letter to Robert Young regarding a future abatement for parcel 12-04. Seconded by Selectman O'Reilly. Vote 3-0.

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Selectman O'Reilly made the motion to accept and sign the Management Representation Letter from Vachon, Clukay & Co., Auditors. Seconded by Selectman Iocovozzi. Vote 3-0.

The following appointments were reviewed and approved by the Selectmen. Motion to accept made by Selectmen O'Reilly, Seconded by Chairman Stuart. Vote 3-0.

|                 |                            |
|-----------------|----------------------------|
| Jack Anderson   | Recreation Committee       |
| Jean Bowser     | Sewer Commission Treasurer |
| Lynda Bullock   | Ballot Clerk               |
| Sue Carroll     | Recreation Committee       |
| Russell Cooke   | Board of Adjustment        |
| Ruth Fletcher   | Sewer Commission Clerk     |
| Keith Frizzell  | Recreation Committee       |
| Krista Low      | Ballot Clerk               |
| Peter MacDonald | Recreation Committee       |
| Sandra Sweeney  | Ballot Clerk               |
| Norman Walker   | Recreation Committee       |
| Dorothy Watson  | Conservation Commission    |

**Town Hall Use**

A Town Hall Use form for Thermo Electron for a meeting on May 25<sup>th</sup> was approved and signed.

A Town Hall Use form for Thermo Electron for a meeting on June 9<sup>th</sup> was approved and signed.

A Town Hall Use form for Thermo Electron for a meeting on June 23<sup>rd</sup> was approved and signed.

A Town Hall Use form for Thermo Electron for a meeting on July 13<sup>th</sup> was approved and signed.

A Town Hall Use form for Portsmouth High's Lacrosse Team (Diedre Link) for a June 17<sup>th</sup> event was approved and signed.

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A Town Hall Use form for Portsmouth D.A.V. for a July 18<sup>th</sup> event was approved and signed.

**Ramunno/Kimball Windmill Issues**

Mr. and Mrs. Kimball, Mr. and Mrs. Ramunno, Mr. James Knight and Pam Blevins all arrived at the meeting. Copies of correspondence dated May 13<sup>th</sup> from Attorney Peter Loughlin and May 17<sup>th</sup> correspondence from the Chief of Police, Bradley Loomis and Code Enforcement Officer, Charles Smart was distributed to all parties in attendance.

Chairman Stuart reviewed the current correspondence from BI Charles Smart, Chief Loomis and Attorney Peter Loughlin. Chief Loomis stated that this complaint is a civil matter, not a criminal violation and recommended that the neighbors use other legal remedies, to pursue it. BI Smart stated that his office has no jurisdiction over this matter. He added that he believed it to be a civil issue and not a Town issue. Attorney Loughlin wrote that the Town should not be involved with this dispute.

Chairman Stuart asked the Ramunnos if they have come up with any solutions to the problem. Mr. Ramunno stated that they had a safety inspection down on the structure that showed that the windmill is structurally sound. They have also found out that a fully loaded windmill (meaning one producing energy) usually creates less noise. The Ramunnos plan to put the windmill back on-line within the next couple of weeks. Selectman O'Reilly asked for a copy of the report.

Mr. James Knight suggested that the Selectmen table the issue for ninety (90) days, and request that a committee of neighbors report back to the board with a solution to the problem at that time. He added that he believed this is a problem between neighbors and he believes that the neighbors should talk things out and resolve this among themselves. Mr. Knight volunteered to be the mediator. The Kimballs and the Ramunnos were willing to agree to this. Mrs. Kimball said that she appreciates all the time and effort the Selectmen have put into resolving this issue. Selectman Iocovozzi made a motion to table the windmill issue for 60 days. Seconded by Selectman O'Reilly. Vote 3-0.

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An e-mail from Lulu Pickering regarding an update from the Cemetery Committee was read. Selectman Iocovozzi spoke about a CLG Grant available to the cemetery. The cemetery committee would like to apply for the grant to help pay for a new fence at the cemetery. Chairman Stuart addressed her concerns about the necessity of taking the fence down. She also expressed concern about any work being done on the fence and the cemetery because they are in the Historic District and need approval from the HDC. Cliff Abbott, Chairman of the Cemetery Committee, presented the Board of Selectmen with an itemize status report of current activities at the cemetery. Selectman Iocovozzi suggested that the Cemetery talk to the HDC and gets their approval for the fence. Once the HDC approves it, the Selectmen will give approval. Mr. Abbott indicated that the due date for grant applications is May 28<sup>th</sup>.

Mr. Abbott recommended appointing John Frink as Sexton at the Cemetery. The Board of Selectmen agreed.

Selectman O'Reilly made the motion to authorize the Selectmen to sign the CLG Grant as long as the HDC is in favor. Seconded by Selectman Iocovozzi. Vote 3-0.

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

Adjourn 8:10 p.m.

Non-Public in accordance with RSA 91 A: 3 II Legal. No Votes were taken.  
Non-Public adjournment 8:20 p.m.

Selectman O'Reilly made the motion to accept Wil Corcoran's recommendation regarding an abatement for JC Penney's. Seconded by Selectman Iocovozzi. Vote 3-0.

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

Adjourn 8:30 p.m.

Respectfully Submitted,

Cynthia Gillespie  
Administrative Assistant