

**Newington Board of Selectmen  
Meeting Minutes**

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**July 7, 2003  
Newington Town Hall  
6:30 p.m.**

**In attendance:** Chairman Board of Selectmen Jack O'Reilly, Selectman Cosmas Iocovozzi, Selectman Jan Stuart, AA Cynthia Gillespie, Police Chief Brad Loomis, Fire Chief Roy Greenleaf

***Pledge of Allegiance***

The meeting was called to order at 6:37 p.m.

**Noise Ordinance**

Three noise ordinances were presented from New Market, Durham and Epping. Selectman Stuart was given the floor. Selectman Stuart said that the current noise ordinance for Newington was written in 1974 and is very outdated. The \$25.00 fee is not enough. Chairman O'Reilly asked Police Chief Loomis how the Police handle people screeching wheels. Chief Loomis said that the Police give them a warning and the fines go back to the Town.

Selectman Stuart mentioned that the fine for New Market is up to \$1000. Chairman O'Reilly asked Selectman Stuart if she would like to get a temporary ordinance together. Chief Loomis asked if the screeching tires were the Board's only concern. Selectman Stuart said that it includes any noise, it's different areas, different things.

Chairman O'Reilly asked if this ordinance would include the residential area. Chief Loomis responded that if it is a Town ordinance it will include the whole Town, including residential. Chief Loomis also mentioned that if the Town changed the fines to encompass those breaking the noise ordinance, not to exceed \$1000. To the wider issue of noise, Chief Loomis worked with a noise abatement specialist who came to the Town of Rye. The first question asked was why the Town wanted a noise ordinance and what was the Town trying to prevent. Chief Loomis looked through the complaints of the past year for noise violations. Each complaint was effectively responded to by the officers.

Chief Loomis asked what the Town was trying to prevent. Selectman Stuart said that it is more in the business and mall area that the Board is talking about. Chairman O'Reilly read from Town Ordinance 74-02 stating "squealing of tires by too rapid acceleration, use of horns or other warning devices, the defective altered condition of the engine system and other moving parts."

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Chairman O'Reilly asked if Selectman Stuart wanted to make the motion to modify the 74-02 ordinance to increase the fine to no more than \$1000. This reflects the highest fine that can be enforced by the State of New Hampshire. Selectman Iocovozzi asked Chief Loomis what the usual fine is. Chief Loomis responded \$50-\$100 and it does not appear on driving records. This ordinance change would be effective immediately and temporary until September, when the noise ordinance will be replaced. It was decided to not include loud radios at this time.

Selectman Stuart made the motion to modify Town Ordinance 74-02 to reflect the change in the fine. Chairman O'Reilly seconded. Vote 3-0.

**Ordinance 03-01T**

Chief Loomis sent a letter to the businesses clarifying what the truck driver's options are as to driving on Old Dover Road. The goal is to keep the trucks off of Woodbury Avenue as much as possible.

Fire Chief Greenleaf is concerned about possible accidents that would happen on Woodbury Avenue and general public safety. Selectman Stuart asked if the Town has the right to tell these trucks where to go. Chief Loomis responded that there is no ordinance or law that states this, it is a gentleman's agreement. Chairman O'Reilly said that in past meetings about the road it was stated that all trucks would stay off of Woodbury Avenue.

Chief Loomis said that the Police have been giving out warnings to trucks not obeying traffic direction on Old Dover Road and Shattuck Way. Selectman Stuart mentioned that people are still calling her home and complaining about trucks on Avery and Old Dover Road.

Chief Greenleaf asked to be on record for being against the new traffic patterns.

**Miscellaneous**

Selectman Stuart motioned that the minutes of June 16, 2003 be approved. Seconded by Selectman Iocovozzi. Vote 3-0.

The situation on River Road was discussed. Vehicles are still running through the cul-de-sac to go around the barriers. The pavement and the corners are being broken down.

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Selectman Stuart suggested putting trees there. Chief Greenleaf suggested using guard rails- metal or wood and then plant the trees. Chairman O'Reilly instructed AA Gillespie to ask Road Agent Lenny Thomas look into prices for guard rails.

Chairman O'Reilly stated that an RFP was put out for heating oil and three bids were received; Proulx (1.129), Rye Fuel (.959) and Irving (1.049). Selectman Stuart motioned that the Town accept the bid from Rye Fuel. Seconded by Selectman Iocovozzi. Vote 3-0.

The issue of road salt for the winter was tabled.

The Treasurer's report for May 2003 was accepted by the Board of Selectmen.

AA Gillespie was instructed to write a letter to PSNH telling them that emergency vehicles are exempt from Town Ordinance 03-01T.

**Building Inspector Communications**

A memo from Building Inspector Charles Smart about the air conditioning of the Town Hall was read. RPF had tested the Town Hall's air quality and RPF gave an estimate of \$8460.00 for repairs and replacements. Selectman Stuart motioned for approval of this but not to exceed \$10,000. Seconded by Selectman Iocovozzi. Vote 3-0.

BI Smart mentioned that Jonathan Austin will be meeting with the Board of Selectman and Barbara Hill on July 28<sup>th</sup>.

The Board of Selectmen have only received one bid for repairing the roof of the Police Department, so it was tabled until July 14<sup>th</sup>.

A memo from BI Smart referring to the Trickey's Cove Well was read stating that the well is actually owned by the state and is therefore, the state's responsibility. AA Gillespie was instructed to talk to Town Planner Tom Morgan about the wording of the easement.

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**Town Hall Use**

A Town Hall Use Form from Wayne Wood for Father's Meetings on the 3<sup>rd</sup> Sunday of every month through December was approved.

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

Adjourn 7:50 p.m.

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

Adjournment 8:30.

Respectfully Submitted,

Cynthia L. Gillespie  
Administrative Assistant