

**Board of Selectmen's Minutes**  
**Tuesday, January 2, 2007**  
**Town Hall, 5:30pm**

Chairman Jack O'Reilly called the meeting to order at 5:32pm.

Present Chairman Jack O'Reilly, Vice Chair Jan Stuart, Selectman Cosmas Iocovozzi, Administrative Assistant Beatrice Marconi.

Selectman Stuart moved to go into non-public at 5:33pm under RSA 91-A,II – (a) Personnel with Selectman Iocovozzi seconding and on a roll call vote, motion passed.

At 6:07pm, Selectman Stuart moved to come out of non public and seal the minutes, Selectman Iocovozzi seconding and on a roll call vote motion passed.

At that time (6:15pm), the meeting was moved to the DeRochemont Room and the Pledge of Allegiance preformed.

Selectman Stuart moved to approve the minutes of December 11, 18 and the sealed non public meeting held December 26. Selectman Iocovozzi seconded. Motion passed 3-0.

Conservation Commission Budget

The 2006 approved budget for the Conservation Commission was \$ 12,055. Their request for 2007 was \$45,090.

2006 Breakdown-Budgeted

2007 Breakdown-Requested

Wages-Secretarial	\$ 1,200	\$ 5,190
Legal	1,500	10,000
Operation Exp/Supp	155	200
Beautification	200	0
Dues/Workshops		200
Wetlands Consultant	5,000	25,000
Wetlands Ref Books		500
Town Forest	4,000	4,000

Barbara McDonald and Jane Hislop presented. There was much discussion regarding the Wetlands Consultant projects. Although the prime wetlands were done, the indexing of smaller wetlands' pockets should have been identified as well as inventorying endangered species throughout the Town. Over the \$45,090, they would like an additional \$ 10,000. Attention will have to be given to the storm water drainage with the Spaulding Turnpike project. Barbara spoke of a Conservation Easement being placed on the Fox Point property to better ensure it will not be developed or sold ever. Chairman O'Reilly asked the Administrative Assistant to contact the Town's Counsel regarding that issue. In an effort to attain this budget request, the Conservation Commission said they would forego this year's warrant article requesting funds to add to the existing Capital Reserve, however the Selectmen felt adding to this fund annually is important incase unexpected land becomes available to preserve. Chairman O'Reilly recommended a budget of \$ 22,940 bringing the legal and consultant line down, however, Selectman Iocovozzi felt a level funded budget of \$ 12,055 and encouraging the Con. Comm to look into Warrant Articles to fund their projects would work better. ***Selectman Iocovozzi moved to maintain the Conservation Commission budget at \$ 12,055 and for that Commission to look into Warrant Articles for the remainder needed. Selectman Stuart seconded. Motion passed 3-0.***

### **Police Department Budget**

Chief Jon Tretter was accompanied by Police Commissioner Jack Hoyt to present their budget. In 2006, their approved budget was \$1,138,725. This year, their request is for \$1,143,362. Chief Tretter began by stating that the over time line will be 9% down due to the fact that all officers are back in service. We will find a 25% decrease in equipment funding, a 33% discount in outside detail salaries, an 80% decrease in part time officers but an 11.6% increase for Health to mention a few of the highlights. As far as steps for the staff, there is an adequate ladder set up to out last future steps needed. *Selectman Iocovozzi moved to recommend the Police Budget to the Budget Committee in the amount of \$ 1,143,362 with Selectman Stuart seconding. Motion passed 3-0.*

### **Emergency Management**

Chief Tretter showed that the request should be for \$ 15,200. A computer is needed. A vote for this budget will come under the Selectmen.

### **Carriage House at Fox Point**

Charlie Smart, our Building Inspector showed the Board plans drawn by SDA, our architects for the Carriage House at Fox Point. He spoke of basement placement of kitchen and bathrooms in one plan and showed an alternate. Nothing at this time is suggested for the 2<sup>nd</sup> level. Chairman O'Reilly felt an outside access bathroom should be a consideration. Selectmen Stuart thought that the Building Advisory Committee should be appointed this evening so that they can get involved with input. *Jan Stuart moved to appoint Robert Simms, Leslie Brock, Cliff Abbott, and Laura Peterson to the Carriage House/Fox Point Building Advisory Committee. Selectman Iocovozzi seconded and the motion passed 3-0.* Charlie will speak to the architects and ask for a bit more time before a decision will be made. The Board did add though, that if they had to state a preference at this time, they would tend to be swayed to a 1 floor plan.

### **Old Town Hall Unspent Bond Funds**

Our Auditor, Vachon & Clukay forwarded year end audit entries in the amount of \$ 54,650.65 which when applied to the spending out of acct 01-4902-61-720 shows that we spent \$829,967.36 for Old Town Hall renovations. This calculates to an amount of \$20,032.64 of unspent funds out of the Bond. Treasurer, George Fletcher was going to work with the bank for a new schedule which will reduce our payments while keeping the same interest rate.

**Town Facilities Use:** C. Cross – OTH – 2<sup>nd</sup> fl & Kit – Sept 9, 2007 – 9am-2pm  
Selectman Stuart moved to approve-Selectman Iocovozzi seconded-Motion passed 3-0.

Next meeting is scheduled for Monday January 8 for a budget work session.

Sincerely,



Beatrice Marconi  
Administrative Assistant

**Board of Selectmen's Minutes  
Budget Workshop January 8, 2007  
Town Hall**

Preliminary

Chairman Jack O'Reilly called the workshop to order at 6:04pm.

Present: Chairman O'Reilly, Vice Chair Jan Stuart, Selectman Cosmas Iocovozzi, Administrative Assistant Beatrice Marconi, and Cyndi Gillespie and Barbara McDonald for portions of the meeting.

**Coleman Drainage Issue**

Discussion began with the Coleman drainage issue. Jack stated that the Klanchesser property and the Wahl property and vicinity would be effected. Cos indicated that we need to back hoe and to swale the site. Cos stated that the Klanchesser problem will be covered under the culvert project we approved for Shapleigh to do, however the DES specified work could only be done during the dry season. Altus will be contacted to speak to the DES regarding work done when water flow is lessened by being frozen like in late January or February. Cos continued on by saying that Len & John can do the swale work and back hoeing.

**YMCA**

Chairman O'Reilly asked the Board for their thoughts on contacting the YMCA to discuss the possibility of bringing back to programs into Newington and using Old Town Hall. The Board encouraged him to go forward gathering information.

**Fire Truck Advertising**

Administrative Assistant Beatrice Marconi informed the Board of the areas the Fire Truck is being advertised in. NHMA Web page now (free) – Will be in March's Town & City publication (free), Maine Municipal Web page now (free) – will be in their next publication (free), E-Bay didn't seem to be an outlet as Tom Morgan contacted an individual that had experience on E-Bay and said it would probably go for only \$3,000 to \$5,000. Uncle Henry's costs were relayed to the Board, and it was presently advertised on Craig's list (free).

**Acceptance of Gift in memory of David Bourassa**

*Selectman Stuart moved to accept the \$ 300 gift in memory of David Bourassa of Greenland. The Board decided to donate it to the Newington scholarship fund. Selectman Iocovozzi seconded with the motion passing 3-0.*

**Old Town Hall Unspent Bond Funds**

The Board wanted to clarify for the Treasurer that it was their intent from action January 3, 2007 to dedicate the interest earned on the bond back to the bank in addition to the unspent funds to lower the payment and interest.

**General Town Government Budget**

The Board of Selectmen basically went line on line and discussed what they felt would be necessary to run the town for 2007.

Highlights: Stipends – no change

Wages: 2.8% C.O.L.A.

Out of commission cruisers, when new ones arrive: 1 for ACO and 1 for Town primarily for Bldg Inspector use.

Vitals: New line added for 2007 under elections, registrations, vitals - \$200

Tax Collector: 2.5% increase    Town Clerk: 2.5% increase

Legal: Remained the same as we just can't predict the future

Building Admin: Selectman Iocovozzi suggested that over the summer the Board take a look at the whole picture from custodian, to grounds keeping, highway personnel and transfer station attendant. Perhaps look at the Newcastle Plan.

Building Maintenance: This will be an item taken up with Building Inspector present.

Regional Associations: Selectman Stuart felt we should consider making some funds available for a group of the High School choir who have been chosen to appear at special events that has Newington children as members. Chairman O'Reilly will get name.

Porta Potti: Do not replace the Old Town Hall facility

Beatrice to get solar blinking light prices for Shattuck and Avery areas

Fox Point: Selectman Stuart urged the Board to have a caretaker living at Fox Point.

Fox Point : Not settled yet however, because of it's project magnitude, should be a cap outlay

Old Town Hall paving may eventually come out of the W.A. for paving if passed

Mott Pond Drainage Engineering: Will eventually come out of BOS engineering

Fox Point deed discussion occurred regarding a Conservation Easement, however the Board thought there was a vote in 1979 restricting Fox Point from being developed. There is a Mareno Plan on Fox Point.

Draft of Proposed Warrant Articles were discussed.

Finalization of WA and General Town Budget is scheduled for Jan 22, 2007 meeting.

Jan Stuart moved to adjourn at 8:39pm. Cosmas Iocovozzi seconded with motion passing 3-0.

*Beatrice A. Hanni*

**Newington Board of Selectmen  
Meeting Minutes  
January 16, 2007  
Newington Town Hall  
6:00 p.m.**

*Preliminary*

**In attendance:** Chairman Jack O'Reilly, Selectman Jan Stuart, Town Administrative Assistant Beatrice Marconi, Cyndi Gillespie, Fire Chief Greenleaf, Assistant Fire Chief Cote, Engineers Ruth Fletcher and Steve Sabine, Rick Stern, Fox Point Advisory Board, Kelly Davis of Sumner Davis Architects and Building Inspector Charlie Smart. Selectman Cosmas Iocovozzi was absent.

*Chairman O'Reilly called the meeting to order at 6:01PM.*

**Chief Roy Greenleaf presented the Fire Department's Budget request**

- \* Salaries showed a 5% increase which included steps, merit and the 2.8% C.O.L.A. Dennis & the Chief will have not only the 2.8% but also a 1.5% on top of that.
- \* Longevity went down.
- \* Leave buy out: Our personnel policy does not define days as far as vacation. The Fire Department days are comprised of 24 hours as that equals a shift. This Leave Buy Out line is as a result of a policy the Engineers and Fire Department created to eliminate further confusion on the definition of a day. This is one of the reasons over time was so high in 2006. This is a one time buy out bringing everyone back to a 10 day level plane.
- \* Overtime: It is high for several reasons, 1 of which is when ambulance runs go to any hospital (excluding Portsmouth Regional) a shift has to be called in to cover the Fire station. Regarding call personnel filling in for station coverage, that is limited to four people- only 2 of which they can use.
- \* Spending was close to being halted mid year due to large overage in overtime (storms, vacation, etc). So to see lines not used means they were not critical.
- \* Phone has not gone down as hoped with the conversion to BayRing however it may be possible the T-1 is coming out of this line rather than leased equipment.
- \* DEFIB is leased/buy for five years. Copier and pagers are leased as well.
- \* Dues/Subscriptions -NHPA books, memberships, Fire Chiefs, Assistants and Chiefs and Certain Officers.
- \* Haz Mat costs went up approximately 2,000 (Newington's portion as the City of Portsmouth gets the bulk of the total amount)
- \* Phone System needs to be updated this year.
- \* SCBA not spent in 2006 as they had thought would be because a lot of that was donated.
- \* Vehicle maintenance- Although new in fleet, the other trucks are getting older. The next truck down is a 1977 and it won't see any action on replacement for 5 years.
- \* Alarm Maintenance- Had 2 lines- combined. Radio boxes are coming out for the buildings.
- \* Brought in \$56,000 in reviews and are turning back approx \$37,000 from unspent.
- \* Chairman O'Reilly just isn't comfortable with vehicle maintenance.
- \* The Board of Selectmen feels as if they should have been notified of the leave policy.

Assistant Fire Chief, Dennis Cote, spoke of a survey he did of towns. 288 hours seemed too high. In 1996/1997 a definition of a day was asked of the Board and no answer or clarity was given. Fire Chief, Roy Greenleaf explained the leave policy, which includes clauses mandating use of vacation day (see attached policy)

- \* Retirement also went up 15%-mandated.

**Selectman Stuart moved** to recommend the Newington Fire Department budget of \$1,143,482. **Chairman O'Reilly seconded. Motion passed 2-0.**

**Selectman Stuart moved** to appoint Brian Haberstroh to the Fox Point Advisory Board. **Chairman O'Reilly seconded** the motion So voted 2-0 **motion passed.**

Fox Point Advisory Committee, consisting of Brian Haberstroh, Cliff Abbott, Laura Patterson, Robert Simms, Charlie Smart, Kelly Davis (Architects) and Leslie Brock (Absent)

Kelly Davis spoke of the plans for the Carriage House at Fox Point. He said upstairs would remain unoccupied but a stairway would be constructed. Main room would consist of 2 main assembly rooms with versatility of using 1 or 2 both rooms. 150 to 160 people to a room. One side has nice floor that could be refinished. Try to preserve the feeling of the building. Is not a historic restoration, it is a historic renovation.

Downstairs- Mechanical, storage of tables and chairs, recreation misc equipment and a place for grounds keeping equipment, etc.

Septic Design is separate. This plan must pass conceptual acceptance first then become more detailed.

Limited heated area mainly for water pipes, in essence is a 3 season facility.

Deck on back side will be around. 10' and may be enclosable in time.

Kelly and Brian suggest a master plan for long term Fox Point planning.

Cost estimate coming by next.

The Carriage House in on the State Register.

The kitchen designed is like a prep kitchen-not a serving kitchen.

Chairman O'Reilly explained we will need a change in the warrant article for Fox Point pavilion to cover renovation over construction.

Chairman O'Reilly asked if it could be done in phases i.e. windows, baths, etc over time. Yes it could. Chairman O'Reilly asked for an implementation plan and costs.

Selectman Stuart asked if the committee could get drawing/prices for a pavilion style facility to present to the people. Brian wanted to know how much money would be available for drawings and costs. They will get a price for drawings hopefully around \$1000.00.

#### Meeting House Plans

Stabilization and Preservation Plans are being worked on.

Will create order of work that be done with costs based on priority. Steeple will be straightened. Meeting House is on National Registry. As far as grant money, L. Chip has limited funding. Rick Stern says HDC keeps the Meeting House renovation on L Chip list.

Electrical and security system (and mouse holes) work needed. Selectman Stuart would like a guestimate. Kelly says impossible till needs are defined. Charlie or Rick will address holes in door. Kelly will report back.

**Selectman Stuart moved** to appoint Peggy Lamson, George Fletcher and Cliff Abbott to the Highway Building and Site Advisory Board as well as Len Thomas-Road Agent. **Chairman O'Reilly seconded** the motion. So voted 2-0, ***motion passed.***

#### **Town Hall Use**

<p>Seacoast Wind Ensemble-OTH-2<sup>nd</sup> fl – June 12 – 6 to 10pm Seacoast Wind Ensemble-TownHall-Audi- Feb 20 &amp; Apr 17 – 6 to 10pm Town Hall Audi-Church Fair- Nov 14-16 (set up) Fair on Nov 17 Town Hall Audi-Jan 21-Memorial Reception-all day-Requested by Jason Smith</p>
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All four requests were approved with the fees waived for the Church Fair and Wind Ensemble.

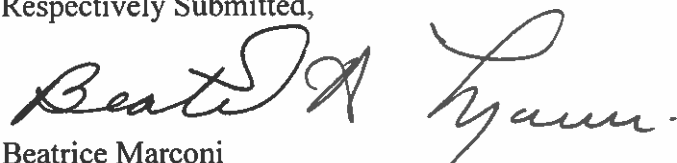
#### **Beal's Abatement Map 52/6**

**Selectman Stuart moved** to abate the December amount as the property was given to the Town. **Chairman O'Reilly seconded** the motion. So voted 2-0, ***motion passed.***

Rick Stern spoke of hoping to have a check book for the Cemetery Trustees, as the Library Trustees have one. Selectman Stuart mentioned that it is a Cemetery Committee, not trustees. Cyndi Gillespie was going to contact the DRA or Auditors to get any restrictions on the matter.

**Selectman Stuart moved** to adjourn at 8:15. **Chairman O'Reilly seconded** the motion. 2-0, ***motion passed.***

Respectively Submitted,



Beatrice Marconi  
Administrative Assistant

**Board of Selectmen's  
Budget Workshop  
January 22, 2007  
6:00 pm Town Hall**

Chairman Jack O'Reilly called the meeting to order at 6:08pm.

Present: Chairman O'Reilly, Vice Chair Jan Stuart, Selectman Iocovozzi, Administrative Assistant Beatrice Marconi, Cyndi Gillespie, Building Inspector Charlie Smart and Barbara McDonald.

**Town Building Maintenance Budget**

Meeting House - \$ 62,500 – tentatively

Incomplete – Charlie will forward on updated figures but for now, \$60,000 has been placed in the maintenance line bringing the total for that building to \$ 62,500

Carriage House - (see Land Management – Fox Point) \$ 50,000 - tentatively

Incomplete – Charlie will forward updated figures but for now, \$ 50,000 has been placed in the land management line-Fox Point- bringing the total for Fox Point to \$ 50,000. This accounts for \$ 1,000 to go towards a walking path replacing the stairs. The chicken coop and well house roof and repairs will be at approx \$3,500 coming out of the \$50,000 with a bit set in reserve for the caretakers house. Further discussion regarding the renting of the caretakers house will be scheduled for Feb. 5<sup>th</sup>. (The erosion plan for Fox Point can be found under Cap Out lay)

Old Town Hall - \$3,000 has been budgeted to the maintenance line of Old Town Hall bringing that total budget to \$ 10,225

Town Hall - Roof is \$ 9,800 which must be budgeted for this year. Front walkway should be paved this year. Video system in auditorium can wait til next year. Signage – roadside and illuminated should be done this year. Back panel on stage can be done next year. DeRochemont heating system seems to be fine right now. Wastrom brickwork should be done this year. Total maintenance line should be \$50,000 bringing the total line to \$ 112,800.

Library - \$ 15,000 will be dedicated to maintenance line with the primary project being bringing the bathrooms to ADA compliance. Total budget for library will be \$ 20,000.

Police Station - Maintenance line will be at \$ 15,000 bringing that total building budget to \$32,050

Old Parsonage - New line for 2007. Budgeting at \$21,725 which will be for electricity and maintenance. \$1,500 is slated for security system and monitoring and \$20,000 for brickwork and exterior repairs.

Fire Station - Total budget for this building will be \$ 26,700. Maintenance is set at \$ 10,000.

Paving of Old Town Hall parking lot will be put off until next year.

Stone School is set at \$ 500 for maintenance bringing the total budget for that bldg to \$ 1,000.



Town Garage total is at \$ 8,100. Of that, \$5,000 is set for maintenance. The highway building and site advisory board will research design, analyze potential sites and needs, while consider DES mandates and Historical District requests.

Chairman O'Reilly stated that after debt service and insurance departments are removed, it shows an overall increase in the general government budget of approximately \$ 14,000 calculating out to less than 8%.

Selectman Iocovozzi moved to present a budget of \$ 1,672,167. Selectman Stuart seconded. Motion passed 3-0.

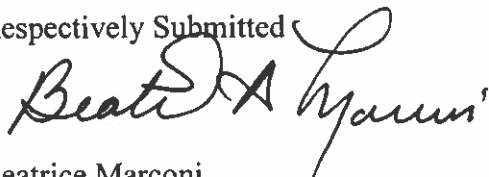
Barbara McDonald presented the Board with a WA for wetlands delineation for half acre and up, requesting \$ 16,800 on behalf of the Conservation Commission. She stated that this would be helpful in not only depicting wetlands and buffers but also could have an effect on valuations too.

Barbara also stated that there were funds voted to go into the Conservation Land Acquisition Account via warrant article and it could not be verified that the money was deposited timely. Also addressed - it was her belief from information provided to the Conservation Commission through the Treasurer that maybe there were missing funds regarding Trickey Cove money from the State between the Town and Seacoast Land Trust. Beatrice Marconi was asked to look into this matter and get back to the Board.

The Board moved to approve the Town Facility requests, waiving the fee  
NH Coastal Program – Feb 23 – Town Hall Audi – all day  
Rock Planning Comm – Jan 25 – Town Hall Audi – 6 – 9 pm

Cosmas Iocovozzi moved to adjourn at 8:15. Seconded by Jan Stuart. Motion passed 3-0.

Respectively Submitted



Beatrice Marconi  
Admin. Asst.

**Board of Selectmen's Meeting Minutes**  
**Monday, January 29, 2007**  
**6:00pm Town Hall**

Chairman Jack O'Reilly called the meeting to order at 6:03pm.

Present: Jack O'Reilly, Selectman Jan Stuart, Administrative Assistant Beatrice Marconi, Planner Tom Morgan, Building Inspector Charlie Smart, Selectman Cosmas Iocovozzi, and signing in were George Fletcher, Jean Bowser, Ruth Fletcher, Gail Pare, Chris Quartarone, Barbara McDonald, Pete Davis, Al Smith, Dennis Hebert, Chris Cross, Jack Pare, Cliff Abbott, Aimee Courtemanche, Anne Holliday, Brian Haberstroh and Toby Bobotas.

Chairman O'Reilly opened the public hearing at 6:04 on the bonding of \$ 525,000 for the acquisition of land (7.11 ac) off of Little Bay Road owned by Khalsa.

Planner Tom Morgan gave an overview indicating a developer by the name of Tide Creek Rlty Investments – Mike Garrepy has option to purchase the 15 acres from Khalsa. The land abuts our transfer station. By the Town buying this property control of the land would be that of the town. There is gravel located there which may prove to be beneficial to Newington or the State for the Spaulding project. Control of the buffer would be that of the town's as well as determination of future use. If bond did not pass at town meeting, Mr. Garrepy could build several houses and the hill, which has an effect on the noise level, could very well be excavated down.

Through an attorney, the Town negotiated this tentative purchase and sales agreement in an attempt to prevent development.

In discussing excavation, the Town of Newington has an ordinance that indicates gravel excavated must stay in town, however, if the PDA bought this site, local ordinances would probably not be adhered to by them. They are buying the abutting 10 or so acres.

Of the 7.11 acres the town is interested in, approx 1/3 is wetlands. If town owned this, we could control the excavation and even sell excess gravel to state if we decided to.

One curb cut has been issued all ready. Three houses could essentially be built there if placed strategically.

Brian Haberstroh stated that there is a corner piece for sale and they are asking \$325,000.

Alfred, Julie and Susan K Smith submitted a letter of opposition to the purchase stating that the removal of this land from the tax base coupled with adding to the inventory of land owned by the town would create yet another burden to the tax payers.

Current use penalty would be forgiven on the town's portion.

Gail Pare asked how many acres would be needed if the Town was to expand the transfer station and build a new highway department. Jack O'Reilly explained that there was an advisory committee formed to analyze the needs.

If the Town bought this property, the curve in the road could be addressed. Regarding items buried there, Selectman Iocovozzi felt it was items like wood, misc debris, no hazardous waste.

The assessment is \$395,400 for 17 acres. 10 of those acres will be sold to the PDA.

When it comes to the actual vote at town meeting, it will be a ballot - 2/3 vote required to pass.

Gravel goes for around 3 or 4 dollars per yard for good gravel.

Dennis Hebert felt this is an opportunity to see how the town's people feel about this purchase, however he was concerned with liability if we don't buy and the planning board gives ok to build and then the developer finds something wrong with property.

Chris Cross spoke of the runway protection area that the FAA is recommending and how mandates coming in the near future may have an effect on properties.

Jack added that the town is not obligated at this point, no money has been exchanged and that the people will have to decide at town meeting. The reason this public hearing was called tonight was not only informational, but a DRA requirement when going out for a bond of this size. It is part of the process to keep this opportunity open for the people to vote on.

At 7:27pm, Chairman O'Reilly closed the public hearing.

Chairman O'Reilly announced that Con Ed offered a 10x10x8 interior portable office to the town. It was decided that he should offer it to the school as the Town didn't have a use at this point in time.

A letter from the City of Dover Mayor asking towns to draw a proclamation asking the NH Retirement Board to include representation from Cities & Towns due to the extreme percentage of funds being set annually for employer contribution. The Selectmen felt that our membership number is so low and chose to accept and place on file.

Warrant Articles: (numbers subject to change)

**ARTICLE 3:** To see if the Town will vote to raise and appropriate the sum of Five Hundred Twenty Five Thousand Dollars (\$525,000) for the acquisition of land on Little Bay Road known as map 23 lot 8 consisting of approximately 7.11 acres, and to authorize the issuance of not more than \$525,000 of Bonds and/or notes under and in compliance with the Municipal Finance Act, RSA 33:1 et seq., and to accept federal, state or other aid, if any, made available therefore, and to authorize the Board of Selectmen to issue, negotiate, and regulate such Bond and/or notes and to determine the rate of interest thereon, and the maturity and other terms thereof, and pass any vote relating thereto. (2/3 ballot vote required)

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Public hearing Jan 29, 2007 Posted January 10, 2007 @ Town Hall, S Newington, Library, - Fosters & Herald 1/12/07

Jan Stuart moved to recommend. Cosmas Iocovozzi seconded. Motion passed 3-0

**ARTICLE 4:** To see if the Town will vote to change the purpose of the existing Fox Point Pavilion Capital Reserve Fund from reading 'for the purpose of constructing a facility at Fox Point that provides a kitchenette and restrooms for social and recreational functions' to now read 'for the purpose of constructing or renovating a facility at Fox Point that provides kitchen facilities and restrooms for the social and recreational functions'. (2/3 vote required)

No vote required as it does not involve money

**ARTICLE 5:** To see if the Town will vote to raise and appropriate the sum of *Twenty Five Thousand Dollars (\$25,000)* to be placed in the existing Capital Reserve Fund for the Fox Point Pavilion.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Cosmas Iocovozzi moved to recommend. Jan Stuart seconded. Motion passed 3-0

**ARTICLE 6:** To see if the Town will vote to raise and appropriate the sum of *Twenty Thousand Dollars (\$20,000)* for the purpose of demolition of the facility at Fox Point known as the Mott House. This appropriation is in addition to the operating budget.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Cosmas Iocovozzi moved to recommend. Jan Stuart seconded. Motion passed 3-0

**ARTICLE 7:** To see if the Town will vote to raise and appropriate the sum of *Fifty Thousand Dollars (\$50,000)* to be placed in the existing Conservation Fund established in accordance with RSA 36-A:5 to be used for expenses associated with the purchase of Conservation Land and open space, easements, wetlands, and other land management acquisitions.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Cosmas Iocovozzi moved to recommend. Jan Stuart seconded. Motion passed 3-0

**ARTICLE 8:** To see if the Town shall vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 to be known as the Highway Department Building Facility Fund for the purpose of construction or improvements to our Highway (Town Garage) Building and to raise and appropriate the amount of *Fifty Thousand Dollars (\$50,000)* to be placed in this fund and to appoint the Board of Selectmen as Agents. This appropriation is in addition to the operating budget. (Majority)

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Cosmas Iocovozzi moved to recommend. Jan Stuart seconded. Motion passed 3-0

**ARTICLE 9:** To see if the Town of Newington will vote to raise and appropriate the sum of *Five Thousand Dollars (\$5,000)* to be added to our existing Capital Reserve Fund for the purpose of Replacement and/or Major Repairs of Vehicles and equipment operated by Highway.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Cosmas Iocovozzi moved to recommend \$5,000. Jan Stuart seconded after discussion. Motion passed 3-0

**ARTICLE 10:** To see if the Town will vote to raise and appropriate the sum of *Forty Thousand Dollars (\$40,000)* to be placed in the Capital Reserve Fund known as the Fire Department SCBA Fund for the replacement of the SCBAs now in use by the Fire Department.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Jan Stuart moved to recommend. Cosmas Iocovozzi seconded. Motion passed 3-0.

**ARTICLE 11:** To see if the Town will vote to raise and appropriate the sum of *Fifteen Thousand Dollars (\$15,000)* to be placed in the existing Capital Reserve Fund for the Replacement and/or Repair of Vehicles Operated by the Fire Department.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Cosmas Iocovozzi moved to recommend \$15,000. Jan Stuart seconded. Motion passed 3-0

**ARTICLE 12:** To see if the Town shall vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 to be known as the Major Road Work Fund for the purpose of major improvements needed for our roadways and to raise and appropriate the amount of *Twenty Five Thousand (\$25,000)* to be placed in this fund and to appoint the Board of Selectmen as Agents. This appropriation is in addition to the operating budget. (Majority)

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Cosmas Iocovozzi moved to recommend. Jan Stuart seconded. Motion passed 3-0

**Selectman Stuart moved to recommend the Warrant Article for Unexpected Grants in the amount of \$15,000 - seconded by Cosmas Iocovozzi - Motion passed 3-0\***

**ARTICLE 13:** To see if the Town shall vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 to be known as the Mott Pond Drainage Improvement Fund for the purpose of maintenance, repair and improvements to the drainage and roadway and to raise and appropriate the amount of *Ten Thousand Dollars (\$10,000)* to be placed in this fund and to appoint the Board of Selectmen as Agents. This appropriation is in addition to the operating budget. (Majority)

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Cosmas Iocovozzi moved to recommend. Jan Stuart seconded. Motion passed 3-0

**ARTICLE 14:** To see if the Town will vote to raise and appropriate the sum of *Sixteen Thousand Eight Hundred Dollars (\$16,800)* for the purpose of mapping all wetlands in Newington, excluding the wildlife refuge and Pease, that are one half (1/2) acre or larger. This appropriation is in addition to the operating budget

**THIS ARTICLE IS NOT RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Selectman Stuart moved to not recommend the above warrant article. Seconded by Cosmas Iocovozzi. Motion passed 3-0.

**ARTICLE 15:** To see if the Town will vote to raise and appropriate the sum of *Fifteen Thousand Dollars (\$15,000)* to be placed in the existing Capital Reserve Fund for the purpose of payments of Severance to Town Employees in accordance with the Town's Personnel Policy.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Selectman Stuart moved to recommend the above warrant article. Seconded by Cosmas Iocovozzi. Motion passed 3-0.

**ARTICLE 16:** To see if the Town will vote to raise and appropriate the sum of *Fifteen Thousand Dollars (\$15,000)* to be placed in the existing Capital Reserve Fund for the Replacement of the Town Ambulance and any Major Medical Equipment.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Selectman Stuart moved to recommend the above warrant article. Seconded by Cosmas Iocovozzi. Motion passed 3-0.

**ARTICLE 17:** To see if the Town will vote to raise and appropriate the sum of *Fourteen Thousand Dollars (\$14,000)* to be placed in the existing Capital Reserve Fund for the purpose of major Municipal Building Emergency Repairs.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Selectman Stuart moved to recommend the above warrant article. Seconded by Cosmas Iocovozzi. Motion passed 3-0.

**ARTICLE 18:** To see if the Town of Newington will vote to raise and appropriate the sum of *Ten Thousand Dollars (\$10,000)* to be added to the existing Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of maintenance, repair and improvements of Town Recreational Facilities and Equipment.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Selectman Stuart moved to recommend the above warrant article. Seconded by Cosmas Iocovozzi. Motion passed 3-0.

**ARTICLE 19:** To see if the Town will vote to raise and appropriate the sum of *Five Thousand Dollars (\$5,000)* to be placed in the existing Capital Reserve Fund for Fire Department Communications.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Selectman Stuart moved to recommend the above warrant article in the amount of \$ 5,000. Seconded by Cosmas Iocovozzi. Motion passed 3-0.

**ARTICLE 20:** To see if the Town will vote to raise and appropriate the sum of *Five Thousand Dollars (\$5,000)* to be placed in the existing Capital Reserve fund which was established to fund capital improvements for the Cemetery.

**THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN**

**THIS ARTICLE ☐ RECOMMENDED BY THE BUDGET COMMITTEE**

Selectman Stuart moved to recommend the above warrant article. Seconded by Cosmas Iocovozzi. Motion passed 3-0.

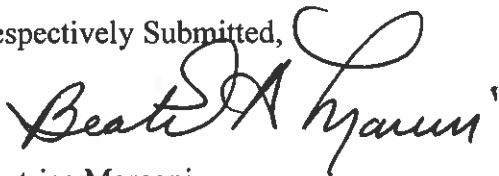
**ARTICLE 21:** On petition from Margaret Lamson of 40 Little Bay Road and at least 24 other registered voters of the Town of Newington, to see if the town will go on record in support of effective actions by the President and the Congress to address the issue of climate change which is increasingly harmful to the environment and economy of New Hampshire and to the future well being of the people of Newington. These actions include the establishment of a national program requiring reductions of US greenhouse gas emissions while protecting the US economy and also include the creation of a major national research initiative to foster rapid development of sustainable energy technologies thereby stimulating new jobs and investment. In addition, the town of Newington encourages NH citizens to work for emission reductions within their communities, and we ask our Selectmen to consider the appointment of a voluntary energy committee to recommend local steps to save energy and reduce emissions.

The building inspector's presentation of plans for Fox Point Carriage House and the Meeting House was tabled for another meeting.

Regarding a letter from the State pertaining to the transfer station and attendants, Selectman Iocovozzi will follow up.

Selectman Stuart moved to adjourn at 8:15pm Seconded by Selectman Iocovozzi. Motion passed 3-0.

Respectively Submitted,

A handwritten signature in cursive script, appearing to read "Beatrice Marconi".

Beatrice Marconi  
Administrative Assistant

\* The Warrant Article pertaining to unanticipated grants, although recommended by the Board was thrown out by the DRA.

**Board of Selectmen Meeting Minutes**  
**Tuesday, February 20, 2007**  
**6:30pm Town Hall**

Chairman Jack O'Reilly called the meeting to order at 6:35pm.

Present: Chairman Jack O'Reilly, Vice chair Jan Stuart, Selectman Cosmas Iocovozzi, Administrative Assistant Beatrice Marconi, Larry Wahl and Jean Bowzer. (George Fletcher was present for portions of the meeting)

*Selectman Stuart moved to accept the minutes of January 2, 8, 16, 22, 29 with Selectman Iocovozzi seconding. Motion passed 3-0.*

**TOWN MEETING-SOUND SYSTEM**

Larry Wahl (Wahl to Wahl Sound) approached the Board with a plan on providing adequate sound and audio recording of our Town Meeting March 17, 2007. The cost would be \$ 400. He spoke of the mic set up and feed. Floor plan options were provided to be approved by moderator. *Selectman Stuart moved to accept Mr. Wahl's fee of \$400 for the sound at Town Meeting with Selectman Iocovozzi seconding. Motion passed 3-0.* Selectman Iocovozzi went on to state that this is a good deal for the town to hire as it would cost upward of \$3-4,000 for the equipment then possibly another \$4,000 for labor.

Beatrice Marconi was asked to run the floor plan options through the Moderator for approval of placement of the equipment and tables.

**ANNUAL INVESTMENT POLICY ADOPTION**

Because the action of annually adopting an investment policy is required by law, Selectman Stuart moved to adopt the policy before the Board. Selectman Iocovozzi seconded with the vote passing 3-0. George Fletcher was given a copy from the table.

**HIGHWAY BLDG AND SITE NEEDS ADVISORY COMMITTEE**

*Selectman Stuart moved to appoint Leslie Brock to this committee now consisting of Road Agent Len Thomas, George Fletcher, Peg Lamson, Cliff Abbott and Leslie Brock. Selectman Iocovozzi seconded. Motion passed 3-0.*

**TRANSFER STATION ATTENDANT**

The Board accepted Ken Pickering's resignation letter as Transfer Station Attendant with deep regret on a motion from Selectman Stuart – followed by a second from Selectman Iocovozzi. *Motion passed 3-0.*

*With a motion from Selectman Stuart and a second from Selectman Iocovozzi, Craig Daigle was appointed for a 2 year term as Transfer Station Attendant. So moved 3-0.*

Selectman Iocovozzi went on to explain how he met with the DES for a site inspection along with Mr. Daigle, John Frink, and Len Thomas. They conversed about the certification process with the next session in March, then again in July. The State said because we did not deal with hazardous material or garbage makes the process less complicated. The DES informed Selectman Iocovozzi that we could go ahead and get a permit for burning brush, however Cos felt hire-grind-haul is better for the near by residents. DES mentioned to those present the proper way to store batteries for disposal and suggested the attendant be available to prevent commingling of debris in the various containers, which means it



would be better to have those containers that are presently at the Town Garage moved to the transfer station area. Selectman Iocovozzi went on to say that it is important that our Highway crew plow the transfer station area after each storm so that the containers can be transported in and out.

### **ROCKINGHAM PLANNING COMMISSION-REPRESENTATIVE**

Selectman Stuart moved to reappointment Christopher Cross to RPC which follows a 3 year nomination from the Planning Board dated Feb 12. Selectman Iocovozzi seconded. Motion passed 3-0.

### **FIRE TRUCK SALE**

A letter came in from Jeff Pelkey of the Kittery Rotary expressing interest in taking our '86 Hahn Fire Truck and shipping it to a third world country as part of a Rotary International program. Selectman Stuart felt getting something for it would be better than nothing and noted there were a few people in the community showing interest in the \$1,000 range. George Fletcher spoke up and stated that his contact said he 'may' be able to pay up to \$7,000 and will get back to us. The truck is non certifiable but could have potential in being converted to a pumper. It was so decided to change the current minimum bid down to \$ 5,000, place it in the Town and City, and other places with the new amount, and wait to hear from George's contact.

### **FOX POINT LEASE**

Selectman Stuart felt very strongly that it would be in the best interest of the town to again rent the house to have a caretaker on site as the Police patrols have been increased. Windows have been broken and the chance of fires being started grow high. Selectman Iocovozzi is willing to consider renting it out providing the lessee be a caretaker and the watchful eyes over the other buildings, grounds and dock area. The appliances and rug situation was discussed and although no vote taken, at this point it appears the consensus of the Board is that the lessee bring their own. The Board will research the going rate and consult with Keith Frizzell on parameters of a lease with contingent duties. A deposit will be required as well as it just being a one year lease term. It was estimated that the March newsletter will advertise of the filling of the lease.

### **SCHOOL SUPPORTERS ROAD RACE**

Saturday, Sept 8, the School Supporters hope to hold their 6<sup>th</sup> annual Sunset Road Race in Newington. *Selectman Stuart moved to approve their request providing they ensure sufficient trash cans are placed as well as having the approval of the Chief of Police. Selectman Iocovozzi seconded. Motion passed 3-0.*

### **CONSERVATION COMMISSION RECYCLE LETTER**

The Board read a letter from the Conservation Commission requesting the Town to follow suit and throw paper in a recycling bin such as set up in the Planner's Office.

### **TOWN FACILITIES USE REQUESTS:**

Nov 9 & 10 – Friends of the Library – Craft Fair – Town Hall Audi - Approved, fee waived  
Feb 22 – Apr 5 (Thursdays only) – Gail Pare for the Town Church – 6 til 9pm – Approved, fee waived  
Old Town Hall 2<sup>nd</sup> fl & kit.  
Apr 9 – 5 til 9pm – Town Hall Audi & Kit – DAR Meeting - Approved, fee waived  
Mar 30 & 31 – Fire Dept – Training – Town Hall Audi – Approved, fee waived  
Apr 26 – UNH Marine Docents – Recognition Dinner–Town Hall Audi & Kit – Approved, fee waived  
Apr 3 – Fire Dept – Old Town Hall Elevator area – 7pm til 10pm- Approved, fee waived  
Mar 17 – Old Town Hall 2<sup>nd</sup> fl & Kit – 5 til 12pm – Birthday Party – Approved

Mar 24; Apr 21; May 19; Sept 22; Oct 20 - Town Hall Audi & Kit – Town Church Supper  
3pm til 8 - Approved, fee waived.

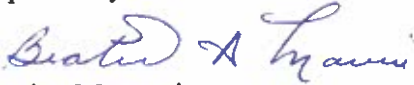
### **MAIL BOXES**

A mail box on Dumpling Cove came down as a result of plowing during the Feb 14 storm. The Selectmen reinforced their position that "Any mail boxes damaged from plowing, is not the responsibility of the Town". The Road Agent will go and inspect the situation. Selectman Stuart wanted the town's position to be clear and consistent. She added that any personal property loss could constitute a Personal Property Loss Accident Report.

Chairman O'Reilly announced that there was a Coalition meeting scheduled for March 5 in Dover.

Selectman Stuart moved to adjourn at 8:50. Seconded by Selectman Iocovozzi. Motion passed 3-0.

Respectively Submitted,



Beatrice Marconi  
Administrative Assistant

**Board of Selectmen's Meeting Minutes**  
**Monday, March 5, 2007**  
**6:30 PM Town Hall**

Chairman of the Board of Selectmen Jack O'Reilly called the meeting to order at 6:30pm.

Present: Jack O'Reilly, Selectman Jan Stuart, Selectman Cosmas Iocovozzi, Administrative Assistant Beatrice Marconi, Members of the Highway Building and Site Needs Advisory Board- Lenny Thomas, Cliff Abbott, Peg Lamson, George Fletcher; Jean Bowser, Planner Tom Morgan, Lisa Zhe of the Portsmouth Herald and Sue and Alfred Smith.

Selectman Stuart moved to accept the minutes of February 20, 2007. Cosmas Iocovozzi seconded with motion passing 3-0.

**Health/Dental Town Policy for Elected Officials and Board Members**

After completing one term consisting of at least 3 years, if the position holder participated in the Town's pool for health & dental benefits while serving (at the participants' expense), that person has the right to opt the C.O.B.R.A. allowance. The Board directed Beatrice to draft up a policy for consideration.

**Highway Building and Site Needs Advisory Committee**

Len Thomas reviewed various sites with the Committee and they concluded that the current site is the least invasive of neighborhood concerns and traffic flow issues of safety. Member Peg Lamson stated that a couple of the members had visited the Stratham Highway Department and spoke highly of their set up. Cliff Abbott stated that he had a conversation with the designer and was able to bring some thought back to the table. Selectman Iocovozzi spoke of hoping someday both the transfer station and highway site could be together if possible. Al Smith stood and mentioned the potential hazards if they were both combined on the site of our existing transfer station. There is more than an acre at the highway site now. The Committee felt that with the limited hours of operation of the Transfer Station now and the fact that it is only open during lighted hours, it controls what could be very dangerous should the sites consolidate and the hours expand. Chairman O'Reilly went on to explain that this is a long range plan and any action required will come in time, in the instance of approaching the PDA for additional land being added to the current highway site. The Committee spoke of a suggested foot print – turning the bldg- showing less road view – as it is in the Historical District. It was mentioned that even Gail Pare, a member of the HDC felt the current site may be the best site. A sketch was handed out by Cliff Abbott with rough costs showing we should expect to pay around \$ 80.00 per sq ft. It would be a steel bldg with special DES approved drainage with separators to protect our environment. Stratham paid \$ 850,000 with 5 double bays with drive in salt shed. Our needs would be 3 double bays.

The Committee was thanked. Chairman O'Reilly stated that \$50,000 is proposed this year via a warrant article to start a cap. reserve fund for the building and site. If passed, perhaps a site plan would be the first step. The Board will revisit this issue sometime after Town Meeting.

**FIRE TRUCK FOR SALE**

Chairman O'Reilly spoke of the sealed bid the Town received for the Fire Truck. Board says to hold the bid – George Fletcher will again contact the person he has been in contact with who expressed interest.

### **TURKEYS**

Selectman Stuart was contacted by NH Fish & Game as they want to tag our turkeys for tracking purposes. The Board felt they could use the Chicken Coop at Fox Point to get them out of the weather to tag and release.

### **TOWN MEETING CD PRODUCTION and STENOGRAPHER**

The Selectmen discussed the fact we have contracted with a stenographer AND Wahl to Wahl sound and just wanted all concerned to know that it would be best for the Town to have a CD for sound and preservation AND it typed out verbatim.

### **RESPONSE TO SIGN VIOLATION COMPLAINT - MCINTYRE AND LITTLE BAY**

In response to Ms. McDonald complaint regarding the placement of a FOR SALE sign at the intersection of Little Bay and McIntyre Roads, the Board felt that because this sign was placed by the owner advertising the land on which it sat for sale that it could stay. The circumstances last year when Ms. McDonald had a sign placed at that intersection and was asked for it to be removed is not the same; as the house she was selling was a mile down the road and the sign was not on the land owned by her nor on the land actually for sale.

### **RESPONSE TO RECYCLING LETTER FROM CONSERVATION COMMISSION**

A letter encouraging departments and committees will be going out under the direction of the Board of Selectmen to recycle office paper when ever possible as agreed upon with Waste Management and the Town. Office paper, if clean of debris, can be placed in the roll off bin marked *NEWSPAPER*.

### **REQUEST FROM CONSERVATION COMMISSION FOR COPY OF PURCHASE & SALES AGREEMENT FOR KHALSA LAND.**

The Administrative Assistant was asked to once again contact Town Counsel to see if it is public record to release the purchase and sales agreement for the 7.11 acres the town is offering as a bond warrant article.

### **NEWINGTON CITIZEN'S COMPLAINT – SUE SMITH**

Sue Smith of 405 Newington Road wanted to be on record as expressing dissatisfaction with the Conservation Commission using town funds to pay for postage for their mailing of a letter to the residents asking for their vote in supporting a warrant article to appropriate and raise funds to support a wet lands delineation program of ½ acre or more. This is not required by law, contrary to what the people are being lead to believe. She strongly felt if funds were used to support issues, then funds should be available to rebut and stated that it was not a right move nor an ethical one. She expressed resentment that the Selectmen seem to always be negatively attacked at 'keeping secrets' or 'conducting business behind closed doors'. Sue went on to say that she has been doing her homework and finds that this is not the case at all. In fact, she has found many instances where the Conservation Commission is lacking in proper procedures with minutes, who spoke at meetings, and attendance records. She found several violations in fact even one meeting where they had 8 people participating as members when the commission is only sanctioned for 7. She noted that on [www.nhacc.org/basics](http://www.nhacc.org/basics) it states that any town can vote to disband a Conservation Commission at Town Meeting or even take a route to make it dormant, as in two instances in NH, because the BOS decided that this commission was not beneficial to the town. She objects to the negativity and wants to remain proud to be a Newington resident.

Al Smith then went on to say that he would like to add that for many years he's been a resident of this town and has never seen a group or any official town body state their opinion on a

warrant article that they support via a town-wide mailing. The town floor/public hearing is the proper time and place to discuss these issues. Not all of the members have turned our Conservation Commission into a self serving, self appointed, special interest group, but the ones that have are giving the whole group and town a bad name.

**Town Facilities Use Applications:**

Celiac Spru Mar 15 5:30pm Meeting Town Hall - Approved fee waived  
GirlScouts March 11 12:30pm Luncheon Town hall- Approved fee waived  
J. Carter May 12 1:00pm Birthday Party Town hall - Approved  
Library Trustees March 25 11:am - Farewell Gathering Town Hall - Approved fee waived  
L O'Reilly Band Rehearsal March 18 Old Town Hall - Approved  
(Board 'may' consider a free show for residents in lieu of \$50.00 fee)

**Transfer Station Licensing Update**

Selectman Iocovozzi reported that the application is almost complete and that training classes will follow. Town will pay for the certification and time needed to attend.

**Town Hall Server Back Up Problem**

Planner Tom Morgan spoke to this issue and noted that the recommended software to use is an issue that Dennis O'Brien of NARCS and Lenny Kapley don't quite agree on. We have non supported software and a drive that is not operating properly. Selectman Stuart feels we should just have one computer person as with two, it confuses the issue. Tom suggests we start with a new drive, see then how the software reacts. Selectman Iocovozzi said we must act on this and asked Tom to get a price from each of them to fix. He will report back. In the meantime, to insure protection, Tom was to purchase an external drive to hold us over until the proper fix was in place.

**Town Reports Available**

Chairman O'Reilly notified the Board and those present that the Town Reports are now available and slated to be delivered on Wednesday. He reminded people of the elections to be held March 13 and the Town Meeting on March 17.

**Town Investment Policy**

Treasurer George Fletcher felt that the investment policy adopted Feb 20 by the Board was in proper order and suited for our needs.

The Board then asked the audience if anyone had any issues for discussion and with none being brought up, *Selectman Iocovozzi moved to adjourn at 7:36pm with Selectman Stuart seconding. Motion passed 3-0.*

Respectively submitted,



Beatrice Marconi  
Admin. Assist.

**Board of Selectmen's Meeting Minutes**  
**Monday, March 19, 2007**  
**6:30 pm Town Hall**

*Preliminary*

Chairman Jack O'Reilly called the meeting to order at 6:33pm.

**Present:** Chairman O'Reilly, Selectman Jan Stuart, Selectman Cosmas Iocovozzi, AA Beatrice Marconi, Building Inspector Charlie Smart, George Fletcher, Jean Bowser, Jim Noseworthy, Larry Wahl, Barbara McDonald, and Rick (@7:15) and Doreen Stern.

***Pledge of Allegiance***

**Minutes** - Selectman Iocovozzi asked that the minutes of March 5 be tabled until next meeting. Selectman Stuart moved to table til next meeting, Selectman Iocovozzi seconded. Motion passed 3-0

**Generator Timing Switch – Town Hall**

Charlie Smart spoke of the estimates he got for this project. Maldini was \$435.00 while Southworth Milton was \$1,142. *Selectman Stuart moved to accept Maldini's bid on the job of installing a timing switch on the Town Hall Generator as recommended by Charlie Smart not to exceed \$450 with Selectman Iocovozzi seconding. Motion passed 3-0.*

**Drainage Issue – Nimble Hill – SWAMP**

Both Larry Wahl and Jim Noseworthy spoke to this issue indicating that it has been discussed and planned for in the last three years yet no progress has been made. It was all set up with SWAMP and the Fire Dept to burn the phragmites last year. SWAMP has given the town three options to alleviate this problem. Partially due to costs, partially due to the permitting process, it slipped by.

Selectman Iocovozzi spoke to attempting to keep the costs down and phasing the work. This type of plant must be killed, however, successful killing can only be done at a time certain. Larry strongly stated that surge rocks had to be strategically placed to prevent erosion. Jim stated that the stagnant water last year caused a hazard. The Board discussed the permitting and so noted that in SWAMP's proposal, it calls for them to proceed with that. In the end it was suggested that the Board contact SWAMP and invite them to the meeting slated for April 2 to speak to the options and needs. Meanwhile the AA was asked to set up dialog between the Fire Dept and SWAMP to get the burn process started. Selectman Stuart emphasized that this project has delayed to long.

**Borings at Transfer Station**

The Board will address this issue at a later date after Selectman Iocovozzi converses with the DES on its necessity. Mr. Wahl added that he had heard the buried debris was between Arboretum and the fence.

**Newsletter**

A newsletter will be drafted and sent to the residents shortly after Town meeting (which was postponed until March 24.)

### **Town Violation of RSA 673:7**

Chairman O'Reilly stated that it was recently brought to the Board's attention that the Town was in violation of RSA 673:7 (having two members on both the Planning Board and Conservation Commission at the same time). The AA had been in contact with the NHMA who indicated that we were in fact in violation and suggested the Selectmen send notification out to not only the 2 members involved but the 2 boards as well. The Selectmen signed the letter and designated it to be sent out certified immediately to Vincent Frank and Margaret Lamson **through a motion from Selectman Stuart to do so – Cosmas Iocovozzi seconding motion passed 3-0.** Barbara McDonald introduced RSA 36 A:3 however this RSA did not address the issue at hand.

### **911 ALI Data Base Liaison**

*Selectman Stuart moved to appoint Chief Roy Greenleaf as Primary and Planner Tom Morgan as Secondary 911 ALI Data Base Liaisons for the Town for the State of NH Dept of Safety – Emergency Services. Selectman Iocovozzi seconded. Motion passed 3-0*

### **Correspondence:**

- An e-mail from Sue Smith of 405 Newington Road was received by the Board indicating her concern with liability with motorized vehicles passing over the basketball court in South Newington. She also mentioned that she hopes the Town will not install lighting there. She suggests signage be placed indicating for ball play only (wheeled apparatus prohibited) and hours of operation listed. After much discussion as to whether the Recreation Committee should be involved in signage or not, the Board suggested ***Selectman Stuart take the lead on this issue and come up with suggested verbiage.***

- Chairman O'Reilly read a thank you card from the Girl Scouts for use of the town facilities.

### **Town Facilities Use Applications**

Town Facilities Use Applications: Town Hall Audi – 5/13/07- Fund Raiser Show and Brunch- Great Bay Red Cross

Seabreezes – Town Hall Audi – Meeting – Apr 13 – 6:00pm

Girl Scouts – May 11 – Town Hall Audi + Kit – Movie Night – 6pm -9

Girl Scouts – June 2-3 – Sleep over – Town Hall Audi & kit – 1pm(Sat) – 8am(Sunday)

***Selectman Stuart moved to approve with fee waived the above requests. Selectman Iocovozzi seconded. Motion passed 3-0***

### **Town Forest**

Chairman of the Board of Selectman O'Reilly reported that he and planner Tom Morgan met with Simone Masse regarding the deed for the Town Forest. He felt that soon we would have one in an acceptable format to forward on to the FAA for final approval. He also noted that there is an agreement with the City of Portsmouth which addresses the water rights.

A status report on the Great Bay National Wildlife Refuge impending threat of closure will be brought to the Board at their next meeting.

Barbara McDonald asked why the Town wants to accept Nimble Hill Road from the State. Selectman Iocovozzi explained that the gate was a big concern and if the State owned Nimble, perhaps that gate would be opened up for increased vehicular passage. He added that the State won't put weight limits on the road. Nimble is a major thoroughfare. He felt there was a warrant article regarding this issue a few years ago. This is a long standing issue and was discussed, and tossed into the deal with Shattuck, to give us more time. We got the State to put in a School driveway. Rick Stern asked if the Warrant Article specified 'road certain'. Jim Noseworthy felt a traffic count was in order. Selectman Stuart felt there are times when it would be beneficial to have the gate open.

Chairman O'Reilly suggested we research the following:

- 1). What exactly was voted on for Nimble Hill acceptance
- 2). What type (if any), roads the Selectmen can accept were specified in the vote years ago?
- 3). What has to happen to accept nimble Hill and Shattuck Way?
- 4). Perhaps the Town should consider having a traffic count done.

Discussion then lead to the Trickey Cove area near Gosling and traffic flow. As the project nears, the flow will be decided and posted.

The Spaulding Turnpike plan was briefly discussed the Mr. Noseworthy asking about the set up of the area in the vicinity of the former drive in. As Selectman Iocovozzi explained, the plans are not in their final state and are subject to change once again.

Being no further business before the Board, Selectman Stuart moved to adjourn at 7:52pm with Selectman Iocovozzi seconding. Motion pass 3-0.

Respectively Submitted,

Beatrice Marconi  
Administrative Assistant



**Newington Board of Selectmen  
Meeting Minutes April 2, 2007  
6:00pm - Town Hall**

*preliminary*

Chairman Jack O'Reilly called the meeting to order at 6:01pm.

Present: Chairman Jack O'Reilly, Selectman Jan Stuart, Selectman Cosmas Iocovozzi, Administrative Assistant Beatrice Marconi

***Selectman Iocovozzi moved to go into non public under RSA 91-A:3, II (a) personnel and (e) legal. Selectman Stuart seconded. On a roll call vote, the motion passed 3-0.***

***Selectman Iocovozzi moved to come out of non public session at 6:29pm and to seal. Seconded by Selectman Stuart. On a roll call vote, the motion passed 3-0. No Votes Taken.***

The meeting was reconvened in the DeRochemont Room at 6:33pm.

Present: Chairman O'Reilly, Selectmen Stuart and Iocovozzi, AA Beatrice Marconi, Vincent Frank, Barbara McDonald, Roger Leland of SWAMP, Inc, Jean Bowser, Larry Wahl and Jim Noseworthy, Len Thomas-Road Agent, Chris Bellmare of the Rec Committee, Rick Stern, Lisa Zhe of the Portsmouth Herald, Nathaniel Manness and David Mueller (?).

Chairman O'Reilly led the Pledge of Allegiance followed by ***a motion by Selectman Iocovozzi to accept the minutes of March 5 and March 19. Selectman Stuart seconded and the motion passed 3-0.***

**Violation 673:7- 2 Individuals on Planning Board and Conservation Commission at same time**

After speaking with town counsel, Administrative Assistant Beatrice Marconi reported Mr. Upton recommends that if the parties cannot cure the situation then the Selectmen must step in. He stated that the action that caused the violation should be the action revoked, therefore bringing the town back into compliance. The last appointment made was that of Vincent Frank being appointed to the Conservation Commission on June 20, 2005. Barbara McDonald said that the town had been in violation in the past. She also stated that all actions could be invalidated. If challenged, added Chairman O'Reilly. Vincent Frank spoke of the accomplishments of the Conservation Commission since he and Mrs. McDonald took the helm. Mr. Frank goes on to state that at Town Meeting certain statements were made that were false. Regarding permitting at Portsmouth Chevy – Mr. Frank states that they failed to put in for an application for dredge & fill. Barbara McDonald would like the town to look into the appointment of our PDA representative as she felt that too was in violation. ***Selectman Stuart moved to rescind the vote of June 20, 2005 which appointed Mr. Frank to the Conservation Commission. Cosmas Iocovozzi seconded. On a roll call vote, the motion passed 3-0.*** A letter to both the Planning Board and Conservation Commission will go out. It was asked if the Planning Board may consider possibly un appointing Peg Lamson as an alternate but also so noted that Planning Board appointments are at their sole discession.

**S.W.A.M.P. – Drainage Issue – Nimble Hill Road**

Roger Leland of SWAMP spoke of the drainage and ditch problem along Nimble Hill and suggests that the problem tree and its roots be removed. The stagnant water near homes and the school is presenting a health concern with the fear of West Nile. He felt that we should consider going beyond the ditch and into the field. The phragmites need to be removed whether burned or mowed. To save money, he suggested burning. After discussing the situation with Mr.

Noseworthy's, Mr. Wahl's, Mr. Manness' and the Selectmen, they all felt that more area will be addressed than originally thought and a new proposal will be brought back to the town in 2 weeks. The job itself could start as early as June or July. Needed permitting will be done by SWAMP if more than our existing permits are required.

#### **Deputy Treasurer Appointment**

On the recommendation of the Town Treasurer, George Fletcher, *Selectman Iocovozzi moved to appoint Laura Coleman as Deputy Treasurer for 1 year. Seconded by Selectman Stuart with motion passing 3-0.*

#### **Special Event – Evacuation Demo Truck**

April 25, 2007 Rockingham Electric would like to host an evacuation Demo Truck display. Before granting, the Selectmen wanted to know the decibels and noise effect on the passing traffic. The Fire & Police Departments will be asked for their input as well.

#### **Playground Equipment Inspector**

A class is being offered by our insurance company on playground equipment inspections. Chris Bellmare of the Recreation Committee stated that their group was going to take care of the matter of inspections.

#### **Correspondence**

- Mark Capone has applied for a permit to oyster aquaculture off of Fox Point. A public hearing will be conducted on the matter on April 17 by NH Fish and Game.

- Greg Kirsch sent an e-mail indicating that the Derochemont House will begin to be moved next week and that it would take approx a week to complete.

#### **Town Facilities Use Applications**

- Town Facilities Use Applications: Girl Scouts – date chg for sleep over to June 16 & 17 (not June 2 & 3) – Old Town Hall 2<sup>nd</sup> fl & Kit & Grove – approved fee waived
- Meredith Hoyt – T.H. Audi – Baby Shower – May 6<sup>th</sup> – all day – approved
- Fire Dept Union of Em Serv Picnic– Grove/OTH-June 2 – approved fee waived
- Piscataqua River Brass Rehearsal-Proposed to give free concert in lieu of room rental-
- OTH Rec Play -Wishing Well - Apr 1 – 15 – Free to Newington Residents – fee waived
- Soccer Fields June 8-10-will bring Porta Potti-Behind OTH – approved – no fee
- Ref Clinic – DeRochmont Room – June 16 & 17 - – approved – no fee
- Border Patrol Class – Ruth Fletcher – TH Audi – Apr 10 - Approved – fee waived
- Border Patrol Class – Ruth Fletcher – TH Audi – Sept 15 - Approved – fee waived

Larry Wahl of the **Budget Committee** announced that on **Sept 19<sup>th</sup>**, they would be gathering for **mid year review**.

The **Fire Truck Bid** will be opened at the next meeting.

With Kris Fleming leaving in June, the Board felt it was time to begin the process to advertise for a **replacement for our receptionist**.

**HDC** has interest in filing a **LCHIP grant application for the Meeting House**. The Board felt HDC should move forward at this point.

Report on **the status of the Fish & Wildlife Refuse** – No update provided

Barbara McDonald wanted clarity known for the record on RSA 36-A:2

**36-A: 2 Conservation Commission.** – *A city or town which accepts the provisions of this chapter may establish a conservation commission, hereinafter called the commission, for the proper utilization and protection of the natural resources and for the protection of watershed resources of said city or town. Such commission shall conduct researches into its local land and water areas and shall seek to coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its work. It shall keep an index of all open space and natural, aesthetic or ecological areas within the city or town, as the case may be, with the plan of obtaining information pertinent to proper utilization of such areas, including lands owned by the state or lands owned by a town or city. It shall keep an index of all marshlands, swamps and all other wet lands in a like manner, and may recommend to the city council or selectmen or to the department of resources and economic development a program for the protection, development or better utilization of all such areas. It shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the annual town or municipal report. The commission may appoint such clerks and other employees or subcommittees as it may from time to time require.* She went on to say that the word 'shall' is a mandate, whereas 'may' means an optional choice.

**Road Agent Len Thomas**

Reported that he will place sand in horse shoe pits near Grove picnic area.

He also stated that he will contact Craig Daigle regarding summer hours.

He spoke of the tagging of the trees on the Khalsa property and noted that some of the tagged ones belonged to the Town. He will look into the matter.

He noted that the spreader was rotted out and would like to get a Stainless Steel one for \$ 1,080.

Regarding the Mott House Lumber – He was asked to hold off on moving it at this time.

The Mower was taken to Roland Bradeen's and is now in operating order. Highway is to plan on doing any mowing at Fox Point until the lease is filled and someone is found.

Len stated that in the past, some people put electronics out to be taken away in the trash. He will no longer be able to do that. Larry Wahl stated that we should make every effort to salvage, sell or save material we could use build a gazebo, deck, etc when it comes to demo of the Mott House.

HDC submitted a letter pertaining to their wishes of the use/renovation of the Carriage House and stated they hoped it would retain its character and design. Any pavilion built, they hoped it would be of rustic design and be compatible with the other structures. Board accepted and placed on file.

**Election of the Selectmen's Chairman**

*Selectman Iocovozzi moved to appoint Selectman Stuart as Chairman of the Board. Selectman O'Reilly seconded. Motion passed.*

*Chairman Jan Stuart moved to adjourn. Selectman O'Reilly seconded. Motion passed. 3-0*

Respectively submitted,

  
Beatrice Marconi  
Administrative Assistant

**Board of Selectmen Meeting Minutes**  
**Monday, April 16, 2007 – Town Hall**  
**6:30pm**

Chairman Jan Stuart called the meeting to order at 6:30pm.

Present: Chairman Stuart, Selectmen Cosmas Iocovozzi and Jack O'Reilly, Administrative Assistant Beatrice Marconi, Transfer Station Attendant Craig Daigle, Mike Morrison of Municipal Pest Control, Larry Wahl, Jim Noseworthy, Nathaniel Manness, Attorney Radigan, Mike Garrepy, Barbara McDonald, Rick and Doreen Stern, George Fletcher and Jean Bowser.

Chairman Stuart asked for a moment of silence remembering those who perished today at Virginia Tech followed by the Pledge of Allegiance.

Selectman O'Reilly moved to approve the minutes of April 2 (both public and non-public) with Selectman Iocovozzi seconding.

**Craig Daigle of the Transfer Station**

showed the Board a sketch of an area approx 18' x 60' which would act as a cover for some of the bins. It would not only cover the items which are supposed to be but also help control the ice problem in the winter. Craig will get a price and report back. Mr. Daigle also spoke of his hopes to have the Transfer Station open 9 to 3:00 every other Saturday yet opened a few hours Thurs and Fridays keeping the total hours of operation the same. He will make a handout, we will post on Board and it will begin as a trial basis around the first week in May.

**Mike Garrepy – Developer Khalsa Land**

Mr. Garrepy has been speaking with the PDA on the possible purchase of the 7.11 acres that the Town did not vote to support at Town Meeting. He came to the Selectmen to make sure we were all on the same page regarding the Current Use Penalty. From the Purchase and Sales agreement, he read it to be under the understanding that the Town had agreed to waive both CU penalties for both sides ... meaning the site bought by the PDA a month or so ago and this 7.11 acre site. The Board will contact Matt Upton, the attorney handling this project to get his legal opinion and insight.

**SWAMP – Nimble Hill/Ball Field Drainage Issue**

*Via a motion by Selectman Iocovozzi and a second by Selectman O'Reilly, the board voted to accept the proposal by Pace's Tree Service to remove the willow tree growing off the road at Nathaniel Manness' property line in the amount of \$2,963. 3-0.* This tree, along with 2 small maples will be cut down and removed to increase the flow in the existing ditch. Mike Morrison will be preparing a plan that will address the flow. The phragmites must be burned or mowed then the area treated. There are no restrictions to cut. He'll be using a water based chemical. Because the water flow is restricted, it causes concern with stagnant water for breeding mosquitoes. Chairman Stuart wants this project to proceed immediately, however Mike needs to provide a plan and price. Permitting will need to be done beyond the 50' stretch not covered by the Town's road side work permit. Mike will seek out the necessary permits along with talking to dig safe and will come back to the Board with information. Barbara McDonald mentioned that Mark West may have a conceptual plan to recreate a wet land for ecological and educational benefit and that funds may be available. He would like to speak to the Board. Jim Noseworthy, as with the other neighbors affected is very anxious to get the project going. When addressing silt and sentiment, Mike says this will be addressed with hay bales and silt fences. He wants to protect the resources downstream also. Selectman O'Reilly offered the following.

- #1 Take tree down
- #2 Mike to give us price for up to the 50' line
- #3 Mike to also give us price for beyond the 50' line.

Mike also mentioned that he would like to trap and test mosquitoes in Newington this year at no cost.

Nathaniel Manness offered to cut the two maples which were close to the willow tree. He will also give us written permission to cut and down on his property.

#### **Cemetery Grounds Keeping Contract**

With two bids received, *Selectman O'Reilly moved to accept the Fabyan Point bid for Cemetery grounds care in the amount of \$12,400.* Selectman Iocovozzi seconded with motion passing 3-0. Wade Landscaping bid was \$ 13,500. Fabyan Point is for the 2007 and 2008 season. *Selectman Iocovozzi motioned to authorize the chair to sign the contract and PO on the Board's behalf. Selectman O'Reilly seconded. So moved 3-0.*

#### **Edwards & Kelcey Engineering Letter for Shattuck Extension**

This item was tabled until such time as Dennis Hebert of the Planning Board can come to a meeting to discuss the project. Selectman O'Reilly mentioned the agreement with PSNH and their financial commitment to the project and Selectman Iocovozzi added he just wanted to be sure both the Planning Brd and Selectmen are all on the same page. Sewer Commissioner George Fletcher said the sewer plant would like consideration of some land in that vicinity for possible needed expansion in the future. George will check with Planner Tom Morgan.

#### **Announcements:**

PSNH will be hosting a tour of the wood burning facility on May 4. Selectman O'Reilly is slated to attend.

#### **Appointments**

The Board of Selectmen made the following appointments:

##### ***Recreation Committee – Terms Expire April 2008***

Peter MacDonald  
Keith Frizzell  
Chris Bellmare  
Darryl Brown  
Brian Haberstroh  
Sue Carroll

Selectman O'Reilly moved to re-appoint all above, seconded by Selectman Iocovozzi Motion passed 3-0

##### ***Historic District Commission – Terms Expire April 2010***

Gail Pare  
Barbara Meyer

Selectman O'Reilly moved to re-appoint Gail Pare to the Historic District Commission, seconded by Selectman Iocovozzi Motion passed 3-0

Selectman O'Reilly moved to re-appoint Barbara Meyer to the Historic District Commission, seconded by Selectman Iocovozzi Motion passed 3-0

***Conservation Commission***

Jane Hislop – Term to Expire April 2010

Barbara McDonald

Dorothy Watson – Term to Expire April 2009 due to staggering need

Selectman O'Reilly moved to re-appoint Jane Hislop seconded by Selectman Iocovozzi. Motion passed 3-0.

There was no motion to re-appoint Barbara McDonald. Re-appointment denied

Selectman O'Reilly moved to re-appoint Dorothy Watson. Seconded by Selectman Iocovozzi.

Motion passed 3-0

***Zoning Board of Adjustment – Terms to Expire April 2010***

Ralph Estey

Richard Ford

John Frink – alternate

Edna Mosher

Selectman O'Reilly moved to re-appoint all above, seconded by Selectman Iocovozzi Motion passed 3-0

***Ballot Clerk – Terms to Expire April 2008***

Jean Bowser

Evangeline Brawn

Elizabeth Connors

Linda Bullock

Selectman Iocovozzi moved to re-appoint all above, seconded by Selectman O'Reilly. Motion passed 3-0

***Planning Board Alternate – Term to Expire April 2010***

*(As chosen by the Planning Board-Approved by the BOS))*

Thomas Babotas – Alternate

Selectman O'Reilly moved to re-appoint the above, seconded by Selectman Iocovozzi Motion passed 3-0

***Deputy Town Clerk/Tax Collector – Term to Expire April 2008***

Theresa Tomlinson

Selectman Iocovozzi moved to re-appoint the above, seconded by Selectman O'Reilly Motion passed 3-0

***Sewer Commission – Terms to Expire April 2008***

Laura Coleman – Treasurer

Ruth Fletcher – Clerk

Selectman O'Reilly moved to re-appoint the above, seconded by Selectman Iocovozzi Motion passed 3-0

***Supervisor of the Check List – Term to Expire March 2008***

Larry Wahl

Selectman O'Reilly moved to appoint Larry Wahl as the Supervisor of the Check List, seconded by Selectman Iocovozzi Motion passed 3-0

Chairman Stuart then read a letter of interest written by Michael Mazeau expressing a wish to be on the Budget Committee. Letter to be forwarded to the Budget Committee who chose their own members and are not scheduled to meet until Sept 2007.

Sewer Commissioner George Fletcher mentioned that soon one of the Sewer Commissioners will be leaving – Bob Hart Sr.. George will put notices on the bulletin board expressing the need to fill the position. George felt the commissioners bring forth approved names for the BOS to actually appoint.

**Town Facility Use Applications:**

Seacoast Strider- No Newington resident signature –table discussion for next meeting.

Soccer Refereeing Clinic- Waive fee – Town Hall – June 23 - Approved

August 13-17 - Frizzell- Soccer Camp - Aug 13-17 - Table. YMCA same week

April 25<sup>th</sup> at Rockingham Electric – Special Event

Chairman Stuart spoke to her concerns and didn't want interference with Fed and State Emergency notifications. She was concerned about tones and scaring drivers. Chairman Stuart spoke of the sign and advertising to forewarn the area. *Selectman O'Reilly moved to allow contingent upon an officer being present. Public notification within 48 hours of event in the newspaper. Selectman Iocovozzi seconded. So Moved.*

Susan Daigle requested the Town Hall on May 21<sup>st</sup> for a Girl Scout dinner. *Selectman Iocovozzi moved to approve the request with the fee waived. Selectman O'Reilly seconded the motion. So voted 3-0, motion passed.*

**Fire Truck Bid**

Asian Auto submitted a bid of \$3650.00 (*does not meet minimum*) Selectman Iocovozzi stated that there was a vote if bids did not hit minimum then the Board was going to give it away. Because the bid was not met, Selectman Iocovozzi felt the good would far out weigh what little income we could get. Rick Stern submitted a bid of \$1255.00 and Brian Haberstrogh submitted a bid of \$1500.00. After discussion between Selectman Iocovozzi and Chairman Stuart, Selectman O'Reilly suggested the Kittery Rotary Club come in and explain how the program works in depth. It was then agreed on by the Board to have Mr. Pelky come in.

**New Business**


Simone Masse- Draft deed still stipulated the wet lands clause, also promised not to dig the dirt. Draft returned-unaccepted. Selectman O'Reilly will continue to stay on top of this.

Town and City deadlines- Selectman O'Reilly suggested May 7<sup>th</sup> agenda to include town warrant.

Barbara McDonald wanted to know for the record why she was not re appointed to the Conservation Commission. It was explained that no motion was made to reappoint by any one when placed on the table for consideration.

Being that there was no further business before the Board, *Selectman Iocovozzi moved to adjourn. Selectman O'Reilly seconded the motion. So voted 3-0, motion passed.*

Respectfully submitted,

  
Beatrice A. Marconi  
Administrative Assistant

**Board of Selectmen's Meeting Minutes**

**Monday, April 23, 2007**

*Approved April 30 & May 7<sup>th</sup> as amended*

**5:30pm Town Hall**

**Public and Non Public Session**

At 5:45pm, Chairman Jan Stuart called the meeting to order upon arrival of Selectman O'Reilly.

Present: Jan Stuart, Jack O'Reilly, AA Beatrice Marconi and candidates applying for the receptionist position.

Selectman O'Reilly moved to go into non-public at 5:47pm under RSA 91-A:3, II (b) hiring. Seconded by Chairman Stuart. On a roll call vote, motion passed 2-0.

Non Public Session: Oral interviews were given to two candidates applying for the receptionist position, those being Catherine Tuchman and Belinda Collico.

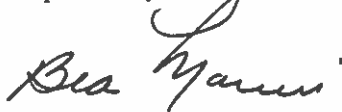
At 6:15, Selectman O'Reilly moved to come out of non-public and on a roll call vote, the motion passed (and was seconded by Chairman Stuart) 2-0. No votes taken

Selectman O'Reilly moved to offer the receptionist position to Catherine Tuchman. Seconded by Chairman Stuart. Motion passed 2-0.

She will begin work on or about the week of May 14 at \$13.00 per hour for an average of 25 hours per week.

Selectman O'Reilly moved to adjourn at 6:17pm. Seconded by Chairman Stuart. So moved 2-0.

Respectively submitted



Beatrice Marconi  
Administrative Assistant



**Board of Selectmen's Meeting Minutes**  
**Monday, April 30, 2007**  
**6:00pm - Town Hall**

*Preliminary*

Chairman Jan Stuart called the meeting to order at 6:00pm.

Present: Chairman Jan Stuart, Selectmen Cosmas Iocovozzi and Jack O'Reilly, Town Planner Tom Morgan, Chairman of the Conservation Commission Justin Richardson and daughter Elsa, and Administrative Assistant Beatrice Marconi.

Selectman O'Reilly moved to go into non-public under RSA 91-A:3, ii (e) litigation. Selectman Iocovozzi seconded and on a roll call vote, motion passed 3-0.

Selectman O'Reilly moved to come out of non-public and to seal the minutes at 6:32pm. Selectman Iocovozzi seconded and on a roll call vote, motion passed 3-0. No votes taken.

Chairman Stuart called the public portion back into order at 6:33pm.

Present: Chairman Stuart, Selectmen O'Reilly and Iocovozzi, AA Beatrice Marconi, Bldg Inspector Charlie Smart, Road Agent Len Thomas, John Frink, Jean Bowser, Larry Wahl, Jim Noseworthy, and Gail Pare Chairman of the HDC.

**Pledge of Allegiance**

John Frink informed the Selectmen of a beaver problem in the Mott's Pond/Fox Point area whereas the damming is causing problems. Chairman Stuart cited RSA 210:9 which talks about the level of license needed to trap and also spoke of the November to April season. Any trapping done outside the timeline would have to be approved by Fish & Game. She was also concerned about the private property issue. John said the owner was going to contact the necessary agencies.

***Selectman O'Reilly moved to approve the minutes of April 16 and 23. Seconded by Selectman Iocovozzi, motion passed 3-0.***

**Fire Truck for Sale/Rotary Presentation**

Jeff Pelkey of Rotary International-Kittery Rotary Club spoke of the purpose of Rotary International Fire Apparatus Distribution Program. Because of the safety mandates and restrictions, our uncertifiable 'junk' is a third world life saving treasure. It won't be parted out, it will actually be used. Even after they are retired, they may then be used to water crops. Chairman Stuart spoke of the needs we may find in our own country. Mr. Pelkey said that not only was he part of a world wide net work, but would put the word out nationally first to see if there is more of a local need. Once the truck is gone from our site, the Town is no longer held responsible. The Town's name and seal will be buffed off. ***Selectman O'Reilly moved to donate the '86 Hahn Fire Truck to the Rotary's Distribution Program to find its best use. Selectman Iocovozzi seconded. Motion passed 3-0.***

**Building Maintenance Plan – 2007**

Town Hall - \$75,000 was approved

Brickwork/repair mortar joints, improvement in signage, room divider in auditorium, Commercial stove will need attention, interior painting (can wait). Charlie was asked to get updated price on the stove and when we do a paving project to include the walkway which involves ripping it out and resurfacing.

Town Garage – \$5,000 approved

John and Lennie to paint and do minor repair here and there. Since it will be replaced in the future, the Board chose not to sink a lot of time and money in it but recognizes that upkeep must be done.

Library – \$ 15,000 approved

Go forward with ADA compliance bathroom – Charlie to get updated quote.

Selectman O'Reilly mentioned to the BOS that he asked the Conservation Commission if they would like to get involved with the landscaping at the Library

Old Town Hall – \$ 3,000 approved

Charlie to look into plantation blinds/window treatment for pricing in auditorium on 2<sup>nd</sup> fl. Not enough money for stage curtain. Charlie to get sump pump. Regarding ramp and ice problem, the ramp will be reconfigured and a window/door will be switched off. A price is coming. Drip edge and crushed stone will be taken care of by Lenny.

Meeting House - \$60,000 approved

Charlie needs the construction drawings at about \$ 24,000 which includes recommendations for historical preservation whenever possible by a conservation architect. He feels he can get the construction drawings, support structure underneath including the stone work in the foundation. \$ 378,000 was slated for entire project over the course of years. LCIP application is on file at the State for possible grants. The steeple alone will be over \$ 40,000 itself. Charlie to move forward with Construction drawings.

Fire Station - \$ 10,000 approved

Shower going in on Monday from encumbered money.

Police Station - \$ 15,000 approved

Gutters/Gutter Guards, painting in process, but the land must be re-pitched and re-drained. Not landscaping.

Stone School - \$ 500 approved

For weatherproofing as needed

Old Parsonage - \$ 21,500 approved

Brickwork on chimney and exterior painting needs to be done. Mold growing on the inside. The security system/fire panel needs to be replaced. Charlie feels the bldg should be vented.

Fox Point - \$ 50,000 approved

Carriage House should have minor repairs done like to windows and doors. The Well House needs to be properly fixed. Rodent holes and roof repair. The Chicken Coop has some rot problems but would make good storage. Power is an issue too.

Mott House

Charlie met with Vermont Salvage and they indicated that there was really little there worth the trouble of salvaging. Another company was coming down to view this week. The Board wanted to be sure that the demo of the Mott House did not inhibit the wedding scheduled for July 28.

Rental House

Per Charlie, some windows need repair, cabinets, the bulkhead is leaking, counter top needs to be screwed down, plus we have resident woodchucks. Selectman O'Reilly suggested Charlie take the lead on this and get done what must. Chairman Stuart said she'd like to see Rick do some of the work. In the end, *Selectman Iocovozzi moved to make Jan the point person on this project and to work with Charlie and to approve the Hart Plumbing estimate in the amount of \$2,000. Selectman O'Reilly seconded and the motion passed 3-0.*

### **Northern Utility Road Work Permit – Texas Road House**

Request from Northern Utility for road way permit to dig up road – *Selectman Iocovozzi moved to approve pending the posting of a \$3,000 bond to be held for one year. Selectman O'Reilly seconded. Motion passed 3-0.* Charlie will bring forth an excavation sample ordinance. Road Agent Len Thomas was asked to check on the old cemetery in that area.

### **Landscaping at Old Town Hall**

Gail Pare, Chairman of the HDC brought forth a tentative plan to the Selectmen asking to move forward with the tree purchase – utilizing the \$500.00 landscaping donation given to the town last year. Selectman Iocovozzi suggested that the rectangle gardens should be dug and prepped prior to the trees going in and offered to have Len Thomas dig it if they would stake it out. Gail had concerns about maintaining the garden but the Board suggested she move forward and that they would see to it that the garden was cared for. Town would provide the loam.

Gail also mentioned that it would be very nice to have the overhead utilities buried in front of the Meeting House and Library someday. Selectman O'Reilly said it couldn't be done this year but would bear it in mind next year during the budgeting season.

### **Mosquito Treatment**

In a letter from Municipal Pest Control, it was so noted that treatment would begin on May 14 and that trapping would be June through October.

### **Nimble Hill Drainage – S.W.A.M.P.**

Mike Morrison of S.W.A.M.P. passed out a plan containing three phases for the Board to consider. Phase I would be placing sediment controls, removing sediment along 315 linear feet of ditch along Nimble Hill, re-establish ditch substrate, slopes and bankings, place erosion fabric on substrate and banking, place rep rap on substrate and banking, construct culvert inflow and outflow basins, Install 24" culvert for ditch crossing. \$ 15,380

Phase II would be mow vegetation with hydraulic mower and low ground pressure 3 times then remove vegetation mulch after each mowing. \$ 5,610

Phase III would be done in the next calendar year after it is budgeted for at the cost of \$ 38,680. The Board agreed that the first two phases could be achievable this year. After we hear from the DES on whether or not we need a permit for stump removal, then PACE will be called to do that work and Mike Morrison to be notified also. Jim Noseworthy was concerned about the stagnant water with mosquitoes. Mike intends to larvacide that area and adds that once the flow runs properly, a good flow will control that. Mike would like to see a subterranean ditch placed there. It's always going to be wet in that area due to a spring. Maybe the sentiment can be placed in that area then loamed over and graded. (between the tree line and phragmites)

*Selectman O'Reilly moved to proceed with phase I and II not to exceed \$20,990 for both. Selectman Iocovozzi seconded. Motion passed 3-0.*

Mike will call Dig Safe and may drop by and speak to Larry and Jim.

### **Len Thomas – Road Agent**

Len asked the Board to consider funding for the painting of the frame for the old big truck for Arch equipment to sandblast and repaint which would be approx \$ 4,000 stern to stern and inside body. Selectman Iocovozzi felt we should wait as he felt maybe we could get another year out of it. Then we could budget for it next year and maybe even consider refurbishing the entire truck.

Selectman O'Reilly asked Len to take a good look at it and if there is an immediate need, we can see how the money is lasting come the fall and decide at that point.

Len asked if the Town could utilize Dick Rines to pick up branches, etc behind library. The ok was giving as Mr. Rines is authorized to work for the town.

Len mentioned that he picked up a new flag for Patterson Ln.

The slabs of wood from the Town Forest need to be moved from the Mott House and placed in the cattle section of the Carriage House before the Mott is demolished.

The School bus parked at the Town Garage must be moved immediately due to liability. Len will speak to the driver to get it out of there.

Len will address the former off ramp at Woodbury and Patterson in an effort to stop misc vehicles from travel over that area.

Chairman Stuart mentioned that Dave Sweeney called and suggested that the Highway Dept carry clip boards in the trucks so that when they spot a dead tree that could be a hazard, to make note of it for the Board. There is an area across from Rollie Beane's place and a row by the Lamson's that could present a problem. They are on private property but are leaning over the road. Beatrice will contact the NHMA and ask if it is the Town's responsibility or the owner's to remove. Len will show the Beane tree on a map to Bea so that she can contact the State. Next year, it was suggested we create a line that addresses road side tree problems and fund it adequately.

#### **Town Facilities Use Requests:**

Piscataqua River Brass May 20 & June 10 2-5:30 Town Hall Audi

Seacoast Striders – Town Hall & Kit - July 14 - 8:30 am – 4:30pm subject to fee

Celiac Spru May 17 Town Hall Audi 5:30-8pm

T Hourihan Family – Grove- All Day Aug 4 – and OTH bathrooms

Spinney Picnic Aug 25 12 to 7pm Grove and OTH bathrooms

Soccer Camp Aug 13 – 17 Field and Grove

Thermo May 5 TH audi 10am-11am subject to fee

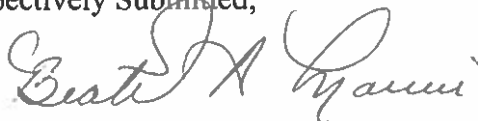
The above requests were approved with a motion from Selectman O'Reilly and a second by Selectman Iocovozzi - passed 3-0.

#### **Old Business**

Edwards & Kelcey – Dennis Hebert – tabled until the next meeting - May 7

***Selectman O'Reilly moved to adjourn at 8:40pm followed by a second by Selectman Iocovozzi. Motion passed 3-0.***

Respectively Submitted,



Beatrice Marconi – Administrative Assistant

**Newington Board of Selectmen  
Meeting Minutes**

*Approved 6/4/07*

**May 7, 2007  
Newington Town Hall  
6:30 p.m.**

**In Attendance:** Chairman Jan Stuart, Selectman Jack O'Reilly, Town Administrative Assistant Beatrice Marconi, Dennis Hebert, Barbara McDonald, Gail Pare, Rick Stern, Selectman Cosmas Iocovozzi, (@7:10 pm), Charles Smart, (@7:18 pm), Doreen Stern (@7:42 pm), Tom Dunn from the Local Government Center, Wil Corcoran and Jean Bowser.

**Pledge of Allegiance**

**LGC Presentation**

Tom Dunn of LGC gave a presentation of their benefits offered. The town carries LGC's property liability insurance (June 08 contract end) and our health and dental programs. Tom explained that our net expenditures, number of employees, asset values and experience mode all affect our costs. LGC has package pricing – We have 2 of 3: 2% discount for liability; 27% discount for workers compensation; Health Dental – no discount. Tom encouraged participation in classes offered by the LGC most of them are free. Population and equalized value determines LGC Annual Membership costs. Beatrice was asked to work with Mr. Dunn in an effort to possibly get our workman's comp from the LGC if it will be a savings.

**Wil Corcoran - Assessing**

RE: Letter from DRA urging towns to have multiple contracts covering multiple levels of assessing. Wil explained DRA requires a contract to be on file in Concord.

Wil went on to say that the letter dated 4/19/07 from the DRA is a reaction from Wil's contract. He feels the DRA doesn't clearly understand the process as a whole. There is no update this year. As far as their suggestions, it would cost the town more. Wil explained about collection of data i.e.: Marinas, deep water sales, tank farms and felt the DRA thought that this collection was part of an update. The DRA hopes that the suggested contracts would cover separate parts for data collection, cost analysis, etc. Jack asked if we should reply – Wil says no – just sign contract and send in. They are merely meeting their statutory requirements by sending recommendations. Mr. Corcoran's contract will be placed on the next agenda.

**Edwards & Kelcey Engineering – Dennis Hebert**

Dennis Hebert spoke – Wilcox came before the P.B. indicating the expansion of Shattuck to Gosling would be beneficial. Jack said once work starts, PSNH is committed to around \$625,000 kick in to this project to be paid over the course of 15 years or so. This letter from Edwards and Kelsey was just getting an estimate for information only on the Engineering costs for that phase of that project.

**Old Town Hall Landscaping**

Gail Pare spoke of needing a flag for the pole by the cannons. Gail would like it up by Memorial Day. Gail will get measurements for Bea. Regarding Old Town Hall landscaping, the HDC voted to plant two trees at this point but would like our Road Agent to dig the holes. They have marked out the location. As far as long term plans, they will be bringing forth a recommended plan by Nancy Clauvette to dig two 18' beds. 18" of dirt would be removed and loam to be brought in for a base. This will be ground level. (dug down). She would like an HDC person on site when it is dug.

36' x 8' wide and 18" deep. Selectmen's budget would pay for the loam. Jan mentioned the day lilies are available for removal at Mott House before it is demolished. Selectman Iocovozzi felt the digging should be done prior to the trees being placed in the beds. He suggested Dig safe come down to mark the site for underground lines. Dig, dump loam, level and anything left goes to cemetery. HDC will need a hose to run from OTH to planting area as they want to ensure care is given to the plants. The Selectmen assured HDC that the plants would be cared for. Cos says get hose from school as he left some there. Board says HDC should get a reel box for the hose. Charles says take the handle off the spickett. Cos suggested we get manure for base – Cos will get in touch with Smittie. Len is on board and will dig the beds. A check in the amount of \$500 came in last year from Walmart dedicated to HDC specifically for the landscaping at Old Town Hall. HDC is meeting Thursday to explain to HDC's Board what is going on with flower bed. HDC will let us know if there is a problem. Wood chips – (behind O.T.H.) will be utilized for the top.

#### **Rick Stern-Hydro Seeding at Cemetery**

The Cemetery Committee is having hydro seeding done. Rick will have some seed left over and thought perhaps the Library could best use it. The base soil at the library is gravel. Front of building - on both sides of the walk way is where Rick would like to have sprayed. Cos felt we need loam for it to grow, and then it needs to be watered and cared for. Cost for cemetery is \$250.00. In conclusion, Beatrice was asked to contact the Library Trustees to see if they could meet before their regularly scheduled monthly meeting (with a Selectmen's rep) to talk about the landscaping in front of the library which would include grass, grade and hydro seeding. Gail added that perhaps the Friends of the Library could care for the grass.

Rick asked if the town would consider putting up a get well message for Cliff Abbott on the sign in front of Fire Department. Jan felt if you do it for one – you have to do it for all. Jack says maybe a well wish in the newsletter – a welcome home card or flowers.

#### **Community Board**

Charlie's memo regarding repair of message board in front of Fire Department.– cheap one \$630.00 good quality \$745.00. New entire unit would be around \$1700.00.

***Selectman O'Reilly moved to go forward and not to exceed \$800.00 to cover board and weather sealing for a good quality board. Selectman Iocovozzi seconded the motion. Motion passed 3-0***

#### **Demo of Mott House**

Danley demo proposal was at \$15.000 Kidder Building and Wrecking came in at \$29,375.

Both companies asked for an environmental analysis to ensure there is no asbestos. We will need to bring in fill to level off. Jan stated we really should know what will be built/renovated before we even begin. Gail wants what bricks she can get for the HDC. DPW is too busy to remove bricks, per the Board, but will make a truck available if the HDC wants them. Will give HDC a two week notice before demo begins. Chairman Stuart wants a public hearing or survey to feel the town out on potential construction. No salvage company has any interest – two were contacted, per Charlie. Cos says if we are in tidal buffer, we need silt barriers and it is town's responsibility to fence off. Will be Town's responsibility to grade off. Lumber has to come out before bricks can be taken. Rick Stern will take interim pictures. Charlie will let them in. ***Selectman O'Reilly moved to accept Danley bid for demo not to exceed 15.000. Selectman Iocovozzi seconded. Motion passed 3-0. Selectman O'Reilly moved to approve minutes of April 23 and April 30. Selectman Iocovozzi seconded. 3-0 motion passed.***

#### **Coalition Correspondence**

Dated May 3, an e-mail from the Coalition states that we could be subject to donor town status again unless a constitutional amendment is passed. They suggest the Selectmen write a letter showing Newington supports targeted aid. (CACR 18 to Members of the House Finance

Committee) Selectman O'Reilly stated because of the timeline, directly after the meeting the Administrative Assistant draw up said letter for the Board to sign prior to leaving this evening.

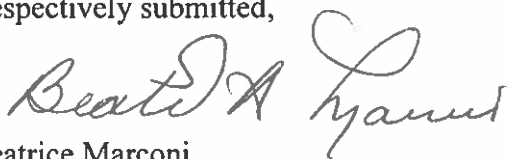
**Town Facilities Use Applications:**

- Historical Society 5/23/07 – Old Town Hall - ***Selectmen O'Reilly moved to approve waive fee Selectman Iocovozzi seconded. Motion passed 3-0.*** Selectman O'Reilly suggested that and town agencies not have to go before the Selectman for approval. Selectman Iocovozzi said it is a way the Board tracks usage.
- May 14,18,21,25,28,June 1,4,8 Yoga Classes OTH 2<sup>nd</sup> fl – 9am-10am – ***Selectman O'Reilly moved to approve pending being a Rec sponsored event. Selectman Iocovozzi seconded. Motion passed 3-0.***
- DAV Grove Area and OTH bathrooms July 8 – 8am-3pm ***Selectman O'Reilly moved to approve with Selectman Iocovozzi seconding. Motion passed 3-0.***

Barbara McDonald asked the Board if a decision had come to pass on the Current Use penalty for property bought by the PDA. The Board answered by stating that a meeting was scheduled with the PDA and the attorneys were now debating this issue. The first piece was waived. The second piece (7.11 acres) has not been settled.

Selectman O'Reilly moved to adjourn at 8:25pm with Selectman Iocovozzi seconding. Motion passed 3-0.

Respectively submitted,



Beatrice Marconi  
Administrative Assistant

**Board of Selectmen Meeting Minutes**  
**Monday, May 14, 2007**  
**Town Hall 6:30pm**

**Meeting with PDA Representatives**

Chairman Jan Stuart opened the meeting at 6:30pm.

Present: Chairman Stuart, Selectmen Cosmas Iocovozzi & Jack O'Reilly, Justin Richardson of the Conservation Commission, Administrative Assistant Beatrice Marconi, Planner Tom Morgan, Representing the PDA were Art Nickless, Lynn Hinchee and Executive Director Dick Green.

Art Nickless spoke of hopes of opening up communications between the PDA and the Town of Newington and referred to a letter written by the Selectmen dated February 22, 2007. He did recognize the fact that communication was intentionally halted to a certain degree between the Town's attorney and the PDA but noted that it was their intention to not only establish an open line but to be a good neighbor from this point forward.

Selectman O'Reilly spoke of a few items written into the Town Forest deed that the Board felt were not necessary nor related to the transfer. For example, reference to mineral rights. Attorney Hinchee stated that because of FAA requirements, this verbiage had to be written in due to Federal involvement. The PDA had and will have no intentions of mining or excavating the town forest. Thus, this issue is *resolved* with both parties acknowledging the reasons the deed refers to the minerals.

Selectman O'Reilly spoke of the portion of the deed which refers to land use regulations and controls of Newington Pease land managed by the PDA. Mr. Nickless stated that he agreed with it having little to do with the town forest however did state that there was an issue of a 15 year old on going land use law suit that he would like to see resolved whereas apparently RSA 12G gives Pease the right to have Newington's Planning Board enforcing the PDA's rules on land regulations. It has not been brought to court and gets postponed every 2 years. Newington's plea is that if the PDA had control of the land use regulations, it would be outside the law with how the rest of Newington is treated and proves inconsistent with our Master Plan. Mr. Nickless asked the Selectmen what their intentions were. Lynn Hinchee says the suit challenges the PDA's ability to establish land use controls for land that is located at Pease yet falls in Newington, so here, where the PDA is giving up a state asset, even though it is not a developable asset the issue was - is it appropriate to do that without getting the acknowledgment that the PDA's land use controls prevail so that the PDA will not end up with additional litigation in the future. Art goes on to say that the PDA instituted the voluntary noise requirements which Newington agreed would be a reasonable thing to do and the issue was dropped, however, the suit was never dropped.

Selectman O'Reilly stated that the Town was not arguing the PDA control of airport land but why was it in the deed?

Justin Richardson mentioned an issue that generated confusion on his part, for example was this provision in the deed intended to say that Newington's land use controls wouldn't apply to any property that the PDA acquired subsequently because as he (Justin) read RSA 12G, 12 G was intended to apply to the property that was deeded by the Air Force or what ever agency it was. Lynn answered by saying that 12 G applied to any property acquired by public benefit conveyance



for airport purposes regardless of the time it was acquired, and we (the PDA) can continue to acquire property....Justin then refers to the Khalsa property and Lynn states that this property is not being acquired by means of public benefit, therefore does not fall under the PDA wishes for land use controls. Lynn also adds that the Federal controls preempt all regulations and the PDA are subject to them. Justin clarifies by stating that he fears the Town has no control of what provisions you (the PDA) might use to acquire land in the future so we (the Town) are a little concerned that maybe by degree the PDA could expand and we start to lose control over parts of the town that are pretty close to residential areas. Lynn says, though, if you read the language, page 3 paragraph C it was intended, and does in fact state that the Newington Town Forest constitutes airport property under RSA Chapter 12-G and accordingly, remains subject to all land use controls of the grantor, now existing or hereafter. She said if the town transfers this property to others, they too will be subject to the town's land use regulations and you are letting them know. Both Justin and Jack went on to comment asking about the words stating that the grantee acknowledges that grantee's land use controls do not apply to any other airport property of grantor located at the trade port as defined in RSA 12 G whether such airport property is owned by Grantor or others. Lynn responded by saying that airport property is land acquired by public benefit conveyance and the PDA cannot increase by statute or change property without the consent of the community. Art then states that this statute would protect the town as the PDA wouldn't be allowed to put this property under the airport falling under the rules of acquisition via public benefit unless it first came to the town. Justin said he accepted that explanation (with more thought needed) but still took issue as to the fact that he felt the town is being asked to evaluate if we wanted the town forest or the prime wet lands. Jack concurred and added he couldn't quite fathom why the whole rest of Pease was incorporated in the deed. Art agreed with Jack and stated he would rather the PDA and Selectmen talk about this as a separate item. Lynn said that after multiple conversations about this issue she has yet to hear why by leaving that statement there, it hurts the town. Jack said still he didn't feel it right in the deed as the PDA was trying to use the land use/wetland control suit against the forest deed to get to the town to solve an unrelated battle.

Justin said on another issue, the PDA wetland's management plan has been held out as the land use control of the PDA inventory, but as he understood it, it was essentially a document the PDA or its consultants prepared but its never been through any type of a legal process. After reviewing all the regulations, Justin found the word wet land was only contained in the document twice, as he as seen some projects come through with the development coming right up to the borders of the wetlands at the same time, finding reports such as the Phase II Clean Water Act and Storm Water Management Issues saying 40% of our watershed are somewhat impervious and the legislation is studying why the siltation is increasing in the Piscataqua & Great Bay and looking at our entire town, we find the PDA is not playing by the same guidelines as everyone else is in the industrial/commercial areas. So there is a real nervousness on the Conservation Commission and possibly the Planning Board as well as the BOS. Lynn stated that this concern was not accurate. Only about ½ acre in all has been filled at Pease. Art went on to say that he personally felt Newington's wetland requirements are a model and that the PDA too hires consultants to make recommendations to protect the wetlands and their buffers.

Tom said he personally doubted that the PDA wetlands management plans are the proper way to regulate wetlands and said that that type of regulation belongs in the zoning ordinance. He said every community in the State has it as part of the zoning ordinance. Lynn said that no one is obligated to place it in the zoning ordinance, it was their choice. Tom felt that 12G set forth certain criteria which included an aggrieved process that specified they go to a zoning board. He said for sure some day a lawyer will test their process. Lynn disagreed and feels that with the set backs by the PDA sitting at the land lords review of the concept plan, no one can challenge that and that the

PDA can just simply say *we don't like your plan*. From a challenge stand point, she said the PDA had absolute discretion and governmental authority to make that decision and it doesn't come down to a land use, so the PDA has more power in the land lord capacity to get what they want (and they do in many instances); for example, open space has a much stricter standard as well as landscaping and parking lot requirements. It is a board policy decision which they are entitled to enforce.

Justin responds by asking Lynn if she now understood why that *absolute power* and use of the land lord role as a mechanism to control whether wetlands are protected or not terrifies the Conservation Commission and the Town of Newington as it now is pretty much in the absolute discretion of the PDA. Art then said if the Town would feel more comfortable with the PDA putting this in the zoning ordinance, he would be willing to talk about that. He suggested the parties make a list of things and get them resolved. Tom said then does this mean that if the law suit disappears, then our list of concerns may disappear? Art said we can come to an agreement of that....absolutely.

The Board will meet with their counsel, Malcolm McNeil, discuss this 15 year law suit then meet with the PDA.

Jack asked for clarity and stated 'the grantee acknowledges our land use controls do not apply to other airport property located as defined by RSA 12G. That in fact is true, right? Justin stated that that statement excludes prime wetlands.

Lynn said that our counsel suggested (Ransom for the Conservation Commission who reviewed the Town Forest deed), if PDA wants to get this resolved, the PDA can sue the town, however Lynn says the PDA does not want to take that route. So what they did was to follow their administrative process which was to get an opinion from the AG office on their statutes leaving it so that the PDA is now comfortable saying they were not following those rules and if Newington wishes to challenge, they (the Town) will have to be the ones to bring forth action. Lynn goes on by saying that in order to resolve it all, (and you've mentioned that you want the PDA to put its wetlands in zoning) but the fact is is that it's really not enough for you. You also want the jurisdiction. Tom said that whether PDA puts it in zoning or not is really PDA's affair and sooner or later someone is going to call you on it and Newington is not the ones who are going to be sued. Lynn then asked 'If the PDA does put the wetlands management plan under zoning, (which Lynn agrees is a more traditional location for handling it) does that then mean that Newington will then drop their claim that you have jurisdiction to send Pease property into prime wet lands status?' Justin asked 'are you saying that if the PDA wanted on its own accord to designate those wetlands as prime wet lands we withdraw our nomination of those wet lands?' Lynn said no, she didn't say that. Art said this wasn't the issue and felt we should stop arguing about who was going to establish land use controls at Pease.

Art said the Town should get rid of that 15 year old law suit, then the town and the PDA will come to some sort of agreement on this wet lands issue. The only difference on that project mentioned earlier (and 100' was the buffer) was a detention pond, which all parties agreed upon. Tom said that after talking to Dori Wiggin of the DES, she stated she had nothing to do with that project. And Art said Tom was correct. It was withdrawn. Town had no problem with it. He (the developer) left because the channeling was too costly and did not pursue it. (as designed).

Selectman O'Reilly said the Town would consult with Attorney McNeil on the suit.

Selectman Iocovozzi asked what the law suit had to do with the Town forest. He wanted a clean deed and wanted the bull stopped. The PDA got our attention by adding all that in the deed. The Selectmen will then meet with the PDA again after consulting with town counsel.

Selectmen Iocovozzi then went on to ask the PDA reps why they didn't take the time to show up at any of the many public meetings held on the prime wetlands? None is the answer. He said you knew it was going to effect you and you chose not to show up. Lynn said no, the PDA did not know but she did have a conversation with Tom Morgan and Peg Lamson. Cos said it was open to the public. You were informed. You didn't show. Lynn said "even today, she might handle it exactly the same way because if someone sent me a notice that said they were going to submit this property at Pease to this and I don't think you have a right" I don't need to show up in my opinion. Cos disagreed and said if you were a good attorney, you are obligated to show. Lynn said she did review the map and certain areas with Tom and made comments and if he didn't bring this information back to the Selectmen, she wasn't at fault.

Lynn said one of the issues in a letter to the PDA from our counsel was dissatisfaction that this 80' ROW all of a sudden showed up in the deed and where did that come from as the Town had no knowledge. Lynn reminded the town of the 80' right of way issue – Arboretum Drive – shown in the 1988 map signed for the Municipal Services Agreement, and that it had to be so noted. It is a PDA ROW. Justin stated that the Celestica plans did not depict this 80' ROW. With the future development with the north ramp, the PDA is reserving this ROW for future plans. They are holding it in it's entirety as that is how it was established. Protecting it for the future, not that anything is planned right now, but in the future, at least it is protected. Lynn asked why no one called, rather than send a letter. Art interceded by saying that this is why we are here now. To get the issues before us all. Perhaps we can put some language in there that talks about the reduction in the future of this ROW. Lynn said to do this, we would have to include the City of Portsmouth as now they too have an interest. The FAA brought the 80' ROW issue to light and from there, it was so noted in the deed.

Chairman Stuart questioned the communication between the PDA and the Town with our reps. Peg Lamson was out of Town. Lynn mentioned that the fact she is on the Conservation Commission, she excuses herself really more than need be and it should just be in instances where a pecuniary interest might be perceived. But when she votes on issues involving prime wet lands at Pease, that is when she should step down from voting. Perhaps better guidance could be offered to our PDA reps so that they don't feel compelled to step down on many issues. Although stepping down on some issues, she does approach members individually but not at the in-session board level.

Art asked Selectmen Iocovozzi the following question. 'If someone came to you wanting to buy a piece of property and you said heck, you don't have to pay for it, we'll give it to you, yet that same guy had a law suit against you, wouldn't you want to get the law suit resolved prior to transferring the land?' Cos said we'll look into the suit and we'll meet again with you but is still troubled with not having a clean deed.

Justin said he heard, having to do with 12G two things he is confused with those being -the airport property is fixed and does not move forward without a municipal services agreement-the other thing he has heard was that if and when the Khalsa property gets acquired then that becomes PDA property that through which the prime wetlands doesn't apply. Art responded by stating that the Khalsa piece is coming to the PDA not through public benefit transfer - so we can agree on anything you want to agree upon. The Municipal Services Agreement applies to everything acquired through Public Benefit Transfer for Airport Property. This Khalsa piece is not subject to our land use regulations. Lynn explained that where the town's zoning may permit development of that property, because the Federal regulations prohibit non compatible uses in the runway protection

zone and within the 65 DBL we can't develop that property nor ever can-even if your zoning permits it.

Jack summarized the meeting by saying: the 80' ROW issue has now been resolved as you explained it was an FAA issue for you to list it in the deed. We are down to the wetlands regulation clause in the deed and the Town will be meeting with Malcolm and Simone on this issue. The mineral rights issue has been resolved.

Chairman Stuart added by stating that her observation was that many of these concerns stemmed around personalities rather than the issues themselves. Town trust vs. PDA trust and what are we going to do about it? Per Art. He adds by saying that the PDA is committed in transferring that forest to the town.

Justin asked if there was any opportunity for the Conservation Commission to step in and protect the wetlands on the other Khalsa property which houses turtles and other species and wondered if the PDA would consider either selling the mineral rights or them buying a conservation easement. Although not looking for the decision today, he hopes that this request will be kept in mind if and when it could be considered. Lynn said that they could not make that decision unilaterally and that the decision would have to go through the FAA. Justin recognized that to be true. Lynn went on to say that that particular sale was not looking real strong at the moment. The appraisal that the town got was having a hard time getting another confirming appraisal with those numbers. The P&S expired and their chance for a grant is now gone because of the federal standards. Lynn also says a difficulty that the PDA is having with the numbers is that Wil Corcoran is not a certified licensed appraiser and used general standards rather than yellow book federal law standards which are different.

Chairman Stuart concluded by agreeing we are all on the same page and that the Board is willing to work on getting all concerns settled. Dick Green brought up the Khalsa property current use penalty and spoke of the division of the land at the town's request to consider. The first piece penalty, according to Selectman O'Reilly was waived. If the PDA acquires the 7.11 acres, then the penalty on that site is in force and not waived. Dick Green then said that the PDA had hopes of buying the entire parcel of 16 acres but split it after the Town mentioned they may have an interest in a portion of it. He went on to say that if the PDA hadn't split it, no penalty at all would have been discussed as it was over 10 acres. Cos reminded the PDA of the \$50,000 waived penalty on the first site. Paragraph C will be brought back to the PDA board for discussion on its deletion (with counsel).

The two groups hope to meet once again in the next month.

Selectman O'Reilly moved to adjourn at 7:40pm. Selectman Iocovozzi seconded. Motion passed 3-0.

Respectively Submitted

Beatrice Marconi  
Administrative Assistant  
Newington, NH

Board of Selectmen's Meeting Minutes

May 21, 2007

Town Hall 6:00pm

Chairman Jan Stuart called the meeting to order at 6:15pm.

**Present:** Chairman Stuart, Selectmen Cosmas Iocovozzi and Jack O'Reilly, and Administrative Assistant Beatrice Marconi, Craig Daigle and Barbara McDonald at 7:00pm ish

**Selectman O'Reilly moved to go into non public at 6:16 pm under RSA 91-A:3, II (d) Property. Selectman Iocovozzi seconded. On a roll call vote, the motion passed 3-0.**

**Selectman O'Reilly moved to come out of non public; Selectman Iocovozzi seconded and on a roll call vote, motion passed 3-0. No votes taken**

The public portion reconvened at 6:45pm

**Transfer Station Hours -- Craig Daigle**

Chairman Stuart mentioned that she had had a few calls on the new Transfer Station hours. Town Hall had two the first week, one last week and one this week. Lorna Watson expressed interest through Town Hall in filling in every other Saturday when it is closed. Craig said he got a lot of positive feed back. He will conduct a survey of transfer station goers to see what they like. The Board asked that Ms. Watson be thanked but because occasional lifting is needed and the fact that Craig will be conducting a survey, the transfer station will be having the same hours at least for another month.

**Former Cruisers going out to Bid**

The Selectmen agreed that the Fire Chief's old car be bid out and he take the current administrative vehicle as a replacement. His department is to take off the Newington stickers/paint. The 2 cruisers being retired from Police Dept patrol will go to replace the ACO car and Town Admin car. The 2 vehicles being sold will be the former ACO car and former fire car.

**Fire Truck Donation**

Selectman Iocovozzi was going to check with Mr. Pelkey of Rotary International in an effort to find out the departure date of the fire truck.

**Paving**

Selectman Iocovozzi said there is a problem on McIntyre near the bridge. Captain's Landing has CMP pipe issues. Altus is putting Brickyard back out to bid and suggests the Chairman do a letter requesting Altus to get the ball rolling. Cos will get a price to fix McIntyre and bring back to Board for consideration. There may be some funds in culverts.

**Rain Scape 3 year Contract**

The Town was asked to sign a waiver of the 3 year warranty if we are going to have our staff do the spring set up and fall shut down. Selectman Iocovozzi suggested the Board keep Rain Scape until the warranty runs out. It cost \$150 in spring and \$150 in fall to start and shut down and that keeps the warranty active. Board decided to keep Rain Scape.

### **YMCA Contract**

*Selectman Jack O'Reilly moved to approve the Y's contract. Seconded by Cosmas Iocovozzi. Motion passed 3-0.* The Administrative Assistant was reminded to cut a check for half the amount projected to be due.

### **Special Events Application**

Town Fair Tire had a request for a July 8 car show on their lot. *Selectman O'Reilly moved to approve; Selectman Iocovozzi seconded. Motion passed 3-0.*

### **Conservation Commission Appointment**

*Selectman O'Reilly moved to appoint Michelle Lozuaway to the Conservation Commission. Selectman Iocovozzi seconded. Motion passed 3-0.* Term to expire March 2008.

### **Town Facilities Use Application**

Holly Spinney – Sept 6 2008 – Fox Point – Wedding – Approved – No fee  
Troop 343 – Gail Klanchesser – Tues/Thurs – Sept thru June 08 – OTH 2<sup>nd</sup> fl – Approved – no fee  
Newington School Supporters – Old Town Hall & Grove – Aug 29 - 5pm-8pm – BBQ – Approved-no fee  
Great Bay National Wildlife Refuge Public Meeting – June 19 – Town Hall Audi – 10am – Noon – Approved  
Piscataqua River Brass – Town Hall Audi – July 29 and Aug 5 – Rehearsal & Cookout - Approved no fee  
BTLA Hearing – Sept 11 – Derochmont Room – Approved no fee

### **Fox Point Lease Issues**

*Selectman O'Reilly moved to appoint the chair to handle the rental of the Fox Point property. Selectman Iocovozzi seconded. Motion passed 3-0*

### **Merit Pay**

*Selectman O'Reilly moved to grant the Administrative Assistant a merit bonus of \$ 1,000. Selectman Iocovozzi seconded with the motion passing 3-0.*

### **No Parking on Nimble Hill (near Exxon)**

The Selectmen were concerned at the length of time that has passed since they contacted D.O.T. about the safety risk of large trucks parking on Nimble Hill at the Exxon entrance. They would like the Planner to expedite this request and considered bringing this issue to the Highway Safety Committee.

Barbara McDonald asked the Board how the meeting went with the PDA on the Town Forest. Selectman O'Reilly explained that the Town was going to meet with counsel and again with the PDA.

*Selectman O'Reilly moved to adjourn at 7:45pm. Selectman Iocovozzi seconded and the motion passed 3-0.*

Respectively Submitted,

Beatrice Marconi  
Administrative Assistant

**Newington Board of Selectmen's Meeting Minutes**  
**Monday, June 4, 2007**  
**Town Hall 5:45pm**

*Chairman Jan Stuart called the meeting to order at 5:50pm.*

*Present:* Jan Stuart, Selectman Jack O'Reilly, Administrative Assistant Beatrice Marconi, Town Counsel Malcolm McNeil and Simone Masse, Justin Richardson of the Conservation Commission at 6:08pm, Planner Tom Morgan at 6:00pm and Selectman Cosmas Iocovozzi at 6:02pm.

*Selectman O'Reilly moved to go into non public with Counsel and under RSA 91-A:3, II (e) litigation. Chairman Jan Stuart seconded and passed on a roll call vote 2-0.*

*Selectman O'Reilly moved to come out of non public at 6:35pm. Selectman Iocovozzi seconded and on a roll call vote, motion passed 3-0. Selectman O'Reilly then moved to seal the minutes, received a second from Selectman Iocovozzi and the motion to seal passed 3-0 on a roll call vote. NO VOTES TAKEN*

*The Chair called for a 5 minute recess then called the meeting back into session at 6:40pm with the Pledge of Allegiance following.*

*Present* in the Public session (in addition to the Selectman & AA) were Gail Pare and John Lamson of the HDC, Road Agent Len Thomas and Dot Noseworthy representing the Trustees of the Library.

*Selectman O'Reilly moved to approve the minutes of May 7, 14 and 21<sup>st</sup>. Selectman Iocovozzi seconded. Motion passed 3-0.*

**Library Drainage/Grounds**

It was so decided to address the Drip Edge Drainage issue first, which could be done by our Road Agent along with our Building Inspector. As far as the grass, we will get a price from C & R Perennials and get his recommendation as to how far to dig down and loam. Area was estimated to be width of building on both sides of walkway. Irrigation will be considered next budget year. Regarding the plantings recommendation forwarded by the Conservation Commission they too will be placed on file until 2008 budget considerations are discussed.

**Library Canopy**

The most important project at the Library per Dot Noseworthy (representing the Library Trustees) would be the canopy construction over the ramp. She will get a price from EJ Hoyt and will report back to the Board with design and costs.

**Meeting House LCHIP Grant**

The Meeting House restoration project has been on the State's LCHIP list of considerations for several years and this year it is coming before their board once again. Gail Pare passed out information and stated that she hoped the Selectmen could solicit support from groups using the facility in an effort to let the State know just how important this preservation is to so many people. John Lamson added that numbers in mass would indeed help. The grant would be for half of the cost of the project and on the paperwork, \$300,000 is listed for the cost. *Selectman O'Reilly moved to authorize the HDC to solicit money for the Meeting House LCHIP fund. Seconded by Selectmen Iocovozzi. Motion passed 3-0.*

**Correspondence**

Letter from the Historical Society Dated June 4, 2007 regarding the deRochemont House. *Selectman Iocovozzi moved to accept and sanction the Historical Society's efforts to raise money on behalf of preserving the legacy of Louis deRochemont. Seconded by Jack O'Reilly. Motion passed 3-0.* A letter responding to the Historical Society will be drafted in support.

### **Assessing Contract**

Because it looks like our projected budget and Corcoran's proposal is so close, the Board wishes to meet with Wil to discuss costs for services in 2007 for both his roll in assessing Newington and Sansoucy's.

### **Gift from Wilcox Industries**

In lieu of reimbursing the Town for engineering done for Wilcox Industries by West Environment, *Selectman Iocovozzi moved to accept a check in the amount of \$671.60 to be gifted to the Conservation Commission Land Acquisition Fund from Wilcox Industries. Seconded by Selectman O'Reilly. Motion passed 3-0.*

### **Sewer Commissioner Appointment**

*Selectman Iocovozzi moved to accept the appointment of Skip Cole to the Sewer Commission. Seconded by Selectman O'Reilly. Motion passed 3-0.*

### **Fox Point House Lease**

The Board of Selectmen signed a 1 year lease for the Fox Point House with James Heinz, Garrett Miller and Michael Magri.

Road Agent Len Thomas will be instructing the lessees on the operation of the mower. We do not have a roll bar currently. The Board asked the AA to call our insurance and ask if we are having a non-employee operate it and if there is no roll bar (as that is how it was purchased), then if the operator was to get injured, could the town be sued for negligence?

### **Fox Point Road**

On Fox Point Road, this side of Beane's Lane, we have a problem with the pavement that was created when the Portsmouth Water Department put in lines a while back. Selectman Iocovozzi will call Scott of Portsmouth Water Department and let him know of the issue.

### **Signs Missing – Old Post Road**

Chairman Stuart received word from a caller that the 'no trucks' signs were removed from Old Post Road. Selectman Iocovozzi explained that what was taken down was the frost heaves signs and weight limit signs and that was correct. Jan went on to say that large trucks were going into Ripleys and shipping in and out. Cos suggested the complainant write a letter to the Selectmen and would forward it to the Planning Board and if they chose to initiate a weight limit, the Board would entertain that thought if these trucks were causing a problem.

### **Opechee Construction Escrow**

At the suggestion of the Town Treasurer, the road excavation Opechee site was going to be checked out by Selectman Iocovozzi - as it was over a year old - to see if it was in good enough condition to release the funds.

### **DES Superfund 3**

At the suggestion of the Town Treasurer, the Selectmen looked at the balance owed of \$47,032 for pay off (admin fees and interest costs keep the principal high). Selectman O'Reilly stated that this should be discussed at budgeting time as the town didn't have \$47,000 planned for.

### **Drainage Issue – Hannah Ln/Nimble Hill**

Selectman Iocovozzi spoke with the State. They are willing to set up the engineering but will not pay for it. The Frink outlet needs to be addressed along with catch basin issues. State needs to talk to the Frink family.

Cos also said he spoke with Sandy from the State on someone in Div 6 telling the Administrative Assistant that Nimble Hill now belonged to Newington and that it no longer was that of the State. (last week). Selectman Iocovozzi explained about the process, the inspections, the public hearings needed. The Title Bureau is ready to roll on this.

Cos also received a price for work needed on McIntyre Road and a new price for the Brickyard project. He will continue to get prices.



### Highway Engineering

The Selectmen asked Beatrice Marconi to contact Altus Engineering for a price and suggested site plan. The Board hoped the building could move closer to the road and hoped that the design could be period or have a proper façade as it is in the Historical District. The Town can break it's own set back rules if need be. The Board also felt that perhaps consideration should be given to the site being raised to divert drainage. Gail Pare of the Historical District would appreciate it if they could be kept in the loop.

### GIS Amendment

With the latest configuration of exit 4, it was supported by the Planning Board to re-fly that area to include those road changes on our GIS system. The Planning Board said they will pay the \$2,400 this year to do so. *Selectman O'Reilly moved to accept this offer and project not to exceed \$2,400. Selectman Iocovozzi seconded. Motion passed 3-0.*

### MPO Re Designation of District Boundaries

Planner Tom Morgan explained that the redistricting is by county rather than by unit. He went on to say that the MPO only handles transportation projects and right now one of the districts consist of Rockingham & Strafford counties and they are contemplating splitting the two. Tom felt our voice may not have the strength if it splits. *Selectman Iocovozzi moved to table. Selectman O'Reilly seconded. Motion to table passed 3-0.*

### Town Facilities Use Applications

School Board Meeting – DeRochmont Room – **June 12** 8:30am – noon. *Approved Fee Waived*  
Newington School Play & Graduation – **June 7** 12 – 3; **June 8** 8:30-3; **June 11** 8:30-3; **June 12** 8:30am-9pm *Approved Fee Waived*  
NH Aquarium Soc – Ralph Estes – Oct 14 – TH Kit & Audi – All Day Auction/Meeting *Approved*

### Resignations – HDC

*Selectman O'Reilly moved to accept Rick Stern's and Cliff Abbott's letter of resignation from the HDC with regret. Seconded by Selectman Iocovozzi. Motion passed 3-0.*

### Ordinance

Beatrice will check to see if the City of Portsmouth has similar urination ordinances on their books that we could consider adapting to our needs.

Newsletter going out this week

Former cruisers going out to bid this week. (no minimum bid due to multiple vehicles and cond)

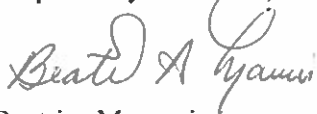
Fire Truck will be taken away by National Wrecker and placed in storage for Rotary International

### Misc

Chairman Stuart spoke of the Ship Yard Ambulance being out of service and Newington's being sent over to cover leaving our people to mutual aid. Selectman Iocovozzi suggested she speak with the Fire Board of Engineers.

Selectman O'Reilly moved to adjourn at 8:12. Selectman Iocovozzi seconded. Motion passed 3-0.

Respectively submitted,



Beatrice Marconi  
Administrative Assistant

**Newington Board of Selectmen  
Meeting Minutes – Monday  
June 18, 2007 6:30pm  
Town Hall**

Chairman Jan Stuart called the meeting to order at 6:30pm.

Present: Chairman Jan Stuart, Selectman Jack O'Reilly and Selectman Cosmas Iocovozzi, Administrative Assistant Beatrice Marconi, Eric Weintraub of Altus Engineering, Gail Pare-chair of the HDC, Jean Bowser and George Fletcher Town Treasurer.

Selectman O'Reilly moved to approve both the sealed and non-sealed minutes of June 4, 2007. This motion was seconded by Selectman Iocovozzi and the motion passed 3-0.

**Highway Garage Site Engineering**

The Board and Mr. Weintraub discussed the engineering needs of the highway garage site. Because it is in the Historical District and because the town forest is very close, the Selectman asked Eric to bear these two factors in mind. Door design must be wide enough for the plow trucks with wings. Eric will need a survey and a topo map. Selectman O'Reilly said we are a few years out yet until construction begins but would like something to present to the tax payers. Selectman Iocovozzi felt that the material (loam, gravel, sand, etc) could be stockpiled at the Transfer Station. The Board discussed the salt bin and that is when Eric suggested it be attached with a separator wall to handle spillage. 6 bays, a bath room, an office, a lay down area, ability to do minor repairs and occasional welding in garage. No oil changes. If squaring off of the lot is necessary, perhaps PDA may sell us a strip. George Fletcher also added that we should explore the benefit of positioning the building due south. Perhaps greenery out front, underground services. Selectman Iocovozzi is concerned that we may need a booster pump. Eric is to include a proposal on septic design as well. Eric will forward Scope of Proposal and bill as he goes. Dave Hislop will be contacted for a survey and topo map. He (Eric) will also prepare the documents for the Planning Board, and HDC when necessary. 2009 is the year the Town is due to buy its next truck.

**Brickyard & Gundalow Way**

Altus Engineering will re-bid the job out. This will be multi-phased as it has drainage problems as well. 1) Brickyard 2) Circle (plus drainage issues – sidewalks will be removed) 3) Access. If people want sidewalks, generally the association pays for them. Studies show that in these types of developments, sidewalks are not used in most instances. Eric feels mid August or Sept start date.

**Library – Grounds Keeping Proposal**

C & R proposal was for 2,200 sq ft of digging, screen loam, preparing the soil and grading & seed. \$ 3,460. After discussion about irrigation to be included, *Selectman Iocovozzi moved to table for 2008 budget considerations. Selectman O'Reilly seconded. Motion passed 3-0.* Selectman O'Reilly felt that the Selectmen should look at the library RSA which shows the Trustees are the agents for that building.

**Cruiser Bid Opening**

Asian Auto Services – 401-0391

1999 Crown Vic    2001 Crown Vic

\$932.00            \$1,232.00

Grace Quality used Cars – (215) 736-3334

\$558.00            \$1,258.00

*Selectman O'Reilly moved to accept the bids of Asian Auto Services. Selectman Iocovozzi seconded. Motion passed 3-0.*

**Pole License Request**

Public Service was asking for the licensing of 4 poles, however, only one was in Newington. *Selectman O'Reilly moved to authorize the Chair to sign the licensing when it comes in corrected. Seconded by Selectman Iocovozzi. Motion passed 3-0.*

**Air Pollution Mitigation Fund**

In a memo to Town Treasurer from the Planning Board, the PB asks for a partial release of funds. The Treasurer, George Fletcher wanted Selectmen approval prior to releasing any monies. *Selectman Jack O'Reilly moved to table until the Board could further speak with Dennis of the Planning Board and also wanted more information on Seacoast Commuter Options. Selectman Iocovozzi seconded. Motion passed 3-0.*

**Texas Road House Restaurant**

A letter dated June 7, 2007 from the Liquor Commission asks for comments regarding T R Hse request for a liquor license. *Selectman O'Reilly moved to take no action in contacting the State - seconded by Selectman Iocovozzi. Motion passed 3-0*

In separate correspondence from T R Hse, they ask if a permit is required for an occasional line dance by the staff. The Board had no issues with this request and felt that it did not fall under the ordinance dealing with public dances.

**Town Facilities Use Application**

Newington Hist Soc – Sat Sept 22 – 6am-3:00pm – Town Wide Yard Sale – OTH – Kit & 2<sup>nd</sup> fl (fee waived)

Thursday, 3-5:30pm – Girl Scouts – OTH 2<sup>nd</sup> fl - Sept – first week of June 08 (fee waived)

Oct 12 – 4:30-9:00pm – Marine Docents Square Dance – Nancy Cauvet (paid)

*Selectman Iocovozzi moved to approve, seconded by Selectman O'Reilly. Motion passed 3-0.*

**Urination & Defecation Town Ordinance**

'No person shall urinate or defecate in any public place or any private place which is readily visible from another private or public place, except in a facility intended for such activities'.

Upon conviction of such offense under this ordinance, the person shall be subject to the following penalties:

Fines: Minimum of \$ 50.00      Maximum of \$ 1,000

All penalties collected shall be forwarded to the Town of Newington.

*Selectman O'Reilly moved to accept this as a Town Ordinance. Selectman Iocovozzi seconded. Motion passed 3-0.*

**New Business**

Selectman Iocovozzi informed the Board that 8 loads of dirt were dropped on the Patterson Lane closed off ramp.

Selectman Iocovozzi informed the Board that he has been in contact with the State regarding their letter dated June 4 with the reclass of Nimble Hill and Shattuck. Matt Upton is working with Planner Tom Morgan. The engineers understand the process, however the title people are confused.

Selectman Iocovozzi informed the Board that he has visited the Beane Lane property twice and will pursue. When Charlie does go to the property, he should bring an engineer with him who specializes in identifying the problem.

**In Remembrance**

Beloved long time resident Lydia Frink was fondly remembered by each of the Selectmen at tonight's meeting. She died earlier this month. "A Newington 'treasure' has passed."

George Fletcher, Town Treasurer, handed out the Treasurer's report.

***Selectman O'Reilly moved to adjourn at 7:38pm. Selectman Iocovozzi seconded. Motion passed 3-0.***

Respectfully Submitted,

Beatrice Marconi  
Administrative Assistant

**Board of Selectmen Meeting Minutes**  
**Monday, July 9, 2007**  
**6:30 – Town Hall**

Chairman Jan Stuart moved to open the meeting at 6:35pm.

Present: Board of Selectmen – Jan Stuart, Cosmas Iocovozzi, Jack O'Reilly, Administrative Assistant – Beatrice Marconi, Building Inspector – Charlie Smart, Mike Goot of Fosters Daily Democrat, Gail & Jack Pare, Peg Lamson, Lorna Watson, Dick and Marie Rines, and friends and family of the Jack Mazeau.

The meeting opened up with kind words from Chairman Jan Stuart in remembering John, 'Jack' Mazeau who died July 2, 2000. The Pledge of Allegiance followed. A plaque was placed in his memory between the two flags on the lawn of Town Hall. Speaking on his past accomplishments, love for the community and country was Selectman O'Reilly, Peg Lamson, Gail Pare and son Mike Mazeau. Mr. Mazeau was a Pearl Harbor Survivor. At the end of the dedication, the meeting resumed in the DeRochmont Room.

Present: Board of Selectmen, Administrative Assistant, Building Inspector, Gail Pare of the HDC, Greg Harvelle of Wilcox Industries, Mr. Richard Talbout and Vaughan Richardson of Westinghouse, John Frink, Rick & Doreen Stern and Mike Goot of Fosters.

**Wilcox Industries Request for Temp. Storage of Soil on Town Land**

After a presentation from Mr. Harvelle of Wilcox Industries on the request of storing some soil on town owned property for approx. 8 weeks, *Selectman O'Reilly moved to approve their request for temporary storage of soil followed by a second from Selectman Iocovozzi. Motion carried 3-0*

**Westinghouse Request for Installation of Pole and Street Light within Town R.O.W.**

After a presentation from Mr. Richard Talbout and Vaughan Richardson of Westinghouse, *Selectman O'Reilly moved to approve their request for pole and street light placement within the Town's R.O.W. at Shattuck/Avery followed by a second from Selectman Iocovozzi. Motion carried 3-0.* Safety and visibility were the issues at hand. Charlie Smart added that this may be a situation we will visit again until the visibility problem is solved. Mr. Richardson added that any glare concerns should not be an issue for truckers. The light will be metered through Westinghouse and no local permits were needed. Selectman suggested the Town place pedestrian crosswalk signs if needed.

**Parking Lot Owned by PSNH**

Selectman Iocovozzi mentioned that there is an area there where a dirt strip is crossed to access the road, which should be a grass strip. He'll address this at another time as it is hurting the road. Mr. Talbout talked about the road settling that seems to be an issue. Selectman Iocovozzi said that it should be dug up to see what the problem is as we don't know if there is drainage or what. Chairman Stuart thought we should check on it from time to time.

**Mott Pond Discussion**

Chairman Stuart spoke of the heavy stench emanating from the pond. John Frink stated that the grate and cement around the boards should be replaced as it is in such deplorable shape at the present time. John suggested the pond be drained and the bottom cleaned to be rid of the algae. He mentioned floating pumps that generate oxygen to keep the water in a healthier state. Selectman Iocovozzi stated that a capital reserve fund had been established to address the culvert and road issues however perhaps that water integrity should be an element to consider as well. Selectman O'Reilly suggested we contact the UNH extension service as perhaps they may have staffing to assist us in analyzing our problem. Charlie Smart added that not only should we check the integrity

of the water but look at the damage the flooding did as well – maybe even consider a dry hydrant. Charlie will get some information on ponds both general and from Altus Engineering and pass it along to the Board. Selectman Iocovozzi stated that we will have time to build our capital reserve account and do the project right.

#### **Junk Yard Violation**

Both Chairman Stuart and Selectman O'Reilly hoped to proceed with seeking legal advice while Selectman Iocovozzi felt that quality of life issues work both ways. He said an engineer should be present to determine any problems with the septic. After much discussion between the Board and Code Enforcement Officer, *Selectman O'Reilly moved to go into non public at 7:32pm under RSA 91-A:3, II (c) reputation - seconded by Selectman Iocovozzi and on a roll call vote, motion passed 3-0.*

*At 7:45pm, Selectman O'Reilly moved to come out of non public – seconded by Selectman Iocovozzi, roll call motion passed 3-0. Selectman Iocovozzi moved to seal. Seconded by Selectman O'Reilly and on a roll call vote, motion passed 3-0. No votes taken.*

*Selectman O'Reilly moved to have our Code Enforcement Officer to consult with an attorney to bring advice back to the Board after reviewing the situation. Selectman Iocovozzi seconded and motion passed 3-0. Attorney Mulvey was recommended.*

#### **Local Government Center – Workman's Comp Proposal**

After analyzing the LGC's offering of a Workman's comp program through them, the Board still had questions on the Steven's Driving Certificate program and whether or not it was a mandate. Chairman Stuart will review the offering and weigh whether the change would be beneficial or not.

#### **Special Event's Permit**

*Selectman O'Reilly moved to approve the road race Sept 3 events at Pease and to donate check of \$ 25.00 application fee back to the St Charles Children's Home on behalf of the Town. Selectman Iocovozzi seconded. Motion passed 3-0.*

#### **Land Use Tax Change Abatement Request**

Tide Creek Realty Investments/Khalsa filed an application request for relief from the Land Use Tax Change for land known as 23/08-3 7.11 acres on Little Bay Road. At the advice of Town Counsel, *Selectman O'Reilly moved to table followed by a second from Selectman Iocovozzi.* With an offer from our Conservation Commission for an easement to the PDA in their interest to purchase this site, the Town was advised to table for the time being. *Motion passed 3-0.*

#### **Shattuck Way/Nimble Hill Turn Over from the State to the Town of Newington**

Rick Stern mentioned that he felt this move will be extremely expensive to the Town and will forward his concerns in writing. A site walk from the Pease gate to just past Rockingham Electric is scheduled for July 14. Meet at Town Hall at 10:00. The Engineer from the State (Ralph Sanderson), the Planning Board, the Conservation Commission, Len Thomas our Road Agent, Planner Tom Morgan and the Selectmen are anticipated to participate. A cruiser will accompany.

*(Tom will bring the Donuts and Coffee.)* A public hearing is slated for July 23 to discuss the classification of these two throughways the State is turning over to the Town.

#### **Brickyard and Gundalow Bidding Packet**

*Selectman O'Reilly moved to authorize the Chairman to sign necessary Altus Engineering documents to proceed with this project. Selectman Iocovozzi seconded. Motion passed 3-0.*

**Town Facility Use Applications:**

Yoga Tues 5:30-6:30 and Fri 9:am-10-am OTH thru Sept – Rec Sponsored

Great Bay Wildlife Ref – July 19 - 10am-Noon – Town Hall Audi – Jim Reynolds

NH DOT- Town Hall Audi - 6pm- 10pm – Transportation Meeting – Advisory Task Force July 26

OTH 2<sup>nd</sup> fl – 10am-6pm – Bridal Shower – Hislop – August 26 – Paid

*Selectman O'Reilly moved to approve the above requests and waive fee on the first 3. Selectman Iocovozzi seconded. Motion passed 3-0.*

**Corcoran Contract**

*Selectman O'Reilly moved to sign the Corcoran Assessing contract for 2007 in the amount of \$ 56,000. Seconded by Selectman Iocovozzi. Motion passed 3-0*

**Highway Garage Engineering Contract**

*Selectman O'Reilly moved to approve the Altus Engineering contract for the Highway Garage comprising of Task I and Task II not to exceed \$ 20,000. Seconded by Selectman Iocovozzi with motion passing 3-0. Selectman Iocovozzi moved to authorize the chair to sign the necessary documents on behalf of the Board. Selectman O'Reilly seconded. Motion passed 3-0*

**New Business**

**Transfer Station schedule** – The Selectmen discussed the problem at the Transfer Station on Saturday, July 9<sup>th</sup> regarding it not being open as the town schedule indicated. It was opened up at 11:00 by Cliff Abbott. The Administrative Assistant will get in touch with Mr. Daigle to ensure that his hours of operation as the same as reflected. A notice 'sorry for mix-up' should be posted in a few areas in town.

**LCHIP Grant Papers** – Gail Pare of the Historic District Commission asked the Board to set aside some time on the 14<sup>th</sup> to move to authorize a Selectman to sign on the Board's behalf to proceed with the application for this grant. The Selectmen wanted to see sample Stewardship easements so that they better understand the commitment for this purpose. Gail will forward samples for review. *Selectman O'Reilly moved to table the signing until they have had time to read Stewardship sample. Selectman Iocovozzi seconded. Motion passed 3-0*

**Letter from Edna Mosher re: Headstone at Cemetery** – Rick Stern of the Cemetery Committee will contact Edna after reviewing the situation. The problem is is that the Gove headstone is on the Henley lot and this happened many years ago. The Board felt that issues pertaining to the Cemetery must be handled by the Trustees per RSA. Rick will keep the Board advised.

*Selectman O'Reilly moved to adjourn at 8:39pm Seconded by Selectman Iocovozzi. Motion passed 3-0.*

Respectively Submitted,

Beatrice Marconi  
Administrative Assistant

**Board of Selectmen's Meeting Minutes**  
**Saturday, July 14, 2007**  
**Site Walk – Nimble & Shattuck**  
**10:00 am**

Chairman Jan Stuart opened the meeting at 10:10am for the site walk of Nimble Hill Road and Shattuck Way.

Present: Chairman Stuart, Selectmen Iocovozzi and O'Reilly, Gail Klanchesser of the Planning Board, Justin Richardson of the Conservation Commission, Tom Morgan-Planner, and Ralph Sanders D.O.T. Engineer.

At 12:20 the walk ended and a punch list given to Mr. Sanders.

- 1) Clean Catch Basins on Shattuck
- 2) Re stripe Shattuck and Nimble Hill Road
- 3) Move guard rail back on Nimble Hill Road/Gravel or Hot top Sidewalk
- 4) Address erosion by Cemetery
- 5) Town requests Paper-work & as built on Shattuck Way  
And Out Flow on Bloody Point

At 12:55pm, the meeting was adjourned.

Cosmas Iocovozzi



**Newington Board of Selectmen  
Minutes – July 23, 2007  
Town Hall – 6:30 pm  
Public Hearing – Shattuck Way and Nimble Hill Road**

Chairman Jan Stuart called the meeting to order at 6:30pm and declared the public hearing open on the following:

*The Selectmen of the Town of Newington have received notice from the Commissioner of the New Hampshire Department of Transportation, pursuant to RSA 228:36, that the Commissioner has reassigned portions of Nimble Hill Road and Shattuck Way as Class V highways. In accordance with RSA 230:57, the Selectmen are holding a public hearing on July 23, 2007, at 6:30 PM at the Newington Town Offices to consider the action taken by the Commissioner of the New Hampshire Department of Transportation.*

Present: Chairman Jan Stuart, Selectman Cosmas Iocovozzi, Administrative Assistant Beatrice Marconi, Building Inspector Charlie Smart, D.O.T. Engineer Ralph Sanders, Chris Cross, Justin Richardson (Chr) of the Conservation Commission; Cliff Abbott, Vincent Frank, Jack Pare, Dennis Hebert, Tom Babotas and Mike Marconi – Planning Board Members; Irving Beebe, Barbara McDonald, Chris Bellmare, Rick and Doreen Stern, George Fletcher (7:15pm), and Dorothy Watson (7:54pm).

Selectman Iocovozzi gave an overview of the history on just what brought us to where we are today. Three or four years ago, the Board asked the Town if they could negotiate Nimble Hill Road in an effort to control vehicular traffic in anticipation of the gate opening up to Pease. With the Elementary School on that route and the former summer program as well, the Town wanted say in setting parameters on what can and can't travel that route, the speed, the weight, etc. especially because it is a main vein in and out of town. The State invited the Selectmen to Concord to hear their thoughts. The Selectmen wanted the road to be brought up to a Class A road which encompassed proper drainage, correct amount of hot top, etc. At that time the State offered to create a two way pass, now known as Shattuck Way which originally was not part of the deal. According to Ralph Sanders, that portion of the project cost over \$ 4,000,000 and Nimble Hill was just over \$ 300,000 (upgrade). Because the town did not have the ownership needed at the time to have had Shattuck go all the way to Gosling, this traffic plan we have now was agreed upon by our Planning Board and State. The new flow worked out as safer travel.

Chairman Stuart brought up the check list of items that came as a result of the site walk held Saturday, July 14 and stated that until those items are addressed, she would not be happy accepting the Roads.

- 1) Re-stripe Nimble Hill Road. - Bureau of Traffic will complete – per Ralph Sanders
- 2) Move guardrail back at box culvert stations 400+50 to 500+00 Rt. to accommodate a shoulder for pedestrian traffic. District Construction Engineer Karen Gola spoke with Tom Morgan regarding this request - Ralph Sanders stated that it is unfortunate it was not discussed during the design process. The job is closed out and it was built to plan. Ralph will get a price from the contractor and report back. Justin Richardson reconfirmed the danger for a near incident he had just recently there with a child on a bike.
- 3) Replace delineator at station 504+00 Rt. Patrol 606 completed 7-18-07 per Ralph.
- 4) Clean catch basins on Shattuck Way. Ralph will supply documentation that they have been cleaned.
- 5) Erect End DOT Maintenance signs at the intersection of Shattuck Way & Nimble Hill Road station 505 + 50 and the intersection of Shattuck Way and the north bound on and off ramps. Station 745 + 50.

- 6) Place more erosion stone on the swale next to the Newington cemetery. Patrol 606 completed 7-18-07.
- 7) Copy of the as built plans for the Shattuck Way project to the Town of Newington. Karen Gola will forward a set as soon as the project is processed through engineering audit.
- 8) Copy of the wetland permit for Shattuck Way - will be forwarded to Justin Richardson per Ralph Sanders.

Vincent Frank stated that the catch basins contained hazardous waste coming off the road and that the large mounds across from the Stern residence was laced with cyanide. He went on to comment that the larger trucks could slide due to the Shattuck configuration. The lighting, combined with fog and speed present dangerous travel.

Selectman Iocovozzi went on to say that the Town has no jurisdiction over the Pease gate, however can implement weight limits that can restrict heavy vehicular traffic on Nimble. Chairman Stuart said that her fear is that if we did accept the road, imposed limits of any kind that may displease the State, they could just as easily turn around and take the road back. Selectman Iocovozzi agreed, but said it would be a long process with hearings, Legislature votes, etc.

Irv Beebe is concerned with speed and cut through traffic.

Nimble Hill Road is a Class II highway per Ralph.

Chairman Stuart noted that during the site walk, the group spoke of the installation of flashing lights. Selectman Iocovozzi commented by saying that this could be a consideration for the future. Dennis Hebert asked Ralph about the design load to which Ralph responded he wasn't sure but did note that there are no limits on it now. Selectman Iocovozzi said that in the design, it was stated to be built to handle the heavy trucks. Ralph said once it becomes ours, we can post the weight/speed to our desire.

Barbara McDonald asked if the Planning Board voted to accept the road and Dennis Hebert said that the Planning Board has nothing to do with the acceptance of this road. Barbara spoke of lack of hydrants, proper lighting, intersection lighting, etc. as stipulated in our ordinance book and asked the Selectmen if they had intensions of asking for these requirements. Selectman Iocovozzi answered no. Generally, says Chris Cross, when the Planning Board does get involved, those regulations are addressing a road built by a developer, a new road, in hopes of turning it over to the town once this project is complete. This particular re-class/acceptance process we are discussing this evening constitutes a different set of regulations-other than what is in our ordinance book. If the Town had built this, it would have cost us \$4,000,000, says Selectman Iocovozzi, and look at the other benefits too like safety, easy access, flow, etc. It's for our people and businesses. At \$1,800 per mile per year (1.52 miles) the cost will be minimal compared to what we have gained. (The State calculated \$1,400 per mile for that stretch). Sand, salt, mow = \$1,800 p/mile. Cos went on to say that it didn't have to go to a Town vote as he said the people voted the Board to negotiate years ago. Chairman Stuart felt it should go before the people and questioned Selectman Iocovozzi's calculations. She felt new hires on a permanent basis will be needed to maintain and plow as it must be opened at all times. Chairman Stuart said the costs will be extremely high. When the sidewalk plowing was questioned, Ralph stated that if the town chooses not to plow, then so be it. There was no requirement stating that if one exists, it must be cleared in the winter. Selectman Stuart spoke of this unfunded mandate and stated she and Cos were not on the same page. Selectman Iocovozzi mentioned the truck we just bought in anticipation of gaining the road. Selectman Iocovozzi said this road will be ours, we can't say no to the State, however Selectman

Stuart said Dover said no to the State and they backed down. Justin Richardson said you don't want to sue the State. It will be *extremely* costly. Chris Cross said that access to the transportation network is one of the things we, as a town must provide. We are receiving revenue basically because of this improvement. It is attracting commercial and industrial businesses, which we benefit from. Chris felt that once the other bridge is attached, lighting will be installed because then of its length.

Is this a mandate? (asks the Board) If we do not accept the roads will it revert to us anyways? Would it revert to the abutters? (asks Justin Richardson) Was the site walk and this public hearing unnecessary? If State abandons, what then if we do not react? It is the Legislature pushing this, not the State.

Irv Beebe asked if this acceptance would be all or nothing and Selectman Iocovozzi answered it is all or nothing as we can't pick and choose portions to accept.

Barbara McDonald was concerned that the same action could take place on S. Newington Road. She went on to say that she found four Town Meetings whereas via Town vote roads were accepted and she asked that in this circumstance, the people be given the same opportunity. Chairman Stuart said she would encourage that, however Selectman Iocovozzi said that the situation changed when during a Town Meeting the Selectmen were given the authority to accept roads. To change that rule, it would have to go back to the people. Chairman Stuart still felt differently.

Doreen Stern says a lot of the area is an off ramp – not a town road. She felt it will be expensive and loud with the Jake brakes, speed, as it is such a large curve. More patrols will add to costs as well. Chairman Stuart said if we want more patrols in that direct area, we could be looking at hiring another officer, over the two we have during the day on patrol.

Selectman Iocovozzi said as we get closer to the extension of Shattuck to Gosling, the situation will change once again due to the traffic being afforded yet another travel option.

Nimble Hill Road is an easement road. The property owner's line goes to the center line. Justin asked again, what if the easement is abandoned. Now the property owners own to the center line? Selectman Iocovozzi had no answer.

Chairman Stuart wanted a more concise answer to the question 'do we have to acquire – and what if we don't want to/is it automatic. Do we have a choice?' When asked what is next step for the Town, Chairman Stuart felt she personally would prefer another public hearing and also a town vote.

Selectman Iocovozzi said he was unhappy with the new Legislature rulings on roads and the Title Bureau as the waters were clouded when they got involved.

Another benefit, should the Town gain ownership of Nimble Hill Road/Shattuck Way is that the driveway cut decisions then become those of the Town's wishes.

As it was left, Selectman Iocovozzi said the Town needed clarification on whether the State was abandoning these roads – and if so, would we not need a town vote or would it automatically come to us. No titles have been forwarded.

Ralph Sanders said the best he knew, it had gone through the Legislature and had to go one more time for formal approval. Once they vote on that, it soon becomes town owned. This started several years ago when a problem in another community happened with the State upgrading a road for a

Town then after the fact, the Town refused it. To end cases like this, the State enacted legislation to prevent this from happening that declared that after the completion of the project, it was so written so that the Town does not have a choice.

Selectman Iocovozzi stated that after Mike Burrige left the State, the legislature adopted these changes. Mike helped delay the process by tying both the Shattuck Way project with Nimble Hill. The problem is that we are dealing with the title bureau and it is difficult to get information. Ralph says this is an act. They must comply. An act of the legislature.

Chairman Stuart states she finds this frustrating due to the process they went through such as the site walk, public hearing, and what is the point in going to a Town vote if, in fact, it is not a debatable issue?

Selectman Iocovozzi said, we still do need a few answers, however our site walk, our public hearing and our punch list was necessary. The Legislature has certain requirements once the process begins. Chairman Stuart stated that those that came out deserve an answer as to whether another public hearing should be scheduled and should the Town vote on it and she went on record as saying yes, both should occur. Maybe Mr. O'Leary from DOT should come down here. Barbara McDonald felt the situation was a bit convoluted.

Ralph Sanders asked the Board to look at the paragraph in the letter dated June 4 which indicates this issue was discussed on several occasions and that previously, the town agreed that upon completion of the project, the road would be turned over to the Town. The letter stated that as of June 14, the State would no longer be maintaining these road areas.

Chris Bellmare suggested the Board write an official letter to the State indicating that until the entire punch list items are addressed, the Town will not accept the June 14 turn over. Issues may hang out there and without a formal response, perhaps nothing will get done.

The guard rail is the biggest issue in Selectmen Iocovozzi's mind as agreed upon by Chairman Stuart. She went on to say that at some point we must stand up and say no, it is unacceptable. Selectman Iocovozzi was concerned about the box culvert cover and whether or not there was enough soil to push the rail back.

Barbara McDonald asked if the Board should contact our Representatives on our concerns.

Selectman Iocovozzi said that up until these improvements, people used to go around Greenland to get on to the Spaulding. This is a key part of the Town. Nimble is our main street bringing our facilities together.

Barbara McDonald stated that she felt there were back room deals going on between Selectman Iocovozzi and the State after listening to him promote the concept. Selectman Iocovozzi responded by saying that he has found in life that those people who think this way - live this way themselves.

At 7:59pm, the public hearing was closed, however a continuation of the subject will occur once the needed information is gathered. It will be reposted. At 8:00 the meeting came to a close and was adjourned.

Respectively Submitted,  
Beatrice Marconi  
Administrative Assistant

**Board of Selectmen's Meeting Minutes**  
**Monday, August 6, 2007**  
**Town Hall**

In the absence of Chairman Jan Stuart, Selectman Cosmas Iocovozzi opened the meeting at 6:30pm and began with the Pledge of Allegiance.

Present were: Selectmen Cosmas Iocovozzi and Jack O'Reilly, Administrative Assistant Beatrice Marconi, Road Agent Len Thomas, Chairman Gail Pare of the Historical District Commission, Jack Pare, Trustee of the Library Dot Noseworthy and Craig Daigle-Transfer Station Attendant.

All unapproved minutes were tabled until the full Board could meet.

**Town Forest Rough Cut Boards**

The Historic District Commission only wants a few pieces of the oak but expressed they have little need for the stack. The Selectmen decided to let it stay in the Carriage House at this time but would eventually entertain the idea of selling what couldn't be used in either the Meeting House or Carriage Shed.

**Card Board Hopper Costs – Transfer Station Fall Hours**

*Selectman Jack O'Reilly moved to authorize a 30 yard hopper being brought to the Transfer Station at the earliest convenience for Card Board deposit. Location to be determined by the Transfer Attendant. Seconded by Selectman Iocovozzi.*

Craig felt that once the card board is taken out of the bins where it has not been folded before being placed, it will give us more room for other items. Card Board must be collapsed. It is \$ 185 per haul. Zero for tipping and \$50.00 p/mo for rental. Mr. Daigle will get a new lock and will distribute a series of keys. He will leave a note for Waste Management and Tire people. Regarding DES course for Craig, Selectman Iocovozzi felt he should bring someone as an assistant. Beatrice will notify Waste Management of the 30 yard hopper. *Motion Passed on a roll call vote 2-0.*

Selectman Iocovozzi spoke of the hoppers at the Town Garage and the co-mingling going on and the costs affiliated with it. The people in Town seem to enjoy the convenience of being able to recycle at will, however with the separating, we may have to put these hoppers eventually at the Transfer Station. The Administrative Assistant was asked to put information in the next newsletter as to what is allowed and what will happen if mixing continues. Regarding the posting of the fall and winter transfer station hours, Craig was concerned about the daylight hours and felt staying open til 8:00pm on Thurs and Fridays could present a safety problem as the fall grows near. He will think about it and forward an E-mail to Beatrice.

**Tidal Power Generation Feasibility Commission**

*As laid out in HB 694, Chapter 222:1 – Laws of 2007, Selectman Jack O'Reilly moved to appoint Jack Pare to serve on this State Commission as Newington's representative. Selectman Iocovozzi seconded. Mr. Pare will keep both the Planning Board and Selectmen informed. The motion passed 2-0.*

**Canopy over Ramp at Library**

*Selectman O'Reilly moved to accept the bid from Coastal Remodeling (EJ Hoyt) for the construction of a canopy over the landing at the Library not to exceed \$4,402.00.*

**Selectman Iocovozzi seconded.** Trustee Dot Noseworthy presented prices and sketch from EJ Hoyt. In comparing the prices from last year, Mr. Hoyt was very reasonable. Maldini will do the electrical and we can have someone on staff paint. **Motion passed 2-0.** Ms. Noseworthy will contact Mr. Hoyt and send him in to speak with the Administrative Assistant for paperwork.

#### **Acoustic Experiments at Fox Point**

In a letter from Michelle Weirathmueller, a graduate of UNH center for Coastal and Ocean Mapping, came a request to place a transducer on the pier at Fox Point to measure sound below the surface. During the week of August 6 she would like permission to go to Fox Point and measure the readings. Beatrice is to get the license plate information and inform the Police Department of her activity. **Selectman O'Reilly moved to approve the study with Selectman Iocovozzi seconding.** Beatrice is to see if she could get a UNH tag for her car. **Motion passed 2-0.**

#### **Facilities Use Application Requests**

Thermo – Aug 1 – 9:30am -12:00 – Meeting – Town Hall Auditorium (subject to fee)  
Ruth Fletcher – Border Patrol Test – Oct 16 – 8:30am -1:30 - Town Hall Auditorium  
Link – Fox Point – 1:00pm – 7:00pm - Anniversary Party  
UNH Marine Docents – Dec 13 – Town Hall Kit & Audi – 9am 4pm  
Piscataqua River Brass – Sept 9 – 2pm-6pm – rehearsal – Town Hall Auditorium  
Sept Fest – Sept 15 – Fox Point – Set Up & Festival  
Red Cross Fund Raiser – TH Audi – Aug 19 - 10am – 4:pm - Gospel Brunch  
deRochemont Rm – Historical Soc – Aug 22 – 4:00 pm

**Selectman O'Reilly moved to approve the above requests with no fee or fee waived (Thermo subject to fee).** **Selectman Iocovozzi seconded.** **Motion passed 2-0.**

#### **Loam for Mott House Site**

Selectman O'Reilly informed Road Agent Len Thomas that if there was more loam needed at the former Mott House site that we had money in the Warrant Article Demo Fund. Regarding seeding, Len was to ask the Cemetery Committee if they still intended to hydro seed and if they had excess, to spread it on that site. On August 1, the Mott House was raised.

#### **Nimble Hill Road Drainage Sludge**

Roger of S.W.A.M.P. informed Len Thomas that the initial sludge they were taking from one area to be spread in another area would not work as it was goopy and too organic to take to the soil. Upon discussion with our Road Agent, the Board gave their approval to place this sludge at the transfer station. Len will continue to work with Roger.

#### **Hose System Request for Old Town Hall**

Gail Pare asked the Board if she could purchase a rubber 'road-hose bumper' so that the hose is protected when cars drive over it. It will be on a timer. Board decided to let them drive over the hose and replace when damaged.

**Grubb Problem at Town Hall**

Beatrice got a Grubb treatment price from the Lawn Dawgs. \$48.95 to treat directly or \$192.00 to do the whole lawn at Town Hall. The Selectmen said for \$ 192 lets do the entire yard.

**Mott's Pond Water**

Jack Pare asked if the Board would consider dropping the water level in the winter so that the debris will freeze killing some bacteria as they did in other communities with lakes. The Board was not sure if we could do that but felt it was a worthy consideration. Jack added that the debris could be released into the bay. Cos said that an engineer should analyze what should be done, what could be done.

**Hodgdon Farm Ln Crack Sealing**

In a letter from Mark Phillips, the Board was asked to look into sealing as a temporary fix of Hodgdon Farm. Selectman Iocovozzi said we don't seal any more.

**Shattuck Way**

Selectman Iocovozzi said we have to expect that we have to keep an eye on this road because it was built in a swamp and moves. It will take a while before it sets in its soils. Steel grates are far too expensive.

**Shattuck Extension**

When asked when that project would proceed to connect Gosling, Selectman Iocovozzi said it will happen, we just can't pin point when. More than likely, we'll have to bond and we'll have to have another public hearing on the matter.

**Nimble Hill / Shattuck Way Acceptance**

Still working on the punch list. Charlie Smart got a price from a contractor to move the guard rail for approx. \$ 7,000. Road Striping has to happen too. Regarding a tilting sign on Nimble Hill Road, Selectman Iocovozzi suggested Len go out and straighten it for safety reasons plus an area higher up on Nimble had to be trimmed back immediately by Len as there was a blind spot and very dangerous.

**Bike Path**

Len Thomas was asked to take his sickle bar and trim our area along the Bike Path.

**Weeding Around Town Hall**

Len will get someone to do the pocket gardens (weed and mulch) around Town Hall.

*Selectman O'Reilly moved to adjourn at 7:22pm. Seconded by Selectman Iocovozzi. So moved 2-0.*

Respectively Submitted,

Beatrice Marconi  
Administrative Assistant

**Board of Selectmen's Meeting Minutes**  
**Monday, August 20, 2007**  
**6:30pm Town Hall**

Appr 9/4/07

Chairman Jan Stuart opened the meeting at 6:31pm with the Pledge of Allegiance following thereafter.

**Present:** Chairman Jan Stuart, Selectmen Cosmas Iocovozzi and Jack O'Reilly, Administrative Assistant Beatrice Marconi and Fire Chief Roy Greenleaf.

**Fire Department Kitchen Improvement Purchases**

Fire Chief Greenleaf presented the Board with pictures of miscellaneous items and projects he would like to have done to the building. Stainless steel gas stove, a new microwave oven, a set of pots and pans, a new counter top and plumbing for a dishwasher, which was a gift. The Board did not have a problem with these items and affiliated costs other than a caution on the septic load that the dishwasher may cause. *Selectman Iocovozzi moved to give the Home Depot card to the Chief for purchases needed not to exceed \$2,500.00. Selectman O'Reilly seconded and the motion passed 3-0.*

**Mutual Aid**

Chairman Stuart questioned the Mutual Aid Agreement and asked if when called to fill in, was it a requirement for our equipment and staff to sit in another communities' station for coverage or could they be on call in our own station as she was very concerned with our residents being put at risk by not having the needed emergency personnel or apparatus in town. The Chief said we were covered at all times, even when at the Kittery Maine Navy Yard as Portsmouth was only minutes away at Pease. She objected covering station duties sometimes in length of 6 or more hours. Being first on the call card to cover the Navy Yard was confusing as Portsmouth is so close. The Chief said Mutual Aid goes from Maine to parts in Massachusetts. It wasn't the participation in the program that was troublesome; it was the baby sitting of the stations without equal coverage in our own town. Chairman Stuart said this was very unfair to our tax payers. She strongly suggested that the Chief call our men and equipment back immediately as the Selectmen did not want this responsibility on their shoulders, it would be his. Selectman Iocovozzi said the Chief should look at the agreement and see if we could cover needed scene emergencies, eliminating station coverages but be on call here in town. The Chief said if the Board gives the order, he will bring it to the Mutual Aid co-operative. The Selectmen directed the AA to draft up a document for the Chief to present to the Mutual aid participants.

**Brickyard Bid Award**

*Selectman O'Reilly moved to award the Brickyard project to North Hampton Excavating in the amount not to exceed \$94,200.00. Selectman Iocovozzi seconded.* Chairman Stuart asked about the reputation of this company and Selectman Iocovozzi agreed with the Altus recommendation to accept them. Altus will send notice of awards out and will get insurance information for the job. *Motion passed 3-0. Selectman Iocovozzi moved to set up a contingency for change orders in an amount not to exceed \$10,000.00. Selectman O'Reilly seconded and the motion passed 3-0*



**Shattuck Way/Nimble Hill Road Acceptance Continuance of Discussion at Public Hearing Held July 23**

Chairman Stuart announced that the continuance will occur Tuesday, September 4th at 6:30 at Town Hall with the vote following. It will be re-posted.

**Greenway Bike Path**

Selectman O'Reilly mentioned that he read in the local paper about a GreenWay Bike Path project from Calais Maine to Key West Florida supported by SABR – which Jack will follow up on to see if our bike path is part of the overall Greenway Path which may eventually have funds available.

**Khalsa Land Use Tax Change Abatement Request**

Linda Khalsa wrote the Board a letter (attached) requesting support of TideCreek's request for relief from the current use penalty on the 7.11 acres of land that the Town did not buy. *Selectman O'Reilly moved to accept and place on file and stated a copy of this letter is with our attorney. Selectman Iocovozzi seconded. Motion passed 3-0.*

**Opeeche Escrow Release – Shattuck Way**

*Selectman O'Reilly moved to release the bond held for work on Shattuck. Selectman Iocovozzi seconded with the motion passing 3-0.*

**Town Facility Use Applications:**

Smile to Smile Sept 29 – TH Kitchen – Baking Pies for Soup Kitchens – Dianne Scott

Smile to Smile Nov 10 – OTH 2<sup>nd</sup> fl – Organizational Meeting – 1-3pm

Fire Fighters International Luncheon Fund Raiser- Grove & Bathrooms OTH – Noon-4

Celiac Spru – Sept 20 – 5:30-8:30pm - TH Auditorium

Great Bay Coast Watch – Dinner/Meeting - TH Audi & Kit – Aug 29 4pm-9:30

*Selectman O'Reilly moved to approve the above requests with the fees waived. Selectman Iocovozzi seconded with the motion passing 3-0.*

**Town Garage Bldg - Paint**

Selectman Iocovozzi stated that Len and John should throw a coat of paint on the Town Garage Building.

**New Business:**

**Fox Point Dock Policy for Boats**

Because the dock is not being used for its intent with 13 boats down there currently, the Board decided a written policy was in order to correct the problem. With five large boats tied up, Chairman Stuart could see the potential harm with crushing the dingys by the heavier vessels. The boats have been there for prolonged periods of time. This dock is not intended to be a private slip for boat owners. It was intended for tie up of dingy's only for owners that have moorings just off of Fox Point that needed tendering to and from their vessel.

**Policy 09-08      Fox Point Dock Regulations**

*"It shall be the policy of the Town to allow only 8' dingys and under in length to tie up to the dock to be used solely as a method to get to their mooring located just off of Fox Point unless otherwise being granted written permission from the Newington Board of Selectmen.*

*Neither the Town nor the Selectmen are responsible for any theft or damages of goods or property at Fox Point.*

*Any violation of this policy could result in the vessel being towed and stored at the owner's expense."*

The Selectmen asked the AA to get some signage down there and to notify those boat owners who we know to remove their craft immediately. ***Selectman O'Reilly moved to accept the above policy effective immediately. Selectman Iocovozzi seconded. Motion passed 3-0*** after a brief discussion on maximum size.

***The Board then voted Rick Stern in as Dock Master 3-0.*** (moved by Jack O'Reilly, seconded by Cosmas Iocovozzi)

Selectman O'Reilly moved to adjourn at 8:21pm. Seconded by Selectman Iocovozzi. Motion passed 3-0.

Respectively Submitted,

Beatrice Marconi  
Administrative Assistant

**Board of Selectmen Meeting Minutes  
Tuesday, September 4, 2007  
6:00PM Town Hall**

*Approved 9/17/07*

Chairman Jan Stuart called the meeting to order at 6:05pm.

Present: Chairman Jan Stuart, Selectman O'Reilly, Charlie Smart of Code Enforcement, Beatrice Marconi Administrative Assistant, Selectman Cosmas Iocovozzi (at 6:07pm)

*Selectman O'Reilly moved to go into non public under RSA 91-A:3, II (e) Litigation.  
Chairman Stuart seconded with the motion passing under a roll call vote 2-0. (Cos arrives).*

*Selectman O'Reilly moved to close the non-public. Selectman Iocovozzi seconded and on a roll call vote, motion passed 3-0. No Votes taken.*

*Selectman O'Reilly moved to seal the minutes. Selectman Iocovozzi seconded and on a roll call vote the motion passed 3-0.*

***Pledge of Allegiance***

Present: Chairman Stuart, Selectmen O'Reilly and Iocovozzi, Jim Noseworthy, AA-Beatrice Marconi, Charlie Smart-Code Enforcement Officer, Len Thomas-Road Agent, Gail Pare, John Frink and Rick & Doreen Stern at 7:18pm.

*Selectman O'Reilly moved to alter the Dig Safe clause with tent companies in setting up at Fox Point stating that if the tent is being put up in the same vicinity each time, Dig Safe does not have to check the area as there are no active utilities. Selectman Iocovozzi seconded. So moved 3-0.*

Jim Noseworthy of Nimble Hill Road commented on the drainage project recently completed by SWAMP stating that it was done professionally and neat. The Administrative Assistant was to contact Mr. Larry Wahl and ask if his concerns with the water on his side were addressed satisfactorily regarding erosion and rock placement.

*Selectman O'Reilly moved to accept the minutes of August 20, 2007. Seconded by Selectman Iocovozzi – motion passed 3-0.*

*Selectman O'Reilly moved to re-appoint Charlie Smart as Health Officer with Selectman Iocovozzi seconding. Motion passed 3-0. (3 year term)*

**Chairman Stuart opened the public hearing at 6:58pm on the acceptance of Shattuck Way and Nimble Hill Road which was a continuance of the July 23 Public Hearing dialog on the same topic.**

*The Selectmen of the Town of Newington have received notice from the Commissioner of the New Hampshire Department of Transportation, pursuant to RSA 228:36, that the Commissioner has reassigned portions of Nimble Hill Road and Shattuck Way as Class V highways. In accordance with RSA 230:57, the Selectmen are holding a public hearing on September 4, 2007, at 6:30 PM at the Newington Town Offices to consider the action taken by the Commissioner of the New Hampshire Department of Transportation. This is a continuance of the public hearing held July 23, 2007.*

The public hearing remained open with no immediate speakers while other items were taken up.

### **Coleman Drive Paving Project**

Code Enforcement Officer, Charlie Smart spoke of the grade and elevation concerns with this area also touching on the cross drains, old culvert system and proximity of some of the dwellings in relationship to the road. Selectman Iocovozzi asked about the swales and the dropping of the road.

Charlie felt it would cause a hump on one side and a bump on the other. Chairman Stuart stated that perhaps engineering should be done. Selectman O'Reilly said we had \$30,000 earmarked for the paving and what ever may be left over from the Brickyard project. Charlie will seek out a surveyor to shoot the grades and elevations to help the contractor. Also, this job should have a bond posted.

Selectman O'Reilly said if this proves to be bigger than anticipated, to do it right perhaps we should address the drainage this year and encumber the left over funds for an '08 paving.

The Board felt Charlie's spec sheet was good and stated the basic engineering work should be done by the paver. Charlie said we should have another spec sheet for a contractor for swale work and grades.

John Frink asked about Marconi's property and stated that a grade adjustment may be necessary along with a pipe under his driveway.

Charlie will make adjustments to his spec sheet and contact Hislop. Jim Noseworthy and Selectman Stuart briefly spoke of a very deep pond in that area which could turn out to be a vernal pool. Charlie added that in the future we should consider contacting the owners in the drain area and seek permission to open up the flow to the bay.

The Chair asked Road Agent Len Thomas for his input. He stated that he has discussed most of these issues and agreed with the actions tonight.

***Selectman O'Reilly moved to give Charlie Smart the lead on this by contacting a surveyor to shoot the grades and to adjust the paving specs where necessary. Selectman Iocovozzi seconded. Motion passed 3-0.***

### **WalkWay Paving Project**

Bricks and bushes (by the walkway lights) were to be removed by our Highway Department. Loam & seed will be brought in where the bricks are to be taken out. Brick will be piled at Transfer Station. The Board reviewed specs drawn by Charlie Smart. Will go out to bid.

A truss ell will be placed along the stone line to conceal the generator when in the lobby. (not part of paving project)

### **New Town Hall Sign**

***Selectman O'Reilly moved to approve the Reedy sign not to exceed \$4,000 with plans to use our granite posts and to propose budgeting next year to illuminate this sign. Selectman Iocovozzi seconded.*** The Board discussed fixing the existing signs or to acquire a new one and felt with all the difficulty people had in seeing the old style, a new sign was the way to go. ***Motion passed 3-0.***

### **DM Burns Security Proposal – Old Parsonage**

With the price for the new security system coming in at \$7,760.00 the Board asked Charlie to seek out another company's estimate. The system works right now but parts to repair are unavailable. The Board tabled this issue until more costs are brought in.

### **Resignation of Cliff Abbott from the Budget Committee**

*Selectman O'Reilly moved to accept Cliff Abbott's resignation from the Budget Committee with regret to cure the town's violation of RSA 673. Seconded by Selectman Iocovozzi – Passed 3-0*

### **Continuance of Public Hearing for the Acceptance of Nimble Hill & Shattuck Way**

The Board discussed the punch list as prepared from the Site Walk July 14 and the first portion of the public hearing July 23. Selectman O'Reilly hoped we could break the vote into two motions, one for each road. Jack wanted the work to be completed before accepting. Selectman Iocovozzi disagreed. They spoke of sidewalk plowing, the guardrail concern (which they will not be the State's responsibility), spoke of the striping, signage, plans which was followed by the motion below. The Administrative Assistant was asked to compose a letter to the State asking for a confirmation date for road striping.

John Frink asked for more information on the sidewalk mandates for plowing. The administrative assistant will research.

Jim Noseworthy asked about a surveying crew he saw recently in that area and Rick Stern replied stating it was for the 10 acre parcel in that vicinity.

*Selectman O'Reilly moved to accept both roads upon confirmation of providing the as-builts from the State and upon completion of the striping of Nimble Hill and Shattuck Way Extension. Selectman Iocovozzi seconded. Motion passed 3-0.*

### **Town Facility Use Applications**

Sept 14 – Piscataqua Brass Rehearsal – Town Hall Audi – 6:30pm -9 – approved fee waived  
Reapers use of Old Town Hall on various Tuesdays-approved contingent upon no conflicts-fee waived  
GirlScouts – Town Grove – Sing a long and grill – Oct 19 – 7:00pm – 8:00pm – approved no fee

### **Oil Bids**

Oil Bid requests will be requested once again due to no response the first time.

### **Town Forest**

Selectman O'Reilly filled Gail Pare and the Board in with the latest information regarding the town forest and informed them that the verbiage in the deed has been negotiated to the Town's liking and now it is once again with the FAA. He felt that at the end of the year we would have it in hand.

### **Nimble Hill Drainage**

A very professional job was done by S.W.A.M.P. Selectman Iocovozzi wanted us to talk to Larry Wahl and SWAMP regarding surge rock placement on the north (Larry's) side of Nimble. The AA will see to it that this is done.

The wood's road/farmer's access over the replaced culvert in front of Manness property will be loamed and seeded by our Highway Dept if not all ready done.

On the Noseworthy property, Jan asked the Board - if Jim wanted a woods road, would the Town be responsible for making one? Selectman Iocovozzi answered no and that we were fixing our drainage problem and that the culvert on the Manness property was pre-existing.

*Selectman O'Reilly moved to adjourn at 8:36pm. Selectman Iocovozzi seconded. Motion passed 3-0*

*Beatrice Marconi*  
Respectively Submitted,

Beatrice Marconi-Administrative Assistant

**Board of Selectmen's Meeting Minutes**  
**Monday, September 17, 2007**  
**Town Hall 6:30pm**

*Approved 10/1/07*

Chairman Jan Stuart called the meeting to order at 6:30pm

**Present:** Chairman Stuart, Selectman O'Reilly, Administrative Assistant Beatrice Marconi, Code Enforcement Officer Charlie Smart, Mike Garrepy, Linda & Gurubhaik Khalsa, George & Ruth Fletcher, Selectman Iocovozzi (at 6:39), and Rick Stern (at 7:00pm).

**Pledge of Allegiance**

**Resignation of Ballot Clerk**

*Selectman O'Reilly moved to accept Jean Bowser's resignation as Ballot Clerk (with regret) which was seconded by Chairman Stuart. Motion carried 2-0.*

**Appointment of Ballot Clerk**

*Selectman O'Reilly moved to appoint Krista Low to replace Jean Bower as Ballot Clerk - which was seconded by Chairman Stuart. Motion carried 2-0. Term to expire March 2008.*

**Texas Road Hse – Request to Serve Alcohol on Patio**

*Selectman O'Reilly moved to authorize Texas Road House to serve alcohol on their outside patio. Chairman Stuart seconded. Jan went on to say that the Planning Board indicated they had no objections to this. Motion passed 2-0.*

**Oil Bids 2007-2008 Season**

Lamprey Brothers 2.449 per gal, Hartmann 2.50 per gal, HomeTown Oil 2.549 per gallon.

*Selectman O'Reilly moved to approve the contract with Lamprey Brothers at \$2.449 per/g. Seconded by Chairman Stuart. Motion passed 2-0.*

**Wiring Proposal – Old Parsonage**

Maldini submitted a price for misc wiring for the Old Parsonage. (Cos arrived) *Selectman O'Reilly moved to approve the wiring bid in the amount not to exceed \$775 from Maldini. Seconded by Selectman Iocovozzi. Motion passed 3-0.*

**Minute Approval**

*Selectman O'Reilly moved to accept the public & non-public minutes of Sept 4, 2007. Seconded by Selectman Iocovozzi. Motion passed 3-0.*

**Garrepy/Khalsa Request for Relief from LUTC 7.11 Ac**

Mike Garrepy appealed to the Selectmen for consideration of approval of his abatement request for relief from paying the \$35,700 for the 7.11 ac not purchased at Town Meeting. This parcel does not qualify for current use. He stated that it was his belief that the Purchase & Sales agreement covered this clause. It was the Board's belief that the P & S was null and void if the sale did not go through. As it was left, the Selectmen would relay his thoughts once again to the Town's Attorney and await reply. The Board will contact Mike once we hear from Matt Upton.

### **School Funding Report – Selectman O'Reilly**

Selectman O'Reilly attended a meeting with the Governor and Coalition members last week and as it stands, by February the cost for an adequate education has to be calculated and then, it must be decided upon how it is funded. The battle between donor/receiver ie: funding issues is far from over. The Governor strongly stated he would not support a sales or income tax to fund but has not ruled out specific gaming alternatives, beer tax, payroll tax, cigar tax, or even a homestead tax. The governor feels very strongly that if a constitutional amendment isn't passed to target aid, Newington stands a good chance of again becoming a donor town.

### **Winter Maintenance Policy**

Upon consulting with our liability insurance company and the LGC legal department, it was suggested the Town create and adopt a Winter Maintenance Policy. The Highway Safety Committee will review various sample policies provided and along with a representative from the Planning Board, come up with a document that suits the needs of Newington.

### **Dock at Fox Point Regulations**

Identifying boat owners is a difficult chore due to the privacy act, per Rick Stern. Great Bay Marine will not tow and store a violator's vessel as they cannot obtain the owner's name. Chairman Stuart questioned our authority to have boats towed. Discussion went on between the Board and Rick pertaining to sizes, and who should tie up there. It was agreed upon that the end of the dock is for 'loading and unloading only' and that use of the dock is restricted to Newington Residents only. Beatrice will get signs made up. Mr. Stern strongly felt a decal system is the way to go. He also stated that 8' dinghies is too small of a restriction to tie up. The dock was originally built to serve Fox Point Mooring owners who were Newington residents. Rick spoke of tiller driven boats and felt they too are small enough to be allowed to tie up. Chairman Stuart stated that this was never a problem in the past and that she felt the residents just didn't know the rules and that once they do, the issue will fade away. In the end, Selectman O'Reilly suggested Mr. Stern formally draw up a policy dealing with all the concerns for Board consideration.

While on the topic of boats, Charlie Smart wanted the Board to be aware that the boat ramp at Patterson Lane was eroded and that we should consider repairing if you want it to be usable. Selectman Iocovozzi suggested that next time Duncan Mellor came before the Board, they could discuss this ramp as well.

### **Fox Point Concerns – Letter from Chris Bellmare**

*Selectman Iocovozzi moved to accept and place the letter in the Fox Point file. Selectman O'Reilly seconded. Motion passed 3-0.*

Ruth Fletcher questioned the letter and asked who actually rented there and if it was being taken care of. Chairman Stuart answered by stating that the three names appearing on the lease were living there with Jim Heinz spending the least amount of time there. She added by saying she felt the place was taken care of. Selectman Iocovozzi stated that the letter made certain statements that the Board wanted to follow up on. Mrs. Fletcher suggested the Selectmen contact those that lived closest to hear if they had any complaints. George Fletcher added that he walks there regularly and that he never really saw anything bad other than an occasional broken window or occasional fire pit debris.

AA Marconi was asked to seek out prices on lighting off the Carriage House as the Rec people had mentioned that it would be nice to have a pole light there for events such as Sept. Fest.

**Town Hall WalkWay Bids**

Three bids were received Bayside Paving, \$3,000; Durell \$4,500; and Dixon \$4,780. *Selectman O'Reilly moved to accept the Bayside Paving proposal for sidewalk repair in an amount not to exceed \$3,000. Selectman Iocovozzi seconded. Motion passed 3-0*

**Town Facilities Use Applications:**

Fox Point – Aug 3, 2008 – Wedding – All Day – (Abby Hood is Bride)

Town Hall – Oct 21, Nov 18, Dec 16 – 2:30-6pm – Piscataqua R. Brass

Town Hall Audi & Kit– Sept 30 – Memorial Service Gathering – Florence Smith - Noon – 5

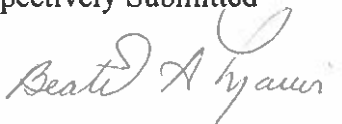
*Selectman O'Reilly moved to approve each of the above requests while waiving the fees for Town Hall use. Selectman Iocovozzi seconded. Motion pass 3-0*

**New Business:**

Selectman O'Reilly informed the Board that he had asked the AA to contact Mike Morrison for information regarding Tick Treatment as he had read an article which indicated Municipal Pest Control had a program and thought perhaps the Board may consider this in the Mosquito Treatment process budgeting next year. There were far too many Lyme cases reported this year with 5 people on his very street that he knew of.

*Selectman O'Reilly moved to adjourn at 7:58pm. Seconded by Selectman Iocovozzi  
Motion passed 3-0*

Respectively Submitted



Beatrice Marconi  
Administrative Assistant



**Board of Selectmen's Meeting Minutes**  
**Monday, October 1, 2007**  
**Town Hall 6:00pm**

Chairman Jan Stuart called the meeting to order at 6:03pm.

Present: Chairman Stuart, Selectman Jack O'Reilly, Administrative Assistant Beatrice Marconi and Town's Counsel.

*Selectman O'Reilly moved to go into non-public under RSA 91-A:3, II (e) litigation with Counsel which was seconded by Chairman Stuart. On a roll call vote, motion passed 2-0.*

*Selectman O'Reilly moved to come out of non-public with Chairman Stuart seconding. On a roll call vote, motion passed 2-0 at 6:26pm*

No votes were taken.

*Selectman O'Reilly moved to seal the minutes with Chairman Stuart seconding. On a roll call vote, motion passed 2-0.*

*The Chair called for a 10 minute recess.*

The meeting reconvened at 6:38pm and opened with the Pledge of Allegiance.

**Present:** Chairman Stuart, Selectman Jack O'Reilly, AA Beatrice Marconi, Peg Lamson of the Conservation Commission, Nancy Cauvet-arborist, Charlie Smart Building Inspector, George Fletcher, Eric Weintraub of Altus Engineering, Justin Richardson Chairman Conservation Commission, Chris Bellmare and Planner Tom Morgan. Wib Goins, Ruth Fletcher and Steve Sabine—Board of Fire Engineers arrived shortly before 7:00pm along with Darin Sabin, Rick (Dock Master) and Doreen Stern. Selectman Iocovozzi arrived at 7:05pm.

*Selectman O'Reilly moved to approve the minutes of September 17. Chairman Stuart seconded and the motion passed 2-0.*

**A Tribute to Clotilde Straus**

Peg Lamson was given the floor to say a few kind words in memory of Clotilde Straus. Clotilde passed away last week but leaves behind many grateful communities and conservation commissions who have benefited from her contribution to the preservation of plants and trees. She spoke of the ecological inventory Clotilde did of endangered species on the land known as the former Pease Air Force Base on Arboredum and spoke of a particular rare plant Ms. Straus discovered was growing there. Peg spoke of the many studies Clotilde did on her own time and mentioned her involvement with the Natural Resource Protection Committee and her many contributions. In 2003, a dog wood tree outside of Town Hall was planted in her name as a tribute in her honor. Nancy Cauvet had the honor of working with Ms. Straus also and spoke of the Seacoast Scientists and the Great Bay Discovery Program contributions to which Ms. Straus gave so much time to. Peg asked that the Board to consider planting another tree in her memory—perhaps Shattuck way.

### **Guard Rails – Nimble Hill Road**

Building Inspector Charlie Smart has gone out and brought back two quotes to move the guard rails located this side of Eastern Bearings on Nimble Hill Road. CWS Fence & GuardRails came in at \$ 5,290 and DeLucca's proposal came in at \$ 7,150.25. Charlie gave the Board another consideration to deal with the guard rail. Selectman O'Reilly thought perhaps payment for the rail issue (being so close to the road) could come out of the Air Mitigation Escrow as it is part of the bike path. After hearing him out, *Selectman O'Reilly moved to table the guard rail relocation until Charlie comes back with a price (to install an inner rail with pavement between).* *Chairman Stuart seconded. Motion passed 2-0*

### **Landscaping**

C & R Perennials gave us a \$2,500 estimate on landscaping Town Hall, Police & Fire Stations, Library and Meeting House. *Selectman O'Reilly moved to approve C & R not to exceed \$2,500 for landscaping. Chairman Stuart seconded. Motion passed 2-0*

### **Town Hall Sign Posts**

After discussion about granite post costs vs. wood post costs, application of a vinyl sleeve (which is subject to breaks with weed wackers and such) *it was motioned by Selectman O'Reilly to have Charlie Smart proceed with Town Hall sign and to use wood posts with an ornament not to exceed \$300. Chairman Stuart seconded. Motion passed 2-0.*

### **Coleman Drive Topographical Survey**

*Selectman O'Reilly moved to accept the Knight Hill proposal for the Coleman Drive topographical survey in the amount not to exceed \$2,000. Chairman Stuart seconded. Motion passed 2-0.* The paving of Coleman is being delayed in hopes that addressing the road grades will improve on the outcome of the project. Funds will be encumbered if needed.

### **Power Box for Fox Point**

In an effort to supply enough power at Fox Point for functions, *Selectman O'Reilly moved to approve Maldini's proposal of \$1,113 for a power box. Selectman Iocovozzi seconded.* Building Inspector Charlie Smart said that from time to time mystery wiring had been done 'to get by' and having this code approved power source installed, it would take care of the need. *Motion passed 3-0.*

### **Additional Lighting – Carriage House at Fox Point**

*Selectman O'Reilly moved to approve the Maldini proposal not to exceed \$ 2,135 for lighting at the Carriage House. Selectman Iocovozzi seconded.* This is for installation of exterior wall sconces to the front of the Carriage House to have a motion sensor with an override switch. Also installation of two motion floods with by pass switch to the back of Carriage House. *Motion passed 3-0.* The Rec Committee had asked the Board to consider installation of a pole light, however, *on a motion by Selection O'Reilly, that concept was tabled. Seconded by Selectman Iocovozzi.* For the time being, the Board wanted to see the difference these lights made then see if the existing pole light down there could just be adjusted. *Motion passed 3-0.*

### **Carriage House Improvements**

Charlie Smart felt the Board should consider a vapor barrier in the basement of the Carriage Hse. He said this needed to be done to fix the doors. Chairman Stuart suggested we look at the roof. There may be need to address the trim or cupulas, lightening rods, wing walls, foundation, etc. Charlie was to come back with a price.

### **Highway Garage Construction Plans**

Eric Weintraub of Altus sat before the Board to get ideas on needs so that he could draw up preliminary plans for a new building. Eric felt the existing bldg could stay up while construction of the new was underway. It was decided that the building will be drive through and to make sure the doors were wide enough for the big trucks with plows. The Salt Shed will be separate and closed approx 60 or 70ish. That door width & height will be considered. The salt shed will have electricity only. Charlie Smart will provide costs for the building in N Hampton just constructed. It was determined that this new highway building should have easy access yet try to save as many trees as possible. A question came up if it was really in the Historical District or not and Planner Tom Morgan was going to be asked to look into that. Eric will continue with plans. 4 to 5 parking spots should be plenty. Utilities will be planned on underground installation. Holding tanks built under the floor with alarm. May need booster pump for water pressure in that area. Eric will speak to Tom Cravens of Portsmouth. No lifts—not sprinklered. Radiant floor heat. Town Forest should be kept in mind. George Fletcher asked if position of building could somehow utilize solar power in anyway. Eric will bear that in mind and bring back costs and design with panels. A small kitchenette with lounge area and office will be in design.

### **Reappointment of 911 ALI Data Base Liaisons**

*Selectman O'Reilly moved to reappoint Fire Chief Greenleaf and Tom Morgan as liaisons to this numbering program. Selectman Iocovozzi seconded. Motion passed 3-0.*

### **Board of Fire Engineers Letter dated Sept 11, 2007**

With the Board of Fire Engineers all present, the purpose of this meeting was to inform the Board of the amount of probable over spending as addressed in their letter dated Sept 11. They stated that the most probmatic line was the overtime and it looked like the Department may be facing a \$25,000 overage. With the cut of \$68,600 from their original request for the 07 funding, the hardship started there. Selectman O'Reilly mentioned the existence of the RSA which addressed transfer of funds by the Selectmen. Chairman Stuart asked if we had a working Chief and Assistant Chief—meaning fighting fires and attending calls. Steve Sabine answered by saying our Assistant Chief works very hard to save the tax payers money by researching alternate funding sources like grants, etc. He does, however, go to serious events. Once he becomes shift personnel, he then must qualify for time and a half. Wib felt by having an Assistant Chief, the Town was actually saving money as you will find shift fire fighters make more money than salaried officers in most cases. The Engineers said they will work very hard and closely with the department to keep the overage as minimal as possible. The Selectmen thanked the Engineers for informing them of this impending problem and in turn, the Engineers said they would keep the Selectmen abreast.

### **Town Facility Use Applications:**

Flanders—Town Hall Audi—Friday (set up & Funeral Reception Sat) Oct 26 and 27

Great Bay Coast Watch—TH Audi & Kit—Nov 29 11am-3

Girl Scouts - Every other Monday - 3-5pm - OTH Audi- Beginning Oct 1 through Dec

*Selectman O'Reilly moved to approve these requests with fee waived. Selectman Iocovozzi seconded. Motion passed 3-0.*

### **New Business:**

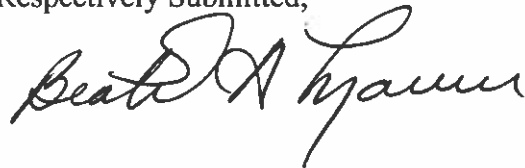
Chairman Stuart announced that Hazardous Waste Day would be Saturday, Oct 13 at Portsmouth DPW 680 Peverly Hill Road Portsmouth 8 til noon. Bring proof of Residency.

**Dock Issues at Fox Point**

Chairman Stuart mentioned to Rick Stern that another large boat was parked at the dock. Rick will get the numbers and determine ownership and contact that owner. A brief discussion occurred regarding a 'warning sticker' system and who the dock was meant for when originally constructed. (Fox Point Mooring Owners or Newington Resident Boat Owners). Selectman Stuart felt there was a policy in existence. AA will research. Doreen Stern suggested a waiting list when the dock fills up. At a future Selectmen's meeting, all aspects and concerns will be again put on the table for discussion. Rick will get a list of mooring owners from State.

***Selectman Iocovozzi moved to adjourn. Selectman O'Reilly seconded. Motion passed 3-0  
8:34pm***

Respectively Submitted,

A handwritten signature in cursive script, appearing to read "Beatrice Marconi".

Beatrice Marconi  
Administrative Assistant  
Newington

**Board of Selectmen's Meeting Minutes**  
**Monday, October 22, 2007**  
**6:30pm**

*Chairman Jan Stuart called the meeting to order at 6:31pm.*

**Present:** Chairman Stuart, Selectmen Cosmas Iocovozzi and Jack O'Reilly, Administrative Assistant Beatrice Marconi, Building Inspector Charlie Smart, Eric Weintraub of Altus Engineering, Dave Philbrick, Road Agent Len Thomas (at 6:45), Dennis Hebert (at 7:14).

The Board began the evening with a brief discussion about the non-coverage for hazardous spill insurance on the land of a third party which came about from a call from Sprague Fuel indicating we needed it to be in compliance with their requirements. Beatrice is to get a price from another carrier and report back to Board. There is also the possibility of placing a 1500 gallon tank in the future at the Highway garage area if insurance costs are excessive.

**Conceptual Design Plans – New Highway Building**

Eric Weintraub of Altus Engineering presented the Board with the first draft of plans for the new Highway Building to be located on the site where it currently is. Some of the highlights include:

30' wide 2-way main access; 8 to 10 head-in parking spaces; main building to be 60' x 100'. Salt Shed to be 60'x 60' but will be rethought to enable a pay loader to operate with consideration given to a ramp. Eric mentioned the curb limitations upon exiting the salt shed area which may cause the tractor trailer to pull forward then reverse and cut prior to leaving but will work on the layout by possibly off setting the door. There are not plans for a separator at the present time but an outside holding tank was planned. Selectman Iocovozzi wasn't totally happy with a 300 gallon septic tank. Inside the building will be an area for animal control. Currently, the plans are calling for a 1500 diesel tank for our vehicles – doubled walled with a spill prevention plan (with alarms). We will need to plan for a generator. The Selectmen will speak to Craig Daigle about future recycling bin location as well as meet with Road Agent Len Thomas on particulars.

**Captain's Landing**

This roadway is in disrepair. Needs overhaul. We may have a problem plowing it as the culverts have collapsed. The electric lines are in the way of the swales. We need engineering as the Board did not want a quick fix. It will have to wait until the '08 paving. Eric will map the wet lands, survey the site, and provide a geo-tech report.

**Gundalow/BrickYard Way**

Although the project is well underway, the contractor has come up with concerns and between the engineers and the Selectmen, was waiting for direction. The left side of Gundalow Circle has soil problems. Thought was given to close that side of the circle to save in costs however, upon further consideration between the neighbors, the Board and the Engineer, we would create non-conforming lots and still be subject to the utilities ROWs along that area. After much discussion, the Board decided to complete the project correctly this year. Eric was going to work up prices. *Selectman Iocovozzi moved to vote to continue with the Chairman forwarding the new costs to the Board for decision. Selectman O'Reilly seconded. Motion passed 3-0.*

### **Fire Station Paving Sinkage**

Selectman Iocovozzi explained to both the Engineer and Selectmen that approximately 10' out back of the Engine 1 stall, there is a chambered septic tank and because of the weight and build, the pavement was sinking. Eric felt it was probably sinking due to the fact it was built on sand and overtime, it was not unexpected. He said baring relocation, to solve the problem, he recommended approx 6" of crushed stone replace the sand, however, will take a site walk and make a formal recommendation on moving it, enlarging it or fixing it.

As far as engineering priorities, Brick Yard/Gundalow is number 1 (this week with change order and pricing), with engineering to follow for Captain's Landing, followed by the Fire Station tank concern and Highway building plan design.

### **Minutes Acceptance of October 1, 2007**

*Selectman O'Reilly moved to accept the minutes of October 1, 2007 as written. Selectman Iocovozzi seconded. Motion passed 3-0.*

### **Cemetery Issues**

*Selectman O'Reilly moved to table the Cemetery Issues in the absence of Cliff Abbott. Seconded by Selectman Iocovozzi. So moved 3-0.*

### **Public Hearing Cable TV Contract and Mailing**

The Selectmen reviewed the questionnaire that the Cable Contract Advisory Board wished to send out attached to the next newsletter. After making amendments regarding stating potential costs, the Board agreed. The Administrative Assistant was asked to contact the Advisory Board to get their thoughts on the suggested amendments.

### **C.O.L.A. for 2008**

*Selectman O'Reilly moved to approve a C.O.L.A. of 2.4% this year for eligible employees. Selectman Iocovozzi seconded. Motion passed 3-0.*

### **Tax Rate - \$ 8.91 p/thousand**

Chairman Jan Stuart announced that our Tax Rate for 2007 has been set at \$ 8.91 which represents a decrease of 16 cents per thousand. The papers will be notified.

### **Violation of Right to Know Law**

Barbara McDonald entered the Selectmen's meeting at 8:04pm informing them of her opposition of the Planning Board Meeting with the PDA currently being conducted. She felt the notice did not meet the requirements set forth in 91-A with it not being posted in S. Newington. She also noted her protest to the Planning Board meeting held last week whereas it stated a start time of 5:30pm yet didn't start until 6:30pm. The Selectmen stated that tonight's meeting was timely posted 2 places at Town Hall AND in the newspaper. The Administrative Assistant was asked to look into notices placed in Rick's box for S. Newington and if not timely hung by him, it was the responsibility of Planner Tom Morgan.

In speaking with Dennis Hebert, Chair of the Planning Board at 8:20, Mr. Hebert assured us it was properly posted per State laws. He noted that after speaking to Mr. Morgan, RSA 91 states that meeting notices must be posted 24 hours in advance in two public places OR in a newspaper of general circulation in the town – thus, the Town was in compliance.

**Dock at Fox Point**

Dock Master Rick Stern has informed the Selectmen that the bolt hinges at the dock are wearing and that it should be addressed. A price of just over \$4,000 was gotten for repair from Great Bay Marine. The Selectmen were going to inspect it and consult with the Road Agent to see if it could wait until spring or not.

**Tennis Court Night Patrol**

Chairman Stuart tells us at the request of the Recreation Committee they would like to have the Police Department patrol the Tennis Court to ensure it was Town Residents utilizing that facility and its lights during evening hours. The Board, however, felt the Police Department should not take away from their many other duties.

**Town Facility Use Applications:**

TH Audi – Nov 7 & 13 - 8:30-1:00 - Border Patrol Testing – R Fletcher

TH Audi – Thermo Nov 1 10-11 Meeting

TH Audi – Dec 5 8am-12 - meeting tech adv comm. NH DES

***Selectman O'Reilly moved to approve the above requests and waive the fees for Border Patrol Testing and NH DES for Facility Use Applications. Selectman Iocovozzi seconded. Motion passed 3-0.***

***At 8:25, Selectman O'Reilly moved to adjourn with Selectman Iocovozzi seconding. Motion passed 3-0.***

Respectively submitted,

Beatrice Marconi  
Administrative Assistant

## Board of Selectmen's Meeting Minutes

Monday, November 5, 2007

Town Hall 6:30pm

Chairman Jan Stuart called the meeting to order at 6:32pm.

Present: Chairman Stuart, Selectman Jack O'Reilly, Administrative Assistant Beatrice Marconi, Building Inspector Charlie Smart, Road Agent Len Thomas, Transfer Station Attendant Craig Daigle, Selectman Iocovozzi (*arrived at 6:36*), and Jim Kaddy and Rev. Jeff McGilliwain (*arriving at 7:15*).

***Selectman O'Reilly moved to approve the October 22, 2007 minutes as written. Seconded by Chairman Stuart. Motion passed 2-0.***

### **Winter Maintenance Policy**

Road Agent Len Thomas spoke of the Winter Maintenance Policy not addressing the area beyond the gate to Arboredum Drive. Both Selectmen felt that although the policy does not address it, because it is PDA property it shouldn't be in there, but the understanding that we recognize it will be kept clear on an as needed basis as done in the past will remain in tact.

The Board stated that Chief Tretter and the Highway Safety Committee should be commended on such a thorough job done. Selectman Iocovozzi felt the Road Agent should not rely only on reports from the PD for road conditions because he is the authority. Selectman Iocovozzi also added that it will be a learning curve with the acquisition of Shattuck & Nimble Hill Roads.

***Selectman Iocovozzi moved to approve the Winter Maintenance Policy for one year at which time will be revisited (on or about November 5, 2008). Selectman O'Reilly seconded and motion passed 3-0***

An excerpt regarding mail box damage and sidewalk maintenance information is as follows.  
(see town web site for full policy)

### **ROADS AND SIDEWALKS NOT RECEIVING WINTER MAINTENANCE:**

The Town of Newington does not maintain a number of roadways, sidewalks and other areas as part of its winter maintenance activities. The areas not maintained by the Town include:

- A. Private roads, driveways and sidewalks on private property.
- B. Roads, sidewalks and other areas maintained or within the jurisdiction of the State.
- C. The following sidewalks or bike paths:
  - 1. Shattuck Way between Bloody Point Road and Nimble Hill Road
  - 2. Between Fox Point Road and Arboretum Drive
  - 3. Gosling Road between the Pease Tradeport entrance and McDonald's Restaurant.

### **DAMAGE TO PRIVATE PROPERTY:**

The Town of Newington is not held responsible for damage to private property that is located within the public right of way (RSA 231:92 and 231:92a). The right of way can be up to 50 feet wide, and is often confused by property owners as their own property. In most cases, the right of way extends 10 to 20 feet on either side of the paved or gravel road. Home owners often cultivate extensions of their lawns, place mailboxes, erect fences or stonewalls in these areas which can be obstructive to good maintenance being conducted on the roadway. In the event of personal property damage, the Town of Newington will only be responsible to repair or replace damaged property having been in actual contact with the snow removal equipment that is on private property and not within the public right of way.



### **Transfer Station**

Both Craig Daigle and John Frink are now level 3 DES solid waste certified. Craig had various issues to speak to the Board about from information he learned while attending class.

- Animal Carcasses are solid waste and can be properly bagged and go in hopper (or buried).
  - He pointed out that in 15 years, Turn Key in Rochester will be full and we will then have to budget for not only disposal, but long range hauling to NY.
  - Craig needs a first aid kit available and on site.
  - Craig suggested a compost area specifically for grass & leaves equipped with a pitch fork for turning to decompose.
  - Craig has a CDL license and from time to time could have the need to use the town's large equipment for moving debris around the transfer station. He will bring in Medical card and get on our drug testing program.
  - Craig says the residents are very pleased with the card board bin and the town should make an effort to get the word out more in an effort to save room in the other hoppers. After Nov 15, a notice will be put on the bulletin board.
  - When asked if he felt the recycle 3-bin hopper should come to the transfer station, Craig felt people enjoyed the convenience of it being available 24/7 at the town garage site. Could be placed at the transfer station but may be tight.
  - Craig will order a new lock with non-duplicating keys and will get 10 keys made.
  - Florescent lights contain mercury. Craig, through Len will get a container and the electronic Company located at Pease will take them.
  - Electronic bin must be covered. Craig estimated this would cost around \$3,000. We need 4. Perhaps the town can budget for that expense in 2008.
  - A small office area would work out well for Craig like a small shed for signs and tools, etc.
  - He would also like to start a board for good unwanted items that people don't want to throw away so that people, if interested to go and pick items up without disposal at the transfer sta.
- Craig will forward his needs for 2008 for budget considerations. He is also concerned with the lack of a railing along some of the areas.

### **Coleman Paving Project Bid Opening**

This item was tabled until the Gundalow/Brickyard sub level material stability issue (discovered 11/2/07) is solved.

### **Gundalow/Brickyard Paving Project**

The contractor and engineer have discovered that the change order submitted Oct 22 to the Board will not cover the sub level material problem they have ran into as it is more extensive than originally thought. Tests will be conducted in areas where fabric has been laid. If 'this' passes, it will increase the cost around \$ 20,000 more. If it fails, the Board may close that portion of the road for the winter and have budgeting presented to the town for '08. *Selectman O'Reilly moved to proceed with the Gundalow Landing project not to exceed another \$ 25,000 (including engineering). Selectman Iocovozzi seconded. Motion passed 3-0.*

### **Deposit Authorization**

The Board signed the designation from the Treasurer to authorize the Tax Collector to do the weekly deposits. *Selectman O'Reilly motioned approval, Selectman Iocovozzi seconded and the motion passed 3-0.*

### **Junk Yard Violation**

Jim Kaddy of Beane Lane came before the Board to discuss the issuance of the Junk Yard violation as defined by RSA 236:112. In the discussion of multiple boats, vehicles, slanted tower, and debris, it was decided that Jim would work with Road Agent in arranging for a time to break up items for disposal in a 30 yd hopper. On the items not to be disposed of, Jim was asked

to move them to the back of the house out of the visual site of the neighbors. Jim noted that some of the items did not belong to him and he too, wanted them removed. He did not feel he had a septic problem as he had Roter Rooter out to clean the tank and at that time asked the technician if all looked operatable to which the technician responded he saw no abnormalities. Board asked Mr. Kaddy for a time table. He will work with Len and Charlie and make arrangements. Charlie will talk further with Jim on the Tower. All parties involved felt a good compromise had been met in lieu of court.

#### **Correspondence**

Regarding a letter dated Oct 25 from Lt. Tom McQuade, it was so voted to attached to minutes. This letter informed the board that the defibrillator recently acquired by the Fire Dept had helped save a life within hours of being placed in operation.

#### **Garrepy Land Use Tax Change Tax Appeal**

The Selectmen had contacted Town Attorney Matt Upton for a response to Mike Garrepy's appeal to the Town to forgive the LU tax for the 7.11 acres the town did not vote to buy at Town Meeting held March 2007. *Selectman O'Reilly moved to send a copy to Mr. Garrepy with Selectman Iocovozzi seconding. Motion passed 3-0.*

#### **Primex Workman's Comp vs Local Government Center Bundled Insurance Pricing**

*Selectman O'Reilly moved to switch our WC insurance to LGC in an effort to save a substantial amount of money through bundled pricing. Selectman Iocovozzi seconded.* Chairman Stuart was hesitant in what it will cost the town in overtime for employees vs. the savings once our officers, department heads and town vehicle drivers all take the courses required. Selectman Iocovozzi felt the town should consider the education a benefit to save in preventive costs. *Motion passed 3-0.*

#### **Town Facilities Use Applications**

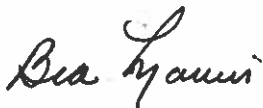
Nov 15 - 5:30-8 - TH Audi - Celiac Sprue - Meeting

Jan 29 - 5pm-9pm - Girl Scout Adult Training - Town Hall Audi - 50 people

*Selectman O'Reilly moved to approve both requests, fees waived. Selectman Iocovozzi seconded. Motion passed 3-0. Selectman O'Reilly was concerned that the Cable Public Hearing was on the 15<sup>th</sup>, however if there is a crowd, we can partition the Auditorium.*

Selectman O'Reilly then motioned to adjourn to which he got a second from Selectman Iocovozzi. Motion passed 3-0, (with the Administrative Assistant voting in the negative.)

Respectively Submitted,



Beatrice Marconi  
Administrative Assistant

**Board of Selectmen's Meeting Minutes**  
**Monday, November 19, 2007**  
**Town Hall, 6:30 pm**

Chairman Jan Stuart called the meeting to order at 6:35pm.

Present: Chairman Stuart, Selectman Jack O'Reilly, Administrative Assistant Beatrice Marconi, Darin Sabine, Fire Engineers Steve Sabine, Ruth Fletcher, and Wib Goins, State Senator Martha Fuller Clark, Larry Wahl, Pete MacDonald, Angelique DeButts of US Dept of Wildlife Services and two staff members, and Selectman Iocovozzi at 8:10pm.

**Minute Approval**

*Selectman O'Reilly moved to approve the minutes of November 5 and 8<sup>th</sup>. Chairman Stuart seconded with the motion passing 2-0.*

**Martha Fuller Clark – State Senator**

Senator Fuller Clark gave the Board a summary of Legislative changes over the past year and briefed them on bills to be considered in the next session in Concord.

**Turkey Tracking - US Wildlife Services**

Abgelique Debutts of the US Wildlife Services gave a presentation on the tracking of wild turkeys in Newington. She explained the importance of the program and the safety it brings to the airport. She is looking for volunteers to assist with a count.

**Coleman Paving Bid Opening**

This item was tabled due to the Gundalow Landing discussion.

**Fire Department Budget – Larry Wahl**

Regarding RSA 32:10, budgetary transfer of funds, Larry stated that he hoped the Selectmen would continue to follow the concerns with the Fire Department Budget and hoped they would be willing to fund. He understands that the Selectmen are the *sole authority* to address this issue. He would appreciate it if when action occurs, that record of transfer and associated spending be forwarded to the Budget Committee.

**Town Facility Use Applications:**

Jan 21, 2008 - Martin Luther King Concert – Jukwaa Mazoa – All Day – Town Hall & Kit

Oct 3 & 4, 2008 – Wedding Recp - Fox Point – Set up Oct 3 – All Day – Coombs/Walling

NH Air National Guard request for periodic raffles

*Selectman O'Reilly moved to approve all above requests with no fee for Fox Point Wedding or the raffles (the proceeds go back to the Air National Guard non profit Minute Man Group)*

**FEMA Mapping Project**

Jack Pare indicated that this project is near its end and he reported that prior to the mapping, 84 properties in Newington were deemed to need flood zone insurance, and after the mapping, it proved only TWO (2) properties actually were in the flood zone. The 33 map set will be housed at town hall.

**Tidal Hydro Electric Committee**

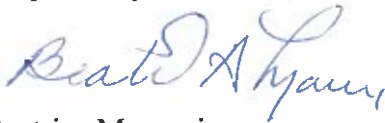
Jack Pare reported that the committee has met 3 times and that the Attorney General will be getting involved to help determine the ownership of the bottom of the bay which will determine equipment taxation.

**Gundalow/BrickYard Paving**

Because Gundalow Landing has failed its sub level gravel stability tests, the Selectmen felt that section of the road should be closed until the gravel has dried – then retested and revisited as far as costs. If it turns out that the costs are too extreme, then Selectman O'Reilly suggested perhaps a Warrant Article be introduced as Selectman Iocovozzi felt that the \$50,000 or \$60,000 needed to fix that section would be better off used on the main portion of Gundalow. Perhaps the existing ordinances when the road was built restricted the developer. Planner Tom Morgan will be contacted to analyze the problems that may be caused with the formal closing as well as Wil Corcoran (Assessor) to estimate the effect on value.

*Selectman O'Reilly moved to adjourn at 8:49pm. Selectman Iocovozzi seconded. So moved 3-0*

Respectively Submitted,



Beatrice Marconi  
Admin Assist

**DRAFT**  
**Initial Report of the  
NH Tidal Energy Commission  
November 2007**

On June 25, 2007 Governor Lynch signed HB 694 (Chapter 222, Laws of 2007) establishing a Commission to study the feasibility of tidal power generation under the Little Bay and General Sullivan Bridges, located in Dover and Newington. The Commission's primary duty is to identify and collect technical and sociological data, and investigate the regulatory requirements necessary to determine the feasibility of building a system for tidal power generation under the bridges. The Commission is comprised of 21 members, including members of the New Hampshire House of Representatives and Senate, the Department of Environmental Services, the Office of Energy and Planning, the Department of Transportation, the Public Utilities Commission, the Fish and Game Department, the Pease Development Authority – Division of Ports and Harbors, the Office of Consumer Advocate, the New Hampshire Estuaries Project, the City of Dover, the Town of Newington, the University of New Hampshire, the New Hampshire Commercial Fishermen's Association, the National Marine Fisheries Service, environmental protection and advocacy organizations, and the general public. The Commission is required to make an initial report of its findings and any recommendations for proposed legislation on or before November 1, 2007, and make a final report on or before November 1, 2008. This document represents the initial report of the Commission.

At its inaugural meeting on August 29, 2007 the Commission elected co-chairs, State Representative Thomas Fargo, representing the City of Dover, and Dr. Kenneth Baldwin, representing the University of New Hampshire, as well as a vice chair, Ted Diers, representing the Department of Environmental Services Coastal Program. The Commission also selected the Coastal Program as the lead state agency to coordinate the efforts of the Commission. Information gathered by the Commission and summaries of the Commission's meetings are available on the NHDES Coastal Program website:

[https://www.des.state.nh.us/Coastal/ocean\\_policy.html](https://www.des.state.nh.us/Coastal/ocean_policy.html)

A list of Commission members and their contact information is also available on the above-referenced website and is attached to this document as Appendix A. This list also includes non Commission members who have expressed an interest in participating in the activities of the Commission.

The Commission will generally hold monthly meetings that are open to the general public. Meeting dates and locations are updated periodically on the NH General Court website:

<http://www.gencourt.state.nh.us/ie/>

As outlined in HB 694, the goal of the Commission is to: "study the feasibility of tidal power generation under the Little Bay and General Sullivan Bridges, in Dover." To achieve this goal

the Commission is gathering data concerning the technical, economical, environmental, and sociological parameters pertinent to this goal.

At its September 20, 2007 meeting, the Commission established four (4) subcommittees for the purpose of facilitating its business. The subcommittees, formed by the Commission, are to address the following:

1. Permitting Requirements
2. Public and Business Community Outreach
3. Wildlife and Environmental Impact Analysis
4. Cost Benefit Analysis.

Initial members of these subcommittees were identified either by expressing interest in each topic area or for their individual expertise. An evolving work plan will be established at each subcommittee's first meetings. Subcommittees are to work independently and report their findings to the full Committee at monthly meetings. As of the time of this report, the composition of the subcommittees is outlined below:

#### NH Tidal Energy Commission Subcommittees

##### Permitting Requirements Subcommittee

Ted Diers  
Jack Pare  
Craig Yankes  
Ken Baldwin  
Chris Williams  
Jack Ruderman  
Chris Waszczuk

##### Public and Business Community Outreach Subcommittee

Kathleen Lewis  
Cynthia Copeland  
Eric Steltzer  
Ken Baldwin  
Erik Anderson  
Rep. Roland Hofemann

##### Environmental and Wildlife Impact Analysis Subcommittee

Peter Wellenberger  
Ken Baldwin  
Rep. Marcia Moody

##### Technical Feasibility & Cost/Benefits Analysis Subcommittee

Ken Baldwin  
Jack Pare  
Mike Harrington

Otis Perry  
Nancy Borden

An annotated draft work plan for the four subcommittees is attached as Appendix B.

This Initial Report is submitted on behalf of the NH Tidal Energy Commission to the Speaker of the House of Representatives, the President of the Senate, the House Clerk, the Senate Clerk, the Governor, and the State Library.

November 2007

Rep. Thomas Fargo  
Co-Chairman

Dr. Kenneth Baldwin  
Co-Chairman

## **Appendix A**

### **HB 694 Commission Contact Information**

#### **A. House of Representatives**

Marcia Moody  
1 Maple Street, Newmarket, 03857; phone: 271-3570  
[marciagm@surfglobal.net](mailto:marciagm@surfglobal.net)

John Thomas  
68 Arlene Drive, Belmont, 03220; phone: 271-3396  
[John.thomas@leg.state.nh.us](mailto:John.thomas@leg.state.nh.us)

Roland Hofemann  
18 Wellington Ave., Dover, 03820; phone: 271-2169  
[rhofemann@aol.com](mailto:rhofemann@aol.com)

#### **B. Senate**

Jacalyn Cilley  
Home – 2 Oak Hill Drive, Barrington, 03825  
Office – Statehouse, 107 North Main St., Room 107, Concord, 03301; phone: 271-3045  
[Jacalyn.cilley@leg.state.nh.us](mailto:Jacalyn.cilley@leg.state.nh.us)

Martha Fuller Clark  
Home – 152 Middle St., Portsmouth, 03801  
Office – Statehouse, 107 North Main St., Room 106, Concord, 03301; phone: 271-6933  
[martha.fullerclark@leg.state.nh.us](mailto:martha.fullerclark@leg.state.nh.us)

#### **C. Department of Transportation**

Christopher Waszczuk  
NHDOT, 7 Hazen Drive, Concord, 03301, phone: 271-6675  
[cwaszczuk@dot.state.nh.us](mailto:cwaszczuk@dot.state.nh.us)

#### **D. Office of Energy & Planning**

Jack Ruderman  
NH Office of Energy & Planning, 57 Regional Drive, Suite 3, Concord, 03301, phone: 271-2155  
[jack.ruderman@nh.gov](mailto:jack.ruderman@nh.gov)

#### **E. Public Utilities Commission**

Michael Harrington  
Public Utilities Commission, 21 South Fruit Street, Suite 10, Concord, 03301  
[michael.harrington@puc.nh.gov](mailto:michael.harrington@puc.nh.gov)



**F. National Marine Fisheries Service**

Sean McDermott

National Marine Fisheries Service, 1 Blackburn Drive, Gloucester, MA 01930;

phone: 978-281-9113

[sean.mcdermott@noaa.gov](mailto:sean.mcdermott@noaa.gov)

**G. City of Dover**

Thomas Fargo (Commission Co-Chair)

14 Cobble Hill Drive, Dover, 03820; phone: 743-4290

[thomasfargo@comcast.net](mailto:thomasfargo@comcast.net)

**H. Town of Newington**

Jack Pare

188 Little Bay Road, Newington, 03801; phone: 436-6415

[jackpare@comcast.net](mailto:jackpare@comcast.net)

**I. NH Estuaries Project**

Cynthia Copeland, Executive Director

Strafford Regional Planning Commission, 2 Ridge St., Suite 4, Dover, 03820; phone: 742-2523

[cjc@strafford.org](mailto:cjc@strafford.org)

Brian Giles

22 Lamprey Lane, Lee, 03824; phone: 659-5884

[bagiles@earthlink.net](mailto:bagiles@earthlink.net)

**J. Department of Environmental Services**

Ted Diers, Program Manager (Commission Vice Chair)

NH Coastal Program, 50 International Dr., Suite 200, Portsmouth, 03801; phone: 568-5991

[t.diers@des.state.nh.us](mailto:t.diers@des.state.nh.us)

**K. Fish & Game Department**

Peter Wellenberger, GBNERR

NH Fish & Game Dept., Region 3, 225 Main Street, Durham, 03824; phone: 868-1095

[pwellenberger@nhfgd.org](mailto:pwellenberger@nhfgd.org)

**L. Pease Development Authority, Division of Ports & Harbors**

Tracy Shattuck, Harbor Master

PDA-Division of Ports & Harbors, P.O. Box 369, Portsmouth, 03802-0369; phone: 436-8500

[t.shattuck@peasedev.org](mailto:t.shattuck@peasedev.org)

**M. NH Commercial Fishermen's Association**

Erik Anderson, President

NH Commercial Fisherman's Assoc., 38 George's Terrace, Portsmouth, 03801; phone: 431-1779

[andy42152@aol.com](mailto:andy42152@aol.com)

**N. Public Appointee**

Nancy Borden

40 Walbach Road, New Castle, 03854; phone: 436-4132

[nanborden1@aol.com](mailto:nanborden1@aol.com)

**O. Representatives of Environmental Protection or Advocacy Organizations**

Eric Steltzer

Rockingham Planning Commission, 156 Water Street, Exeter, 03833; phone: 778-0885

[esteltzer@rpc-nh.org](mailto:esteltzer@rpc-nh.org)

**P. University of New Hampshire**

Ken Baldwin, Director – Center for Ocean Engineering (Commission Co-Chair)

UNH, Chase Ocean Engineering Laboratory, W101, 33 College Road, Durham, 03824;

phone: 862-1898

[kcb@christa.unh.edu](mailto:kcb@christa.unh.edu)

**Q. Office of Consumer Advocate**

Otis Perry, Vice Chair

Consumer Advocate Advisory Board, 91 Court St., Dover, 03820; phone: 749-2742

[gfp@comcast.net](mailto:gfp@comcast.net)

**R. Other Interested Parties**

Peter Britz

City of Portsmouth, 1 Junkins Ave., Portsmouth, 03801; phone: 431-2000

[plbritz@ch.cityofportsmouth.com](mailto:plbritz@ch.cityofportsmouth.com)

David Funk

Great Bay Stewards, 43 Boston Harbor Road, Dover, 03820; phone: 749-6756

[dtfunk@comcast.net](mailto:dtfunk@comcast.net)

Dave Kellam

NH Estuaries Project, UNH, Nesmith Hall, Durham, 03824; phone: 862-3402

[Dave.kellam@unh.edu](mailto:Dave.kellam@unh.edu)

Kathleen Lewis

Public Service of New Hampshire, 1700 Lafayette Road, Portsmouth, 03801;

phone: 436-7708 ext 5628

[lewiskx@psnh.com](mailto:lewiskx@psnh.com)

Christian Williams

New Hampshire Coastal Program, 50 International Dr., Suite 200, Portsmouth, 03801;

phone: 559-0025

[cwilliams@des.state.nh.us](mailto:cwilliams@des.state.nh.us)

## Appendix B

### DRAFT NH Tidal Energy Subcommittee Work Plan November 2007

#### Permitting Requirements Subcommittee:

Annotations list applicable laws and regulations \*

Local & Regional: Dover and Newington Planning Boards- **RSA 674:54**

<http://www.gencourt.state.nh.us/rsa/html/LXIV/674/674-54.htm>

Strafford and Rockingham Regional Planning Commissions-**RSA 36:54-57**

<http://www.gencourt.state.nh.us/rsa/html/III/36/36-mrg.htm>

State Agencies: NH Site Evaluation Committee – **RSA 162-H**

<http://www.gencourt.state.nh.us/rsa/html/XII/162-H/162-H-mrg.htm>

<http://nhsec.state.nh.us/site100.htm>

NH Department of Environmental Services

NH Fish & Game

NH Public Utilities Commission

Others?

Federal Agencies: US Coast Guard -> Navigation

US Army Corps of Engineers

US Environmental Protection Agency

US National Marine Fisheries Service

Others?

#### Public and Business Communities Outreach Subcommittee

Public education program

Great Bay Estuary Research Reserve / NOAA

NH Estuary Project

#### Wildlife and Environmental Impact Subcommittee

Regulatory agencies listed above

Other questions:

Assess wildlife habitats, breeding areas, birds, fish....

Blocking factor of turbines

Amount of energy extracted & effects on down stream flow/sites

Local impacts of turbines due to flow acceleration

Seabed erosion / foundations

Navigational risks

Machinery noise

Cost Benefit Analysis Subcommittee

- Site research
- Site preparation
- Logistics
- How much energy extracted per \$
- Installation cost
- Maintenance cost
- Replacement cost

\* It is anticipated that this list can grow or shrink as we discuss the agenda more carefully and thoroughly.

**Board of Selectmen Meeting Minutes**  
**Monday, December 10, 2007**  
**6:30 pm Town Hall**

Chairman Jan Stuart called the meeting to order at 6:30pm.

Present: Chairman Stuart, Selectman Jack O'Reilly, Selectman Cosmas Iocovozzi, Administrative Assistant Beatrice Marconi, Mike Garrepy, Peg Lamson and Justin Richardson of the Conservation Commission, Dot Noseworthy and Julie Biron as Trustees of the Langdon Library, Larry Wahl, Len Thomas, Building Inspector Charlie Smart; and Keith Frizzell, Brian Haberstroh, and Darryl Brown representing the Recreation Committee.

*Selectman O'Reilly moved to accept the minutes of November 19<sup>th</sup>. Seconded by Selectman Iocovozzi. So Moved 3-0.*

**Garrepy LUTC Request for Abatement – Khalsa Land**

Mike Garrepy asked the Board to consider abating the \$ 35,700 Land Use Tax Change which came about as a result of the Khalsa land being subdivided and no longer qualifying for Current Use. It was suggested by Selectman O'Reilly that Mr Garrepy work with the PDA to see if they would entertain the thought of the deed coming to them with a wet land easement restriction.

Mike will get back to the Selectmen, meanwhile, *Selectman O'Reilly moved to table this abatement request issue until Mr. Garrepy comes back to the Board with information from the PDA and their thoughts on this deed restriction. Selectman Iocovozzi seconded. Motion passed 3-0.*

**Library 2008 Budget**

Dot Noseworthy and Julie Biron represented the Library as Trustees.

Salaries – Increased due to a raise in pay and more hours. We also have 27 pay periods in 2008.

Wages – Increasing for raises for support staff and adjusted hours.

Bldg Maint – The Trustees referred to RSA 202A which states that the Trustees will oversee the buildings used as a library and their budgets. Up until now, building maintenance, etc has come under the Selectmen.

*Selectman Iocovozzi moved to accept the Library budget as presented in the amount of \$ 70,199. Selectman O'Reilly seconded. Motion passed 3-0.*

The Selectmen will vote on the building maintenance, etc budget request at a later date.

**Conservation Commission 2008 Budget**

Legal – The Conservation Commission would like to encumber funds to cover legal costs in 2008 and will get back to us before year's end with the information. Justin wants to expend \$3,000 out of the bottom line to pay the attorney to continue the fight on Wet Lands Issues with the DES.

Warrant Article – Peg Lamson asked that the Selectmen once again sponsor a Warrant Article that asks for \$ 50,000 to be added to the current Capital Reserve Account for Conservation.

*Selectman O'Reilly moved to recommend a \$ 20,500 Conservation Commission budget. Selectman Iocovozzi seconded. Motion passed 3-0.*

**Recreation Committee 2008 Budget**

Voucher Program has been opened up to other local communities, not just Portsmouth who offer programs having resident and non-resident fees.

Summer Program increased as they felt more participation may occur in 2008 and although we may get a refund, we have to budget the full contract amount.

Movie Tickets were up as sales will be increasing with promotion of their availability.

General Maintenance – Care of Trails should be done in conjunction with our highway dept or outside firm vs paid high school kids. Baseball field Maint is estimated around \$2,200. Tennis court resurfacing is estimated at around \$ 4,000. Woodchips and misc expenses make up General Maint. Daryl Brown will call Tennis Court company to find out about condition assessment before painting.

Playgrounds belong to town which come under the Selectmen – integrity and safety. Keith had hoped that the Rec committee would be placing a piece of playground equipment at the Basket Ball Court area in South Newington in 2008. A survey is being done on the field behind Old Town Hall for planning for soccer or lacrosse or ultimate Frisbee field layout. It was suggested all town land get surveyed someday in the future.

Activities – Rather than Youth activities, it was suggested since Yoga now has proposed funding in that line, we re label it just activities. The Rec Committee verbally asked for another \$ 1,000 for that line, however the BOS felt they could find it somewhere in their existing requested budget. Easter Egg hunt, basket Ball awards, 2 plays, etc are also in this line.

***Selectman O'Reilly moved to accept the budget in the amount of \$ 56,305. Cosmas Iocovozzi seconded. Motion passed 3-0***

Regarding the old swing set at the Carriage House, the Highway dept and Rec will take care of this in the spring.

**Highway Department 2008 Budget**

Salaries – 2.4% Merit to be added to this line

At year end, Len can recommend a performance bonus to Board if monies are left over. Area snow plowers pay scales will be researched.

Resurfacing – Jack recommended we keep \$190,000 and bump up culvert line to \$25,000 as there are 4 just in Capt Landing. Create telephone and education lines in Highway. Board to revisit Highway Budget at next meeting.

**2008 Holiday Schedule**

***Selectman O'Reilly moved to accept the 2008 Holiday Schedule. Seconded by Selectman Iocovozzi. Motion passed 3-0.***

**Town Facility Use Applications:**

O.T.H. Kitchen & 2<sup>nd</sup> fl – Jan 26 – Birthday Party/Matt Woods – 2pm til midnight – Jennifer Carter Request (392 Newington Road)

Town Hall Audi – Feb 9 & 10 – 8am-5pm - Referee Training – Frizzell fee waived

DeRochmont Rm – March 15 – 10am – noon - Soccer Clinic Meeting fee waived

Town Hall Audi & Kit – Nov 12 – 16 – Town Church Fair fee waived

O.T.H. 2<sup>nd</sup> Fl – Baby Shower – Charlie Smart – Feb 17 - 11am – 2

T.H. Audi & Kit – Estey Christmas Party – Dec 24 – 3pm – 11:00pm

T.H. Audi – Seabreezes – Jan 12 7:30pm – 10pm - Meeting	fee waived
T.H. Audi – Seabreezes – March 8 - 7:30pm-10pm – Meeting	fee waived
T.H. Audi & Kit – Jan 6 - 7:30am – 11:00 – DeWolf Memorial Breakfast	fee waived

*The above requests were approved 3-0.*

**Fox Point Erosion Bidding/Bonds**

Correspondance from Duncan Mellor of Water Front Engineering posed a few questions to the Board regarding bidding, delayed permit issuance from the DES and Bonds. Selectman O'Reilly and the AA will speak to Duncan in attempts to get bids in prior to year end to enable encumbering funds.

**Event Regulations**

Charlie Smart, Building Inspector will act as liaison between the Planning Board and Selectmen

Next Budget meeting will start at 6:00pm on the 17<sup>th</sup> of December.

**Misc:**

Larry Wahl expressed his concerns with availability or lack thereof for random drug testing for drivers for those who are seasonally employed. The AA will continue to seek out something in writing for him regarding situations such as this. Larry also handed out information pertaining to the 2009 budget schedule for the town and hoped to start Budget Committee session with departments as early as December.

Selectman O'Reilly moved to adjourn at 9:00pm. Seconded by Cosmas Iocovozzi. Motion passed 3-0.

*Respectively Submitted*



**Beatrice Marconi**  
**Administrative Assistant**

**Board of Selectmen's Meeting Minutes**  
**Monday, December 17, 2007**  
**6:00pm - Town Hall**  
**Newington, NH**

Chairman Jan Stuart opened the meeting at 6:15pm with the Pledge of Allegiance.

Present: Chairman Stuart, Selectman Iocovozzi, Planning Board Chairman Dennis Hebert, Administrative Assistant Beatrice Marconi, Mike Garrepy of Tide Water Creek Rlty, Rick Stern, John Lamson representing the Historic District Commission; Robert Redden, George Fletcher and Skip Cole-Sewer Commissioners, and Larry Wahl. *Jack O'Reilly arrived at 6:55pm.*

**Planning Board 2008 Budget Request**

Dennis Hebert represented the Planning Board in their 2008 budget presentation.

Wages increased from \$2,500 to \$3,200 as there was a possibility of more meetings.

Legal increased from \$7,000 to \$10,000 with the impending action before the town.

Master Plan had nothing spent from it and as Dennis explained they plan on working on the future development and needs for the town section this year.

Mr. Hebert had concerns on the administrative portion of the Planning Board budget whereas the Selectmen control the wages and lines affiliated. He felt the bottom line vote were proposals his Board oversee however it's not really the case with those other lines included. *Selectman Iocovozzi moved to accept the Planning Boards' budget of \$137,532 with Chairman Stuart seconding. Motion passed 2-0.*

**Mike Garrepy – Land Use Tax Change Abatement Request**

Mr. Garrepy, at our last meeting, was urged to speak to the PDA to ask if when they bought the Khalsa land if they would accept a deed with preservation restrictions on the wetlands for the Town. Mike didn't feel they were interested in this concept therefore asked the Selectmen to vote to abate or not abate. *Cosmas Iocovozzi moved to deny his request for the abatement on the LUTC in the amount of \$ 35,700. Chairman Stuart seconded. Motion passed 2-0.*

**Sewer Department 2008 Budget Request**

Chairman George Fletcher stated that the operations line is up 4% which is their best estimate.

Regarding the centrifuge project, George indicated that they will probably only request \$64,000 and that should wrap things up. *Selectman O'Reilly moved to recommend the Sewer Department's budget of \$ 712,406 to the Budget Committee. Selectman Iocovozzi seconded. Motion passed 3-0.*

**Cemetery 2008 Budget Request**

Rick Stern-Cemetery Committee member was asking for a budget of \$19,730. He noted that the wage line is for paying generally town employees doing work for the Cemetery. New line for water as in the past was run through the library meter. Care of Trees is new line too. Rick says the Committee hopes to have a survey done in 2008. Discussion continued on holding the bottom line, then *Selectman O'Reilly moved to recommend \$ 19,030 to the Budget Committee. Selectman Iocovozzi seconded. Motion passed 3-0.*



**Historic District Commission 2008 Budget Request**

John Lamson represented the HDC and their request for a budget of \$ 12,000. Chairman Stuart asked about the situation with the museum at Old Town Hall and suggested display cases be purchased and placed at the new town hall for people to enjoy since the museum was really rarely open. With the shortness of volunteers progress has slowed. Jan also suggested the Old Parsonage for artifacts. The Board decided to consider funding display cases under the town government budget. *Selectman O'Reilly moved to recommend \$ 12,000 to the Budget Committee. Selectman Iocovozzi seconded. Motion passed 3-0.*

**Highway Department 2008 Budget**

*Selectman O'Reilly moved to recommend \$ 362,050 to the Budget Committee. Selectman Iocovozzi seconded. Motion passed 3-0.*

**Fire Department 2007 Over Budget Spending**

Chairman Jan Stuart read the Fire Engineers request dated December 11, 2007 for coverage from the Selectmen for the Fire Department's over spending. The Selectmen had hoped a representative from the Engineers could have been in attendance this evening to address questions coming from the Selectmen. *Selectman Iocovozzi moved to table this request until the next meeting. Selectman O'Reilly seconded. Motion passed 3-0. Selectman O'Reilly moved to send a letter to the Fire Engineers signed by the three Selectmen asking them to address certain questions pertaining to the overage and hoped they would be in attendance at the next meeting. Selectman Iocovozzi seconded with the motion passing 3-0.*

**Minute Approval**

Selectman O'Reilly moved to approve the minutes of December 10, 2007. Selectman Iocovozzi seconded. Motion passed 3-0.

**Encumbrances** will be voted upon on Thursday, December 27<sup>th</sup>, beginning at 5:00pm. Duncan Mellor from Water Front engineers will be asked to attend.

*Selectman O'Reilly moved to adjourn at 8:00pm with Selectman Iocovozzi seconding. Motion passed 3-0.*

Respectively Submitted,

Beatrice Marconi  
Administrative Assistant

**Board of Selectmen's Meeting Minutes**  
**Thursday, December 27, 2007**  
**Town Hall 5:00pm**

Chairman Jan Stuart called the meeting to order at 5:00pm.

Present: Chairman Stuart, Selectman O'Reilly, Selectman Iocovozzi, AA Beatrice Marconi, Code Enforcement Officer Charlie Smart, Duncan Mellor of WaterFront Engineers, Larry Wahl, Fire Engineers Wib Goins, Ruth Fletcher and Steve Sabine.

Pledge of Allegiance

**Fox Point Erosion Project**

Duncan Mellor of Water Front Engineers came to the Board and presented a set of plans and copy of bid packet that was sent out. We received 2 bids. He broke down the project into several phases for bidding and budgeting purposes. Maritime Construction bid \$123,650 for phase I where as RiverBend Masonry bid \$87,500. *Selectman O'Reilly moved to approve the RiverBend Masonry proposal at \$ 87,500 for phase I. Selectman Iocovozzi seconded. Motion passed 3-0. See encumbered section of these minutes for 08 funding information*

**Fire Department Budget**

The Board of Fire Engineers indicated that they felt they would be over spent approximately by \$10,000. Engineer Ruth Fletcher explained that the budget cut backs last year caused the problems. Overtime continues to drive upwards. The Selectmen expressed that they wished they had assurances from the Engineers that this would not occur again. They cautioned that if the Fire Dept in 2008 or in the future ran into overage problems, that more than likely the Selectmen would not cover their request for town coverage. Selectman O'Reilly made the following motion. *"In order to prevent elimination of a vital protective service to the Town of Newington, I move to authorize no more than expenditures of \$ 12,000 to the Fire Dept budget. This is the maximum amount the Board of Fire Engineers expects to exceed their operating budget approved by the residents of Newington at the 2007 annual Town meeting. This money shall be covered by the Town Government's legal fund accounts, that being 01-4153-06-320 and 321." Selectman Iocovozzi seconded and the motion passed 3-0.*

**Encumbrances and Acceptance of Bids**

**Meeting House**

Approved - John B Wastrom – Mason – proposal for masonry work at the Meeting House in the amount of \$ 23,750.00 Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Encumbered \$ 23,750.00** for Wastrom work from line item 01-4194-06-430 (Meeting House Maint & Repair. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Library**

**Encumbered \$ 436.00** from line item number 01-4194-04-430 (Langdon Library Maintenance & Repair Fund) for work to be completed by Maldini Electric for installation of an entrance light. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Encumbered \$ 3,300.00** from line item number 01-4194-04-430 (Langdon Library Maintenance & Repair Fund) for work to be completed by FA Gray for exterior trim, etc. painting at the Library.

Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Old Parsonage**

Approved - FA Gray's proposal at the Old Parsonage in the amount of \$ 1,700.00 for stairwell painting (Chimney side wall) and exterior back wall; Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

Approved - FA Gray's proposal for exterior painting & mildew treatment in the amount of \$ 4,915.00; Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Encumbered \$ 6,615.00** for both projects for FA Gray from line item number 01-4194-10-430 (Old Parsonage Maint & Repair Fund) Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Town Hall**

Approved - Maldini Electric's proposal in the amount of \$ 2,780.00 for lighting of our flag pole and new sign. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Encumbered \$ 2,780.00** for Maldini's proposal for lights from line item number 01-4194-02-430 (Town Hall Maintenance & Repair Fund) Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Encumbered \$ 16,000** from the Town Hall Maint. & Repair Fund for the balance of Wastrom Masonry for brickwork. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

Approved the purchase of a ceiling mounted projector for the Town Hall Auditorium in the amount of \$ 3,295.00 from E-Gov Connections. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Encumbered \$ 3,295.00** from the Town Hall Maint. & Repair Fund for Auditorium projector. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

Moved to approve Integri Systems proposal of \$ 1,500.00 for installation (labor only) of the ceiling mounted projector in the auditorium and \$ 1,500.00 for installation (labor only) for DeRochmont Room. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Encumbered \$ 1,500.00** from the Town Hall Maint. & Repair Fund for Auditorium mount and

**Planning Department**

**Encumbered \$ 1,500.00** from Planning Board line 01-4191-08-740 (equipment purchase) for DeRochmont camera mount for work to be performed by Integri Systems. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Fire Station Bldg Maint. Fund**

Moved to **encumber \$ 3,000.00** from line item number 01-4194-04-430 (Fire Station Maintenance & Repair Fund) for work to be completed by Altus Engineering for design/plans/engineering for the septic system at the Fire Station. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Police Station Maint. Fund**

Moved to approve Maldini Electric's proposal for installation of gutter heat tape at the Police Station in the amount of \$5,210.00. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Encumbered \$ 5,210.00** from 01-4194-08-430 (Police Station Maint. & Repair) Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Land Management- Fox Point**

Moved to **encumber \$ 4,031.48** from line item number 01-4522-45-652 (Land Mgmt – Fox Point) for work to be completed by Great Bay Marine for repair to the dock. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

Moved to **encumber \$ 21,400.00** from 01-4522-45-652 (Land Mgmt – Fox Point) for work to be completed by Water Front Engineering for the erosion project still on going. (Tasks 3, 4, and 5) Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Capital Out Lay Fox Point**

Moved to approve the bid submitted by River Bend Masonry for work on the Fox Point Erosion Project in the amount of \$ 87,500.00.

Move to **encumber \$ 87,500.00** from line item number 01-4902-61-730 (Fox Pt Infrastructure Fund-Cap Outlay) for work to be completed by River Bend Masonry. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Tax Mapping**

Moved to **re-encumber \$ 5,000.00** from line item number 01-4150-05-999 (Finance & Assessing Encumbered Funds) for work to be completed by Meridian Tax Mapping for the update of the Town's Tax Maps. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Encumbered \$ 1,500.00** from 01-4150-05-550 (Tax Map Update) for updating work by Meridian Tax Mapping.

Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Police Station Maint. & Repair Fund**

*Balance in the Police Dept Misc Fund is currently \$ 85.00 – However bottom line is \$ 37,000*

**Encumbered \$ 5,840.00** from line item number 01-4210-15-690 (Police Dept Misc. Fund) for work to be completed by Watch Guard Video for mobile video imaging. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

*Note: Balance to come out of Cap Res in 2008.*

**Historic District**

*Records Restoration Fund is \$ 7,000.00- However bottom line is \$7,406*

Moved to **encumber \$ 7,207.00** from line item number 01-4589-48-680 (Hist Dist Comm – Record Restoration) for Brown's River Services for Record preservation. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Conservation Commission**

*CC Legal is -\$500 However bottom line is \$8,385*

Moved to **encumber \$ 3,000.00** from line item number 01-4611-49-320 (Conservation Comm Legal) for legal services provided by Baldwin, Callen & Ransom for the prime wetlands issue. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Recreation**

*General Maint. Fund is \$ -2,200.00 however bottom line is \$9,673.00*

Moved to **encumber \$2,500.00** from line item number 01-4520-45-699 (Recreation Comm – General Maint. Fund)

for work to be completed by RG Young for drainage issue repair to walkway to tennis courts. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

**Highway**

Resurfacing has \$ 85,529.00 Usable balance in Highway bottom line is \$100,000.00 which leaves \$ 9,000 cushion  
Moved to **encumber \$ 100,000** from line item number 01-4312-21-395 (Highway Resurfacing) for completion of Gundalow Landing/Brickyard project by North Hampton Excavation. Selectman O'Reilly moved/Selectman Iocovozzi seconded/Motion passed 3-0.

*\* Amended to  
\$60,000*

**Town Hall Facility Use:**

OTH 2<sup>nd</sup> Fl & Bathroom – Feb 23 6:00pm-11:00pm - Tretter

OTH 2<sup>nd</sup> Fl & Kitchen – Jan 12 – 5pm til midnight – Anniversary party – Walker

Town Hall Audi – Feb 6 – Border Patrol – 8:30am til 1:30

*Selectman O'Reilly moved to approve the above requests (waiving Border Patrol fee).  
Selectman Iocovozzi seconded. Motion passed 3-0*

**Facilities Use – User Deposit**

Chairman Stuart noted that on many occasions the chairs & tables are stacked incorrectly causing the next group using the building extra work. It was suggested that perhaps a deposit be collected and held until released to cover this problem. But, she noted, quite often the buildings are used Friday, Saturday and Sunday by different groups and policing the matter may be difficult. She felt the Board should think about this to discuss at a later date.

**Correspondence:**

Asplundh Tree Service asked the Town for permission to park 3 or 4 vehicles at Old Town Hall while cutting trees in Newington and surrounding towns. The Board agreed providing they did not hold the Town responsible for theft or damage and that they provide a certificate of insurance.

Selectman Iocovozzi moved to adjourn at 7:00pm. Selectman O'Reilly seconded.  
So Moved 3-0.

Respectively Submitted,

Beatrice Marconi  
Administrative Assistant