

Town of Newington, NH  
Board of Selectmen Meeting Minutes  
Tuesday January 16th, 2024

**Present:** Chair Bob Blonigen, Selectman Brandon Arsenault, Selectman Chris Wayss, Police Chief Mike Bilodeau, Fire Chief EJ Hoyt, Assistant Fire Chief Pat Moynihan, Building, Safety and Health Officer Jeremy Boston, Board of Fire Engineer Chair John Klanchesser, Board of Fire Engineer Ann Hyland Hebert and Town Administrator Martha Roy.

B. Blonigen called the meeting to order at 5:44pm. Followed by the Pledge of Allegiance.

**Jacqueline Cali-Pitts, State Representative Candidacy:**

J. Cali-Pitts told the Selectmen that she was a State Rep for 26 years and lost the last election by nine votes. She explained that she decided to run again because there are important issues facing Newington and Portsmouth; development, the water issues at Pease, building in wetlands at Pease, education funding, the conditions of roads and the infrastructure.

B. Blonigen said that all of those are important issues for Newington. The four biggest land owners in Newington only pay \$20,000 in taxes. It is important to have a representative in Concord that Newington can rely on to carry forward our issues.

The position that J. Cali-Pitts is running for represents Portsmouth's Ward 1 (from Maplewood Ave, just before the traffic circle, up through one side of Woodbury) and Newington.

B. Arsenault pointed out that the education funding issue was very important for Newington. The change in the school funding would increase Newington's taxes by 30% for residents and businesses. Which would be a huge impact for a small town.

**Minutes Approval:** B. Arsenault moved to approve the minutes of December 18, 2023 and January 2, 2024 C. Wayss seconded the motion. All were in favor.

**Manifest Approval:** B. Arsenault moved to approve the manifests for \$127,903.91 dated 1/4/2024 and \$229,735.62 dated 1/11/24. C. Wayss seconded the motion. All were in favor.

**Facility Use Requests:**

B. Arsenault moved to approve the following facility use request:

DES Presentation on PFAS in Great Bay and Seafood-Town Hall-2/1/24, 6-8pm

**C. Wayss seconded the motion. All were in favor.**

**B. Arsenault moved to approve the following facility use request:**

DES Educational Session for Residents on PFAS in Backyard Gardens/ Animals/Eggs-  
Town Hall-2/8/24, 6-8pm

**C. Wayss seconded the motion. All were in favor.**

**B. Arsenault moved to approve the following facility use request:**

Ventures Endurance-Margarita Half Marathon & 5K-5/12/24, 8-11:30am

**C. Wayss seconded the motion. All were in favor.**

B. Blonigen asked M. Roy to put the race information in the newsletter to give the residents a heads up about the upcoming race in May.

**B. Arsenault moved to table approval of this event until the next meeting.**

Heather Willis (Perkins Wedding) Grove Picnic Area & Fox Point-6/29/24, 12-8pm

**C. Wayss seconded the motion. All were in favor.**

**McIntyre Road, No Parking Ordinance Discussion-Police Chief Michael Bilodeau:**

M. Bilodeau said that he sent two different options for this ordinance to the Board for their review.

The first ordinance option would be for 1,200 feet north of and 1,200 feet south of the entrance to the NH Air National Guard gate, on the east shoulder of McIntyre Road and 1,200 feet north of and 1,200 feet south of the entrance to the parking lot of the Federal Wildlife Refuge parking lot, on the west shoulder of McIntyre Road. There would be a total of eight signs, four on each side of the road.

The second ordinance option would be for no parking on McIntyre Road along both east and the west side of the roadway, from the Merrimac Drive over pass to Newington Road. There would be a total of twelve signs, six on each side of the road.

M. Bilodeau said that he liked the second option better. B. Blonigen said that he also liked the second option better. C. Wayss liked the idea to keep people from parking on the side of the road and potentially damaging conservation lands and creating public safety hazards.

M. Roy said the next step would be to have a public hearing on the proposed ordinance.

Discussion ensued about where to have the no parking area along McIntyre Road and the Board concluded to add "the north side" to option two. See below for new language in the second option.

The second ordinance option would be for no parking on McIntyre Road along both east and the west side of the roadway, from the north side of the Merrimac Drive over pass to Newington Road. There would be a total of twelve signs, six on each side of the road.

**B. Arsenault moved to bring this issue to a public hearing. C. Wayss seconded the motion. All were in favor.**

Discussion ensued about the RSA about snow removal that says that you can't remove snow from your driveway into the public roads. M. Bilodeau asked for more time to research the issue and the RSA.

**Ambulance Purchase Discussion-Fire Chief EJ Hoyt:**

E. Hoyt said he is here to discuss the Board of Fire Engineer's decision on the Ambulance bid and approval to sign the contract. According to the Fire Department's CIP for the ambulance purchase, they were due to sign a contract at the end of 2024 for a delivery date sometime in 2026, but due to supply chain issues if they sign a contract today, delivery wouldn't be until the end of 2026 or early of 2027. That is why they would like to sign a contract sooner than later to try to stay on track with their Capital Improvement Plan.

P. Moynihan said that he reached out to the company who made the current ambulance and asked for a bid for a new ambulance, plus two other vendors. The BOFE decided on the bid from Allegiance Fire & Rescue for a Road Rescue Chevy Silverado 5500HD UltraMedic 170 for \$388,593. The local service shop is in Saco, Maine.

The current ambulance is 10 years old. B. Blonigen asked how much was in the Ambulance Capital Reserve Fund. E. Hoyt said there is currently \$345,000 in there and there is a warrant article submitted for \$60,000 more.

P. Moynihan said that Town Attorney John Ratigan looked at the contract and had a couple of changes that he recommended be done. One change was to add a delivery date to the contract. They are discussing these changes now with the company. There is no prepayment required. B. Blonigen said that he didn't think a delivery date needed to be added to the contract if the Town hasn't given them any money.

P. Moynihan said that there is a possibility of trading in the current ambulance to this company.

B. Arsenault asked what the life of an ambulance was in their capital improvement plan. E. Hoyt said 10 years.

B. Arsenault said that the three issues to sign this contract now;

- The Fire Department wants to get ahead of the supply chain issues
- There are a couple of mechanical issues with the current ambulance
- It is important to stay on track with the Fire CIP plan

B. Arsenault thought there should be a delivery date in the contract.

B. Blonigen suggested a delivery window of a year.

A. Hyland Hebert said that the old ambulance will be stripped of everything that they can use on the new ambulance.

B. Arsenault asked about the fees in the cancellation clause. P. Moynihan said they won't be giving them any money until delivery.

**Jennifer Mandelbaum, State Representative Candidacy:**

J. Mandelbaum said that her background in public health gives her a unique perspective on data driven decision making. The important issues are making our infrastructure more resilient to climate change, Pease and PFAS is a big issue going forward and housing is a major concern with prices so high it is hard to retain young people in the area.

B. Arsenault said that the school funding is a big issue for Newington because it could increase Newington's taxes by 30%. It is important for Newington to be able to make their own zoning and development decisions and not be mandated by the State and the proposal at Pease to put a fuel farm in wetlands that feeds into a reservoir and aquafer. Newington needs help from our State Representatives. State Rep David Muse has been a great advocate for Newington over the past year.

B. Blonigen said that Newington has the Port of NH; we have the working waterfront for the State of NH. The State fixed the port and dredged the river, but they won't help us fix the roadways leading to the highways where all the trucks go. We don't think that is fair.

**Fire Station Second Floor Addition Analysis Quotes Review Jeremy Boston, Building, Safety and Health Officer:**

J. Boston said that he received three bids for the structural analysis for the fire station to be able to take a second floor. TW's bid is \$57,240, Tighe & Bond's bid is \$21,750 and Summit's bid is \$4,000. J. Boston would recommend Summit's bid.

B. Arsenault pointed out that there were only two questions that the engineers would have to answer for the Town. Can the block foundation support a second floor and if

they can't support a second floor what can be done in order for them to support a second floor?

E. Hoyt said that he would like to see the study completed. A. Hyland Hebert said that the BOFE would like to spend the least amount of money to get an answer to our questions and then go from there. We need basic data.

B. Blonigen if the fire station building was worth saving and thinks this report will help answer that question. A. Hyland Hebert said they need to find out what it would cost, but that doesn't mean that the taxpayers are going to want to pay for it.

B. Arsenault wanted to make sure that the scope of work was what the Selectmen were looking for.

**B. Blonigen moved to approve Summit to do the structural analysis of the Fire Station for \$4,000. B. Arsenault seconded the motion. All were in favor.**

**Flynn Pitt Concerns-Jeremy Boston, Building, Safety and Health Officer:**

J. Boston said that he received a letter from a resident who was concerned with the use of firearms and hunting on that property.

Some hunters said that they had gotten permission from Eversource to walk through that property to get to private property to hunt.

J. Boston and M. Bilodeau walked the property and found that there are two tree stands on the Towns property. Chief Bilodeau contacted Fish & Game and confirmed that you need the permission of the property owner to put up a tree stand. The Town hasn't given that permission. Since the Town didn't give permission for these tree stands, they can be removed.

B. Blonigen said that the only permission that the Board has given is for a licensed bow hunter to hunt on Fox Point.

J. Boston said that Eversource has permission to use that path to do maintenance, but the public can't walk there.

C. Wayss said that even though it is Town owned land and there is an easement on the property the State law permits open use of space unless the property is posted. If the land isn't posted then people can walk through that land to get to wherever they want to go to. NH Fish & Game requires tree stands to be labeled with the owner's name, address and phone number.

A. Hyland Hebert asked if when the Police Chief and J. Boston were on the Flynn Pitt property, they could look for additional tree stands out there.

C. Wayss suggested that the Town asked Fish & Game help them with this issue.

M. Roy said that the resident that wrote the letter to the Selectmen suggested adding a portable toilet to the Flynn Pitt area and placing circular rocks around the area used for staging, identical to what is on the Captains Landing side of the entrance to remove easy access/parking for non-residents.

B. Blonigen said that he doesn't think a portable toilet is a good idea, but will look into the rock barrier idea.

**Fox Point-Waive Rent in Lieu of Tax Payments:**

B. Blonigen said that there is a new renter in the Fox Point house. The Board set the rent at \$2,500 plus mowing, but then found out from the town's attorney that Fox Point would lose its tax free status if there is rental income. The Board didn't think it was fair to the renters, after they had agreed on the \$2,500 for rent, to add the payment of taxes to the agreement, so the Board decided to take the taxes out of the July and December rent. Taxes will be deducted from the July and December rent due.

B. Arsenault said that this is nothing new and should have been done since the beginning for the renters at Fox Point. This correction needs to be made.

**Screen Non-Public Minutes Procedure:**

M. Roy said that the State has passed a law that says by 2033, the Board is required to review all of the previous non-public minutes. The Board could appoint someone to do that or the Board could review them and decide if they should continue to be sealed or opened up to the public. There are approximately eighty non-public minutes.

B. Arsenault pointed out that the Board would have to decide together if the minutes should continue to be sealed or opened up to the public. M. Roy will send out the oldest of the non-public minutes before the next BOS meeting. The Board decided to review two per meeting, with the option to review more in the future.

**Encumbrances-Fox Point Dock Repair:**

B. Blonigen got an email from Peter Welch and said that he has taken a second look at the dock and there are some things that need to be done. B. Blonigen would like to talk to P. Welch to see if he would come back as the dock master.

M. Roy listed three encumbrances on the docket. One for the Fox Point dock repairs for \$14,150 and the engineering oversight/permitting is \$7,500, one for Burke's Tree Service

for \$1,495 for the removal of the Lydia Lane ash tree and one for RMON Computers for \$4,187.53 from the Historic Commission for a laptop, scanner and external drives.

B. Arsenault asked Riverside Pickering if the pier needed to be closed for safety reasons. Riverside Pickering said that the float connections and pile change should be completed before spring as they are 50% or more worn. The pilings could wait until next season, so allow time for the permitting to be in place. Riverside Pickering said that they didn't think the pier had to be closed off for the winter. B. Blonigen pointed out that this email was sent on January 5<sup>th</sup> before the last storm. More damage could have been done since this communication. B. Arsenault suggested that the town start the permitting process to replace the pilings, but the float connections and pile change could be done in the spring.

C. Wayss asked if the Board should encumber separate amounts. The \$14,150 for the repairs from Riverside Pickering and the \$7,500 for Civilworks to do the engineering work. M. Roy pointed out that in the Civilworks contract it says that they can't guarantee the \$7,500.

B. Blonigen said that if all this work on the dock is being done then a dingy fee should be imposed this spring. C. Wayss suggested that the Board encumber the \$21,650 to take care of this safety project.

**B. Blonigen moved to encumber \$21,650 for the dock repairs at Fox Point, the \$1,495 for Burke's Tree Service and \$4,187.53 for RMON for the HDC project. C. Wayss seconded the motion. All were in favor.**

**Library Budget Revision:**

M. Roy said that there was a formula error in the Library budget. The amounts for each line were correct, but the bottom line should be increased to \$281,744.

**B. Arsenault moved to approve the corrected amount for the Library budget of \$281,744. C. Wayss seconded the motion. B. Arsenault and C. Wayss in favor. B. Blonigen opposed.**

**Juneteenth Recognition:**

B. Blonigen said that the Board has not spoken to the department heads about Juneteenth and would like to table this item until this can be completed.

**Restoration Advisory Board-Selectmen Representative Application:**

M. Roy said that the RAB would like a Selectman to sit on the RAB Board. This Board meets four times a year in the evenings. This Board continues to review and work on the PFAS contamination of ground water from the Air Force firefighting foam. B. Blonigen said that he would volunteer to join the RAB Committee.

**Newington School Donation Acceptance-Snowblower:**

**B. Arsenault moved to accept the school's donation of a snowblower. C. Wayss seconded the motion. All were in favor.** The Board thanked the school for the donation.

**Liquor License:**

RCI Holdings/The Theater has applied for a new liquor license because the theater has changed ownership. B. Blonigen asked M. Roy to get a list of all the liquor licenses in Newington. P. Moynihan asked if the Fire Department could get copy of the list. B. Blonigen asked that a copy also be sent to the Police Department. The Board was in favor of this liquor license.

C. Wayss said that there is a NH House bill 1461 that is going before the House this week. This bill would require all noticed meetings and hearings of elected and appointed municipal bodies to record and live stream their meetings. C. Wayss is in favor of this bill, however it is a challenge for some towns in the State that don't currently have websites. NHMA has opposed non funded mandates from the State. There may be money to get towns started with this process. Residents like to watch the meetings from their homes and it promotes transparency. C. Wayss would like the Board to submit a letter to the State in support of this bill. C. Wayss supports the video taping of meeting because if the minutes are wrong there is video showing the correction.

C. Wayss read the draft letter:

Dear Honorable Members of the Committee,

The Board of Selectmen for the Town of Newington wish to express our support for House Bill 1461, although we do acknowledge some logistical and financial concerns expressed by the NH Municipal Association in response to the inquiry about the fiscal impacts of this bill. We support conceptually the intent of broadening access to governmental meetings especially at the local level. The Town of Newington has been live streaming most of its public meetings of public bodies for over two years and has found it to be a great resource for residents to stay informed about the actions of their local government. Live streaming not only supplies access to meetings while they are being held, but also provides an archival record of those meetings accessible on demand when residents have time to view the recording. With so many demands on our resident's time, the ability to view the live stream when it is convenient to them is very important to accommodating their needs. We hope the committee will find a way to promote and advance the ideals contained within 1461.

C. Wayss said he was ready to sign the letter. B. Arsenault agreed.



B. Arsenault updated the Board on the Dog Ordinance Committee. He explained that he wanted to include both residents that participate and don't participate in the Fox Point Saturday morning dog group at Fox Point and to also include residents that don't usually participate in Town committees.

B. Arsenault has selected five people to be on the committee:

Huddy Grandy

Debbie Obertanec

Jim Veratico

Becky Ruel

Eric Frizzell

and Police Chief Mike Bilodeau will sit in.

M. Roy will reach out to these residents tomorrow to set up a time for the first meeting.

**Public Comment:**

There were none.

**B. Arsenault moved to enter a nonpublic session at 8:25pm per RSA 91-A:3 II (e) Legal. C. Wayss seconded the motion. B. Blonigen asked for a roll call vote: B. Blonigen-Yes, B. Arsenault-Yes, C. Wayss-Yes. All were in favor.**

Respectfully submitted, Eleanor Boy, Recorder