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Board of Selectman                      Town of Newington                      January 05, 1998  
Present: Chairman Paul Kent, Margaret (Peggy) Lamson, Cosmas  
Iocovozzi

Meeting was opened at 6:00 pm  
Minutes of meetings held 12/02 - 12/08 - 12/15 and 12/22, were  
accepted on a motion by Lamson, seconded by Iocovozzi.

Fire dept. presented their 1998 proposed budget, after some  
discussion of the budget in the amount of \$444,869, a motion was  
put on the table to accept and recommend it to the budget committee  
by Lamson, seconded by Iocovozzi.

Fire chief reported that their secretary resigned and they would  
try to replace her with a part-time person to work 20 to 25 hrs per  
week.

Fire dept. presented to the Board in writing a request for the  
"revenues from the ambulance be put into a fund which would be used  
for ambulance replacement and replacement of major medical  
equipment". The last ambulance was purchased in 1990, at a cost of  
81K, to replace now, estimated costs would be 100+K. The income  
from the ambulance in 1995 was 14K, in 1996 was 16K and in 1997 it  
was 12.5K. The Board is checking to see if this can be done, and  
taking the matter into consideration.

Fire chief informed the Board that the fire dept was never notified  
that the day after Christmas was a paid holiday. Paul recommended  
that the fire chief give his full time employees a day off sometime  
through the year (98) to make up for the day after Christmas (97).

Fire dept requested that when the police dept is ready to trade in  
their cruisers that the fire dept would like to acquire one. The  
present chiefs' car has 147K miles on it.

Sewer dept. presented their 1998 proposed budget, after some  
discussion of the budget in the amount of \$803,149, a motion was  
put on the table to accept and recommend it to the budget committee  
by Lamson, seconded by Iocovozzi.

The Board recommended that a letter of thanks be sent to Mr & Mrs  
Smith for there kind words to our Fire Chief Larry Wahl.

The Board recommended that a letter be sent to Margaret Adams-  
McQuade to keep her informed as to what the Board is doing to help  
with the problem about her land.

A meeting is scheduled for January 09, 1998 to meet with Wayne  
Carpenter from Mobile about setting the town up with a Fleet  
Account for gas and diesel fuel.

Approved use of the hall for Kellie Mueller on May 09, 1998.

Discussed inground gas tank, awaiting reports of inspections.

Approved application for BJ's Credit account, with a credit limit of \$1,000.00

Will consult with attorney John <sup>Ratigan Pl.</sup> Radogon before issuing pole licenses to Freedom Ring Communications.

Cos reported on drainage work on Hannah Lane, it is recommended that it be improved at some later date with two residents willing to donate the materials.

Discussed highway budget, agreed to show separate line item of 10K for engineering services.

Meeting adjourned at 7:55 pm

Diane Fritz Sec'y

Board of Selectmen met on January 06, 1998 at 4:30 P.M. in preparation of their 1998 General Government Budget. Coz would be late because of work commitment. Also to meet with the Board of Selectmen would be Newington Police Commission, Scheduled time 5:30 P.M.

Chairman Kent addressed the Police Commission present from the board: Jack O'Rielly, Chairman Len Thomas along with Police Chief John Stimsol, absent, Joe Akerely.

Commission members stated that Joe Akerely would present the Police Budget to the Newington Budget Committee.

Peggy Lamson reminded the commission and Chief Stimsol the departments could not encumber any money in their budget for building maintance, they are to request building maintance to the Board of Selectmen to encumber in the General Government Budget, a specific amount if it deemed for their building. Discussion held.

Police budget did show encumbrance. Jack O'Rielly stated the total amount was \$761,118.00 for Police budget. Again reminding, no encumbering of funds. Discussion held on work for second floor.

Police Commission requested of Board of Selectmen to encumber \$7,000.00 from their building maintance - Police Dept, so as work could be completed on the heating/plumbing at Police Dept. Board of Selectmen agreed.

Peggy Lamson, told the Commission and Chief the IRA as given by previous boards was no longer a practice and not in the Personnel Policy. To remind if a replacement for Secretary, and any new personnel would be on the State Retirement.

On a motion by Peggy Lamson to forward the Newington Police Dept. Budget for 1998 in the amount of \$761,118.00, to the Budget Committee, seconded by Coz. Motion carried.

Coz asked the Chief if he ever does Patrolling, Chief stated he will fill in when needed. Board of Selectmen reconvened their meeting to 1/9/97

Newington Board of Selectmen on January 09,1998 met with W. Carpenter of Mobile Fleet. Presently, town vehicles obtain gas from town owned gas system. Board of Selectmen have been advised that the underground storage tank must be removed in 1998, per regulations from the State of NH. The Board will have gas tank removed by April 1998(weather permitting).

Coz contacted Mr. Carpenter to review the Mobile Fleet proposal to the Board. The Board requested the Chief of Police to be in attendance because his dept., cruisers are all gas vehicles. It was decided that this program would be in the best interest for all gas motor vehicles in town. The Board of Selectmen selected the Chief of Police to be in charge of the Mobil Fleet Town's account.

Moved by Lamson to reconvene the meeting to January 13, 1998 at 3:30 PM. Seconded by Kent -- Motion carried in the affirmative.

bosmtg1998

On January 13, 1998 Chairman Kent opened the meeting with full Board present. He asked for a vote on appointment of J. Stimson to manage the Mobil Fleet Account. Moved by Coz, seconded by Lamson to appoint Chief J. Stimson as Mobil Fleet Manager for Towns Gasoline Vehicles. Motion carried on the affirmative.

The Board proceeded to work on 1998 General Government Budget, Board must have their budget to Committee by 1/24/98. Plus, Town Warrants must be started. Discussions held on various lines of Budget. The Board of Selectmen meet again next week to finalize budget. Work session adjourned at 6:30 PM.

bosmtg11298

Board of Selectmen

Town of Newington

January 26, 1998

Present: Chairman Paul Kent, Margaret (Peggy) Lamson, Cosmas Iocovozzi.

Meeting was opened at 6:30 p.m.

Minutes of meetings held January 5, 6, 9 and 13, were accepted as presented.

Supervisors of Checklists have appointed William White to the position left vacant by the death of Margo White. Term will expire at the March '98 Town Meeting. Board signed appointment - Town Clerk will swear him in to office.

Board approved the following uses of the Town Hall:

Wayne Wood February 8.

Richard Rines February 13.

Total Waste Management Jan 30 & Feb 6.

Luanne O'Reilly each Monday - orchestra rehearsals.

Doug Reed - March 19.

Christi Watson - February 14.

Barbara Spinney, Picnic Grove, July 19.

Approved vacation day for Tom Morgan on January 30.

Received check in the amount of \$90,000, which added to \$10,000, previously received makes \$100,000 recovered from the Federal Government from the town's legal action against the Air Force and FAA re: airport noise.

Discussed the acquisition of the Stone School and some of the options available to the town including public benefit transfer. Noted that this type of transfer would have many strings attached. Board hopes to make some final decision before their next meeting on February 2.

#### NEW BUSINESS:

Fire Commissioner Guy Young and Fire Chief Larry Wahl were present to discuss long range vehicle replacement.

Selectmen asked that the Fire Chief supply them with an estimate of time when vehicle will need to be replaced and a dollar amount to placed in the account.

It was agreed that the Board would place an article in the 1998 Warrant asking town to vote a capital reserve fund for replacement of ambulance. It is suggested that the amount proposed would be the revenue from ambulance service collected in the previous year and deposited to the general fund.

Discussed a letter drafted by Chris Cross re: the proposed gas pipeline. Board approved draft on a motion Cosmas, seconded by Peggy.

Reviewed the Board's budget proposals including capital expenditures.

Discussed the proposed warrant articles, including proposals to amend the sewer use ordinance. Selectmen will recommend that separate permits, with fees, be issued for electrical and plumbing jobs. Presently the electrical and plumbing permits are included in the Building Permit. Will consult NHMA to determine if Selectmen require approval prior to instituting new permit requirements.

Noted that there is a need for another alternate member to the Board of Adjustment and on a motion by Peggy seconded by Cosmas it was voted to appoint Russell Cooke. Term to expire 2001.

On a motion by Peggy, seconded by Cosmas, it was voted to recommend a General Government Budget total of \$810,254, a decrease over previous year of 10%.

On a motion by Cosmas, seconded by Peggy, it was voted to recommend Capital Expenditures totaling \$108,123 - which includes Police Cruisers \$47,088; Police Radios \$10,000 for Reserve Fund; Vehicle Bond Principal \$45,000 & interest \$6,035.

Board agreed to recess this meeting and reconvene on Tuesday February 1/27, to meet with environmental engineers re: gasoline tank at town garage.

Pat Main  
Sec'y.

KX

Board of Selectmen                      Town of Newington                      February 02, 1998  
Present: Chairmen Paul Kent, Margaret (Peggy) Lamson and Cosmas Iocovozzi

Meeting was opened at 6:35

Minutes of meeting 1/26/98 were accepted on a motion by Paul Kent, seconded by Peggy Lamson.

Ben Thayer, Freedom Ring Communications was present to explain the reason for the petition to the Town of Newington for Pole Licenses to attach to existing utility poles, petition was granted with the stipulation that Ben produce written permission from Bell Atlantic for use of their poles. The Document was signed and when the document arrives from Ben the Secretary will mail it.

Chris Cross's letter to Mr. Flumerfelt, PNGTS was signed at this meeting, and will be mailed on 2/3/98.

Bob Hart's request for use of Town Hall was approved for 2/21/98 from 2 to 8 for son's birthday party. Rockingham Planning Commission's request for use of town hall was approved for 2/11, 2/18 and 4/9 for business meetings. Maggie Cook's request for use of the town hall was approved for 4/11, 10 to 2 PM, Mothers of Twins Club (this group meets once a year).

Discussion on Oil/Gas tank as of this meeting there was about 400 gallons, we can not drain it this week because our Fleet Account cards came in wrong and they were being redone. The conclusion is that the tank will be emptied on Friday or Monday depending on the arrival of the Fleet Account cards. Paul is calling Mr. Wheelock and let him know that it will be Friday of this week or Monday of next week.

Peggy reported that Mr. Roy Marquart is coming Tuesday AM to give the town an estimate on the floors at the police station. Cos stated that the police are using the upstairs of the station and that there is no railing on the stair case, the decision was made that after Town Meeting the railing will be put in.

Peggy reported that Richard and John have been painting and cleaning the police station and Cos said they are doing a good job.

Peggy requested that a list of persons going on the weekly ski trips be dropped off by Roseanne early in the week, Diane left a note for Roseanne requesting that she do this.

Peggy reported that she spoke to Judy Sulva and Peter Loughlin at NHMA and they stated that the Warrant Article about the Town Clerks compensation should stay the way it is written now, with the proposed dollar amount.

Discussion on Article 4 was that we put \$1000.00 as a token amount in the proposed capital reserve fund for future ambulance exp.

Peggy reported that Warrants have to be done by 2/23/98, and also reminded everyone that 2/16 was a holiday.

The Board of Selectmen will reconvene on February 18, and 4PM to sign Warrants.



Board of Selectmen                      Town of Newington                      February 12, 1998  
Present: Chairman Paul Kent, Margaret (Peggy) Lamson, Cosmas  
Iocovozzi.

Meeting was opened at 1:00 PM  
Chairman requested members read and review 1998 Town Warrant.

Peggy Lamson rep. to Planning Board reminded the Board that on 2/19/98 a meeting with the Planning Board relative to Rt 16 study. Also Public Hearing re; Petition for Board of Assessor RSA 41:2d will be held on 2/18/98 at 6:00 PM, petition will be voted on by ballot on March 10, 1998.

Moved by Cosmas, seconded by Paul Kent to sign 1998 Town Warrant, motion carried in the affirmative.

The Board received word from CEH Engineering that the gas tank at the Town garage will be pulled on February 17, 1998.

Meeting adjourned at 1:45 PM. Board of Selectmen will meet again on 2/18/98 at 6:00 PM

*Peggy Lamson*

Date of Public Hearing, February 18, 1998

Public Hearing - 6:00PM Newington Town Hall re: Petition presented by Fred Smith on February 3, 1998 with 14 residents signatures: are you in favor of a 3 man Board of Assessor RSA 41:2d

Chairman Paul Kent called the Public Hearing at 6:00PM. His first order, to read the Petition presented to the Board of Selectmen on February 3, 1998. Fourteen residents signed the petition, Peggy Lamson Board member explained to residents present that RSA 41:2d mandates Selectmen hold a Public Hearing at least 15 days prior to Town Meeting. In towns having an official ballot the question shall appear upon the Ballot. It will be a yes/no note.

Chairmen Kent then proceeded to ask those in attendance if they wish to respond to the Petition or questions answered. Marlon Fink, Little Bay Road asked for an explanation relative to the Petition. He asked Chairman Kent for Fred Smith to explain his reason for this Petition. Fred Smith, stated he feels that Board of Selectmen have a great deal of work and could use this Board. He felt if the Board of Assessors were created it would alleviate work load for the Board of Selectmen, ie Tax ability issues, updates re-val. Discussion was held as to who does the appraisals. Peggy Lamson reviewed RSA 41:2d as to what the RSA states that assessing duties would now be in the hands of the Board of Assessors taking duties away from the Board of Selectmen.

Lydia Frink, questioned the Board of Selectmen if they support the change. Paul Kent supports RSA 41:2d, Peggy Lamson stated it would be another level of bureaucracy and does not support the change. She would like more info how other towns operate with a Board of Assessors. Coz echoed the sentiments that our system of assessing has worked and wants to keep it in place. He does not support the change of having a Board of Assessors.

Fred Smith, responded that this Board of Assessors would not be creating another level of bureaucracy. He made mention that in one year the town would face an update evaluation.

Jan Stuart, why we need this Board of Assessors and what will be the compensation? Plus who is qualified to appraise properties. Chris Cross, How much pressure, the Board of Selectmen had when doing updates or Re-val. Plus what will be guidelines for this Board of Assessors.

Chairmen Kent, stated Board of Assessors would do a better job keeping up with issues. Fred Smith, responded that having this Board all dates reporting to State would be kept on time.

Al Smith, Newington Road, questioned time frames, discussion were held when dates covered not met. Board of Selectmen needed an extension from the State in 1995 re: Residential Up-date.

Al Smith, responded the town has changed for we now have a Police Commission which was created in 1987, Fire Engineers and it has worked for the town.

Clifford Abbott questioned about abatements, Dennis Hebert, questioned if Board of Assessors do their own appraising for town. Who would handle abatements.

Fred Smith replied, Board of Selectmen or if created Board of Assessors would handle abatements.

Marlon Frink asked Chairmen Kent if he could question one of the petitioners why they signed it. He wished to ask Jack O'Reiley the one petitioner present. He signed petition to have discussion. Marlon Frink thanked him for the reply.

Marlon Frink stated to the Board of Selectmen his concerns, are there defined guidelines, requirements of the Board of Assessors, would there be a layout of direction for the Board of Assessors?

Laura Coleman asked Board of Selectmen about updates Re-val assessing at 100% - State takes sampling to arrive at Equalized Rate. Chairmen Kent explained procedure.

Dennis Hebert told Board of Selectmen there is merit on both sides, however are we ready to do this change at this time.

No further questions from Town Residents, Chairmen Kent closed meeting at 7:31 PM.

Respectfully Submitted by Peggy Lamson

*Peggy Lamson, Acting Secretary  
B.O.A.*

pubhearing

Board of Selectmen

Town of Newington

March 2, 1998

Present: Chairman Paul Kent, Margaret (Peggy) Lamson, Cosmas Iocovozzi.

Meeting was opened at 6:30 p.m.

Minutes of meetings held February 2 and 12, and minutes of Public Hearing held February 18, were accepted on a motion by Cos seconded by Peggy.

Ronald Cary, representing Home Quarters, presented a plan showing a temporary outside display for flowers - to be used April 15 through June 30, 1998. Display is in an area approved by the Planning Board, will only display plants and the customer will pay inside (no outside cash registers). Following review of the plan, on a motion by Peggy, seconded by Cos, it was voted to approve this display only - future proposals for exterior uses must have separate approvals of Selectmen and or Planning Board.

Bernard Robertson was present to discuss his proposal to build a ballpark at the Pease Tradeport similar to the Sea Dogs park in Portland, Maine. He stated that he was meeting with all the area towns and various groups as he feels this type of social amenity should be part of the areas economic development plans. Also there will be a lot of publicity and he wants the Selectmen to be able to answer residents questions.

Mr. Robertson answered the Boards questions re: location (not set to date), capacity (6,500), and status of his plans (hoping for private funding). Following the review the Selectmen stated they were highly in favor of this proposal. Peggy Lamson moved to endorse the proposal. Cosmas seconded the motion and it was voted unanimously.

Resident Curtis Pickering was present to ask about the location of the gas line in the area of Patterson Lane. He was concerned for the residents, that the line would go within the ROW. Selectmen assured him that there will be a buffer between the line and the roadway.

#### Correspondence:

Request for use of Hall by the Good Sam Club on March 30 - approved.

Letter from resident of Bedford NH requesting permission to metal detect on town land. Will write that town's policy does not allow any metal detecting on town owned land.

Read letter drafted by Chris Cross addressed to Portsmouth Chevrolet regarding the use of the set back to display trucks and cars. Selectmen agreed to notify the State Highway as the land seems to be in their ROW. If vehicles are not removed the Town will notify Portsmouth Chevrolet that they are in violation of the towns set back ordinance.

Peggy Lamson reported that she had met with Cliff Spinney to set schedule of openings for the Transfer Station. A letter will be sent to each household after Cliff resolves some question of disposal of air conditioners.

Reviewed the water bills for the buildings on Fox Point. Amount of water used seems excessive. Peggy Lamson will do some research to determine if there could be a problem.

Peggy stated that many people have asked for guidance on the petition article asking for a separate Board of Assessors and she suggested that Selectmen voice their opinion for the record. Board was polled and noted that Peggy and Cosmas oppose forming a Board of Assessors at this time. Paul Kent is in favor.

Meeting was adjourned at 8:30 p.m.

NEWINGTON BOARD OF SELECTMEN MINUTES MARCH 10, 1998

Chairman Paul Kent called meeting at 5:15PM, Full Board present.

Agenda:

Review agreement regarding conditional layout of road between Town of Newington, NH and Simplex Technologies as proposed and approved by the Newington Planning Board on March 05, 1998.

Moved by Paul Kent to amend last sentence of first paragraph of Whereas on Page 2 to read as follows:

"as such layout is described on the subdivision plan approved by the Newington Planning Board on March 05, 1998; and"  
Seconded by Cosmas Iocovozzi, Amendment carried in the affirmative.

Moved by Paul Kent to amend NOW, THEREFORE of Item 1 to read as follows:

"Upon execution of this agreement and upon submission of the petition for conditional layout, the Selectmen shall initiate the statutory process of the conditional layout of the Road, which shall include consideration of the acceptance of the dedicated right-of-way as depicted on the subdivision plan approved by the Planning Board on March 05, 1998."  
Seconded by Peggy Lamson, Amendment carried in the affirmative.

Moved by Cosmas Iocovozzi to approve the execution of the agreement as amended by the Newington Board of Selectmen on 3/10/98, Seconded by Paul Kent, motion moved in the affirmative.

Board of Selectmen will forward agreement to Attorney Woodman. The full Board will send a letter to Attorney Stebbins to advise him that the Board of Selectmen signed the agreement regarding Conditional Layout of Road.

Respectfully submitted by;

*Margaret (Peggy) Lamson*

Margaret (Peggy) Lamson  
Selectmen

Board of Selectmen

Town of Newington

March 16, 1998

Present: Margaret (Peggy) Lamson, Cosmas Iocovozzi, John O'Reily

Before the meeting was opened there was a motion by Cos to elect Peggy Lamson as Chairmen of the Board of Selectmen 1998, seconded by John, Motion carried in the affirmative.

Meeting was opened at 6:30 pm by the new Chairperson Peggy Lamson, she welcomed aboard the new Selectmen John O'Reily.

A motion was made by Cos to accept the minutes from the March 2, and March 10 meetings, seconded by Peggy, Motion carried in the affirmative.

#### Correspondence:

Peggy announced that there would be a yellow folder on the Selectmen's desk at all times with non-confidential or legal correspondence in it for the Selectmen to read.

#### New Business:

Property Abatements: Property abatements were sent to the Selectmen from Country Curtains Realty Corp. and 2001 Woodbury Ave, LLC (Tweeters). The Abatements are being sent to Mr. Sansoucy's office for review (advisement). Peggy reported that the abatements had to be received by the Selectmen no later than March 1, and they did in fact arrive after that date. RSA-76:16

Transfer Station: The Board approved a letter to the residents regarding the Transfer Station hours and rules for 1998, the letter will go out to the residents this week.

Use of Function Rooms/Picnic Area: Approval was granted to Air Force Sergeants for the picnic area on July 26, Conrad Morin DAV Chapter #4 for picnic area on July 05 and Wayne Wood for the deRochmont Room for April 12.

Approval was granted to Bill Beal for one load of stone (he had asked for three).

Vacation/Staff: Approval was granted for vacation day for Tom Morgan on March 31.

Meeting with ISO: A questionnaire was sent to the Selectmen to be completed for the ISO. The Selectmen have set up a meeting with Jack Mazeau, Larry Wahl and Bob Hart to fill out this form. The meeting will be Thursday March 19, 1998 at 4 pm.

Letters for review: Workmen Compensation policy was received by the Selectmen for review, the Selectmen will read and if all is correct the form will be filed. - Michael Morrison sent to the Selectmen his Mosquito Control Permit issued to him for their

files. - Coast requested that the Town of Newington increase their donation to them for the 1999 yr. Peggy Lamson asked that the Selectmen meet with Coast at the next Board meeting to discuss the increase. Diane will call and set this up. - Registration form for the year 2000 census was given to John to research and complete he will report his findings to the Board at a later meeting. - Mr. Lundgrens sent the Board a letter complaining about the dust on River Road, Peggy will call Frank Day to see if this situation can be resolved.

Old Business:

Pipeline Bond issue, they are asking the Selectmen to give them a figure as to what the Bond should be for River Road/Patterson Road. Cos will check into costs and an amount will be discussed at the next BOS meeting.

A motion was made by Cos to switch from Mobile for all Town Vehicles that use Gas, as of April 1, 1998 to Exxon, seconded by John, the motion was carried in the affirmative. Diane will contact the Chief and let him know the decision of the Selectmen.

Other:

Committee Assignments for B.O.S. are as follows: Recreation, Cos - Fox Point, John - Budget, John - Highway, Cos - Historic District, John - Planning Board, Peggy - Alternate for Planning Board, Cos - Conservation, Peggy - Cemetery, Cos.

The Selectmen will be sending a letter to the Residents announcing Openings for Committees, this letter will be going out this week.

Meeting was adjourned at 7:40 pm.



Board of Selectmen

Town Of Newington

March 19, 1998

Present: Margaret (Peggy) Lamson, Cosmas Iocovozzi, John (Jack) O'Reilly.

Chairperson Peggy Lamson called the meeting to order at 4:15 PM, Lamson stated the purpose of the meeting, to meet with atty. John Algrene re: Coakley Landfill & termination of IT contractor for Coakley project.

Chair Lamson asked for motion to go into executive session to discuss with legal. Motion by Cos seconded by Jack to go into non-public session. Motion carried in the affirmative.

Motion by Lamson seconded by O'Reilly to go out of non-public session. Motion carried in the affirmative. No votes taken. Come out of non-public at 5:55 PM.

Appointments - Deputy Treasurer - Deputy Tax Collector

Chair Lamson explained to the Board of Selectmen that former Tax Collector Mary Spinney would take position (appointed) as Deputy Tax Collector. At present Mary is training new by elected Tax Collector Hazel Mazeau.

A motion by Jack seconded by Cos to appoint Mary Spinney as Deputy Tax Collector. Motion carried in the affirmative.

Chair Lamson explained to the Board of Selectmen that Jack Mazeau is still on bank signature card as Deputy Treasurer. Discussion held.

A motion by Cos seconded by Jack to reconfirm Jack Mazeau as Deputy Treasurer for Town of Newington. Motion carried in the affirmative. Treasurer Coleman will be notified

Peggy Lamson advised the Board that Residential/Commercial updates due for Mid year Tax.

Plner Tom Morgan met with Board of Selectmen to discuss zoning issues. Board of Selectmen reviewed correspondence from a Resident re: Confidential.

Meeting adjourned at 5:30 PM - Will reconvene meeting on Friday March 20, 1998 at 3:30 PM.

Board of Selectmen

Town Of Newington

March 20, 1998

Present: Margaret (Peggy) Lamson, Cosmas Iocovozzi, John (Jack) O'Reilly.

Chairperson Peggy Lamson called the meeting to order at 3:30 PM, Board of Selectmen met with Building Inspector Jack Mazeau & Fire Chief Larry Wahl re: ISO Property Liability - questionnaire. Jack noticed that Summary of Property Inventory was not listed in Town Report. Peggy Lamson will give him correct numbers for ISO.

Board of Selectmen held a conference call with Skip Sancoucy re: Property Up-dates -- work must be started by 4/1/98 so as to revise inventory during the month of April 1998. Peggy also reminded the Board MS5 to DRA - financial by 4/1/98. Skip told Board that Charlene from his office will be down on 3/30/98 to start up-dates. Board discussed with Skip request from Country Curtain & Tweeters re: abatement - Christopher Snow represented both companies. Skip advised the Board to send letter to Country Curtains advising them that the Board is reviewing their request. Skip will review Tweeters and get back to the Board. The Board will send a letter to Tweeters.

Board of Selectmen advised Skip of the certified letter from Sprague Energy of River Road - Newington requesting the Board to address their Air Resource from DES copy of correspondence from Atty. Shaines who represents Sprague, was cc. to Atty. Ratigan. Board of Selectmen told Skip law changed for it states "shall". Board of Selectmen faxed Skip part of correspondence from Atty. Shaines and the RSA re: Air Resources.

Meeting was adjourned at 5:50 PM. Peggy reminded Board that she will phone Atty. Ratigan re: Sprague, plus call Skip on 3/23/98.

Respectfully submitted,  
Peggy lamson

Board of Selectmen

Town Of Newington

March 21, 1998

Present: Margaret (Peggy) Lamson, Cosmas Iocovozzi, John (Jack) O'Reilly.

Chairperson Peggy Lamson called the meeting to order at 10:00 AM,

Board reviewed confidential correspondence from town resident. Board will consult with counsel.

The Board reviewed with newly elected Board member Jack O'Reilly the Building Maintenance project the Board proposed for year 1998, as presented to the Budget Committee. Peggy stated sometimes projects are not complete because of unforeseen problems can arise which the Board did not expect. ie: roof leaks. Board explained Oil Tank at Town Hall will be removed, per law, all UST must be removed by end of 1998. Town of Newington will convert to Gas. Peggy stated new benches at baseball field must be purchased. Present benches in bad shape Liability.

Peggy brought up last week's correspondence re: Stone School, she asked if Board would meet with former Chairperson Paul Kent to review PBT as presented by Air Force. Peggy had Jack take Air Force packet re: Stone School. Paul stated he could meet on Tuesday 3/24/9. Jack and Coz date is fine after 3:00 PM. Peggy will contact Paul. Peggy reminded the Board that Planning Board wishes to meet with Board of Selectmen on Monday 3/23/98.

Motion to adjourn and reconvene on 3/23/98 with Newington Planning Board & Counsel.

Respectfully Submitted  
Peggy Lamson

BOARD OF SELECTMEN

TOWN OF NEWINGTON

MARCH 23, 1998

Board of Selectmen reconvened from Saturday March 21, 1998 with full Board present to meet with council re: Simplex Case on Board of Adjustment Decision.

Chairperson Peggy Lamson stated the Board would meet on 3/24/98 at 4:00 PM to discuss Stone School re: Communication from U.S. Air Force. Former Selectmen Paul Kent was in attendance to review with the Board the past year discussion and communication with Air Force. Paul Kent was the point person in dealing with the Stone School options were reviewed. Chairperson Peggy Lamson will contact Art Ditto for an extension to 7/1/98. Board discussed to speak with John Cavanugh of Sen. Judd Gregg's office.

Board moved to approve in the amount of \$44,974.00 for the purchase of two (2) Police vehicles which were voted at March 14, 1998 Town Meeting. The vehicles were purchased through State Bid in December 1997. Delivery came to Irwin Motors in Laconia, NH March 10, 1998.

Board approved use of Stone School on Saturday 3/28/98 for the Police Dept. Approved function room for SCCO - Chamber Music on April 5, 1998.

Moved by Jack O'Reilly for Paul Beswick as Treasurer of Trustee's of Trust Funds, seconded by Cos. Motion carried in the affirmative.

Discussed department spending. A memo will be sent to departments "No purchases over \$500.00 until June 1, 1998".

Meeting adjourned at 5:30 PM.

Peggy Lamson - Acting Secretary

Present: Margaret (Peggy) Lamson, Cosmas Iocovozzi, John (Jack) O'Reilly.

Chairperson Peggy Lamson called the meeting to order at 6:35 PM. A motion was made by Jack to accept the minutes from the 3/16, 3/19, 3/20, 3/21 and 3/23 meetings, seconded by Cos, the motion was carried in the affirmative.

Barbara Hill was present to explain to the Board what had been done and the purpose of the GIS maps. Barbara announced that there is going to be a seminar on State Planning and Zoning issues, the Zoning Board and the Planning Board Members are encouraged to attend, the BOS will pay all fees.

A letter was received by the Selectmen from a Dover resident complaining about the noise from the Gypsum plant. Peggy will make phone calls to the plant informing them of the problem then a letter will be sent to the Resident acknowledging there complaint.

Mark Phillips of Hodgdon Farm Lane sent the Selectmen a letter requesting that Hodgdon Farm Lane, even thou the Lane is not a Town road, be included in the Town wide mosquito spraying, motion by Cos and seconded by Jack to allow the spraying on that Lane was carried in the affirmative.

Discussion was held on benefits given to not approved Town Roads. Cos feel that the Town is giving away benefits to these Roads that should only go to Town approved Roads. The Board decided that in a few months that the Selectmen would meet with the Town planner and discuss a possible policy concerning this matter.

Peggy reported that the Environmental Protection Agency sent a letter to Mr. Charles Denault, Mareld Company, of 889 Elm Street, Manchester, NH re: former Bruno & Stillmen property on Old Dover Road in Newington, NH. Since issuing a "comfort letter" for this property on July 28, 1997 EPA has further considered the status of the property and has determined that a "Low Priority" archive decision is appropriate.

Terry Spinney - Chairperson, School Board was present to discuss fencing of the School property, the school building is owned by the school but the ground that the school sits on is owned by the Town of Newington. Terry explained that a Resident had requested that the school be fenced in order to protect the children, this Resident also told Terry that after speaking to a Selectmen that the Selectmen had said that they would pay for this fencing. Peggy corrected this statement and said "what I said was that we do not manage the school and that the Resident would have to go to the School committee for this fence". Terry indicated that the request for the fence came after the budget for 1998 was already voted upon, so no fence can be erected until the 1999 budget year. Terry stated that she had spoken to the resident and that a post and rail fence would be adequate. Jack made a suggestion that Terry speak to Home Quarter and the Town's people and see if they can get the material and labor donated. Terry is checking into this and will report back to the Selectmen.

A motion was made by Jack and seconded by Cos to approve the use of the School Ball Field to the Town of Greenland for games and practices pending the completed form with dates and times. Also Jack stated that the Town of Greenland will be notified that there are parking restrictions.

Jean Haskins and Ronda Baker Hill's request for ONE load of gravel each was approved by a motion from Cos and seconded by Jack.

*Per Date*  
A motion by Cos and seconded by Jack to approve the use of the Town Facilities (such as Picnic Ground, Town Hall and deRochemont room) for Eleanor Olson, Richard Rines, Patricia Bennett Wood, GP Gypsum and Barbara Perry was carried in the affirmative.

A motion was made by Jack, seconded by Cos to approve the 20 days vacation for Dick Rines. The motion was carried in the affirmative.

Peggy announced that the NHMA had requested that the Town of Newington complete a Wage Survey. The Fire Dept, Police Dept and Highway Dept will complete their portions and Diane will complete the Offices portion.

Peggy announce that there is a Simplex Hearing on May 05, 1998 at 1:30 PM. Hearing on the Merits.

Peggy announced that there is a workshop in Conway, NH re: Rt 16 Protection Study - the packet was given to Marlon Frink and he will pass it on to Chris Cross.

Peggy read a Memo from the RPC regarding Traffic Counts, question is does Newington want to be included, Memo was given to Tom Morgan.

Susan <sup>e</sup>Lambke was present to discuss with Tom Morgan, Marlon Frink and the Selectmen, the Mott Cove subdivision. To reported that there were still six items inconsistent with the subdivision approval granted by the Newington Planning Board on March 7, 1996. The items are as follows:

1. the guard rail has not been installed;
  2. the drainage swale from station 5+50 to 1+20 left appears not to be graded as per plan;
  3. the culvert at station 1+90 should be cleaned, and
  4. the invert of the swale at station 1+90 is higher than the invert of the culvert pipe, and
  5. drainage easements are required at stations 1+90 & 3+00
- the sixth item is that only one lot has been developed and the concern is that the road may be damaged during construction of the other three lots. Selectmen along with Tom suggested that money be left in the escrow account until all six items have been addressed to the satisfaction of the Board of Selectmen.

Peggy announced that all parties concerned would meet to discuss the "mess" that construction of the pipeline has caused.

Cos reported that the Bonding for River Road and Paterson Lane (2 crossings by the Pipeline) is 20K per crossing; 10K to be paid to the Town, and 10K to be paid to Town/Sewer.

Also the Board of Selectmen are going to request that a noise barrier be erected on Patterson Lane.

Cos reported that at present the Town is staying with the Mobile Fleet. (Gas for Town vehicles)

The Board agreed that all Elected Officers would be paid By Annually (last pay period in June, and last pay period in November).

Motion to adjourn meeting at 8:15 PM, from Cos, seconded by Jack.

bosmin3698

Attendance: Full Board, B. Pelech Esq., Rep Duke Energy and Atty. Donavon. Chairperson Ms. Lamson called meeting to order at 4:05PM

First order of business, appointments to Town Committees, Boards and Commissions. Chairperson Lamson stated four residents were interested in serving on Police Commission. Board moved to have names submitted to Police Commission, Police Commission will in turn give names to Board of Selectmen for appointment. One position for alternate on Planning Board John Welch, a former member submitted his name for consideration. Chair will forward to the Planning Board. Alternate to Planning Board, B. Hill appointment expires 2000, and Tony Smith appointment expires 1999.

Moved by Coz, seconded by Jack to approve the following appointments of the attached list except for forwarding Police Commission consideration to the Police Commission. Motion carried in the affirmative.

Chairperson Lamson informed the Board of Selectmen that D.E.S. visited the Transfer Station under direction of Chief Operator Cliff Spinney, he reported that the Inspector was impressed with the Town's operation of the Transfer Station. D.E.S. stated it was well run. Cliff explained to her about the wood chipping process. Peggy also informed the Board that Operator Cliff Spinney of Transfer Station reported that white metal was brought into the station by someone without his knowledge. Board of Selectmen discussed the issue and want for the record "NO ONE TO EMPTY INTO THE TRANSFER STATION, ONLY ON DATES WHEN THE STATION IS OPEN". Plus, Highway Dept must keep the gate locked after disposing of brush.

Moved by Jack, seconded by Coz that the Transfer Station gate must be kept locked and when gravel is being hauled out, Dick or John stay at the station until trucks leave. Motion carried in the affirmative.

Chairperson Lamson announced that Atty. John Ratigan wishes to meet with the Board of Selectmen on 4/20/98 at 6:00PM. Confirmed to meet with Atty. Ratigan.

Chairperson Lamson asked the Board of Selectmen if they all reviewed "Impact Study" forwarded from M. McNeil. She stated Atty. McNeil would like to meet with the Board of Selectmen.

Peggy Lamson -- reviewed with the Board of Selectmen, Patterson Lane and River Road, she would like to meet with Portland Natural Gas Rep. Mgr. K. Byrd/Flummefelt concerns impacting Patterson Lane. Heavy equipment, plus noise issue - operation 7AM - 5PM 6 days per week. Jack stated after 4/28/98, Coz could not meet until after 5:00PM because of his work schedule.



Reviewed memo from Chief Stimson re: 2 Police Vehicles 95 series. One vehicle for Fire Dept to replace old Police car, 2nd for Dog Officer. Moved by Jack, seconded by Peggy to authorize Chief Stimson to dispose two Police Dept vehicles: One to Fire Dept and the other to the Board of Selectmen for the Dog Officer.

Subject - Gas Tank - Town Garage, Coz reviewed with Board of Selectmen method of disposal - soil - he stated the Board of Selectmen needed to have a vote for authorization to dispose of contaminated soil.

Move by Lamson, seconded by O'Reilly to have contaminated soil removed through D. Allwine in proper manner. Motion carried in the affirmative. Coz will contact D. Allwine to set-up date D.E.S. is in full accord.

Bernie Pelech, Esq., representing Duke Energy along with Atty. Bill Donavon introduced to the Board of Selectmen representatives of Duke Energy who plan to build a gas-fired electric generating plant. Site is for a 520 Mega Watt Plant.

Atty. Pelech, introduced Mr. Mahoney who owns Granite State Mineral. Duke Energy will purchase from Granite State 11.5 acres. Total parcel 17 acres. Duke Energy will be going before Newington Planning Board on 5/07/98.

Mr. Charles Claunch is director of project development for Duke Energy. He stated Duke owns 37% of North East & Maritime Pipeline LLC. He stated the location where Duke plans on locating is optimum, because it is very close to the electrical substation at Gosling Road. He also stated that the Town can only accommodate a given number of power plants and the power provider that's first to get Federal and State permits will be in the best position.

Mr. Claunch stated that Duke Energy plans to be a good corporate citizen in Newington for the long haul.

Board of Selectmen stated they looked forward to hearing more about the proposal. Chairperson Lamson questioned how long the plant would benefit the region and most important Newington. Claunch said the company would work close with the Town Officials on the project, including options on building design and community impact. He said the worst thing Duke could do is approach the Town with preconceived notions about size, building or operations.

Board of Selectmen thanked Duke Energy Officials, Bernie Pelech and Bill Donovan for the courtesy call and looked forward to their 5/07/98 meeting with the Planning Board.

Meeting adjourned at 5:50PM

Respectfully submitted by:

*Margaret Lamson*

Margaret Lamson

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PL

Board of Selectmen

Town of Newington

April 20, 1998

Present: Margaret (Peggy) Lamson and Cosmas Iocovozzi.

Absent: John (Jack) O'Reilly

Chairperson Lamson called the meeting to order at 6:50PM. A motion was made by Lamson to accept the minutes from the 4/6 and 4/15 meetings, seconded by Cos, the motion was carried in the affirmative.

Barbara Hill was present to discuss the CLG Grant and that the Historic District Commission will go forward with the application to receive this grant. She also reported that Kathie Wheeler and Independent Archeological Consultant has offer to wright a scope of work for the first phase and a budget. Kathie will be using the Historical Society's room as headquarters. It should also be noted that Kathie is donating her time at no cost to the Town.

Tom Morgan reported on the Mott Cove subdivision, Tom stated that all the work that need to be done to the subdivision has been done and inspected by the Selectmen. *C Wil Consultants on 4/16/98. A Report will be forwarded by C Wil Consultants*

Proposal by Mike's Roofing Co. to fix the leaks in the Town Hall Roof was for \$275.00 for Labor and Materials, motion by Cos to approve the work to be done, seconded by Lamson, motion carried in the affirmative.

Fire Chief Larry Wahl is requesting that the Town apply for certification for Surplus Distribution, the motion to approve sending in the application was made by Cos, seconded by Lamson, Diane will send the application out, motion carried in the affirmative.

Proposals for Town Construction Projects from Pike Ind. and Bayside Paving were present to the Selectmen, a motion to have Bayside do the work at the Police station and the Basketball courts was made by Cos, seconded by Lamson, motion carried in the affirmative. All other work on the proposals is put on hold until more research can be done by Don Beals and Cos.

Approvals for use of the Town facilities: Richard Rines 5/8/98 (Town Hall), Wayne Wood 5/10/98 deRochmont Rm), D.A. Reed 5/21/98 (Town Hall) and also Judy Poulin for 4H wishes to use the Chicken Coop at Fox Point, motion by Cos, seconded by Lamson to approve all requests, motion carried in the affirmative.

Cos reported on the removal of the contaminated soil at the Town garage sit of the gas tank removal. Cos stated that 129.6 ton of soil had been removed and is being shipped to Lowdon, NH to be burned.

Meeting was adjourned at 8:05PM.

Chairperson Lamson called the meeting to order at 4:15 PM.

New Business: The Board signed appointments to the following Committees and Commissions:

1. Board of Adjustment
2. Recreation Committee
3. Highway Safety Committee
4. Trustees of Trust Funds
5. Historic District Commission
6. Alternate to Planning Board
7. Conservation Commission

Moved by Jack O'Reilly to sign the Residential Tax Warrant for the amount of \$5,330.00, seconded by Lamson. Motion carried in the affirmative.

Moved by Jack O'Reilly to approve Tom Morgan's request for April 30th as a vacation day. Seconded by Lamson, motion carried in the affirmative.

Board approved a request from Mr. Flanders of Airport Road for one (1) load of gravel.

Chairperson Lamson signed agreement with Northern Utilities for Gas Line connection to the Town Hall.

The Board reviewed from DES re: Site Investigation at the Town Garage. Report must be submitted to DES re: Scope of Work and Budget Estimate by May 29, 1998. Dave Allwine must be contacted E.C.H. Firm, who did site work re: Town Garage - Gas Pump.

Chairperson Lamson reviewed last week's update with Jack O'Reilly. Board held a Counsel session with Atty. Ratigan.

Old Business: Project Updates - Benches at Ball Field  
Roof Repair - Town Hall

Benches have been taken from field - will be cleaned and placed back at the field, secured in cement.

John Frink reported to the Chairperson that Mike's Roofing reviewed the roof problems. Report will be forth coming along with estimated cost.

Meeting adjourned at 6:00 PM.

*Margaret Lamson*

Respectfully Submitted  
by Margaret Lamson.

Present Margaret (Peggy) Lamson, Cosmas Iocovozzi and John (Jack) O'Reilly.

Chairperson Lamson called the meeting to order at 6:35 PM.

Motion by Cos to approve the minutes on April 20th and April 28th meetings, seconded by Jack. Motion carried in the affirmative.

Motion made by Cos for approval for Pike Industries to install bituminous shim to roadway and a 1" bituminous concrete top surface course to entire roadway, Beanes Lane" in the amount of \$11,210.00. Seconded by Jack. The motion was carried in the affirmative. The proposal also included installing crushed blak pak material to shoulders, this was not approved for Pike, the Town Highway Dept will do this work.

Don Beal reported that all the sweeping of the Town roads is complete.

Cos stated to Don that when working for Town he and all employees of the Highway Dept should use Town Vehicles.

Michael Bernier, Norther Utilities Natural Gas along with Paula Bishop was present to explain to the Selectmen the training that is offered through their company. One 1 fire training and the other is DPW training, they will let us know when it will be available for our Town.

Mike also reported on the installation of Gas to our Town hall, he stated that the work is given to private contractors and they set up their own work schedule, Mike will check on the dates and get back to us. Cos asked that any digging done in Town by Northern Utilities needs to be reported to the Fire Chief and Road Agent before any work is done.

Mike also reported that the "speed bump" on Rt16 at exit 4 is being dug up, the state has told Northern Utilities that they are to dig and see if it is the gas line causing the bump. This dig is scheduled for later this week, beginning of next week. Cos asked that Northern Utilities use Newington Officers for Traffic Control.

Chairperson Lamson read to the Board a letter from The State of NH Dept of Revenue Admin re: Newington's 1997 Sales Assessment Ratio. The state has determined the total equalized valuation for Newington, for the Tax year 1997 to be \$417,812,910.00.

CLG Grant (Certified Local Government FY 1998 Grant) Motion was made by Cos for Peggy to sign the Grant Application and submit it to the state, seconded by Jack. Motion carried in the affirmative.

Veterans Tax Credit application for Clifford Abbott, motion made by Jack to approve, seconded by Cos, motion carried in the affirmative.

Town Clerk, Security - memo with recommendation from Chief Stimson was read to the Board. Cos will set up a meeting with the Chief to discuss this further and report back to the Board in two weeks.

Noise Ordinance, Town of Newington, Complaints were made by residents last week about noise at the old Montgomery Wards building at very late in the evening hours. The Board of Selectmen discussed this matter and will meet with Tom Morgan to revise the existing Ordinance.

Chairperson Lamson read a letter from Atty. Ratigan re: Great Bay Marina Issuance of Abatement. This letter reported that the case has been settled out of court.

ACO Officer - Memo from Chief Stimson suggesting that the ACO Officer keep the ACO vehicle at her residents, Motion made by Jack to approve this request, seconded by Cos. Motion carried in the affirmative. The memo also stated that the ACO Officer has a Fleet card for gas. Cos requested that the ACO Officer bring the car to the Town Hall so that the Board can see the work that was done on it. Chief Stimson commended the Board for recycling the vehicle and using it for the ACO.

Curtis Pickering reported on the Fox Point Carriage Shed. Selectmen will meet with Curtis and do a walk through to discuss any further work to be done.

Motion was made by Lamson to go into executive session at 7:30 PM to discuss a personnel matter, Roll Vote taken Jack/yes, Cos/yes, Peggy/yes.

Motion to go out of executive session at 7:45 PM by Jack, seconded by Cos. Roll Vote taken. Chair announced no votes taken.

Board discussed recent Power Plants, Chairperson Lamson stated the Atty. Ratigan will meet with the planning board on 5/7/98. Chairperson Lamson wishes for Board to be in attendance re: RSA 162-Town to become Intervenors.

Jack O'Reilly will review recent NHMA Legislative Bulletin re: Claremont Decision.

Board discussed communication from NHMA, Property Liability re: Claim - legal. Atty. Loughlin in communication with NHMA.

Meeting adjourned at 8:10 PM

Respectfully submitted by:  
Diane Fritz  
Asst. to BOS

Chairperson Lamson opened the meeting at 4:00 PM with all Board Members present.

First Order of Business: Mr. Byrd the Construction Manager of the Pipeline project was present to discuss concerns of the Board. The Board requested that Mr. Byrd go back to his superiors and his attorneys and request:

1. The Pipeline resurface Patterson Lane (1 1/2" Overlay) upon completion of the Pipeline.
2. That when the River work is complete that the Pipeline give the Town a schedule of work to be done (with time frames).
3. That the Pipeline be responsible for a Police Officer on Nimble Hill Road during the Town's summer program starting right after the Fourth of July, if they will be rerouting traffic through the Town.
4. The pipeline has submitted a notice of intent to cut wood or timber to the Board of Selectmen for approval, the Board has asked Mr. Byrd to submit a cut plan before they can approve this request.
5. Bonding - (Sewer) \$40,000.00, contact - Thompson PNG

*20,000 Town  
20,000 Sewer*

Peggy Lamson will be in contact with Mr. Byrd at the end of this week to schedule an appointment with the Atty's (the Pipeline's and the Town's) for sometime next week to finalize all the requests.

Second Order of Business: At 5:00 PM the Board along with Tom Morgan and Marlon Frink meet with Atty. Scott Woodman to discuss the "Agreement Regarding Conditional Layout of Road". Atty. Scott Woodman explained to the Board the Schedule for "Conditional Layout Process" Pursuant to RSA 231:23.

A Motion was made by Cos to approve said agreement as it was modified by the Planning Board at their May 7, 1998 meeting, Seconded by Margaret (Peggy) Lamson. The motion was carried in the affirmative.

The agreement was signed by Margaret Lamson and Cosmas Iocovozzi. Abstained was Jack O'Reilly due to a potential conflict of interest. Witnessed by Marlon Frink and Tom Morgan.

Discussion concerning the Bldg Inspector: The Bldg Inspector can issue the building permit to Matrix as soon as the agreement is signed by both parties.

The meeting was adjourned at 5:40 PM

Respectfully Submitted by:  
Diane L. Fritz  
Selectmen Assistant

Margaret Lamson, Chairperson called the meeting to order at 6:35 PM, all Board Members present.

Motion was made by Jack O'Reilly to approve the minutes of the May 4th and May 11th Meetings, seconded by Cos Iocovozzi. The motion was carried in the affirmative.

New Business: Don Thomas, Chris Weber and Lynn McInnio from Portland Natural Gas were present to discuss several items; One was the easements pertaining to the Sewer Plant. Also present was Dennis Messier, Plant Operator and George Fletcher, Sewer Commission Chairmen. Chris Weber explained the crossing to the Dennis and George. Chris stated that the determination has not been made as yet weather there will be a permanent or a temporary easement on the Sewer Plant property. Chris did state that weather Temp or Perm there would be a payment to the Sewer Commission for the easement. Portland Natural Gas and the Sewer Commission will meet to discuss in length the easement. Dennis stated that if the fence has to be moved that it is totally grounded and that when they replace it they will have to be sure that it remains as such.

Portland Natural Gas (PNG) submitted to the Selectmen a "Notice to Cut Wood or Timber" this notice has not been signed by the Selectmen as of yet, they have been waiting for a cut plan from PNG. Chris and Don stated that according to RSA 79-10 the Selectmen are required to sign the Notice and return it to the State within 30 days or there is a penalty, they also stated that they are not sure of there intent pertaining to the cut timber but that they are required to keep a log of all timber that is cut. If they should decide to sell the timber the tax will be paid to the State and Town. Don gave to the Selectmen (3) three sets of plans outlining the cutting, he reviewed the plans with the Board, during the review it was stated by Cos that they will be cutting along the existing sewer easement, which has not been cleaned out in years.

Chris stated that Arboretum Drive would be closed during the dig, there intention is to put the ground that is dug out of the ditch onto Arboretum Drive and after the pipe is down, the ground would be replaced. He stated that the traffic would be re-routed to Nimble Hill Road during this time. Jack O'Reilly asked if at all possible, that this section wait until after Newington's Summer Program, which is from mid July through mid August. The safety of the Town children is the concern. If this is not possible, the Board asked that they have an officer controlling traffic on Nimble Hill Road, (using Newington Officers).

Don asked the Board to draft a letter giving PNG permission to cross Patterson Lane and River Road, in this letter it should state: One lane of traffic be kept open at all times, a Bond from PNG has been supplied to the Town along with Certificate of Insurance and that proper traffic control is required.

The Board have request that PNG give the Town at least a weeks notice as to when the crossing will occur. The Board has to notify residents on Patterson Lane and businesses on River Road of the construction. The Board will also notify the Fire Dept and Police Dept. PNG stated that each crossing will take no more than a day.

Don asked if the Certificate of Insurance and the Bonds had been received and reviewed by the Selectmen, the Board responded; Certificate of Insurance and Bonds were received via, Fed Ex, to the Town Hall. The Bonds are \$10,000.00 per crossing (Patterson Lane and River Road) to the Town of Newington and \$10,000.00 per crossing to the Sewer Commission, for a total of \$40,000.00.

Correspondence: Board discussed letter received from Recreation Director re: Chairperson Helen Maldini taking trip on May 23, 1998 in her place. Board approved.

Board discussed letter received from Wendy Sweeney re: safety of Bike Riders. Board recommended a copy be sent to the Town rep. to the PDA, Tony Smith.

Motion to sign agreement letter from Bernard, Johnson & Company, P.C. re: 1997 Audit, was made by Cos and seconded by Jack. Motion carried in the affirmative. Letter was signed by Peggy.

Letter from Atty. McNeill re: Pease MSA - Peggy will discuss with Chief Stimson.

Board discussed letter received from Atty. F X Bruton re: Maritimes & Northeast Pipeline Project Portland Natural Gas Transmission System Project, pertaining to Patterson Lane, putting an overlay over road, each Board member was given a copy of letter they will review it and a meeting will be arranged with the attorneys to discuss.

New Business cont.: US Department of Interior re: Fish and Wildlife/Revenue Sharing Check - Peggy announced to the Board that the check had been received, discussion; check was for less than expected, but the amount of \$47,198.00 is the amount the Town can expect for at least the next five years.

Peggy discussed with the Board her feelings about meeting with the Chairmen of the Budget Committee to discuss the legal commitments of the Town and the 1998 budgeted amount for legal. Cos recommended that the Board ask Chairmen Smith to attend the next BOS meeting scheduled for June 1, 1998, Board agreed. Chairmen Smith will be contacted about this discussion.

Game Permit - Hoyts Cinema, motion by Cos to sign permit for the Cinema, seconded by Jack, motion carried in the affirmative.

Board discussed a letter from atty. Loughlin re: Simplex v. Newington, Insurance Coverage - Atty. Loughlin recommended that the Board request from NHMA reimbursement for atty. fees. Board will



discuss this with Atty. Loughlin in Executive Counsel at a later date.

Motion was made to approve the use of the Town Hall for Timothy Field on July 25, 1998 by Cos and seconded by Jack. Motion carried in the affirmative.

Request for Activity Permit by Cohen Communications to use Tweeters parking lot for a car stereo show was tabled until further information could be obtained. The Board asked Diane to call Cohen and gather this information.

Request from Wayne Suendberg of Stratham to fish at the end of Patterson Lane was denied due to the fact that there is no parking in that area.

Motion to accept the request of Portsmouth High School Baseball using the Town picnic grounds to hold their end of season cookout on June 1, 1998, was made by Peggy, seconded by Cos. Motion carried in the affirmative.

Old Business: Tax Abatement Settlement - Great bay Marina - Peggy discussed with the Board that the amount to be reimbursed to the Marina is \$13,029.01. The Board will hold this until after property taxes have been collected.

Other: Peggy discussed with the Board upcoming meetings;

June 19, the Board has been invited by Sprague to Windsor Ontario to tour a Hydro Electric plant.

May 21 meeting with Sansoucy, will be postponed, the Board will decide on an equitable date.

June 1, BOS meeting the Board will ask Ms. Smith, Emergency Management to attend to discuss reorganization of the Emergency Management.

A meeting will be arranged with John Welsh to discuss his recommendations for the boat dock at Fox Point.

Cos asked the Board to talk a walk down to the Basketball Court and the Fire Station, to determine the work that need to be done there.

Meeting was adjourned at 8:10 with the Board leaving to do there inspection of the Court and Fire Station.

Respectfully submitted by:  
Diane L. Fritz

TOWN OF NEWINGTON

BOARD OF SELECTMEN

JUNE 01, 1998

Chairperson Lamson called the meeting to order at 6:30 PM with full Board present.

Moved by Jack O'Reilly to approve the minutes of the May 18, 1998 Board of Selectmen's meeting, seconded by Cos. Motion carried in the affirmative.

CORRESPONDENCE:

Chairperson Lamson reminded the Board of the meeting re: Patterson Lane with Lynn McInnis and John Flumerfelt of Portland Natural Gas on June 10, 1998 at 4:00 PM. The Board reviewed letter of Statement from Don Thompson of PNGTS which the BOS at their 5/18/98 meeting granted permission to install road crossings at River Road and Patterson Lane, subject to the conditions attached to the minutes. Chairperson Lamson stated that Don Thompson phoned her on 6/01/98 asking if the Board had a response to the conditions as discussed at the 5/18/98 meeting. Chairperson Lamson stated the BOS would respond after they reviewed all the conditions. Jack pointed out to the Board that one weeks notice to all Residents and Businesses in the area affected was missing from the conditions. Moved by Cos to send a letter to PNGTS, Mr. Thompson to alert him to add "one weeks notice" to the Statement of Conditions, seconded by Jack. Motion carried in the affirmative.

Chairperson Lamson read announcement from Chairman Alfred Smith, that a Budget Meeting would be held on June 09, 1998 at 7:00 PM. Selectmen's Rep Jack O'Reilly cannot attend. Former Rep the Budget Committee Cos Iocovozzi will attend in his place.

Chairperson Lamson read a letter from Kenneth N. Kettenring, Administrator of the Wetlands Bureau re: Tax Map 10 Lot 6A James St Amand property. Mr. St Amand was in violation of the RSA 482-A by installing a permanent Dock in Broad Cove without a permit. DES states deficiency must be corrected no later than July 01, 1998. Failure to comply may result in further enforcement action by DES under RSA 482-A:13 and subject to fines.

Board reviewed letter from Atty. Ahlgren re: Coakley Landfill update on OU2. Board reviewed letter from Ted Reed of Sprague Energy, update on corrective action undertaken by Sprague to alleviate the noise on River Rd. terminal. He stated that sound panels have been ordered which will shield the Patterson Lane residents and Dover Point neighbors from the noise. Ted stated all parties will be kept up to date.

Chairperson Lamson announced that NHMA will present a workshop in Concord, Assessing for Non-assessors on June 17, 1998. BOS have a conflict with that date.

The BOS received a letter from Principal R. Michaels on behalf of the School Board requesting to erect a Split Rail fence on Town property, behind the Fire Station. The Board discussed the project. Chairperson Lamson stated that the School Board had been before the BOS previously on the Safety issue. Motion by Coz to allow the School to erect a Split Rail Fence on Town property, subject to submitted plan as to where the fence is going to be placed and the maintenance of the fence will be the responsibility of the School District, seconded by Peggy. Motion carried in the affirmative. Chairperson Lamson will send letter to Chair Spinney of the School Board with a copy to R. Michaels, Principal of the Newington Public school re: Boards decision.

**NEW BUSINESS:**

Chairperson Lamson, advised the Board that Chief Stimson has the MSA-Pease in place and will review with Atty. McNeill to be forwarded.

Richard Guerette, Planning Board member advised the BOS along with Lamson, Selectmen's Rep that the Planning Board has been working on a Plan for an Industrial Service Rd. Discussions were held to the proposals for Three Power plants to be place in the Town of Newington. Richard spoke of the need to have this Road to relieve truck traffic on Woodbury Ave. Peggy and Richard spoke of Air Mitigation Fund (Zoning Article VIII). Discussions relative to the Industrial Service Road in relation to Engineering work. Peggy and Richard informed the Board of the recent work session of the Planning Board and the need for Engineering Studies for a Road layout. Representing the Planning Board Richard requested from the BOS funds be released from the Air Mitigation Fund for Engineering Study. The Board asked how much money is estimated? Dennis Hebert, Planning Board member stated \$20,000. Motion by Cos to release \$20,000.00 from the Air Mitigation Fund to the Planning Board for Engineering work as requested by the Planning Board, seconded by Jack. Motion carried in the affirmative.

Present was Eliza Smith, Emergency Management: Jack presented to Eliza that the BOS have decided to revise the Emergency Management and have Police Chief/Fire Chief handle the program. Cos stated that since they are full-time employees of the Town they can handle day to day procedures and attend mandated meetings. Also it was stated that the use of the upstairs of the Police Station for Emergency Management, looking long range, would be the appropriate location since in the 1998 Police Budget money was put into CRF for New Digital Equipment, discussion. Discussion was held and the BOS thanked Eliza for all her input on Emergency Management.

The BOS signed the State Primary Notice and Forwarded it to Ms. Pickering, Town Clerk.

Motion by Cos to approve Resident Tax Abatements, seconded by Jack. Motion carried in the affirmative.

Motion by Cos to sign Game Permit in the amount of \$1,375.00 for Dream Machine at the Fox Run Mall, seconded by Jack. Motion carried in the affirmative.

Board rejected a request to open an account with PEP BOY (Vehicle Parts).

BUDGET ISSUES: Motion by Cos to go into Non-Public Session to review Legal Budget Issue, seconded by Jack. Chair called for a Roll Call Vote at 7:10 PM, Cos - Yes, Jack - Yes, Chair - Yes. Motion by Jack to come out of Non-Public session, seconded by Cos. Chair stated no votes were taken. Cos stated the Board came out of Non-Public session at 7:35 PM. Motion by lamson to go into regular meeting, seconded by Cos. Motion carried in the affirmative.

#### APPLICATIONS:

Motion by Jack to approve request by Tweeters to hold an outside car stereo show on July 12, 1998, seconded by Cos. Motion carried in the affirmative.

Board tabled signing Gravesite Lot request by Paul Flanders until Cos reviews request with Sexton and William Beals.

#### OLD BUSINESS:

The BOS discussed in length the area of Intent to Cut by Portland Natural Gas. Lamson questioned if there were any endangered ground cover or trees. dennis Parker, Licensed Forester engaged by PNG inspected the area of Cut and none were reported. Motion by Cos to sign and approve the Intent to Cut, seconded by Jack. Motion carried in the affirmative. Town office will alert Ken Huble of BOS approval. Lamson stated that the lateral will be the last area to be cut.

Chairperson Lamson, announced that on May 19, 1998 the NH Supreme Court ruled in favor of the Town re: Sprague Energy v. Town of Newington.

BOS reviewed discission from Judge Galaway's ruling in favor of the Town re: recent court case against the Town by Simplex. Atty. Loughlin sent Judge Galaway's ruling to the BOS on May 28, 1998.

Chairperson Lamson informed the Board that she was in communication with Scott Woodman re: the Rd Layout on Simplex Property - Matrix Marketing. Scott stated he has spoken with Atty. Hank Stebbins who represents Simplex, and he has not reviewed our correspondence. Atty. Woodman will keep us posted.

OTHER:

Police Station Louver Replacement: R.G. Young submitted a price of \$1,424.00 to install new louvers. Motion by Peggy to engage R.G. Young to install the new louvers at the price of \$1,424.00 on the second floor of the Newington Police Station, seconded by Coz. Motion carried in the affirmative.

Cos reported that Fred Emmanuel, Engineer will review Little Bay Road drainage problem. Cos asked Peggy to phone Fred and have him meet with the Highway Agent. Cos briefed the Board of the drainage problem and said we needed an Engineer to fully study the extent of the Rd. problem.

Town Garage: Cos reported to the Board, communication from Charles Beruby, DES Waste Mgt. Div. Reimbursement from Petroleum Funds \$574.00. Cos stated that he has not heard from DES re: road work at Town Garage.

Fox Point Ramp: Board reviewed report from John Welch, who was asked by prior BOS to give advice on the Town Ramp. Motion by Jack to instruct John Welch to have Glen Normendeau place a new ramp at Fox Point, cost to be \$3,750.00. The old ramp is a hazard, seconded by Peggy. Motion carried in the affirmative.

Lamson reported to the Board that the Law states we must get approval from the State and follow proper procedure re: Oil Tank at the Town Hall, Lamson will contact Charles Berruby and have him access the site. The Board is very concerned about the vegetation and the cost to replace them, should the tank need to be pulled. We are in compliance re: UST.

Motion by Jack to re-appoint Philip Toomire to the Newington Family Scholarship Committee, for a three year term, seconded by Cos. Motion carried in the affirmative.

Chairperson Lamson read letter from Newington Police Commissioners on their recommendation to the Board of Selectmen re: Filling the vacancy in the Newington Police Commission. Motion by Coz to accept the recommendation of James Marchese to the Newington Police Commission, seconded by Jack. Motion carried in the affirmative.

Cos advised the Board that South Newington Court and area around Police station, would be paved on 6/28/98.

Meeting adjured at 8:30 PM, next meeting June 15, 1998 at 6:30 PM.

*Peggy Lamson - Recorder*  
*\* Jack O'Reilly*

bosmin6198

Chairperson Lamson called the meeting to order at 6:30 PM with all members present.

Motion by Jack to except the June 01, 1998 minutes as written, seconded by Cos. Motion carried in the affirmative.

Correspondence:

Letter re: Emergency Planning Workshop, Chairperson Lamson will forward this information to the Fire Chief and the Police Chief.

Letter from Larry Wahl re: Power Plants - Larry wants to hire a Fire Consultant, BOS wants to leave it up to the Planning Board to make the decision.

PNGTS Construction Update - "Barring unforeseen circumstances, construction will begin early in June at several different locations along the 292 mile route. PNGTS will be doing everything possible to accomplish this project safely and expeditiously".

The Newington Family Scholarship Fund has awarded three scholarships for the 1998-1999 academic year to the following Jeremy White, Danielle Laroche and David Haskins, the Board of Selectmen wish to congratulate these students and wish them luck in there endeavors. They would also for the record like to thank Bob Hill for all his work in the investment part of the Scholarship process.

Letter from Prescott Park reminding the Selectmen of the Sponsorship evening on July 10, 1998 and to remind the BOS that we need to let them know how many tickets we will need for that night. BOS have asked Diane to be sure to call them and give them the number of seats we need reserved.

New Business:

Treasurers Report: Laura Coleman reported to the Selectmen that as of June 05, 1998 there was \$268,371.76 dollars in the General Fund.

Resident Tax Abatements 1997/1998, motion by Cos to approve the abatements, seconded by Jack. Motion carried in the affirmative.

Game Machine Permit, Happy Wheels: Motion by Jack to approve and sign the game permit for Happy Wheels, seconded by Cos. Motion carried in the affirmative.

Vacation Request: Motion by Jack to approve vacation days for Tom Morgan 7/17 - 7/18 and 7/30, seconded by Peggy. Motion carried in the affirmative.

Request to build a platform at the rental property out at Fox Point: Paul Busque is requesting that he be allowed to build a platform to put his picnic table on, at no cost to the Town. Board voted to table this request until they were able to meet with the Busques.

Request from James St Amand that his property not be sprayed for Mosquito Control: BOS will contact Mike Morrison who is the man for the spraying and instruct him not to spray at 11 Carters Lane the property of the St Amand's.

Chairperson Lamson reported on the Municipal Services Agreement: Lamson reported that this is a 5 yr agreement, this proposed billing agreement establishes a billing proposal that may yield the Town approximately \$35,000.00 per year in police services. This is for services rendered only.

Chairperson Lamson read a Request to the Board of Adjustment for Rehearing: Request from Atty. Stebbins representing Simplex Tech., Simplex requests are as follows " That the BOA hold a rehearing on Simplex's Appeal, and that the Planning Board's approval of the Site Plan be revoked" re: Best Buy at the Crossings at Fox Run.

Motion by Jack to except the request of Thomas Hourihan for the use of the Town picnic ground (Town Hall if rain) on August 1, 1998 for a family reunion, seconded by Cos. Motion carried in the affirmative.

Motion by Cos to approve the request for the use of Fox Point as a data site, by the Monitors for Great Bay, seconded by Jack. Motion carried in the affirmative.

Motion by Jack to approve a request from Don Beals for fishing out at the Point the motion is made contingent with the fact that Don will supply exact dates that they want to fish. Jack also stated that parking regulations must be followed, the motion seconded by Peggy was carried in the affirmative.

Motion by Cos to except the request by Paul Flanders to purchase 13 grave sites at the Newington Cemetery, seconded by Jack. Motion carried in the affirmative.

Tom Morgan explained to Selectmen the procedure re: the Petition for Conditional Layout of Road to be submitted by Simplex Tech. Tom stated that the Selectmen first wait for the submittal of the Layout to be submitted by Atty. Stebbins, then the BOS is to schedule a Public Hearing, Tom stated that Matrix is "all stop" until the motion is approved.

Atty. Mitchell representing Susan Lameke re: Mott Cove, were present to request that the Town except the road at Mott Cove. Atty. Mitchell stated that his client was aware that there were still a couple of things that needed to be fixed and that she was in the process of having that done. Atty. Mitchell also stated that his client would be willing to put up a cash bond if the Town would except the road and get her out of the road building business. Atty. Mitchell not looking for a vote just discussion.

Chairperson Lamson stated that the BOS has responsibilities to the Town and does not want to put the Town in a position of having to build roads. Cos stated that he wants all construction on all four (4) lots completed or at least 90% complete. Marlon Frink stated that Lembeke should have buyers responsible for road. Marlon also stated that Susan is responsible for all plowing in the winter and that the whole road needs to be plowed. Jack feels we should wait until more houses are built and he stated that the Selectmen are not anti anybody they are just pro Town.

The Atty. stated that what his client was looking for was some kind of time frame and that she had a bond of \$17,000.00 and that she is looking for the balance to be returned to her all except the maintenance bond amount of \$3,324.00. The Selectmen stated that the balance would be returned to Susan less the maintenance bond amount. The Selectmen also stated that they would like to get through another winter, this time with the road plowed properly so the area can be monitored for drainage and in the mean time maybe the Whitesides and the building lot that was just sold might start construction. Atty. Mitchell was content with the discussion from the Selectmen and stated that he and his client would be back before the Board at a later date.

John Welch was present to discuss with the Selectmen the dock at Fox Point. John stated that there was a problem with the new dock it could not be secured properly. John proposed a new wooden deck and pilings and that the concrete float be moved and that a railing be built for safety reasons. Marlon Frink asked if the Fire Dept would have any problem tying the Fire Boat to this new dock, John stated that he had spoken to the Fire Dept and that the new one would be better than what they were using now. Cos stated that the Highway Dept would build the railings and the new wooden deck that was needed. John and Marlon would get together with Tom Roy and Don Beals to discuss what needed to be done. Motion by Jack to authorize more money from Fox Point Committee for the construction and repairs at Fox Point in the amount of \$2,250.00, seconded by Cos, Peggy stated that \$10,000.00 was appropriated for Fox Point. The motion was carried in the affirmative. Chairperson Lamson and the Board Members thanked John for all the work he has done concerning the dock at the Point.



Marlon Frink stated to the Board of Selectmen that they should write to the state to complain about the drainage on Nimble Hill Road, Marlon stated that every time it rained all the rock and dirt come out onto the road and that it is a hazard to the community.

Motion by Jack to approve the proposal from Maldini Electric to install a Telepole to center office and relocate electrical and telephone lines on wall being removed at the Town Hall, cost \$760.00. Also to install 5 wall fixtures at the Town Garage, cost \$1,980.00, seconded by Cos. Motion carried in the affirmative.

meeting was adjourned at 8:25 PM

Respectfully submitted by:

Diane L. Fritz  
Assistant to the BOS

Chairperson Lamson called the meeting to order at 3:50 PM with full Board present.

Chairperson Lamson stated to the Board that the Road Layout had arrived from Atty. Stebbins, and asked if Town would explain the course of action the Board needed to take. Tom Stated that a Public Notice had to be posted, (Tom has already done this) then the Board needs to schedule a Public Hearing, the decision of the Board is to schedule this for August 03, 1998 at 6:30 PM. Lamson stated for the record that Jack O'Reilly will step down from this meeting because of a Possible Conflict of Interest, the Board will appoint Jack Mazeau to take his place. Tom stated to the Board that he was not sure if the site walk that is required should be before of after the Public Hearing, he would get back to them and let them know. Tom also stated that the Board has 10 (ten) days after August 3, 1998 to except or reject the layout.

Code Enforcement: DeNault, Gove Construction, Tom and Peggy will work on a letter about Newington's Zoning Ordinance.  
Sign at Stand-up Gardens, they have not applied for a Sign Permit.  
Custom Pool - Violation with new sign and dumping construction material in a vacant lot.

Lamson stated that NHMA would be coming to the Town Hall on July 15, 1998 at 2:00 PM to give an Employee Presentation of Health and Dental Benefits. Lamson stated that a Memo should go out with the Pay checks to inform the employees of the presentation.

Motion from the Board to continue the policy of providing full Health and Dental Benefits to Employees according to the vote by the people at the 1996 Town Meeting. Motion carried in the affirmative. The Board of Selectmen will have NHMA representative Debbie Beauchesne review the comp 100 plan which the Town provides for benefits.

Claremont Decision: Jack stated to the Board that he had attended a breakfast with the Governor of New Hampshire: the recent Supreme Court ruling against the ABC funding plan was discussed - Governor hopes there is enough leeway to resolve without putting in a statewide flat tax (property or 9% income or 11% sales). Constitution only allows a flat (vice graduated) tax.

Jack stated that there were representative from all the local school boards except Newington's, the Board stated that a memo should be sent to the Newington School Board stating that they should stay on top of this situation. Motion by Cos that the School Board should be in contact with Jack O'Reilly about the Claremont Decision, Jack will be the Town's Point Man, seconded by Peggy. Motion carried in the affirmative.

PDA: The Board of Selectmen feel that an illegal vote was taken on the school situation because the school was not on the agenda and they did not have a quorum, the PDA had to call Tony Smith in Florida to vote. The Board was very concerned that a vote was taken by telephone. The Board will write a letter to Tony asking him if the PDA abides by the Right-To-know Law, and why was this not on the agenda. Reviews from the meeting Peter Loughlin did not even have it on his agenda, along with Portsmouth rep. Eileen Foley.

Motion by Peggy to reconvene on July 06, 1998 at 4:30 PM, seconded by Jack. Motion carried in the affirmative. Meeting adjourned at 4:35 PM.

Board of Selectmen

Town of Newington

July 6, 1998

Present: Chairman Margaret (Peggy) Lamson, Cosmos Iocovozzi, Jack O'Reilly.

This meeting, called to order at 4:30 p.m., is reconvened from meeting held June 29, 1998.

**CORRESPONDENCE:**

Letter from Fire Chief dated 6/6/98, re: Town Hall conversion to natural gas and his concerns about oil tank removal. Selectmen are concerned about loss of plantings if tank has to be removed. Peggy has checked and plantings can be safely removed and replanted.

Letter from Public Service Co., in answer to Selectmen's complaint, advising that their property on River Road will be cleaned up.

Copy of notice from D.E.S. approving construction of a dock on the St.Amand property (after the fact).

Memo from Atty Robert Upton advising of recent court ruling on taxing communication towers. (presently exempt).

Letter from Young Construction advising cost of work at Police Station. Board accepted - will advise to proceed with work.

Memo from Chief Stimson advising that the driveway exit from police dept. onto Fox Point Road is very dark and suggested a street light be installed. Peggy will speak with Chief and suggest a meeting of the Highway Safety Committee to discuss the matter.

Memo from Police Chief requesting permission to order computer system as included in approved budget. Approved expenditure on a motion by Cos seconded by Jack.

Received copies of applications to the Board of Adjustment by Simplex and Gary Michaels.

Received notice, as an abutter, from Portsmouth Technical Review Committee advising of Public Hearings re: development on Pease. Peggy Lamson noted that the PDA were remiss on their vote to exclude elementary schools on Pease as the subject was not listed on any agenda she had seen. Will discuss with town's representative.

Copy of notice re: proposed construction of a cargo facility on Pease for Kashi LLC. Peggy expressed some concerns and will try to attend a Public Hearing at Pease on Thursday July 9th.

Letter from Board to Charles Denault re: gravel operations on his Patterson Lane property - advising that site plan approval is required.

Letter from Board to Custom Pools re: construction debris piled on their River Road property - asking them to remove it as it is in violation of ordinance.

Letter from Board to owner of property on Patterson Lane (Standup Gardens) reminding them that signs require permits.

**NEW BUSINESS;**

On a motion by Cos, seconded by Jack, it was voted to renew the Property Liability Insurance with NHMA.

Considered request by Susan Lembcke for release of funds being held in escrow. Noted that Board had agreed to release all but \$3,324.00, to be held for any possible maintenance. Ms Lembcke's attorney Donald Mitchell will be so advised.

Reviewed the MS5 (Financial Report) prepared by town auditor. Board signed for submitting to State.

Reviewed "Right of Entry" agreement to sites on Pease requested by Air Force. On a motion by Jack, seconded by Cos, it was agreed to sign with expiration in 5 years.

Approved 5 days of vacation for Tom Morgan.

Approved use of the Town Hall requested by Susan Roy, Fabyan Lane. Denied use of picnic grove requested by Liberty Mutual, Portsmouth.

Discussed the appeal to Supreme Court by Attorney Stebbins representing Simplex re: land use. Board agreed that Attorney Peter Loughlin should be asked to defend the towns position. Noted that the Superior Court had found for the Town in this matter.

Signed addition to the 1998 Resident Tax Warrant.

Set the date of July 22, to meet with Skip Sansoucy to discuss various appraisal matters - including impact of proposed power plants.

Discussed the proposed services agreement between town and PDA. Will have Attorney McNiell and Police Chief Stimson review.

**BUILDING MAINTENANCE:**

Agreed to have Marquette Flooring remove carpet in a section of the Police Station and replace with tile. Will also ask Marquette to look at town hall where alterations are proposed.

Peggy reported that Library Trustee John Welch has requested some building maintenance to the upstairs of Library. Board agreed to get some estimates.

Agreed, on a motion by Jack, seconded by Cos, to have the HVAC work done in the upstairs of the Police Department. Further work will not be authorized until Selectmen receive a floor plan of proposed uses.

Cos reported that he had discussed, with Public Service and Bell Atlantic - a tree in front of David Sweeney's house on Fox Point Rd. Situation will be checked to see if the entire tree should be removed and at utilities expense.

Noted that the South Newington Basketball Court has been repaved.

Discussed the use of the tennis court for other than tennis and agreed that use should be kept for tennis only. (not roller skating or bike riding) Will notify residents through the recreation newsletter.

The meeting was adjourned at 5:45 p.m.

Pat Main  
Sec'y.

Meeting called to order at 4:30 PM, Full Board members present, also Denis Hebert and Chris Cross, Planning Board engineering industrial service roadway committee.

Subject of meeting: Industrial Roadway, estimated cost to build road 1.8 million (not land or purchasing).

Denis explained the engineering design for the construction of the roadway. Engineering design breakdown: 11% of total cost, 3% Investigative Services, 5-6% Design and 2-3% Construction.

Estimated cost of Phase I, \$50,000.00 - Estimated time for completion, within 6 months.

Move by Cos Iocovozzi to increase Phase I for Industrial Roadway by \$40,000.00 from Air Mitigation Fund, seconded by Jack O'Reilly. Discussion held, where Peggy Lamson explained to Denis Hebert the Air Mitigation Fund Account. Plus the Board of Selectmen authorized \$20,000.00 at previous meeting. Chair called for vote. Motion carried in the affirmative.

Denis Hebert stated that the Planning Board Engineering Study Committee will call Edwards/Kelsey to draw up and agreement.

Board of Selectmen discussed that they wish to change from Jacques Whitford to Matt Eickler for Enviro work dealing with Gas Tank which was removed and Oil Tank at Town Hall. Board carried in the Affirmative.

Meeting adjourned at 5:15 PM.

*Peggy Lamson*

Chairperson Lamson called the meeting to order at 6:35 PM, all Board members present.

Motion by Peggy to approve the minutes of the July 6, 98 and the July 14, 98 meeting, seconded by Jack. Motion carried in the affirmative.

CORRESPONDENCE:

Letter from Charles Denault re: <sup>Gove</sup>~~Grove~~ Construction storing materials on his land in Newington. Charles has sent a letter to Chuck Locke at Gove to ask him to obtain the necessary approvals to continue storing the materials on site. Charles Denault has asked that the Selectmen contact him is Gove Construction does not contact the Town to make proper arrangements.

Stand Up Gardens re: signage, Tom Morgan will send letter informing Stand Up Gardens that the banner they have hanging is not regulation, and that they need to contact Tom to obtain a sign permit.

Letter from DES re: Southern Energy, This company has not filed anything with the Town of Newington as of 7/20/98.

Portland Natural Gas will meet with the Selectmen and Chairperson Barbara Hill of the Newington Historic District, on August 8, 1998, re: the Town Forest.

Letter from Sprague re: sound panels, Ted Reed from Sprague stated that the sound panels will be completed by July 24, 1998, they hope that the sound panels will resolve the noise issue at Dover Point permanently. Ted also stated that the next ship is due on Tuesday July 28, 1998 and at that time he will have the consultant re-check the sound readings.

Letter from Town Manager Hampton re: regarding a meeting at Winnacunnet High School on July 30th, subject Media One recent rate increases and channel offerings. The Selectmen will not be able to attend but a letter with their concerns and comments will be going out to the Town Manager of Hampton.

NEW BUSINESS:

Letter from Atty. Pelech re: application from Gary Michaels for rehearing with the BOA. Atty. Pelech states that he received a letter from Atty. Griffin indicating that he would be filling a Writ of Prohibition with regard to the granting of a Rehearing by the Board of Adjustment. The Town of Newington will be named Defendant in this suit. It is Atty Pelech's understanding that Atty. Griffin will be seeking injunctive relief which will require appearance by counsel for the Town of Newington in the Superior Court of Brentwood. The Board of Selectmen will call Atty. Scott Woodman to handle this case.



Roseann Clark - Rec Director for Town of Newington was present at the request of Cosmas Iocovozzi to give a report to the Selectmen as to how the Summer Program is going. Peggy for the record wanted to state that Old Home Day was a great success and to thank Roseann and all the volunteers for all their work. The response from the residents was that they loved it. Roseann presented to the Selectmen in writing, total number of children in each age group and the names of the counselors in charge of each group, a brief report of the trips and activities the various group have done and also some concerns. One concern is the camping trip for the 10 to 14 yr olds. It is a one-night camp out at Pawtuckaway, there are three cancelers for this group, but Roseann feels that there should be more supervision and stated that a letter has been sent home to the parents asking for volunteers. The other concern is that the Rec does not have enough tents, Roseann has also asked the parents if the Rec could borrow tents. As of 7/20/98 Roseann has had no volunteers or tents offered.

Discussion with the Selectmen about the camping trip, Cos asked why they had to go to Pawtuckaway, Cos recommended that the camping trip be moved to Fox Point and that the Selectmen could visit the kids throughout the evening. Peggy agreed with this suggestion.

Roseann stated to the Selectmen that on 7/20/98 the counselors had a problem with the older group leaving the Rec and going to Fox Point to swim during Rec hours. Roseann stated that Joann overheard the children saying that they were going to sign themselves out and go to the Point to swim. Joann and Mark went to the Point and found several of the Rec kids up there. Roseann and Joann Mazeau called all the parents to inform them as to where there children were because they felt responsible for them seeing it was still during Rec hours. Discussion about this event from the Selectmen, a letter should go out to the parents stating that if there are any more episodes like this one at the Point, that the child/children will be asked to leave the Summer Program. The Selectmen agreed, and asked Diane to draft this letter and the Selectmen would sign it and send it out.

Discussion was held on Employees being allowed to register their children for the Summer Program. The Selectmen had told an employee that he could bring his children, but according to Roseann it is stated in the bylaws that only residents and/or grand children of residents are allowed to register for the Summer Program. The Selectmen are split on whether this should be allowed or not. Cos will call a meeting with the Rec Board to discuss this issue.

Roseann also presented to the Selectmen her letter of Resignation effective August 13, 1998. She thanked the Board of Selectmen and also the present and previous Recreation Boards for all there help with the Recreation Departmen in her 10 years as Recreation Director for the Town of Newington. The Selectmen thanked her for all her hard work and wished her luck in her endeavors.

Motion by Jack to except Roseann's resignation, seconded by Cos. The motion was carried in the affirmative.

Tom Morgan reported that he had attended the public hearing at Pease re: Kashi, LLC and that the issues that were of concern at the meeting was all ground related and had nothing to do with air travel or noise. Tom stated that he would be returning to Pease to go through the files on Kashi, LLC to give the Town a better idea as to what this could mean to the Town as far as increased air traffic.

The Selectmen received a notice of Public Hearing re: The Unlined Landfill Closure Grant Program, the Selectmen will sent this notice to Attn: Ahlgren.

Letter from Atty. Loughlin to NHMA - Public Liability Trust re: Simplex Tech v. Town of Newington and stating that the Town has filed a Motion for Summary Affirmance.

Department of Safety has reissued the Town's permit to operate a place of assembly with the following restrictions: Auditorium no more than 174 people for a sit down dinner and no more than 237 people for meetings, deRochemont room no more than 43 people, Sawyer room no more than 27 people and the Selectmen office no more than 23 people present at one time.

The Board is holding Richard Popov's request for the use of Fox Point until they can get dates from him as to when he wants to use it.

Motion by Jack to approve the use of the Town Hall by Phyllis Pickering for July 24, 1998, seconded by Cos. Motion carried in the affirmative.

Motion by Jack to approve the use of the Town Hall by Doug Reed for August 15, 1998, seconded by Cos. Motion carried in the affirmative.

Motion by Cos to approve the use of Fox Point by Rebecca St. Germaine for a fam. reunion on September 6, 1998, seconded by Jack. Motion carried in the affirmative.

A request from the Portsmouth High School Football Boosters for contributions to the organization. Motion by Cos to donate \$25.00 to the Boosters, seconded by Peggy Lamson. Motion carried in the affirmative.

1999 Appointment to the Seacoast MPO - Cos and Jack approved Peggy's reappointment.

Request from Tom Morgan for a vacation day on July 28, 1998 was approved by the Board.

OLD BUSINESS:

The Selectmen agreed to sign the proposal from Pickering Marine to install ramp and float at Fox Point the proposed cost is \$17,900.00. The Selectmen will sign with a close added that the agreement is subject to approval at the 1999 Town Meeting.

Fire Consultant, Chief Wahl has request that the Planning Board require the Power Plants the hire a Fire Consultant. The Selectmen will send a memo to Marlon Frink stating that the Selectmen support the request of the Fire Chief.

Release for Sale, the Chief vehicle at the fire dept need to be disposed of the Fire Chief stated that it has not run for months. The Selectmen will run an add in the paper to sell this vehicle for parts.

Town Hall Oil Tank, Peggy reported that Jim Leger had given the Selectmen a price of \$50.00 per plant to pull, preserve and replant around the Oil Tank area.

Cos stated that Matt Eichler is now the Environmental Consultant for the Town of Newington.

Stone School - a letter has gone out to Senator Gregg regarding the Old Stone School stating that the Town proposes that the Air Force return the school to the Town of Newington and that they provide the Town with sufficient fund to restore the school which is a historic structure, so that it can once again be utilized for the cultural, recreational, and educational purpose for which it served so well prior to Air Force Stewardship

BUILDING MAINTENANCE:

Removal of Wall at the Town Hall - Cos is trying to set it up with the contractor and the electrician to have the wall down on August 8, 1998 or August 22, 1998. Peggy is going to talk to tile people to see what can be done with the floor in leu of rugs.

Water damage to the Library due to rain storm, this is being looked into by the Selectmen.

OTHER:

The Selectmen will be sending out a Selectmen letter to the residents this month.

Meeting adjourned at 9:00 PM

Meeting called to order at 6:20 PM. Full Board present.

Motion by Jack to approve the minutes of the July 20, 1998 meeting, seconded by Cos. Motion carried in the affirmative.

CORRESPONDENCE:

News release from Senator Judd Gregg "Newington set to regain Old Stone School parcel" this was released on August 3, 1998. Senator Gregg included language in the Defense Appropriations bill directing the Pentagon to return a 1.3 acre parcel and a building known as the Old Stone School to the Town of Newington. Gregg stated, "Newington stands to recover from the Pentagon a 1.3-acre parcel and the Old Stone Schoolhouse that was in its domain for three centuries until it was added to Pease Air Force Base to support the operations of our military. With the end of military operations at Pease, it is time to return this parcel to its rightful owner."

Letter from the Dept of Environmental Services RE: Newington - Piscataqua River. The Wetlands Bureau has reviewed and approved the application to dredge and fill tidal river area to extend existing discharge outfall and add multi-port diffuser.

Letter to Larry Wahl, Fire Chief, from Fish and Wildlife Services, thanking him for the Departments help with the water control structure installation at Upper Peverly Pond.

Letter from Paul Kent announcing his resignation as an Alternate to the Board of Adjustment.

Chairperson Lamson recessed the BOS meeting at 6:30 to open the Public Hearing.

Chairperson Lamson opened the Public Hearing at 6:30 PM RE: Simplex Technologies proposal to lay out a public right-of-way over the existing Simplex access roadway. Chairperson Lamson read the Public Notice, then opened the floor for questions or comments. The engineer from Simplex brought plans and stated that he would answer any questions concerning the right-of-way. Dick from Public Service/Newington asked to see the layout and asked if there was any relation to the Town's proposed service road. Tom Morgan showed Dick the plans and explained that there was no relation between the two roads.

Lamson announced that Jack O'Reilly would be stepping down from this vote due to a possible conflict of interest. Former Selectmen Paul Kent will be sworn in to take his place.

Lamson asked if there were any more questions or comments, if no more questions or comments I will recess this hearing in order for the Selectmen to walk the proposed site. Hearing was recessed at 6:40 PM.

Lamson reopened the Public Hearing at 6:59 PM. Lamson stated that the Board had just walked the site of the proposed right-of-way and asked if there were any questions or comments from the audience. Matrix Marketing questioned what the status of the vote was. Atty for the Town of Newington explained the law and stated that the Board had ten days from the date of this hearing to vote. Lamson set the meeting for the vote for August 13, 1998.

Chairperson Lamson closed the Public Hearing at 7:05 PM, and reopened the BOS meeting.

NEW BUSINESS:

Paul kent was sworn in by Chairperson Lamson. His appointment is for one day August 13, 1998, unless the decision is not finalized at that point his appointment will continue until a decision is made.

Present was Richard S. Szilagyi, Chief Operating Officer of Bay Ring Communications to obtain from the Town of Newington a Pole License. The request is for a Pole License to set a new pole and attach associated cables along side the Old Dover Road. Chairperson Lamson asked for a vote from the Board to approve the pole license. The motion was made by Jack to approve the request by Bay Ring, seconded by Cos. The motion was carried in the affirmative, and the potion was signed by the Selectmen and witnessed by the Selectmen's Assistant.

Chairperson Lamson announced that the appointment for the Newington Rep to the PDA has expired and that her recordation was to reappoint Tony Smith for another three year term. Motion by Peggy Lamson to reappoint Tony Smith to the PDA for a three year term, seconded by Jack O'Reilly. Motion carried in the affirmative. The appointment was signed by the Selectmen and Tony Smith will be notified and ask to come to the Town hall to be sworn in.

Cemetery Deed: Motion by Cos to approve the sale of a cemetery plot to P. Marshall. her family first purchased the adjoining plot back in the 1800, seconded by Jack. Motion carried in the affirmative.

Motion by Jack to except the request by the Portsmouth Police to use the picnic grounds on September 20, 1998, seconded by Cos. Motion carried in the affirmative. Cos asked that when the Police were notified that their request was granted if we could please ask them to clean the grills after they have used them.

Motion by Jack to except request from Wayne Wood to use the deRochement room on Sunday August 9, 1998, seconded by Cos. Motion carried in the affirmative. Jack asked that we inform Mr. Wood that the door key has to be picked up by 4:00 Pm on the previous Friday.

Cos announced that Allan Barry from CAB will be pulling the oil tank at the Town Hall out on August 28, 1998. Cos also announced that the wall between the two offices in the Town Hall will be taken down on August 15, 1998.

Lamson read requests from Chief Stimson and Timothy Stuart regarding installing additional lighting in the Police Station parking lot. Cos will have a meeting with the Highway Safety Commission to determine what is needed.

Selectmen signed an agreement with Edwards and Kelcey, Inc. for their engineering services for the Industrial Road Design Project.

Barbara Hill, Chairperson of the Newington Historic District Commission was present to discuss Portland Natural Gas's intention to cut down trees in the Newington Town Forest. Barbara announced to the Board that the Historic District Commission meet at 4:00 PM this evening and did a site walk with Representatives of PNGTS.

Barbara Hill stated that Nancy Muller, Director/State Historic Preservation Officer of the NH Division of Historic Resources, will not sign off to PNG because she feels that PNG Company needs to be watched more closely. The Town, the Historic District Commission want PNG stopped now. They feel that PHG should present an outline to the Town Barbara referenced comments fax to her from Chris Cross stating that the Town should take action to keep the forest from being destroyed. The Board of Selectmen will try to have all work stopped until the Board along with Art Ditto from the PDA, the Historic District and the Conservation Committee can do another site walk.

Code Enforcement: The Board of Selectmen will send a letter to Mrs. Ferland to change her address legally to Captains Landing from Little Bay Road. Mrs. Ferland's house and driveway are on Captains Landing.

Meeting adjourned at 8:10 PM.

Chairperson Lamson called the meeting to order at 6:30 PM.

Present full Board as well as Ms. Hantz Attorney in office with Atty Stebbins, representing Simplex, Town Planner - Tom Morgan, Engineer from Matrix Marketing - Fred Sprague and Paul Kent.

NEW BUSINESS:

Motion by Chairperson to appoint John Stimson and Larry Wahl Co-Directors of Emergency Management. Motion carried in the affirmative.

Request by Barbara Hart to use the Town Hall on September 26, 1998, Approved. Request by SCCO to use the Town Hall on December 5 for a concert, Approved. Request by Antoinette Oliver to use the Town Hall on August 23, 1998, Approved.

Request by Tom Morgan for August 13, 19 and 31st off as well as September 4, 8, 9, and 10 off as vacation days. Approved by the Board.

Chairperson Lamson read to the Board a letter of resignation from Mary Edith Smith from the Budget Committee. Motion was made by Jack to except this resignation, seconded by Peggy. Motion carried in the affirmative. The Board stated that a One (1) year appointment now has to be filled. The Board will speak to the Chairmen of the Budget Committee.

Jack, Peggy and Cos discussed the proposed meeting on Friday August 14, 1998 at 8:00 AM at the Town Forest with the Pipeline representatives. Peggy stated that the Pipeline has not been very cooperative with the Historic District and that they hope this meeting will clear up issues regarding Town Forest.

Chairperson Lamson called for the review of Conditional Road Layout. Jack O'Reilly Board Member stepped down to a possible conflict of interest. Former Selectmen Paul Kent filled in for Jack's position re: the Road Layout. The law states full Board of Selectmen must vote on a Conditional Road Layout.

Chairperson Lamson, stated at this time the Board would review the Public Hearing on the Petition for Conditional Road Layout from Simplex. Lamson explained RSA 231 re: Road Layout - Simplex and told Atty: Hantz that a Public Hearing was held on 8/3/98 and per the law the Board of Selectmen reviewed the proposed road layout. RSA 231-28 states Board of selectmen have at least 10 days to act on the Road Layout.

Chairperson Lamson, called for a vote on the Conditional Road Layout for Simplex.

Motion by Cos to approve the Petition for Conditional Highway Layout from Simplex Technologies, Inc. dated June 12, 1998 as submitted and to authorize the filing of the return of Highway Layout, which has been prepared by Town Council, in the Town Clerk's office, seconded by Paul Kent. Motion approved by full Board. The full Board of Selectmen signed the return of the Highway Layout to be filed with the Town Clerk.

Chairperson Lamson, showed Atty. Hantz the full Boards signatures.

Motion by Chair at 6:30 PM to reconvene to Monday August 17, 1998. Motion carried in the affirmative.



Chairperson Lamson opened the meeting at 6:25 PM with full board present.

Motion by Jack to approve the minutes of the August 13, 1998 meeting, seconded by Cos. Motion carried in the affirmative.

Chairperson Lamson stated that there would be a Board of Selectmen's meeting on August 24, 1998 at 4:00 PM, due to her being on vacation for the regular scheduled meeting on August 31, 1998.

#### CORRESPONDENCE:

Lamson read the Law Suit from Simplex Technologies that was served to the Town Hall at 3:00 PM today. This law suit is a seemingly ongoing suit pertaining to the proposed Best Buy store at the Crossings at Fox Run. Lamson announced that Atty. Laughlin had already been notified and that he will be counsel for the Town. Also NHMA has been notified on the law suit.

Letter from Arthur L. Ditto, Site Manager AFBCA/DA Pease, re: the Town asking for an extension of when the Town would reply to the Air Force Letter of 12 March 1998 the extension is until 10 November 1998. This extension is due to the fact the Town is wait the outcome of pending legislation pertaining to the Old Stone School.

Letter from Atty. F.X. Bruton in regards to the Town Forest, and the site walk with the Town officials and the PNGTS representatives, to Laura Henley Dean, Historic Preservation Specialist in Washington, DC. F.X. Bruton states "The Town believes that they were not consulted at all with respect to the change granting the PNGTS an additional five foot expansion of the maintenance easement. The Town believes that any further maintenance work that must be done must be less invasive than the actual construction of the pipeline, and, if this maintenance easement, as represented by PNGTS officials, is not even to be used during the construction process, then it seems totally unnecessary with respect to future maintenance work. The Town believes future maintenance work can more easily be done from the same roadside that was used to construct the pipeline."

Release re: Pan AM seeks to relocate to Pease International Tradeport. Pan Am is proposing to renovate building 227 a 200,000 sq ft hanger to be used by Pan Am as a maintenance facility for its own fleet of Boeing 727-200 aircraft.

Letter from Arthur Ditto, Site Manager, AFBCA/DA Pease, re: signed copy, for our files, of the Right-of-Entry agreement between the Town of Newington and the Air Force.

Letter from Ted Reed, Manager, Operations Support, Sprague Energy re: Compliant from Lucille Hebbard of Patterson Lane about asphalt odors. "In an effort to alleviate these odors, Sprague is replacing all of the vent pipes on the asphalt tanks with new, stronger, pipes similar to the River Road facility. We are also installing a new blower system at the rack to collect fumes and will be trying an experimental filter system as well. Should this filter system prove effective, we will be installing it permanently next year. We anticipate completion of the vent pipes by August 31, 1998 and the rack by September 15, 1998.

**NEW BUSINESS:**

Motion by Jack to except the vacation request of John Frink for August 31 through September 04, 1998, seconded by Cos. Motion carried in the affirmative.

Sealed Bids for the 1990 Cheve Capri Fire Car were opened at the meeting there were three bids, one from Fleetmaster of Auburn, NH with a bid of \$1,227.99, seconded from Tom Roy, of Newington, NH with a bid of \$375.00, third from Bill's Wholesale Auto, of Hudson, NH with a bid of \$789.99. Motion by Cos to except the highest Bid for the Fire Car, from Fleetmaster in the amount of \$1,227.99, seconded by Peggy. Motion carried in the affirmative.

Rockingham County Commissioners Year 2000 Workshop on August 28, 1998 time 9:00am to 2:30pm. This workshop is planned to provide us with some tools to handle the tough questions, as well as a "game plan" to address the issues as they arise pertaining to the Millennium. The Board voted to send Diane to this Workshop.

Portland Natural Gas, Mr. Bill Savage will meet with the Selectmen on August 18, 1998 at 1:00 PM to discuss noise ordinance for work that is to be done on Patterson Lane. Mr. Savage is proposing that the work is to be done between the hours of 7:00 AM and 5:00 PM.

**OLD BUSINESS:**

Lamson stated that the oil tank at the Town Hall is to be pulled on August 28, 1998. The wall in the Town Office will be coming down August 22, 1998.

Lamson stated that Diane will take care of organizing the replacement of the floor in the office.

Proposal from Maldini Electric re: Replace (6) 240 Volt VHO Ballasts that control fluorescent lights material and labor, for the Tennis Courts. Maldini states that they are not factory stock and has a 4-6 week lead time. The proposed amount is \$1,420.00 Motion by Cos to except Maldini Electric in the amount of \$1,420.00, seconded by Jack. Motion carried in the affirmative.

OTHER:

Selectmen discussed Marlon Frink's proposal to collect the logs from the Town Forest and store them for later use for the Town, cost would be about \$1,500.00 total for haling and cutting. Selectmen decided to have Marlon set up the hauling of the logs. A.S.A.P.

Because Edna from PNG called Barbara Hill and informed her that the logs need to be moved NOW or PNG would have to dispose of them.

Selectmen discussed putting a sign up at Fox Point regarding swimming off the float. "Swim at Own Risk" sign. Peggy will check with NHMA re: liability.

Meeting adjourned at 7:35 PM

Chairperson Lamson Opened the meeting at 4:00 PM this is reconvened from August 17, 1998 meeting. Full Board present.

Association of Assessing Officials - Board of Selectmen is sending no vote..

Agreement between Lamprey Regional and UNH. Copy of agreement is on file in the Selectmen's office.

State of NH Executive Dept., re; 404 Hazard Mitigation Grant Program - Selectmen are sending copies to John Stimson and Larry Wahl to look into the grant process...

Motion by Jack to <sup>accept</sup>~~except~~ the minutes of August 13 and August 17 meetings, seconded by Cos. Motion carried in the affirmative.

Motion by Jack to except the request from Douglas Reed for the use of the Town Hall on September 9, 1998, seconded by Cos. Motion carried in the affirmative.

Chairperson Lamson stated that she would be attending the meeting with the State of NH site evaluation committee, on August 26, 1998. Motion by Jack to except the request by Eugene Lyman of 66 Airport Road for a Veterans exemption, seconded by Cos. Motion carried in the affirmative.

Little Bay Road report - Cos, August 19th meeting with the engineer re: drainage problems. The engineer will send his findings in writing to the Selectmen. Lydia Frink stated to the Selectmen that if needed she would consider allowing drainage into her field. The Selectmen will meet with Lydia and John Frink to discuss this possibility.

Meeting adjourned at 5:05 PM

Chairperson Lamson not present at this meeting Board Member Iocovozzi opened the meeting at 6:30 PM.

Motion by Jack to approve and sign the MS1-1998 Summary Inventory of Valuation to the state of NH, seconded by Cos. Motion carried in the affirmative. The MS1 was signed by the Selectmen. The amount on which the Town of Newington's Tax Rate will be calculated is \$468,548,138...

Cos stated that the State Primary is September 08, from 8:00 AM to 7:00 PM. Cos also stated that the Police Workers would be feed, lunch and dinner, by the Town and that Peggy has ordered the meals from Currants. O.P.C.

Motion by Jack to except the request from Wayne Wood for the use of the deRochemont Rm on September 13, 1998, seconded by Cos. Motion carried in the affirmative.

Cos stated that a Selectmen's newsletter will be going out the residents by September 10, 1998.

Cos stated that there will be a Harvest Fest out at Fox Point, tentative date of October 24, 1998, sponsored by the 4-H and the Town. Cos asked that Diane check with Maldini Electric about added power for out at the point for this festival.

Motion by Jack to set the next meeting for September 09, 1998, seconded by Cos. Discussion, the church calendar already stated that because of the holiday on September 07, that the Selectmen's meeting will be on September 09, 1998. Motion carried in the affirmative.

Meeting adjourned at 7:00 PM

Meeting was called to order at 6:30 PM with all Board members present.

Motion by Jack to approve the minutes of August 24 and the minutes of August 31 meetings, seconded by Cos. Motion carried in the affirmative.

CORRESPONDENCE:

Letter from PNGTS, Jean-Marc Teixeira, re: Newington's Industrial Service Road and the letter from the Town on August 26, 1998. "In answer to your specific questions the roadway may be allowed to overlap the pipeline's easement, subject to certain restrictions and the preexisting terms & rights obtained in its easement deeds. One of the restrictions will be the Joint Facility will have the right to close the roadway completely for any and all maintenance on the pipeline. Crossings of the pipeline will be allowed. However, they shall be as near perpendicular as possible. The project's engineering and construction staff are reviewing the plans received at the August 27, 1998 meeting and will put together a report on the areas of concern, including issues of depth." Denis Hebert of the Newington Planning Board is working closely with the PNGTS people and will keep the Selectmen informed.

Letter from the NH Department of Environmental Services re: Notice of Dam Construction Application. "The Department of Environmental Services (DES) recently received an application to construct a dam in your municipality. This letter serves as a notice in accordance with RSA 541-A:39, which requires that municipalities be notified of any permit issued by state agencies." The applicant is Newington Energy, L.L.C.

NEW BUSINESS:

Barbara Hill was present to report on the progress of the CLG Grant; Barbara reported that the Grant had been granted pending approval of the Governors Council. Barbara stated that the amount would be 12K each year for 3 years.

Barbara announced that the Historic District Commission will be meeting the 4th Tuesday of every month starting in September, 98.

Motion by Jack to allow Barbara Hill to act on behalf of the Board of Selectmen relative to the Town Forest, with Atty's and the Pipeline people, seconded by Cos. Motion carried in the affirmative.

Barbara reported that Mr. Milner, Historic District is looking into the deRochmont House on the Simplex property as a Historic House and would like to have it registered as such. Selectmen discussion; "this could effect the lateral". Barbara will report and progress to the Selectmen.

New notice of Board of Selectmen's meetings. Motion by Jack the notice will read "The Board of Selectmen will meet at the Town Hall on the First and Third Mondays of each month at 6:30 PM. Any additional meetings will be posted 24 hours prior to the meetings. If any scheduled Monday is a Holiday, the meeting will be rescheduled and notice of date and time will be posted." the notices will be posted at the Town Hall and also in South Newington, seconded by Cos. Motion carried in the affirmative.

Chairperson Lamson stated that a News Letter would be going out to the residents within the week.

Opening on the Budget Committee. George Krook has submitted his name to the Selectmen as being interested to serve on this committee. Mr. Krook's letter will be forwarded to Alfred Smith the Chairmen of the Budget Committee.

The Board of Selectmen has decided to post a sign at Fox Point Stating "Swim at your own Risk" this is for liability reasons.

Langdon Library has asked for an extension for responding to the Capital Improvement request of the Planning Board. Motion by Jack to grant the extension until after October 05, 1998, seconded by Cos. Motion carried in the affirmative.

Request by the Newington School to use the Town van starting September 14, 1998 through October 19, 1998 from 1 to 3:00PM. It is to transport the 3rd and 4th graders to activities. Motion by Jack to allow the school the use of the Town Van, seconded by Cos. Motion carried in the affirmative.

The Board of Selectmen have stated that they would help the Recreation Committee with the Senior Dinner planned for January 1999. The Selectmen would like to hire the Orchard Song to perform at the dinner. Also the Selectmen will invite the Planning Board and the Recreation Committee to attend the dinner as a thank you for all their volunteer time to the Town of Newington.

The Recreation Committee has announced that the Old Stone School for Teen Night, on Fridays, starting in October the hours will be 6:00 to 9:00 PM. They have asked the Board of Selectmen to authorize payment to the adult that will be supervising this activity. The Selectmen have agreed to pay \$20.00 per night.

Motion by Cos to approve the activity permit for Mitchell Exxon, seconded by Jack. Motion carried in the affirmative.

Motion by Jack to approve the request by Gail Klanchesse to use the Town Hall on October 18, 1998, seconded by Cos. Motion carried in the affirmative.

OTHER:

Conrad Lajoie has been contracted by the Board of Selectmen to put an outside plug at the Town Hall.

The Fox Point Committee has requested that they use the Town Truck for their Coastal Clean-up scheduled for September 19, 1998 at 9:00 Am. Motion by Jack to allow the Fox Point Committee the use of the Town Truck, seconded by Cos. Motion carried in the affirmative.

Cosmas reported to the Board the work that is being done on Hanna Lane concerning the drainage problem. All areas of concern are being fixed at this time.

Meeting adjourned at 8:05 PM.

BOS:dlf



Chairperson Lamson opened the meeting at 6:35 PM, present, Margaret Lamson and Cosmas Iocovozzi, absent Jack O'Reilly.

Motion by Cos to except the minutes of the September 09, 1998 meeting, seconded by Chairperson Lamson. Motion carried in the affirmative.

CORRESPONDENCE:

Memo from Chief John Stimson re: "Critical Incident Management" program sponsored by the International Association of Chiefs of Police in Keene, NH on November 4th through the 6th, 1998. Chief Stimson feels that this would be an excellent opportunity for Chief Wahl and himself to attend as the Emergency Management Team for the Town of Newington. The cost for the Team would be \$820.00. Chairperson Lamson asked that this subject be tabled until the full Board can discuss. Cos agreed and the subject has been tabled until Chairperson Lamson, Cos and Jack can meet.

Letter from the NH Dept of Environmental Services, Mr. Cedric Dustin on behalf of the Site Evaluation Committee, thanking Tom Morgan, Diane Fritz and the custodial staff for all their help with the September 17, 1998 Informational Hearing regarding the Newington Energy, L.L.C. proposed Power Plant, held at the Newington Town Hall.

Copy of letter from Barry and Mary Kimball sent to Susan Lembcke re: her responsibility for the care of the road at Mott Cove for the winter months. The Kimball's stated to Ms. Lembcke that she is responsible for keeping the road plowed. They also stated that the Kimball's would be forced to take legal steps to recover any damages which can be attributed to the lack of maintenance of the roadway.

Letter from Joe Akerley. Joe will resign from the Board of Police Commissioners as of October 01, 1998. The Board of Selectmen except Joe's resignation with regret.

Notice from the State of NH Department of Transportation - Draft Corridor Management Plan and Working Group Meetings. Work Group 1 will meet on October 29, 1998 at the Newington Town Hall from 6:00 - 9:00 PM.

NEW BUSINESS:

Phyllis Pickering, Town Clerk was present at the meeting, she presented the Selectmen with her resignation effective October 15, 1998. Phyllis stated that she loved working at the Town Hall and with the residents but for personal reasons she has to leave. The Board took a 5 Min recess to speak to Phyllis in private. Upon returning to the meeting the Board of Selectmen excepted Phyllis resignation with great regret. The Board wished her luck in her endeavors and stated that if there was anything that the Board could do to help her she was to feel free to ask.

Motion by Cos to except \$1.00 as payment from Great Bay Services in lieu of 1998 Property Taxes, seconded by Margaret Lamson. Motion carried in the affirmative.

Motion by Cos to instruct the Treasurer to transfer (1) \$5,618.87 and (2) \$10,000.00 from the Town of Newington Air pollution Fund to the Town's general fund for the purpose of payment (1) to Edward and Kelsey, inc. for engineering services re: the Industrial Road Layout, and (2) to the City of Portsmouth for the Town's portion of the Bike Bridge to be constructed over the highway, seconded by Margaret Lamson. Motion carried in the affirmative.

Motion by Cos to approve the Current Use (RSA 79-A) application submitted by Carl and Kay Akerley, to have 22 acres of their property placed in Current Use, seconded by Margaret. Motion carried in the affirmative.

Motion by Cos to approve Tom Morgan's request for a vacation day on September 30, 1998, seconded by Margaret. Motion carried in the affirmative.

Motion by Cos to approve the request from P. Borkland - SCCO for the use of the Town Hall for a Craft Fair on December 5, 1998, seconded by Margaret. Motion carried in the affirmative.

Motion by Cos to approve the request from Sandy Taylor for the use of the Town Hall for a Family Get together on November 29, 1998, seconded by Margaret. Motion carried in the affirmative.

OLD BUSINESS:

Coakley Landfill/Tolling Agreement - Margaret Lamson will arrange a meeting with Atty. Ahlgren discuss this matter.

Opening on the Budget Committee - George Krook has been appointed to the Budget Committee. His appointment will expire in March 1999.

Southern Energy, Inc. agreed to reimburse the Town of Newington for legal expenses incurred for site review. The first payment has been received by the Selectmen.

The Board of Selectmen discussed legal bills incurred by the Planning Board. Selectmen Cosmas stated and Chairperson Lamson agreed that all Planning Dept. Legal bills should be approved by the Chairmen of the Planning Board Marlon Frink, then submitted to the Selectmen for payment. The Board of Selectmen will meet with Marlon and Tom Morgan to discuss this matter on October 5, 1998.

Meeting adjourned at 7:50 PM

Submitted by:  
D.L. Fritz

Newington Board of Selectmen met at 6:30 PM with full Board present.

Chairperson Lamson, called for the approval of the September 28, 1998 meeting minutes. Moved by Jack to approve the minutes with one correction on the second page, typo mistake... Great Bay not Great Bat, seconded by Cos. Motion carried in the affirmative.

NEW BUSINESS:

Report from Jack re: Budget meeting on September 23, 1998. Jack stated he told budget he would discuss COLA & return to Budget on 10/14/98 with Board of Selectmen recommendation. Peggy Lamson in reviewing she recommended 2 1/2% COLA, Jack Agreed. Discussion held. Moved by Coz, seconded by Jack to recommend 2 1/2% COLA for Town Employees. Jack will forward the 2 1/2% to the Budget Committee at their October 14, 1998 meeting. Jack stated that all Committee Chairs and Dept. Heads will be invited to this meeting. Chairmen Al Smith of the Budget Committee will present a Budget format to each Dept. *will*

OTHER:

Peggy Lamson updated the Board of Selectmen of the following meetings:

4:00 PM 10/14/98	-	BOS w/Skip Sancoucy
11:00 AM 10/6/98	-	Peggy w/Mike Donahue re: billing
8:30 AM 10/15/98	-	NHMA - Health Insurance & Dental Rates. Chief Wahl & Chief Stimson will attend along with Selectmen' Asst.
9:00 AM 10/8/98	-	Meet w/C. Brown of DES re: Defense Fuel Storage re: Clean-up. P. Lamson

Peggy Lamson announced she met with Atty. John Ahlgren re: Coakley 0 OU2 and State Revolving Loan, this morning 10/5/98. She stated that Atty. Ahlgren wishes to meet with Board of Selectmen on 10/26/98 at 4:00 PM re: Coakley Clean-up OU2. Jack stated he could not meet on that day, October 27 or 28th he will be available.

Meeting closed at 7:00 PM.. Board of Selectmen proceeded to hold the Selectmen's Forum.

Respectfully submitted by,  
Margaret Lamson

BOARD OF SELECTMEN

TOWN OF NEWINGTON

OCTOBER 14, 1998

Chairperson Lamson called the meeting to order at 4:05 PM with full Board present.

Motion by Cos to except the minutes of the October 5, 1998 meeting as written, seconded by Jack. Motion carried in the affirmative.

NEW BUSINESS:

Appointment for W. Jane Mazeau as Town Clerk and Appointment for George Krook on the Budget Committee. Full Board in favor of the appointments.

Motion by Cos to except the request by c. Rogers for an elderly exemption, seconded by Jack. Motion carried in the affirmative.

Motion by Cos to except the bid from Emanuel Engineering in the amount of \$2,969.50 for work on Little Bay Road, seconded by Jack. Motion carried in the affirmative.

OLD BUSINESS:

Motion by Jack to approve the transfer of \$10,000.00 from the Air Mitigation Funds to the Town's General Fund for - Rockingham Bike/Pedestrian Bridge Project, seconded by Cos. Motion carried in the affirmative. The Board of Selectmen will present the check to the City of Portsmouth on October 19, 1998 at 7:00 PM.

OTHER:

Letter from the DOT re: Portsmouth Chevy/Olds Highway Rights Violation RSA 236:32. The Board will give a copy to the Planning Dept.

4H request, re: Historic District Commission. The 4H is requesting that they be allowed to display paintings around the cemetery. Cos will send the request to the Cemetery Committee and ask for a vote as to whether the 4H should put their paintings around the Cemetery or not.

Motion by Cos to except the proposal submitted by Tom Roy for work at the Langdon Library in the amount of \$5,108.00, seconded by Jack. Motion carried in the affirmative.

Meeting adjourned at 4:25 PM

Respectfully Submitted by D.L. Fritz

Board of Selectmen

Town of Newington

October 19, 1998

Present: Chairman Peggy Lamson, Cosmas Iocovozzi, Jack O'Reilly

Also Present: Highway Agent Don Beals and resident Lydia Frink

Meeting was opened at 6:15 p.m.

Chairman Lamson announced that this meeting would be recessed at 6:45 p.m. to allow the Selectmen to attend a Portsmouth City Council meeting for the purpose of presenting a check for \$10,000 - the Town's share of costs for the Rockingham Bike/Pedestrian bridge project. Funds provided from Air Mitigation account established by Newington developers.

**CORRESPONDENCE:**

Letter from Attorney Upton dated 10/9/98 re: Taxation of Utilities.

Letter from Budget Committee member Kay Akerley, dated 10/15/98, re: Complaint about Budget Committee proceedings.

Memo from Police & Fire Chief's re: Emergency Management and 1999 budget proposals.

**NEW BUSINESS:**

Peggy Lamson reported that she had met with representatives of Department of Environmental Services and visited the site of Defense Fuel Storage. Will recommend to the Air Force, owners of the property, that the oil/water separator needs to be updated and property should not be transferred until update is complete. Also noted that the housekeeping of the property needs a lot of attention.

Received notice of Timber tax rates and values from Dept. of Revenue Administration. Will forward copy to appraiser George Sansoucy.

Received notice from NHMA Property Liability Trust Insurance that a dividend and 5% rate reduction has been approved for those members in the PLT 2000 plan. Town joined the plan and the Selectmen agreed to continue to participate in order to get the benefits (cost savings).

Received copy of Historic District Commission proposed Capital Improvements Plan for next 5 years. Copy placed in 1999 budget folder and copy to Planning Board.

Peggy, Selectmen's representative to Planning Board, reported on the escrow account established to assure completion of the joining of the Best Buy building to the Crossings at Fox Run.

Meeting was recessed at 6:45 p.m. on a motion by Cosmas, seconded by Jack O'Reilly

Board returned at 7:50 p.m. reopened the meeting to consider NEW BUSINESS:

Chairman Lamson reported that the Planning Board had requested that Tom Morgan, Town Planner, be allowed to work outside the office in order to catch up on the work of forming a Capital Improvements Plan. The plan needs to be completed prior to budget hearings and Tom needs to work uninterrupted. Pat Main, secretary to the Planning Board will work One and Half days per week including work sessions.

Marlon Frink, Planning Board Chairman, was asked to review for approval all invoices for legal charges to the P.B.

Selectmen reviewed legal bills re: the proposed Industrial Service Road, and voted on a motion by Jack O'Reilly, seconded by Cosmas, that the payment will be charged to the Air Mitigation Fund. Treasurer Laura Coleman will be asked to transfer the funds, in the amount of \$2,004., from the mitigation account to the General Fund for disbursement.

Selectmen received notice from the NHMA Property Insurance Trust that the trust will defend the Town in the matter of Simplex vs Town for recovery of legal fees. Town has received a check in the amount of \$19,301.96 to be deposited to the General Fund. All correspondence placed on file. Additional litigation in this matter is under review by the Trust.

Selectmen reviewed the following proposals submitted by RG Young Construction:

1. To replace 29 windows at the Fire Station for a total cost of \$8,951. and installation of three doors. Board questioned why painting is not included in door installation. Also, if Low E insulated windows are hard or soft coat. Chairman Lamson will speak to Bob Young before accepting proposal.

#### OLD BUSINESS:

Received notice from NHMA Property Liability Insurance Trust that they have reviewed the case of Simplex vs Best Buy of Newington and at this time are denying the Town any reimbursement of legal fees. Should the plaintiff modify their allegations, the Trust will reconsider.

Received a request from Attorney Susan Chamberlain for any data on the Site Evaluation Committee's review of the Southern Company's proposal. Planning Board will be asked to identify any of their site requirements for submission to EFSEC.

Chairman Lamson reported on her recent meeting with Attorney Mike Donahue regarding his billing procedures. Atty Donahue was asked to break down the various matters he is working on and has agreed. Future bills will show breakdown between the Selectmen's expenses and the Planning Board expenses.

#### OTHER BUSINESS:

Chairman Lamson reported that former Town Clerk Phyllis Pickering has agreed to work as deputy town clerk until the 1999 March Town

Meeting. On a motion by Cosmas, seconded by Jack O'Reilly, it was voted to approve the appointment.

Other Business continued -

Jack O'Reilly, Selectmen's Rep. to the Budget Committee, reported on the Budget Committee's meeting of 10/14/98.

The Selectmen had recommended a COL of 2.5% - the Budget Committee had not agreed and voted a 3.0% COL after the Police Chief had spoken about the teachers receiving 3% COLA. Jack stated that he had not voted in favor of the 3%.

Peggy Lamson questioned why the Budget Committee asked the Selectmen for their recommendation and, for the record, stated that all involved should remember that a COLA is not a raise but a method of offsetting inflation and the Seacoast, at present, does not show any inflation.

Board discussed a list of various jobs/duties that the Town Planner needs help with to free his time for major projects. Pat Main and Diane Fritz will assist as needed.

On a motion by Cosmas, seconded by O'Reilly, it was voted to recess this meeting at 8:45 p.m. and reconvene at 4:00 p.m. October 20, 1998.

Meeting Reconvened at 4:00 p.m.      October 20, 1998

All Present. Also Present: Attorney Malcolm McNeill.

Chairman Lamson reported that she had spoken to Guy Young about the door replacement at the Fire Station and he has agreed to do necessary paint for an additional \$100. On a motion by Cosmas, seconded by O'Reilly, it was voted to accept the Young's proposal for three new doors. The proposal for window installation will be considered at a later meeting.

Selectmen went into non-public session with Attorney McNeill at 4:15 p.m.

Came out of non-public session at 5:00 p.m. and announced that there was nothing concluded - no votes taken.

Meeting was adjourned at 5:10 p.m.

*Peggy Lamson*

Peggy Lamson  
Secretary pro-tem.

Chairperson Lamson opened the meeting at 5:30 PM with full Board present.

Motion by Cos to approve the minutes of the October 14 and October 19th meetings, seconded by Jack. Motion carried in the affirmative.

First Order of Business was with Tom Morgan relative to the CIP. Review 1999 - 2003 from buildings to Town properties.

Motion by Jack to sign a request from NSS for a raffle permit. Raffle will be from (10/24 - 11/03, drawing 12/05/98), seconded by Cos. Motion carried in the affirmative and permit signed by the Board.

Motion by Cos to approve and sign a Game Machine Permit for Bradlees, seconded by Jack. Motion carried in the affirmative and permit signed.

Chairperson Lamson announced that the County Tax Bill was received at the Town Hall on October 20, 1998. The amount of the tax bill is \$504,240 to be paid in full on or before December 17, 1998.

Board of Selectmen reviewed the Law Suit filed by James and Martha St Amand against the Town of Newington. The Board will meet with Atty. Woodman on November 11, 1998 at 4:30 PM.

Chairperson Lamson announced that a meeting with Portsmouth City Manager Mr. Bohenko for November 10, 1998 at 4:30 PM

OLD BUSINESS:

Fire Department - Bids for windows The Board will table this until Peggy can talk to Young about what work need to be done.

Board of Selectmen reviewed a Motion to Dismiss submitted to the courts by the Town's Atty. re: Simplex II - Best Buy. The court date is scheduled for November 18, 1998.

Meeting adjourned at 7:00 PM



Chairperson Lamson opened the meeting at 6:00 PM, present Chairperson Lamson and Jack O'Reilly. Cos arrived at 6:20PM.

Chairperson Lamson introduced Rep. Bradley to the Board. Rep. Bradley is present to discuss the Statewide Property Tax/Economic Analysis that Newington and surrounding Town and Cities are participating in. This study is to determine the impact that a Statewide property Tax would have on our Towns and Cities. Such a tax would likely raise the tax rates in the wealthiest 25 percent of the state's towns, while reducing rates in the rest of the state. It has been stated that a statewide property tax would be regressive and would hurt property values and economic development in communities such as Newington that rank high in property valuation. Lisa Shapiro, an economist with the Concord law firm Gallagher Callahan & Gartell, and two other economists will be conducting the study, to be completed by mid-January 1999.

At 6:25 PM the Selectmen thanked Rep. Bradley for coming to speak to the Board. At this point Chairperson Lamson continued the regular meeting.

#### CORRESPONDENCE:

Flyer from State of New Hampshire Department of Resources & Economic Development re: Economic Opportunities for your Community. Registration form for Economic Development Training, Wednesday, December 2, 1998.

Letter of Resignation from Jack Mazeau from the Budget Committee.

Fax from the Dept of Revenue Admin re: 1998 Current Use Public Forums, dated November 17, 1998 at 7:00 PM.

Letter from State of NH Dept of Revenue Admin re: Two Changes in the Timber Tax Law. Copy of the Law is attached.

#### NEW BUSINESS:

On October 26, 1998 the Board of Selectmen Met with Dick Theriault to set the Tax rate for the Town of Newington. The official letter from the State was sent to the Selectmen on Monday November 02, 1998. The Tax rate is as follows:

Town	\$ 3.63
School	\$ 2.31
County	<u>\$ 1.04</u>
99 Tax	<u>\$ 6.98 per 1000</u>

Chairperson Lamson announced that the Tax Warrant will be printed on 11/03/98 and the Selectmen will sign the Warrant to authorize the Tax collector to collect the property taxes.

Motion by Jack to <sup>accept</sup>~~except~~ the request by Wayne Wood for the use of the deRochemont room on November 08, 1998, seconded by Cos. Motion carried in the affirmative.

Motion by Jack to <sup>accept</sup>~~except~~ the request by Doug Reed for the use of the Town Hall on November 11, 1998, seconded by Cos. Motion carried in the affirmative.

Letter from Atty. Loughlin re: Simplex Technologies, Inc. v. Town of Newington. Atty. Loughlin filed for the Town a Special Appearance and Motion to Dismiss. The Town claims that Simplex does not have standing and that the case is thus not properly before the court.

Letter from Susan Chamberlin re: Access to the Transmission Grid. There is a Dinner meeting scheduled for November 12, 1998. The meeting is sponsored by Northeast Energy and Commerce Association and the Topic is NEPOOL and the New England Energy Market are going to Congestion Pricing.

The Town of Newington received a Dividend Check in the amount of \$11,229.42 from the NH Municipal Association Property-Liability Trust, Inc. This Dividend is being paid from years 1990, 1992 and 1994. Your share is based on your actual claim experience during these years. This Dividend, coupled with PLT2000 (the 2 1/2 year rate reduction program) demonstrates the Trust's commitment to reducing costs while still continuing to provide the very broadest coverages and the very best service.

The Board reviewed and approved a bill to Emanuel Engineering for services pertaining to Little Bay Road Drainage Improvements in the amount of \$896.00.

Chairperson Lamson announced the rate increases for the Medical and Dental insurance through NHMA. Medical increase 12.6% and Dental increase 9.7%. Motion by Cos for Chairperson Lamson to sign the Dental and Medical Insurance Transmittal, agreeing to the increases, seconded by Jack. Chairperson Lamson will sign and return the forms to NHMA. The breakdown for the Medical and Dental for the Town Employees is as follows:

Medical:	Family	\$ 742.16
	2-Person	\$ 549.74
	Single	\$ 274.87
Dental:	Family	\$ 85.37
	2-Person	\$ 47.55
	Single	\$ 23.90

The Board of Selectmen voted again that in 1999 the Selectmen would continue to pay full medical and dental benefits for full-time Town Employees.

OTHER:

Report from Cos re:4H panels in the Historic District. The Cemetery Committee unanimously objects to the 4H placing the panels around the cemetery. As far as the Historic District in general the Board of Selectmen will leave that up to the Historic District Commission.

The Board of Selectmen voted to have an Office Designer review the administrative office of the Town Hall.

The Board of Selectmen scheduled meetings to meet with the departments regarding their 1999 Budgets. Diane will send letter to each department notifying them of their meeting date and time. The Schedule of meeting is attached.

On a motion by Jack, seconded by Cos it was voted to recess until November 03, 1998 at 4:30 PM.

Chairperson Lamson reconvened the November 02, meeting at 5:00 PM on November 03, 1998, with full Board present.

Motion by Jack to sign the property tax warrant for final billing for 1998 in the amount of \$1,905,076.32, seconded by Cos. Motion carried in the affirmative.

Motion by Jack that the Town of Newington will participate in the Statewide Property Tax/Economic Analysis, and or portion will be \$2,500.00 for participation fees. *Seconded by Lamson. Motion Carried in the affirmative.*

The Board discussed the 1998 Current Use Public Forums, dated November 17, 1998 at 7:00 PM. Cosmas and Peggy will be attending, Jack can not attend.

Meeting adjourned at 5:30 PM

Chairperson Lamson called the meeting to order at 4:30 PM with full Board present.

First order of business, review Highway Budget with Road Agent, Donald Beals. In attendance, Len Thomas -- seasonal ~~charge~~ <sup>winter</sup> <sup>Help</sup> of winter plowing.

Peggy asked Len if he had a list of CDL drivers for 98/99 winter season. Len stated all have license and he will have Town Maintenance men do roads during the day.

Cos asked Don about the break-down for McIntyre Road Don gave a review. Board of Selectmen reviewed work as presented by Engineer Emmanual re: Phase I of Little Bay Road, also Phase II.

Line items were questioned re: vehicle maintenance, Peggy would meet with Don on 11/10/98. Jack O'Reilly wants a break-down of line item #5 and #7 when presenting to the Budget Committee.

Cos asked Road Agent Beals to give a letter of leave of absence while he is South from November 98 to April 1, 1999, Don agreed, so as the Board of Selectmen can appoint a temp. Road Agent for the 98/99 winter season.

Meeting adjourned at 5:45 PM

Chairperson Lamson opened the meeting at 6:30 PM with full Board present. Motion by Jack to except the minutes of the November 2nd meeting, seconded by Cos. Motion by Cos to except the minutes of the November 9th meeting, seconded by Jack. Motions carried in the affirmative.

Chairperson Lamson announced that there would be a CIP meeting with Tom Morgan Town Planner at 7:00 PM at the Town Hall.

**CORRESPONDENCE:**

Letter from Rockingham Planning Commission announcing that Cliff Sinnott would be leaving his position as Executive Director. Cliff has offered to remain in his present position for up to three months while a replacement is sought.

Letter from NHMA announcing their Association's annual conference and trade show November 18 - 20, 1998, in Manchester. The conference offers over 100 exhibitors of products and services of value to towns and cities; meals and breaks; sponsored social events; entertainment; and plenty of time to "network" with other officials from around the State who wrestle with the same problems in governing their communities.

Letter from Atty. John Ahlgran re: Coakley, Chairperson Lamson will schedule a meeting with Atty. Ahlgran to discuss the 1999 Budget.

Memo from Town Clerk re: Thanksgiving Holiday hours. Town Clerk's office will be open November 23, and November 24, 1998 from 10 to 3 PM and closed on November 25, and 26th. Town Clerk has already notified the news papers.

**NEW BUSINESS:**

St. Amand v. Town of Newington Temp hearing scheduled for December 07, 1998 at 9:00 AM, at the Rockingham County Court House. The Board will send copies to Matt Morton, Tom Reddan and Denis Hebert.

State Wide Property Tax Impact Study seminar scheduled for November 30, 1998 from 12 Noon to 2:00 PM. Motion by Jack for Peggy to sign the Agreement to contribute \$2,500 toward this study and for the Town of Newington to participate, seconded by Cos. Motion carried in the affirmative.

Motion by Jack to sign the Property Sales Assessment and return it to DRA, seconded by Cos. Motion carried in the affirmative. All Selectmen signed.

Motion by Jack to approve the request by Barbara Hart for the use of the Town Hall on January 10, 1999, seconded by Cos. Motion carried in the affirmative.

Motion by Jack to approve the request from Wayne Wood for the use of the deRochmont room on Sunday December 13, 1998, seconded by Cos. Motion carried in the affirmative.

OLD BUSINESS:

Letter re: Property Liability request coverage for the tank removal at Town Garage. Chairperson Lamson sent letter to NHMA, waiting their response.

Office Designer - Pat McManus requests that we send her a floor plan of the office area for her review. The BOS will send her a copy.

Appointment for Fox Point Committee - Chip Eames - Board will appoint him to the committee.

Inspectional Services - Pease Trade Port - Newington side - Board will schedule a meeting with the Fire Chief and the Planning Board.

The Board of Selectmen went into executive session at 7:15 PM. There were no votes taken during this session. Out of executive session at 7:35 PM.

Board discussed the rental property at Fox Point. The present rent is set at \$350.00 per month. Motion by Jack to raise the rent to \$650.00 per month, seconded by Cos. Motion carried in the affirmative.

Meeting adjourned at 8:00 PM.

Chairperson Lamson opened the meeting at 4:35 PM with full Board present. Also present, John Welsh - Library, Kay Akerley - Conservation, Judy Poulin - Recreation, Cliff Spinney and Bill Beals - Cemetery.

First order of business:

Library's proposed 1999 budget. John Welsh present the budget to the Selectmen in the amount of \$30,989. Discussion, Selectmen asked about pay increase for Librarian, John stated that it had been ten years or better since there was any increase. Reading material increase, John stated that the cost of books has gone up and the demand for more video's has caused the increase. Supplies, John stated that the supplies are done and they need to restock. Equipment, John stated that the Library is in need of a new copier. Motion by Peggy to approve the 1999 budget in the amount of \$30,989, which is a 12 1/2% increase, seconded by Cos. Motion carried in the affirmative. *Muriel Rault*

Cemetery's proposed 1999 budget. Cliff stated that David Low worked up the budget and that he agreed with the figures. Discussion, Cos stated that the new water line would be put in and that the amount was included in the CIP. Motion by Jack to except the 1999 budget in the amount of \$10,103.00, which is down by .95%, seconded by Peggy. Motion carried in the affirmative.

Conservation's proposed 1999 budget. Kay Akerley present the budget in the amount of \$300.00. Motion by Jack to except the 1999 budget in the amount of \$300.00, seconded by Cos. Motion carried in the affirmative.

Recreation's proposed 1999 budget. Judy Poulin presented the budget in the amount of \$2,500.00. Discussion, Terry Spinney present a proposal to the Selectmen to have the Portsmouth YMCA run the summer program. The cost to the Town would be \$8,000. Cos recommended that the recreation committee cut costs in other areas in order to defer the cost of the summer program. Judy stated that they would discuss this proposal at their meeting and get back to the Selectmen with the final number at the BOS meeting on December 07. Motion by Cos to table the recreation's proposed budget until the December 07 BOS meeting, seconded by Peggy. Motion carried in the affirmative.

Historic District's proposed 1999 budget. No member present to present the budget. The amount budgeted is \$9,100.00. Motion by Jack to except the 1999 budget in the amount of \$9,100.00, seconded by Cos. Motion carried in the affirmative.

Appointment to the Police Commission. Motion by Jack to ~~except~~ *accept* Douglas Ross as a Police Commissioner, appointment to expire at the close of the March 1999 Town Meeting, seconded by Peggy. Motion carried in the affirmative, Appointment signed by all three Selectmen.

The Board of Selectmen voted unanimously to <sup>accept</sup>~~except~~ the recommendation of Larry Wahl to have the full-time firemen as the Fire Wardens, this is also to include Dick Spinney.

The Board of Selectmen will meet on December 10, as a work session for the 1999 general budget. — 4:00 PM

Meeting adjourned at 6:10 PM.

Next meeting of B.O.S. will 12/17/98 at 4:30 P.M.



Chairperson Lamson opened the meeting at 4:30 PM with Jack O'Reilly present. Cosmas joined the meeting at 4:45 PM.

Motion by Jack to approve the minutes of the December 01 meeting as written, seconded by Peggy. Motion carried in the affirmative.

CORRESPONDENCE:

Request from Newington Neighbor for information regarding the Town to put in the December issue of the Neighbor. Selectmen will submit building maintenance information (work done to Town Buildings in 1998).

Chairperson Lamson reported on the meeting she attended in Concord on November 30, 1998 re: the Statewide Property Tax Study. Lamson reported that at the meeting they discussed the impact on the state if the property tax was to take effect.

Report from FX Bruton re: Letter to D. Pfundstein, Maritime Northeast Pipeline, L.L.C. and Portland Natural Gas Transmission System, re: the proposed Industrial Service Road. "To date, I have not yet received a proposal with respect to memorializing the understanding between PNGTS, Maritime and the Town of Newington"

Notice from the New Hampshire Seacoast Environmental Network re: a forum for information sharing, the goal of the conference is to improve coordination and cooperation. Each session will consist of a series of 10-minute overview presentations based on current environmental projects. The conference is scheduled for Thursday, January 14, 1999 (snow date 1/20) from 2 to 9 pm at the Seacoast Science Center, Odiorne Point State Park, Rye. Kay Akerley, Conservation Chairperson and Peggy Lamson, Chairperson Newington Board of Selectmen will be attending.

Letter from Jan Stuart, Animal Control Officer (ACO) re: a complaint dated November 19, 1998 from Alfred and Susan Smith of 405 Newington Road. The ACO sent a letter to Richard Dufton of 51 Airport Road stating that his dog was running at large on the Smith's property and advised him that if this nuisance behavior continues that in accordance with the provisions of RSA 466:31-a II, he would be ordered to pay a civil forfeiture of \$50.00.

NEW BUSINESS:

Letter from Atty. Malcolm McNeill to Robert P. Sullivan, Esq. Portsmouth City Attorney, dated November 24, 1998 re: Pease Inspectional Services (up-date) Atty. McNeill stated that the Town of Newington wishes to be indemnified and held harmless for the Celestica New England inspectional services.

Letter from NHMA re: NH Public Works Mutual Aid Program, Chairperson Lamson asked that this correspondence be tabled until the Board members could read and study it more thoroughly and also they will send a copy to the Police Chief and the Fire Chief for their comments.

Letter from Atty. FX Bruton to the Board of Selectmen dated December 07, 1998 re: cleanup of Patterson Lane by the Pipeline Company. The Atty. has asked the Board to draft a punch list of work they wish completed by the Pipeline Company, and he would pass it on to them.

APPOINTMENTS:

Terry Spinney to the Recreation Committee, Motion by Jack to appoint Terry to the Rec. Committee, seconded by Cos. Motion carried in the affirmative.

The Board of Selectmen signed two appointments, one for Harold Eames to the Fox Point Committee and the second for the Fire Wardens.

Motion by Cos to except the request from Dick Rines for the use of the Town Hall on January 08, 1999, seconded by Jack. Motion carried in the affirmative.

OLD BUSINESS:

George Sansoucy's statements, Chairperson Lamson will meet with Sansoucy to go over his bills and also to discuss new software for property information for 1999.

On December 03, 1998 Strafford Regional Planning and Rockingham Planning Commission will hold a Joint MPO Policy Committee and Technical Advisory Committee (TAC) Meeting at the Rockingham Regional Planning Commission Conference Room at 156 Water Street, Exeter. One of the subjects on the agenda is Pease - Portsmouth Shuttle Service. Margaret Lamson will attend.

OTHER:

Report from Chairperson Lamson on the Planning Board, Simplex assessor's out building was approved. Sprague Engineering is requesting approval of another tank on their property, the residents of Patterson Lane were present at the Public Hearing and strongly object to having another tank, Peggy Lamson stated she could not support another tank until the asphalt odor was cleared up.

Report from Cos re: Recreation and their proposed 1999 budget. Cos stated that the committee had taken their time and had cut out some monies in order to allow for the new summer program through the Portsmouth YMCA. The Recreation committee cut \$4,000 from their budget and raised their 1999 budget by \$4,000, to accommodate the cost of \$8,000 for the summer program.

Motion by Peggy to except the Recreation 1999 budget in the amount of \$46,500, seconded by Cos. Motion carried in the affirmative.

Report from Jack re: the Historic District Commission, Jack stated that the blue flags in the Town Forest showing the line for the Pipeline.

Gail Peare has been attending all the Historic District Commission meetings but has never been appointed to the commission the Board of Selectmen are requesting a letter from Barbara Hill requesting her appointment.

Motion by Peggy to approve the Highway's proposed 1999 budget in the amount of \$159,370, seconded by Jack. Motion carried in the affirmative.

General Government Budget work session meeting scheduled for December 10, 1998.

Meeting adjourned at 6:05 PM.

Respectfully submitted by:  
Diane Fritz, Assistant  
Newington Board of Selectmen

Chairperson Lamson opened the meeting at 6:30 PM with full Board present. Also present were Marlon Frink, Chairmen of the Planning Board, George Fletcher, Chairmen of the Sewer Commission and Leonard Eames of the Sewer Commission.

Marlon Fink present the proposed 1999 Planning Board budget to the Selectmen. After some discussion the Selectmen decided that all computer expenses will be under the Town Hall. The Board of Selectmen also recommended a \$2,000 increase to the administration for the Planning Board. Motion by Cos to recommend the Planning Board Budget in the amount of \$60,700, seconded by Jack. Motion carried in the affirmative.

Marlon Frink thanked the Selectmen's office for all their help in the legal issues this past year as well as other issues that have come up. Peggy thanked that Planning Board for all their time and effort for the Town, Lamson also stated that the planning board consists of all volunteers.

George Fletcher and Leonard Eames present the Sewer Commission's proposed 1999 budget to the Selectmen. After some discussion the Motion was made by Jack to recommend the Sewer Commission's budget in the amount of \$776,312, seconded by Cos. Motion carried in the affirmative.

Motion by Jack to appoint George Fletcher as the agent for the State Grant Fund, seconded by Cos. Motion carried in the affirmative. The Board of Selectmen signed the document to return to the State.

#### CORRESPONDENCE:

Letter from Paul Busque re: the rent increase for 1999 from \$350.00 per month to \$650.00 per month. Paul Busque feels that the rent should stay the same because of all the work he has done to the property, such as paint and regular maintenance. The Selectmen will send a letter in response stating that the increase will stay at \$650.00 per month and if Mr. Busque wishes to meet with the Selectmen he can call the Town Hall and set up a time.

CNFH refund in the amount of \$23,074.33. Motion by Cos to have a refund in place of a credit, seconded by Jack. Motion carried in the affirmative.

Letter from Ted Feigenbaum of North Atlantic re: relocation of their Media Center. "North Atlantic Energy Service Corporation has recently completed the relocation of its Media Center operation to an existing emergency response facility at Newington Station. As a result of this relocation, effective September 30, 1998, we no longer have a need to use the Newington Town Office building as an emergency response facility for Seabrook Station". Ted also stated that he would like to thank the Board and the Town officials for the long standing cooperation with North Atlantic Energy Service

Corporation for the use of the Town Office Building over many years. As a token of their appreciation, they will donate the fax machine this is currently in use by the Town and will continue the existing lease on the photocopier until October 1, 1999 for Town use.

Letter from NHDES re: Snow Dumping. Snow disposal sites should be fairly level and close to, but not directly in, moving surface waters (not lake or wetlands). This will allow the salt to drain into rivers and streams, rather than to groundwater, where it could contaminate drinking water supplies. Sand and debris will remain on the land surface where it can be cleaned up in the spring.

NEW BUSINESS:

Supplemental Loan Agreement, the loan is for \$369,439.02 to be paid over a period of 20 years. This is for the Coakley Cleanup. Motion by Cos to execute the loan agreement, first payment due 8/1/99, seconded by Jack. Motion carried in the affirmative.

Letter from Atty. Ahlgren re: OU 2 request for Newington's payment of \$2,731.50 representing the Town's share of the \$50,000 assessment for ongoing and continued negotiation costs primarily in the form of consulting fees for Aries Engineering. (Coakley OU 2 PRP Agreement).

Letter from Newington Sewer Commission: "The Newington Sewer Commission has seen the preliminary plans dated 12/18/98 from Edwards & Kelsey on the proposed Industrial Road. We would like to go on record as objecting strenuously to giving up any land for any purpose other than the expansion of our sewer treatment plant to meet our future needs". This letter was signed by George Fletcher, Chairman of the Sewer Commission.

Motion by Cos to have the treasurer transfer funds from the Traffic Fund to the general fund for the purpose of paying Edward & Kelsey for engineering services, in the amount of \$8,552.99, seconded by Jack. Motion carried in the affirmative.

OTHER:

Proposal from Tom Roy Jr. to redo the second floor, floor of the library in the amount of \$1,718.00. Motion by Jack to except this proposal, seconded by Cos. Motion carried in the affirmative.

Chairperson Lamson asked Jack if he had spoken to the Police Chief about a floor plan for the second floor of the police station, Jack stated he had not done so as yet. Lamson stated that no decision would be made to finish the second floor until a floor plan had been presented to the Selectmen.

Meeting adjourned at 8:00 PM.