

**Board of Selectmen Meeting Minutes**  
**Town of Newington Town Hall**  
**March 6, 2006**

*Preliminary*

Meeting was called to order at 6:20 pm by Cosmas Iocovozzi.

**Present:** Chairman Iocovozzi, Selectman O'Reilly, Admin. Assit-Beatrice Marconi, Glen Walker of Sousoucy Appraisal.

Under RSA 91 A:3, II (e) Litigation. **Selectman O'Reilly moved to go into non-public.** Seconded by Cosmas Iocovozzi. Roll call vote 2-0 with Selectman Stuart absent, **motion passed.**

At 6:28, Selectman O'Reilly moved to come out of non-public with Cos Iocovozzi seconding. On a roll call vote of 2-0, the Board adjourned the non-public and continued the meeting in public session. There were no votes taken and the minutes were NOT sealed.

**Attendance when meeting resumed:** Chairman Iocovozzi, Selectman Jack O'Reilly, Town Administrative Assistant Beatrice Marconi, Building Inspector Charlie Smart, Ruth Fletcher, Barbara McDonald, Peggy Lamson, Jack & Meredith Hoyt, Lisa Zhe – Portsmouth Herald, Larry Wahl, Vincent Frank, Thomas Hart Sr & James Redden, & George Fletcher of the Sewer Commission, and other members of the public.

Pledge of Allegiance

**Selectman O'Reilly made a motion** to accept the minutes from February 21, 2006. **Chairman Iocovozzi seconded the motion.** Roll call vote 2-0, **motion passed.** *Minutes of Feb 6 were tabled until March 20.*

**PSNH-Charlie Smart**

Charlie Smart passed out information in regards to the Energy Audit. Charlie stated that he had the Town Hall, Police and Fire stations looked at by a PSNH representative. The lighting and heating and how they are controlled were analyzed. They studied the collected information to see if they can save us money. Currently, they estimate costs of \$18,278.65. Instead of the town paying the entire amount, PSNH takes the savings difference until it is paid in full in 1.6 years. After this is paid in full the town will save \$5,600.00 a year on electrical expense. PSNH will send a seconded person out to verify the first person's analysis. Then there is a third person sent out. PSNH pays for all of the inspections. This program is called the Municipal Smart Start Program.

**Waterline**

Charlie Smart wanted to know when work could begin on the waterline at the Old Town Hall. There was a lot of discussion, it was decided to go with an inch and a half size line, and for Charlie to proceed.

**Comstar Ambulance Billing**

The Town Auditor stated to Beatrice that the fees could be charged to the same line the ambulance revenue for this year. Next year a line would have to be established under the Fire Dept for costs. Chairman Iocovozzi asked Ruth Fletcher if the engineers were in favor of this, which she stated yes. The Chief was directed to proceed. Comstar's take is 8% of collected. They send us full amount and in turn bill us for their services.

**Universe Assessing Software Licensing Agreement**

**Selectman O'Reilly made a motion** to have the Chairman sign the Universe contract for one year. **Motion seconded by Chairman Iocovozzi.** Roll call vote 2-0, **motion passed.**

\*due to unforeseen circumstance with a conference call from Attorney Upton and George Sansoucy the meeting was called to order at 6:20pm in a public venue.

## **Abatelements**

**Selectman O'Reilly made a motion to approve** the following abatements: B&M Railroad( 1,612.36 + \$1,536.24 + int - 2005), United States of America (\$ 2,515.95 + int - 2005), State of New Hampshire(\$932.67 plus int - 2004) (exempt entities) and Ten Hagen (\$94.64 + int - 2005) at the recommendation of Corcoran Associates. **Motion was seconded by Chairman Iocovozzi.** Roll call on all 2-0, **motion passed.**

## **Letter from Corcoran Assoc**

Chairman Iocovozzi read the letter aloud which was just a rough draft of what the company wanted to send out to the Newington residents informing them of up coming 2006 assessments on their properties.

## **PDA Report**

Peggy Lamson gave an update on the Photo Metric Services. Peggy reported that everything is going well. She stated that David Mullen will be the acting director of the PDA with George Bald leaving that post. She reported that Alligiant Air has much quieter carriers and reliable service. The Ad Hoc Committee on Ports & Harbors with 3 Newington residents is proceeding nicely (Larry Wah, Skip Link and Matt Morton). She gave the Board a CD put out by the NH Office of International Commerce which promotes NH products and Services.

Selectman O'Reilly asked about the town forest. Peg stated that the Conservation Commission has a management line dedicated to the forest but also felt that we should have a forester to manage and monitor. She felt Jane Hislop had great resources to help us find one.

Peggy suggested that the Stone School be kept on the front burner for the future.

## **Sewer Commission**

George Fletcher read a message that Selectman O'Reilly left with Denis Messier of the Waste Water Treatment Plant which was asking Denis if there was room someplace at his facility for the Commission. Selectman O'Reilly stated that his objective was to get the Sewer Commission more space and an office of their own preferably out of Town Hall. Jack stated that 4 months ago, that was requested, however George went on to say that Selectman O'Reilly was mistaken and that it was George Fletcher as Treasurer asking for his own space, not George Fletcher asking on behalf of the Sewer Commission. Selectman O'Reilly apologized completely - to each member - as George felt contacting Denis was wrong. Selectman O'Reilly stated that he would also apologize to Denis Messier for putting him in the middle. Chairman Iocovozzi stated that this was the opinion of one Selectman not of the entire Board. Chairman Iocovozzi stated that this came about when some of the Building Inspector's files were found to have been 'gone through' and then misfiled.

## **Stipends-Sewer Commissioners**

Chairman Iocovozzi stated that there was question in regards to the Sewer Commission stipends and if the Selectmen had voted each time they were increased. Chairman Iocovozzi stated that research on the increase of the Sewer Commission stipends came about from the 2006 proposals for Town stipends increase. There was a question as to whether or not the Sewer Commission was a Village District, which Chairman Iocovozzi stated that they were not. Chairman Iocovozzi stated that if the Sewer Commission wants to raise their stipends they must present that request to the Board of Selectmen to vote on. Chairman Iocovozzi stated that next year any elected official who receives a stipend will get whatever the COLA is if that Warrant Article passes this year. George Fletcher stated he did not agree with that concept as not all jobs were the same. RSA 149 (the Sewer Commissioners shall be compensated upon approval of the amount set by the Selectmen) was discussed. George Fletcher stated that he is asking Peter Loughlin for all this information as RSA 149 superceded RSA 252.

## **Conservation Commission-Letter Dated March 1, 2006**

Chairman Iocovozzi stated that the Board of Selectmen would like a clarification from the Conservation Commission regarding their letter dated March 1, 2006 as to why they wrote it when it had nothing to do with the Conservation Commission. It was directed to Barbara McDonald and her Right to Know Attorney-Briana Coakley Hoyt regarding her Trickey Cove paragraph in her Right To Know Case. After telling the Chair to just 'sit down,' Peggy Lamson stated that on February 2 Chairman Iocovozzi was at the Conservation Commission meeting where Barbara McDonald read aloud a letter received from Town Counsel William Mulvey. Peggy then apologized stating that Chairman Iocovozzi was not there. Mrs. Lamson stated that Barbara McDonald was the point person for the Trickey Cove issue and that is why Barbara McDonald generated a letter for the Conservation Committee dated March 1 as a result of the very slanderous letter from Attorney Mulvey dated January 6. After *gaveling*, Chairman Iocovozzi stated he wanted to make a clarification that being that the letter was sent to Barbara McDonald and her lawyer and it was only meant for Barbara McDonald-NOT the Conservation Commission. *Gaveling*, Chairman Iocovozzi said he tried to clarify this once before with Mrs. McDonald. After heated debate, Ms. McDonald read the letter aloud and she stated that everything that she did was authorized by the Conservation Commission regarding Trickey Cove. She then read the letter aloud that was presented to the Board of Selectmen dated March 1. When Briana Coakley Hoyt got the Mulvey letter, she sent it along to Barbara as she too was confused. Chairman Iocovozzi, yet again stated the letter sent to Mrs. McDonald (dated January 6) was due to the fact that when she brought on the law suit against the Selectmen back in September for the Right to Know, she brought Trickey's Cove into the matter of that suit. (see page 5 of her petition). Peggy Lamson started to speak loudly and out of order and Chairman Iocovozzi asked her to be seated (*gaveling*) and told her that he was the Chairman of the Board of Selectmen in which she replied "I don't care that you are the Chairman." Cos explained that this was a strict warning to Barbara McDonald. There was more loud discussion. (*gaveling*) Chairman Iocovozzi stated the letter was sent to Barbara McDonald not the Conservation Commission. Barbara began to protest stating that it was sent to the Conservation Commission and not just her because she was the point person for the Conservation Commission for Trickey Cove. Barbara said 'I am a volunteer and I am not going to sit and listen to you saying it was sent to me'. Cos again stated 'it was sent to you as an individual'. Cos said if it was to be a Conservation Commission issue, it would have been sent to Ms. Lamson as the Chairman. Barbara then said she was the point person, as voted by the Board. Peggy Lamson then tried to calm the conversation down between the Chairman and Mrs. McDonald then she told him (the Chair) to "shut up ." (*gaveled*), Chairman Iocovozzi said he was going to explain just one more time that he was the Chairman and 'I run the meeting.' Barbara added 'You are not God, why don't you sit down and act like a human being'. He said "if you don't like it, then you can leave my meeting" Ms McDonald said she 'will not leave as she is a citizen'. The Chairman then warned both ladies one more time that he is the Chairman and that he runs the meetings. Chairman Iocovozzi then told Peggy that she had the floor and she began to speak. Mrs. Lamson proceeded to say that the letter presented to Barbara McDonald was presented to the Conservation Committee because Mrs. McDonald's lawyer told her to present it to the Conservation Committee's lawyer. Everyone is tired of Trickey Gate, she said. Mrs. Lamson then added that she was upset that the Board of Selectmen sent such a slanderous letter to a volunteer on the Committee (Barbara McDonald). She asked why the Board didn't just sit down with Barbara and talk with her. She stated that the Board should be ashamed of themselves. Peg spoke of being a volunteer and not subject to the COLA stipend. She then directed her comments to Selectmen O'Reilly stating she did not agree with the Board's proposal to raise stipends and then said that if someone disagrees with the Board, they then turn around and send a scathing letter. Cos again explained his attempt to pull Barbara aside one night after a meeting. Barbara McDonald stated that the Board of Selectmen blew her off when she was presenting them with RSAs regarding the Right to Know. 'Not once did the Selectmen meet with me regarding her RSA's and issues with Right to Know.' Cosmas then stated 'the Board did not blow you off, not once. I tried to talk to you a number of times about it, and you kept quoting the RSAs'. 'One thing did come out of this', Cos said. "one thing did come out, and that is, everbody is now following the rules-everybody. Barbara then said, 'why wouldn't they and who's fault was that:' Jack O'Reilly then stated that 'up until now, not everybody was.' Cos went on to say that 'the Court did say that the Selectmen did not have a ticker on review and release of non public minutes, which is now in place.' Cos said 'when we went to Court, I took that very serious-and I have been preaching –

and you just saw us with the Sewer Commission. We want every one to follow the rules and when we find one that isn't being followed, you show us and we'll make everyone abide.' Barbara then said 'one day you said to me, "thank you for doing my job"' and Cos then said, 'No, what I said was thank you for making me realize I should run again, that's what I told you'. Barbara then said, 'I don't want to discuss this, but I'll tell you one thing. I don't want to be slandered and I am not going to take it.' Barbara McDonald stated that the Board of Selectmen spent \$600.00 to pen this poison letter from Mulvey. Chairman Iocovozzi stated that 'the letter from Attorney Mulvey was not paid for yet and that you are mistaken in analyzing that bill. The \$600 invoice Ms. McDonald referred to was for services rendered for the month of November, yet this 'poison pen' letter was not written until January 6, 2006.' Chairman Iocovozzi then stated that Mrs. McDonald is always making accusations – 'next time, don't make accusations, bring me the truth. I like to hear the truth', he said. Barbara said she has seen Cos blowing steam for the last year, and Cos said he'll blow more then and Barbara said, you'll have me to contend with. Cos then read the \$600 bill Barbara said paid for the poison letter and stated it was the last bill we got and went on to say "so the next time you bring me paperwork, YOU BRING ME CORRECT PAPERWORK". Barbara went on to say not to accuse her of having incorrect paper work and that she came in and reviewed all the bills and because this item was not on the agenda tonight, she did not come prepared. Cos invited her to bring it next time but Ms. McDonald said she didn't want this to continue on. Cos said 'If you are going to accuse us of spending \$600 for a poison letter, then I want to see the bill. This \$600 was our response to the Attorney General Office, etc, so bring me the facts. I am a facts & figures man, bring it to me'. Barbara then said 'you can say you are a fact and figures man, but it doesn't prove to me you are anything. Dishonest' Cos then said he couldn't reason with her because she 'knows more than I do'. Mrs. McDonald then made the comment "I can't reason with someone who lies" (to Chairman Iocovozzi). Chairman Iocovozzi then asked, "Are you calling me a liar?" Mrs. McDonald then stated "Dishonest" Selectman O'Reilly stated that in the letter to the Board of Selectmen dated March 1, the Conservation Commission accused the Attorney General's office of 'not doing their job.' Jack then asked the Conservation Commission if they intended to send a copy to the Attorney General after all, they are accusing them of not doing their job, and stated the Selectmen would, if they hadn't. Barbara then stated that the letter said that their office (the Attorney General's) chose not to be involved and commented how the words got twisted. Peg Lamson said that we all have had enough. Cos called for next item.

### **Old Town Hall- Visitor Policy**

Careno Construction had asked the Town to create a visitor policy for Old Town Hall while under construction as they were concerned for safety and delay of project. (attached) The Board of Selectmen accepted and signed this notification to residents and agreed it should be inserted in the Town report when distributed.

### **Coalition**

Beatrice Marconi summarized this letter, which is a House Bill that requires the town to publish notice in the newspaper before the town spends any money for lobbying and suggested the Representatives be contacted to let them know our views on this proposal. No action was taken at this time.

### **Town Hall Use**

**Selectman O'Reilly moved to approve** the following with no fees: Earthtech-Derochmont Room, UNH Docents-Auditorium, Friends of the Library-Auditorium, and Klanchesser-DAV-Grove. **Chairman Iocovozzi seconded the motion.** Roll call vote 2-0, **motion passed.**

Selectman O'Reilly made motion to adjourn at 8: 13pm. Motion seconded by Chairman Iocovozzi. Roll call vote 2-0, motion passed.

Respectfully Submitted,

Beatrice Marconi

Town Administrative Assistant