

Town of Newington, NH
Board of Selectmen Meeting Minutes
Monday August 7th, 2023

Present: Chair Bob Blonigen, Selectman Brandon Arsenault, Selectman Chris Wayss,, Town Engineer Eric Weinrieb, Million Air Rep Peter Bragdon, NH House Representative David Muse, Portsmouth Planning Board Member Greg Mahanna, Transfer Station Manager Craig Daigle, Residents; Huddy Grandy, Patti Borkland, Meghann Wayss, Finance Director Sheryl Bagley and Town Administrator Martha Roy and Eleanor Boy, Recorder.

B. Blonigen called the meeting to order at 5:34pm. Followed by the Pledge of Allegiance.

Minutes Approval: C. Wayss moved to approve the July 17th, 2023, July 25th, 2023, and the July 31st, 2023 minutes. B. Arsenault seconded the motion. All were in favor.

Manifest Approval: B. Arsenault moved to approve the manifests for \$33,362.44 dated 7/20/2023, \$222,707.07 dated 7/27/23 and \$226,318.67 dated 8/3/23. C. Wayss seconded the motion. All were in favor.

Sheryl Bagley-Budget Status Report:

S. Bagley reported that the 2023 budget through July 31st was 49% spent so far which is a little above the targeted percentage of 42%. This overage is due to several one-time payments that have been paid during the first seven months; such as insurance, the Coakley landfill payment, the Town Hall server maintenance, the new Police cruiser and the once-a-year hydrant rental payment. Also, the boiler for the Town Hall had a needed repair.

B. Blonigen said that he has faith in our Building Inspector, Jeremy Boston and said that he is doing a wonderful job monitoring the town buildings.

S. Bagley will review the Capital Reserve funds and money spent out of them at a future meeting.

Peter Bragdon-Million Air:

P. Bragdon said that he will address the Board of Selectmen's questions that they have been asking the PDA since March and will bring information back to Million Air to shape their final proposal.

Million Air's final proposal could go to the PDA Board sometime in September or October. The plan is to have separate meetings, not the regular PDA meetings, at a more convenient time for people to show up and express concerns.

The wetlands delineation issue was discussed.

The difference of the square footage of the wetlands from 2017 vs 2022. The Million Air proposal shows 2,300 square feet less wetlands. In the proposal there will be a driveway crossing over from Exeter Street to the site. The Selectmen have asked for an independent review of the wetlands to help explain the difference between the 2017 wetlands report and the 2022 wetlands report. P. Bragdon explained that in early 2021, when Million Air submitted their application, the PDA staff requested an independent wetlands review. That report came back with a slightly larger wetland area than was shown in the Million Air proposal. Million Air accepted the new wetland delineation shown by the independent report. P. Bragdon believes that this answers the question of an independent wetland review because it has been done. The NHDES reviewed the application and approved the wetland delineation. A scientist from the NHDES walked the property and accepted the wetland delineation done by GM2.

M. Roy said that the Board was actually looking for a public third-party peer review of the wetlands, rather than just an independent third-party review. B. Arsenault thought it would be beneficial to have an engineer look at both findings and then decide if they agree or disagree. B. Arsenault asked if anyone just looks at all the data and decides which one, they found had the most commonalities.

P. Bragdon asked if the Selectmen were asking for another independent review. B. Arsenault said that if he was doing this in Newington, they would require him to get a peer review. Not a new report, just to have an independent engineer look at the report and say if they agree or disagree with it. P. Bragdon thought that the report by GM2 did that. B. Arsenault said that maybe it did, but that was for engineers and wetland scientists to decide. There is 2,300 square feet of dredging and filling of wetlands and the other report says 10,000. B. Arsenault questioned why there is such a big difference between the reports. P. Bragdon pointed that the 2017 was never signed or stamped and no one knows who did that report. Nobody even knows if the person who did the 2017 report ever stepped foot on the site. Plus, the law requires a report within three years. B. Blonigen pointed out that since the 2017 wetland report was never signed or stamped and deemed invalid, then that means there is only one wetland report and another one is needed. P. Bragdon said that there are actually two. One that Million Air did and the one that the PDA got done. P. Bragdon said he understands what the Selectmen are saying and will bring that information to the PDA and Million Air. B. Arsenault asked what the difference in the wetland area was between the Million Air wetland report and the GM2 wetland report. P. Bragdon said that he didn't know.

B. Arsenault asked P. Bragdon if he know the significance of having a wetland positioned on top of an active well. P. Bragdon said he didn't know.

B. Arsenault asked if P. Bragdon if he knew the implications of having contaminated soil being disturbed. P. Bragdon said no, but knows that the PDA has certain requirements that have to be followed for any activity that goes on in any wetlands because the whole Pease property is a superfund site. There are tight restrictions on what happens and how it happens.

B. Arsenault asked if Million Air has any plans for handling that soil if it is found to be contaminated. P. Bragdon thinks the policy of the PDA is that any soil that is disturbed cannot leave the site. It has to be stored on the property. In the Million Air plan they would cap it and then cover it with 2-3 feet of topsoil.

P. Bragdon addressed the Selectmen's question about alternative sites for the Million Air project. P. Bragdon showed the Board a map of all the available parcels on the Pease in the commercial aviation sector on Pease. Most of these sites have some issue with wetlands. Many of these sites have issues with slope and access. Part of Million Air's presentation to the PDA will address the other available sites and why they wouldn't work for them. Some parcels also have deed restriction issues.

The need for a third-party review of the plans was discussed. P. Bragdon stated that he thought the PDA had been proactive in identifying issues when they don't have the expertise. They did that with the review of the wetlands delineation and the conditional use permit. P. Bragdon said that he believes that the PDA knows when they need outside help and when they don't. The storm water system plan is going well. P. Bragdon said that if the Selectmen think that there are specific areas where they need a third-party review, then he could pass that information on to the PDA.

C. Wayss asked about the regional impact of dredging soil in the wetland area or in an area where contaminated soil exists. When the building is being built, what is the effect on the wetlands that feed the aquifer, that feeds the Haven Well that provides 75-80% of Newington residents with their drinking water. This question has not been answered. When soil that is filled with PFAS and PFOA chemicals is disturbed, what happens.

B. Blonigen added that the Air Force drove Newington residents off their wells onto public water and now the public water is threatened because everything is so close to the Haven Well. Portsmouth Water said that they could shut off the Haven Well very quickly if there is a problem, which is some comfort.

C. Wayss pointed out that the Haven Well water that is currently being treated at the facility is coming out with nothing detectible, but asked what would happen when soil is disturbed.

NH Rep David Muse expressed his concern that the filtering system at Pease only detects long chain PFA chemicals. The short chain PFOA and PFAS chemicals are an open issue. Without knowing the short chain contaminants that exist at Pease, it is hard to say what the level of contamination in the water that is coming out of the Haven Well. The JSA filtering system at Pease is not as effective with the short chain chemicals as it is with long chain chemicals. Without knowing what is in the soil and where it is going to be put and what the potential is for short chain chemicals being in the soil, which would then get into the ground water. Right now, it is a mystery. D. Muse said that he had read a lot of documents on the PDA website and couldn't find anything that would solve this mystery.

B. Arsenault questioned if the risk of having a fuel farm that close to the Haven Well, outweighs the potential benefits of the fuel farm. Any risk to Newington's public water is too high a risk. There are too many unknowns.

H. Grandy asked if the Gosling Station wells' connectivity issues to the wetlands and the Haven Well have been resolved and has the location of all Gosling Station wells been determined.

P. Bragdon said that the PDA staff has asked Million Air to hire an engineering firm to study and find out exactly where the Gosling Station wells are located and what their status is. This is an open question.

The public benefit of this project was discussed.

P. Bragdon said that would increase competition and bring more vibrant business environment, more business, more jobs. The PDA thinks there is enough business for more than one FBO. It would bring a stronger local economy. Million Air believes this project will bring a higher level of environmental protection than what exists now. It improves the safety of fuel storage at Pease, which would mean cleaner wetlands surrounding the facility. Million Air will not be storing fuel in the wetlands. They are not putting in underground tanks.

The fuel trucks will not be driving on our driveway through the wetlands. They will access the site through the airport as they do now. There is currently 1.5 million gallons of fuel at Pease. This project would mean a 5% increase in the number of gallons of fuel at Pease.

There are three safety goals with this project; prevention, detection and containment. The tanks are all double walled. The fuel is stored in the inner tank, all piping is double walled and all the drainage in the containment area is double walled. There is detection equipment inside the double walled tanks, plus visual and audio alarms. The entire proposed fuel farm is on a concrete pad that is sloped away from the wetlands and slopped towards the center of the fuel farm area. The fuel trucks and deicer trucks have specified areas on that concrete pad that is slopped. Most spills that happen at airports are because of human error. Any spills that happen go into the storm water system which has oil and water separators in them. There are alarms in there as well.

Discussion ensued about the Port City operation and location at Pease and how Million Air would be a safer fuel farm than the one located at Pease currently. Million Air is proposing a 60,000-gallon fuel farm with an option for 30,000 more in the future.

P. Bragdon said that he thinks a brand new, state of the art facility would be safer for the environment. Currently snow from the airport melts towards the wetlands. This would be improved with the Million Air project.

M. Wayss has more concerns now with the issues discussed and it makes her believe that Pease isn't doing a very good job managing what is already is there and informing the public and local officials. It doesn't give the public a lot of confidence about them managing an additional fuel farm.

P. Bragdon said that the current fuel farm at Pease was built in 1999, so it was probably grandfathered in and that is why these events are occurring.

G. Mahanna explained that Million Air operates 35 FBO all over the world, they know what they are doing.

B. Blonigen explained that the Board of Selectmen are in opposition or support of this project. They are concerned about the environmental impacts of this project on the Town's main source of drinking water.

P. Borkland talked about how the Newington residents have been used and abused over the years. We have every right to question this fuel farm proposal. The Selectman are looking out for our community. Right now, it's about making sure nothing is coming into our wells and our community.

B. Arsenault said that the Board has raised questions about this project and have been unable to get the questions answered by the PDA. This is the first time the Board has been addressed about our questions. All the Selectmen want is answers, the Board doesn't have a position on this, we are not sitting here to debate whether Port City Air or Million Air should be the FBO, we don't care if there are ten FBOs. We only care about getting answers to our four questions and how it relates to the Newington residents and how their drinking water is handled. The Board doesn't have a position on this project, it has concerns.

B. Arsenault asked about the demand for another fuel farm. There are two Port City Air farms, a small private farm and the National Guard fuel farm currently at Pease. The demand is commercial, private and some government that exceeds the 300,000 gallons stored at Port City Air.

B. Arsenault asked about the kind of jobs that would be at the fuel farm. P. Bragdon said that he didn't know a lot about it, but it's like hotels that offer different services. There will be mechanics, line people, service people that would cater to the clients.

B. Arsenault said that is still a question that he would like to be answered by the PDA because they are supposed to have a regional review of what the public benefit would be.

P. Bragdon said that more customers in the area would be another benefit for the local economy.

B. Arsenault asked why Million Air would hire a lobbyist. P. Bragdon said that he would provide information on how things work in NH and provide advice.

H. Grady said that she had heard that Million Air has had some issues in previous states about environmental issues and thought that is why they might need a lobbyist.

P. Borkland asked about the double walled tanks and what would happen if there was a tear in the second wall of the tank and is very concerned.

C. Wayss asked is the possible justification for the Board to say it's a public good to potentially jeopardize public water. This would be questioned when any fuel farm was built at Pease. This is a major concern for Newington residents. The Board wants to know the answers for the community.

M. Wayss asked G. Mahanna what his personal benefit would be for supporting the Million Air project. He said that Million Air is a superior company and is frustrated by Port City Air's level of service.

B. Blonigen called for a short recess at 7:23pm.

B. Blonigen called the meeting back to order at 7:28pm.

B. Blonigen acknowledged the tragic accident in Newington this past weekend and said that the Board's thoughts and prayers are with all the families involved.

Craig Daigle-Transfer Station Compactor:

C. Daigle presented the Selectmen with a couple of quotes for a compactor at the Transfer Station. C. Daigle expressed how hard it was to find vendors to give quotes and then to eventually do the work. The quotes were for compactors that run one single phase power but have a convertor to convert the power to three phase power. These compactors don't lose speed. Getting a compactor will result in savings of \$17,000-\$19,000 a year from the reduced hauls that would be needed. The compactor would be located on the center pad and the power would be underground from the office to the compactor. C. Daigle said that he would do all the maintenance on the compactor.

B. Blonigen pointed out that the quotes given included one for a refurbished compactor and one for a new compactor. B. Blonigen said that he would prefer the new compactor with a three-year warranty and the power hookup would be underground.

The price would be \$30,875 for the compactor, \$3,000 for the electricity hook up and \$3,300 for the concrete slab for a total of \$37,175.

B. Blonigen said that these quotes are valuable and thanked C. Daigle for all the work to get these to the Selectmen, but the compactor purchase will have to be done next year so it can go through the Budget Committee and Town Meeting in the 2024 budget.

B. Arsenault said that the Selectmen think that it is valuable to do this year, but they need to respect the budgeting process and the value in going through the Budget Committee.

C. Wayss pointed out that the budgeting process is starting soon and this information can be used in the process.

B. Blonigen said that it is important for the residents to vote on this at Town Meeting.

B. Arsenault said that he supports this in the 2024 budget.

C. Wayss said that the payback to the Town is only 2.25 years. It makes a lot of sense and the Budget Committee is the right place to go with this project.

Fox Point Rental Plan:

M. Roy said that the current Fox Point lease is up in August 2023. The current renter has asked to stay in the house until October 2023 when he finishes his other project. B. Blonigen said that he has no problem with going to a month-to-month lease until the renter's project is completed. B. Arsenault said that there should be no daily proration of the lease. Just monthly. C. Wayss agreed.

B. Arsenault thought that there should be no tenant in that location during the massive Portsmouth Water waterline replacement project on Fox Point during the winter of 2023-2024 and suggested that no tenant should be in that house until the project is completed and the area is replanted. C. Wayss agreed. B. Arsenault pointed out that the house will have to be winterized. B. Blonigen said that Jeremy Boston should be consulted about the winterization.

Facebook Page:

M. Roy said that the subject of a Town Facebook page was brought up at the Hazard Mitigation Committee meeting so that emergency notifications could be sent out to residents. The page would be one-way informational only. The Selectmen decided to table this subject until a later date for more discussion.

Brendan Breen-Northern Quahog, Eastern Oyster, Bay Scallop & Sea Urchin Aquaculture License Fox Point-Broad Cove:

M. Roy notified the Selectmen of the Brendan Breen Aquaculture License application. B. Arsenault said that he would like Brandan Breen to come to a meeting so the Board could ask some questions. M. Roy said that she will invite Mr. Been to the next meeting. And that this application is for location that is not near the docks and the farmer would access it from the water. They do not have permission to access it through the land at Fox Point. There is a public hearing on this application on August 29th at 9am at the NH Fish & Game Department's Region 3 Office located at 225 Main Street, Durham, NH. B. Arsenault asked that this be put on the August 21st Selectmen's agenda.

HUD Pro Housing Grant Funding:

There is an \$85 million PRO Housing funding opportunity for all of the US. This funding is for affordable housing. The Board discussed if this could be an opportunity for funding of the Stone School.

Portsmouth Site Investigation Committee Rep-Proposed Sports Complex:

B. Arsenault said that there was an article that said that Newington was involved in considering sites for a new sports complex in the area, which was not true.

B. Blonigen said that the Board can appoint someone to sit on this committee and asked M. Roy to put this in the next newsletter.

Dana Nowell & Jessica Morgan Recreation Committee Appointment Request:

B. Arsenault said that both Jessica and Dana are a good value to the Recreation Committee. B. Arsenault moved to appoint both Jessica Morgan and Dana Nowell to the Recreation Committee for a term of 1 year. C. Wayss seconded the motion. All were in favor.

Paving Bids Review:

M. Roy said that one bid had come in and she is waiting for another one. B. Blonigen suggested that this be tabled until the second bid comes in.

The Board discussed the one bid that came in. It was for a total of \$210,000 for Fox Point Road, McIntyre Road and the McIntyre Road sinkhole. The 2023 budget for paving is \$190,000. There is also a bid for Shattuck Way but this money would be taken out of the Major Roads capital reserve account.

B. Blonigen pointed out that this would be over budget but feels that it is important to fix these roads the right way.

Non-Profits Insurance Requirement for Building Use:

The Board has received a Facility Use Request from the Historical Society asking to use to Old Parsonage for Tavern Nights. B. Blonigen pointed out that other non-profits have to get insurance for their events. If this event was sponsored by the Historic District Commission, then it would be a Town sponsored event and wouldn't need insurance. B. Arsenault said that if the event is sponsored by a Town committee, then no insurance is needed, if not then insurance is required. B. Blonigen asked M. Roy to reach out to HDC Chair, John Chamberlain, to see if the HDC is sponsoring this event. B. Arsenault said that the Historical Society is not a town committee.

Public Comment:

Patti Borkland thanked Road Agent Len Thomas for getting the roadside brush cut back. P. Borkland also voiced concern over the drainage on Little Bay Extension. B. Blonigen asked M. Roy to look when Little Bay Extension is scheduled to be repaved. It may need to be moved up on the schedule. P. Borkland asked that the Town show the same respect for Juneteeth like the other federal holidays and close Town Hall etc. B.

Arsenault said that they would take that into consideration when they make the Town calendar for 2024.

B. Blonigen thanked L. Thomas for cutting back the brush along the exit for the highway. M. Roy said that she had been notified that the State was contacted about the overgrown brush along the Spaulding exits and was told that the State usually has 8 employees that mow during the summer and this summer they only have 3.

Discussion ensued about the State's new salt shed and the need to have some sound mitigation there since all the trees have been taken out. B. Blonigen said that it wasn't in their plans, but the Town can ask.

B. Arsenault moved to enter a nonpublic session at 8:30pm per RSA 91-A:3 II (e) & (l) Legal. C. Wayss seconded the motion. B. Blonigen asked for a roll call vote: B. Arsenault-Yes, C. Wayss-Yes, B. Blonigen-Yes. All were in favor.

B. Arsenault moved to return to public session at 9:05pm, seconded by C. Wayss. B. Blonigen asked for a roll call vote: B. Arsenault-Yes, C. Wayss-Yes, B. Blonigen-Yes. All were in favor.

B. Arsenault moved to seal the minutes indefinitely. C. Wayss seconded the motion. B. Blonigen asked for a roll call vote: B. Arsenault-Yes, C. Wayss-Yes, B. Blonigen-Yes. All were in favor.

Adjournment: B. Arsenault moved to adjourn at 9:06pm. C. Wayss seconded the motion. All were in favor.

Respectfully submitted, Eleanor Boy, Recorder