

**Newington Board of Selectmen
Meeting Minutes**

**January 6, 2003
Newington Town Hall
6:30 p.m.**

In attendance: Ruth Fletcher, George Fletcher, Irving Beebe, Debbie McLean, William Gilbert, Barbara Baird, Lulu Pickering, Helen Reed, Douglas Reed, Pete MacDonald, Christopher Cross, BI Charles Smart, Fire Chief Roy Greenleaf, Board of Selectmen Chairman Cosmas Iocovozzi, Selectmen Jack O'Reilly, Selectmen Jan Stuart, and AA Cynthia Gillespie.

Agenda

1. Minutes of December 16, 2002
2. Signatures & Approvals
 - o Transfer Station 2003 Schedule
3. Conferences & Workshops
4. Town Hall Use
5. Miscellaneous
 - o Resignation – Anthony Smith, Trustee of Trust Funds
 - o Chris Cross – Exit 4 Nimble Hill Rd.
6. Building Inspector Communication
 - o Stone School

The meeting was called to Order at 6:31 p.m.

Pledge of Allegiance

Minutes of December 16, 2002

A motion was made by Selectmen O'Reilly to accept the minutes of December 16th. Second by Selectmen Stuart. Vote 3-0.

Building Inspector Communication

Chairman Iocovozzi stated that they would be discussing the Old Stone School because there were some residents that came up last week that wanted to know about continuing to use the Stone School. L. Pickering was addressed by the Board. She asked the Selectmen what their plans were. Chairman Iocovozzi noted that when some residents showed up at a Non-Public Meeting last week and he addressed them it was informal and he would encourage L. Pickering to express her concerns to the entire Board as she did with him. L. Pickering noted that there are two or three points that they have. One being that the Selectmen have known about the building for a long time, at least 7 or 8 years. The Town has owned the building for almost two years. She stated, "For all apparent

purposes you have done nothing for maintenance on the building for two years, so when you sent out the letter that you sent out it was like having a house plant that you don't care about for two years, you don't feed it, you don't water it, you do nothing for it and when it looks like its dying you just throw it out. The letter that you sent to everybody basically says the building was condemned for whatever reason and you immediately can't use it anymore. It was pretty much an insult to all of the volunteers that use it. It has caused a tremendous amount of frustration and angst. I immediately thought that it was virtually impossible, it is impossible, for us to put out the next issue of the Neighbor with no notice. So to have a situation where in December we were in the building putting out the December issue and then you can't go back in the building. You have given us absolutely no time for us to make any other kind of arrangements."

"Our first question is the building is no less safe today than it was in December, if the Newington Neighbor puts out our Town Meeting Issue our first question, can we use that building to do it because that's where all of our supplies are all of our stuff and we literally have no other place, right now, to be able to do that."

"Our second request is what is your long term goal because you have tremendously inconvenienced all of the Reaper ladies that use that building, all of the Newington Neighbor people, certainly in the Summer time there is a tremendous number of children and residents that use the building and I think that a lot of other people would use the building if it was in a state to be able to use it."

"I guess my third and last point to say something is that I read the comments in the Minutes of the Selectmen's Meeting about maybe lead paint, maybe asbestos, maybe this maybe that. There were no reports that went with this; you are guessing about a lot of things, you don't know what the real issues are. A lot of the issues that you mentioned like lead paint, if it does exist you can put a coat of paint over it as long as its not dusting its not an issue. If asbestos does exist, we don't know if it does or not, the Hawkridge Estate has not found asbestos in the plaster, that was probably built at the same time this building was built so on the surface there is no reason to think that there are problems with asbestos if there is you maintain the building, the plaster, you don't let it crack. Question about the glass, you can replace doors you can replace glass. Questions about the heating the problems John Frink would always go up and put plastic over the windows. There were so many different questions that could easily have a solution to keep the building open. It looked to me like maybe you had done half your job. You had gone in and said maybe this is a problem maybe that is a problem. The other half of the job is when an inspector goes through is to say okay if there is a lead paint issue here's what can be done about it. It doesn't have to be a total recall of the whole building. It could be but it doesn't have to be. So I think that only half of the things were addressed and the other half on what you are going to do about it was not addressed." Chairman Iocovozzi asked if anyone else had anything to say. B. Baird said that she had a question. Chairman Iocovozzi asked the Selectmen if they would like to take another question or if they would like to address L. Pickering first. The Selectmen said that they would take the question and come back to L. Pickering. B. Baird asked the Selectmen if they turned off the heat. The Selectmen responded that yes the heat is turned off in the building. B. Baird stated that the Selectmen have now made themselves liable to more damage, bigger cracks in the wall, other problems that arise because everything is cold, it needs to be heated, and otherwise it is going out the window in all the cracks. Selectmen Stuart noted

that the Selectmen had a request from an organization in Town to check on the safety of that building. She said, "There were some concerns, we did that, we had the Fire Chief go in we had the Code Enforcement Officer go in and they reported back what they found. What they found was not wonderful. It was based on what the officials had to say, I trust them." L. Pickering stated that there are two or three different points there. She said she asked for copies of any of those things and they haven't received any of them. AA Gillespie stated that the file has been sitting on her desk to have L. Pickering pick it up. Chairman Iocovozzi said that he told L. Pickering he would make it available to her and asked if there were copies of everything. AA Gillespie said that there weren't but she could make them. L. Pickering addressed Selectmen Stuart saying that she, "Has papers from 7 years ago that look just like our reports that Larry Wahl the fire marshal, the state fire marshal, the then Selectmen, the then building inspector as they went through the building. For seven years we have known that there are a whole list of things that need to be done on the building. There has been very little maintenance in those seven years. I don't think it shouldn't be maintained, we need to fix it, but the way you responded to your neighbors and your friends of just one day getting together and saying okay that's it nobody can go in the building we changed the locks we throw you out you can't go in, is unreasonable. Totally unreasonable." Selectmen Stuart responded by asking if this was in fact a code enforcement issue. I. Beebe questioned who requested the inspection of the building, if it was the Board of Selectmen that requested it. Chairman Iocovozzi stated that no it was not, that one of the Departments that use it for children's safety, the Recreation, asked the Selectmen. I. Beebe stated that based on their request the Selectmen requested to have the inspection done. He also asked of the Selectmen if no one knew of these problems beforehand. Chairman Iocovozzi said that they are the same problems since when they went in seven years ago and at the time we did not own the building, per say, we were being allowed to use it. I. Beebe asked how long we have owned it. Chairman Iocovozzi said that yes we have owned it for two years. I. Beebe said that he was there to repeat what he said last week, what he said was that his wife and himself didn't feel that the Selectmen thought about what they did, before they turned these people out without giving them a fair heads up. "You could have at least told them when at the time you were asking the inspectors and the fire marshal to inspect the building and what you were doing and why. You just left them in a lurch. I'm sorry but two Selectmen wouldn't come out last week to take the heat." Chairman Iocovozzi interrupted saying that that was because they could not legally speak to them. He said that that was immaterial, basically what they wanted to have was the other two selectmen at a formal meeting to discuss this, "We have the fire chief and the code enforcement officer to answer any technical questions on what they feel and what can be done. He said that they do have options right now that they will present to the town formally. Does anybody have any other questions before we start?" R. Fletcher was addressed. She asked who started the whole thing, going to get the Stone School back? Selectmen O'Reilly said that it was probably Paul Kent five years ago. R. Fletcher asked why he wanted it back. Chairman Iocovozzi said that one thing that was said a long time ago is, "I can't remember who said it, one of the Selectmen had said that the reason why we want that back is because that's the corner that the town wanted to have, the property itself, basically." R. Fletcher asked "If the Town wanted it back, that's a fact, and yet seven years ago you knew that there were things bad in there, nobody did

anything about fixing them, per say, but you still took it back. For what reason? Just like that monstrosity up at Fox Point, we had to have that back, we got to keep that, and nobody uses it. Not only that, it is open to the weather and sits there and rots and we spend money putting siding on it and boarding it up, doing all that stuff. For what? The walls stink from the raccoons and everything in there." Selectmen O'Reilly said that the Selectmen have some plans in mind for that. R. Fletcher said "There is a building that three groups are using and suddenly, bang your out, which makes no sense to me at all. I think there is more to it then meets the eye. I don't like what's happening in this Town and I'm just here to tell you that." Chairman Iocovozzi said the statement was noted and said that his plan has always been to ask the Town what they want to do with the buildings that we have acquired. The buildings that aren't being used. "Mainly as a town, have a voting at the Town Meeting do you want us to spend money on these buildings to fix them to get them up to snuff. That's my opinion because it is going to take a lot of money to get these buildings up to what we want to use them for." A resident noted that that should have been thought about seven years ago. Chairman Iocovozzi said, "That is correct but because of the Statewide Property Tax that was one of the things that was put on the back burner. We wanted to do something, ask the Town, give the Board of Selectmen direction, that's a lot of money to be spent on these buildings i.e.: the Mott House, the Old Stone School. The Town actually has to give the Selectmen some kind of guidance on what you want us to do with the buildings. Do you want us to put the money into them?" W. Gilbert stated that the Selectmen need to take leadership here too. "I have been to enough Town Meetings; you are not going to get 50 people standing up and saying hey Cos we want you to do this that will never happen. No, you need some leadership." Chairman Iocovozzi responded by saying, "The leadership is that the wheels have come around for the second time on the Stone School. Now its time to do something. Does anyone else have a comment before we go over to the Fire Chief and the Building Inspector?" H. Reed noted, "It is inconceivable that this Town does not have a place that can be used for kid's recreation, for the Town newspaper things like this that I just can't believe it." R. Fletcher added, "What had more value, a house that hasn't been used for years and years and years or a place that's been used and is being used by at least three different groups and before when the police were there." Selectmen Stuart asked for a rough estimate of what it would cost to bring that building up to code.

B. Baird noted, "Mr. Hebert offered his services to give you a ball park figure, I believe, at the last meeting." Chairman Iocovozzi stated that yes and he remembered the figure to be around \$395,000 to get it up to snuff. B. Baird responded by saying that that price is not cut and dry. Chairman Iocovozzi said, "Well no because basically what we need is a professional structural engineer to come in there and come down and do what he has to do before we can ask anyone to give you a price, now we do have some comments from the Code Enforcer and the Fire Chief in that regards." L. Pickering commented that now that Pete MacDonald was here her understanding was that what the Recreation Committee had asked is for an air conditioner in that building. Also to P. MacDonald she questioned if that was what his request was? P. MacDonald responded, "Along that line yeah, we just asked where it was such a hot summer last summer the director, the Summer Program people were very hot and then I just happened to be in a nice little facility in Rye and it was all air conditioned and everyone was happy. I said why can't

you just go and air condition in here and someone said they'd have to check for wiring, this and that, and it all escalated from there. L. Pickering said so it started with the Recreation Committee asking for an air conditioner. P. MacDonald said, "kind of like that I think, and it just went from there. Chairman Iocovozzi mentioned that he was with P. MacDonald and they also made a reference to the Old Stone School being safe for children to be in there. We said we will ask the Fire Chief and the Building Inspector to go up there and take a look." L. Pickering said, "An it's certainly not safe if you have a summer where its 100° week after week after week and the kids are up there with no place that's cool, no place to get away from the sun. That was a terrible situation this summer and I think that's what prompted the Recreation Committee by saying we want to use this building we've got a lot of kids there but we need to do something to make it better. I don't think they just came running in." Chairman Iocovozzi retorted, "basically I guess one of the members at our Rec. meeting had made a mention saying hell we didn't have air conditioning when I was at the Rec. back when, whatever, it's a basic thing of difference of opinion. Right now if anybody else doesn't have to say anything, say it right now if not or we'll turn it over to the Inspectors to see what they have to say." Selectmen Stuart said, "Well, before you do that I do have one comment. I went around in the Old Town Hall and I have to say that building, to me, is totally under utilized. That's a nice building. That's got a beautiful room upstairs. From what I can see and I've got to double check on this (looking at BI Smart) that just needs a fire escape fixed I mean there is not a lot, and that building is just sitting there and that's a shame." BI Smart said, "Roy and I went through that building and we didn't really have a lot of problems." Fire Chief Greenleaf questioned the building they were referring to. He then said, "The only problem I had with the Old Town Hall is that the Reapers and the women who do the Newington Neighbor, the older women of the town, climbing up those stairs, I'm nervous about that. I'm just worried about them falling that's all." Selectmen Stuart said that she just wanted to make the option known she thinks it definitely should be used and wanted to have that noted. Chairman Iocovozzi, "Let's clarify our initial discussion on the Old Stone School. Before we go on and find alternative locations for everybody lets hear from the Inspector and the Fire Chief. Tell us what you did."

BI Smart said, "I received from the Board of Selectmen a letter from Jack Anderson that was addressed to them asking a bunch of questions about the Stone School." Chairman Iocovozzi interrupted by saying that people who don't know Jack Anderson, he is one of the members of the Recreation Committee. BI Smart, "Item, six on his list was to review the buildings soundness and safety by a qualified inspector and electrician, we would like to know if there were any areas in the building which are unsafe. If so what are they and when could they be fixed as to assure parents of there children's safety. That was part of the letter that concerned air-conditioning. They wanted to consider the installation of a sink upstairs, installation of an upstairs bathroom, a kitchenette area that could be used for cooking classes, ceiling mounted fans, review of window shades. We acted upon that at the request of the Board of Selectmen then Chief Greenleaf and I visited the structure, at the time we had some last minute changes the plumbing and electrical inspector were unable to make it at that time. Chief Greenleaf and I went ahead to the building and took a review of everything and then I sent a memo to the Selectmen dated December 4th as to what we found. Some of the glass in the front doors and in the side lights had been

changed to plastic but it's not at a high enough level, the single strength glass is still there in several places that are a concern if someone needs to get out of the building in a hurry and push through the doors. While we were there I found that the cold air return for one of the furnaces that was running had been completely blocked off and the furnace was cupping trying to run, it just couldn't keep up. So we removed all the material that was stuffing that shut and the furnace picked right up. We looked at the Emergency Exits, on existing building exits you are required to have a minimum of 36" and on new construction it's 44" of width, clear width to get out of the building. You don't have that you've got 28" up there, so that's a concern but if you look into our safety code something like that on an existing condition and in that memo I brought it out, is that you could allow up to ten people in a non compliant condition. That's all you could do, it would be ten or less. The Emergency Exit really aren't properly marked, some of the batteries were down, some of them are not battery back up and they need to be, there was inadequate emergency light, we found that there was no pattern out of there on the front exit doors, which is coming out the front, the big high steps out front, The Reaper room we found extremely cluttered and that those zip cord extension cords, which is a violation of the local codes your code in town does not allow the use of what are called zip cords, the little two wire cords, in any commercial building in Town. There is a lot of storage helter skelter down stairs and I made note of that. Then we found containers of flammables and chemicals stored on top of the hot water heater, while it was running. There are containers of some hazardous materials that are not being stored in a proper cabinet; there is a fair amount of that, including propane and alcohol. The stairs to the lower level, which probably is not a big deal, are too narrow and steep to be up to code for emergency egress, which was referenced in the Fire Marshall's Report of 1995. The other thing we found was furnace fuel lines were not placed in a plastic sleeve and they are in direct contact with the concrete which they cannot be. There is an appearance of a, there is a facade, it may or may not be a structural crack in the stone facing of the building in the rear and that should be reviewed by an engineer along with some other stuff. The rear exits have no landings on the outside as you come out of the building and the doors open the wrong way. They open in and they are supposed to open out to be code compliant. The concrete steps on the front of the building, the top landing has disintegrated quite a bit and that should be studied and rehabilitated some how. The front hand rails are actually rusted right through so there is jagged metal, if someone was to slip on the front steps and grabbed to save themselves they would end up getting severely cut and hurt with rust metal. The plywood, as far as the heat loss is concerned, a lot of the plywood on the older windows the sills have rotted away, the plywood is, where the screws went through to hold them the wood has rotted away behind them so now they are loose and flapping in the breeze. Then we go into asbestos and lead and what I said was that the building should be tested for asbestos and lead due to the age of the building. Plasters did contain asbestos fiber and paint contained lead and what happens if you have children then under the new regulations on lead renovations you have to remove it, you can't encapsulate it, you can encapsulate the asbestos, but the lead needs to be removed. Now you go outside and you have to test the ground around the perimeters of the building where because the lead paint chinks over the years and falls down and the rain takes it into the ground and we've had places when I was in the Lead Program where they had to excavate up to three feet of earth around the building in order to make it safe. So, I

recommend that it be tested for that, also the building is not ADA or barrier free. That's going to end up being a problem." Chairman Iocovozzi interrupted explaining that ADA means the American Disabilities Act. BI Smart continued, "after the fact review of the Fire Marshall's report and then I looked at the life safety and I recommended that the building not be used for any children programs and if they were going to allow it to be used it would be adults of less than ten, ten or less at any one time. But, then the Board of Selectmen said to me "what would you do?" and I said that I wouldn't let anyone use the building at this time until a lot of these things were taken care of, one biggy is housekeeping it's pretty bad up there. If you have a situation where someone needs to get out of the building in a hurry or something because things happen fast, if it happens and there is a danger it happens fast, so you're in a rush to get out of the building there's a lot of clutter that needs to be addressed. L. Pickering interrupted, "Charlie, I agree with everything you said, there is not anything there I disagree with, as a Building Inspector I want to ask you one question. Have you seen the frustration of the Town's people? Where nothing in that letter new for seven years, the only Board that can expend money to do that routine maintenance, cause 95% of what you mentioned is routine maintenance that you do every year, I own a big old house and a barn I know all the kinds of issued you have to deal with when you don't do anything on the building for year after year after year those problems just start to multiply. So what our frustration is on this is nothing more now than it was in the beginning of the summer there is a long list of maintenance items that need to be done that could have been done for seven years and haven't been done and we really would like these groups of people to be able to cohabitate while a lot of that maintenance is ongoing. So that's the basic question can we cohabitate? BI Smart responded, "I'll give you my point of view, there is nothing passionate in the for me, it's a job, I have to do the job and it's actually easier because I'm not a resident of the community and I don't have any ties and I can look at it in an Inspector's point of view and say that this needs to be addressed, this needs to be addressed, this needs to be addressed, such and such." He asked Fire Chief Greenleaf if he had anything to add. Fire Chief Greenleaf said, "Basically when I went in there we came across the storage of propane, the small cylinders, and the storage of poisons that a child could reach." L. Pickering interrupted by saying that a majority of what they are talking about is clean-up that is common sense. She stated that the thing that bothered her most was that, "someone had stuffed something in the cold air return, which looks to me like someone's trying to save heat money." Chairman Iocovozzi asked BI Smart if it was stuffed. BI Smart said, "The cold air intake had a bunch of that crack board in front of it, poster board, it just was all stuffed in, I don't think anyone knew there was a cold return under there." Selectmen O'Reilly stated, "The heating cost in that building has been running over twice what any other building in the town is." Chairman Iocovozzi, "that could be the reason why." L. Pickering said, "Someone left one of those windows open four inches." BI Smart was addressed again. BI Smart stated, "What I did was review the actual deeds to the property. That deed, the title, there is a lot of stipulations on it, basically what it boils down to is anything that done to the building has to be approved by SHPO, which is the State of New Hampshire Historical Preservation Office, and they have an agreement that they will oversee it with the federal facilities agreement. So anything that is done, maintenance, repairs, upgrades, has to be approved by them. SHPO and the State of New Hampshire Historical Resource have people available and

are waiting for information to come from them where they will supply a structural engineer to come down and review the building and give us a report as to what needs to be done so we can preserve the building in its uniqueness and still allow it to be used and as close to code compliant as it can be. The other thing is that Roy and I are not allowed to wave the life safety rules, waivers can be had from the State Fire Marshall's Office on some of these things. That's the process we need to follow in order to get this building to where you really want to use it." L. Pickering said, "I agree again with what you say but I still come back to, there's no reason why all of this can't be going on simultaneously. You don't have to throw the people out of the building." Fire Chief Greenleaf said, "Once the Fire Marshall was brought in back in 95, once he came in 95 there basically was the Fire Chief at that time and the Fire Marshall once that came into effect and it was out of the Fire Chiefs hands. Once the Fire Marshall was brought into a situation like that. You can't over rule the State Fire Marshall, at least I can't." Selectmen O'Reilly, "if you think of the little railroad station down there you know the shape that was in a few months ago, it was falling apart. Charlie was put in charge of it and the roofs been replaced, its going to be preserved, at no cost to the Town in this case because he had the State do it because the State was supposed to do it. Charlie did a real good job on that. What I'm hearing and maybe what I'm hearing and maybe what the consensus I'd like to make Charlie the lead on the Stone School, he's already doing stuff, looking into the State, getting engineers in, give Charlie the point on it get the building so it can be reoccupied with some as semblance of safety. Let him take people and if they want to work with him that will be fine. L. Pickering, "that's not good enough. I mean I agree with it but it's not good enough unless there is some kind of time frame when the Selectmen say that the building needs to be reopened on this date for the people. Other than that this can drag on for another seven years." Selectmen O'Reilly, "I was going to have him report back in a month to the Selectmen because we need go with our budget in a month." Chairman Iocovozzi asked, "Is there an option to move over to the Old Town Hall? Until we rectify this until we get the rest of the information. We do have an option." L. Pickering responded, "Let me give you an honest opinion on this. You have a building that is occupied by mostly women in there 70s or 80s. Whether it's the Reapers, whether it's the church ladies that store stuff in the cellar, whether its most of the Newington Neighbors, I'm not that much younger. Are you crazy to request that in the middle of the winter? Do you think that's practical at all to take that demographic with all of there stuff that they have stored in there for 20 years to do their business. Say lets move them down those stairs across there up there and into the top of the building." Chairman Iocovozzi stated, "It's an option." Selectmen Stuart said Iocovozzi must only be speaking about moving the Newington Neighbor people. Chairman Iocovozzi said, "No, I'm referring to whoever wants to use that upstairs because you did say that it's under utilized. I don't think it would take much for us to get that in a lot better shape than trying to get the Old Stone School up to snuff in case something does happen. At the same time we are looking at the Town as a whole we are looking for our liabilities, in how many years, basically the same report on the Old Stone School." L. Pickering said, "And you've done nothing." Chairman Iocovozzi, "in the last two years because of the State Wide Property Tax I think we tried to hold the money." L. Pickering, "and we're going to have the State Wide Property Tax this year and next year, so let the people keep living and doing what they are going to do." Chairman Iocovozzi said, "Yes, yes, we

have an option, that's the living part, we have an option." B. Baird said, "We want to do it there is what we are saying." Chairman Iocovozzi, "you want to do it there?" B. Baird, "at least until Town Meeting time, the next issue." Chairman Iocovozzi, "then what happens if the Town votes that they don't want to spend the money on these buildings, what do we do?" B. Baird, "then we'll talk about moving across the street." Cosmas Iocovozzi, "but we have a safety issue as I mentioned last week, this has become a safety issue." B. Baird, "but the statement that someone made that 10 people can use it at a time no more." Chairman Iocovozzi said, "That's what the Fire Chief would agree to." B. Baird, "we can do that very easily, the Reapers and the Newington Neighbor can take turns. We don't have to be there on their Wednesdays and we work on the newspaper quarterly. We can change those days to accommodate whoever else wants to be there at the same time." Cosmas Iocovozzi, "ten people tops, regardless if you have two or three organizations." BI Smart, "they need to pick a number, ten people, twelve people; there would be no big deal." L. Pickering, "if someone goes in and there happens to be 12 people in the building you don't want the heavens to open up and pour on you." BI Smart, "what you want to look at also is the fact that there maybe a danger to life safety. One thing is the use of zip cord extension cords. The other thing is all the hazardous materials up there they need to be in a certified locker properly vented. The handrails should be addressed, because if you're using those handrails, they are severely rusted, ragged, not stable, that's another issue. Chief Greenleaf and I have done our job we reported back to the Selectmen, whatever they do from here." Chairman Iocovozzi, "it's almost like a catch 22, we understand the residents want to use that building, Reapers, church group, the Newington Neighbor, but on the other hand we have to look at our total liability package. We have discussed this last week. I am more concerned with the liability. If one person gets hurt where is it going to put the Town? Lulu, I know you don't agree with me." L. Pickering, "let me tell you what somebody said to me when I told them of this and I don't mean to be mean but this is what I heard. I heard that the Selectmen are only concerned about safety when money is involved. Now there have been requests for wheelchair ramps down at Fox Point. I know I have made that request. I made requests when you guys pushed the road farther onto our property on Little Bay Road. I made a request for bicycle paths that I don't care if you come over here if you mark out a two feet so kids are safe on bicycle paths. When you had MacIntyre Road all summer long with no stripes on it and in the rain and in the dark people were having trouble seeing. In a snow storm people couldn't see to come across, we made requests, street lights, any kind of a light, some kind of better reflector, some kind of better marking in the road. You make these requests year after year after year they are all safety issues for people in Town. So when somebody says that the safety card is laid down only when money is concerned you got to look and think about that that person maybe has a point. Chairman Iocovozzi, "I disagree because certain items didn't fall in line and that's just the way it happened. We'll say the striping on MacIntyre Road." L. Pickering, "and wheel chair ramp on Fox Point?" Chairman Iocovozzi, "wheel chair ramp, the bike path is part of the Master Plan; I think we're working on that now with the Planning Board." C. Cross was addressed and said, "Jack you made a big point a couple years ago, you coordinated and talked to Senator Gregg and asked for the Stone School back, do you recall the time when you told Cos and I, and I was furious, because you didn't give any consideration for the liability any consideration on the condition of the building what

should also had been asked for at that point. It was only an issue of getting it back. There are a lot of things that the Town needs to take care of now, so I think that standing up and saying that we are going to completely shut it down because liability is an issue, when it hasn't been for the 35 years that the Air Force had it. All these things that have built up many things that could be fixed by housekeeping are so preeminent to override what's happened for the last 7 years and earlier times you are simply using that and raising life safety, as important as it is, as sudden and immediate concern that all along everything has been ignored for so long. That's just not looking at what is acceptable, not that we don't improve the standards on it but completely displace everyone and shut everything down doesn't need to be done at this point in time." Chairman Iocovozzi said, "Point well taken, any other information that you want to give us?" B. Baird asked, "Can we sign waivers so we don't sue you if we get hurt." Chairman Iocovozzi, "legally it doesn't work that way, you can sign anything you want. Look at all the money they got from tobacco." BI Smart, "one other quick point, as I was perusing through the title to the property and actually showed it to Chris, the upper part of the contaminated plume as we work over towards that property and there is a disclaimer in there on that there is trichloroethylene and trichloroethylene¹¹ its deep so you don't have to worry about it." Chairman Iocovozzi asked if anyone else had anything to say. I. Beebe, "there isn't anything there that is that dangerous that couldn't be readily fixed, and if they take care of the hazardous waste, extension cords and let the people that have been using it use it at least until Town Meeting time when you have time to do your homework and make a plan for what you want to do with the building. Give those people a reasonable amount of time and decent weather to move to another facility if necessary." L. Pickering, "can we put the Newington Neighbor together in that building in February, can the Reapers and the church and whoever else, cohabitate that building while all of these other concerns, getting the money, getting the inspectors, getting the people to do the cleanup happen simultaneously. I mean to put it into a linear fashion where you kick everybody out and say that we've got to now do this study and get that report. It could go on for months and months and months." Selectmen Stuart said, "Lulu, every time you say kick people out it just sounds..." L. Pickering interrupted saying, "how do you think all of us felt right before Christmas at the end of the year, well Merry Christmas to us the locks got changed, you got booted out and you need someone to escort you personally through the building to get any of your own stuff." B. Baird, "which I need to go in and look for some old issues and I'm not going to bother to come down here and get a representative to go with me to open the door so I can go in for an hour and look in some of those boxes in our closet." L. Pickering continued, "It was really a slap in the face to the Reapers, the Newington Neighbor, and whoever else you sent that letter to. I mean we want to work with you we want the building to stay open and I think that there is a lot of value in that building and we certainly don't want to fight with you." Selectmen Stuart, "no, and I don't think anybody wants that and there was no malice intended there. I think the thing was that the report came back." Chairman Iocovozzi, "after I heard what the Inspector and the Chief had to say like I told you when we discussed it I have a very, I take a lot of chances in my business but that's me, but when you have to take chances on behalf of the Town's people you really have to scrutinize what you do. I don't want any of my neighbors hurt in that building and I know that the chances are, it could be 1000 to 1, but it's that one time, that one time." L. Pickering responded, "You guys are sitting here

right now and we have all come here, can you three please tell us what you have decided to do with this building. You've got all of these inspectors, you've got all of the people imputing their two cents. Where are we now?" Chairman Iocovozzi asked, "Well do you want us to take a vote on it to see if you want us to reopen it, we can bring that up." G. Fletcher said, "I think first you have to find out what needs to be done, immediately. So let the parties use the building until Town meeting." Selectmen O'Reilly said, "I would like to get a list of them, the bare bones minimum of what should be done before people can go back in, like jagged metal that someone can grab on a handrail. That maybe we can tape but I don't know." G. Fletcher, "It might not cost much; it might be more labor than actual cost. If you get those cords out of there." Chairman Iocovozzi, "Those are the minor things George, they are making a mention about the doors, egresses, there is a number of issues that I have concerns with. The front stairs I have a big problem with that, if you go downstairs and look up you see how we have it all timbered up a few years ago just so we keep the concrete steps from falling in." C. Cross said, "None of these reflect on you, we had a previous Fire Chief who was a pretty hard nose son of a gun there wasn't anything that he took a liking to that he wouldn't shut down. He found a way year after year, he inspected it still when it belonged to the Air Force in the 80s and he found a way how people in this Town can use that for multi use like in the Summer Program at time it requires wiring for the weight room, he made report after report year after year and not anything is different from what is coming out now." Chairman Iocovozzi, "do you want to make a motion to either reopen the building or not reopen it until we get." B. Baird said, "After a few minor repairs could you open it?" Chairman Iocovozzi, "I don't think it's minor, my problem isn't minor, and my problem is more structural. Front steps, doors, things like that." B. Baird, "none of that is going to fall apart in the next month." Selectmen Stuart asked, "Charlie is there anything in that building right now that Wahl, and Larry Wahl dealt with? Is that up to code or is that not up to code? The wiring that was put in is not up to code." BI Smart, "the wiring that was replaced some years back is not up to code. IT is less dangerous now then it was then but the local code and the NEC2000 code enforced at the time does not allow the use of Romax, which is NM cable, in a commercial building. It should have been MC in that situation it's down stairs; it's more or less restricted access. I mean it's not like its right out in the common area, it is there and it shouldn't have been used but it was." It was asked how many people the building holds. BI Smart, "According to the Life Safety Code it can now hold 10 people, but if you fix up some of the real problems." Selectmen Stuart asked, "Are you in any way shape or form interested in anything that we could do with the Old Town Hall?" L. Pickering, "I seriously think you guys need a building committee that looks at all of these old buildings. I think you need a five and a ten year plan. I think every single year there needs to be a certain base amount of maintenance that is on every building. If you have a building that you think needs \$200,000 of repair you don't have to do it all at once. You say over five years we are going to bring this building up to level X Y Z and it's going to cost us a certain amount each year. You need to look at all of the buildings. I'll put in one other thought, and this is just one other thing for you guys to consider. The Town of Newington has two Town centers; you've got the center of government where you have this building, the fire building, the Town Hall, the fire station and the school. Those buildings get 95% of all the building maintenance costs they are all brought up with heating and nice facilities there is air conditioning, for all of

the employees and all of the people in government. All of these boards that made them. Most of the people in Town go up to the Old Town center. That's more where the people go, you've got the library, you've got the church, you've got the historic society, and you've got the Newington Neighbor, the Reapers all of the Summer Program. That's where the people have been going to spend their time. Nothing has been done on most of those buildings." Selectmen O'Reilly, "Every request from the library trustees has been met on that building. The Meeting House we've put in money every year. We are supposed to do the bell this year. The buildings have been maintained. Obviously, there are some that haven't been." L. Pickering continued, "Let me just make the point that that area which is the social center of Newington, if we have such a thing, is where the people are going and no time and effort has been put in to repair the people's buildings. Now I love this government center and I think we need a good Police Station and a good Fire Station and a good Town Hall but I don't spend my time here and most of the people in Town don't spend their time here. So it is entirely reasonable to say that the people in Newington need a social center that is repaired, in good repair, for the Town's people to use. It costs money and it takes a strategy and takes a period of time to implement that and I honestly feel that it has not been done for the last five to seven years and if it has been done, it's been done very, very little." Chairman Iocovozzi, "Point well taken." L. Pickering, "That is my final thought on the Stone School. If you won't decide today when can we expect something from you guys? You have turned a lot of people upside down and they are very upset." Selectmen Stuart, "I was just going to say that it's a case of damned if you do and damned if you don't. If this came before us as a Board and somebody did get hurt, not that they would, but if they did, then all heck would break loose. Why wouldn't you do something? I see where you're coming from (speaking to L. Pickering) saying okay for the last seven or however many years nothing has been done up there. But if we didn't do anything we'd run into a problem that way. If we do take a stand and say okay the powers that be have taken a look at it, it's there expertise, they find a problem and so we act on that. Then we're wrong doing that." L. Pickering interrupted saying, "For twenty years people have reengineered that curve in Little Bay Road but they must have spent fifty thousand dollar for four or five different engineering firms to reengineer that curve over there. It never changed it's the most dangerous curve in Town, and yet we bring it up we talk to people we talk about paths, we talk about okay come two more feet on the out property but make sure you put paths in there and you mark it. It doesn't happen. So then to pick and choose the issues that you decide are the safety issue is a real hard sell for me because I believe in safety, but there are a lot of things that we need to do but you can't be selective about it and say December 16th we decide that this building is a problem and so nobody can come into it. That hurt Town's people; it hurt a lot of Town's people." Selectmen Stuart, "Okay, I'm sure both of them felt the same way. Let me tell you when the report came in from Charlie and having talked with Charlie what I know about buildings and the safety of them you could put in a thimble, obviously. Therefore when he comes forward and says that we have this and this and this I respect him and I trust him. So based on that, that's why my decision came about that way." W. Gilbert said, "I respect Charlie too and Charlie said that ten people occupying that building is in the spirit of the Life Safety Codes. Right now, today." BI Smart, "Well there are still some issues that need to be corrected." L. Pickering asked, "Is that a two week issue, a thirty day issue?" J. Stuart asked if there were any volunteers

to clean out the building. L. Pickering said, "I think you will have volunteers but in good faith I think you'll have to wait until April or May. I mean to go out right now is a suicide mission." Selectmen Stuart, "I did go through the building, it really is rough." L. Pickering, "You could organize a lot of the storage stuff if you opened up where the Police used to be and let them organize some of that stuff in that other room in the bottom." Selectmen Stuart, "We did initially give that to them, yes, they requested it and we gave that to them." P. MacDonald was addressed, "I understand what Lulu is saying and I'm all for that. If you could build a nice community center up there. We have the Stone School and you walk up the stairs and you've got Newington Neighbor's room and the Reapers room all I'm saying is that, we've been throwing this around at the Rec. Committee, go through his back door and build a nice little gymnasium in the back. Is that possible to do that?" Selectmen O'Reilly said, "because of the SHPO that we are involved with, it may not be as easy as it sounds. We really have tons of strings attached and we would have to get approval from the State." L. Pickering, "On a lot of those things if you maintain the way the building looks from the road, you can do a lot of things behind these historic structures. Jack is right, you do need the approval. I think you could have so many volunteers to help you." Chairman Iocovozzi said, "We have the issue to the Board of Selectmen to reverse there decision on health safety of the Old Stone School."

Selectmen O'Reilly made a motion saying, "I think we should get a list from him Building Inspector of priority, mandatory, must do items and then get started on a fix and an estimate. Charlie will take the lead on coming up with a list of what needs to be done that he feels are necessary to be fixed."

Chairman Iocovozzi asked the Building Inspector how long it would take to get the list together. BI Smart, "I hope that the first of next week I'll have something." Selectmen O'Reilly said that in the mean time as he finds stuff the Selectmen can start working on them. BI Smart said that they will need someone to do the physical labor. "Basically I think you want to remember that we are in a position here, we've stayed in our position, and we don't think people should be in the building. But if you are going to make some concessions to it, I'll still contest to it, all right we'll make some concessions to it we'll allow 10 people or less if they wanted to. No kids. I don't think there should be children in that building until a whole bunch of other issues should be addressed." Chairman Iocovozzi said that the kids for the summer program are not going to be there anyway. He asked if the Reapers were using it this winter. They are. There is a motion on the floor to appoint Charlie to get the issues to the Board of Selectmen next week. He asked Selectmen O'Reilly to change his motion to next week.

We have a motion on the floor do we have a second?
Selectmen Stuart seconded the motion.
Vote 3-0.

Chairman Iocovozzi explained that next week we can discuss it at the Selectmen's Workshop. We'll have a list of what needs to be done so that we feel comfortable opening the Stone School. If we can get some kind of time frame on that, get his list, see

Town Hall Use

There was a motion to accept the Seabreeze's use of the Town Hall and waive the fee. There was a motion to accept the use of the Town Hall for Celiac Sprue and waive the fee.

Signatures and Approvals

The Transfer Station schedule was approved for the 2003 year.

Miscellaneous

There was a motion to accept the resignation of Anthony Smith from the Trustees of Trust Funds.

C. Cross was addressed regarding the Exit 4 Project. There was discussion on the Public Meetings that have occurred and that there needs to be another with the Councilors. The DOT is ready to move ahead and the meeting is to acknowledge that and to allow that to happen. They have settled on a route they like. There was discussion that the DOT is wondering whether the Selectmen will accept River Rd. as a Town road. The Selectmen said that they are willing to take on that road as a Town road.

Respectfully submitted,

Jennifer Nadeau

**Newington Board of Selectmen
Meeting Minutes**

**January 21, 2003
Newington Town Hall
6:30 p.m.**

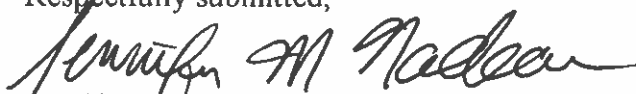
In attendance: Fire Chief Roy Greenleaf, Assistant Fire Chief Dennis Cote, Fire Department Secretary Danielle Paradis, Board of Fire Engineers member Bill White, Board of Fire Engineers member Leslie Brock, Board of Fire Engineers member Richard Sullivan, Board of Selectmen Chairman Cosmas Iocovozzi, Selectman Jack O'Reilly, Selectperson Janice Stuart, AA Cynthia Gillespie.

The meeting was called to order at 6:38 p.m.

Fire Department Budget

Fire Chief Roy Greenleaf went through his budget package explaining what he included in the package. He explained that the retirement itself increased by \$30,609. There was discussion on the individual line item for Health Insurance. Fire Chief Greenleaf mentioned how he tried to keep the budget low by taking off a lot of new equipment. There are two things he did include, a scoop stretcher to replace one in really bad shape for \$500 and a stair chair to replace one that's over 30 years old to protect their backs going down the stairs which is \$2000. Selectmen Jack O'Reilly asked how the Fire Department acquired the donations. Chief Greenleaf noted that he knew the Town could not afford some of the things he needed this year so he talked to companies and said to them if they could help that would be fine. Chairmen Iocovozzi mentioned to Chief Greenleaf to speak to the Budget Committee regarding the Selectmen voting on their donations covering 100% of the cost of an additional person. The line item Full Time Salaries was discussed. The line item for the Secretary Danielle Paradis was discussed and how it increased. Chief Roy Greenleaf explained that they are trying to bring her up to be equal with similar position in the area. A line item regarding call personnel was discussed.

Respectfully submitted,


Jennifer Nadeau, Secretary

**Newington Board of Selectmen
Workshop Minutes**

**January 27, 2003
Newington Town Hall
6:00 p.m.**

In attendance: Board of Selectmen Chairman Cosmas Iocovozzi, Selectmen Jack O'Reilly, Selectmen Jan Stuart, AA Cynthia Gillespie, Building Inspector Charles Smart, Wil Corcoran, Corcoran Consulting and Donald Littlefield, United Industrial Services.

Call to Order at 6:05 p.m.

Donald Littlefield of United Industrial Services spoke to the Board of Selectmen regarding a proposal to set up a facility for the Newington residents to dispose of their waste oil, gas and anti-freeze at United Industrial's Newington location. The only thing the resident has to do is call ahead to let United Industrial know that they want to dump waste and show up with proof of residency. There is no need for a commitment on the part of the Town of Newington. Littlefield will write up the proposal and sent it to the attention of C. Gillespie AA this week. The Board of Selectmen will vote on it at the meeting of February 3, 2003.

6:15 Non-Public Session in accordance with RSA 91A:3, II Legal. No votes were taken.

6:55 Public

Building Inspector Communication

Building Inspector C. Smart asked if the Board of Selectman wanted to make changes to the Use of Town Property Ordinances. After some discussion the Board of Selectmen tabled this issue until further review.

There has been a complaint about the junk cars at a residence in Newington. The Board of Selectmen instructed BI Smart to go to the property and check out the situation. If there is a problem, it is in direct violation of the Town's Junk Yard Ordinance. C. Smart was also instructed to call the owners about removing the cars and maybe following up with a letter.

C. Smart told the Board of Selectmen that the report on the Loss Prevention Survey done by NHMA Insurance on the Stone School will be here by Friday. Smart also reported that he has been getting estimates on doing the needed repairs to the Stone School. He

**Newington Board of Selectmen
Workshop Minutes**

**January 27, 2003
Newington Town Hall
6:00 p.m.**

stated that Bobby Hart gave a quote to turn the water back on of \$100.00. The emergency lighting will be expensive, because of the wiring up-grades.

The report from RPF Associates on the Town Hall air quality was received. The findings focused on the extreme low humidity in the building. The recommendations were to ventilate the building for fresh air and to humidify the air. The Board of Selectmen authorized the purchase of a two Sonic humidifiers for the offices. Also, the board instructed the Building Inspector to start getting bids for the removal, cleaning and replacement of the ceiling tiles.

The Board of Selectmen authorized C. Smart to contact JSN Associates to start the engineering on the Police Station roof.

There was discussion on the Storm Drain run-off information.

Town Hall Use

A business meeting for Thermo Neslab was approved for January 30th.
An Italian Dinner for the Newington School Supporters was approved for February 14th.
Band Practice Sessions for the Seacoast Wind Ensemble was approved for the following dates: February 18th, June 17th & 24th, July 1, 8, 15, 22, 29th, and August 5th and 12th.

Signatures and Approvals

Selectmen O'Reilly made a motion to approve a veteran's tax credit for Granville Knox, of 33 Coleman Drive. Seconded by J. Stuart. Vote 3-0

Miscellaneous

There was discussion on the wording of the personnel policy regarding Holiday Pay. The question of who is eligible to receive Holiday Pay was brought up at the January 22nd Budget Meeting. Currently the personnel policy reads:

"When an employee, exclusive of police patrol and fire personnel is regularly scheduled to and does work on a Holiday, the employee shall be given an additional day off with pay or shall receive straight time pay for the day in addition to the employee's regular pay. **All police patrol and fire personnel shall receive an additional day's pay**

**Newington Board of Selectmen
Workshop Minutes**

**January 27, 2003
Newington Town Hall
6:00 p.m.**

for each of the holidays listed above regardless of whether they actually worked on those days.”

The problem with the wording of the policy is that currently all fire personnel regardless if they are in an administrative, salary position is receiving the additional Holiday pay. The Board of Selectmen stated the intent of this policy was for the non-salary, non-administrative personnel only to receive the Holiday pay. Selectmen O'Reilly made a motion to amend the wording of the personnel policy to read:

All non-salary, non-administrative police patrol and fire personnel shall receive an additional day's pay for each of the Holidays listed above regardless of whether they actually worked on those days.

Seconded by J. Stuart. Voted 3-0.

Adjournment: 7:55

Respectfully submitted,

Cynthia L. Gillespie
Administrative Assistant

**Newington Board of Selectmen
Meeting Minutes**

**February 3, 2003
Newington Town Hall
6:30 p.m.**

In attendance: Board of Selectmen Chairman Cosmas Iocovozzi, Selectman Jack O'Reilly, Selectman Jan Stuart, AA Cynthia Gillespie. Tom Morgan, Town Planner and Representative from Seacoast Land Trust, Danna Truslow and Dick Adams, George Fletcher.

Pledge of Allegiance

Call to Order at 6:32 p.m.

Selectman O'Reilly made a motion to table the minutes of the Board of Selectman's meeting of January 6, 2003, until the Board had a chance to review them. Seconded by Jan Stuart. Selectman O'Reilly made a motion to accept the minutes of January 21, 2003 and January 27, 2003. Seconded by Jan Stuart. Vote 3-0.

The Town Planner, Tom Morgan along with representatives of the Seacoast Land Trust, Dick Adams and Danna Truslow presented the Board of Selectman with an easement on the Trickey's Cove Property. Tom Morgan addressed the issue of an abandoned well on the property. A letter to the Seacoast Land Trust from the Newington Board of Selectmen dated February 3rd was presented for signatures. It states:

As we discussed, the existing well on the Trickey's Cove property may be a safety hazard and should be properly abandoned. The existing well on the property will be decommissioned by the Grantor as soon as weather conditions permit, and prior to May 15, 2003. Decommissioning will be performed by a licensed New Hampshire Water Well contractor and will comply with the conditions set forth in the New Hampshire Department of Environmental Services Environmental Fact Sheet WD-WSEB-1-7.

Selectman Jack O'Reilly made a motion to accept the easement to the Seacoast Land Trust and the letter to decommission the well. Seconded by Jan Stuart. Vote 3-0.

All documents were signed and notarized.

George Fletcher presented the Board with a Petition Warrant Article that contains 28 signatures. It states:

To see if the Town will vote to change the present Town Employee Policy of 100% paid medical and dental insurance costs for Town employees to 90% paid by the Town and 10% paid by the employee, effective April 1, 2003. Submitted by petition.

**Newington Board of Selectmen
Meeting Minutes**

**February 3, 2003
Newington Town Hall
6:30 p.m.**

A letter was read from H.L. Patten Construction requesting the release of \$7,000 that is being held by the Town in escrow, pending the completion of construction at 32 Nimble Hill Road. Selectman O'Reilly said that the Conservation Commission must be satisfied that the work is done before the funds can be released. He asked AA Gillespie to speak to the Commission's Chairman Peggy Lamson about this matter.

A motion to approve a Veteran's Tax Credit for Dennis Hebert was made. Vote 3-0.

An application for the use of the Town Hall for a 50th anniversary party on July 19th was approved.

An application from the NH DOT for the use of the Town Hall, for a Public Hearing on March 5th was approved.

An application for the use of the Town Hall for a 35th class reunion on July 26th was approved.

A letter from Donald Littlefield of United Oil Recovery, Inc. was read. The letter is a follow up to the meeting Mr. Littlefield had with the Selectmen on January 27, 2003. United Oil Recovery is willing to accept used oils, waste antifreeze, and gasoline from Newington residents. Selectman O'Reilly instructed AA Gillespie to have the letter inserted into the Town Report so that the residents will be made aware of this service.

An invitation to attend non-public Coalition meeting on February 4th at Portsmouth City Hall was discussed. All three Selectman feel that it is important that they attend. The RSVP will be faxed in the morning.

A letter from Barbara McDonald was read. She had requested that the letter be read into the minutes of this meeting. It is as follows:

**Newington Board of Selectmen
Meeting Minutes**

**February 3, 2003
Newington Town Hall
6:30 p.m.**

February 2, 2003

Newington Board of Selectmen
Cosmas Iocovozzi, Chairman
Newington Town Hall
205 Nimble Hill Road
Newington, NH 03801

Dear Cos, Jack, and Jan,

We are writing to you to ask why the Newington Board of Selectmen has not responded to our application "Taxpayer's RSA 76:16 Abatement Application to Municipality" which was filed with your assistant, Sue Newcomer, on February 27, 2002 for your review. As you are well aware the noise generated from the Pease Tradeport's Airport Pam Am maintenance terminal IS and has been a continuing burden.

If we do not hear from you within the next 48 hours, you leave us no other recourse, but appeal to the "Board of Land and Tax" under RSA 76:17-a, and of course there is the Superior Court. It looks to us as if you have never reviewed our abatement, or sought the advice of your appraisers.

You are the governing body of Town and have the authority to abate taxes "For good cause shown". What we see are a lack of leadership skills along with the common courtesy of a reply.

We request that this letter be read into the record at your Board Meeting of February 3, 2003 with a sincere hope for relief.

Respectfully,

Barbara A. McDonald

John R. McDonald

**Newington Board of Selectmen
Meeting Minutes**

**February 3, 2003
Newington Town Hall
6:30 p.m.**

Selectman Iocovozzi said that he would talk to Mrs. Mc Donald about this. The Town appraiser has looked into the abatement and could not find a reason to approve it.

A letter from Barbara Hill, Chairman of the Historic District Commission was read. It expressed concern about hunting in the Old Town Forest. It requested that all Town owned land be posted. Selectman Iocovozzi said that he felt that the Board should table this until they can find out if any Town Residents use this area for hunting. Selectman O'Reilly suggested talking to Fish and Game.

A letter from Kenneth Ward, loss prevention representative with NHMA Property Liability Insurance was read. This letter is a follow up report of his inspection of the Old Stone School. It stated that NHMA recommended that the public not use this facility until the building meets the requirements of the NH Fire Safety Code (NFPA 101 Life Safety Code) and the State Building Code BOCA National Building Code /1999).

Leonard Thomas requested approval from the Board to attend a NHMTA workshop on Air Brakes to be held March 6th. The Board approved 3-0.

Planner Tom Morgan spoke to the Board about NEDES II. He said that the Town is under EPA mandate to monitor and analyze Storm Water discharge. The first step in the process is to send out an application to the EPA, by March 10th. He said that he took the initiative of soliciting proposals from some engineering firms. Two of which have come in, one from Environmental Engineering Remediation out of Portland and one from EarthTech. He chose EarthTech because they operate a sewer plant and he thought that they probably have a lot of the information digitized and mapped, that the Town needs. EarthTech's proposal was \$10,500, EER's proposal is \$5,800 for Phase One. The map that he received from the EPA was quite a surprise. The EPA gets their information from the Census Bureau and they forgot to include the Malls and all the Industry. They also mapped Airport Road as part of the Pease Trade Port. The issue is that the EPA thinks that Air Port Road is polluting Great Bay with Storm Water run off. There was a new price from EER of \$1,400. Selectman O'Reilly made a motion to accept the proposal from EER not to exceed \$1,400. Seconded by Jan Stuart. Vote 3-0.

Tom Morgan told the Selectman that currently the Town has two contracts with Conversent Communications, one for the telephone system and one for the internet connection. The telephone contract expires this month and the internet contract expires in two years. He said that with the Boards Approval he would like to contact Conversent

**Newington Board of Selectmen
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**February 3, 2003
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and tell them that the Town is unhappy with the internet service because it is too slow. However, the Town is willing to say with Conversent for the telephone system if they will let the Town out of the contract for the Internet. He expressed concern for the security of the Internet Service the Town currently has. He said that Microsoft has many security patches that can be downloaded. However, the Town's system is so slow we are unable to download them. Selectman O'Reilly made a motion to allow Tom Morgan to contact Conversent Communications and change the Internet service if possible as long as it doesn't cost more than the system the Town currently has. Seconded by Jan Stuart. Vote 3-0.

Tom Morgan updated the Board on the Master Plan. He told the Board that the Planning Board had hired an intern to digitize the Master Plan. The reason the Planning Board hired Gail Klanchester is because she is in a program at UNH that requires that she does an internship. She types about 70 words per minute and she has experience with the development of Websites. She offered to design a data base for the survey. Tom Morgan stated that this service alone would cost the Town big money. He talked to Sandy Hislop of the Planning Board about her. Sandy told Tom that he could offer her \$9.00 per hour. Then Tom called Selectman Locovozzi about hiring Gail. Selectmen Locovozzi agreed with the idea. Gail was introduced to the Planning Board at their next meeting. Gail was also able to get a scanner to help with the process. Tom feels that hiring Gail Klanchester is the most cost and time effective way to get this work done. Selectmen Stuart said that she had no problem with the Planning Board hiring someone to do the work when they were talking minimum wage. However, when the amount went to \$9.00 per hour she felt that the position should have been posted. Selectmen O'Reilly said that anyone that is hired to work for the Town must be hired by the Board of Selectmen. Tom Morgan said that State Law places all responsibility for the Master Plan with the Planning Board. He also pointed out that this position is not a permanent position with the Town. He said that Gail will be working as an independent contractor and will receive a 1099 at the end of the year.

There being no further business before the Board, Selectman O'Reilly made a motion to adjourn; seconded by Selectman Stuart. Vote 3-0

Adjournment: 8:20

Respectfully submitted,



Cynthia L. Gillespie
Administrative Assistant

Newington Board of Selectmen
Meeting Notice

February 3, 2003
Newington Town Hall
6:30 p.m.

Monday, February 3, 2003

6:30 p.m. – *Call to Order*

Pledge of Allegiance

AGENDA

1. Minutes of January 6th and January 27th
2. Signatures & Approvals
 - Tom Morgan & Danna Truslow Trickey's Cove
 - H.L. Patten Construction – Release of Escrow
 - Denis Hebert Veterans Tax Credit
3. Miscellaneous
 - Tom Morgan - NEDES II
 - - Internet
 - - Master Plan
 - Letter from HDC – Town Forest Hunting
 - Lamprey Regional Cooperative – Rate increase on Tipping Fees
4. Building Inspector Communication
3. Conferences & Workshops
 - NHMTA – Air Brakes Foundation - March 6TH – Lenny Thomas
 - NH Coastal Watershed Forum – March 11th
4. Town Hall Use
 - 50th Anniversary – July 19th.

**Newington Board of Selectmen
Workshop Minutes**

**February 5, 2003
Newington Town Hall
6:00 p.m.**

In attendance: Board of Selectmen Chairman Cosmas Iocovozzi, Selectman Jack O'Reilly, Selectman Jan Stuart, AA Cynthia Gillespie.

Call to Order at 6:05 p.m.

The purpose of the workshop was to review and to vote on the Town's 2003 Warrant Articles. The results were as follows:

ARTICLE 3. To see if the Town will vote to raise and appropriate up to the sum of Five Hundred Thousand Dollars (\$500,000) for the acquisition of a Conservation Land Easement on two parcels in Newington, NH: know as The Frink Home Lot and Fields, 43.33 acres Map 17 Lot 6; and The Wood Lot, 10.9 acres Map 17 Lot 16, by the Town, all for the permanent protection of appropriate undeveloped land in the Town of Newington, and to authorize the Selectmen to act on behalf of the Town in connection with such acquisition of conservation easement and to further authorize the issuance of not more than Five Hundred Thousand Dollars (\$500,000) of bonds and/or notes in accordance with the provisions of the Municipal Finance Act (NH RSA Chapter 33), and to authorize the Selectmen to issue, negotiate, and regulate such bonds and/or notes and to determine the rates of interest thereon, and to authorize the Selectmen to accept any funds from the State of New Hampshire, the Federal Government and private sources, as they may become available, and pass any vote relating thereto.

THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN

Selectman Jack O'Reilly stated that the Conservation Commission where behind this Article 100%. Selectman O'Reilly made a motion to recommend Article 3; Selectman Jan Stuart seconded. Voted 3-0

ARTICLE 4. To see if the Town will vote to raise and appropriate the sum of Fifty Thousand Dollars (\$ 50,000) to be placed in the existing Conservation Fund established in accordance with RSA 36-A:5 to be used for expenses associated with the purchase of conservation land and open space, easements, wetlands, and other land management acquisitions. The Selectmen and Budget Committee recommend this appropriation

**Newington Board of Selectmen
Workshop Minutes**

**February 5, 2003
Newington Town Hall
6:00 p.m.**

THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN

Selectman O'Reilly stated that this is the third year for this Article. With the addition of this \$50,000 and the Con-Ed contribution this fund should be up to around \$200,000. Selectman O'Reilly made a motion to recommend Article 4; Selectman Stuart seconded. Vote 3-0.

ARTICLE 5. To see if the Town of Newington will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of constructing a Recreational Pavilion at the site located on Fox Point currently know as the Mott House and to raise and appropriate the sum of twenty five thousand (\$25,000) to be placed in this fund. The Selectman and the Budget Committee recommend this appropriation.

THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN

Selectman O'Reilly made a motion to recommend Article 5; Selectman Stuart seconded. Vote 3-0.

ARTICLE 6. To see if the Town will vote to raise and appropriate the sum of Twenty Five Thousand (\$25,000) to be placed in the existing capital reserve fund for the revaluation of the Town. The Selectmen and Budget Committee recommend this appropriation.

THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN

Selectman O'Reilly made a motion to recommend Article 6; Selectman Stuart seconded. Vote 3-0.

**Newington Board of Selectmen
Workshop Minutes**

**February 5, 2003
Newington Town Hall
6:00 p.m.**

ARTICLE 7. To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000) to be placed in the existing capital reserve fund for the replacement and/or repair of vehicles operated by the Fire Department. The Selectmen and Budget Committee recommend this appropriation.

THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN

Selectman O'Reilly made a motion to recommend Article 7; Selectman Stuart seconded. Vote 3-0.

ARTICLE 8. To see if the Town will vote to raise and appropriate the sum of Twelve Thousand Dollars (\$12,000) to be placed in the existing capital reserve fund for the replacement of the Town Ambulance and any major medical equipment. The Selectmen and Budget Committee recommend this appropriation.

THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN

Selectman O'Reilly made a motion to recommend Article 8; Selectman Stuart seconded. Vote 3-0.

ARTICLE 9. To see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) to be placed in the existing capital reserve fund for Fire Department Communications. The Selectmen and Budget Committee recommend this appropriation.

THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN

Selectman O'Reilly made a motion to recommend Article 9; Selectman Stuart seconded. Vote 3-0.

**Newington Board of Selectmen
Workshop Minutes**

**February 5, 2003
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6:00 p.m.**

ARTICLE 10. On petition of Lulu Pickering and at least 24 other registered voters of the Town of Newington to see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000) to be used for structural improvements to the Old Stone School so that it can be reopened for use by the Townspeople.

THIS ARTICLE IS NOT RECOMMENDED BY THE SELECTMEN

Selectman O'Reilly stated that the Board of Selectmen has already put money into the selectmen's budget for repairs on the Old Stone School. Before any money can be spent on repairs to the building there needs to be an engineering study. Selectman Stuart said that she had spoke to the Building Inspector, Charles Smart about getting an engineering study done. BS Smart had told her that SHIPO would recommend an engineering firm to do the study. The Town would have to pay \$100 up front, plus the cost of the study. Chairman Iocovozzi stated that the study would cost around \$5,000 to \$6,000. It was also pointed out that Article 10 is for the engineering study for the same building. Chairman Iocovozzi said that \$20,000 is not enough to complete the work. He also stated that if this Article was set up as a Capital Reserve Fund for the building the Board of Selectmen would have recommended it.

Selectmen O'Reilly made a motion not to recommend Article 10; Selectmen Stuart seconded. Vote 3-0.

ARTICLE 11. On petition of Lulu Pickering and at least 24 other registered voters of the Town of Newington to see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000) to be used for structural improvements to the first floor of the Mott House at Fox Point so that it can be opened for use by the Townspeople as a three season facility.

THIS ARTICLE IS NOT RECOMMENDED BY THE SELECTMEN

Selectman O'Reilly stated that this Article is a duplicate effort with Article number 5. He stressed again, as with Article number 10 the Selectmen feel that \$20,000 is not enough money to get the work done and would prefer a Capital Reserve Fund be set up for this purpose.

Selectmen O'Reilly made a motion not to recommend Article 11; Selectmen Stuart seconded. Vote 3-0.

**Newington Board of Selectmen
Workshop Minutes**

**February 5, 2003
Newington Town Hall
6:00 p.m.**

ARTICLE 12. On petition of Lulu Pickering and at least 24 other registered voters of the Town of Newington to see if the Town will vote to raise and appropriate the sum of Ten Thousand (\$10,000) to be used for structural improvements to the docks and platforms at Fox Point in order to reopen them for use by Townspeople and to make them ADA (Americans with Disabilities Act) Compliant.

THIS ARTICLE IS NOT RECOMMENDED BY THE SELECTMEN

Selectman O'Reilly stated that there are some safety issues and the Dock Master has said that the dock can not be made ADA.

Selectmen O'Reilly made a motion not to recommend Article 12; Selectmen Stuart seconded. Vote 3-0.

ARTICLE 13. On petition of Lulu Pickering and at least 24 other registered voters of the Town of Newington to see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) for an engineering study to review the Old Stone School and the Old Town Hall and prepare a strategy for bringing these buildings up to code so they can be used by the Townspeople, young and old.

THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN

Selectmen O'Reilly made a motion to recommend Article 13; Selectmen Stuart seconded. Vote 3-0.

ARTICLE 14. On petition of Lulu Pickering and at least 24 other registered voters of the Town of Newington to see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) to be used for structural improvements to the Old Town Hall so that the whole building can be used by the Townspeople.

THIS ARTICLE IS RECOMMENDED BY THE SELECTMEN

Selectmen Stuart made a motion to recommend Article 14; Selectmen O'Reilly seconded. Vote 3-0.

**Newington Board of Selectmen
Workshop Minutes**

**February 5, 2003
Newington Town Hall
6:00 p.m.**

ARTICLE 15. On petition of George Fletcher and at least 24 other registered voters of the Town of Newington to see if the Town will vote to change the present Town Employee Policy of 100% paid medical and dental insurance costs for Town employees to 90% paid by the Town and 10% paid by the employee, effective April 1, 2003.

THIS ARTICLE IS NOT RECOMMENDED BY THE SELECTMEN

Selectmen Stuart made a motion to recommend Article 14; Selectmen O'Reilly seconded. Vote 3-0.

Chairman Iocovozzi stated that this article is too harsh. He stated that if the Town's people want this Article it should be phased in over time, not done all at once on April 1st, with no notice to the employees. Selectmen Stuart said that she would go on record to stand against this proposal in any form.

There being no further business before the Board, Selectman O'Reilly made a motion to adjourn; seconded by Selectman Stuart. Vote 3-0

Adjournment: 7:55

Respectfully submitted,



Cynthia L. Gillespie
Administrative Assistant

**NEWINGTON SELECTMEN
PUBLIC BOND HEARING**

FEBRUARY 15, 2003

Present: Chairman Board of Selectmen Cosmas Iocovozzi, Chairman Conservation Commission, Margaret Lamson, Property Owners Helen Frink and John Frink, Conservation Commission Member and Town Treasurer George Fletcher, Conservation Commission Member Jane Hislop, Resident Dennis Hebert, Resident Chris Cross, Resident Robert Sims

The Public Bond Hearing was opened at 12:00 noon.

The purpose of this hearing is to inform the residents of Newington of the impending Bond Issue related to a Conservation Easement to be placed on the Frink Farm Property.

Margaret Lamson, Conservation Chairman spoke to the assembly about the Easement. Chairman Lamson explained that the Board of Selectman, as the Governing Body, is the only entity that has the jurisdiction to Bond for the Town. She went on to say that the Conservation Commission would like to go on record as being highly supportive of the Frink Farm Conservation Easement. The Commission is always interested in open space and land preservation. She stressed that this easement is a bargain for the Town. The Frink property consists of 43.33 acres of prime agricultural land. The Frink Family has owned the farm since 1830.

As back ground for this issue, Mrs. Lamson said that the Frink family approached the Conservation Commission in the fall of 2002, saying that they were interested in placing their farm in a Conservation Easement. They had been working with the Seacoast Land Trust prior to that time. The Frink family asked for the Conservation Commission's support because they were applying for an LCHIP Grant. Unfortunately they were turned down. Currently, the Newington Conservation Commission is working with the Rockingham County Conservation District to apply for a Farm Land Protection Grant for up to \$500,000. The appraised value of the Frink property is 1.3 million.

George Fletcher said that the Conservation Commission has \$114,000 currently in the land acquisition account. The Commission expects \$50,000 from the Con-Ed Power Plant. Also, the Commission is asking for an additional \$50,000 for land acquisition in this year's budget. Mr. Fletcher stated that it is his feeling that the Town will never have to bond the whole \$500,000. He recommends that the Town use as much of the Conservation money as possible. He said that this easement probably will not be completed in 2003.

Conservation Committee Member, Jane Hislop said that the State had passed the Farm Land Protection Grant Budget late Thursday night.

Kay Akerley mentioned that the State has had a very good track record in awarding the grant money throughout the State. Tracey Degnan, the grant writer from Rockingham County Conservation District is very opportunistic that this project will be approved.

Margaret Lamson also pointed out that the Frink family will contribute 25%. She went on to say that Tracey Degnan stated that it is much better for an entity such as the Town of Newington to apply for this grant. She also stressed that the Department of Agriculture needs to see that the Town is behind this project.

**NEWINGTON SELECTMEN
PUBLIC BOND HEARING**

FEBRUARY 15, 2003

Selectman Iocovozzi explained that Town is basically putting up the Bond as a good faith gesture, to show the State that the Town is behind this project and has the ability to match the State Grant funds. However, because of the offer from the Frink family of 25%, the Town will only have to come up with \$250,000. By the time the grant is approved the Town may not have to go out for Bonding, because of the money in the Conservation Fund

Dennis Hebert asked if the Town would have to put up the whole \$500,000 if the Grant does not come through. Selectman Iocovozzi stated that the \$500,000 is matching funds only and that if the Grant does not come through than the whole project is cancelled. He explained that under the State RSAs the Town can only use this money in Warrant Article 3 for the Frink Property (for the purpose in which it was intended). Dennis Hebert asked how much total the Frink family is looking for between the State grants and the Town money. John Frink stated that they are looking for the appraised value of the property. Helen Frink stated that the initial appraisal came in at 1 to 1.4 million. She went on to say that they used the figure of 1.2 million. The appraiser has to go back and reappraise the property in compliance with the rules of the Farm Land Protection Program. The final appraised value is pending the outcome of this work. She stressed that the rules of the Farm Land Protection Program state that as property owners the Frink family can only contribute up to the 25% figure. However, the Frink family is also pursuing other funds through the Nature Conservancy and the Seacoast Land Trust. She said that the Rockingham County Conservation District is very much in favor of this project, because there is not much agricultural and farm land left in Rockingham County. The State of New Hampshire will receive approximately 12 million dollars for this program and the State tries to distribute the money evenly around the State.

Dennis Hebert asked if this project was irrevocable and that in the future no Town Official or Selectperson could reverse it. Helen Frink confirmed it was. Dennis Hebert asked what the easement says that the Frink family can do with the property. Can they build another home on the property? Helen Frink stated that they cannot build anything additional. They can renovate the farm buildings and put up fences, build a chicken coop, or put out a farm stand next to the road; they can only make improvement for agricultural use. They can not mine or remove the top soil, they can not pave, and they can not bury gas tanks on the property. They do not have to actively farm the land however, they have to preserve the potential to farm the land. If the Frink family sells the property the easement stays with the property and all future owners must honor it.

John Frink clarified that the easement does not include a two acre lot where the bee hives are on Old Post Road.

Resident Robert Sims stated that he was all for Conservation, however he feels the Town has a responsibility to provide space for new housing also. He points out that there is a large part of the Town that is commercial and industrial that creates a lot of jobs and traffic. Dennis Hebert stated that there are still quite a few lots out there that can be developed for housing, in the neighborhood of 2 to 3 hundred if people would sell their land.

Chris Cross stated that he could think of at least ten other properties that the owners may be interested in placing into Conservation Easements. He asked how the Town has placed these other

**NEWINGTON SELECTMEN
PUBLIC BOND HEARING**

FEBRUARY 15, 2003

properties in prospective as to the amount of money that will be asked of the tax payers if the Town does this for all of them. He stated that in order to be fair to all home owners the Town must make this available to everyone.

George Fletcher stated that not all property owners will want to sell their land. He asked how anyone knows the progression of things and the Town needs to handle each situation as it comes up.

Dennis Hebert said he moved to Newington because of the open green space and the quality of life. If it means taking more money out of the taxpayers pockets to preserve and protect that, then it is worth every penny. There are enough people in Town that will sell their property for development because they feel that the Town will not give them what it is worth. He points out that when people like the Frink family step forward and say they will do this and put up 25% of the costs and get the Federal Government to contribute, it's a great deal for the Town. He said that he will go one step further to say that if the Federal Government does not come up with their part, he would like to see the Town step up and do the whole project. He stated that he realizes that the Town cannot handle all the properties in the same year. He suggested that maybe the Town look at key properties. Also certain tracts of land should be considered that are continuous from one side of Town to the other, taking into consideration wildlife.

Dennis Hebert asked if the property is being privately held or is the public able to use the land. Are there any limitations in this respect? Helen Frink said that because it is farm land the Family can prohibit hunting and anything that would interfere with fences and/or crops. She said that if people want to walk the land looking at wildlife that is perfectly okay.

Margaret Lamson pointed out that the Frink family held a Holiday Tour of the farm. Also in February they held a cross country ski trip on the farm.

Selectman Iocovozzi said that he wanted to add that the Frink family has always been very good to the Town of Newington by letting Town's people walk and cross country ski on the property.

George Fletcher said that there is a wetland area boarding the Pickering's property and where there is a desire by the Town to have good, clean water he was wondering if in the future the Town could have wells there. Jane Hislop said that back in the late 70s, early 80s that issue came up about those wetlands. It is approximately 25.6 acres, but because of the requirements back then it was not enough area. But it may be a possibility in the future. The water issue makes this land particularly important.

Margaret Lamson stated that the Conservation Commission and the Planning Board have been very active in the last few years identifying and mapping the Town's thirty-two wetlands. Selectman Iocovozzi said that the draft of the wetlands will be available for public review at the Town's Library and at the Town Hall.

**NEWINGTON SELECTMEN
PUBLIC BOND HEARING**

FEBRUARY 15, 2003

Jane Hislop addressed the assembly further about the possible financial benefits of the effects of this project. She said that during research the Conservation Commission found an article from The New Hampshire Wildlife Federation dated 1997. It had done a survey of all 234 New Hampshire Towns. What they found was; property taxes were higher in communities with larger tax basis. These towns had more taxable properties, more residents, more commercial and industrial development. Towns with more Open Space have lower taxes. The Town's people continue to be concerned with the State Tax and this is a way to lower that. She went on to say, as an example in the Town of Chester they put in 117 houses; their taxes were increased by \$449,000 for just education. In the Town of Peterborough, 188 homes cost the Town \$128,000 more than they brought in from taxes. The Town needs to remember that every time there is a new house there are many services that need to be provided, such as the roads, schools, police and fire. She said that as a way for the community to allow for some development but also maintain the historical atmosphere of the area, she is an advocate of initiating the concept of Cluster Development. She stated that the concept is to allow houses in on smaller lot sizes, leaving larger areas for Green Space. In the community that she came from they were using this concept and were able to develop five Town Parks, in five years.

Dennis Hebert stated that he felt that Cluster Development is a good concept, but a lot of times what has happened is that developers try to maximize the use of the land. The first time the ZBA makes one exception; the whole concept is done. The easements on the Green Space Land must read that it can never be developed. He agreed with Jane Hislop that the concept is a good idea. He said that the Town Planner and he had been talking about this idea, they were not sure if the Town's people were ready for it yet.

Margaret Lamson said that there are three other properties in town that the owner's are already working with other groups such as; the Nature Conservancy, Fish and Wildlife and the Seacoast Land Trust. So, Chris Cross's concern about everyone approaching the Town for easement funding is unfounded.

Chris Cross stated that he agreed that the Town should use taxpayer's money to preserve Open Space. He said the point he was trying to make was that the Town needs to make further commitment to include more than just this particular property. To save that water property, it would involve four other properties. He stressed that the Town needs to acknowledge that this is a commitment not for just a half million dollars but this issue is going to come up again. The Town needs to continue to work on outside funding.

Selectman Iocovozzi stated that the Frink family has done considerable research on this project.

Helen Frink explained that when their father died in 1986 the family looked into doing this at that time. At the time the State Department of Agriculture had a program where they would purchase agricultural development from the land owner. The family did not do it then. Now the Conservation Easement costs as much as the whole farm was worth back in 1986. So, the property value is going up and up. She also said, when the Frink Family worked with the Seacoast Land

**NEWINGTON SELECTMEN
PUBLIC BOND HEARING**

FEBRUARY 15, 2003

Trust to get the LCHIP Grant, they perused the Nature Conservancy and the Great Bay Resource Protection Partnership. Because, of the nature of the property and other programs that it may be eligible for protection under, the Frink Property was not a priority for these groups, at that time. However, the family is aware of these groups as other potential areas of funding. The other reason the Frink property is of particular interest to other entities like the Farm and Ranch Land Protection Program is that the property is surrounded by other protected land. It borders the Town Cemetery, the Town Forest, the Old Town Buildings and the Great Bay National Wildlife Refuge.

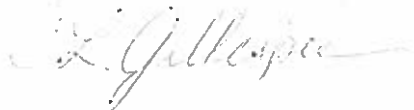
Dennis Hebert asked if this project does not happen this year, will the Frink family consider coming back to the Town next year. John Frink stated they would.

Helen Frink said that the family will still pursue the project and that hopefully LCHIP will have new funding.

Dennis Hebert said that he would hate to see the family give up such a good cause.

Chairman, Iocovozzi asked if there was any further question or discussions. There being none, the Public Bond Session was closed at 1:00 p.m.

Respectfully submitted,



Cynthia Gillespie
Administrative Assistant

**Newington Board of Selectmen
Meeting Minutes
February 19, 2003
Newington Town Hall
6:30 p.m.**

In attendance: Resident Lulu Pickering, Board of Selectmen Chairman Cosmas Iocovozzi, Selectman Jack O'Reilly, Selectperson Jan Stuart and AA Cynthia Gillespie.

AGENDA

1. Minutes of February 5th and January 6th
2. Miscellaneous
 - o Stone School – Lulu Pickering
3. Building Inspector Communications
4. Conferences and Workshops
5. Town Hall Use
 - o March 20, 2003 – Douglas Reed
 - o March 27, 2003 – State of NH Plumbing Board

Pledge of Allegiance

The meeting was called to Order at 6:35 p.m.

Meeting Minutes

Jack O'Reilly made a motion to accept the Meeting Minutes of February 5th and January 6th. Second by Jan Stuart. Vote 3-0.

Miscellaneous

There was a pole licensing agreement from Verizon to be signed. A motion was made to sign it. Vote 3-0.

A letter was read from Margaret Lamson, Conservation Commission Chairperson regarding the Frink Family Trust. She would like the Selectmen to back a newsletter that will be going out to residents so they can understand the petition before voting at Town Meeting.

There was discussion on the Coin Operated Game Permits. A Town business had called regarding their permit expiring and needing a renewal. AA Gillespie asked if we still require permits. Chairman Iocovozzi stated that we did require them and we needed to update the permits for the businesses in Town.

**Newington Board of Selectmen
Meeting Minutes
February 19, 2003
Newington Town Hall
6:30 p.m.**

There was discussion on the percentage the School District Budget affected the Town Tax Rate.

Lulu Pickering was addressed. She discussed the Newington Neighbor's meeting. She mentioned that the older ladies don't feel comfortable climbing the stairs in the Old Town Hall to work on the Neighbor. In addition the equipment they use like a computer, printer, scanner, etc. has to be brought up and down every time because of heating concerns. She explained that based on those things they just don't feel that the Old Town Hall is the best place to do the Neighbor. She mentioned that speaking to the Building Inspector he feels that the Insurance Company will not have a problem letting people in the building if they take care of the eight issues on his list. Lulu Pickering noted that she was there 6 weeks ago regarding this eight point list and that the Selectmen said that they wanted to progress with it. She asked why nothing had been done. Chairman Iocovozzi stated that they were waiting for Town Meeting to make sure that they have the funds appropriated. Selectman Jack O'Reilly said that they wanted to get an engineer in there to look at the building because he doesn't just want to band aid the problem, he wants to make sure that the building will be safe structurally. Chairman Iocovozzi stated that he did not feel that completing the Building Inspector's list would make the Insurance carrier any happier with letting people use the building. Lulu Pickering noted that the SHPO grant has already been sent and Barbara Hill said that the same people that she has been working with for her other grants have helped her with this one and she is very optimistic that instead of being a hindrance that the SHPO people are actually willing to take a strong interest in helping restoring the building. Lulu Pickering noted that there is someone coming from SHPO who is familiar with the new codes and regulations with historic buildings and he will walk through the building and make a list of what he feels needs to be done. The charge for his services will be \$500 but this will be taken from the \$1200 SHPO grant. Chairman Iocovozzi asked if she meant that the list he made would be incorporated into the engineering report. She said, yes, that is correct. There was discussion on the amount it would cost to complete the 8 point list. Chairman Iocovozzi stated that the first step should be to take the list and send it to the Insurance carrier and verify that that would satisfy them and let them allow adults into the building. In the mean time SHPO should have a list made up of their requirements. Lulu Pickering noted that the Newington Neighbor does not want the money normally appropriated for them in the Town Budget. They decided that the only people to receive a Town Meeting issue will be people with subscriptions already. Selectman O'Reilly asked if the Newington Neighbor is a non-profit business or not.

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Lulu Pickering noted that the business has always been a non-profit and every five years they have to file with the State. They did that in June of 2000 so they remain in good standing until 2005. Selectperson Jan Stuart asked why it was changed in the Budget to a line item then instead of a donation. Lulu Pickering said that there is a difference with businesses that are a non-profit in the State of New Hampshire and businesses that are a charitable business in the State of New Hampshire. She thinks that it relates more to corporate industry. Selectman O'Reilly asked if they had insurance for the business. Lulu Pickering said that they do not have insurance, if someone does sue them then they use the money they have on hand.

Lulu Pickering wanted to mention that in regards to the docks at Fox Point being ADA compliant that the Town is not grandfathered. In fact there is no such thing as being grandfathered under ADA regulations. It is a Federal Law not a State Law. The ADA point person said that every town is supposed to have an ADA compliancy officer and it is up to them to ensure that the buildings and structures are ADA compliant. She also mentioned that she has been asked if she would like to file an official complaint. She mentioned that she has not filed a complaint but says to the Selectmen that the ADA can come at any point and inspect the buildings in the Town. Selectperson Jan Stuart noted that if that does come about it will cost a lot of money to fulfill the Town's obligations with regards to the Old Town Hall and the Stone School and she did not think it would be worth it. Chairman Iocovozzi agreed and said that with the newer buildings he is not as concerned as with the older ones like the Library, Meeting House and Old Stone School. There was discussion on installing a wheelchair ramp at some point but the HDC didn't like it.

Tom Morgan was addressed in regards to a letter written from the Conservation Commission that will be distributed to the Town regarding the Warrant on the Frink Farm property. There was discussion on changes to the letter to the Town's people. Part of the letter was reworded and was to be signed by the Board of Selectmen when corrections are made.

Tom Morgan spoke regarding Conversent Communications and the internet contract of three years. To get out of the contract they want us to pay a \$2000 fee. In regards to the telephone contract it expires in one week. Tom Morgan mentioned that either we do nothing and they renew us another year or we find another company.

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A letter from Dennis Hebert Planning Board Chairman was read regarding the opening of the ICR. Tom Morgan noted that there is a special Public Hearing meeting on March 24th with Newington Energy regarding the ICR.

There was discussion on Nimble Hill Road being turned over to the Town. Chairman Iocovozzi stated that it will be done in stages and he thought it would take 3-4 years.

There was a discussion on the Chamber of Commerce Report. The Selectmen would like the information updated.

Town Hall Use

A Town Hall Use form was reviewed and denied.

A Town Hall Use form for Doug Reed was reviewed and approved.

A Town Hall Use form from the State Plumbing Board. The BI will sponsor the application.

Chairman Iocovozzi made a motion to adjourn the meeting. Second by Selectperson Stuart. Vote 3-0.

Meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Jennifer Nadeau