

TOWN OF SEABROOK

SELECTMEN'S MEETING

MARCH 24, 2014

Present: Aboul B. Khan
Edward J. Hess, Jr.
Raymond Smith
William Manzi

10:00AM

Mr. Khan opened the meeting at 10:05AM.

BOARD OF SELECTMEN REORGANIZATION

MOTION: Aboul B. Khan To elect Edward J. Hess
Second: Raymond Smith Jr. as Chairman.
Unanimous

MOTION: Aboul B. Khan To elect Raymond Smith
Second: Edward J. Hess, Jr. as Vice Chairman.
Unanimous

MOTION: Edward J. Hess, Jr. To elect Aboul B. Khan
Second: Raymond Smith as clerk.
Unanimous

EX-OFFICIO APPOINTMENTS

MOTION: Aboul B. Khan To elect Edward J. Hess
Second: Raymond Smith Jr. as Budget Committee
Unanimous representative.

MOTION: Aboul B. Khan To elect Raymond Smith
Second: Edward J. Hess, Jr. as Recreation Commission
Unanimous representative.

MOTION: Edward J. Hess, Jr. To elect Aboul B. Khan
Second: Raymond Smith as Planning Board
Unanimous representative.

MONTHLY MEETING - WATER SUPERINTENDENT

Curtis Slayton was present for his monthly report (see attached).

Mr. Khan requested that the Town Manager begin having each department head add to the end of their monthly report how many vehicles they have and utilize.

Mr. Hess said they would like to have a meeting with Mr. Slayton to discuss the water rates.

Mr. Slayton said he had 4 articles on the ballot and 3 of the 4 passed. The article that didn't pass was for the tractor. The issue he is facing is when trying to borrow the tractor from DPW he finds it is broken down quite a bit. He thanked the voters for their support on the other articles.

MEETING - RAIL TRAIL

Jason Janvrin was present for this meeting. He gave a brief explanation as to what the committee has accomplished. He explained how the committee was trying to complete this project without a hit to the taxpayers.

Mr. Janvrin said they had a construction company that would come in and do the project with the claim they could get the money from the metals with the rail. NH DOT Rail Division has a different opinion and the State of NH will be removing the metal to reuse it on their railroads they currently operate for revenue. The railroad ties will remain in place and NH DES has said if they remain as is there is no danger to anyone. The general consensus is that it is not in the best interest to sign a management agreement with the Town and NH DOT. There was discussion on the age of the rails and when they were put in for the power plant.

Mr. Janvrin talked about the Sea Link project and the railroad ties being there issue if they are awarded this project. Mr. Khan said they would find other means to make this project happen.

Mr. Hess said he asked Representative Perkins to be here to discuss and help if he can. Mr. Manzi said that Salem, NH and other towns had a lower quality metal which is of less value to the State. The Seabrook rail is more valuable and can be used to replace broken trails, which the State owns. Representative Perkins told Mr. Janvrin he should document what we have here. Mr. Khan said that he, Representative Perkins and Senator Stiles would set up a meeting with the Governor to discuss. He said they could include the Town Manager and a representative from the rail trail and Board of Selectmen.

There was discussion on building a bed on the existing railroad ties. Mr. Janvrin said there would be an issue with handicap accessibility. There was discussion on other towns that were given the railroad but the State does not seem to want to allow Seabrook to build the trail. Mr. Manzi said Iron Horse is the company that would do the project in trade for the railroad.

Joe Guiffre commented that if using federal funds to purchase the corridor he thinks the Town should go higher than the State as the federal government may not allow for them to take the railroad and leave hazardous waste. Bruce Cassassa said there are a lot of funds available for non-motorized use. He said they are looking at those funds for the Safe Routes to School project.

Jason Janvrin said the Annual Meeting for Friends of Seabrook Rail Trail is April 9 at 6:30PM at the Community Center.

Jason Janvrin left the meeting at 10:55AM.

SELECTMEN'S MEETING SCHEDULE

MOTION: Raymond Smith To continue with the
Second: Aboul B. Khan same schedule for the
Unanimous 1st & 3rd Monday at 10AM.

PREVIOUS MINUTES - FEBRUARY 24 PUBLIC & NON-PUBLIC AND MARCH 3 PUBLIC & NON-PUBLIC

MOTION: Raymond Smith To adopt the minutes of
Second: Aboul B. Khan 2/24 public & non-public
Unanimous and 3/3 public & non-public.

PREVIOUSLY SIGNED PERMITS

Mr. Hess read the list of permits (see attached).

MOTION: Raymond Smith To approve the permits.
Second: Aboul b. Khan
Unanimous

YIELD TAX LEVY - \$61

Mr. Hess read the levy.

MOTION: Aboul B. Khan To approve and sign the
Second: Raymond Smith yield tax levy.
Unanimous

9 ELDERLY EXEMPTIONS

MOTION: Raymond Smith To approve and sign all
Second: Aboul B. Khan elderly exemptions.
Unanimous

3 DISABILITY EXEMPTIONS

MOTION: Raymond Smith To approve and sign all
 Second: Aboul B. Khan disability exemptions.
 Unanimous

WATER SERVICE APPLICATIONS

Deborah Desmond - 15 River Street - \$50
 David Johnson - 100 Concord Street - \$400
 Tom & Joan Pennace - 123 Ocean Drive - \$100

MOTION: Raymond Smith To approve and sign all
 Second: Aboul B. Khan water applications.
 Unanimous

SEWER SERVICE APPLICATIONS

Deborah Desmond - 15 River Street - \$50
 David Johnson - 100 Concord Street - \$50
 George Haseltine - 123 Ocean Drive - \$50

MOTION: Raymond Smith To approve and sign all
 Second: Aboul B. Khan sewer applications.
 Unanimous

QUITCLAIM DEED - HILLSIDE CEMETERY

Deborah Wever - Section 28 Plot 16

MOTION: Raymond Smith To approve and sign the
 Second: Aboul B. Khan quitclaim deed.
 Unanimous

AMUSEMENT DEVICE LICENSE

Master McGrath's

MOTION: Raymond Smith To approve and sign the
 Second: Aboul B. Khan amusement device license
 Unanimous

PARKING COMMITTEE RECOMMENDATION

Paula Wood read the motions that the parking committee has recommended to the Board of Selectmen. Mr. Hess said the negotiations are coming up for the Yankee Coop. Mr. Manzi said it has not been enforced and the feeling is that there has been some leniency up to this point.

Mrs. Wood explained the summer is coming so the recommendations were made to get through this season and the committee will continue with their study to make further recommendations. She said the committee is not asking to change anything only to enforce what is already there. Mr. Manzi said Mr. Khan is

looking for all the recommendations together rather than some now some later. The feeling of the Selectmen is to have it all done completely and together and not rushed to get it done.

Angel Jean asked how the Selectmen could ignore the ordinance that the voters voted in favor of. Jason Janvrin said any resident can go to the superior court to have the Selectmen enforce an ordinance that is in the code. There was discussion on the ordinance and what the owners/taxpayers are currently receiving for placards and/or parking stickers.

Mr. Khan is looking for a response from the Police Chief as to what the enforcement would entail. They need to look at the authority of the Selectmen to see if they can stop the enforcement of this ordinance. Mr. Manzi said the Selectmen may want to hold a public hearing for input and have the Police Chief present to answer questions from the public.

Doris Sweet spoke about the placards and who can park where. Carol Howley asked if there could be an evening meeting for the public input.

There was discussion on the residency requirement. Mr. Hess said if it was not legal for the Selectmen to override this ordinance it should be enforced. Mr. Smith said back in 2005 the Selectmen probably felt this ordinance was in error and put it on hold. It is now 2014 and it hasn't been addressed. The committee felt the solution is to enforce what is currently there to have a starting point. Mr. Smith is not comfortable with making a decision at this time without further information. Mr. Khan feels the Town Manager should bring this recommendation to the Selectmen if he feels it should be enforced now. The Selectmen need a legal opinion as to whether or not they have authority to override the ordinance. Mr. Hess said this should be tabled until the next meeting so they have an opportunity to look into the legal issue and minutes from 2005. If they need to hold a special meeting the Selectmen will do so.

Paula Wood left the meeting at 11:53AM.

Mr. Hess gave Wayne Bowden an award for the Lion's Club work to the residents of Seabrook.

QUESTIONS/COMMENTS

Mr. Khan said he heard from the residents regarding the way money is being spent. He said they have tried to get central purchasing in the past and he is requesting they try this again immediately.

MOTION: Aboul B. Khan To not increase property
Second: Edward J. Hess, Jr. taxes for the next 2
years.

Mr. Smith said he would support no increase but realizes what might happen.
Motion passed.

MOTION: Aboul B. Khan To place a hiring freeze
Second: Edward J. Hess, Jr. for all positions unless
Abstain: Raymond Smith recommended by the
Town Manager.

MOTION: Aboul B. Khan To look into hiring a
Second: Edward J. Hess, Jr. finance manager within
60 days.

Mr. Manzi said he agrees with the motion if they could change it to 90 days. Mr. Khan agreed to change his motion to reflect 90 days and Mr. Hess continued with his second of the motion.
Motion was unanimous.

MOTION: Edward J. Hess, Jr. No overtime unless an
Second: Aboul B. Khan emergency.
Abstain: Raymond Smith
Motion passed

Paula Wood asked about the finance manager position and was told during the budget process the treasurer would be put to full time and would also be using the finance clerk. Mr. Manzi explained that he opted for no assistant finance manager but needs a second position in the finance office.

HEALTH INSURANCE SELECTMEN

Attorney Rob Ciandella gave a legal opinion on the reprogramming of funds for the health insurance cost for the Selectmen. Mr. Manzi read the first couple of paragraphs of the letter. Mr. Smith said he would support the reprogramming of funds as he would not ask any other employee to do this and said it is an unfair practice. He would consider having employees pay a percentage of their health care costs during the next negotiations. Mr. Khan said the Selectmen have a representative at the budget committee sessions and this could have been done during those sessions and it wasn't. He said he would not support asking the unions to consider paying a portion of the health insurance cost to the employees before the negotiations. He said this insurance benefit has been offered since 1985 and he will continue to support. Mr. Hess said he is also

supporting this as it has been offered since 1985 and the Selectmen put in a lot of hours as this town is no longer a small town.

Paula Wood addressed this cost and said she did make it clear what her intentions were. She said Seabrook is the only town in the state that pays for any of the Selectmen health insurance. She said the budget committee asked that the Selectmen pay a portion of their health insurance and set an example and they never received a response. She implores that the Selectmen not move money around to pay for their health insurance.

MOTION: Aboul B. Khan To keep the health
 Second: Raymond Smith insurance for the
 Unanimous Selectmen as it has been
 since 1985.

MOTION: Edward J. Hess, Jr. To freeze spending by
 Second: Aboul B. Khan the department heads
 Abstain: Raymond Smith unless authorized by
 the Town Manager.

Mr. Manzi said he is signing purchase orders over a certain threshold for all departments. He said he would need to go back and look at the budget to figure out where the money would come from for the health insurance.

Mr. Khan stated it is a bottom line budget. He said the budget didn't pass due to a cut of \$87K it was passed because the Selectmen put together a good budget. Mr. Manzi said he will make some adjustments to the budget. Robie Beckman asked if the Selectmen would bring back to the public and let the residents and taxpayers know where the money is coming from. Mr. Khan said the \$87K is going to come from everywhere within a \$20 million dollar budget. Mr. Hess said money gets moved around all the time and it is not reported out to the public.

Angel Jean asked how they freeze the budget. Mr. Manzi said discretionary items would not be purchased until the freeze is lifted. He gave some examples of items he felt was discretionary.

NON-PUBLIC SESSION

MOTION: Raymond Smith To go into non-public
 Second: Aboul B. Khan session at 12:33PM under
 Unanimous RSA 91-A: 3, II, (a)
 personnel & (e) negotiations.

Roll call:

Mr. Hess - yes
Mr. Smith - yes
Mr. Khan - yes

The Board reconvened in public session at 1:35PM.

MOTION: Aboul B. Khan To adjourn the meeting
Second: Raymond Smith at 1:35PM.
Unanimous

Meeting adjourned at 1:35PM.
Minutes taken by Kelly J. O'Connor

Approved and endorsed

Aboul B. Khan, Clerk

Date: _____