

TOWN OF SEABROOK

SELECTMEN'S MEETING

APRIL 3, 2013

Present: Aboul B. Khan 6:30PM  
Edward J. Hess, Jr.  
Raymond Smith  
Joseph Titone

Chairman Kelly opened the meeting at 6:30PM.

**ANNOUNCEMENT - FIREARM SAFETY**

Mr. Hess read the announcement for the firearm safety course that is being offered.

**PUBLIC HEARING - BERGERON WAY**

Mr. Khan opened the public hearing at 6:35pm.

Mr. Khan commented that he went and looked at the road again before the meeting and he has no concerns with it.

Mr. Khan closed the public hearing at 6:38PM.

MOTION: Edward J. Hess, Jr. To approve and accept  
Second: Raymond Smith Bergeron Way as a public  
Unanimous road.

**MEETING - BARRY & LYNETTE SARGENT**

Mr. Hess said he would like a committee formed to see about establishing criteria for this going forward. Mr. Smith commented that he talked with over 200 residents and it was a 50/50 mix.

MOTION: Edward J. Hess, Jr. To name the recreation  
Second: Raymond Smith center gym after Ted  
Pickard.

Mr. Khan requested that if the motion passes the Board of Selectmen consider going forward they should form a committee to establish the criteria.

Abstain: Raymond Smith - seconded the motion for discussion purposes.

MOTION: Edward J. Hess, Jr. To form a committee to set  
Second: Aboul B. Khan the criteria for this type  
Unanimous of a request going forward.

Joe Titone will coordinate this with the Recreation Center Director.

Barry Sargent said that both he and Lynette appreciate the support of the Selectmen.

Barry & Lynette Sargent left the meeting at 6:44PM.

**MEETING - PAULA WOOD**

Paula Wood said she has concern regarding the use of Town Counsel. She said the Selectmen are using the services of Donahue, Tucker & Ciandella when the voters voted by petition to not use their services. She said the non-public minutes in 2004 also state that the services would not be used. She would like to know when the Selectmen voted to rescind that previous vote.

Mr. Hess would like to take this under advisement and look into it. Mr. Smith agreed this should be looked into further. He said he has no problem using the services if he is a strong attorney however, if he isn't than he has no problem considering someone else. Mr. Khan said that Rob Ciandella has always been the attorney for the power plant. He said that Attorney Ciandella took the pollution control exemption to the Supreme Court and won the case for the Town which was a very good thing for the Town.

Paula Wood left the meeting at 6:52PM.

**PAY INCREASE FOR PART-TIME EMPLOYEES & ELECTED OFFICIALS**

Mr. Titone said if the full-time employees received a pay increase it has been past practice to give the part-time employees a pay increase. The full-time employees received an increase of .75 cents on April therefore; he is recommending the part-time employees receive an increase of .75 cents.

Lilli Gilligan went over the numbers for the increase. Mr. Smith asked if this would be an increase in the budget for next year. Ms. Gilligan said if the CBA's are in place this should be budgeted for.

MOTION: Edward J. Hess, Jr.  
Second: Raymond Smith  
Unanimous

To approve the pay increase of .75 cents for the part-time employees and salaried elected officials.

MOTION: Aboul B. Khan  
Second: Edward J. Hess, Jr.  
Unanimous

To approve the pay increase for stipend elected officials.

Mr. Khan read the list of the elected officials who are on a stipend and what they are currently paid and what the new pay rate will be (see attached).

**MEETING - LILLI GILLIGAN - ENCUMBRANCES**

Ms. Gilligan explained it is late in the year for an encumbrance but she went ahead and received approval from the DRA for this request. She explained the contract that needs funding.

MOTION: Edward J. Hess, Jr. To approve the encumbrance  
Second: Aboul B. Khan of \$13,907.67 for the  
Abstain: Raymond Smith water department.

Mr. Khan asked Ms. Gilligan about channel 22 and fixing the problems that exist with the article not passing. Ms. Gilligan commented that because the article did not pass they cannot upgrade the system but if something were to break the Town can fix that issue.

Paula Wood said as an option they could do a fundraiser as they did with the snow plowing and ask the local businesses to help. She said the businesses have been very generous when called upon.

Brian Murphy spoke about the maintenance of the equipment and said it would cost about \$30K to fully upgrade the system.

There was discussion on the two articles that were on the ballot and what the voters felt and how they misunderstood what the Town was looking for. Mr. Khan requested Joe Titone and Lilli Gilligan to talk with the attorney who is handling the negotiations with Comcast and get a status as to where it is at.

**MEETING - LEE BITOMSKE - D'ALESSANDRO FUNDS**

Chief Lee Bitomske explained the request for use of the funds. He said the vests were about \$15K; dispatch center is \$50K in addition to the previous request. Brian Murphy spoke about the dispatch center and the upgrades that are needed for the space they have. Town hall security is \$12K but would be a change of use on a previous request of funds and a motorcycle is \$3600.

Mr. Khan would like to recommend they get 2 bikes and asked the other 2 members their opinion. Chief Bitomske said he was going to start with 1 to see how it goes and if all goes well he would request 2 for next year. There was discussion on the manpower to use the motorcycles. Chief Bitomske said he would also need \$2400 to outfit the officers for the motorcycle.

MOTION: Aboul B. Khan To approve the change of use  
Second: Edward J. Hess, Jr. of \$12K to outfit the town  
Unanimous hall with key codes and  
security cameras.

Chief Bitomske also said that he is looking into pricing for dashboard cameras in the cruisers.

Paula Wood asked about a donation from the D'Alessandro account for channel 22. Chief Bitomske said he would discuss this with the Selectmen after he looks into it. The Selectmen said they request he speak to the Town Manager regarding this.

**MOTION:** Edward J. Hess, Jr. To approve \$66,500 from  
**Second:** Raymond Smith the D'Alessandro funds.  
Unanimous

Chief Lee Bitomske left the meeting at 7:55PM.

#### **MONTHLY MEETING - COMPUTER TECHNOLOGY**

Brian Murphy was present for his monthly report.

Mr. Murphy went over the issues with the cell phones, channel 22 and cable networking. He went over the challenges he faced with each project. He suggested having an ad for the sponsors on channel 22 if asking for a donation it would serve as an incentive for them.

There was discussion on the GIS data for the water and sewer departments. He said this data can all be brought together for use by all departments.

Mr. Khan requested that he bring a report on his progress with his projects that was approved by the voters for his next meeting.

Paula Wood questioned the other channels that are available if they could be used to sell advertising and how would it be to activate those channels. Mr. Murphy said he understands that those channels are part of the contract that is under negotiations. He said he believes there would be up to 3 channels available to us when the contract is completed.

Brian Murphy left the meeting at 8:10PM.

#### **MONTHLY MEETING - INTERIM SEWER SUPERINTENDENT**

Phil Maltais was present for his monthly report (see attached).

Mr. Maltais briefed the Selectmen on the report for the permit to operate the wastewater treatment plant. This report is for 2012. A complete copy of the report and maps were left with the Town Manager.

The chemical from the chemical storage tank has been removed and cost about \$3K to do so. The containers will be offered for sale unless he can use them in the plant.

There was discussion on the additional office space that was not approved at town meeting. Mr. Maltais said he is looking into various options.

Phil Maltais left the meeting at 8:29PM.

#### **APPOINTING CLERK TO BOARD OF SELECTMEN**

MOTION: Aboul B. Khan Move to appoint Raymond  
Second: Edward J. Hess, Jr. Smith as Clerk.  
Unanimous

#### **EX-OFFICIO APPOINTMENTS**

MOTION: Edward J. Hess, Jr. Move that Aboul B. Khan  
Second: Raymond Smith be the representative to  
Abstain: Aboul B. Khan to the Planning Board.

MOTION: Aboul B. Khan Move that Edward J. Hess,  
Second: Raymond Smith Jr. be the representative  
Abstain: Edward J. Hess, Jr. to the Budget Committee.

MOTION: Aboul B. Khan Move that Raymond Smith be  
Second: Edward J. Hess, Jr. the representative to the  
Unanimous Recreation Commission.

MOTION: Aboul B. Khan Move that any one of the  
Second: Edward J. Hess, Jr. Selectmen can be an  
Unanimous alternate member to the ex-  
officio committees as needed.

#### **REVIEW OF MEETING SCHEDULE**

Mr. Khan would like to have three meetings in April and May to get caught up. Mr. Smith asked if they were going to have another meeting he would like it to be in the morning. Mr. Khan said if they go to day meetings it would save on the overtime that could be used towards channel 22. Mr. Hess agreed they could do day meetings and if it is needed or someone requests a night meeting they could schedule one.

MOTION: Aboul B. Khan To hold meetings on the 1st  
Second: Edward J. Hess, Jr. and 3rd Monday of each month  
Unanimous at 10AM.

The next meeting will be on Monday, April 15, 2013 at 10AM.

#### **PREVIOUS MINUTES - MARCH 6 PUBLIC AND MARCH 20 PUBLIC**

MOTION: Aboul B. Khan To adopt the minutes of  
 Second: Edward J. Hess, Jr. 3/6 public.  
 Abstain: Raymond Smith

The Selectmen agreed to table the minutes of March 20 as there is only one board member who could make the motion. They requested the Town Manager to look into this to see how they can legally adopt the minutes.

**PREVIOUSLY SIGNED PERMITS**

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

MOTION: Edward J. Hess, Jr. To approve the permits.  
 Second: Aboul B. Khan  
 Unanimous

**REFUND**

Furmer Souther - 15 Rocks Road - \$300

MOTION: Edward J. Hess, Jr. To approve and sign the  
 Second: Aboul B. Khan refund.  
 Unanimous

**1 DISABILITY EXEMPTION**

MOTION: Edward J. Hess, Jr. To approve and sign the  
 Second: Aboul B. Khan disability exemption.  
 Unanimous

**4 ELDERLY EXEMPTIONS**

MOTION: Edward J. Hess, Jr. To approve and sign all  
 Second: Aboul B. Khan elderly exemptions.  
 Unanimous

**YIELD TAX WARRANT - \$485**

MOTION: Edward J. Hess, Jr. To approve and sign the  
 Second: Aboul B. Khan yield tax warrant.  
 Unanimous

**WATER SERVICE APPLICATIONS**

- Joseph Viel - 220 Atlantic Avenue - \$100
- Tom Wasson - 161 Portsmouth Avenue - \$400
- Furmer Souther - 222 South Main Street - \$400
- Furmer Souther - 224 South Main Street - \$400
- John Lannan - 398 Portsmouth Avenue - \$100

MOTION: Edward J. Hess, Jr. To approve and sign all  
 Second: Raymond Smith water applications.  
 Unanimous

**SEWER SERVICE APPLICATIONS**

Paul Lepere - 6 Irene's Way - \$150  
 Furmer Souther - 222A South Main Street - \$150  
 Furmer Souther - 222B South Main Street - \$150

MOTION: Aboul B. Khan To approve and sign all  
 Second: Edward J. Hess, Jr. sewer applications.  
 Unanimous

Mr. Khan questioned why the addresses are listed differently for the sewer as they are for the water application. Joe Titone will look into this and get clarification.

**HEALTH OFFICER NOMINATIONS**

These are renewals for Paul Garand and Emily Sanborn.

MOTION: Edward J. Hess, Jr. To approve and sign the  
 Second: Raymond Smith health officer nomination  
 Unanimous forms.

**RENEWAL COMMITTEE APPOINTMENTS**

Mr. Khan read the list of names into the record: Rockingham Planning Commission - Donald Hawkins, Francis Chase (alternate) and Jason Janvrin (alternate); Recreation Commission - Forrest Carter, Sr., Forrest Carter, Jr., Maria Brown and Barbara Eaton-Ward; Conservation Commission - Helen Lalime, Ivan Eaton, Richard Dodge, Mike Colin and Judie Walker (alternate); Gravestone Restoration Committee - Frances Eaton, Janet Dow and Dot Fitzgerald; Scholarship Committee - Carrie Fowler; Zoning Board of Adjustment - Mike Lowry and Robert Lebold and Housing Authority - Ivan Eaton.

MOTION: Aboul B. Khan To approve and sign all of  
 Second: Edward J. Hess, Jr. the renewals for the  
 Unanimous committee appointments.

**NEW COMMITTEE APPOINTMENT**

Paul Knowles - Recreation Commission Alternate

MOTION: Edward J. Hess, Jr. To approve and sign the  
 Second: Aboul B. Khan appointment.  
 Unanimous

**STREET LIGHT REQUEST - MOORE'S LANE**

MOTION: Raymond Smith To approve the request for  
Second: Edward J. Hess, Jr. a street light on Moore's  
Unanimous Lane.

**SPECIAL RESIDENT PERMIT**

Anne Coddaira - 119 Concord Street

MOTION: Edward J. Hess, Jr. To approve and sign the  
Second: Raymond Smith special resident permit.  
Unanimous

**HAWKERS & PEDDLERS LICENSE**

Richard King - Hot Dog Cart

MOTION: Raymond Smith To approve and sign the  
Second: Edward J. Hess, Jr. hawkers & peddlers  
Unanimous license.

**AMUSEMENT DEVICE LICENSE**

Cimarron Saloon - dba Master McGraths - 8 Batchelder Road  
Craig Noyes - 12 Ocean Blvd.

MOTION: Edward J. Hess, Jr. To approve and sign both  
Second: Raymond Smith amusement device licenses.  
Unanimous

**HIRING OF TOWN MANAGER**

Mr. Khan requested that the Board answer questions regarding the editorial that was in the paper. Mr. Smith said the editorial is just that it is an opinion. He said if they comment to this it would open pandoras box. Mr. Khan said he is open to having an interview with them and will answer any questions he can that can legally be answered.

Mr. Khan said he is requesting the Town Manager to look into having other attorney's available for the services to the Town. Mr. Smith said if they have attorney's who are doing well why change it. He doesn't think that adding an additional attorney would be cost effective. The Selectmen are not looking for an attorney on retainer just options and paid as needed for their services.

There was discussion on the availability of the current attorney's and the issues that the Selectmen have experienced specifically with the resignation of the elected Selectmen from the Town Meeting.

MOTION: Aboul B. Khan To give the Town Manager  
Second: Edward J. Hess, Jr. the authority to contact  
Abstain: Raymond Smith additional attorney's for

use of services.

Mr. Smith said he is not comfortable without knowing who the attorney is and what they would be used for.

Mr. Khan said he would like to have the elected officials involved in the first round of interviews for the hiring of a Town Manager. Mr. Hess said the Town elected the three of them to hire the Town Manager and he doesn't feel they should have a committee to do this. Mr. Smith said he is for the committee to narrow down the search but ultimately the Selectmen hire the Town Manager.

There was discussion on hiring an agency to narrow the search down. If they hire an agency there is no need for a committee. The Selectmen would like to get a list of agencies that can perform this task as soon as possible.

Mr. Hess commented that he is looking for a Town Manager that will communicate with the Selectmen and the staff.

MOTION: Aboul B. Khan To start the process to  
Second: Edward J. Hess, Jr. get a list of agencies.  
Unanimous

Mr. Khan said he attended the planning board meeting and the Castaway Restaurant Extension was discussed but no decision was made. He said that Seabrook would be hosting the Rockingham Planning Commission meeting on May 8 at the Library at 7PM.

Mr. Hess said he would be attending the seminar on Cemetery rules and regulations.

The Selectmen would like to visit the Harborside Park project with John Starkey. They asked the Town Manager to coordinate this.

#### **NON-PUBLIC SESSION**

MOTION: Edward J. Hess, Jr. To go into non-public  
Second: Aboul B. Khan session at 9:45PM under  
Unanimous RSA 91-A: 3, II, (a)  
personnel, (c) tax deeds and  
(e) legal.

Roll call:

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

Board reconvened in public session at 11:20PM.

MOTION:     Aboul B. Khan                             To adjourn the meeting  
Second:     Raymond Smith                             at 11:20PM.  
Unanimous

Meeting adjourned at 11:20PM.  
Minutes taken by Kelly J. O'Connor

Approved and endorsed

\_\_\_\_\_  
Raymond Smith, Clerk

Date: \_\_\_\_\_