

TOWN OF SEABROOK

SELECTMEN'S MEETING

APRIL 7, 2014

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

10:00AM

Mr. Hess opened the meeting at 10:00AM.

MEETING - MARY AYLWARD

Ms. Aylward was present for this meeting regarding her water bill. Curtis Slayton Water Superintendent was also present.

Ms. Aylward said she feels her water bill is in error as she has nothing in her home that would account for the bill. She said they have checked her usage and replaced the meter.

Mr. Slayton said they have checked for leaks and nothing was found. The meter was tested and it is within the normal parameters. He said there seems to be a spike in the readings during the late summer months going back as far as 2011. He said the months are consistent. The department employees have been to this property at least twice.

Mr. Khan said he thinks the water department should look one more time before the Board makes a decision. Mr. Manzi said the fee was waived to send the meter out and that the usage is consistent to prior years. Mr. Slayton said the usage is down right now but the spike in water usage occurs during the summer months.

There was discussion on the water usage from 2013, 2012 and 2011 and where the increase is. Mr. Slayton said the bill in September is for the month of August. He said the bills changed in 2012, which is when she noticed an increase and she wouldn't have noticed an increase in 2011 based on the old billing system.

Mr. Smith said he would like to look back at 5-years worth of bills for the months of June, July, August and September to see if it is consistent. He feels this would tell them if there is an issue somewhere in the house during this time frame. Mr. Slayton said he could go back as far as 2007 or 2008 and will provide this information to the Selectmen.

The Board agreed to have Mary Aylward back at the next meeting for further discussion.

MEETING - STEERING COMMITTEE

Curtis Slayton was present for this meeting. He explained that they have had monthly meetings to look into the 107 corridor to protect the water in the future. They are looking at current zoning and the well head protection areas.

Development will be coming to Route 107 and they are looking to see what they can do. The Steering Committee will first go to the Planning Board, then the Selectmen and finally Town Meeting.

Mr. Hess would like to have this as an agenda item in May with some more of the committee members so they can give more of an update.

MONTHLY MEETING - LIBRARY DIRECTOR

Ann Robinson was present for her monthly report (see attached).

Ms. Robinson said the AARP is providing tax assistance at the Library. She said April 17 s the Dalton Abby tea party and costumes are options. There is now a public document scanner and fax for use.

MONTHLY MEETING - SEWER SUPERINTENDENT

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

Mr. Maltais said the annual collection system, management, operation & maintenance report was submitted on March 31 for the NH DES permit to operate the WWTP.

Private Pump Stations - there is no policy currently. Mr. Hess feels there should be a policy and it should be looked into. He suggested they look into the electric bill due to the last time when the power was shut off. Mr. Manzi said they will be looking into this but due to the current staffing issues it may not be as fast as Mr. Maltais would like.

There was discussion on the planning board overseeing these developments. Mr. Manzi said they will be recommending a policy. He doesn't feel the Town should be taking on anymore private pump stations. Unitil has been notified that if there is a disconnect notice they should be notifying the Town as well.

Paul Knowles asked if the foreman for the sewer department is still using the trailer and how much is it costing. Mr. Maltais said there has been no change on this issue.

PREVIOUSLY SIGNED PERMITS

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

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

90-DAY EXTENSION CASE #2013-26

Mr. Khan explained the Planning Board is not ready to approve this case as they need further review. The Board of Selectmen is the governing body to grant this request.

MOTION: Raymond Smith To approve granting the
Second: Aboul B. Khan 90-day extension.
Unanimous

CROSS-CONNECT COMMUNITY CENTER

John Starkey was present for this item. Mr. Khan said the Planning Board has reviewed this and requested Mr. Carbone to make a cross-connection with the community center so vehicles do not need to go onto Route 1 to get to the other businesses and Mr. Carbone agreed.

Mr. Manzi said that Mr. Starkey went to the site to view and had conversations with both Sandy Beaudoin and Paul Garand. He said there is an issue with the elevation, which Mr. Starkey can speak to.

Mr. Starkey said there is a substantial difference in the elevation of the parking lots and this was verified by the professional engineer and design engineer. He said it can be done but the community center would lose some parking spaces to make it happen and it would not be a simple task. Mr. Starkey mentioned that the engineer said this could be detrimental to Mr. Carbone's chamber system.

Mr. Khan said he would like some paperwork by the Board of Selectmen to go into Mr. Carbone's approval file for future use. Mr. Khan asked Mr. Carbone if he would be willing to consider this in the future and Mr. Carbone said he would if it is within a reasonable cost.

MOTION: Aboul B. Khan To not approve the
cross-connection at this
time and to send letter
to the planning board
for the file.

Mr. Manzi said they would look to explore this further if the Board so chooses but if he is going based on the information today he would recommend against this.

Second: Raymond Smith
Unanimous

ABATEMENT

Eastman Docks LLC - 5A River Street - \$15
Sunshine Realty Trust - 152 Ocean Drive - \$15
Brenda Nico - 17 Kimberly Drive - \$15

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

WATER SERVICE APPLICATION

Robert Wright - 50 Collins Street - \$50

MOTION: Raymond Smith To approve and sign the
Second: Aboul B. Khan water application.
Unanimous

2 DISABILITY EXEMPTIONS

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

5 ELDERLY EXEMPTIONS

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

HYDRANT FLOW TEST - 652 LAFAYETTE ROAD

MOTION: Aboul B. Khan To approve and sign the
Second: Raymond Smith hydrant flow test.
Unanimous

REVISED PAWN SHOP ORDINANCE

Mr. Manzi said this gives a regulatory framework for the pawn shops and it is recommended by the Police Chief and Building Inspector. The attorney has reviewed and made some changes late last week, which he is still reviewing so he has no issue if the Board would like to table until the next meeting. He said this

ordinance will be for enforcement to be sure they are running an honest business. Mr. Hess said he would like the Police Chief and Building Inspector at the next meeting to discuss further.

Mr. Manzi said this ordinance does coincide with the RSA giving the Board of Selectmen authority to regulate. Currently there is inadequate record keeping by the existing pawn shops so this will give more regulations for them to abide by.

Mr. Khan asked about the fine and penalties and if they were new. Mr. Manzi said they are new but will look into further for the next meeting.

Angel Jean asked if they needed to hold a public hearing on this ordinance. Mr. Manzi said he doesn't think they necessarily need a public hearing but feels it's not a bad idea to hold one so the people have input.

This item is held until the next meeting.

PAY INCREASE PART-TIME EMPLOYEES AND ELECTED OFFICIALS

Mr. Khan said this item comes in front of the Board every year after election. He has no issue if the Board decides to grant these increases. Mr. Smith said he would like to table this item so he can review further.

Brendan Kelly spoke about the pay increases for the selectmen and what the job entails and feels it is justified.

Angel Jean asked about the rationale behind the increases for the elected officials. Mr. Khan said this would also include the Board of Selectmen but they have not taken the increase since 2008.

Angel Jean asked if this was included in the budget as the Selectmen froze the budget at the last meeting. Mr. Manzi said for the most part it is included.

Jason Janvrin said he disputes the fact that this money is in the budget. He asked if they knew what the impact would be on the recreation center budget. He also said he disputes the fact that the Selectmen set the rate for the elected officials.

Brendan Kelly said he agrees with Mr. Khan as to how the increase is determined for the part-time employees and elected officials.

This item is tabled until the next meeting.

REVIEW OF BEACH PARKING PLACARDS

Mr. Hess said there is an ordinance that has never been enforced and there are no records to indicate the Board of Selectmen would not enforce the ordinance. He said they have received one notification that someone from the committee has resigned. Mr. Hess read the ordinance section 249-19 into the record. He said currently they are given out over 1400 placards. The only recommendation received from the committee is to enforce the ordinance as it is.

Mr. Khan said this is a big ordinance to address. He said this ordinance has never been enforced and more work needs to be done. He feels this will be a big concern to the residents of the beach who are not here at this time and cannot support enforcing this ordinance.

Phyllis Farfaras said she attended the meetings and feels the meetings should be taped. She doesn't feel the committee knows exactly what the charge is and should have a clearer direction as to what they are looking into. She said the discussion was over where a hot dog cart could park and the Yankee Coop parking area. Those are not items that should have been discussed.

Phyllis Farfaras also said the questions that were raised at the public hearing have not been addressed. She suggested that the committee should have been coming to the Selectmen's meetings to give a report.

Paula Wood came into the meeting at this time. She stated that in reference to the committee they do not have open discussion as they have a lot of work to do. They have asked for public input through email and they also held a public hearing for input. The hearing was held at the beach per their request. She stated there was no hearing held for the residents in town to give their input. Ms. Wood said they did look at the ordinance and they recommended they enforce it as it is something that has never been done. She felt that all the questions from the public hearing had been addressed but she will put it on the next agenda for discussion. Ms. Wood also said that the person who resigned from the committee did so because of the work on that person's plate not because of the issues going on with the committee. She said the committee is made up of volunteers and feels they should be commended for their work and dedication to the town not to be criticized.

Angel Jean discussed where the Selectmen have dual authority and said at deliberative session it was stated by the attorney it is "rare". What makes this one of those "rare" cases? Mr. Manzi said parking on town owned roads. He gave the example of the synthetic cannabinoid ordinance and the enforcement on town owned roads.

The question was asked why it needed to be voted on to enforce when it is already in the books. The committee gave the recommendation to enforce the ordinance to limit the amount of placards given out and the fraudulent ones that are being created.

There was discussion on changing the ordinance and when the placards will be given out. There was discussion on the current ordinance. Mr. Khan said since 2005 the town has never enforced. He said the parking committee has done good work but it needs more work before a final decision is made as it affects many people. He said he will not do it without telling the people ahead of time as this ordinance has not been enforced for the past 10 years.

Mr. Manzi said the Selectmen will determine what their authority is and explore the potential of what may be more palatable to others. He said it would be nice to have a public hearing for the beach so they know what is being done before it is enforced.

Paula Wood said before an ordinance goes on the ballot it goes to counsel for review so it already has a legal opinion. Paula Wood officially handed in her letter of resignation from the committee at this time.

Mr. Hess said he is looking into charging fees at the transfer station. He said it costs the town \$51K to dispose of white items and read a memo into the record. He said they would need to have a public hearing to set the fees. If they don't look into this and start charging the town will continue to spend the \$51K and possibly more in future years.

Jeff Brown asked how are they going to weigh the items and who is going to collect the fee. These are the questions that are going to keep coming up. Mr. Manzi said administratively they would work it out.

Mr. Khan said they are looking to expand the room for channel 22. Mr. Manzi said the channel 22 equipment bid is being awarded. The cost to expand the room is \$9800 and he is looking for direction from the Board on which way to proceed. Mr. Hess

said he opposes the expansion as there are a lot of files in the office he needs. He said he doesn't want to be looking in the records every day for a file he needs. Mr. Khan said they have been discussing this for over a year now. He said the expansion would not take away any desk it is only to make the meeting room larger to serve the public. Mr. Khan said it is not important for all members to have their own desk.

Paula Wood asked where the money would come from. Mr. Manzi said they would be looking into the franchise fees to pay for the expansion.

Paula Wood said there is a lot of animosity between the Selectmen and it is not benefiting the public. She doesn't think it is a joke and said it is serious as they have a \$20 million dollar budget. She said they have been trying to make channel 22 better and they should just do it, stop the bickering and get it done. Mr. Hess said it is his opinion and asked Ms. Wood to stop jumping on him for this.

Mr. Hess commented on the budget and that the committee agreed to the budget presented. Paula Wood said she has the right as a resident to make the motions at deliberative session and she made the motions as a resident not as a budget committee member.

Bruce Cassassa said channel 22 is not working and they cannot provide a solution but are sitting here arguing over a desk he thinks that is a joke. He stated that the Selectmen do not deserve health insurance as it is a part-time job and part-time employees do not get health insurance. He said those individuals would like to have the type of the health benefits the Selectmen have. He said anyone of the Selectmen can make a motion to reconsider and then bring it back before the voters next year.

Jason Janvrin spoke about the Selectmen having desks and under 91-A it is not considered a chance meeting. He agrees the room needs to be expanded and asked if it included the screen as indicated previously. Mr. Manzi said the cost does not include this. Jason Janvrin said there are other committee members who do not get a desk in the town office and if they can get channel 22 operational why not do it.

<u>MOTION:</u>	Aboul B. Khan	To approve the expansion
<u>Second:</u>	Raymond Smith	of the Selectmen's
<u>Opposed:</u>	Edward J. Hess, Jr.	meeting room for channel
		22.

Mr. Manzi said he has been to planning board meetings and many of them have had people spilling out into the hallway. Mr. Khan said he feels it is good for the town and the people will feel good about it.

NON-PUBLIC SESSION

<u>MOTION:</u>	Raymond Smith	To go into non-public
Second:	Aboul B. Khan	session at 12:50PM under
Unanimous		RSA 91-A: 3, II, (a)
		personnel & (c) tax lien.

Roll call:

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

The Board reconvened in public session at 1:55PM.

<u>MOTION:</u>	Aboul B. Khan	To adjourn the meeting
Second:	Edward J. Hess, Jr.	at 1:55PM.
Unanimous		

Meeting adjourned at 1:55PM.
Minutes taken by Kelly J. O'Connor

Approved and endorsed

Aboul B. Khan, Clerk

Date: _____