

TOWN OF SEABROOK

SELECTMEN'S MEETING

JANUARY 21, 2009

Present: Robert S. Moore
Brendan Kelly
Aboul B. Khan
Barry M. Brenner

10:00AM

Chairman Moore reconvened the meeting at 10:00AM.

REVIEW OF 2009 WARRANT

It was noted that the order of the articles has changed to stay consistent with the traditional order. Mr. Brenner made it clear it is legal to change the order, as it is the Selectmen's warrant.

Article 1 - Election of Officers

Article was read by Mr. Moore into the record.

MOTION: Brendan Kelly To recommend the article
Second: Aboul B. Khan be placed on the ballot.
Unanimous

Article 2 - Zoning Accessory Building

Article was read by Mr. Kelly into the record.

MOTION: Aboul B. Khan To recommend the article
Second: Brendan Kelly be placed on the ballot.
Unanimous

Article 3 - Zoning Impacted Area

Article was read by Mr. Khan into the record.

MOTION: Robert S. Moore To recommend the article
Second: Brendan Kelly be placed on the ballot.
Unanimous

Article 4 - Zoning Family Apartment

Article was read by Mr. Moore into the record.

MOTION: Brendan Kelly To recommend the article
Second: Aboul B. Khan be placed on the ballot.
Unanimous

Article 5 - Zoning Stone Walls

Article was read by Mr. Kelly into the record.

MOTION: Aboul B. Khan To recommend the article
Second: Robert S. Moore be placed on the ballot.

Unanimous

Article 6 - Zoning Fertilizer

Article was read by Mr. Khan into the record.

MOTION: Robert S. Moore To recommend the article
Second: Brendan Kelly be placed on the ballot.
Unanimous

Article 7 - Wind Turbines

Article was read by Mr. Moore into the record.

This article adopts the state law with a little more restrictions.

MOTION: Brendan Kelly To recommend the article
Second: Aboul B. Khan be placed on the ballot.
Unanimous

Article 8 - I-95 Water Main

The selectmen feels this is the most important article on the warrant and if it doesn't pass could have potential problems.

MOTION: Aboul B. Khan To recommend the article
Be placed on the ballot.

Mr. Brenner said legal counsel has reviewed the entire warrant.

Second: Brendan Kelly
Unanimous

Angeljean questioned the notes after each article and if there were any restrictions. Mr. Brenner said no they are just for reference only not included in the article.

Article 9 - Operating Budget

Article was read by Mr. Khan into the record.

Don Hawkins spoke about the default budget and said the budget committee members have concerns with the way the numbers were derived at. They would just like clarification. He gave a brief overview of the items they are concerned with. He said that after research he has learned that the selectmen can go back and review the default and can also change up to the point that the ballot is printed. The budget committee is requesting that the selectmen go back and review the default budget.

Mr. Moore commented that there has been years when a default budget is larger than the operating budget.

Mr. Brenner said he is looking into a couple of the areas that the budget committee spoke of.

Mrs. Wood also commented on how the default budget is calculated.

MOTION: Robert S. Moore To recommend the article
Second: Brendan Kelly be placed on the ballot
Unanimous with default budget
subject to change.

Article 10 - SFA Contract

Article was read by Mr. Moore into the record.

MOTION: Brendan Kelly To recommend the article
Second: Aboul B. Khan be placed on the ballot.
Unanimous

Article 11 - SPA Contract

Article was read by Mr. Kelly into the record.

Mr. Moore said the unions have not received a cost of living increase and we are not keeping with surrounding communities.

MOTION: Aboul B. Khan To recommend the article
Second: Brendan Kelly be placed on the ballot.
Unanimous

Paula Wood mentioned the sidebar agreement for this article and contract. She read a quote on the cost items and said it includes any benefit. She said she spoke to both the LGC and DRA. They both have said they do not get involved with contracts but they strongly suggested it should be disclosed in the article. She said it is a line item in the budget and is raised and appropriated.

Article 12 - SSEA Contract

Article was read by Mr. Khan into the record.

MOTION: Robert S. Moore To recommend the article
Second: Brendan Kelly be placed on the ballot.
Unanimous

Article 13 - SEA Contract

Article was read by Mr. Moore into the record.

MOTION: Brendan Kelly To recommend the article
Second: Aboul B. Khan be placed on the ballot.
 Unanimous

Article 14 - Human Service Agencies
 Article was read by Mr. Kelly into the record.

Mr. Brenner said most are level funded and gave the list of the few who requested increases.

MOTION: Aboul B. Khan To recommend the article
Second: Robert S. Moore be placed on the ballot.
 Unanimous

Article 15 - Library Books
 Article was read by Mr. Khan into the record.

MOTION: Robert S. Moore To recommend the article
Second: Brendan Kelly be placed on the ballot.
 Unanimous

Article 16 - Police Cruisers (2)
 Article was read by Mr. Moore into the record.

Mr. Brenner said this is for the replacement of 2 vehicles.

MOTION: Brendan Kelly To recommend the article
Second: Aboul B. Khan be placed on the ballot.
 Unanimous

Article 17 - Renovations to Police Station
 Article was read by Mr. Kelly into the record.

MOTION: Aboul B. Khan To recommend the article
Second: Robert S. Moore be placed on the ballot.
 Unanimous

Article 18 - Rehabilitation of Well
 Article was read by Mr. Khan into the record.

MOTION: Robert S. Moore To recommend the article
Second: Brendan Kelly be placed on the ballot.
 Unanimous

Article 19 - Truck Water Department
 Article was read by Mr. Moore into the record.

Paula Wood said she is concerned with the wording of the authorizing the sale/trade. It was supposed to be changed and it is the same as last year. She is looking for a commitment from the selectmen that they will get rid of the old vehicles. Mr. Moore explained what happened last year. He said maybe the vehicles should just be hauled off to a junkyard. The board agreed they would get rid of the old vehicles no matter what.

Article 20 - Master Plan Phase II

Article was read by Mr. Kelly into the record.

Sue Foote asked to include the words for a non-lapsing account for 2-years.

MOTION: Aboul B. Khan To recommend the article
Second: Brendan Kelly be placed on the ballot
Unanimous with the request to add
non-lapsing account.

Article 21 - Improvements to Town Streets

Article was read by Mr. Khan into the record.

MOTION: Robert S. Moore To recommend the article
Second: Brendan Kelly be placed on the ballot.
Unanimous

Article 22 - Improvements to Town Drainage

Article was read by Mr. Moore into the record.

MOTION: Brendan Kelly To recommend the article
Second: Aboul B. Khan be placed on the ballot.
Unanimous

Article 23 - Truck Sewer Department

Article was read by Mr. Kelly into the record.

MOTION: Aboul B. Khan To recommend the article
Second: Robert S. Moore be placed on the ballot.
Unanimous

Article 24 - Truck Sewer Department

Article was read by Mr. Khan into the record.

MOTION: Robert S. Moore To recommend the article
Second: Brendan Kelly be placed on the ballot.
Unanimous

Article 25 - Heating/Air Conditioning Rec Center

Article was read by Mr. Moore into the record.

MOTION: Brendan Kelly To recommend the article
Second: Aboul B. Khan be placed on the ballot.
Unanimous

Article 26 - Cemetery Monuments

Article was read by Mr. Kelly into the record.

MOTION: Aboul B. Khan To recommend the article
Second: Robert S. Moore be placed on the ballot.
Unanimous

Article 27 - Council on Aging

Article was read by Mr. Khan into the record.

Mr. Brenner said the selectmen had a request from TASC for funding. The selectmen will not be recommending an article for the TASC program this year.

MOTION: Brendan Kelly To recommend the article
Second: Aboul B. Khan be placed on the ballot.
Unanimous

Article 28 - Revolving Account Police

Article was read by Mr. Kelly into the record.

Paula Wood questioned how the Town would get the 20% administrative fee if the money goes into the account and the article says it could only be used for police details. Mr. Brenner explained it would cover all the direct costs first and any remaining money would be transferred to the general fund as revenue. He said the wording is directly from the DRA and the RSA's. She asked if the money keeps accumulating where would the money be spent. Mr. Brenner said after all expenses were paid it would go to the general fund to offset the tax rate.

Don Hawkins said he would like to see the formula include the FICA and retirement for the officer then includes the 20%. He doesn't know if the 20% is actually covering the administrative costs.

Paula Wood said last week the Finance Office Manager said the 20% does not cover the actual costs. Mr. Brenner said he does not believe that was the comment. What she said is there is \$10K remaining to cover the indirect costs and we do not know

what the indirect cost is. There would need to be an analysis to determine if the cost is offset.

Paula Wood pointed out that account 229 is in the budget to be raised and appropriated. Mr. Brenner explained the definition of an economic cost item per the collective bargaining.

MOTION: Aboul B. Khan To recommend the article
Second: Robert S. Moore be placed on the ballot.
Unanimous

Article 29 - Revolving Account Fire

Article was read by Mr. Khan into the record.

Paula Wood commented she is usually not in favor of revolving accounts but this one she is, as it would give the taxpayers a break. She said if this article could be changed why can't article 28 be changed. Mr. Brenner explained what they saw first was a draft, which has been reviewed by legal counsel and legal counsel recommended the changes.

Sue Foote asked if the same type of wording could be used in article 28. Mr. Brenner explained the RSA to establish revolving accounts is very restrictive.

MOTION: Robert S. Moore To recommend the article
Second: Brendan Kelly be placed on the ballot.
Unanimous

Mr. Brenner said in 2008 the tax rate was \$4.77, which was reduced 11.5% over 2007. The tax impact for 2009 is estimated at \$4.90.

Mr. Khan asked for an explanation on article 29 for the public. Mr. Brenner said first and foremost it is to replace ambulances. Once accomplished the funds would be used for other ambulance services. Currently the account has about \$260K.

Mr. Moore said it should be noted this figure for the tax rate is the municipal budget only, which is only 40% of the taxes. He said we have no control over the county tax or the statewide education tax.

Article 30 - Bidding Cost from \$5K to \$25K

Article was read by Mr. Moore into the record.

Mr. Brenner explained the need for the increase.

Paula Wood said when this was done originally it was a safeguard so things were done appropriately. How can the voters be sure the process is done correctly? Mr. Brenner said the Town would go through a competitive process to get the lowest price.

Paula Wood said she is not insinuating anything with this board or Town Managers she just thinks it is a large increase.

MOTION: Brendan Kelly To recommend the article
Second: Aboul B. Khan be placed on the ballot.
Unanimous

Board took a 5-minute break at 12:00PM.
Board reconvened at 12:09PM.

Article 31 - Deed Restrictions

Article was read by Mr. Kelly into the record.

Sue Foote said the Town owns all parcels affected.

MOTION: Aboul B. Khan To accept the article to
Second: Robert S. Moore be placed on the ballot.
Unanimous

Article 32 - Citizens Petition Elderly Exemption

Article was read by Mr. Khan into the record.

MOTION: Robert S. Moore To accept the article to
Second: Brendan Kelly be placed on the ballot.
Unanimous

Don Hawkins said the net income is not a term used so how would it be determined. He said it should be looked at with impact fees.

MOTION: Robert S. Moore To include as written by
Second: Brendan Kelly the petitioner.
Unanimous

Article 33 - Citizens Petition Cross Beach

Article was read by Mr. Moore into the record.

MOTION: Brendan Kelly To include as written by
Second: Robert S. Moore the petitioner on the
Unanimous ballot.

Article 34 - Citizens Petition Rec Commission

Article was read by Mr. Kelly into the record.

MOTION: Aboul B. Khan To include as written by
 Second: Brendan Kelly the petitioner on the
 Unanimous ballot.

Article 35 - Citizens Petition Cemeteries
 Article was read by Mr. Khan into the record.

MOTION: Robert S. Moore To include as written by
 Second: Brendan Kelly the petitioner on the
 Unanimous ballot and add a note
 with impact on tax rate.

Article 36 - Citizens Petition Governor Weare Park
 Article was read by Mr. Moore into the record.

Mr. Moore commented the Town tried to purchase this land before and the State wouldn't release it. He thinks we should purchase this land to expand our parks.

MOTION: Brendan Kelly To include as written by
 Second: Aboul B. Khan the petitioner on the
 Unanimous ballot.

MOTION: Aboul B. Khan To recommend this
 Second: Brendan Kelly article.
 Unanimous

Paula Wood commented her concern about the details for the police is because the sidebar will be incorporated into the contract and it was signed on 11/13/08. Any increase on salary and benefits is supposed to go before the voters. She asked when did the voters give authority to the selectmen to sign this agreement. Mr. Moore said her concerns are heard and he would look into further.

MOTION: Robert S. Moore To recess the meeting
 Second: Aboul B. Khan until Monday, 1/26 at
 Unanimous 10AM.

Minutes taken by Kelly J. O'Connor.

Approved and endorsed:

 Aboul B. Khan, Clerk

Date: _____