

TOWN OF SEABROOK

SELECTMEN'S MEETING

JANUARY 25, 2008

Present: Richard A. McCann  
Robert S. Moore  
Brendan Kelly  
Scott Dunn

1:00PM

Chairman McCann opened the meeting at 1:02PM.

**2008 ANNUAL TOWN MEETING WARRANT**

The warrant has been reviewed and changes have been made per the DRA's recommendation.

MOTION: Robert S. Moore To approve and sign the  
Second: Brendan Kelly 2008 warrant.  
Unanimous

**COLLECTIVE BARGAINING AGREEMENTS**

SSEA - This union has not had a raise in a few years. They have also agreed to look into better rates for health insurance costs.

MOTION: Robert S. Moore To approve the SSEA  
Second: Brendan Kelly union contract.  
Unanimous

SPA - 3% increase across the board.

MOTION: Robert S. Moore To approve the SPA  
Second: Brendan Kelly union contract.  
Unanimous

SFA - 3% increase across the board.

MOTION: Robert S. Moore To approve the SFA  
Second: Brendan Kelly union contract.  
Unanimous

SEA - 3% increase across the board, adding in longevity and education pay. This is the largest union so the numbers are a little higher.

MOTION: Robert S. Moore To approve the SEA  
Second: Brendan Kelly union contract.  
Unanimous

**LEGAL FUNDS - LITIGATION OF UNFUNDED MANDATE**

Mr. McCann said there would be a shortfall in the N.H. retirement. He explained that LGC is looking to establish a class action suit.

Paula Wood asked how many towns would be involved. Currently Mr. McCann has no numbers but it does affect the entire state.

Cora Stockbridge asked if it is an actual suit or for lobbying efforts. Mr. Dunn said it would be going into a fund for legal aid. The money if approved would come from the town's legal fund.

MOTION: Brendan Kelly To approve the funds.  
Second: Robert S. Moore  
Unanimous

**NHDOT SIDEWALK AGREEMENT**

Legal counsel has reviewed and worked with the state to try and make some changes. The state is not willing to change anything.

Cora Stockbridge asked what effect this would have on any new or old property owners. Mr. Dunn said they would have to do the same.

Paula Wood asked if the town would be held liable if not plowed and someone were to get hurt walking on Route 1. Mr. Dunn said we would not be liable that the town is prohibited from mandating that property owners maintain sidewalks in front of their property. He said we would be liable however, if there is a defect in the surface of the sidewalk.

Mr. Moore asked who would be responsible for maintenance in 20 years. He asked if the burden could be left on the developer or property owner. Scott Mitchell said no as it is not their sidewalk they are just required to put one in. Mr. Moore said this is a new concept we have never had before. He said he does not believe the planning board knew of this when the condition was put on the project.

Scott Mitchell suggested an alternate on assessing property around the sidewalk if in need of replacement. Mr. Dunn said he doesn't know if that could be done but he would look into it further.

Paula Wood said she is not in favor of the taxpayer having to pay to repair the sidewalks. It should be left up to the developer. She believes if the selectmen sign, this would set a

precedent. Mr. McCann said he would like to see the motion include a clause that this would not set a precedent.

Cora Stockbridge asked if a legal review is forthcoming. Mr. McCann said the options are either sign or don't.

Mr. Dunn commented that when policy is set it does not require other boards to hold true to that policy.

<u>MOTION:</u> Richard A. McCann	To approve and sign the
Second: Robert S. Moore	sidewalk maintenance
Unanimous	agreement but not to
	make this a precedent
	setting policy.

**NOTICE OF INTENT TO CUT**

Scott Mitchell said he does not believe the lawsuit has anything to do with the cutting of trees.

<u>MOTION:</u> Robert S. Moore	To approve and sign the
Second: Brendan Kelly	intent to cut.
Unanimous	

**NON-PUBLIC SESSION**

<u>MOTION:</u> Robert S. Moore	To go into non-public
Second: Brendan Kelly	session at 2:03PM under
Unanimous	RSA 91-A:3, II, (a).

Roll call:

- Mr. McCann - yes
- Mr. Moore - yes
- Mr. Kelly - yes

Minutes taken by Kelly J. O'Connor.

Approved and endorsed:

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Brendan Kelly, Clerk

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