

TOWN OF SEABROOK

SELECTMEN'S MEETING

JUNE 25, 2015

Present: Raymond Smith
Aboul B. Khan
Theresa A. Kyle
William Manzi

2:30PM

Mr. Smith opened the meeting at 2:30PM.

MEETING - YANKEE COOP

Tom Lyons, Norman Moore, Neil Pike and Jim Titone were present from Yankee Coop.

Mr. Smith set the ground rules and said all questions should be directed to the chairman so as to control any heated discussions. Concerns will be addressed by both parties and the town manager will address the technical issues; which includes automatic renewal and the right to inspect among some others that are not technical.

The coop has no issue with anyone parking in the lot but they do not wish to delegate any parking spaces. If there is a function at the park they have no issues with parking. They have an issue with anyone parking to go fishing as it can lead to many and there is no way to control it. They said the liability would fall to them and they don't want that risk. The coop indicated there is plenty of parking for the residents. The coop closes its gate at 6PM. All agree to leave the parking as is.

Neil Pike said the fee is a one-time fee and is \$750. If you are not a member then there is a yearly dock fee of \$10 per foot of the boat. The members are supposed to sell their catch to the coop but there have been a few exemptions. The coop buys product from anyone as long as it is a legal product. If a non-member does not pay the user fee they cannot use the facility however, if they pay a user fee they can sell the product anywhere they choose.

Neil Pike said the by-laws are through the State of NH and you have to be a commercial fisherman in order to become a member. He said no one can be refused if they are a commercial fisherman and anyone that is a NH resident can get a 100-trap commercial license to become a member.

The coop is looking to extend the lease to include the sale of all aquatic items as they never know what may come from the sea in the future.

Mr. Khan would like to know if they would be open to having a Selectmen designated to sit on the board. He feels this would open better communication between them and the coop. The coop is not comfortable with discussing employees with a Selectmen sitting on the board. Mr. Manzi suggested they invite the Board of Selectmen to a meeting every so often to open the lines of communication. The coop has no issue bringing the Board of Selectmen in if they need to work with the town on something but don't feel they need to sit in for everyday business. The coop said anytime the Board receives a complaint or concern they can ask for a meeting and the coop would welcome those discussion and set a special meeting if needed.

Mrs. Kyle said residents have complained about the \$1 for the 10-year lease the coop currently has with the town. The coop is not tax exempt so they do pay taxes to the town. As far as the coop knows the town has never put money into the property. The coop put \$800K into the wall and upgraded the fuel system for over \$69K and has never asked the town for anything. Neil Pike said they would pay the town \$10K yearly for rent but the town would need to pay all the expenses. He said on the other side there is a deteriorating wall which is going to cost about \$1.2 million to fix and the town has not repaired. The wall that the coop repaired is the town's property. Mr. Manzi said it depends on what is in the lease that determines repairs as it could be a net expense lease. The current lease says the coop has to maintain the property and they have done that so the \$1 may seem insignificant but they have done their honor of the lease.

The fishing industry is the most regulated business in the world and continually under new federal regulations. The coop members are just trying to make ends meet.

The SBA loan requirements say the coop needs to have a 10-year lease with automatic renewal. Neil Pike said they would not give them 30-years on the loan without this.

The Board of Selectmen has no issue with the sale of all aquatic products.

Mr. Khan said they have had complaints on the rusted equipment and it being unsightly. Neil Pike said people don't understand the equipment and they may think it is a rusted piece of junk when he sees it as a \$10K piece of metal to keep his equipment running. The coop did a clean-up this spring and some things come in that is not property of the coop. The town will help them remove it if it is not their property they just need to call and notify the town.

Board caucused at 3:57PM. Board reconvened at 4:08PM.

Mr. Manzi said both parties agreed they could come up with new language that would protect both parties for an automatic renewal if not opened by virtue of a letter. He said the maintenance plan says it needs to be approved by the Board for a depreciation schedule and the town has no interest in this so would ask that it be removed. The coop agrees with this language change.

Both parties had an issue with members only but both parties agreed to this as it is not restricted to members only. Mr. Khan asked if a document could be prepared for the fishermen with the pricing and placed in the by-laws. Neil Pike said if the value of the company goes up the price goes up but agreed they could go by the state pricing.

The town would like added to the casualty adjustment "shall be solely the responsibility of the lessee and the coop is in agreement with this language. The right to inspect has been agreed to. Language will be added for sale of food and all aquatic product cooked or uncooked. The lease termination language will be worked out between the Town Manager and Neil Pike that everyone is agreeable to.

Mr. Khan said they should move on this lease without delay and go through the steps for legal process. He would like to have it on the next agenda to be discussed in public session by giving authority to the Town Manager to prepare the documents with the coop and bring back to the Selectmen for signature.

Mrs. Kyle would like the Town Manager to look into the fence article. She would also like the authority from the Town of Seabrook to the Board of Selectmen changed in item 28. Both parties agree to this. Mr. Manzi said once the document is prepared it would be sent to town counsel for review.

Mr. Smith said 99% of the problem is lack of communication and perhaps something semi-annually could be distributed so everyone is aware of the by-laws. Coop can put this on their website and the town can link to it. The coop said anytime there is an issue to call them and they will have a meeting to discuss.

MOTION: Aboul B. Khan
Second: Theresa A. Kyle
Unanimous

To adjourn the meeting
at 4:29PM.

Meeting adjourned at 4:29PM.
Minutes taken by Kelly J. O'Connor

Approved and endorsed

Theresa A. Kyle, Clerk

Date: _____