

TOWN OF SEABROOK

SELECTMEN'S MEETING

OCTOBER 7, 2013

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

6:30PM

Chairman Khan opened the meeting at 6:38PM.

MEETING - FINANCE MANAGER - REVOLVING ACCOUNTS

Lilli Gilligan and Oliver Carter were present for this meeting. Ms. Gilligan explained the 4 revolving accounts and said there are certain line items that were overspent. She said that for the past 3 weeks no payments have been made. Payroll was processed but the accounts payable wasn't. Attorney Ciandella said his opinion would be that the Selectmen authorize the Town Manager to approve expenditures and to make the daily routine decisions on the revolving accounts.

Mr. Smith questioned the over-expenditure and if this vote would stop it. Attorney Ciandella said they cannot really overspend a revolving account.

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

To move that the Board of Selectmen order expenditure of the Seabrook revolving funds and order the Town Manager to direct such expenditures. This vote constitutes the order of the governing body under RSA 31:95-b II and RSA 35:B:2 II.

MS-1 EXTENSION FORM

There is a memo from the Assessor Angela Silva requesting an extension through November 30, 2013. Ms. Gilligan explained the delay in getting the state education tax and why Seabrook needs it before setting the value.

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

To approve the request for an extension through November 30, 2013

FUNDING FOR WRESTLING INSTRUCTOR

Sandra Beaudoin was present for this. She explained how the program came about through a petition article.

Ms. Beaudoin said the instructor is paid for by the user fees and is not included in the budget. She currently has about 30 kids enrolled in the program. Ms. Beaudoin has allocated this program in the revolving account for 2014.

There was discussion on setting up sponsorships for this program. Mr. Hess said if a child cannot afford the program that child should not be turned away. Mr. Khan requested the Town Manager to come up with town funding for each child for the first year of the program. Mr. Manzi said he will look at it on a case-by-case basis.

MOTION: Edward J. Hess, Jr. To approve paying the
Second: Raymond Smith wrestling coach.
Unanimous

MEETING - SYNTHETIC CANNABINOIDS

Kiki Evans spoke and said in 2011 a petition article was passed to ban K2 products. She briefly summarized what was discussed at the last meeting with the Board of Selectmen.

Mr. Manzi said he has worked with the Police Chief and his staff and also Attorney Ciandella to make his recommendation to the Board of Selectmen. He read his memo into the record (see attached).

Attorney Ciandella explained that NH is not a home rule state and can only enact authority where legislature says it can. He said the Board of Selectmen does have authority to regulate town property and that would be the legal premise for the ordinance.

Angeljean Chiaramida asked if the ordinance would be enforced on all town roads including state roads. The intent is to enforce on distribution/transport and would be enforced determined by the town and police department. The fees would be for the town and there would be no share of fees.

Senator Stiles spoke and said she would be introducing a bill to pass through the legislature. Two house bills have been filed but not sure what the language says as they are new. She will work with Mr. Khan and the town to get the bill passed.

Chief Bitomske said he would work with everyone on the enforcement if the ordinance is passed. Sergeant Walker spoke and said they encounter this on a daily basis and he thanked everyone for the pro-active approach. Deputy Gallagher asked for patience while they are working to enforce.

Mr. Smith said if it is for the community and the children let's go for it. Mr. Hess said he is in favor to enforce especially if it saves one child. Mr. Khan said it was painful to hear at the last meeting that people are commenting they can go to Seabrook to get the cannabinoids it says it is insulting to the people of Seabrook.

Mr. Khan is requesting that they include in the motion that the Board of Selectmen will review this ordinance every 90 days to see how it is going and will be at the direction of the Board of Selectmen to stop the review.

There was discussion on updating the ordinance with new substances that come out. Attorney Ciandella said they can update the ordinance at any time.

<p><u>MOTION:</u> Edward J. Hess, Jr. <u>Second:</u> Raymond Smith Unanimous</p>	<p>To move that the Board of Selectmen adopt pursuant to the authority of RSA 41:11 and RSA 41:11-a the ordinance entitled Synthetic Cannabinoid Compounds as presented by the Town Manager and to review every 90 days until the Board feels there is no need.</p>
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Board took a 5-minute break at 7:45PM. The Board reconvened at 7:55PM.

PREVIOUS MINUTES - SEPTEMBER 9 PUBLIC AND SEPTEMBER 16 PUBLIC

<p><u>MOTION:</u> Edward J. Hess, Jr. <u>Second:</u> Raymond Smith Unanimous</p>	<p>To adopt the minutes of 9/9/ public and 9/16 public.</p>
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SEWER SERVICE APPLICATION

Wayne Perkins - 59B South Main Street - \$150

Mr. Manzi said this application came in late but he is requesting the Board to review and approve.

<p><u>MOTION:</u> Raymond Smith <u>Second:</u> Edward J. Hess, Jr. Unanimous</p>	<p>To approve and sign the sewer application.</p>
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PREVIOUSLY SIGNED PERMITS

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

MOTION: Edward J. Hess, Jr. To approve the permits.
Second: Raymond Smith
Unanimous

ELDERLY EXEMPTION

MOTION: Raymond Smith To approve and sign the
Second: Edward J. Hess, Jr. elderly exemption.
Unanimous

HYDRANT FLOW TEST

DDR Seabrook, LLC - 700 Lafayette Road

MOTION: Edward J. Hess, Jr. To approve and sign the
Second: Raymond Smith hydrant flow test.
Unanimous

WATER SERVICE APPLICATIONS

- Ellen Meehan - 166 Ocean Blvd. - \$100
- MaryGail Lahan - 192 Ocean Blvd. - \$50
- Paul Lepere - 11 Carol-Lynn Park - \$50
- John Desimone - 165 Tilton Street - \$100
- Wayne Perkins - 59B South Main Street - \$400
- Wendy & Larry Pleau - 12 Atlantic Avenue - \$100
- Paul Danszczak - 700 Lafayette Road - \$1200

MOTION: Edward J. Hess, Jr. To approve and sign the
Second: Raymond Smith 700 Lafayette Road
Unanimous application for water.

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

SEWER SERVICE APPLICATIONS

- Frank DeLucia & Son Inc. - 17 Beckman Landing - \$50
- Bill Sutton - 12 Atlantic Avenue - \$50

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

DONATION OF 2 MARSHLAND PROPERTIES

Mr. Manzi said there is interest in obtaining these 2 parcels from the conservation commission.

MOTION: Aboul B. Khan To move forward with the
Second: Edward J. Hess, Jr. process for obtaining
Unanimous the 2 parcels.

REQUEST FOR STREET LIGHT ON LIBERTY LANE

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

APPOINTMENTS TO PARKING COMMITTEE

Mr. Manzi read his memo into the record (see attached).

MOTION: Edward J. Hess, Jr. To approve the town
Second: Raymond Smith manager's recommendation

Mr. Manzi explained his office has taken notes on who was interested in serving on the committee but if the Board has any others interested they can look at those too. Mr. Smith he had a few but they were from beach residents and he passed those names on.

Unanimous

Mr. Khan said he attended the planning board meeting and there were questions on a bus stop at the apartment building near the DDR project. They would like the bus stop to be on town property where the Community Action is located. He is requesting the Board authorize the Town Manager to discuss this option with the parties. Mr. Smith said they should also discuss this with the school and the bus company.

MOTION: Raymond Smith To authorize the town
Second: Edward J. Hess, Jr. manager to deal with
Unanimous this issue as possible.

Mr. Hess commented that he feels as though the town is losing money by not having impact fees. He is requesting they sit down with the town manager to discuss. Mr. Khan said this should be a discussion with the planning board. He will inform the planning board they would like to be on the agenda to speak with them about impact fees and they would like it brought to the front burner.

Jason Janvrin commented that impact fees has been brought before them three times and has failed each time. He said a feasibility study has been done but a new study may be good idea. Mr. Manzi said he will participate as much as he is

instructed but it should go through the planning board process. The Board would like to request a joint meeting with the planning board for November 5.

Jason Janvrin asked the Board look at re-establishing the street light committee and also to look at updating the town code book.

NON-PUBLIC SESSION

<p><u>MOTION:</u> Edward J. Hess, Jr. Second: Raymond Smith Unanimous</p>	<p>To go into non-public session at 8:35PM under RSA 91-A: 3, II, (a) Personnel and (c) welfare liens & Easter Seal's applications.</p>
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Roll call:
Mr. Khan - yes
Mr. Hess - yes
Mr. Smith - yes

The Board reconvened in public session at 9:36PM.

<p><u>MOTION:</u> Raymond Smith Second: Edward J. Hess, Jr. Unanimous</p>	<p>To adjourn the meeting at 9:36PM.</p>
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Meeting adjourned at 9:36PM.
Minutes taken by Kelly J. O'Connor

Approved and endorsed

Raymond Smith, Clerk

Date: _____