

TOWN OF SEABROOK

SELECTMEN'S MEETING

SEPTEMBER 9, 2013

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

10:00AM

Chairman Khan opened the meeting at 10:02AM.

**MEETING - SYNTHETIC CANNABINOIDS**

Mr. Khan spoke and said they are not here to debate this issue but here to listen to the facts and concerns of the people. He said they would schedule another meeting for further discussion.

Kiki Evans addressed the Board of Selectmen with information on K2 and the article that passed at the 2011 Town Meeting. She said the article passed by 1064 yes to 339 no. She said other towns have ordinances to ban these products. Due to the number of products it is hard for the state and federal government to keep up with and it seems to work best at the local level for an ordinance. She said the Wolfeboro ordinance has been very successful.

Ms. Evans said products that are sold have a surgeon general warning and these products do not. She read some of the incidents that have occurred over the past 2 weeks. Ms. Evans said the emergency personnel should have the safety data sheets on these products as they are extremely hazardous even just to touch. She said synthetics do not show up in a urine test.

Ms. Evans said the laws have been challenged but the stores are losing the fight (Duluth and Pensacola). She read some letters from local people (see attached).

Chief Lee Bitomske and Sgt. Brett Walker were invited into the discussion at this time. Sgt. Walker said he did a lot of work on this and is working on creating an ordinance that could be adopted for the town. There was discussion on arrests for this product. Sgt. Walker said it is hard answer as there are arrests for one thing and then they are informed they have used this product.

Mr. Manzi commented that he is in support of an ordinance but said at some point it would need legal opinion to be sure it is done correctly.

Mr. Smith spoke about the ordinance and said it should be something that can be enforced. Liability is a concern for him.

Mr. Hess agrees it will need to go to legal counsel before they do anything.

The Board of Selectmen opened the floor for the residents to speak. Kathy Schrempf (Gosselin) of 1A Whittier Drive was the first to speak. She spoke about her 13 year old grandson who used the K2.

Chris Pevelli (Kathy Schrempf's boyfriend) also spoke about their grandson and his reactions to the K2. He says it is a severe addiction and brings out anger and confusion.

Dawn Brady of 5 Charles Henry Way spoke and said several vehicles in her neighborhood have been broken into and children have been approached with the K2 product.

Tamara Calvary of 2A Street spoke about her husband who tried K2 and became addicted. She asked which Board of Selectmen member is going to have the courage and strength of character to ban this product.

Doris Smith of Hampton, NH spoke about her daughter her used K2 and spoke of the signs to look for if you suspect someone of using this.

Linda Frazee of 24 Walton Road spoke about her grand-daughter who used K2 and her 5 month old great grandson who was born with breathing issues from this product.

Amy Wasson of 102 Railroad Avenue spoke and said she was a recovering addict and would share her stories privately with anyone who wished to speak with her.

Peter Evans said the gate was closed on marijuana, cocaine, heroin, etc. but the gate is wide open for K2. The Town voted to ban this product so let's enact an ordinance that will stand up on this issue. He would like the Board of Selectmen to address. Mr. Khan said the Town Manager would work with Police Chief Bitomske to come up with a solution and make a recommendation to the Board.

Linda Stanwood of 14 Randall Drive said she is a registered nurse and would like to see K2 gone.

Jason Janvrin suggested suspending or revoking the business licenses for those businesses that are selling the product.

Mr. Smith asked how far legally the police can go if an ordinance is passed. Chief Bitomske said would need to get legal to give an opinion and it would be enforceable as with other ordinances.

Mr. Khan asked if there was anything in writing saying that K2 is harmful for public consumption. Sgt. Walker said they have nothing positive from the affects of K2.

MOTION: Aboul B. Khan  
Second: Raymond Smith  
Unanimous

To authorize the Town Manager with help from Police Chief to get a legal opinion and bring recommendation within 30 days to the Board to be resolved and to hold an evening meeting at that time.

There was discussion on the ordinance and having a penalty. Mr. Khan requested to have Mr. Manzi speak with the Code Enforcement Officer on the business license. Mr. Manzi said the ordinance in Wolfeboro says it is illegal to possess K2 it does not restrict the sales.

The Board of Selectmen took a 5-minute break at 11:30AM.  
Reconvened at 11:44AM.

#### **MONTHLY MEETING - FIRE CHIEF**

Chief Everett Strangman and Deputy Chief Koko Perkins were present for this report (see attached).

Deputy Chief Perkins said they are pursuing a grant for the exhaust system. If this doesn't work they would need to use the warrant article.

Deputy Chief Perkins spoke about the radio service and narrow band. He said in the past they received a grant of \$5K with a town match. He said they would need to look at another tower.

Chief Strangman said he would be adding some money to his building maintenance line over the next 2 years for upgrades. Mr. Manzi said he is working with the Chief and Deputy on costs.

There was discussion on the repeater system and Deputy Chief Perkins explained it sends their information out.

Mr. Khan questioned the new ambulance. Chief Strangman said the old ambulance was traded and they got about \$9K for it and paid \$170K for the new ambulance. Mr. Khan requested that going forward they would like to have knowledge of what they are doing with the old ambulance before it happens.

Robie Beckman asked about the EMT positions. Chief Strangman said they have 6 paramedics and said the firefighters can switch a shift. Mr. Beckman asked if it was possible that there would be no paramedic or advanced EMT on a shift. Chief Strangman stated that it was not possible.

Chief Everett Strangman and Deputy Fire Chief Koko Perkins left the meeting at 12PM.

#### **MONTHLY MEETING - POLICE CHIEF**

Chief Lee Bitomske was present for his report (see attached).

Chief Bitomske commented that the issue the fire department is having with the narrow band the police department has no issues.

Mr. Khan requested that a copy of today's meeting be given to the Town Manager and Police Chief for their work on the ordinance on K2.

Jason Janvrin asked about the repeater and who owns it. Chief Bitomske said the town does.

Chief Bitomske left the meeting at 12:05PM.

#### **MEETING - BUDGET COMMITTEE**

Paula Wood, Caleb Brown, Richard Maguire, Paul Knowles, Jeff Brown, Dianna Demars and Don Hawkins were present for this meeting.

Mr. Manzi said he is continuing to meet with the departments for at least another week on the budgets.

Mr. Smith said he has requested 3 figures from the Town Manager when his budgets are complete. He does not want to see the tax rate increase but also not looking to cut services.

Mr. Hess said health insurance costs are his main concern and the employee increases are a contractual obligation. He is looking to keep it as low as possible while maintaining services.

Mr. Khan said on his watch town government didn't tighten its belt extensively and the budget for next year will be difficult for him to support any increases other than contractual obligations.

Paula Wood said she disagrees with Mr. Khan on being tough with the budget and feels they held the budgets to less than a 1% increase each year. She said the buildings need to be addressed as well as the legal fees. She said the grievance payouts need to be brought out to the public. She commented if the department wants something they should prove it and give lots of details as to why.

Richard Maguire said the debt line last year was under stated. Lilli Gilligan said it was a new bond that they did not have the figures for when the budget was completed. Mr. Maguire said the health insurance savings have not been realized and doesn't look like they will be. He agrees that the legal fees need to be addressed.

Dianna Demars said she would like to see items in the budget rather than the ballot to keep it shorter.

Don Hawkins said workers compensation is over \$400K and for the number of employees it is too high and should be looking to improve upon. He disagrees with no cutting of services. He said if the voters are selecting the lowest budget that tells him they should be looking at everything and see if those things can be done at a lower cost.

Jeff Brown said they should look at the impact of the new Obama Care program. This is going to be huge impact to the town. He said they also need to pay attention to the reorganization of the Local Government Center this could also be a huge impact to the town.

Paula Wood requested that the warrant articles be explained in more detail to the voters.

There was discussion on additional space at the wastewater treatment plant. Mr. Khan asked that they work together to come up with a solution and plan to get approved at town meeting. There was discussion of using funds from the sewer account. Mr. Manzi commented that the trailer is in disrepair and this would give the employees who work in that trailer proper office space. Paula Wood commented and said they need to be careful as no means no. She requested a presentation on the building proposal.

Robie Beckman asked about the payout to the fire department and the \$15K for legal costs. Mr. Khan said it has been paid. Mr. Manzi explained that a 1% rescission on all budgets over \$500K was taken, which was about half the cost of the payout and the remaining amount came from the health insurance rebate. He said there is no built in overtime but rather an agreement of actual hours worked.

Mr. Khan said the Selectmen will begin budget hearings the third week of October. The Budget Committee should be able to begin in November.

Mr. Manzi gave an update on the Comcast contract. He said he is waiting on comments from our attorney. Mr. Manzi said he does have a quote for new equipment.

Jason Janvrin spoke and asked that the CIP be given to the planning board sooner than last year, which was in February.

There was discussion on having the school board meetings be a live feed. Mr. Manzi said this should be a discussion with Comcast. He said nothing would be finalized until there was a public hearing.

#### **PART TIME EMPLOYEES AND ELECTED OFFICIALS PAY INCREASE**

There was discussion on having an amount or a percentage. Mr. Khan said he has no issue with the increase for part time employees but for the elected officials he would like to see what the increases were for the past five years. Mr. Manzi said he would get that information and bring a resolution to the Board.

#### **PARKING COMMITTEE**

Mr. Manzi said he is looking to establish a 7 member committee and asking the department heads to be involved on a staffing level they would not be able to vote. The Board would like to discuss further at the next meeting. Phyllis Farfaras said all factors should be looked at so no one is excluded.

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

To establish committee with 3 members from the beach determined by the beach commissioners, 3 members from in town determined by the town manager and the town manager or his designee.

Mr. Manzi said he had a meeting scheduled with the department heads to discuss Castaways but the meeting needed to be postponed and working on having that meeting tomorrow. He has a call into the state liquor commission to establish what is or isn't allowed.

Jason Janvrin said he wanted to clarify that the time approved for this business is 10PM not 11PM as previously stated.

Theresa Kyle said this is all still going on at 11:30PM.

The Police Chief said he can enforce if he has something in writing. Mr. Khan said he doesn't enforce laws. He said the Town Manager is given the information and he directs the departments how to handle.

Mr. Manzi said he will advise the Board after his meeting with all parties. Theresa Kyle said there are no approvals by the planning board for fire pits.

**PREVIOUS MINUTES - AUGUST 5 NON-PUBLIC, AUGUST 19 PUBLIC & NON-PUBLIC AND AUGUST 28 PUBLIC**

MOTION: Raymond Smith To adopt the minutes of  
Second: Edward J. Hess, Jr. 8/5 non-public, 8/19  
Unanimous public & non-public and  
8/28 public.

**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

**WATER SERVICE APPLICATIONS**

Town of Seabrook - 745 Ocean Blvd. - No fee  
Jeffrey Baillargeon - 49A Railroad Avenue - \$50  
Palfry Lake LLC - 87 True Road - \$50  
Paul Lepere - 6 Carolyn Park - \$50

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

**SEWER SERVICE APPLICATION**

Stan Saracy - 3 Stan's Way - \$150

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

Mr. Khan said he attended the planning board meeting and the sidewalk in front of McDonald's is a big issue that will come before the Board of Selectmen for a decision in the future. Mr. Hess said he is in support of not accepting the sidewalks. Mr. Smith said he would like more information and will not make a decision until it comes before him. There was discussion on having this as an agenda item for a formal vote.

Mr. Hess said he attended a meeting on Friday with Senator Stiles and State Representatives and Barbara Kravitz at Harborside Park. He also attended the sobriety checkpoint and it went very well.

Mr. Smith commented on the boot drive by the firefighters and said they deserve recognition for the amount of money taken in.

MOTION: Aboul B. Khan To adjourn the meeting  
Second: Edward J. Hess, Jr. at 1:45PM.  
 Unanimous

Meeting adjourned at 1:45PM.  
 Minutes taken by Kelly J. O'Connor

Approved and endorsed

\_\_\_\_\_  
 Raymond Smith, Clerk

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