

TOWN OF SEABROOK

SELECTMEN'S MEETING

SEPTEMBER 21, 2020

Present: Theresa A. Kyle
Ella M. Brown
Aboul B. Khan
William Manzi

10:00AM

Mrs. Kyle opened the meeting at 10:05AM.

Mrs. Kyle commented the finance manager's mother passed away and offered condolences to her and her family.

Mrs. Kyle also commented on the land donation that was accepted by the conservation commission and said it was a wonderful donation to the town.

Mrs. Kyle said that recycling will begin today. Mrs. Brown asked when the dump would open on weekends. Mr. Manzi said they are looking into it now but it is a cost issue.

MONTHLY MEETING - WATER & SEWER SUPERINTENDENT

Curtis Slayton was present for his monthly report (see attached). The water tank on Route 107 has been painted inside and out and is now complete. The water tank on Route 286 has been started and expected to be completed sometime in November. The gravel is being discussed and would be good for the town.

Mr. Slayton said they have identified 2.3 million dollars of improvements to the wastewater system and will be looking to get money from grants to help with the upgrades. There is potential for upgrades to the Centennial Street pump station. He hopes to have more answers around January as they head into the New Year so that we can inform the residents who live in that area. Mr. Manzi said there was a warrant article for \$100K to repair this pump station and he believes that Mr. Slayton's approach to attacking this issue is better as it will be a long-term fix versus temporary fixes.

Mr. Slayton said they have a new Chief Operator Daumanic Fucile at sewer and Jamie McDonald is the new lab tech. They are waiting on the discharge permit from the EPA as it is in its draft form.

Mr. Khan asked about the outfall pipe on Route 286 and the money that has been allocated to the project by the voters. Mr. Slayton said this was his first project after taking over the department and immediately began this project but found there were issues with the plan the way it was. He knew there would

be a need for a by-pass pipe in order to not interrupt the flow. He said they have applied for funds for help with this project and if it is accepted this would be something that would probably have to go to town meeting. Mr. Manzi said they are working on this and gives us opportunity to get loan forgiveness if approved. It is not a project that they feel can be done for the number that was given.

There was discussion on how projects do not always flow with the amount anticipated. As with the water tank painting project the bid came in at about \$1 million less. Some projects go exceedingly well but this particular project for the outfall pipe on Route 286 is not the case.

MEETING - YANKEE COOP

Jim Titone president of the coop, Linda Hump, Joshua Cook and Thomas Lyons were present. Mr. Titone asked about Halloween in Seabrook as they were looking to hold a trunk-or-treat for the children. Mr. Manzi said he is attending a seminar on September 30 regarding what other communities will be doing. He has asked for ideas from both Katie Duffey and Brett Walker. He believes they will have more information for the first meeting in October.

Mr. Titone said House Bill 1245 established a wind task force and today will be the first meeting for offshore wind. He will be sitting on the committee for this and would be happy to share the information with the Selectmen. Mr. Khan said it is not the actual commission but rather a committee of the commission.

Mr. Titone said they are looking to expand the plant which would be outside the footprint of the existing building. He said they would also like to discuss the extension of the lease with the town as they are nearing the end of the lease and with the money they would be putting in they want to be assured they would have a lease in a private session. The taxes are paid by the coop in excess of about \$10K per year.

Mr. Khan commented that only the lease term can be discussed in non-public everything else needs to be done in public. Mr. Manzi said it would require the board to amend the lease in order for them to make any expansions to the current building. They could negotiate an amendment to the current lease for the expansion and it could be done in public. He said they could entertain the request in public and then negotiate in non-public for the lease and anything outside of the lease amendment would be in public.

Mrs. Kyle asked if this would need to go before the voters again where there would be a change. Mr. Manzi said when he got here they extended the lease in 2015 for 10-years and it did not go before the voters. He would send to the town attorney and inform the board but he does not believe it would need to go back before the voters. Mr. Khan said because the land came from the State of NH and the board is the overseer of than land the board has the authority to negotiate the lease. He said the town manager has given them two memos on the expansion but feels the coop should bring something in writing as to what they are looking to do.

Mr. Khan said the sheet pilings on their side of the fence is an issue and if the town puts money into fixing their side it could still fall in if theirs is not corrected which poses an issue for the town. The coop doesn't share the same view that Mr. Manzi has on the sheet pilings so it is up for discussion. They are applying for a grant through the EDA but the town would still be responsible for 50% of the project.

The project will be put out to bid and they don't know what the numbers are going to be. He said until they know the figures they should not consider taking on additional items. Mr. Manzi said with the current rent situation with the coop he doesn't feel it is a town responsibility. He said they did it once before and the coop paid 100% of the cost.

Mr. Titone said he is not certain the coop should have any financial responsibility to replace the wall. He said part of the wall is not even part of the coop's responsibility and they do not use this part of the land.

Dwight Souther said the part they are referring to is part of the acreage of the parcel that was given to the town to enhance the fishing industry. The state put restrictions on the land that was given to the town that the coop could not restrict the fishing industry.

Mr. Titone said the town took a parcel of the land in order to make Harborside Park. Mrs. Kyle said this was land that the power plant donated and then the state gave that land to the town. When the lease was re-negotiated in 2015-16 the coop gave the land that the Harborside Park is located. Somewhere along the lines there are problems and she is not sure where they lie but feels they should consult with an attorney before making decisions.

There was discussion on who provides the maintenance of the property and the fact that the coop does not pay rent to the town. Mr. Titone feels they should not have to offer the benefits to members who do not provide value to their business. Mr. Titone said they have tried to mitigate the smells that go along with running a seafood business. Mrs. Brown said she thought it was for Seabrook fishermen but most of them are not members. Mr. Titone said never to his knowledge has he known that a commercial fisherman doesn't offload 100% of their product. There is a pier use fee but not a yearly membership fee. The initial membership fee is \$750 that requires the members to offload their product to the coop. Mrs. Brown said they never had to do that but Mr. Titone disagrees and has never remembered that being the case. The coop currently has approximately 70 members.

Dwight Souther asked if the town pays to repair the wall with taxpayer money and if so they cannot restrict anyone from using that portion of the land. Mr. Manzi said in a typical grant for a park if they were to participate in the funding with the grant the utilization could not be restricted to residents only. He said in this case he doesn't see it in the documents but at this time they are not willing to fund the project. The board during negotiations can ask for anything from the coop but it doesn't mean they have to agree.

Mr. Manzi said the bid documents will be out within 30-45 days and there will be an add alternate for the portion of the sheet pilings that is on the coop side. It would be most cost effective to do the project together for obvious reasons.

Mrs. Kyle would like a memo from the coop as to what they want and something from the independent fishermen as to how this is going to affect them. They need some background and discussion with the attorney before making decisions. Mr. Titone said the coop is incorporated with a board of directors of 8 members and none of them are compensated.

Joshua Cook said everyone loves using the facility. He said there is a membership fee and then there is no cost. Their pier usage fee is for someone who is not a member who wants to use the pier and the charge is to maintain the pier.

There was discussion on how certain members are able to sell their product to others. Dwight Souther said he was a member for a couple years and was allowed to sell his product elsewhere but when the new board came on he was unable to do this and is now not a member.

Tom Lyons has been on the board for a long time and said there are no restrictions on the people of Seabrook. He said of course any fisherman is going to get better pricing selling on their own as the person they are selling to does not have the overhead and maintenance for the machinery. The product they receive is sold and they do make a little profit in order to keep the coop in business. He said when Dwight Souther chose not to stay as a member he was given his money back.

Dwight Souther said he bought lobster traps from a member of the coop and he loaded them on his boat not using any of their equipment and he was giving a hard time. So when they tell you there are no restrictions they are lying to the board. Mr. Khan said they are asking them to go back and look at what they are doing for members and Seabrook residents who are not members and come back to the board with something that will work for all so they do not hear about it.

Yankee coop will provide a copy of the by-laws to the board. Mrs. Kyle would like to look at this further before making any decisions. Dwight Souther said in the contract he has it says no subletting of the premises and feels he would be subletting where he is not a member. He said he has no interest in becoming a member and only did so to use the equipment and maybe sell product here and there and it was running beautiful until this new board. He said Mr. Manzi was involved in this.

Linda Hump spoke in regards to the criteria that are set so they don't have several different options to track. She said along with that they have insurance issues they have to deal with. She commented that people want something for nothing. Dwight Souther commented back and said they talk about wanting everything for nothing and they pay a \$1 per year. Mrs. Kyle said they are getting nowhere here today and would like Mr. Manzi to have the town attorney review and give an opinion so they can see what the town's rights are and what they can do in regards to the lease.

MOTION: Aboul B. Khan

To take a 5-minute break

Second: Ella M. Brown

at 11:49AM.

Unanimous

Board reconvened at 12:16PM.

MEETING - POLICE CHIEF

Chief Brett Walker was present to request a modification to the towing policy. The policy states they must have a towing yard in town and over the years they have had a great relationship

with Pat's Towing but that is the only one in town. He would like to modify this so they can use other towing companies that may be located in a surrounding community. Timeliness is a factor when they have possession over a vehicle especially if it is in the middle of the road.

Mrs. Kyle is fine but would like to add in that they would hold the town of Seabrook harmless. Mr. Manzi said because it is in the code the board has the option to allow for a business outside of Seabrook to do the towing. There would be a request for proposals and that would include specifically what the town is looking for.

MOTION: Aboul B. Khan
Second: Ella M. Brown
 Unanimous

To waive the provision to allow for towing companies to do business in town even if the holding location is not in Seabrook but in surrounding communities.

CENSUS

Mr. Manzi read an email from Richard Perrin on the Census (see attached). They are nearing the end of the Census and are only 57.4% complete in Seabrook. The beach is at 38.1% which he said we would like to drive that number up. Mr. Manzi explained the importance of driving that number up in regards to federal grants and what Seabrook would be eligible for. He is urging all Seabrook residents to answer the census. He said they have also requested to set up a table/tent outside in order to capture people coming into town hall. Mrs. Kyle said if it is inclement weather she would have no objection to them setting up inside. The Census ends on September 30.

MOTION: Theresa A. Kyle
Second: Ella M. Brown
 Unanimous

To allow the Census representative to set up on town property to get the Census completed.

PREVIOUS MINUTES - AUGUST 6 PUBLIC

MOTION: Ella M. Brown
Second: Theresa A. Kyle
 Unanimous

To adopt the minutes of 8/6 public.

WATER SERVICE APPLICATIONS

Susan Nicoll - 127 Farm Lane - \$50
 Brian Cullen - 150 Ocean Blvd. - \$50

Steven Barnes - 33 Beckman Landing - \$50
Jabe Felch - 23A Worthley Avenue - \$1300
Elaine Lentz - 112 Walton Road - \$50

MOTION: Ella M. Brown To approve and sign all
Second: Theresa A. Kyle water applications.
Unanimous

SEWER SERVICE APPLICATIONS

Susan Nicoll - 127 Farm Lane - \$50

MOTION: Ella M. Brown To approve and sign the
Second: Theresa A. Kyle sewer applications.
Unanimous

QUITCLAIM DEED - HILLSIDE CEMETERY

William & Maureen Webb - Section 33 Plots 23&24

MOTION: Ella M. Brown To approve and sign the
Second: Theresa A. Kyle quitclaim deed.
Unanimous

LAND COVENANT - U.S. COMMERCE DEPARTMENT ECONOMIC DEVELOPMENT

Mr. Manzi said this is a covenant to protect the investment made by the federal government to repair the sheet pilings at the pier. The town would be restricted by not being able to sell it. It has been given to the town attorney and has outlined the terms and conditions and is pretty straight forward.

MOTION: Theresa A. Kyle To approve the covenant
Second: Ella M. Brown and direct the town
Unanimous manager to file it with
the EDA.

SELL BY AUCTION DEEDED PROPERTY - 184 SOUTH MAIN STREET

Mr. Manzi said this piece of property is one of a couple that would be eligible to be sold via sealed bid or auction.

MOTION: Ella M. Brown To approve selling the
Second: Theresa A. Kyle deeded property by
Unanimous sealed bid.

CARES ACT REIMBURSEMENT - \$77,819.18

Mr. Manzi explained this is legislation passed by congress to help with the pandemic. This has been approved for authorized COVID related expenses. This is the amount from the first filing and we have second that has been submitted that will bring Seabrook to the \$210K that has been allocated to the town.

He said there is a lot of detailed work that went into this and he wanted to thank the departments for this as well as Kelly McDonald who did all of the aggregate work and she did outstanding work as well and thank you to Chief Edwards and Joe Titone.

Mr. Manzi said the Healthtrust will be giving back about \$18 million state wide with the town's portion being \$135,400. This has not been finalized they need to take a final vote but it is expected to be coming.

MOTION: Aboul B. Khan To accept the Care Act
Second: Ella M. Brown funding of \$77,819.18.
Unanimous

FINANCE/BUDGET

There was discussion on the budget schedule and process. The school will also be getting money back from the Healthtrust and he is not sure if they will be sending back to the town or reallocating it. Mr. Manzi said he would reach out to start negotiations.

There was discussion on the land being donated to the town and there will be someone coming to see the board in the future. They have also offered the services of her son who is a recreational engineer to provide some recommendations to the town.

Mr. Manzi said the budget this year will have some revenue challenges. The board always has set a limit on the increase to the budget unless it is for a contractual item. Do they want to consider capital spending this year? Police have 2 additional officers being hired in December that was authorized by the voters so the cost for next year will increase in this area. He expects that the fire chief will bring back the new fire engine as he feels it needs to be replaced. DPW had a failed dump truck that has 150,000 miles and this is something they will be looking to replace.

Mr. Khan said the recreation has not had any programs and asked if they are looking into holding programs going forward. There have been a lot of inquiries as to how they are going to fund this department if nothing is happening. Mr. Khan would like to have a list of the employees who are full time and part time so they can look into possibly making some full time employees part time. Mr. Manzi said those questions are coming to him as well and will need to be addressed. Mr. Khan said if the department tried any innovative way for the children that would be one

thing but they did nothing. He doesn't feel the money is being spent efficiently in this department.

Mrs. Kyle asked about naming something after D'Alessandro. They talked about renaming Liberty Lane or putting a plaque up in the police department. Mr. Khan said they could easily put up a plaque and can look into naming a street at some time in the future as changing a name of an established road would be difficult. There was discussion on dedicating a wing of the police station to D'Alessandro.

<p><u>MOTION:</u> Theresa A. Kyle Second: Ella M. Brown Unanimous</p>	<p>To make the Seabrook police department renamed to the D'Alessandro Public Safety Building.</p>
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Mrs. Brown said one of her relatives passed away from COVID and her heart goes out to his family and friends. She said for those who do not believe in COVID it is a very real thing.

<p><u>MOTION:</u> Aboul B. Khan Second: Ella M. Brown Unanimous</p>	<p>To adjourn the meeting at 1:18PM.</p>
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Approved and endorsed

Aboul B. Khan, Clerk

Date: _____

TOWN OF SEABROOK BOARD OF SELECTMEN

AGENDA

September 21, 2020

Open Meeting at 10:00 A.M.

TURN CELL PHONES TO VIBRATE OR OFF PLEASE PLEDGE OF ALLEGIANCE

ANNOUNCEMENT

- 1.) Recycling restarted today Monday, September 21.

MEETING

- 1.) Monthly Meeting – Water & Sewer Superintendent
- 2.) Meeting – Yankee Cooperative
- 3.) Meeting – Police Chief
Towing Policy
- 4.) Discussion on census

NEW BUSINESS

- 1.) Question of approving previous minutes of August 6 public.
- 2.) Question of approving water service applications for Susan Nicoll – 127 Farm Lane, Brian Cullen – 150 Ocean Blvd., Steven Barnes – 33 Beckman Landing, Jabe Felch – 23A Worthley Avenue and Elaine Lentz – 112 Walton Road.
- 3.) Question of approving sewer service applications for Susan Nicoll – 127 Farm Lane.
- 4.) Question of approving quitclaim deed in Hillside Cemetery for William & Maureen Webb – Section 33 Plots 23&24.
- 5.) Question of approving land covenant – U.S. Commerce Department Economic Development Administration.
- 6.) Question of approving to sell by auction deeded property of 184 South Main Street.
- 7.) Question of approving CARES Act reimbursement of \$77,819.18.

QUESTIONS/COMMENTS

Board of Selectmen on any boards and/or committee meetings they have attended

PUBLIC PARTICIPATION

Seabrook Water & Sewer Department

PO Box 456
Seabrook, NH 03874
(603)-474-9921

MEMORANDUM

To: Board of Selectmen

Cc: William Manzi III; Town Manager

From: Curtis Slayton; Water & Sewer Superintendent

Date: September 10, 2020

Subject: Monthly Report for June 9th to Date

Below is a list of activities ongoing and completed by the Water & Sewer Department staff since the last report.

WATER

- Responded to 200 requests for service to include water turn on/off, inspections and meter repairs.
- Responded to 227 dig safe requests.
- Certified letters will be going out for past due water and sewer bills
- 39,261,000 gallons of treated water was pumped into the distribution system in June, 37,658,000 gallons in July and 35,987,000 gallons in August.
- Worldwide Construction Corporation of Butler, PA has finished painting the Route 107 tank and will be working on the 286 tank for the next two months.
- Green sand filter media was tested and still is in good shape.
- Gravel Packed Well #3 is back on line
- Bedrock well #5 is now back online after VFD repair.
- Kensington Board of Selectmen has denied the excavation permit for the gravel pit.
- Meter reads were completed the first of every month.
- Meter test bench calibrated by In-Cal
- Small residential meter testing ongoing
- Bacteria samples were completed the first two weeks of the month
- Quarterly sampling was completed
- Repaired an emergency water leak at #92 Washington Street
- GIS work is ongoing.

SEWER

- * Daumanic Fucile is the new Wastewater Chief Operator for the Seabrook Sewer Department.
 - * Jamie McDonald is the new Laboratory Technician for the Sewer Department
 - * The sewer department received the draft discharge permit from EPA. We sent in our comments on the proposed changes and are now waiting to hear back.
 - * Applied for SRF funding for Wastewater facility upgrades
 - * Finished sewer CIP plan
- The yearly NHDES inspection for the sewer department was done by email because of covid-19
- * The 14-inch feed line to oxidation tank plugged with rags and debris. 600,000 gallons had to be transferred for the repair. Once the line was cleared the 600,000 gallons had to be transferred back.
 - * 206 preventive work orders were completed
 - * 9 corrective work orders were completed
 - * The new 1600 amp main breaker was installed and the transformer was tested.
 - * Sewer main flushing is ongoing
 - * Simplex pump station cleaning is on going
 - * The yearly lab equipment calibration was completed.
 - * Oxidation tank #3 was drained and taken offline for cleaning and repairs. Tank #1 is now on in its place.
 - * Video meeting for the South Main Street culvert replacement provided invert measurements.
 - * Video meeting for the resiliency grant project.

Respectfully submitted


Curtis Slayton, Water & Sewer Superintendent

SEABROOK WATER DEPARTMENT

Water Delivered

Year: 2020 Month: June

Gravel Packed Wells

1: 7,438,000

3: 9,000

7: 3,896,000

Plant: 27,918,000

Total: 39,261,000

Previous Month / Year	<u>Jun-19</u>	Total	<u>31,983,000</u>
Previous Month / Year	<u>Jun-18</u>	Total	<u>35,319,000</u>

Respectfully submitted: George M. Eaton Chief Op

Date: 7/2/2020

SEABROOK WATER DEPARTMENT

Water Delivered

Year: 2020 Month: July

Gravel Packed Wells

1: 7,545,000

3: 2,216,000

7: 1,453,000

Plant: 26,444,000

Total: 37,658,000

Previous Month / Year	<u>Jul-19</u>	Total	<u>38,345,000</u>
Previous Month / Year	<u>Jul-18</u>	Total	<u>38,030,000</u>

Respectfully submitted: George M. Eaton Chief Op

Date: 8/2/2020

SEABROOK WATER DEPARTMENT

Water Delivered

Year: 2020 Month: August

Gravel Packed Wells

1: 7,118,000

3: 3,743,000

7: 34,000

Plant: 25,092,000

Total: 35,987,000

Previous Month / Year	<u>Aug-19</u>	Total	<u>37,390,000</u>
Previous Month / Year	<u>Aug-18</u>	Total	<u>36,470,000</u>

Respectfully submitted: George M. Eaton Chief Op

Date: 9/2/2020