

TOWN OF SEABROOK

SELECTMEN'S MEETING

JULY 12, 2021

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

10:30AM

Mrs. Brown opened the meeting at 10:38AM.

**MONTHLY MEETING - POLICE CHIEF**

Chief Walker was present and briefly went through his report (see attached). They will be resuming normal activities such as National Night Out and Coffee with a Cop.

Mrs. Kyle thanked both the police and fire departments for working together to combat the drugs in Seabrook. It's nice to see them really looking out for each other where in the past that has not happened.

**WRITE-DOWN POLICE DETAIL ACCOUNT**

Mrs. Kyle asked for some of the companies that have not paid for the details. The chief will give further information to the board on Pan Am and where the detail was held. There is an administrative fee associated with the cost in order to help with the administrative fees of the town. Mrs. Kyle would like a list of to fall the ones that have not paid. Chief Walker said he would get the list to her.

Mr. Manzi said he has asked the question about holding back on permits for businesses or people who have not paid the town for services and the town attorney has responded it is not something that can be done, and he will provide the opinion to the board.

Mr. Khan asked if a company did not pay for a previous detail, and they request another one would the town accept it. Chief Walker said they would not unless the previous bill is paid to the town. Mr. Manzi indicated in this case we would have the right to refuse.

**MOTION:** Ella M. Brown To approve and sign the  
**Second:** Theresa A. Kyle police detail account  
**Unanimous** write-down.

**DONATION - BJ'S WHOLESALE CLUB - \$500**

**MOTION:** Ella M. Brown To approve and accept  
**Second:** Theresa A. Kyle the donation of \$500.  
**Unanimous**

**PARADE/PARTY PERMIT**

Smuttynose Rockfest - October 3 8:15AM - 9:15AM

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

Mrs. Brown asked about the pier and a boat that has been parked. She said there was a conversation between the person that owns the boat and a fisherman. The sign indicates there is a fine and asked what the fine would be. Chief Walker said he would look at the ordinance to see what the fine is. If there is no fine the board can implement one or change the existing fine.

**2020 TAX ABATEMENT**

Griffey Seabrook LLC - Greenleaf Drive - \$990

MOTION: Theresa A. Kyle To approve and sign the  
Second: Ella M. Brown 2020 tax abatement.  
Unanimous

**1 ELDERLY EXEMPTION**

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

**VETERAN EXEMPTION**

Angelo & Sandra Vettese - 64 Blacksnake Road

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

Ms. Silva said that veteran exemptions need to be renewed every 5 years the same as with the elderly and disability exemptions.

Ms. Silva said the revaluation is on schedule and letters will be going out in August so the residents can see where the new value is allowing them a chance to come in and speak with her. This is a state law that needs to be done every 5 years to bring the values up to 100% of market value. Ms. Silva said the reason she assesses yearly is to keep them as near market value as possible not only for the power plant value to stay 100% but to maintain equity with commercial and industrial.

**PREVIOUS MINUTES - MARCH 15 PUBLIC**

MOTION: Ella M. Brown To adopt the minutes of  
Second: Theresa A. Kyle 3/15 public.  
Unanimous

**ABATEMENT**

Alton & Shelly Eaton - 46 Adams Avenue - \$501.99

Mr. Manzi explained that Mr. Slayton is adjusting the existing bill, but they are required to pay the remaining balance.

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

**SEWER SERVICE APPLICATION**

Stan & Carol Metcalf - 40 Borderwinds Avenue

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

**HAWKERS & PEDDLERS LICENSE**

Dean Manemanus - Ice Cream Truck

MOTION: Ella M. Brown To approve and sign the  
Second: Theresa A. Kyle hawkers & peddlers  
Unanimous license.

Mrs. Kyle commented the applicant who submitted the background check should be the person who is driving the truck.

**RENEWAL INVESTMENT & PURCHASING POLICIES**

Mr. Manzi said the auditors prefer the policies be renewed annually even if there are no changes.

MOTION: Ella M. Brown To renew the investment  
Second: Theresa A. Kyle & purchasing policies.  
Unanimous

**LAND SALES**

Mr. Manzi said the auctions for the surplus land have been completed. He said four separate auctions/sealed bids were conducted and he has the four high bidders that he is recommending to the board.

Mrs. Kyle asked what the land would be used for. Mr. Manzi said they were not required to state they did not they only submitted bids.

Mr. Khan is concerned why we are selling the land now when it has been the taxpayer's property for a long time. He feels they need to be more transparent, and the process was very good, but the taxpayers need to know where the land is that is being sold and also who the person is that is buying the land.

Mrs. Kyle commented that she attended the bid opening, and it went very well.

Ravi spoke and said this closed bid process came up at a board meeting and that is how he found out about it. He believes there were plenty of opportunities for everyone to know what was happening if they did their due diligence on the project.

Mr. Manzi explained that 3 of the 4 properties were like what Mr. Khan said but one is from a tax title and taken for non-payment of taxes. He said we have done this same process for others in this situation.

Mr. Khan feels they should go an extra mile and show the taxpayers the land that is being sold and they can take a vote after that meeting. Mrs. Brown said they have sold other properties and have never done it that way. Mrs. Kyle said we did every step in public but if the residents do not watch TV or read the newspaper then they are not going to know.

There was discussion on how many bids were submitted for each property.

<u>MOTION:</u>	Ella M. Brown	To award the bids to the
Second:	Theresa A. Kyle	highest bidder & return
Opposed:	Aboul B. Khan	checks to those who did
		not get the bid.

Mrs. Kyle said this is normal procedure as with other towns. Mr. Manzi said he would need to send out the notices and the town has to go through the closing process. If the winning bidder did not follow through the board would have the option to go to the next highest bidder but that is something he would bring back to them. Mr. Manzi said the board can put any deed restriction they would like but the winning bidder does not need to accept.

#### **QUESTIONS/COMMENTS**

Mrs. Kyle said next year they should consider not allowing vendors on town property as she has received a lot of feedback from people who are not happy. They are taking up more than one parking space, not paying taxes and the trucks are big and not

really pretty. Mrs. Kyle feels it is going to get out of hand and should be something they address before the next season. Mr. Khan said if they do choose to allow them, they could set a size restriction as that may be a better option to consider. Mr. Manzi said he has asked the police chief to look into both to ensure they are meeting the requirements of the board and said he has not heard of any violations.

MOTION: Ella M. Brown To move Sal's truck to  
Second: Aboul B. Khan the north parking area  
Unanimous and the Lunch Box truck  
to the spot near the  
welcome center.

Mr. Khan said he has heard a lot of concerns over the entrance to BJ's. He said now is the time they have a meeting or send a letter to the planning board so they can find out what else is going in that area. BJ's changed the dynamics of the road, and the residents want to know why the Seabrook DPW has to plow this road. Mrs. Kyle said this project has been going on for 5 years and not one of them have come out to voice concerns or ask questions but now it is an issue they are bringing up. Mrs. Brown said with all the rain there is an issue with drainage that is going into the trailer park.

Mr. Khan asked about the Beach Civic Association meeting and whether or not the board will be in attendance as they have been invited. Mr. Manzi will respond on behalf of the board that they will attend on one of the dates as long as it doesn't conflict with anything else.

Ravi suggested the board stress the impact of the positive decisions that the board makes at its meeting. Mr. Manzi said it is hard to quantify some of what Ravi is suggesting. Ravi feels it would be more beneficial to know the impact it is having for the residents of Seabrook. Mr. Manzi explained his process and what his report to the board gives for information. Mrs. Kyle said the information is discussed and readily available for any resident who wants to see it.

Ravi suggested stickers on the parking signs with the actual dollar amount of the fine for everyone to see.

#### **NON-PUBLIC SESSION**

MOTION: Theresa A. Kyle To go into non-public  
Second: Ella M. Brown session under RSA 91-A:3  
Unanimous II (e) negotiations.

Roll call:

Mrs. Brown - yes

Mr. Khan - yes

Mrs. Kyle - yes

MOTION: Aboul B. Khan

To adjourn the meeting.

Second: Theresa A. Kyle

Unanimous

Minutes taken by Kelly J. O'Connor.

Approved and endorsed:

\_\_\_\_\_  
Theresa A. Kyle, Clerk

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

# **TOWN OF SEABROOK BOARD OF SELECTMEN**

## **AGENDA**

July 12, 2021

Open Meeting at 10:30 A.M.

### **TURN CELL PHONES TO VIBRATE OR OFF PLEASE PLEDGE OF ALLEGIANCE**

#### **MEETINGS**

- 1.) Monthly Meeting – Police Chief

#### **NEW BUSINESS**

- 1.) Question of approving previous minutes of March 15 public.
- 2.) Question of approving abatement for Alton & Shelly Eaton – 46 Adams Avenue - \$501.99.
- 3.) Question of approving 2020 tax abatement for Griffey Seabrook LLC – Greenleaf Drive - \$990.
- 4.) Question of approving 1 elderly exemption.
- 5.) Question of approving veteran exemption for Angelo & Sandra Vettese – 64 Blacksnake Road.
- 6.) Question of approving sewer service applications for Stan & Carol Metcalf – 40 Borderwinds Avenue.
- 7.) Question of approving hawkers & peddlers license for Dean Manemanus – Ice Cream Truck.
- 8.) Question of approving write-down of police detail account.
- 9.) Question of approving donation from BJ's Wholesale Club for \$500 to the Police Department.
- 10.) Question of approving half marathon for Smuttynose Rockfest – Sunday October 3 8:15AM – 9:15AM.
- 11.) Question of renewing investment and purchasing policies.

#### **QUESTIONS/COMMENTS**

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

#### **PUBLIC PARTICIPATION**

# Seabrook Police Department



7 Liberty Lane, P.O. Box 456

Seabrook, NH 03874

Phone: (603) 474-5200

Fax: (603) 474-7242

Brett J. Walker

Chief of Police

Kevin M. Gelineau

Deputy Chief of Police

July 12, 2021

## May/June/July (partial) Report to Selectmen

- The week of May 9<sup>th</sup> through the 15<sup>th</sup> was National Police Week and May 15<sup>th</sup> was National Peace Officer Memorial Day. We remember all our brothers and sisters who lost their lives serving and protecting their communities especially Seabrook Police Chief Charles S. "King" Knowles who died in the line of duty on August 12, 1973.
- Officers attended training to include First Line Supervision, Field Training Officer (FTO) Supervisor, the Mid-management course at Roger Williams University, Anti-Bias Training for Law Enforcement, De-escalation and Reasonable Use of Force, and Ethics in Law Enforcement. The implementation of PoliceOne Academy is already proving to be a cost-effective means of providing our staff with excellent training in contemporary law enforcement topics.
- The Crimeline for the Hamptons made a donation to cover the tuition and rooming costs associated with Lt. Mone's mid-management training at Roger Williams University. We appreciate the continued support from the Crimeline and helping to ensure our staff is properly trained.
- In early June the Seabrook PD, in conjunction with the NH Division of Liquor Enforcement and Licensing, conducted alcohol compliance checks in Seabrook. Businesses holding a liquor license, which were open at the time of the checks, and both NH State Liquor Stores were checked for compliance, utilizing a State of NH approved underage buyer. We would like to congratulate the thirty (30) businesses that successfully passed the compliance checks. Information on how to report violations of State liquor laws can be found on their website.
- Following reports of a large and potentially disorderly crowd expected at Hampton Beach in early June, Seabrook officers aggressively patrolled the area resulting in 42 motor vehicle stops, 8 arrests, and two individuals taken into protective custody in just a few short hours.
- At the June 8<sup>th</sup> Board of Selectmen's meeting Officer Dave Hersey was recognized by the Board and State Senator Tom Sherman for his heroic actions in rescuing a resident from a fire on Spruce Court in March.
- I received a letter from Assistant Rockingham County Attorney Ryan Ollis, lead attorney for our area, commending Officer Hersey for his actions.
- I received a letter from Newmarket Police Chief Greg Jordan thanking Officer Tyler Houldsworth and K-9 Henry for their assistance in checking more than eighty (80) bags/backpacks for a "project graduation" event in June.
- I attended the grand opening of the C&J bus terminal in late June.
- We are continuing the hiring process to fill a fourth full-time dispatch position. This would put us at full staff in dispatch.



- Friday June 25<sup>th</sup> Officer Nicholas Glowacki was sworn in as the newest Seabrook Police Officer. Officer Glowacki comes to us from the Dover Police Department with more than ten years experience as a full-time police officer. Among other things he was a Field Training Officer, a School Resource Officer, and a SWAT officer with the Dover PD and has a Bachelor's degree in Management from the Wentworth Institute of Technology. We are excited to have Officer Glowacki joining the Seabrook PD family.
  - The addition of Officer Glowacki puts us at 29 full-time officers.
  - We are currently fully staffed with full-time police officers. Thanks to the voters, a 30<sup>th</sup> police officer position will become effective December 1<sup>st</sup>, 2021.
  - The addition of three police officers over the past two years allows us more flexibility in our allocation of resources which will result in better police services for the community.
- Fourth of July calls for service:

Type of Call	Overall	Beach Area
Suspicious Auto	5	1
Fireworks	4	2
Loud Noise	2	2
MV Stops	55	14
Disabled MV	1	1
MV Accident	6	1
Animal Calls	11	3
Thefts	3	3
Threats	1	1
Parking Complaints	8	7
Arrests	8	2
Brush Fire	1	1
Assist Citizen	4	1

#### Regular activities

- Participated in virtual and in-person meetings related to the purchase and implementation of the police radio upgrade approved by voters in 2020.
- Continued to monitor Federal, State, and Local guidance related to the COVID-19/coronavirus pandemic.
- Attended a meeting for the Seacoast Emergency Response Team (SERT)

Drug Overdose Statistics through July 8, 2021 are as follows:

2021 YTD OVERDOSES – 8
2021 YTD OVERDOSE DEATHS – 0

We continue to use our social media accounts on Facebook, Twitter, and Instagram (@SeabrookNHPD) to connect with the public. This has proved to be an effective means of providing information to and interacting with the public. The Seabrookpd.com website also has a Twitter feed at the bottom for people who do not utilize social media.

As we resume our normal activities we would like to announce our participation in National Night Out 2021. We will also be resuming our regular Coffee with a Cop program as a means of connecting with residents. The pandemic eliminated our face-to-face interactions with the public and we missed out on a lot of community events in 2020. We're excited to resume these activities and show our appreciation for

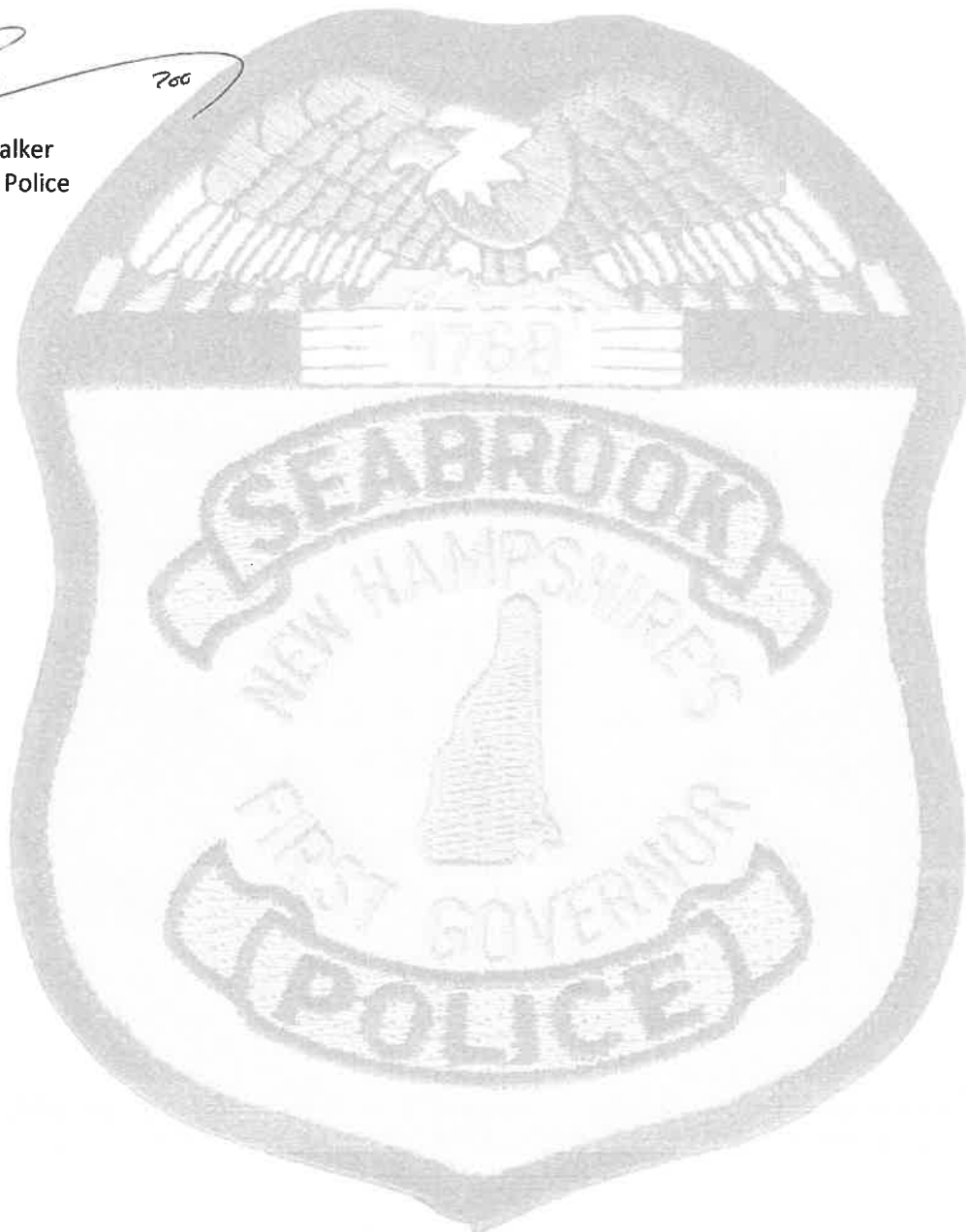
the support from the Seabrook community. More information about National Night Out and Coffee with a Cop will be available shortly.

I would be remiss if I did not thank the Seabrook Police staff who continued to provide the community with a high level of service for the past eighteen months despite the unprecedented challenges faced during the pandemic. Whether it was routine patrol and investigative work, our continued participation in numerous drug and opioid reduction initiatives to combat the sale and distribution of illegal drugs in Seabrook and surrounding areas, or grant-funded patrols aimed at making our roads safer through distracted driving and DWI enforcement, our staff answered the call and helped keep Seabrook one of the best communities in the state. I am extremely proud to work alongside such a dedicated group of public servants.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Walker", with the number "706" written to its right.

Brett Walker  
Chief of Police



# Seabrook Police Department



7 Liberty Lane, P.O. Box 456  
Seabrook, NH 03874  
Phone: (603) 474-5200  
Fax: (603) 474-7242

Brett J. Walker  
Chief of Police

Kevin M. Gelineau  
Deputy Chief of Police

28 June 2021

Mr. William Manzi, Town Manager  
99 Lafayette Road  
Seabrook, NH 03874

Dear Mr. Manzi,

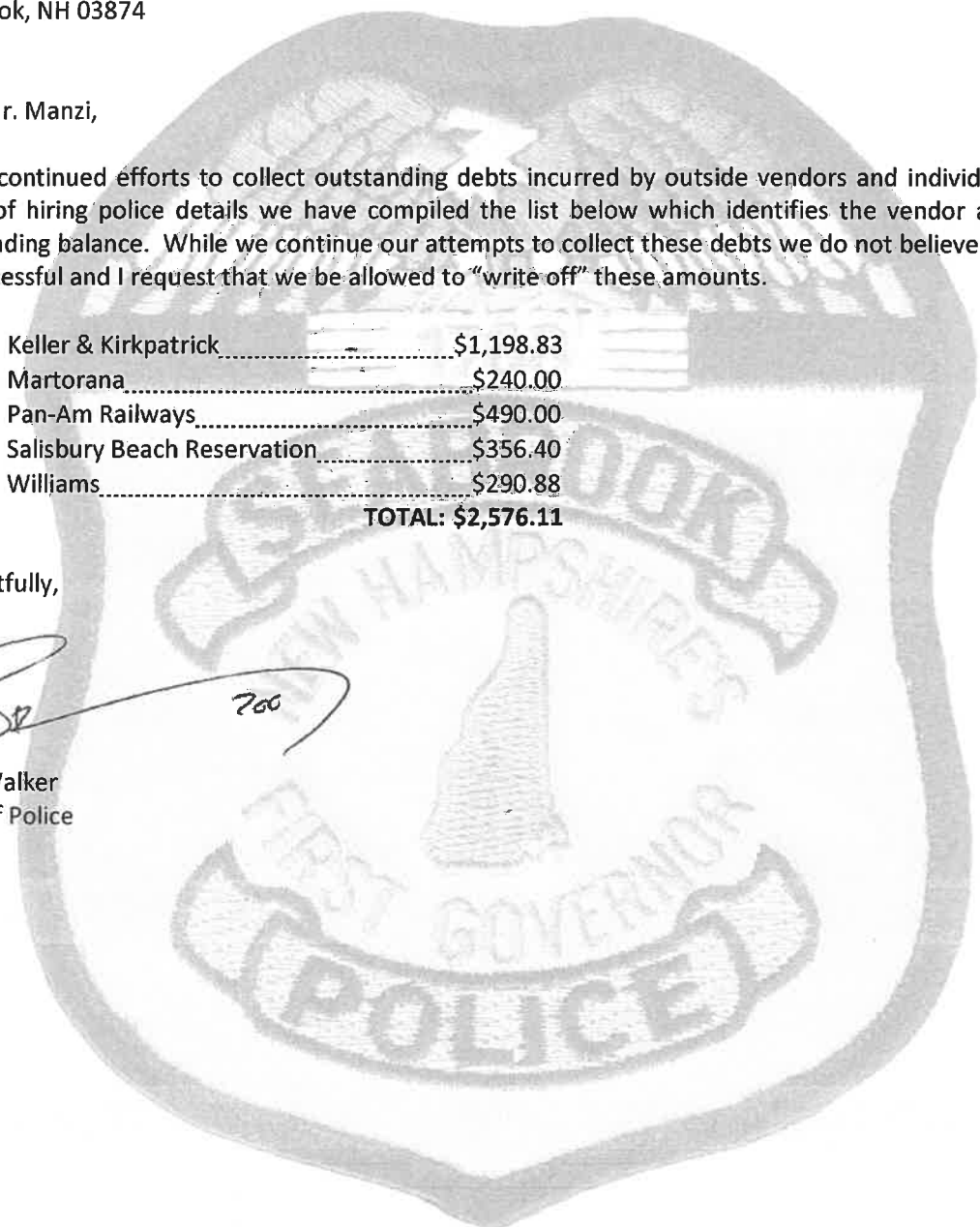
In our continued efforts to collect outstanding debts incurred by outside vendors and individuals as a result of hiring police details we have compiled the list below which identifies the vendor and their outstanding balance. While we continue our attempts to collect these debts we do not believe they will be successful and I request that we be allowed to "write off" these amounts.

- Keller & Kirkpatrick.....\$1,198.83
  - Martorana.....\$240.00
  - Pan-Am Railways.....\$490.00
  - Salisbury Beach Reservation.....\$356.40
  - Williams.....\$290.88
- TOTAL: \$2,576.11**

Respectfully,

A handwritten signature in black ink, appearing to be "B. Walker", with a large flourish extending to the right. The number "700" is written in the middle of the flourish.

Brett Walker  
Chief of Police



# Seabrook Police Department



7 Liberty Lane, P.O. Box 456  
Seabrook, NH 03874  
Phone: (603) 474-5200  
Fax: (603) 474-7242

Brett J. Walker  
Chief of Police

Kevin M. Gelineau  
Deputy Chief of Police

## MEMORANDUM

**TO:** Town Manager  
**FROM:** Chief of Police  
**DATE:** July 1, 2021  
**RE:** Request to accept donation from BJ's Wholesale Club

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BJ's Wholesale Club has donated a \$500.00 gift card to the Police Department. This generous gift can be used for a variety of items that can be used around the police facility such as cleaning and office supplies. I request that the Town accept this donation from BJ's Wholesale Club for the specified equipment.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "B. Walker", with a date "7/1" written to the right of the signature.

---

Brett J. Walker  
Chief of Police

Seabrook Beach Village District  
210 Ocean Boulevard  
PO Box 2660  
Seabrook, NH 03874

**R: Smuttynose Rockfest Half Marathon**

**Date: Sunday, October 3, 2021**

**8:15 – 9:15 AM**

Dear Commissioners,

Attached you will find a map of our proposed course for a 2021 event, the Smuttynose Rockfest Half Marathon. This is the same short course that was approved last year.

This event starts and finishes in Hampton Beach and has been held for over 10 years. It has dozens of runner enthusiasts from Seabrook running in it each year as well as many volunteers from Seabrook. The event has 4,500 runners and attracts visitors from all over the country. The event already supports many community groups in Hampton and will add Seabrook groups to its list of beneficiaries. Included will be the Seabrook Historical Society and the Seabrook Civic Association to beautify the Seabrook Beach.

For 2021 we propose to include a small section of Seabrook at a very early 8:15- 9:15 AM on an early Sunday morning. The section is at mile 3 to 4.5 of the course and is about 1/2 mile long in Seabrook. It starts at the Hampton line, travels south on Route 1A, turns around 100 feet north of the intersection of Hooksett Street, then heads south back into Hampton.

Any customers wanting to get into the businesses along Rt.1A will be able to get in and out easily. Residents also will be able to get out by Hooksett Street and head south to get out. We also will keep a travel lane for Fishermen to get to Harborside Park.

**Information Plan**

All residents along the route will be notified by road signs for the race event. Police will direct traffic as needed.

**Detour Plan**

North & Southbound auto traffic for Rt. 1A will use Rt 286 Westbound to Rt. 1 to Hampton and points north.

**Police Details**

We will work with the Seabrook Police and they will provide details in all the correct locations along the route. DOT approval will also be secured.

We look forward to discussing this in more detail.

Sincerely,

Michael St. Laurent  
LOCO Sports, LLC.  
mike@locorunning.com

**Smuttynose Rockfest  
Half Marathon  
Seabrook Course section  
Runner course over  
Hampton Harbor to Hooksett  
Street and back.**

Yankee Fisherman's Co-Op

Man's Fishing Fleet

Captain Don's  
ster Pound

NH Liquor &  
Wine Outlet

Castaways  
Seafood and Grille

Ceal's Clam Stand

**Hooksett street**

Manchester St

Hudson St

1A

Eisenhower St

Portsmouth Ave

Eisenhower St

Portsmouth Ave

Thornton St

Campton St

Plymouth St

Woodstock St

Bound Rock

Ashland St

Runners will fun south  
from Hampton line on  
Rt. 1A into Seabrook.

Runners turn around  
100 feet before Hook-  
sett Street  
in Seabrook and head  
back north on 1A to  
Hampton

Cars will be detoured  
using Rt. 286 to Rt. 1  
to points north.

Town of Seabrook, New Hampshire

## **INVESTMENT POLICY**

### **Section 1. Purpose:**

The purpose of this Policy is to comply with RSA 41:9 VII, which requires the Board of Selectmen to annually review and adopt an investment policy for the investment of public funds, and to provide a framework for the Town Treasurer to carry out the policy objectives.

### **Section II. Authority:**

This Policy has been enacted pursuant to the statutory authority granted to the Board of Selectmen by RSA 41:9 VII and to the Town Treasurer by RSA 41:29 IV. These RSA's are incorporated by reference and made part of this policy as Appendix A.

### **Section III. Policy Statement:**

The primary objective of the Town of Seabrook's investment policy is to set forth appropriate investment activities that provide for, first and foremost, the safety of principal, as well as sufficient liquidity to support operations while generating a reasonable investment yield.

The specific investment policy objectives are stated below:

1. To ensure the preservation of capital and the protection of investment principal by investing in instruments authorized by State Law, as outlined in section VIII of this policy.
2. To maintain sufficient liquidity to meet operating requirements for the Town of Seabrook.
3. To satisfy all legal requirements.
4. To attain market-average rate of return on investments taking into account risk and legal constraints and cash flow considerations.

### **Section IV. Definitions:**

- A. "Board": Means the Board of selectmen for the Town of Seabrook.
- B. "Collateral": Underlying securities that are pledged to secure deposits of public funds.

- C. "Market-average Rate of Return": The amount of income received from an investment, expressed as a percentage (also referred to as an investment yield) that an investor can expect to receive in the current interest-rate environment.
- D. "Repurchase Agreement": A transaction in which a holder of securities sells those securities to an investor with an agreement to repurchase those securities for a fixed price at an agreed upon date.
- E. "Safekeeping": A procedure where securities are held by a third party acting as a custodian.

#### **Section V. Scope:**

The investment policy applies to all public funds held in the custody of the Town Treasurer. This does not include funds held by the Library Trustees or trustees of the Trust Funds. The funds held by the Treasurer are accounted for in the Town's annual audited financial reports and include the following:

- General Fund
- Special Revenue Funds- which include funds overseen by the Conservation Commission, and the Cemetery Trustees.
- Agency Funds- which include impact fee funds
- Capital Project Funds
- Any new funds created by the Town, unless specifically exempted by the Governing Body, in accordance with law.

Furthermore, the investment policy applies to all transactions involving the financial assets and related activities of all the foregoing funds.

This policy does not apply to funds held in escrow for performance bonds, which are held in an interest bearing deposit account at an approved banking institution.

#### **Section VI. Delegation of Authority:**

The investment policy delegation of authority is stated below:

1. In accordance with RSA 41:29 VI, the responsibility for conducting investment transactions resides with the Town Treasurer, with the approval of the Board. However, the Treasurer may delegate investment functions to other town officials or employees provided such delegation is in writing and includes



written procedures acceptable to the Board, and is agreeable to all parties involved. Any such delegation shall only be made to a town official or employee bonded in accordance with RSA 41:6 and rules adopted by the Commissioner of Revenue Administration under RSA 541-A. Such delegation shall not eliminate the responsibility of the Treasurer to comply with all statutory duties required by law.

2. No person may engage in an investment transaction except as provided under the terms of this policy and the internal procedures and controls hereby established.

### **Section VII. Prudence and Ethical Standards:**

The investment policy will be conducted in accordance with the "prudent person" standard which requires that:

*Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.*

Elected officials and employees involved in the investment process shall refrain from personal business activity that could conflict (or appear to conflict) with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Such individuals shall disclose to the Board any material financial interest in financial institutions that conduct business with the Town, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the Town's portfolio.

### **Section VIII. Investment Activities:**

#### **Internal Controls**

The internal controls for the Town of Seabrook shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, imprudent actions by elected officials and employees of the Town.

1. Indemnification: In accordance with RSA 41:6 (Surety Bond Required)(Appendix A), "Town Treasurers...Shall be bonded by position under a blanket bond from a

surety company authorized to do business in this State. The bond shall indemnify against losses through:

- a) The failure of officers covered to faithfully perform their duties or to account properly for all moneys or property received by virtue of their positions, or
  - b) Fraudulent or dishonest acts committed by the covered officers."
2. The Treasurer conducts investment transactions via written instructions and reviews the bank statements daily to ensure that the appropriate transactions were made per the instructions. The Finance Manager, on a monthly basis, reviews and reconciles all bank account activity and records the investment transactions in the general ledger. On a quarterly basis, the Finance Manager or Treasurer provides a report to the Board, summarizing any significant investment activity for that quarter, based upon investment information provided by the Treasurer.

#### **Investment Instruments**

In accordance with RSA 41:29 II and IV, funds of the Town of Seabrook may be invested in any of the following:

- a) Deposits, including money market accounts, or certificates of deposit, or repurchase agreements, and all other types of interest bearing accounts, of federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state; or funds may be deposited in federally insured banks outside the state if such banks pledge and deliver to a third party custodial bank or the federal reserve bank collateral security for such deposits of the following types:
  - i. United States government obligations;
  - ii. United States government agency obligations; or
  - iii. Obligations of the State of New Hampshire in value at least equal to the amount of the deposit in each case.
- b) New Hampshire Public Deposit Investment Pool (NHPDIP) established pursuant to RSA 383:22
- c) Obligations fully guaranteed as to principal and interest by the United States government. The obligations may be held directly or in the form of securities of or other interests in any open-end or closed-end management type investment

parameters of this policy, with the understanding that each individual investment will not necessarily be competitively bid by the provider, but will meet the investment criteria as proposed and agreed.

### **Safekeeping and Collateralization**

In accordance with RSA 41:29 V, the Treasurer shall ensure that prior to acceptance of any moneys for deposit and investment, including repurchase agreements, the federally insured bank shall have such funds, at the time of deposit or investment, secured by collateral having a market value at least equal to 102% of the amount deposited or invested. Such collateral shall be held by a third party custodian and segregated for the exclusive benefit of the town. Only securities defined by the bank commissioner as provided by rules adopted pursuant to RSA 386:57 shall be eligible to be pledged as collateral. refer to Appendix B for the relevant section of the New Hampshire Administrative Rules.

The banking institution shall provide the Town Treasurer with at least monthly reports of the Town's collateral position. In addition, collateral agreements shall comply with provisions set forth in the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA), which require that the collateral agreement be:

- 1) in writing
- 2) approved by the Board of Directors of the depository or its loan committee;
- 3) lists no specific pledged securities; and
- 4) has been, continuously, from the time of its execution, an official record of the depository institution.

For purposes of this section, Town funds that are invested with a federally insured financial institution that provides for the insurance of those funds through the Federal Deposit Insurance Corporation (FDIC) will not require separate collateralization through a third party custodian.

### **Reporting**

At least annually, and in periods of significant investment activity, on a monthly basis, the Town Treasurer shall include a summary of investment activity in the Treasurer's report submitted to the Board. The report shall summarize the investment strategies employed, and describe the portfolio in terms of investment securities, maturities, risk

company or investment trust registered under 15 U.S.C. section 80a-1 et.seq., if the portfolio of the investment company or investment trust is limited to such obligations.

- d) Other instruments as may be specifically authorized by amendments to the State Law.

Whenever possible, maturities of investments purchased shall be scheduled to coincide with projected cash flow needs, taking into account large routine expenditures (school district remittances, payroll and accounts payable) as well as anticipated revenue inflows. However the maturity characteristics of the portfolio must comply with the following schedule:

Total Portfolio	Required Minimum Percentage
<u>Investments Maturing</u>	<u>Of Total Portfolio</u>
1 Year or Under	100%
90 Days or Under	50%

### **Qualified Institutions**

The Town Treasurer shall determine the primary banking institution to be used by the Town, in conjunction with the Board, who is responsible for establishing the budgetary parameters under which the Town Treasurer may operate. The Town shall utilize Appendix B as the source and foundation of its qualified institution criteria for the deposit of public funds.

Any entity outside of the list in Appendix B, that the Town may utilize to purchase investment instruments, must have an investment grade rating issued by Moody's and S&P at a minimum of Aa2 and AA, respectively. Refer to Appendix C for the Moody's and S&P ratings definitions.

The Board, in conjunction with the Town Treasurer, shall periodically review the banking relationship and determine if there is a need to undertake a competitive bidding process for the selection of banking, investment, and/or cash management provider(s). If a competitive bid is sought, the investment of Town funds, in accordance with this policy, will be a key consideration in assessing and awarding such bid. Once awarded, it is the responsibility of the provider to maintain investments within the

characteristics and other features. The report shall explain the transaction detail, expected total investment return and actual results.

**Performance Evaluation**

The Town shall require, from any institution in which investing activity is conducted, sufficient routine reports/documentation to enable an accurate evaluation to be made as to the results of the Town's investment program as it relates to the Town's stated objectives, guidelines and policies, and to assist in revealing areas for potential improvement.

**Section XI. Amendments:**

This Policy may, from time to time, be amended by a majority vote of the Board, at a regularly scheduled Board meeting. It will, at a minimum, be reviewed and adopted annually by the Board.

**Section XII Effective Date:**

This policy, and any amendments made thereto shall take effect immediately following a majority vote of the Board at a regularly scheduled Board meeting.

**BOARD OF SELECTMEN:**

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## TOWN OF SEABROOK PURCHASING POLICY AND PROCEDURES

### SECTION I: PURPOSE & RESPONSIBILITIES

These policies, known collectively as the purchasing policies of the Town of Seabrook, are adopted for the purpose of providing the best guarantees that tax money and public funds are spent in the most prudent fashion, as well as assuring the goods and services required by the departments of the Town are acquired in a timely manner and at the most economical price. This policy explicitly details the levels of authority granted to various governmental officials of the Town of Seabrook as well as providing for direction as to the steps involved in the procurement of goods and services for the Town. It is the Purchasing Division's responsibility to evaluate proposed purchases in order to bid or negotiate Requisitions and contracts on behalf of the Town. In addition the Purchasing Agent is responsible for salvage or surplus property disposition, assisting in the maintenance of the Town's capital asset system, soliciting quotes and negotiating pricing for frequently used goods and services and obtaining stock for consumable supplies. The Purchasing Agent also oversees the procedures for specified services, including purchasing or renting all materials, supplies, furnishings, equipment, and other personal property for the Town, engaging independent contractors to perform various services, and contracting with consultants for special and scientific data and services. The Purchasing Agent receives instruction, general supervision and direction from the Town Manager and may supervise the work of other assigned employees.

### SECTION II: DEFINITIONS

- A) "Shall", "must" and "will" mean that the procedure is mandatory.
- B) "Should" means that the procedure is recommended.
- C) "May" means that the procedure is optional.
- D) "Purchasing System" means the process which authorizes a vendor to deliver goods or provide a service, and which assures that public funds for such goods or services *will* be encumbered for future payment. Any reference to a Department Head is also meant to include a Committee Chairperson.
- E) "Purchases" means all goods or services paid for via the Town's Accounts Payable System, regardless of whether the source funding for the purchase is the Town's general operating budget, grant/donated funds or special revenue/revolving account funds.
- F) "Single Vendor" is meant to pertain to multi-department purchasing, in which the Town selects one vendor to provide specialized services (such as an electrician).
- G) "Purchase Order" A legally binding document issued by the Purchasing Division that specifies the goods or services ordered from a vendor for an indicated price.
- H) "Open Purchase Order" A *Purchase Order* issued to a vendor for items or services for a specified period of time, but not exceeding the end of the current fiscal year, when it is determined to be in the best interest of the Town. After its acceptance by the vendor, *purchases may* be made against it periodically as required without calling for new *Purchase Orders* up to the dollar amount of the Open Purchase Order.
- I) "Capital Asset" See Chapter 2 in the Town's *Capital Asset Policy*, Approved August 27, 2003.

## TOWN OF SEABROOK PURCHASING POLICY AND PROCEDURES

- J) "Request for Information (RFI)" This is a proposal requested from potential vendors to determine what products and services are potentially available in the marketplace to meet needed requirements. An *RFI* is not an invitation to bid, is not binding on either party and *may* or *may-not* lead to an *RFP* or *RFQ*.
- K) "Request for Proposal (RFP)" document used to solicit proposals for professional service.
- L) "Request for Qualification (RFQ)" A process used to solicit qualified consultants for services requiring a qualifications standard. Examples of this type of service include architects or engineers for public construction projects. This is a competitive process where the most qualified firm or firms are selected and then project scope, schedule and fees are negotiated.
- M) "Salvage or Surplus Property" Property and material that is no longer useful to a Town department. Departments wishing to declare items *surplus must* receive prior approval of the Board of Selectmen.
- N) "Sole Source Vendor" is intended to describe a situation in which a particular item or service is so specialized it is only available from one or two vendors, or limited by the manufacturer to one local distributor, or for any other reason the Town is unable to obtain three price quotes or bids(refer to Section X).

### SECTION III: AUTHORITY

These policies are adopted by the Board of Selectmen in accordance with RSA 31:39 as it relates to the management of the Town's prudential affairs and the authority over expenditures.

### SECTION IV: CONFLICT OF INTEREST

In accordance with RSA 95:1, no person holding a public office in the Town of Seabrook, either appointed or elected, shall, by contract or otherwise, except by open competitive bidding, buy real estate, sell or buy goods or services, commodities, or other personal property of a value in excess of \$200 from the Town of Seabrook.

The above section *shall* also apply to all employees of the Town of Seabrook.

## TOWN OF SEABROOK PURCHASING POLICY AND PROCEDURES

### SECTION V: OBJECTIVES

- A) To provide for the centralized function of purchasing as established in these policies.
- B) To seek competitive pricing through bidding and quotation based on the dollar limits outlined in these policies.
- C) To, wherever possible, consider the use of State contracts for goods and services as such contracts *may* provide savings to the Town.
- D) To provide for a procedure for the disposal of *surplus* property as outlined in these policies.
- E) To consider the purchase of goods and services from local businesses, as well as encourage their participation in the procurement process.

### SECTION VI: PURCHASE ORDERS

All *purchases shall* require a purchase order signed by the Department Head and any other individual or groups as required by these policies. A purchase order *may* not be required in cases where a bid letter or signed contract is issued in accordance with Section IX (A) or (B) of this policy.

- A) All *purchases* that are of a contractual nature or related to ongoing operational expenditures *shall* be assigned an annual open purchase order number. Vendors that fall under an open purchase order number *shall* use the specific number(s) on their invoices. The following ongoing obligations and/or *purchases*, if not awarded through a competitive bid process, *may* require an initial purchase order executed as referenced below:
  - 1. VEHICLE FUEL & HEATING OIL/PROPANE: Initial delivery after start of contract year, (all subsequent orders *shall* reference the initial [Open] order).
  - 2. CONTRACTS: Contracts for consulting or maintenance services, solid waste disposal services and lease/rental agreements *shall* require an initial purchase order at the beginning of the contract period, covering the period of performance.
  - 3. OTHER: Ongoing product *purchases* expected to accumulate above the thresholds determined in Section VII.
- B) All non-contractual or non-reoccurring operational *purchases shall* require a purchase order number and the appropriate authorizing signatures in accordance with Section VII.
- C) The following obligations and/or *purchases shall* be exempt from purchase order requirements:
  - 1. UTILITIES: Including electricity and telephone expenses.
  - 2. SERVICE/MAINTENANCE AGREEMENTS: Including ongoing equipment and software service agreements which have previously been approved through the budgeting process (with a list of such agreements maintained by the Finance Department); and ongoing contracted employee agreements such as snowplowing (subject to an approved list at the beginning of each season maintained by the Highway Department).
  - 3. HUMAN SERVICES/EMPLOYEE REIMBURSEMENTS: Including payments made on behalf of employees as part of their job description/ training; and human service contributions/payments.



## TOWN OF SEABROOK PURCHASING POLICY AND PROCEDURES

- D) If there are *purchases* for which it is not clear whether a purchase order is required, the Department Head *shall* consult with the Purchasing Agent or Town Manager for a final determination.
- E) Prior to issuing a purchase order for a new vendor, Department Heads *shall* contact the Finance Manager to determine if the appropriate tax identification forms and insurance certificates (for vendors working on Town property) are on file.
- F) DISTRIBUTION: One copy of the purchase order *shall* be given to the vendor if requested, one to the Administration (prior to the invoice being submitted for payment processing), and one maintained for department files.
- G) SCOPE OF INFORMATION: The purchase order *should*, at a minimum, contain the following information, as applicable:
  - 1. The quantity and description of product or service being purchased
  - 2. Vendor's name and location
  - 3. The unit costs
  - 4. Total amount of purchase
  - 5. Date the order was prepared
  - 6. Purchase order number
  - 7. Budget account (General Ledger) which to charge the purchase

Departments *will* use the Town's most current purchase order system and *will* adopt the purchase order module as being prepared for our in-house procurement system.

### SECTION VII: PURCHASE LEVELS

- A) PURCHASES UP TO \$2500: The Department Head *shall* have full authority to make departmental *purchases* of goods or services up to \$2500 which are identified within the department's annual budget. Although not required, the provisions of this section encourage a Department Head to solicit multiple price quotes in order to ensure the best value for the Town.
- B) PURCHASING BETWEEN \$2501 AND \$10,000: In accordance with the provisions of this section, the Town Manager *shall* have full authority to approve departmental *purchases* of goods or services up to \$10,000 for those items which are identified in the Town's budget.
  - ❖ For such *purchases*, the Department Head *shall* contact as many vendors as necessary in order to obtain at least three (3) written quotations. In the event less than three (3) quotations are available; evidence of the attempt to obtain them *should* be attached to the documentation (this is generally referred to as a "no-bid response"). In addition, Department Heads are strongly encouraged to solicit a quote from at least one Local Business/ Vendor. The Department Head *shall* present these quotations to the Purchasing Agent, along with a recommendation for their approval, and once approved by the Purchasing Agent, prepare a purchase order to be signed by the Town Manager.

## TOWN OF SEABROOK PURCHASING POLICY AND PROCEDURES

- C) PURCHASES ABOVE \$10,000: *Purchases* having an estimated cost in excess of \$10,000 *shall* be bid pursuant to the competitive procurement guidelines established in these policies under Section IX-A or IX-B.
- D) MULTIPLE UNIT PURCHASES UNDER ONE PURCHASE ORDER: For situations where multiple units of the same equipment or item are to be acquired, it is expected that a purchase order be used if the total cost of the combined units is in excess of \$5000. In no instance *may* the requirement of a purchase order be avoided by making multiple individual *purchases* in succession.

### SECTION VIII: MULTI-DEPARTMENT/ YEAR PURCHASING

- A) For *purchases* of goods and supplies, which cross several departments, every effort *should* be made to use one vendor and purchase in bulk, in order to take advantage of discounts that *may* be offered. For specialized office supplies such as business cards and letterhead, a standardized format *should* be used across all departments.
- B) The Town *will* attempt to establish multi-year contracts for contracted vendor services often utilized by multiple departments on an annual basis. While some services *may* not fall under the requirements of competitive procurement under Section IX, every effort *should* be made to obtain fixed pricing for a minimum three-year period, utilizing a single, pre-qualified vendor in each specialty to perform work at all town buildings. Contracts *will* be proposed for a three-year period, with a performance clause enabling the Town to end the contract early if unsatisfied with the vendor's service. The intent of the arrangement is to secure the most competitive pricing, establish enhanced vendor relations, facilitate the annual budgetary process and enhance efficiencies through a consistently applied bid award process. The maintenance services *shall* be coordinated through the Town Manager or designee.

### SECTION IX: TYPES OF COMPETITIVE PROCUREMENT:

As part of the competitive procurement process, when feasible, the Town *will* give consideration to a Local Business/Vendor who bids, in an effort to support the business community in and around Seabrook. This *will* be one consideration among the other criteria discussed in (C) below, however, the intent is to provide additional weighting, for service-based competitive procurement, in order to recognize the benefits of having local services available, in addition to the criteria of price and quality of service.

- A) REQUEST FOR PROPOSALS: Certain professional services, such as architectural and engineering, auditing, and legal services are more appropriately solicited through a Request for proposals (*RFP*). This is due to the need to consider factors other than price, such as professional qualifications, previous experience in related projects, and review of support staffs backgrounds.

When soliciting for *RFP*'s the specifications *must* contain the following information: scope of services to be performed; timing; evaluation criteria; minimum qualifications of professional experience; and price.

## TOWN OF SEABROOK PURCHASING POLICY AND PROCEDURES

The Town *shall* solicit proposals from at least three (3) vendors providing the professional service. The criteria for determining the *RFP* award among responsible bid submissions are addressed in Section (C) below.

### B) THE COMPETITIVE BID PROCESS:

1. For bids solicited on an annual or ongoing basis, the Purchasing office *will* maintain the contractors / bidder list, according to the type of good or service provided, based on those who have previously bid or requested to be on such a list. The bidder list *will* be maintained as a courtesy to send specifications to particular interested vendors, and to encourage the receipt of multiple bids. In addition, a public notice of bid solicitation *shall* be issued, unless waived under provisions of this policy.
2. The Purchasing office *shall* maintain contract files in accordance with the State of NH's record retention rules. Each file *shall* contain the following, minimum information for the retention period, as appropriate:
  - a) Bid specifications, public notice of bid solicitation and other relevant pre-solicitation documents;
  - b) Records of recommendations, justifications, and approvals;
  - c) Lists of those vendors/individuals sent the bid specifications as applicable;
  - d) Copy of each offer or quotation and any records or documentation. Any unsuccessful offers *will* be maintained in the contract file;
  - e) Record of any required approvals;
  - f) Notice of bid award;
  - g) The original of the signed contract or bid award letter, all contract modifications, and other change orders or amendments;
  - h) Bid, performance, or other bond documents or a reference thereto.
3. **BID SPECIFICATIONS:** The Department Head *shall* prepare specifications or a scope of work for bid items/services, and *shall* submit the draft specifications/scope of work to the Purchasing Agent for approval prior to solicitation of bids. As a part of the specifications, the Department Head *should* always include the following minimum items or requirements:
  - a) Requirements that bidders clearly identify the product or service on which they are bidding on all envelopes.
  - b) Requirement that bid submissions *must* be sealed, received timely, and that facsimile bids *will* not be accepted.
  - c) The bid documents *shall* note that the Town is a Tax Exempt Organization.
  - d) The terms of the contract, including effective dates, extension terms, termination clauses, and other applicable terminology as well as a contact person at the Town to address questions regarding the scope of work and project specifications.
  - e) A statement as to the availability of separate construction or engineering plans, as applicable, and any cost or deposit associated with such plans.
  - f) The payment terms as determined by the Town.
  - g) Where applicable, performance bonds *will* be required and *shall* always be required, as specified by RSA 447:16, for highway and building construction projects with a value greater than \$35,000.

TOWN OF SEABROOK PURCHASING POLICY AND PROCEDURES

- h) A statement which reserves the Town's right to reject any and all bids, and waives any informality in the bid process.
- i) A statement which reserves the Town's right to consider substitution of equivalent items under what conditions. The specifications *shall* include a statement which requires the bidder to submit documentation for all substitutions and exceptions.
- j) Where applicable, the Town *may* hold a bidders conference to acquaint the bidders with the process, and to address any special concerns, questions or request for exceptions that *may* arise.
- k) Minimum quantity and quality requirements. These requirements *should* be specific enough to ensure the desired level of quality, but also *must* be flexible enough to elicit multiple bids (i.e. bid specifications *should* generally not include specific brand names).
- l) Specifications *shall* include where and when bids *will* be opened and by whom, as well as how bids *will* be evaluated and awarded.
- m) Specifications *shall* include a requirement that preliminary certificates of insurance, for liability and workers' compensation, be submitted with the bid showing evidence of coverage, the adequacy of which *shall* be subject to approval by the Town Manager.
- n) The following non-collusion clause *shall* be part of every bid specification package. A bidder *must* sign this statement in order for the bid to be valid.

"The undersigned certifies under penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this section the word "person" means any natural person, joint venture, partnership, corporation or other business or legal entity."

\_\_\_\_\_  
(Name of person signing bid)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Company)

- 4. PUBLIC NOTICE: The Purchasing Agent *shall* invite all bids by advertisement on the Town website, and where the value of the bid is estimated at \$25,000 and above, in at least one (1) newspaper of general circulation, in the Town of Seabrook, such publication to be at least fourteen (14) days before the time of the bid opening. All bid notices *must* remain posted in at least two public places, one of which *must* be at the Town Hall for a period of not less than two weeks (14 days).

## TOWN OF SEABROOK PURCHASING POLICY AND PROCEDURES

The Invitation to Bid (Bid Notice) *shall* include the following information:

- a) time and date by which bids *must* be delivered
- b) address to which the bid is to be delivered
- c) date by which the town intends to award the bid and contract the vendor
- d) a general description of the good or service being purchased
- e) where and when Bid Specifications *may* be obtained
- f) where and when bids *will* be opened, and by whom
- g) reserve the Town's right to reject any and all bids

5. AVAILIBLTY OF SPECIFICATIONS: The Purchasing Agent *shall* mail copies of the specifications to those firms/vendors as listed in the bid file as well as additional firms who *may* request a copy. The Town reserves the right to charge for copies according to size and complexity (i.e. construction drawings, etc.) or to refer vendors to the official Town website, where all bid specifications are posted.
6. SAMPLE BID PUBLIC NOTICE:

### TOWN OF SEABROOK – INVITATION TO BID

The Town of Seabrook requests written sealed proposals for the (name of bid item). Copies of the proposal specifications *may* be obtained by calling the Town Managers office at (603) 474-3252.

Bidders *may* submit (#copies) of completed written scaled proposals labeled (bid name) to the Office of the Town Manager, 99 Lafayette Road, PO Box 456, Seabrook, NH 03874-0456 by (time), (date) at which time bidding *will* be closed.

The Town of Seabrook reserves the right to accept or reject any proposal if it determines such acceptance or rejection to be in the best interests of the Town of Seabrook. Failure to submit all information specified *may* be sufficient for disqualification.

7. ACCEPTANCE OF BIDS: The Purchasing Agent *shall* accept all bids up to the time specified for receipt in the Public Notice. All bids *will* be dated and time stamped by the Purchasing Office and/or logged onto a bid receipt log. The Town *will* maintain a log of all vendors that pickup bid specification packages. Any late bids *will* be rejected and returned unopened. A bidder *may* correct, modify, or withdraw a bid by written notice received in the Purchasing Office before the time and date set for the bid opening.
  - a) Bids *must* be submitted in accordance with the bid solicitation. If a bidder chooses to use its own bid form or a letter to submit a bid, the bid *will* be considered only if the bidder explicitly, in written form, accepts all terms and conditions of the invitation and further, that the award of the bid would result in a binding contract under the terms and conditions of the solicitations and other terms and conditions contained in the submitted bid which do not conflict with those in the solicitation.

## TOWN OF SEABROOK PURCHASING POLICY AND PROCEDURES

8. **BID OPENING:** All bids *will* be opened by the Town Manager, Purchasing Agent and/or designee at the time and date specified in the Public Notice. The names and quotes for all bidders *shall* be listed in the Bid File and made available for public inspection. The Purchasing Agent *shall* notify all bidders of any changes in the opening time and/or date.
9. **BID CORRECTIONS:** After the bid opening, the bidder *may* not amend, correct, modify, or change in any fashion a bid which would be contradictory to the interests of the Town of Seabrook or fair competition. The Purchasing Agent *may* waive minor informalities, or allow the bidder to make corrections, as long as the intent of the bid is not disturbed.
10. **BID AWARD:** Bids meeting the specifications *shall* be reviewed by the Department Head in consultation with the Purchasing Agent and others as needed. A list of all bids received, as well as a recommendation, *shall* be made to the Town Manager for approval. The criteria for determining the bid award among responsible bid submissions are addressed in Section (C) below.

The Purchasing Agent *shall* recommend to the Town Manager who *will* then award to the successful bidder.

11. **CONTRACTOR QUALIFICATIONS:** To be determined responsible, a prospective contractor *must*:
  - a) Have adequate financial resources to perform the contract, or the ability to obtain them by the date of the bid opening;
  - b) Be able to comply with the required or proposed delivery or performance schedules;
  - c) Have a satisfactory performance schedule;
  - d) Have a proven record of integrity and business ethics;
  - e) Have the necessary organization, experience, technical skills, and support staff, or the ability to obtain them;
  - f) Have the necessary production, construction, and repair equipment and parts required to fulfill the contract requirements.
  - g) Provide at least two references and phone numbers, if requested.

### C. RFP AND BID EVALUATION CRITERIA:

Among responsible bidders that have satisfied the minimum requirements of the bid specification/*RFP*, selection *should* be made considering the following: price, qualifications and service capabilities based on interview, proposal review, reference checks, and site visits as applicable, as well as local vendor consideration. The selection criteria *shall* be addressed by the Purchasing Agent when presenting the recommendation for bid award to the Town Manager.

## TOWN OF SEABROOK PURCHASING POLICY AND PROCEDURES

### SECTION X: MISCELLANEOUS PROVISIONS:

- A) **SOLE SOURCE PROCUREMENT:** (Exception to Bid). When in the best interest of the Town, a procurement process in which a good or service is procured from a single source without competition. A sole source situation exists when only one brand *will* meet the requirements and there is only one source of supply for that brand. Both the Purchasing Agent and the Town Manager *must* certify that such a procurement is both necessary and in the best interest of the Town of Seabrook.
- B) **STATE/ OTHER BIDS:** If the budgeted item/service to be purchased has been included in a bulk contract awarded through a competitive bid process conducted by the State of New Hampshire or other similar purchasing consortiums that *may* be available, and municipalities are eligible to participate in this contract, and if under \$10,000, the item/ service *may* be exempt from Section VII B of this policy, if approved by the Purchasing Agent. If the item/ service is greater than \$10,000, Department Heads *shall* present this request to the Town Manager for approval and waiver of the bid process under Section XII of this policy.
- C) **CHANGE ORDERS:** Whenever a change of monetary, time or other requirements occurs on the original purchase order, a new order with the updated information *must* be submitted by the Department Head, modifying the purchase order. The modified order *will* be re-routed for approval with the notation "Modifying or Changing Purchase Order No. \_\_\_\_\_".
- D) **EMERGENCY PURCHASES:**
- ❖ **Emergency Public Works/Construction Projects:** An emergency situation exists when a sudden unexpected incident poses a clear and imminent threat to public health, safety, property, and/or essential public services. The affected department *shall* contact the Purchasing Agent and/or Town Manager for concurrence that an emergency situation exists. The Purchasing Agent *shall* be contacted for concurrence immediately, regardless of whether the situation occurs during regular business hours or not. Once the department receives concurrence from both, the department *shall* take appropriate action and make any purchase of goods and/or services deemed necessary to mitigate the emergency. If the aggregate cost of an emergency public works project exceeds \$10,000 in total cost, the normal bidding process *may* be waived. If the normal bidding process has been waived, an initial report of the waiver and the emergency *must* be made to the Town Manager by the individual so authorized within 7 days of the emergency.
  - ❖ **Other:** For emergency situations other than public works/construction, the department *shall* contact the Purchasing Agent immediately for verification that an emergency situation exists, regardless of whether this occurs during regular business hours or not. The Purchasing Office *will* provide instructions on how to issue payment to the vendor responding to the emergency.

## TOWN OF SEABROOK PURCHASING POLICY AND PROCEDURES

### **SECTION XI: CREDIT CARD PURCHASES:**

Please refer to the Seabrook Credit Card Policy (By selectmen vote 08-09-07), which is being reviewed and amended.

### **SECTION XII: EMPLOYEE REIMBURSEMENTS:**

Employee reimbursements *must* be approved by the Department Head and include all supporting documentation, including copies of receipts for cash *purchases* or a copy/image of the check if a personal check is used. Every effort *should* be made to avoid using personal funds for Town *purchases* if a Town credit card or purchase order can be utilized instead. All employee reimbursements *shall* be submitted with a standard request for check form and appropriate supporting documentation to ensure compliance with Town policies, Collective Bargaining Agreements and/or Internal Revenue Service requirements. The Benefits Manager is responsible for reviewing documentation to ensure Internal Revenue Service requirements are met and to assess the payroll tax impact of any reimbursement or fringe benefit arrangement. If a Department Head is seeking reimbursement, it is their responsibility to obtain approval from the Town manager or designee. No employee *shall* authorize their own reimbursement.

### **SECTION XIII: WAIVERS:**

The Board of Selectmen *may* vote to waive any portion of this policy if the Board deems it to be in the best interest of the Town of Seabrook.

### **SECTION XIV: SURPLUS PROPERTY DISPOSAL**

The Purchasing Agent shall be responsible for the administration of *surplus* Town-owned property or *salvage*. *Surplus* property or reclaimed property *may* be disposed of by means of auction, *surplus* bid, equipment trade-in, recycling or donation as prescribed by the Board of Selectmen.

In an attempt to save funding and maximize Town assets to the end of their useful life, any department that has *surplus* property in usable condition *should* contact the Purchasing Division by e-mail describing the *surplus* property, attaching photographs if possible. The Purchasing Division *will* distribute this email to each department for possible transfer. If there is no response from other Town departments, the department with the *surplus* property *shall* submit the same to the Purchasing Agent for presentation to the Board of Selectmen for approval to dispose as surplus. That presentation shall include a recommendation by the Purchasing Agent and Department Head on the methodology for disposition.



TOWN OF SEABROOK PURCHASING POLICY AND PROCEDURES

**SECTION XV: AMENDMENTS:**

These policies *may* from time to time be amended by the vote of the Board of Selectmen at a regularly scheduled Selectmen's Meeting. Notice of proposed changes shall be posted in at least two (2) public places, one of which *must* be Town Hall, at least 14 days from the date of the meeting.

**SECTION XVI: EFFECTIVE DATE:**

These policies shall be effective upon a vote of the Board of Selectmen and shall replace any and all bid procedures or policies previously enacted by the Town.

This policy was adopted by the Board of Selectmen on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Ella M. Brown, Chairman

BOARD OF SELECTMEN:

\_\_\_\_\_  
Aboul B. Khan, Vice-Chairman  
}

\_\_\_\_\_  
Theresa A Kyle, Clerk

\_\_\_\_\_  
Witness

Date: