

TOWN OF SEABROOK

SELECTMEN'S MEETING

MARCH 20, 2023

Present: Theresa A. Kyle
Srinivasan "Ravi" Ravikumar
Harold F. Eaton
William M. Manzi, III

10:30AM

Mrs. Kyle opened the meeting at 10:30AM.

REORGANIZATION

The board welcomed newly elected selectman Harold Eaton to the board.

MOTION: Theresa A. Kyle To nominate Ravi as
Second: Harold Eaton vice-chairman.
Unanimous

MOTION: Ravi To nominate Mrs. Kyle
Second Harold Eaton as chairman.
Unanimous

MOTION: Theresa A. Kyle To nominate Mr. Eaton
Second: Ravi as clerk.
Unanimous

The board discussed and agreed that Ravi would be the ex-officio member to the planning board, Mrs. Kyle would be the ex-officio member to the budget committee and Mr. Eaton would be the swing member who can sit on either board when the representative is not available.

NEW BUSINESS LICENSES

Bay State Engines - they fix small engines and restore small boat engines. No sale of new engines they do repairs only.

Tractor Supply - J.C. Conrow, store manager said the business is a publicly traded company and will be a strong company in the community with their volunteer work. No chemicals are onsite, but they do have a propane tank. They have some small animals such as chickens and ducks. The store sells pet supplies, pet food, feed for the hobbyist farmer, veterinary supplies, Carhart for clothing and small hand tools with some small equipment such as lawn mowers, utility trailers, etc. The board asked that he provide emergency contact information to the deputy town manager today.

MEETING - AQUARION WATER

Carl Warren, Dan Lawrence and Josh Davis were present (see attached slides). They are looking at a 3-year window for construction of the new bridge.

Curtis Slayton was present and said Seabrook currently has the capacity but water is always a moving target and they would need to follow any water restrictions that are put into place.

Aquarion will design and construct the interconnection and bare all costs. They are a privately owned company and would be an agreement with them and the town. Mr. Slayton doesn't feel that adding this additional water would be an issue. There is only 1 fire hydrant in place in Sun Valley. The timing is an issue as they are looking at a September timeframe with DES. The board agreed they could get back to them rather quickly after they had some further discussions.

Henry Boyd spoke and said he feels this is a good opportunity for Seabrook to upgrade what is already in existence and Aquarion are good people.

Jamie Sullivan Town Manager of Hampton and Jen Hale DPW Manager of Hampton were present and requested an interconnection for sewer service at Sun Valley. They are looking for an emergency backup during the construction of the bridge.

Jen Hale said there is a small section of the pipe crossing Route 1A and Hampton would pay all costs.

Curtis Slayton said he is for the project with this interconnection that would help Hampton with getting sewer to the plant rather than the ocean. He feels this is being a good neighbor. Mr. Slayton said the plant is running at 40% capacity, so they have plenty of room. The board agreed to discuss further and get back to them when they make a decision on the water request.

MONTHLY MEETING - WATER & SEWER SUPERINTENDENT

Curtis Slayton was present for his monthly report (see attached). Mr. Slayton said one Fair Banks Morse pump was replaced at Centennial Street and he is looking to send this one out to see what is going on so they know what to expect with the two other pumps on Route 286. He said it is always a challenge to keep a healthy bio-mass in the process at the sewer plant and is very difficult with very cold or very hot weather.

Mr. Eaton asked about the aqua feed injection that was replaced and was it for efficiency. Mr. Slayton explained it is costly.

but was better to replace all of it, so they did not have to come back to it again. He would recommend the procedure for bedrock wells but the gravel pack wells require something different.

Mr. Slayton said the water system is good and it is not predictable of what could happen. The sewer department is 28 years old and the building has a leaky roof with some equipment needing to be replaced.

MEETING - WATER & SEWER FINANCIALS

The sewer report shows that it is not subsidized by the revenue and is being funded by the taxpayers through property tax. Capital costs are not included in this subsidy and are also funded through tax dollars. In order to close the gap in the deficit with sewer the board would need to increase the sewer rates. The question then becomes whether or not they want to close that gap. There was discussion on how they are billing for the sewer and whether they would need to have a separate billing system just for sewers.

Mr. Eaton asked about grants in 2023 for the sewer department. Mr. Slayton spoke to the grants they have applied for and received. He also spoke about the grants they have applied for on the water side and that he is just waiting on approval.

Henry Boyd spoke of the user fees and how without metering the sewer there may not be equal distribution. He thinks they should be looking at the design system. There was discussion on what the lost water may be caused by. The power plant pays a large amount for water and when they shut down they have found leaks that have been repaired. The shut down does cause an increase in water usage. Mr. Slayton said the plant shuts down every 18 months and they do utilize more water during that time.

MEETING - HENRY BOYD - LOWER COLLINS STREET

Henry Boyd said he is here at the request of the planning board for removal of a stone wall. He explained who owns the land where the wall sits. He doesn't believe the town ever received a deed for this land. Henry Boyd explained one of the things they did was to make the right-of-way wider to benefit the town. There is a condition on this that the owners get approval from the board to remove the stone wall before recording this deed.

Peter Moura - 255 Lower Collins Street claims that the rocks abutting his property have not moved and any potential movement of these rocks could cause water to drain onto his property. He

was told by the McLaughlin's that lot 6&7 would not be developed and now it is. Any house that is built larger than a 2 story would overlook his house as they are building right on top of his.

Henry Boyd said there were conversations and if they felt it was their land, he apologizes but it clearly is not. They have been before the ZBA and Planning Board with plans to be designed to improve his land.

Forrest Carter spoke about the history of Lower Collins Street and with the change of the easements to the center of the road would change the property boundaries for the owners at 255 Lower Collins Street. Henry Boyd said he promises to help the owners although they are not obligated to do anything as they have gone through the appeal process.

John Starkey advised the board that the town has been maintaining Lower Collins Street for the past 40 years. The stone wall is going to be disturbed in different areas by the driveways for each lot.

Mrs. Kyle said there are a lot of questions that need to be addressed before they can make a decision. Ravi said the wall is 300-feet away from the owner's property and they are two different issues with the water drainage. He believes that removing the wall and putting in a drainage system is going to better the road so he is in favor.

Mr. Eaton asked in John Starkey's opinion is the stone wall a hazard for the crews to do their jobs. Mr. Starkey said they are going to overcome the challenges in order to do the job no matter what it is.

<u>MOTION:</u>	Ravi	To approve the request
Second:	Harold Eaton	to remove the stone wall
Abstain:	Theresa A. Kyle	for the McLaughlin
		developer.

Board took a 5-minute break at 12:40PM. Board reconvened at 12:52PM.

ABATEMENTS

Herbert & Marchelle Brown - 3 Zagarella Circle - \$88,446.12
Rene Lopez - 2 Elephant Rock Road - \$115,168.37
Andover Finance Realty Trust - 256 Ashland Street - \$127,900.35

Mr. Slayton explained that during the meter maintenance process the numbers were set back in error causing high bills.

MOTION: Ravi To approve and sign all
Second: Theresa A. Kyle abatements.
Unanimous

1 DISABILITY EXEMPTION

MOTION: Ravi To approve and sign the
Second: Theresa A. Kyle disability exemption.
Unanimous

4 ELDERLY EXEMPTIONS

MOTION: Ravi To approve and sign all
Second: Theresa A. Kyle elderly exemptions.
Unanimous

WATER SERVICE APPLICATIONS

Chris Franciosa - 247 Lower Collins Street
Michael & Amy McLaughlin - 223 Lower Collins Street
DECM LLC. - 235&251 Lower Collins Street
Philip Franciosa - 239 Lower Collins Street
David Janvrin - 21 Spruce Court

MOTION: Ravi To approve and sign all
Second: Harold Eaton Lower Collins Street
Abstain: Theresa A. Kyle water applications.

SEWER SERVICE APPLICATIONS

Rick Foye - 61 Rocks Road
DECM LLC - 235&251 Lower Collins Street
Chris Franciosa - 247 Lower Collins Street
Philip Franciosa - 239 Lower Collins Street
Mike McLaughlin - 225 Lower Collins Street
Michael & Amy McLaughlin - 223 Lower Collins Street

MOTION: Ravi To approve and sign
Second: Harold Eaton 61 Rocks Road water
Unanimous application.

MOTION: Ravi To approve and sign all
Second: Harold Eaton Lower Collins Street
Abstain: Theresa A. Kyle sewer applications.

MOTION: Ravi To approve and sign the
Second: Harold Eaton 21 Spruce Court water

Unanimous

application.

REQUEST USE OF COMMUNITY CENTER - JUNE 17

Mrs. Kyle asked Ravi if he wants to recuse himself from this subject where he is the applicant. Ravi said there is a policy issue and if there was a policy on this it would not be before the selectmen. The policy issue is whether or not there can be a political event in a town building. The lack of a policy brings this item to the board. Ravi believes that if they are paying the fees and following the guidelines there is no harm regardless of the political affiliation. Mrs. Kyle said that no town building should be used for political gain.

MOTION: Ravi

To not restrict town buildings for being used for political gatherings as long as the facility rules and fees are followed regardless of the party affiliation.

Mr. Eaton said he looked at RSA 664 and could not find anything on using town buildings for political gain. He did find the information regarding political signs on town property. He found that other political figures have spoke in other local community buildings. Based on those findings and the that the fee is paid and as long as the person applying for use of the building has insurance he would be in favor.

Second: Harold Eaton

Opposed: Theresa A. Kyle

Mrs. Kyle commented that is very dangerous territory. She commented they held a political party for Mr. Eaton that was detrimental to the other candidates.

Ravi said the application does not need to go to the board as the policy has been set. Mrs. Kyle said this needs to go to the attorney general's office as it is a conflict of interest. Mr. Manzi said the board can set a policy for the town buildings. Due to the lack of a policy he was instructed to bring the applications such as this one to the board. Consequently if the board adopts a policy as they just did these applications now would not come to the board but that is a decision of the board as the governing body.

Mr. Eaton said if there is nothing that contradicts the law then he doesn't see an issue. Mrs. Kyle asked if he has heard of conflict of interest or ethics.

Mr. Manzi said he would recommend to the board that they put a little more substance into the policy and bring it back for board approval.

Eric Maher Town Attorney indicated there should be additional information put into the policy especially where it relates to the first amendment. Ravi said the policy should not infringe on the first amendment rights or party affiliation. Ravi said this is being made unnecessarily complicated. He said there is no application needed it is the recreation center's decision to make regarding any programs that may interfere with this request. Mr. Eaton said that is a good point and the recreation center should ensure that this does not interfere with any programs.

APPOINTMENT

Mike Lowry - ZBA

Jeff Brown has made a recommendation for the board to approve this appointment for Mike Lowry.

MOTION: Ravi To approve and sign the
Second: Harold Eaton appointment.
Unanimous

QUESTIONS/COMMENTS

There were no questions or comments.

NON-PUBLIC SESSION

MOTION: Harold Eaton To go into non-public
Second: Ravi session at 1:22PM under
Unanimous RSA 91-A:3,II (e)
negotiations.

Roll call:

Mrs. Kyle - yes
Ravi - yes
Mr. Eaton - yes

MOTION: Theresa A. Kyle To adjourn the meeting
Second: Ravi at 3:30PM.
Unanimous

Meeting adjourned at 3:30PM.

Minutes taken by Kelly J. O'Connor.

Approved and endorsed:

Harold F. Eaton,
Clerk

Date: _____

TOWN OF SEABROOK BOARD OF SELECTMEN

AGENDA

March 20, 2023

Open Meeting at 10:30 A.M.

TURN CELL PHONES TO VIBRATE OR OFF PLEASE PLEDGE OF ALLEGIANCE

REORGANIZATION OF BOARD OF SELECTMEN

- 1.) Election of Chairman, Vice-Chairman & Clerk
- 2.) Election to Boards

MEETING

- 1.) Meeting – Bay State Engines – Business License
- 2.) Monthly Meeting – Water & Sewer Superintendent
- 3.) Meeting – Town Manager – Water & Sewer Financial Report
- 4.) Meeting – Henry Boyd – Lower Collins Street Planning Board Request
- 5.) Meeting – Aquarion Water – Hampton Interconnection

NEW BUSINESS

- 1.) Question of approving abatements for Herbert & Marchelle Brown – 3 Zagarella Circle - \$88,446.12, Rene Lopez – 2 Elephant Rock Road - \$115,168.37 and Andover Finance Realty Trust – 256 Ashland Street - \$127,900.35.
- 2.) Question of approving 1 disability exemption.
- 3.) Question of approving 4 elderly exemptions.
- 4.) Question of approving water service applications for Chris Franciosa – 247 Lower Collins Street, Michael & Amy McLaughlin – 223 Lower Collins Street, DECM LLC. – 235 & 251 Lower Collins Street, Philip Franciosa – 239 Lower Collins Street and David Janvrin – 21 Spruce Court.
- 5.) Question of approving sewer service application for Rick Foye – 61 Rocks Road, DECM LLC – 235 & 251 Lower Collins Street, Chris Franciosa – 247 Lower Collins Street, Philip Franciosa – 239 Lower Collins Street, Mike McLaughlin – 225 Lower Collins Street and Michael & Amy McLaughlin – 223 Lower Collins Street.
- 6.) Question of approving request to use the community center on June 17.
- 7.) Question of approving appointment to ZBA for Mike Lowry.

QUESTIONS/COMMENTS

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

PUBLIC PARTICIPATION

NON-PUBLIC SESSION

RSA 91-A:3, II (e) negotiations