



Town of Amherst, NH

BOARD OF SELECTMEN MEETING MINUTES

Barbara Landry Meeting Room

2 Main Street

Monday, July 13, 2015

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8 **1. Call to Order**

9
10 Chairman Dwight Brew called the meeting to order at 6:31 p.m. Attendees: Chairman Dwight
11 Brew, Vice Chairman John D'Angelo, Selectmen Tom Grella and Nate Jensen. Selectman Reed
12 Panasiti was absent. Also present: Town Administrator, Jim O'Mara, and Suzanne Beauchesne
13 taking minutes.
14

15 **2. Pledge of Allegiance** – Fire Chief, Matt Conley, led the pledge.
16

17 **3. Citizens Forum**
18

19 Mike Akillian, Chairman of the Amherst Village Strategic Planning Committee, and former
20 Selectman, provided the Board with the strategic planning project team's 27-page final report. The
21 report included data, information, and recommendations presented to the Board at its June 8th
22 meeting. Mr. Akillian suggested that action items be considered as Department Heads continue
23 the strategic planning process. Vice Chairman D'Angelo moved, second by Selectman Jensen, to
24 accept the report with appreciation. Vote 4-0
25

26 Amherst Junior Women's Club members, Karen Tuthill and Marie Grella, came forward to present
27 the Board with a quilt made by a number of residents. The quilt will be hung in the Town Clerk's
28 office. The audience applauded as the quilt was opened depicting the Town Hall. Vice Chairman
29 D'Angelo moved to accept the quilt donation with appreciation. Selectman Jensen seconded.
30 Vote 4-0
31

32 **5. Swearing-In Ceremony for Fire Chief Matt Conley.** Chairman Brew adjusted the agenda to
33 take up Agenda Item #5 prior to the public hearings.
34

35 Selectman Grella moved, second by Vice Chairman D'Angelo, to officially name Matthew Conley
36 as Amherst's Fire Chief. Vote 4-0. Fire Chief Conley was sworn in by Town Administrator Jim
37 O'Mara. All those in the audience applauded and offered congratulations. Chief Conley
38 expressed thanks to the Board, to Administrator O'Mara, and to his family and co-workers for
39 their support and confidence.
40

41 Chairman Brew called a 10-minutes recess for a brief celebration and thanked members from
42 Amherst and surrounding towns for attending Chief Conley's swearing-in which included town
43 department heads, Amherst Fire, Amherst EMS, Milford Fire, Merrimack Fire, NH Fire Marshall's
44 Office, Hollis Fire, Brentwood Fire, Bedford Fire, and many members of APD
45
46
47

48 **4. Public Hearings**

49
50 **4.1 Septic Ordinance**

51
52 In accord with NH RSA 41:14-b, Chairman Brew opened the public hearing to take input on
53 proposed amendments to the town's Septic Ordinance.
54

55 Colleen Mailloux, Community Development Director, highlighted a number of suggested changes
56 to the ordinance which would make it more user-friendly, make construction easier and avoids
57 duplicate inspections. Jason Hill of A Bee Septic, a licensed septic designer, stated that the bed
58 bottom test is the most important and test pits cannot be refused; i.e., the designer makes the final
59 call. Mr. Hill felt that requiring all effluent disposal areas "be designed for a minimum percolation
60 rate of 12 minutes per inch" was overkill. Jerry Hill, owner of A Bee Septic, stated that requiring
61 "an approved effluent pre-treatment processor in the system" (Article III, B) will be costly to
62 homeowners. Director Mailloux will change the wording. Jim Sickler of J.L. Sickler Construction
63 suggested that the town stick with across the board test pits if it wishes to remain involved in the
64 process.
65

66 Vice Chairman D'Angelo moved to close the public hearing. Seconded by Selectman Jensen. Vote
67 4-0. Director Mailloux will take all suggestions into consideration and make revisions as
68 appropriate. A revised ordinance will be posted to the website by week's end. Additional input
69 will be sought at the second public hearing on the matter at the Board's next meeting on July 27,
70 2015.
71

72 **4.2 Sign Ordinance**

73
74 In accord with NH RSA 41:14-b, Chairman Brew opened a public hearing to take input on
75 proposed amendments to the "Signs on Town Property Ordinance". Community Development
76 Director, Colleen Mailloux, indicated that the ordinance limits "event" signs on town property.
77 The size of the signs is addressed in a zoning ordinance. No public comments were offered. Vice
78 Chairman D'Angelo suggested the inclusion of language to the affect that signs must be placed
79 within 30 days of a particular event. In response to Chairman Brew who asked why not a policy
80 rather than an ordinance, Director Mailloux said that an ordinance provides more ability to enforce
81 it and penalties can be assessed. Vice Chairman D'Angelo moved, second by Selectman Jensen, to
82 close the public hearing. A second public hearing will be held at the Board's next meeting on July
83 27, 2015.
84

85 **5. Swearing-In Ceremony – Fire Chief – taken up earlier.**

86
87 **6. Treasurer's Report**

88
89 Liz Overholt, Town Treasurer, came forward to inform the Board that in compliance with RSA
90 41:29, Ms. Overholt asked Finance Director, Lisa Ambrosio, to transfer \$14.3 million from
91 Citizens Bank to Century Bank since Century Bank has offered the best interest rate at 0.50. Town
92 Treasurer Overholt contacted a number of banks: Citizens 0.25, LSB 0.20, NBT 0.40, Peoples
93 0.30, and TDB .15-.25. Granite Bank and Northway were not interested. Access Capital never
94 responded.

95
96 **7. Budget Transfers & Encumbrance Requests**
97

98 **7.1 Budget Transfer 15-11**
99

100 Lisa Ambrosio, Finance Director, sought approval for the last budget transfer of the year, Budget
101 Transfer Number 2015-011 to fund year-end encumbrance requests for radios of \$10,360 and
102 unanticipated repair to Engine 5 from accounts with anticipated surplus. Selectman Jensen moved,
103 seconded by Vice Chairman D'Angelo, to transfer \$10,000 from the Call Pay Account (No. 01-
104 4220-20-1115) to the Radios and Pagers Account (01-4220-20-2652) and to transfer \$3,500 from
105 the Equipment Repair Account (No. 01-4220-60-2430) to Vehicle Repair Account (No. 01-4220-
106 60-2425). Vote 4-0.
107

108 **7.2 FY15 Encumbrance Requests**
109

110 Finance Director Ambrosio presented a list of final encumbrance requests for the year.
111

FY2015 ENCUMBRANCES			
Department	Description	Amount	Account
Administration	MRI Consulting	\$4,500.00	01-4130-10-2451
DPW	Matrix Consulting	\$7,859.00	01-4312-10-2451
Fire	Headsets Engine 2	\$5,210.00	01-4220-20-2652
Fire	Radio Car 1	\$2,650.00	01-4220-20-2652
Fire	Pagers (5)	\$2,500.00	01-4220-20-2652
Fire	Repair Engine 5	\$3,500.00	01-4220-60-2425
	TOTAL	\$26,219.00	

Previously Approved: \$918,800.87
Total FY15 Encumbrances: \$945,019.87

112
113 Vice Chairman D'Angelo moved to approve FY15 encumbrances totaling \$26,219 as presented.
114 Seconded by Selectman Jensen. Vote 4-0
115

116 **8. Town Administrator's Report**
117

118 **8.1 Fire and EMS Department Name**
119

120 Town Administrator Jim O'Mara stated that Fire Chief Matt Conley has recommended that the
121 merged departments of EMS and Fire be named **Amherst Fire Rescue** which encompasses the
122 services provided by each division. Administrator O'Mara said that minimal costs would be
123 incurred for changing decals and the like. Selectman Grella moved, seconded by Vice Chairman
124 D'Angelo, to name the merged department **Amherst Fire Rescue**. Vote 4-0
125

126 **8.2 DPW Bid**
127

128 Administrator O'Mara presented an informal bid that he authorized for the paving around the new

129 scale at the Transfer Station. Selectman Jensen moved to award the bid to Theriault & Sons, the
130 lowest bidder, in the amount of \$9,600. Seconded by Vice Chairman D'Angelo. Vote 4-0

131 132 **8.3 Request to use Town Common**

133
134 Administrator O'Mara received a request for use of the Town Green. Vice Chairman D'Angelo
135 moved to approve the use of the Town Green by the Amherst Congregational Church who will be
136 hosting a picnic for church members and town residents on Sunday, September 13, 2015 from
137 10:00 a.m. to 2:00 p.m. Selectman Grella seconded. Vote 3-0-1 (Selectman Jensen abstained).

138 139 **8.4 C.E.R.T. Day Proclamation**

140
141 A gubernatorial proclamation proclaiming June 26, 2015 as Community Emergency Response
142 Team Day was presented encouraging acknowledgement of local C.E.R.T. contributions to the
143 community, state, and health, safety, and well-being. Administrator O'Mara acknowledged the
144 help of Souhegan C.E.R.T. volunteers who provided the Amherst Police Department and the
145 Amherst community for making July 3rd and 4th a great success. Volunteers for both days include:
146 Anne Hebert, Steve Nelson, Bob Kokko, and Gene Kuczewski. Others who helped on July 3rd or
147 July 4th include: Ron Hebert, Don Holden, George Coddington, and Roberta Hasselbrack. The
148 Board thanked Police Chief Mark Reams, the entire Police Department, and the Souhegan
149 C.E.R.T. for their outstanding efforts on behalf of the Amherst community.

150 151 **8.5 Hawkers & Peddlers Permits**

152
153 Vice Chairman D'Angelo moved, second by Selectman Jensen, to grant vendor permits to Kyle
154 Miklidevich and Wesley Carter Falk for four months and two months respectively. Both Solar
155 City Corporation employees expect to go door-to-door offering residents Solar City offerings. No
156 upfront costs will be required. Vote 4-0

157 158 **8.6 Primex – Holiday Credit**

159
160 Administrator O'Mara informed the Board that Primex has advised that the Town will receive
161 Premium Holiday distributions as follows: 2013 Premium Holiday Distribution \$33,993.49
162 effective June 30, 2015 and 2014 Premium Holiday Distribution \$29,210.16 effective July 1, 2015.
163 The total Premium Holiday amount of \$63,203.65 has been applied to the Town's Workers'
164 Compensation invoice for July 1, 2015 to July 1, 2016. Premium Holidays are based on each
165 member's as well as the pool's overall performance.

166 167 **8.7 Appointments**

168 169 **8.7.1 Executive Assistant**

170
171 Vice Chairman D'Angelo moved, second by Selectman Jensen, to hire Mary Guild as Executive
172 Assistant effective July 13, 2015. Vote 4-0. Ms. Guild has worked at several School
173 Administrative Units and most recently as assistant to the Wilton Select Board.

176 **8.7.2 Building Inspector**

177
178 Selectman Jensen moved, second by Vice Chairman D'Angelo, to hire Scott P. Tenney as Building
179 Inspector. Vote 4-0. Mr. Tenney currently serves the Town of Amherst as interim Building
180 Inspector and Code Enforcement Officer.

181
182 **8.7.3 EMS Staff**

183
184 Administrator O'Mara presented a number of proposed EMS hires. Selectman Jensen moved,
185 second by Vice Chairman D'Angelo, to hire the following EMS Staff. Vote 4-0

186
187 Jacob Sirois as EMT effective July 9, 2015

188 Gregory Nickerson as EMT Intermediate effective July 1, 2015

189 Keith Bentley as Paramedic effective July 1, 2015

190 Andy Morgan as Advanced EMT effective June 18, 2015

191
192 **8.8 Donation**

193
194 **8.8.1 APD Gift Fund**

195
196 Selectman Jensen moved, second by Vice Chairman D'Angelo, to accept \$110 (\$10 for an alarm
197 permit; \$100 donation) to the Amherst Police Department from the Amherst Animal Hospital.
198 Vote 4-0

199
200 **8.9 Request for Lot Mergers**

201
202 Colleen Mailloux, Community Development Director, came forward on behalf of the Amherst
203 Conservation Commission indicating that conservation land and abutting parcels that have been
204 acquired over time be merged, including Huckabee Land, Joppa Hill, Prescott Land and Hager
205 Land. Deed restrictions for each parcel will continue. The consolidation does not encumber it
206 with additional deed restrictions that may be present on the Hager parcel – they each retain their
207 own deed restrictions even after the consolidation. Selectman Jensen moved, second by Vice
208 Chairman D'Angelo, to authorize consolidation of 18 separate town-owned parcels in the north
209 end of town into two parcels as presented. Vote 4-0

210
211 **8.10 Railroad Agreement**

212
213 Director of Public Works, Bruce Berry, and Town Administrator, Jim O'Mara, presented a
214 proposed Railroad Agreement to be managed by the NH Department of Transportation.

215
216 Vice Chairman D'Angelo moved, second by Selectman Jensen, to enter into an agreement between
217 the NH Department of Transportation, the Town of Amherst, Pan Am Railways, and Springfield
218 Terminal Railway for a Federal-Aid Safety Transportation Improvement Program (STIP) Project
219 in the Town of Amherst, which construction necessitates the replacement of an at-grade Railway-
220 Highway crossing. Ninety percent of costs will come from Federal Highway funds. The
221 remaining cost totaling \$17,355.49 will be borne by the Town of Amherst. Vice Chairman

222 D'Angelo further moved, second by Selectman Jensen, to authorize Town Administrator O'Mara
223 to sign the agreement on behalf of the Town of Amherst. Vote 4-0
224

225 **9. Updates**

226 **9.1 Right to Know Requests -- None**

227 **9.2 Manchester Road Bridge**

228 Public Works Director Berry reported that the water main passed the fitness test. Board members
229 continue to expect project conclusion by the end of October. Director Berry was unsure of any
230 delay that may have been caused by the unanticipated issue with the water main but he remains
231 diligent in keeping the project on track.
232

233 **9.3 Road Construction**

234 Work on Foundry Road scheduled for tomorrow is the last step prior to paving. Veterans and
235 Stearns Road got their first coat of asphalt today. Clean-up work is being done on Baboosic Lake
236 Road. All is on schedule to have top coats done before school opens.
237

238 **9.4 Davis Lane Tennis Courts**

239 Administrator O'Mara stated that the trees have been cut and fencing removed. Paving will
240 include a path for children walking to and from school. Fencing will be re-installed over the next
241 week or two. The re-surfaced courts will be an enhancement to the community once they re-open
242 in early to mid-August.
243

244 **9.5 Pipeline**

245 Vice Chairman D'Angelo stated that the Pipeline Task Force (PTF) met with Kinder Morgan
246 (KM) on June 30th and reviewed KM's suggested alternative routes. The PTF's position is that the
247 pipeline is not necessary for NH but, if it is to go forward, the PTF is looking to shift it to the least
248 disruptive route possible. The Board received a response to their letter to Governor Hassan. Vice
249 Chairman D'Angelo indicated that the letter was not responsive to the issues raised in the BOS's
250 letter. Governor Hassan has not taken a clear stance on the pipeline one way or the other, unlike
251 Governor Deval Patrick who came out squarely against the pipeline going through Massachusetts.
252

253 The PTF is now contemplating "next steps" which could include a response to Governor Hassan's
254 letter, a campaign against the pipeline on environmental grounds, etc. Chairman Brew indicated
255 that a number of residents are asking why the PTF is working with KM rather than just saying
256 "NO". Vice Chairman D'Angelo stated that each of the 17 towns impacted by the proposed
257 pipeline is following their own strategies. The pre-filing period is the most flexible time to affect
258 change, and the PTF feels that a change in the route through Amherst can best be done through
259 conversation with KM during the pre-filing phase. Plan A calls for the pipeline going back to
260 Massachusetts, or going away entirely. Plan B is "find a less disruptive route for the pipeline
261 through Amherst". KM controls when they file their application with the Federal Energy
262 Regulatory Commission (FERC), and therefore when the pre-filing phase ends. Vice Chairman
263
264
265
266
267
268

269 D'Angelo does not feel that KM will be prepared to file in September. Down the road, if
270 necessary, Vice Chairman D'Angelo expects to request a number of bonds from KM, including a
271 Road Bond and a Performance Bond (to assure that all repairs and remediations agreed to by KM
272 will be performed without cost to the residents of Amherst).
273

274 **10. Approvals**

275 **10.1 Certification of Yield Tax and Timber Tax Levy**

276 Selectman Grella moved to approve the certification of yield tax and timber tax levy for property
277 located at 28 Ponemah Hill Road, Map/Lot 001-001-000, in the amount of \$541.81. Seconded by
278 Vice Chairman D'Angelo. Vote 4-0
279
280

281 Selectman Grella moved to approve the certification of yield tax and timber tax levy for property
282 located at 60 Merrimack Road, Map/Lot 003-036-000, in the amount of \$336. Seconded by Vice
283 Chairman D'Angelo. Vote 4-0
284
285

286 Selectman Grella moved to approve the certification of yield tax and timber tax levy for property
287 located at 340 Route 101, Map/Lot 008-052-000, in the amount of \$2,987.19. Seconded by Vice
288 Chairman D'Angelo. Vote 4-0
289

290 Selectman Grella moved to approve the certification of yield tax and timber tax levy for property
291 located at 9 Camp Road, Map/Lot 008-058-000, in the amount of \$3,273.66. Seconded by Vice
292 Chairman D'Angelo. Vote 4-0
293

294 **10.2 Land Use Change Tax Penalties**

295 Selectman Grella moved to approve the land use change tax penalty for property located at 17
296 Founder's Way, Map/Lot 005-059-016, in the amount of \$21,590. Seconded by Vice Chairman
297 D'Angelo. Vote 4-0
298

299 Selectman Grella moved to approve the land use change tax penalty for property located at 99
300 Christian Hill Road, Map/Lot 005-166-002, in the amount of \$10,000. Seconded by Vice
301 Chairman D'Angelo. Vote 4-0
302

303 Selectman Grella moved to approve the land use change tax penalty for property located at 4
304 Tranquility Lane, Map/Lot 006-006-001, in the amount of \$6,060. Seconded by Vice Chairman
305 D'Angelo. Vote 4-0
306

307 Selectman Grella moved to approve the land use change tax penalty for property located at 3
308 Tranquility Lane, Map/Lot 006-006-002, in the amount of \$12,500. Seconded by Vice Chairman
309 D'Angelo. Vote 4-0
310

311 **10.3 Veteran Tax Credit**

312 Selectman Grella moved to grant the Veteran Tax Credit for Map/Lot 006-024-003 located at 33
313 Pond Parish Road in the amount of \$500. Seconded by Vice Chairman D'Angelo. Vote 4-0
314
315

316
317 Chairman Brew asked that abatement requests, credit and penalty recommendations made by
318 Richard Dorsett of KRT Appraisal mention the property location and Map/Lot information only
319 once, in order to expedite the reading of the requests.
320

321 **10.4 Payroll Manifests**

322
323 Selectman Jensen moved to approve one (1) FY15 Payroll Manifest in the amount of \$190,330.11
324 dated June 25, 2015, subject to review and audit. Seconded by Vice Chairman D'Angelo.
325 Vote 4-0
326

327 Selectman Jensen moved to approve one (1) FY15/FY16 Payroll Manifest in the amount of
328 \$202,140.53 dated July 9, 2015, subject to review and audit. Seconded by Vice Chairman
329 D'Angelo. Vote 4-0
330

331 Selectman Jensen moved to approve one (1) FY15/FY16 Payroll Manifest in the amount of
332 \$2,151.23 dated July 13, 2015, subject to review and audit. Seconded by Vice Chairman
333 D'Angelo. Vote 4-0
334

335 **10.5 Accounts Payable Manifests**

336
337 Selectman Jensen moved to approve one (1) FY15 Accounts Payable Manifest in the amount of
338 \$376,000 dated June 26, 2015, subject to review and audit. Seconded by Vice Chairman
339 D'Angelo. Vote 4-0
340

341 Selectman Jensen moved to approve (1) FY15 Accounts Payable Manifest in the amount of
342 \$36,494.41 dated June 30, 2015, subject to review and audit. (Town Clerk Transfers to the State
343 of NH). Seconded by Vice Chairman D'Angelo. Vote 4-0
344

345 Selectman Jensen moved to approve (1) FY15 Accounts Payable Manifest in the amount of
346 \$393,651.79 dated June 30, 2015, subject to review and audit. Seconded by Vice Chairman
347 D'Angelo. Vote 4-0
348

349 **10.6 Minutes – Meeting of June 22, 2015**

350
351 Selectman Jensen moved to approve the Board of Selectmen meeting minutes of June 22, 2015.
352 Seconded by Vice Chairman D'Angelo. Vote 4-0
353

354 **11. Old/New Business**

355
356 Vice Chairman D'Angelo asked to hear from Fire Chief Matt Conley within the next couple of
357 months regarding the status of recommendations made by MRI, cross-training, and the like. There
358 was brief discussion on the follow-up necessary from the Strategic Planning report. Chairman
359 Brew suggested that department heads be scheduled for strategic plan updates starting in
360 September with Fire Chief Conley being scheduled early in the process. Administrator O'Mara
361 will schedule accordingly.
362

363 Administrator O'Mara reported that there was a minor break-in at the lake facility – a 13 year old
364 took some candy. Season passes for Lake Baboosic to date are nine passes away from doubling
365 the entire number purchased last year. Revenue is already twice that taken in last year.
366

367 Selectman Jensen went through pending Action Items. Administrator O'Mara provided updates.
368

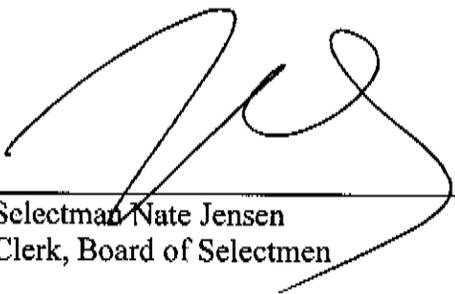
- 369 • Quarterly Finance Reports – will be scheduled the first week of August
- 370 • W&M Proposed Budget Process – will be discussed at next BOS meeting
- 371 • W&M membership – John Post continues trying to get people to serve
- 372 • Recreation Department Bus – not received yet
- 373 • Combining Fuel Costs with SAU – town has gotten lower rates than SAU – dialogue continues
- 374 • Lessons learned from bridge/road construction – ongoing
- 375

376 **12. Non-Public Session (if necessary)**
377

378 **13. Adjournment**
379

380 Vice Chairman D'Angelo moved to adjourn the meeting at 9:10 p.m. Second by Selectman Grella.
381 Vote 4-0
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Selectman Nate Jensen
Clerk, Board of Selectmen

Date 10 - August 2015