



Town of Amherst, NH
BOARD OF SELECTMEN AGENDA
Barbara Landry Meeting Room
2 Main Street
MONDAY, NOVEMBER 8, 2021 6:30 PM

- 1. Call to Order**
 - 2. Pledge of Allegiance**
 - 3. Citizens' Forum**
 - 4. Scheduled Appointments**
 - 4.1. Chris Buchanan, PAC, Donation of Easement
 - 4.2. Rob Clemens, Conservation Commission: Recommendation for change of position for Bill Widmer
 - 5. Administration**
 - 5.1. Budget Update
 - 5.2. COLA discussion
 - 5.3. Administrative Updates
 - 6. Staff Reports**
 - 6.1. 485 Boston Post Road emergency culvert pipe repair
 - 6.2. Amherst Street Construction update
 - 7. Approvals**
 - 7.1. AP, Payroll and Minutes
 - 8. Action Items**
 - 9. Old/New Business**
- Adjournment**

Next Meeting: November 22, 2021

You are invited to a Zoom webinar.

When: Nov 8, 2021 06:30 PM Eastern Time (US and Canada)

Topic: Board of Selectmen 11/08/2021

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87989402271>

Or Telephone: (301) 715-8592

Webinar ID: 879 8940 2271

Amherst Parcel 3-62-1

Baboosic Greenway Trail Easement

071° 36' 53.10076684" W
42° 50' 55.89099852" N

071° 36' 53.10721531" W
42° 50' 56.00640735" N

071° 36' 52.78344667" W
42° 50' 55.74855831" N

3-60-3

4-5-1

3-62

071° 36' 50.46635810" W
42° 50' 51.71962491" N

071° 36' 50.50985776" W
42° 50' 51.39051500" N

- Location of Intersection
- Trail Center Line
- Trail Extent (12')
- Easement Extent (22')



GRANT OF TRAIL EASEMENT

THIS GRANT OF TRAIL EASEMENT dated _____ is made by _____ (the "Owners") in favor of the Town of Amherst, New Hampshire, with respect to the following parcel(s) of land (the "Property") more fully described in exhibit A.

Street address:

Town of Amherst

County: Hillsborough

Lot/Parcel(s):

State: New Hampshire

1. Trail Easement

Owners grant to Town of Amherst, New Hampshire an easement in perpetuity to establish and make available for public use a Class A trail pursuant to RSA 231-A:5, approximately 12 feet in clear tread width, and 5 feet on each side of the trail for open shoulder and maintenance, for a total easement width of 22 feet, in the location within the Property shown on the easement plan attached as exhibit B. The property owner, easement holder, and Town of Amherst may agree to modify the trail location shown in Exhibit B to avoid adverse conditions.

- a. Construction, installation, maintenance, and repair of the Trail may include but is not limited to trailblazing; grading; building retaining walls, steps, railings, boardwalks, bridges, and other infrastructure; cutting vegetation; snow removal; application of gravel, crushed stone, wood chips, or other surface materials; and identifying the Trail's path. These activities may include vehicular use.
- b. Use of the Trail as a right-of-way shall be limited to:
 - i. walking, hiking, running/jogging, bird watching, nature study, equestrian use, bicycling, other human-powered modes of transportation;
 - ii. class I and class II electronic bicycles as defined by NH RSA 259:27-a, power-driven mobility devices for use by persons who have mobility impairments, motorized skateboards or scooters that, regardless of the number of its wheels in contact with the ground, has handlebars or a hand-controlled throttle or brake, that is designed to be stood or sat upon by the operator, and that is powered by a motor whose attainable speed is twenty miles per hour or less;
 - iii. emergency vehicles in the case of emergency within the Easement Area; and
 - iv. such other modes of transport on and over public trails as may be permitted by adopted policy of the Town of Amherst, New Hampshire, agreed to by the Owners, and, if applicable, the easement holder.
- c. If there is no easement plan attached to this grant, Town of Amherst, New Hampshire may determine the location in its reasonable discretion includes the right to install infrastructure, including but not limited to bridges, retaining walls, and other structures as necessary to prevent erosion and facilitate passage of the easement through wet areas; and install markers and other signs related to the trail.

2. Public Enters at Own Risk

Persons using the trail do so at their own risk. Neither Owners nor Town of Amherst, New Hampshire may charge for access, nor do they assume any duty to inspect or maintain the trail or warn of any defects or dangerous conditions.

3. Recorded Document

This grant is to be recorded with the Hillsborough County Registry of Deeds against the Property so as to be perpetually binding upon the undersigned Owners and their successors and assigns.

4. Exhibits

Each exhibit referred to in this grant is made a part of this grant by this reference.

5. Entire Agreement

This grant is the entire agreement of Owners and Town of Amherst, New Hampshire pertaining to the trail and supersedes any other agreements or understandings whether or not in writing.

6. Defense of Claims

The Owner’s liability is governed by New Hampshire law including, but not limited to, RSA 508:14, RSA 212:34, and RSA 231-A:8, which sets forth immunities under the recreational statutes, or any liability related thereto. If a trail user asserts a claim for bodily injury or property damage caused by an unsafe condition on the trail, and the unsafe condition was not the fault of Owners or anyone on the Property at the invitation of Owners, then Town of Amherst, New Hampshire agrees to defend such claim on behalf of both Owners and Town of Amherst, New Hampshire and, if such defense is not successful, to hold Owners harmless from any judgment entered against Owners on account of such claim.

7. Severability

If a provision of this agreement is determined to be invalid, illegal, or unenforceable, the remaining provisions of this agreement remain valid, binding, and enforceable. To the extent permitted by applicable law, the parties waive any provision of applicable law that renders any provision of this agreement invalid, illegal, or unenforceable in any respect

8. Consideration

The Owners acknowledge receipt of the sum of \$ ____ in consideration of this grant.

IN WITNESS WHEREOF, We have hereunto set our hands this _____ day of _____, 2021.

(Owner)

(Owner)

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me on this _____ day of _____, 2021 by
_____ (owner)

Justice of the Peace/Notary Public

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSOROUGH

This instrument was acknowledged before me on this _____ day of _____, 2021 by
_____ (owner).

Justice of the Peace/Notary Public
My commission expires:

A. ACCEPTANCE

The undersigned, being duly authorized by the members of the Town of Amherst Board of Selectmen, hereby agree to, acknowledge, and accept the within conveyance.

Executed this _____, day of _____, 2021.

**Town of Amherst
Board of Selectmen**

by: _____, Chairman

State of New Hampshire
County of Hillsborough

This instrument was acknowledged before me on _____ day of _____, 2021 by
_____ as Chairman of the Board of Selectmen of the Town of Amherst.

Notary Public/Justice of the Peace



**Town of Amherst, NH
BOARD OF SELECTMEN
STAFF REPORT**

Title: Budget Update

Department: Administration

Meeting Date: November 8, 2021

Staff Contact:

BACKGROUND INFORMATION:

BUDGET IMPACT:

(Include general ledger account numbers)

POLICY IMPLICATIONS:

DEPARTMENT HEAD RECOMMENDATION:

SUGGESTED MOTION:

TOWN ADMINISTRATOR RECOMMENDATION:

ATTACHMENTS:

None



**Town of Amherst, NH
BOARD OF SELECTMEN
STAFF REPORT**

Title: COLA discussion

Department: Administration

Meeting Date: November 8, 2021

Staff Contact:

BACKGROUND INFORMATION:

BUDGET IMPACT:

(Include general ledger account numbers)

POLICY IMPLICATIONS:

DEPARTMENT HEAD RECOMMENDATION:

SUGGESTED MOTION:

TOWN ADMINISTRATOR RECOMMENDATION:

ATTACHMENTS:

None



**Town of Amherst, NH
BOARD OF SELECTMEN
STAFF REPORT**

Title: Administrative Updates

Department: Administration

Meeting Date: November 8, 2021

Staff Contact:

BACKGROUND INFORMATION:

BUDGET IMPACT:

(Include general ledger account numbers)

POLICY IMPLICATIONS:

DEPARTMENT HEAD RECOMMENDATION:

SUGGESTED MOTION:

TOWN ADMINISTRATOR RECOMMENDATION:

ATTACHMENTS:

None



Town of Amherst, NH BOARD OF SELECTMEN STAFF REPORT

Title: 485 Boston Post Road emergency
culvert pipe repair

Department: Public Works

Meeting Date: November 8, 2021

Staff Contact: Eric Slosek

BACKGROUND INFORMATION:

We have been working with Hoyle Tanner to plan to replace the twin culvert pipes at 485 Boston Post Rd. (BPR). We inspected the culvert pipes this summer, and Hoyle Tanner gave us a summary report with recommendations for repair. In July they recommended that we install a cured-in-place pipe liner, which they estimated would give us up to a 50-year service life. On Thursday, October 28, Hoyle Tanner was onsite doing preparatory work for our July plan. During this site visit they discovered that the inlet headwall for the south pipe had collapsed, likely due to the nor'easter event the days before. The pipes had deteriorated more rapidly than previously anticipated. On Thursday afternoon, after a meeting onsite with Eric Hahn, Hoyle Tanner representatives, and myself, using data and information available to us at that moment, it was determined that we could make a temporary repair to the culverts and wait until next summer to make the permanent repair.

On Friday, after talking further with Hoyle Tanner, and asking Continental Paving for some input, I asked if it would make more sense to complete the permanent repair now. We wanted to know what all of our options on the table were. We were concerned that if the culverts fail unexpectedly, especially in mid-winter, this would cause a longer road closure than having a planned approach, and create a possible safety hazard. We were able to gather enough information by Monday morning to indicate it would be in the Town's best interest to replace the culverts under emergency authorization from NH DES. The benefits to completing this now are: it eliminates the "unknown" factor of 'will the pipes last through the winter'; it should be less expensive to replace now as we will not need to make a temporary repair, then do a permanent repair next year; Continental will honor our current unit pricing for materials already covered under contract; it will eliminate the possibility of accidentally damaging the pipe necessitating unplanned road closure during the temporary repair process; it takes advantage of utilizing new culvert pipes available and on-hand now through Continental- we are told these large pipes are very difficult to get right now due to scarcity of raw materials/labor, may not be available next summer. The cons to making this replacement now are: this project becomes single source; the timing does not take advantage of schools being closed in summer.

Continental has given us a verbal estimate that their work should be under \$300,000, \$300,000 being a worst-case scenario. To put that in perspective, the cost we had been planning for accounted for \$180,000 in construction costs, totaling \$281,000 for

the project. This worst-case scenario could increase our planned project costs from \$281,000 to a potential \$400,000. It is important to note that replacing the culverts completely as we are proposing would extend the expected service life of the culverts from up to 50 years for a cured-in-place liner, to 50-75 years for new HDPE culvert pipes.

BUDGET IMPACT:

(Include general ledger account numbers)

Up to \$400,000 from the Bridge Repair and Replacement CRF. The Bridge Repair and Replacement CRF value as of June 30, 2021 was \$586,489.44.

POLICY IMPLICATIONS:

Requires a waiver of Town purchasing policy for competitive bidding process for purchases/contracts exceeding \$10,000.

DEPARTMENT HEAD RECOMMENDATION:

Approve proceeding with permanent replacement of culvert pipes - work to start on or about November 29, 2021. Award this work to Continental Paving Inc., for a total value of up to \$300,000.

SUGGESTED MOTION:

I move to approve the permanent replacement of the twin culvert pipes located at 485 Boston Post through NH DES emergency authorization, work to commence on or about November 29, 2021, or as soon as is possible. I further move to award this work to Continental Paving Inc., for the amount of up to \$300,000.

TOWN ADMINISTRATOR RECOMMENDATION:

ATTACHMENTS:

1. 485 BPR culvert emergency request
2. Culvert Repair Letter (002) 7-19-21
3. 2021-11-02-VERIFY_EA-2021210746
4. Emergency Repair Letter



WETLANDS EMERGENCY AUTHORIZATION REQUEST FORM

Water Division/Land Resources Management
Wetlands Bureau

[Check the Status of your Request](#)



RSA/Rule: RSA 482-A/ Env-Wt 315

OWNER OR PUBLIC AGENCY NAME: Town of Amherst

Administrative Use Only	Administrative Use Only	Administrative Use Only	File No:
			Initials:

SECTION 1 - PROCEDURE

An Emergency Authorization (EA) may be requested by telephone, email, or fax. If a request is made by telephone, the property owner or property owner’s agent must provide the information required below, by email or fax, within 24 hours after the initial request. Requesting an EA using this form is not required but is strongly encouraged. Contact NHDES at [\(603\) 271-2147](tel:6032712147) to be directed to the appropriate NHDES staff to assist you with an emergency. Select the nature of the request below and proceed to the appropriate section.

- Private Property (Complete Only Section 2)
 Public Infrastructure (Complete Only Section 3)

NHDES encourages the submittal of photographs to facilitate an expeditious review of EA requests.
 Photographs submitted?

SECTION 2 - EMERGENCY AUTHORIZATION FOR PRIVATE PROPERTIES (Env-Wt 315.02)

Section 2A - Indicate if the following criteria apply to your request (Env-Wt 315.02(a))

A threat to public safety or public health exists or significant damage to private property is imminent as a result of an occurrence beyond the control of the property owner, such as a natural disaster. Yes No

The request for the emergency authorization is made within two weeks of discovering the need for the emergency authorization. Yes No

The emergency work shall be completed within 30 days, or 60 days for emergencies requiring approval from the Department’s Waste Management Division. Yes No

Work will be limited to stabilization of the site or other mitigation of the immediate threat that does not create any new permanent impacts to any Priority Resource Areas or vernal pools. Yes No

If you answered “No” to any of the above criteria, your project does not qualify for a Wetlands EA. If you answered “Yes” to all of the above criteria, complete Section 2B.

irm@des.nh.gov or [\(603\) 271-2147](tel:6032712147)

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

Section 2B - Required Information (Env-Wt 315.02(b))		
LOCATION		
SITE ADDRESS: [REDACTED]		
RESOURCE NAME (Optional: NHDES encourages the submittal of this information to facilitate an expeditious review of the EA request): [REDACTED]		
TOWN/CITY: [REDACTED]	STATE: NH	ZIP CODE: [REDACTED]
REQUESTOR (IF DIFFERENT THAN OWNER)		
LAST NAME: [REDACTED]	FIRST NAME: [REDACTED]	M.I.: [REDACTED]
EMAIL ADDRESS: [REDACTED]	PHONE NUMBER: [REDACTED]	FAX NUMBER: [REDACTED]
PROPERTY OWNER		
LAST NAME: [REDACTED]	FIRST NAME: [REDACTED]	M.I.: [REDACTED]
EMAIL ADDRESS: [REDACTED]	PHONE NUMBER: [REDACTED]	FAX NUMBER: [REDACTED]
REASON FOR THE EA REQUEST		
[REDACTED]		
LIST THE STRUCTURES PROPOSED TO BE REPAIRED OR OTHERWISE STABILIZED		
[REDACTED]		
DESCRIBE THE WORK TO BE PERFORMED		
[REDACTED]		
ANTICIPATED SCHEDULE FOR THE WORK TO BE PERFORMED		
[REDACTED]		

irm@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

SECTION 3 - EMERGENCY AUTHORIZATION FOR REPAIRS TO PUBLIC INFRASTRUCTURE (Env-Wt 315.03)				
Section 3A - Indicate if the following criteria apply to your request (Env-Wt 315.03(a))				
A threat to public safety exists due to public infrastructure being damaged as a result of a natural disaster or other emergency.	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
The request for the emergency authorization is made by the public agency within two working days of discovering the need for the emergency authorization.	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
The work will be limited to stabilization of the site or other mitigation of the immediate threat and such work as is necessary to prevent or minimize additional damage to the public infrastructure.	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If permanent repairs are made, the following criteria will be met:	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
(1) Repairs to stream crossings would meet all applicable requirements of Env-Wt 900;	<input type="checkbox"/>	Not Applicable		
(2) No permanent impacts to jurisdictional areas would occur outside of the footprint of the area already impacted by the infrastructure being repaired unless necessary to comply with Env-Wt 900, provided that channel blockages may be removed so long as the removal minimizes the disturbance of sediments; and				
(3) The public agency will submit a notification under Env-Wt 308.04(e), a registration under Env-Wt 309.03, or an application under Env-Wt 310 or Env-Wt 311, as applicable, for the completed work within 30 calendar days of completing the work.				
If you answered "No" to any of the above criteria, your project does not qualify for a Wetlands EA. If you answered "Yes" (or "Not Applicable") to all of the above criteria, complete Section 3B.				
Section 3B - Required information (Env-Wt 315.03(b))				
LOCATION				
SITE ADDRESS: Boston Post Road				
RESOURCE NAME: Unnamed Brook				
TOWN/CITY: Amherst	STATE: NH	ZIP CODE: 03031		
REQUESTOR				
LAST NAME: Slosek	FIRST NAME: Eric	M.I.: M		
EMAIL ADDRESS: eslosek@amherstnh.gov	PHONE NUMBER: 603.673.2317 ext. 402	FAX NUMBER:		
PUBLIC AGENCY INFORMATION				
PUBLIC AGENCY NAME: Town of Amherst, Department of Public Works				
REASON FOR THE EA REQUEST				
On October 28, 2021, it was discovered that the headwalls of a twin culvert stream crossing that conveys an unnamed brook under Boston Post Road are collapsing and causing an imminent threat to public safety and traveling motorists. Boston Post Road is a heavily travelled road in the Town of Amherst that provides the main route of access to Souhegan High School and Amherst Middle School on the north side of the culvert crossing. This road also provides connectivity from the Town to NH Route 101A.				

irm@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

IDENTIFY THE TYPE OF INFRASTRUCTURE TO BE REPAIRED

The Boston Post Road crossing consists of two corrugated metal pipes (CMP), each with 4'-0" span and 2'-9" rise. On 10/28/2021 it was discovered that the upstream headwall has collapsed and the condition of the CMPs has significantly worsened since the pipes were last inspected. As seen from the attached photos the stone headwall is restricting and blocking the waterway opening of the CMPs. The sidewalls and inverts of both CMPs at the inlet and outlet are completely missing for an estimated length of 5' to 8' along the length of the culvert due to advanced corrosion of the steel. This condition has created several large sinkholes next to the edge of pavement above the CMPs and is causing the protective guardrail to lean away from the road. This guardrail is unable to provide adequate protection in the current state, and the guardrail cannot be repaired without repairing the headwall and culvert. We believe there is a significant imminent threat to public safety and traveling motorists as a result of the observed culvert and headwall failure and that the culverts should be replaced immediately. It is unlikely that the culverts will continue to function through the winter, and we believe that waiting to address this situation until the culverts completely collapse and fail would result in a longer road closure because of the difficulties of working in winter conditions.

An unplanned closure of Boston Post Road as a result of a complete failure of the crossing, would create a significant and dangerous traffic disruption not only to the Middle and High Schools, but also for emergency response vehicles that use this road section and the general traveling public.

DESCRIBE THE WORK TO BE PERFORMED

The Town of Amherst is proposing to replace the existing CMPs with two 4'-0" diameter smooth interior plastic pipes and a 24" overflow pipe. The new pipes will be buried below the channel by approximately 1' and will provide a waterway opening of 23.34 square feet collectively. The waterway opening of the two existing CMPs together is estimated to be approximately 16 square feet due to deformation and fill from the sinkholes. The proposed culverts will increase the waterway opening by 146% and reduce flood velocities downstream of the crossing. The stone headwalls are proposed to be replaced with either concrete headwalls or rubble stone masonry headwalls (depending on material availability). The inlet and outlet will be armored with riprap stone that will be buried below the stream bottom and covered with native excavated materials and will not extend further into the stream than necessary.

ANTICIPATED SCHEDULE FOR THE WORK TO BE PERFORMED

The Town of Amherst is ready to perform the repair to the crossing as soon as authorization is received from NHDES.

Boston Post Road Crossing, Amherst, NH
Site Photos



Collapsed Upstream Headwall



Collapsed Upstream Headwall

Boston Post Road Crossing, Amherst, NH
Site Photos



Downstream Elevation View



Sinkhole at Downstream Headwall

July 19, 2021

Mr. Eric Hahn
Director of Public Works
22 Dodge Road
Amherst, NH 03031

RE: Spring Road Over Unnamed Brook and Boston Post Road over Unnamed Brook
Repair Recommendations Letter
Hoyle, Tanner Project No. 919108

Dear Mr. Hahn:

In accordance with our scope of services for the above referenced project, this letter is intended to supplement our "Select Bridge and Culvert Recommendation Letter" (previous letter) dated May 14, 2021, by providing updated repair recommendations, along with environmental permitting considerations, and **conceptual** total project costs for the Spring Road and Boston Post Road culverts.

Additional Recommended Inspection of the Existing Boston Post Road and Spring Road Culverts

As discussed in our previous letter, we recommended that the Town retain Hoyle Tanner and Vortex (formerly known as the Ted Berry Company) to perform a visual inspection of the interior portions of the Boston Post Road and Spring Road culverts. An agreement between the Town and Hoyle Tanner was executed on June 15, 2021, and the inspection took place on June 24, 2021.

SPRING ROAD CULVERTS OVER UNNAMED BROOK:

Existing Conditions and Observations:

Reference the previous letter for discussion on pipe size and headwall condition.

Approximately 6" of water was observed in the culverts during the inspection which allowed the sidewall and crown line of the culverts to be observed. The depth of water in the culverts was insufficient for Vortex to use the submersible CCTV. As such, the inverts of the pipes could not be observed during the inspection.

The culverts are considered to be in fair condition with some holes observed at the inlets and outlets along with some minor deformation of the pipe. A headwall stone was found in the inlet of the north pipe and the south pipe was observed to be partially clogged with debris.

Recommendations:

Based on the observed condition of the culverts along with Hoyle, Tanner’s experience with similar structures, the culverts have approximately ten years of service life remaining. As such, our recommendation of replacing the headwalls with cast-in-place concrete (Alternative 1 in the previous letter) is still valid. This work should be completed before the end of 2022. The stone in the north culvert and debris in the south culvert should be removed in as soon as is practicable in 2021 as they restrict flow through the culverts. Since the condition of these types of culverts can rapidly change, we recommend that the Town continue to monitor this crossing and retain Vortex to perform a CCTV inspection every 2 to 3 years.

Note: this is not a long-term solution and is intended only to stabilize the existing roadway side slopes. The Town should continue to monitor the condition of the CMPs on an annual basis and retain Vortex to perform a CCTV inspection every 2 to 3 years until the crossing can be replaced. The average service life of a buried CMP is approximately 30 to 40 years. Although the age of these culverts is unknown, they are likely in or near that age range, and as such, the Town should be prepared to completely replace this crossing in the next ten years.

Environmental Permitting:

A NHDES Wetlands Standard Dredge and Fill Minor Project permit application is required for this alternative. Per coordination with NHDES, the proposed work exceeds the NHDES definition for in-kind headwall repair and the combined waterway opening exceeds 48” so a routine roadway permit will not be granted. A Minor Project permit will require wetland delineation and the development of engineering plans similar to the Thornton Ferry Road I headwall repairs.

Conceptual Project Costs:

Table 1. Spring Road Conceptual Total Project Costs

Task	Conceptual Cost (2021 Dollars)
Wetland Delineation	\$2,000
Development of Plans, Specifications, and Estimate of Cost ¹	\$20,000
Environmental Permitting	\$7,000
Construction Cost (Including 15% Contingency) ²	\$50,000
Construction Engineering (15% of Construction Cost)	\$7,500
CONCEPTUAL TOTAL PROJECT COST	\$86,500

Notes:

1. Does not include bid phase services. See Summary section of this letter for more information.
2. This cost assumes the headwalls are constructed by a contractor. The cost may be lower if constructed using Town personnel.
3. Does not include NHDES permit application fee, which is \$0.40/sq ft of resource impact or \$400, whichever is greater, or \$25 NHHB fee if needed for state-listed species review

BOSTON POST ROAD OVER UNNAMED BROOK (BETWEEN MAPLE DRIVE AND MEADOW LANE):

Existing Conditions and Observations:

Reference the previous letter for discussion on pipe size and headwall condition.

Approximately 6" of water was observed in the culverts during the inspection which allowed the sidewall and crown line of the culverts to be observed. The depth of water in the culverts was insufficient for Vortex to use the submersible CCTV. As such, the inverts of the pipes could not be observed during the inspection.

The culverts are in poor to serious condition with significant section loss noted. The outlet of the southern culvert exhibits a large hole on the south side of the culvert and approximately 10' of section loss along the water surface on the north side of the culvert. 10' is also the approximate distance from the culvert outlet to the downstream edge of roadway pavement. It is likely that the sink holes between the roadway pavement and the pipe inlets/outlets are partially caused by these areas of section loss.

Recommendations:

Hoyle Tanner does not believe that the roadway needs to be closed at this time, however, immediate and short-term action to repair or replace the culverts is needed. Additionally, we recommend that the Town monitor this crossing weekly or after large rain events (defined as over 1" of rain in a 24-hour period) to verify that the sink holes are not increasing in size.

Immediate Action: The Town should install traffic control barriers along the downstream edge of pavement to "shy" vehicles away from the edge of pavement and underlying section loss. As noted above, the edge of pavement correlates to the approximate end of the culvert section loss so reducing the load on the culvert at these locations is prudent. After observing the deterioration noted above, Hoyle Tanner immediately called Eric Slosek to discuss these findings and provide our recommended Immediate Action. Eric met with Hoyle Tanner personnel onsite and mobilized his crews to bring reflective traffic control barrels to the site to "shy" vehicles away from the edge of pavement.

Short Term Action: Based on the observed condition of the culverts along with Hoyle Tanner's experience with similar structures, the culverts are at the end of their useful service life. As such, the recommended alternatives in our previous letter (Alternative 1 – Headwall Reconstruction and Guardrail Replacement and Alternative 2 – Construction of a Buried Temporary Bridge) are no longer prudent. In the preparation of this letter, Hoyle Tanner investigated several other Alternatives as described in Table 2 below.

Table 2. Culvert Repair/Replacement Alternatives

Alternative	Advantages	Disadvantages
3. "Do Nothing"	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • If the deteriorated pipes are not remedied, it is likely that the road will need to be closed within 2-5 years
4. Culvert Repair with a Cured in Place Pipe Liner	<ul style="list-style-type: none"> • 50-year design life. • Similar cost as compared to Alternative 5. • NHDES has permitted this repair at other locations in NH. • Liner is designed to support 100% of the loading on the culvert. • Minor impact on hydraulic capacity 	<ul style="list-style-type: none"> • Requires an NHDES Major Project Wetland Permit. • Not considered self-mitigating by NHDES and will require compensatory mitigation.
5. In-Kind Culvert Replacement	<ul style="list-style-type: none"> • 50- to 75-year design life. • Similar cost as compared to Alternative 4. • Can be sized to meet or exceed current hydraulic capacity. 	<ul style="list-style-type: none"> • Requires an NHDES Major Project Wetland Permit. • Permanent impacts are not considered self-mitigating by NHDES and may require compensatory mitigation but DES may allow for improvements to water quality as partial mitigation. • Low probability that NHDES will approve this replacement structure.
6. Replacement with a Span Structure	<ul style="list-style-type: none"> • 75-year plus design life. 	<ul style="list-style-type: none"> • Requires an NHDES Major Wetland Permit. • ~\$1,000,000 total project cost.

Based on Table 2 above, Hoyle Tanner recommends that the Town proceed with Alternative 4 - Culvert Repair with a Cured in Place Pipe Liner. Due to the condition of the culverts, Hoyle Tanner recommends that the Town repair the culverts as soon as is practicable. As will be discussed in the "Environmental Permitting" below, the process to prepare and obtain an NHDES Wetlands Standard Dredge and Fill Major Project permit typically requires six months to be issued from notice to proceed. As such, this project is recommended to be constructed in early summer 2022.

Environmental Permitting:

An NHDES Wetlands Standard Dredge and Fill Major Project permit application is required for Alternative 4 - Culvert Repair with a Cured in Place Pipe Liner. Per Hoyle Tanner's previous experience permitting similar repair projects, NHDES does not consider these projects to be self-mitigating and compensatory mitigation will be required. A Major Project permit will require a survey prepared by a land surveyor licensed in the State of New Hampshire, wetland delineation, the development of engineering plans and completion of the wetland permit application package for submittal to NHDES and the US Army Corps of

Engineers (USACE). These permit applications will be submitted together during the design phase of the project to NHDES who will coordinate review and permit issuance with USACE.

The process involved with applying for and receiving a Wetland Permit can take up to six months and often dictates the overall project schedule. This process includes:

- A database check of the NH Natural Heritage Bureau (NHB) and the US Fish and Wildlife Service (USFWS) Information for Planning and Conservation (IPaC) online tool to check for state or federal protected plant and animal species.
- Pre-application coordination with NHDES to ensure the project will meet the state wetland rules and to identify any potential conflicts with the proposed design and the amount or type of jurisdictional impacts.
- Preparation of the Wetland Permit Application. This step requires that all NHDES and USACE jurisdictional impacts be finalized. Additionally, all abutters to the project within 10' of any jurisdictional impact must be notified of the project and permission from the abutter to submit the permit application must be received.
- Once the Wetland Permit Application is received by NHDES and is considered administratively complete, NHDES has 50 days to review and provide comments on the application, or request that additional information be provided.
- Once NHDES has approved the Wetland Permit Application, the USACE has 30 days to issue the NH General Permit for the project.

Conceptual Project Costs:

Table 3. Boston Post Road Conceptual Total Project Costs for Alternative 4 - Culvert Repair with a Cured in Place Pipe Liner

Task	Conceptual Cost (2021 Dollars)
Site Survey Prepared by a Licensed Land Surveyor	\$5,000
Wetland Delineation	\$2,000
Development of Plans, Specifications, and Estimate of Cost ¹	\$18,000
Environmental Permitting ²	\$8,000
Mitigation Payment to ARM Fund ³	\$40,00
Right-Of-Way	\$1,500
Construction Cost (Including 15% Contingency)	\$180,000
Construction Engineering (10% of Construction Cost)	\$27,000
CONCEPTUAL TOTAL PROJECT COST	\$281,500

Notes:

1. Does not include bid phase services. See Summary section of this letter for more information.
2. Does not include NHDES permit application fee, which is \$0.40/sq ft of resource impact or \$400, whichever is greater, or \$25 NHHB fee if needed for state-listed species review
3. Estimate, to be finalized upon final design and coordination with NHDES; estimate based on 2021 costs, subject to change

SUMMARY

Based on the recommendations in our previous letter dated May 14, 2021. Hoyle Tanner's subconsultant, Vortex, performed a CCTV inspection of the two culverts discussed above. The intent of these inspections was to provide the Town with updated recommendations for repairs to these culverts.

The Spring Road culverts are in fair condition and have a remaining service life of approximately 10 years. Hoyle Tanner recommends that the Town replace the existing failed stone headwalls with cast-in-place concrete headwalls to stabilize the roadway side slopes. **Note: this is not a long-term solution and is intended only to stabilize the existing roadway side slopes. The Town should continue to monitor the condition of the CMPs on an annual basis and retain Vortex to perform a CCTV inspection every 2 to 3 years until the crossing can be replaced in the next ten years.** Hoyle Tanner recommends that this project is completed in the summer of 2022.

The Boston Post Road culverts are in poor to serious condition with significant section loss noted. Hoyle, Tanner recommends that these culverts be repaired or replaced. As discussed in Table 2 above, the preferred alternative is Alternative 4 - Culvert Repair with a Cured in Place Pipe Liner. Hoyle Tanner recommends that this project be constructed in summer of 2022 due to the approximate six-month lead time in obtaining an NHDES Wetlands Standard Dredge and Fill Major Project permit.

Conceptual total project costs are provided in Tables 1 and 3 for Spring Road (\$86,500) and Boston Post Road (\$281,500) respectively for a **combined** total cost of \$368,000. These costs are based on the Town publicly advertising these projects for bid as standalone projects. The total project cost can likely be reduced by combining these two projects into one larger project which will save engineering, bidding, and construction costs. Additionally, the Town can reduce the construction cost by performing some of the work (such as headwall reconstruction) with DPW forces.

Project Schedule:

Hoyle Tanner is ready and able to assist the Town with the design and permitting of the repairs to the Spring Road and Boston Post Road culverts. Hoyle Tanner has developed the following approximate schedule to ensure that these projects can be constructed in summer of 2022.

- Town and Hoyle Tanner under agreement in August/September 2021.
- Topographic survey and wetland delineations in September/October 2021.
- Submit wetland permit applications along with design plans in January 2022.
- Receive NHDES wetland permits by the mid-March 2022.
 - Advertise for construction as soon as NHDES wetland permit applications are received.
- Open bids and award to contractor by mid-May 2022.
- Issue notice to proceed and begin construction in June 2022.

This letter has been completed utilizing information available as of July 2021. This information includes our understanding of current permitting requirements, which are subject to change, and limited field data obtained by Hoyle Tanner. The condition of the existing culverts and bridges can change rapidly or be damaged through manmade or natural events that could alter the conclusions reached herein. Therefore, the recommendations provided in this letter should not be relied upon for an extended period.

We look forward to continuing to work with you on the next steps for these culverts.

Sincerely,

Hoyle, Tanner & Associates, Inc.



Joseph C. Ripley, PE
Project Manager



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

EMERGENCY AUTHORIZATION VERIFICATION

FILE NUMBER: 2021-03367
OWNER: TOWN OF AMHERST
SITE LOCATION: BOSTON POST RD, AMHERST;
TAX MAP #2 & 13, LOT # N/A
AGENT/CONTRACTOR: HOYLE TANNER & ASSOCIATES, INC.
AUTHORIZATION DATE: NOVEMBER 03, 2021
WATERBODY: UNNAMED BROOK

This is to confirm that the New Hampshire Department of Environmental Services (NHDES) Wetlands Bureau has given emergency authorization in accordance with NH Administrative Rule Env-Wt 315 to the owner/agent to conduct the following work in the NHDES Wetlands Bureau jurisdiction (under RSA 482-A):

DESCRIPTION: Emergency authorization to replace the two existing 48" corrugated metal pipe culverts with two 48" diameter smooth interior plastic pipes and a 24" overflow pipe, replace 24.75 LF of existing stone headwalls with concrete headwalls, and armor the inlet and outlet with buried riprap to ensure safe passage along Boston Pond Road, which provides access to the Souhegan High School and Amherst Middle School.

This authorization is subject to the following conditions:

1. The applicant/contractor shall file a follow up report describing the work performed under this authorization including pre-construction and post-construction photos to NHDES by January 2, 2022; the need for additional permitting will then be determined by NHDES (if no further impacts are needed);
2. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands;
3. Appropriate siltation, erosion controls, turbidity, and sedimentation controls shall be utilized;
4. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation for access;
5. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to working near surface waters or wetlands;
6. Faulty equipment shall be repaired prior to working near jurisdictional areas;
7. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use;
8. This form shall be properly posted at the work site;
9. This authorization does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.

THIS AUTHORIZATION EXPIRES ON December 3, 2021. All work must be completed by this date. This authorization has been given file number **2021-03367**. Please use this number in all future correspondence.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

Signed:

A handwritten signature in black ink, appearing to read 'Mary Ann Tilton', with a long horizontal flourish extending to the right.

Mary Ann Tilton
Assistant Bureau Administrator
Land Resources Management, Water Division

cc: Amherst Municipal Clerk/Conservation Commission
ec: US Army Corps of Engineers (Richard.C.Kristoff@usace.army.mil)
NH HSEM Planning (HSEMPPlanning@dos.nh.gov)
NH HSEM Field Services (NHHSEMFieldServices@dos.nh.gov)

November 3, 2021

Mr. Eric Slosek
Assistant Director
Department of Public Works
22 Dodge Road
Amherst, NH 03031

RE: Boston Post Road Over Unnamed Brook
Emergency Repair Letter
Hoyle Tanner Project No. 919108

Dear Mr. Slosek:

The purpose of this letter is to provide the Town of Amherst (Town) with updated observations and findings, an account of work and discussions completed to date, and updated recommendations for the Boston Post Road crossing of Unnamed Brook.

Observation and Findings:

Joe Ripley and Joanne Theriault of Hoyle, Tanner & Associates (Hoyle Tanner) visited the site on October 28, 2021 to perform the wetland delineation for the Boston Post Road Culvert repair project. During this visit we observed a significant change in the condition of the crossing as compared to our previous site visits summarized in our July 19, 2021 letter (July letter). These changes were increases in the size and depth of the sinkholes between the headwalls and edge of pavement and the partial collapse of the upstream stone headwall. Based on conversations with the Town, the crossing has been monitored by Town forces weekly, which means that the headwall collapse is a very recent change in condition.

As soon as these changes were observed, Joe Ripley called Eric Slosek to have an onsite meeting to discuss the findings and potential solutions. Josif Bicja from Hoyle Tanner also visited the site to provide his thoughts and recommendations. Josif and Joe are both familiar with the site having first visited this crossing in October 2018. Additionally, Josif has extensive experience in culvert and headwall repairs.

Work and Discussions Completed to Date:

October 28, 2021:

Our initial assessment of the crossing on the morning of October 28, 2021 was that at a minimum an emergency project to mitigate the sinkholes and temporarily stabilize the partially collapsed headwall was needed to keep Boston Post Road open to traffic.

After our initial meeting with Eric Slosek on the morning of October 28, Hoyle Tanner personnel met again with Eric Slosek and Eric Hahn during the afternoon of October 28. The purpose of this meeting was to discuss what effect the change in condition had on our recommendations from our July letter and feasible emergency projects to repair or mitigate the deterioration.

Due to the rapid change in condition of the crossing, the current recommendation of culvert rehabilitation using a cured in place fiberglass liner as detailed in our July letter may no longer be feasible or the best solution for the Town. This is due to the fact that a now significant portion of the existing culverts would need to be rehabilitated prior to installing the liner. Hoyle Tanner personnel discussed additional long term repair options with Eric Slosek and Eric Hahn and it was agreed that replacing the existing culverts with new HDPE pipes should be investigated further. This option is discussed as Alternative 5 in Table 2 of our July letter. As discussed in the referenced table, the major disadvantage of this alternative was that we assigned a low probability that NHDES would approve a permit for this replacement alternative. This conclusion was based on the fact that at that time there were other feasible repair solutions (such as our preferred solution of a cured in place liner) that NHDES had recently permitted on other culvert rehabilitation projects throughout the state. However, since installing a cured in place liner was no longer considered feasible based on the recent change in pipe condition, Hoyle Tanner now recommended replacing the crossing with HDPE pipes. This is the only feasible option remaining for the Town as compared to the “do nothing” alternative or the costly complete replacement with a span type bridge structure alternative.

Hoyle Tanner personnel and the DPW staff then discussed a timeline of the culvert replacement with HDPE pipes. Based on Hoyle Tanner’s knowledge of local contractor’s extensive work backlog and material shortages, we did not believe that the Town could procure the required HDPE pipe or find a contractor available to construct the replacement crossing prior to the summer of 2022.

With this understanding, Hoyle Tanner and DPW Staff decided to pursue emergency repairs to stabilize the upstream headwall and sinkholes using methods that the DPW forces could complete. The work involved in this repair would include removing portions of the stone headwall above the corrugated metal culverts, installation of steel sheeting plates to span the culverts (thereby eliminating the soil and stone load acting on the deteriorated ends of the culverts) and installing a geotextile fabric with stone fill to stabilize the roadway slide slope. The recommendation for the upstream sinkholes was to repair them by filling them with 6” minus stone, which was subsequently completed by DPW forces. Hoyle Tanner personnel coordinated with E.D. Swett, Inc. of Concord, NH who was willing to donate and deliver the required sheet piling plates needed to complete the temporary stabilization. These repairs were scheduled to take place on Monday, November 1, 2021. **It is important to note that these emergency repairs were intended to be temporary in nature and were considered the best viable solution that DPW forces could complete prior to the full replacement in summer 2022 as detailed above.** It was understood by Hoyle Tanner and DPW staff that continued monitoring and maintenance of the culvert and emergency repair would be needed and that the condition of the culverts could continue to deteriorate potentially requiring a closure of Boston Post Road prior to summer 2022.

Also, during this meeting, Hoyle Tanner personnel explained that the New Hampshire Department of Environmental Services (NHDES) has an Emergency Authorization permit for emergency repairs. This permit allows the Town to receive emergency authorization to complete stabilization or repair work prior to obtaining the required environmental permits. If approved by NHDES, the Town can move forward with repair work and follow-up with a permit application after the work is complete. An emergency

authorization would be required if any work that involved cutting vegetation or filling or excavating soil occurred within a wetland. The emergency headwall and sinkhole repairs discussed above would not have required an emergency authorization from NHDES as no work would take place in the wetland.

The conclusions of our meeting on the afternoon of October 28, 2021 was:

- The Town would complete emergency repairs to stabilize the partially collapsed upstream headwall and sinkholes. No NHDES permit or emergency authorization would be required for this work.
- Hoyle Tanner would begin to investigate a full replacement of the crossing with HDPE pipes for the summer of 2022.

October 29, 2021:

Eric Slosek contacted Joe Ripley on the morning of October 29, 2021 to note that the Town was considering hiring a local contractor to complete the emergency repairs detailed above. The repair would be scheduled for Tuesday, November 2, 2021. Joe Ripley said that this was acceptable and that the Town should continue to monitor the crossing each day until the stabilization could be completed. Joe Ripley also contacted E.D. Swett who rescheduled the delivery of the donated sheet piling to Tuesday morning. During the afternoon of October 29, 2021 Eric Slosek contacted Hoyle Tanner personnel to discuss an alternative plan for emergency culvert replacement. Eric had proactively brought the Boston Post Road crossing to the attention of Continental Paving, Inc. of Londonderry, NH (Continental). Continental expressed an interest in performing the complete culvert replacement for the Town in fall of 2021 since they had the required HDPE pipe in stock and the available workforce to complete the work this fall. As discussed above, the two driving factors of limited contractor and material availability was the main reason why a complete replacement in fall of 2021 was not the recommended emergency solution.

A summary of the advantages of pursuing a complete culvert replacement in fall 2021 is as follows:

- Less overall project cost as the emergency headwall repair is not needed prior to the complete crossing replacement.
- Less overall risk to the Town. As discussed above, the emergency headwall repair would have required a need to be monitored until the culverts could be replaced in summer of 2021.
- This repair will provide a usable service life of 50 to 75 years for the HDPE pipes and headwalls. Roadway reconstruction or rehabilitation may be needed during this service life such as in the event of higher than typical water flows.

A summary of the disadvantages of pursuing a complete culvert replacement in fall 2021 is as follows:

- A complete roadway closure for a period of approximately 4-5 weeks will be required during the school year.
- The water level of Unnamed Brook is generally higher in the fall than in the summer which increases the effort to divert and control water during construction.

Hoyle Tanner personnel recommended a meeting on the morning of Monday November 1, 2021 with Eric Slosek and Continental to explore this option further.

November 1, 2021:

On the morning of November 1st Hoyle Tanner personnel met with the Eric Slosek and Jason Coombs from Continental to discuss the complete culvert repair option. After the initial meeting, Joe Ripley met with Eric Slosek and Continental staff onsite to view the work area and develop a **tentative** schedule for culvert completion. The result of these meetings was that Continental was willing and able to provide a price to the Town to complete the work. Hoyle Tanner was to continue coordinating with Continental and DPW staff to develop the final details of the emergency culvert replacement as well as to reach out to other contractors and suppliers to help facilitate the acquisition of the materials needed to complete the work.

A follow-up meeting with Continental (Jason Coombs), Hoyle Tanner (Joe Ripley and Josif Bicja), and Town staff (Dean Shankle and Eric Slosek) was scheduled for the afternoon of November 1, 2021 to continue to discuss the emergency culvert replacement project details as well as to update the Town officials on the evolving recommendations based on all available information. At this meeting it was decided to pursue the complete emergency culvert replacement and Hoyle Tanner sent the Emergency Authorization form to NHDES for review and approval.

November 3, 2021:

The Emergency Authorization was approved by NHDES with a required construction completion date of December 3, 2021. Hoyle Tanner can request an extension if more time is needed to complete these emergency repairs.

Summary and Updated Recommendations:

The significant and recent change in condition of the existing crossing means that the recommendations of our July letter may no longer be feasible or the best solution for the Town. Further, these changes in condition warrant emergency action to either stabilize (repair) or replace the existing crossing.

Long Term Solutions

The only practicable option for the Town, short of full replacement with a span structure, is to complete an in-kind culvert replacement using HDPE pipes and headwalls. This option will have a usable service life of 50 to 75 years for the HDPE pipes and headwalls. Roadway reconstruction or rehabilitation may be needed during this service life such as in the event of higher than typical water flows. Taking no action will result in the continued deterioration and subsequent closure of Boston Post Road and replacing the crossing with a span type structure is beyond the budget and scope of the Town.

Emergency Solutions

As detailed in the preceding sections of this letter, the development of an emergency response has been on-going since October 28, 2021 and has evolved with the addition of new information.

Hoyle Tanner recommends that the Town pursue complete culvert replacement using HDPE pipes and headwalls. Hoyle Tanner and Continental Paving have been working diligently together and with the Town to define the repairs and source the required materials.

If the Town decides to pursue complete culvert replacement it is likely that work will begin at the end of November. As such, Hoyle Tanner recommends the following actions be taken prior to the start of work:

- The culvert should be load posted to 6 tons.
- The Town should continue to monitor the crossing daily until the emergency repair project begins.
 - If any distress, depressions, or cracking in the pavement are observed in or around the culverts the bridge should be closed to all traffic immediately.
 - If any headwall stones fall into the brook and restrict flow into the culverts they should be removed as soon as is practicable.
 - Any erosion or sinkholes between the pavement and headwall should be stabilized with 6" minus stone as soon as is practicable.
- Additional traffic barrels should be placed along the north side of pavement (similar to the south side) to shy traffic away from the ends of the pipe.
 - These barrels will narrow the roadway. As such, Hoyle Tanner recommends that W5-1 "Road Narrows" warning signs or equivalent be installed on easels on each roadway approach.

Please feel free to reach out if you have any questions about the contents of this letter.

Sincerely,
Hoyle, Tanner & Associates, Inc.


Joseph C. Ripley, PE
Project Manager



Town of Amherst, NH BOARD OF SELECTMEN STAFF REPORT

Title: Amherst Street Construction update **Department:** Public Works
Meeting Date: November 8, 2021 **Staff Contact:** Eric Slosek

BACKGROUND INFORMATION:

Work on the western portion of Amherst Street (Boston Post Rd. to the Milford town line), including the construction of the side path, is nearly completed for the 2021 construction season. Work has not commenced on the eastern portion of Amherst Street (Boston Post Rd. to Courthouse Rd.). The NH DOT has been reviewing our plans to cross the state portion of NH 122. We are continuing to work with the DOT to determine what will be required for a pedestrian crossing there.

Our budget for this project was \$937,000 (\$650,000 for the road/ \$287,000 for the side path). Work billed to date (as of 11-1-21) totals \$808,649 for the western portion. The estimate for remaining 2021 work on the western portion is \$172,000 (\$107,000 for the road/ \$65,000 for the side path). The remaining 2021 work is expected to exceed the budget by approximately \$44,000. The road segments in the western portion will also need to be top coated in the spring of 2022 for an estimated cost of \$124,000. The combined work remaining for 2021 and 2022 (top coat) is expected to exceed the budget by \$168,000. The decision was made to pave the top coat in the spring so that if it is decided to commence construction of the eastern portion of Amherst Street next year, the entire road could be paved at once. This would result in a better finished product with fewer pavement seams. Additionally, we wanted to stay as close to within budget as possible to allow the board an opportunity to guide our next steps.

Our current estimate from Continental for the construction of the road and side path from Boston Post Rd. to Courthouse Rd. is estimated at \$187,000. The \$187,000 does not reflect anything NH DOT may require us to do, to include additions of pedestrian signals at the intersection.

Total engineering expenses for this project to date are \$70,000. Further engineering would be needed to address the Boston Post Rd. pedestrian crossing if work is authorized on the eastern portion of Amherst Street. The total budget overage including engineering costs is \$114,000.

I recommend that the \$114,000 estimated total overage in 2021 be paid for from the remaining contingency money authorized by the board to spend on contracted 2021 roads. There will be approximately \$175,000 remaining of the \$1,300,000 authorized by the board in March 2021 to spend on Bayberry, Blueberry, Dodge, Christian Hill, Caldwell, and Manhattan.

I further recommend commencement of construction on the eastern portion of Amherst Street, possible mill and fill of the segment of Amherst Street between Miles Rd. and Juniper Dr., funding for the \$124,000 needed to top coat the western portion, include input from the new DPW Director. This recommendation assumes the DPW Director position is filled before those matters must be addressed.

BUDGET IMPACT:

(Include general ledger account numbers)

Up to \$140,000 from 01-4312-70-2735 Road Rebuild

POLICY IMPLICATIONS:

DEPARTMENT HEAD RECOMMENDATION:

Authorize the DPW to use funds from the 4312 road rebuild line leftover from the 2021 road contract contingency to cover any remaining construction expenses for the western part of Amherst Street.

SUGGESTED MOTION:

I move to authorize the DPW to spend up to \$140,000 of 2021 road contract contingency funds from the 4312 road rebuild line to pay for the remaining 2021 Amherst Street expenses. This amount includes \$114,000 of known overages, and an additional \$26,000 for unknown expenses that may arise.

TOWN ADMINISTRATOR RECOMMENDATION:

ATTACHMENTS:

1. 11-3-21 BOS Amherst Street Expense Detail

Amherst Street Expense Detail

(Boston Post Rd. to Milford Town Line)

Budget:

Road-	\$650,000
Side Path-	<u>\$287,000</u>
	\$937,000

Billed Construction Expenses to Date (as of 11/1/21):

Road-	\$573,482
Side Path-	<u>\$235,167</u>
	\$808,649

Estimated Construction Expenses Remaining:

Road-	\$107,000
Side Path-	<u>\$65,000</u>
	\$172,000

Total Estimated Construction Expense (2021):

Road-	\$680,482
Side Path-	<u>\$300,167</u>
	\$980,649

**Budget remaining less total 2021
estimated construction expenses = (\$43,649)**

Total engineering expenses = \$70,000*

Total budget overage including engineering = (\$114,000)

Remaining estimated construction work in spring 2022 = \$124,000

Construction estimate for eastern portion of Amherst Street = \$187,000**

**Engineering includes eastern portion of Amherst Street.*

***Does not include any work required by NH DOT for pedestrian crossing of Boston Post Rd.*



Town of Amherst, NH BOARD OF SELECTMEN STAFF REPORT

Title: AP, Payroll and Minutes

Department: Finance Department

Meeting Date: November 8, 2021

Staff Contact:

BACKGROUND INFORMATION:

BUDGET IMPACT:

(Include general ledger account numbers)

POLICY IMPLICATIONS:

DEPARTMENT HEAD RECOMMENDATION:

SUGGESTED MOTION:

Approvals:

Payroll

AP1~ I move to approve one (1) FY21 Payroll Manifest in the amount of \$239,883.86 dated November 4 2021, subject to review and audit.

Accounts Payable

NH DMV

AP2 ~ I move to approve one (1) FY21 Accounts Payable Manifest in the amount of \$26,731.23 dated November 3, 2021, subject to review and audit.

SCHOOLS

AP3 ~ I move to approve one (1) FY21 Accounts Payable Manifest in the amount of \$3,176,201.00 dated November 1, 2021, subject to review and audit.

VENDORS

AP4 ~ I move to approve one (1) FY21 Accounts Payable Manifest in the amount of \$213,695.67 dated October 26, 2021, subject to review and audit.

Minutes

~ I move to approve the Board of Selectmen meeting minutes of October 25, 2021.

TOWN ADMINISTRATOR RECOMMENDATION:

ATTACHMENTS:

1. 2021.10.25 BOS_DRAFT



Town of Amherst, NH
BOARD OF SELECTMEN MEETING MINUTES
Barbara Landry Meeting Room
2 Main Street
Tuesday, October 25, 2021, 6:30PM

1 **1. Call to Order**

2 Chairman Peter Lyon called the meeting to order at 6:30 p.m.

3
4 Attendees: Chairman Peter Lyon, Selectman Dwight Brew, Selectman John D'Angelo,
5 Selectman Tom Grella, and Selectman Danielle Pray.

6
7 Ways & Means Committee present: Mike Parisi – Chair, Lisa Eastland, Jim Kuhnert, Wendy
8 Rannenberg, Lori Mix, Bill Loscocco, and Diane Layton.

9
10 Also present: Town Administrator Dean Shankle and Recording Secretary Kristan Patenaude.

11
12 **2. Pledge of Allegiance** – led by Eric Hahn, retiring DPW Director.

13
14 **3. Citizen's Forum**

15 Tom Quinn, 30 Christian Hill Road, addressed the Board. He explained that he is before the
16 Board as a citizen of Town and not as a Planning Board member. At the last Planning Board
17 meeting, the group was informed by the School District that it plans to place a non-
18 conforming sign at the Souhegan High School. There were no representatives from the School
19 District there to present the project, and no input was sought from citizens or the Planning
20 Board. The proposed sign is not allowed under current Town zoning ordinances. He has
21 concern that the sign could be offensive to nearby residents. While it is unclear if this is under
22 the purview of the Board of Selectmen, Tom Quinn asked that the Board address this issue for
23 future projects for Town entities. Tom Quinn noted that he understands that Town and School
24 entities have leeway for completing non-conforming projects but stated that he believes it
25 would be a good idea for them to be held to the same standards as the citizens are. He believes
26 these projects should have public meetings held to have them explained to the public and
27 should be finished to the satisfaction of the citizens. He believes Town and School entities
28 should be held to the same rules as citizens are, unless absolutely necessary. He mentioned a
29 recent expansion and construction at the DPW that did not appear to be run through the
30 typical Town processes. He believes the Town should comply with its own procedures
31 moving forward.

32
33 Chairman Lyon agreed with Mr. Quinn. He stated that the Town, with some notable
34 exceptions, has tried to go before the Planning Board, not necessarily for a comprehensive
35 application process, but to at least give information on projects.

36
37 Selectman Brew stated that he was also at the Planning Board meeting where this was
38 addressed and agrees with Mr. Quinn. He spoke with Community Development Director, Nic

39 Strong, to discuss that while Town and School entities are not technically required to follow
40 the same application process as citizens, that it would still be good for them to follow many of
41 the steps. He noted that all required permits were pulled for the DPW construction project.

42
43 Eric Hahn stated that he believed the mechanic's garage construction was okay, as it was
44 previously approved by the public as a warrant article. The driveway in front of the DPW was
45 redone and parking was pushed to the side during the project. He did not believe this would
46 upset anyone and was working to bring the driveway up to current standards.

47
48 Selectman Pray noted that she believes Mr. Quinn would like to see future projects at least
49 heard during a public hearing.

50
51 The Board agreed this to be an appropriate thing to do.

52
53 **4. Scheduled Appointments – none.**

54
55 **5. Administration**

56 **5.1 Administrative Updates**

57 Town Administrator Shankle explained that the search for a new DPW Director and Finance
58 Director are going well. Currently, MRI is filling in for the Finance Director.

59
60 **5.2 Speed Limit Ordinance Recommendations**

61 Chairman Lyon explained that the recommendation from the Highway Safety Committee is to
62 have a 25mph speed limit the entire length of Pettingale Road, and for a section of Walnut
63 Hill Road, from Old Quarry Road to Embankment Road. The Board previously held two
64 public hearings for this item.

65
66 *A MOTION was made by Selectman Brew and SECONDED by Selectman Grella that,*
67 *pursuant to the authority granted to the Board of Selectmen of the Town of Amherst by virtue*
68 *of NH RSA's 31:39, 41:11, and 47:17 for the purpose of enforcing and regulating traffic, the*
69 *following traffic control regulations are hereby established for the Town of Amherst:*

- 70 *1. A maximum speed limit of 25 M.P.H. for Pettingale Road*
71 *2. A maximum speed limit of 25 M.P.H. for the section of Walnut Hill Road located*
72 *between the intersections of Old Quarry Lane and Embankment Road*

73 *Voting: 5-0-0; motion carried unanimously.*

74
75 **5.3 Budget of FY23 Budget**

76 Town Administrator Shankle explained that he has been working to put together a draft
77 budget with the help of the previous Finance Director, Cheryl Eastman. He explained that
78 Ways & Means will be discussing the schedule for meeting with Department Heads later this
79 evening. He stated that the budget for FY23 appears to be increasing 3.09% over the FY22
80 budget. The step increases are included in the wage lines.

81
82 Selectman Brew noted that, without the Cost-of-Living Increase Adjustment (COLA), the
83 budget appears to have increased approximately \$450,000 from the previous fiscal year. He
84 noted that approximately \$120,000 of that is due to increase in medical line items, and

85 \$100,000 of that is due to an increase in the roads budget. He asked what else can account for
86 this increase.

87

88 Town Administrator Shankle stated that the Administration Health Insurance line is up
89 approximately \$19,000. There is approximately \$25,000 worth of an increase in the part-time
90 help line for the Town Clerk. He stated that the Department Heads can outline other major
91 increases for the Board.

92

93 Bill Loscocco asked why the Town develops its budget based on a comparison to last year's
94 budget, without knowing if that budgeting was good or bad. Chairman Lyon explained that a
95 comparison is used as a reference point, but that the budget is created line-by-line by the
96 Department Heads. The Department Heads also try to identify one-off costs from the previous
97 year, to make the current proposed budget as accurate as possible.

98

99 Town Administrator Shankle noted that FY21 (July 2020 – June 2021) was an odd year in
100 terms of expenditures. He noted that he cut money from the Welfare line this year because the
101 line item has historically not been fully spent.

102

103 Jim Kuhnert asked if this practice for creating budgets is common in municipalities. He has
104 not encountered this method in his previous lines of work.

105

106 Chairman Lyon stated that the proposed budget number comes as a result of Department
107 Heads looking at each line of the budget and trying to predict what will be needed 18 months
108 from now.

109

110 Bill Loscocco stated that it appears the budget is being created without knowing exactly how
111 it relates to what is actually happening for expenditures.

112

113 Selectman Brew stated that a report could be run to show the current year amount for each
114 line item that was expended at the end of the first quarter.

115

116 Town Administrator Shankle stated that all increases under the Administration Department's
117 budget are for salaries and health insurance. He noted that the Conservation Commission did
118 not submit its budget in time to be included in this draft, but that their proposed budget is
119 reduced from last year's budget.

120

121 Gail Stout, Tax and Assessing Department, stated that there is money in the outside hire
122 budget, in order to put the contract assessing out to bid.

123

124 Town Administrator Shankle noted that he decreased the welfare budget line from \$14,000 to
125 \$10,000 because no more than \$11,000 has been spent from that budget in the last five years.

126

127 Nic Strong, Director of Community Development, stated that the department's budget has
128 decreased overall. There are additional funds in the outside hire line. This is for the

129 implementation budget for the Master Plan. There are additional funds for education and
130 professional development, in order for Town Planner, Natasha Kypfer, to attend trainings.
131 One additional computer has been added to the department's budget.

132

133 Police Chief Mark Reams stated that there is an approximately \$100,000 increase in the
134 department's budget for this year. Approximately \$90,000 of that is wages and benefits. The
135 other money budgeted is to restart a motorcycle lease and increase vehicle repairs. The
136 Communications budget has a \$25,000 increase proposed. This is all due to wages and
137 benefits.

138

139 Fire Rescue Chief Matt Conley stated that the Rescue Department's budget is up 1.5% and the
140 Fire Department's budget is up 2.15%. A significant portion of this is due to radio pager
141 updates.

142

143 Selectman Dwight Brew suggested that Chief Conley look into a grant for the radios.

144

145 DPW Director Eric Hahn stated that the single largest budget item in the department's budget
146 is the Souhegan Regional Landfill District contract. This is approximately \$50,000. He noted
147 that the tipping fee for trash will increase from \$77 to \$90 per ton. Amherst processes
148 approximately 3,000 tons of trash per year. Later in this meeting, Eric Hahn stated that he will
149 be requesting an increase in pay for Transfer Station staff. He has had two vacancies at the
150 transfer station, one for 19 months.

151

152 Selectman Brew noted that the tipping fees will be increased starting January 1, 2023. Eric
153 Hahn explained that these numbers are contractual.

154

155 In response to a question from Selectman D'Angelo, Eric Hahn stated that the Transfer Station
156 employees are currently on Grade 2 of the pay scale. This equates with Recreation
157 Department part-time employees for field maintenance, and Library pages.

158

159 Amy Lapointe, Library Director, noted that some of the larger budget increases for the
160 Library are personnel costs. Other notable budget items are office supplies and Library
161 materials.

162

163 In response to a question from Selectman Brew, Amy Lapointe stated that this budget cycle
164 other employee benefits have been rolled into the salary and benefits line. These used to be
165 broken out into different lines.

166

167 Selectman Brew noted that, while the Library renovations are complete, this did not free up
168 any money in the budget because Town money was not used for these renovations.

169

170 Chairman Lyon noted that the principal and interest rates have not changed on this document
171 but should be noted to have gone down.

172

173 Recreation Department Director Craig Fraley stated that approximately 80% of the
174 Department's budget is staffing. He noted that the lease/purchase agreement for the lawn
175 mower does need to be revisited.

176

177 Chairman Lyon stated that the budget needs more work and attention, and this will continue in
178 the individual Department Head meetings. Chairman Lyon presented a chart for the COLA in
179 previous years. He stated that the average COLA was 2.2%.

180

181 Town Administrator Shankle noted that a 1% COLA increase is approximately \$44,898. He
182 explained that for every approximately \$23,000 there is a \$0.01 increase to the tax rate. Thus,
183 each COLA percentage increase adds approximately \$0.02 to the tax rate.

184

185 Chairman Lyon noted that the COLA rate being discussed is only for non-union employees, as
186 unionized employees are bound by contractual agreement.

187

188 Selectman Brew noted that the COLA in some years is greater than the CPI, but in some years
189 is less. This ends up tracking over yearly averages.

190

191 Selectman D'Angelo stated that inflation is higher this year than before. He believes the Town
192 must do its best to balance the interests of taxpayers and its employees. He stated that, if a
193 2.5% COLA is used, the total budget increase from last year's budget would be closer to 3.8%
194 than 3.09%.

195

196 In response to a question from Lisa Eastland, Chairman Lyon stated that the Board usually
197 uses two reference points when deciding on the COLA, the CPI, and the Social Security cost
198 of living. He noted that the Board also compares this number with the Police Department
199 unionized COLA. If there is a new contract with a larger COLA increase for the Police
200 Department, the Board needs to pay attention to that on the non-unionized side.

201

202 Selectman Brew noted that, in 2019 for example, the CPI data that was reviewed was from
203 2018, in order to make this determination.

204

205 The Board agreed it was not yet ready to determine a COLA number.

206

207 Selectman Brew explained that each \$23,000 increase is a \$0.01 increase to the tax rate. In the
208 past, each \$17,500 increase added \$0.01 to the tax rate. The most recent revaluation of the
209 Town increased from \$1.7 billion to \$2.3 billion. The average home price in Amherst also
210 rose from \$355,000 to \$482,000. Due to the revaluation, the tax rate per thousand has
211 changed, but so has the value of the typical home. As a homeowner, each dollar of Town
212 spending has approximately the same impact on the tax bill.

213

6. Staff Reports

214

6.1 Light Equipment Operator Job Description - revision

215 DPW Deputy Director Eric Slosek stated that the DPW has an anticipated opening for a Light
216 Equipment Operator and would like to update the job description at this time. This description
217 was last updated in 2001. He stated that the most significant change to the job description is
218 some amount of supervision over other employees in the field.
219

220 In response to a question from Selectman Pray, Eric Slosek stated that other changes to the
221 description include vehicle inspections, using the electronic work system, removing beaver
222 dam debris, and cemetery maintenance.
223

224 In response to a question from Selectman Brew, Eric Hahn stated that this job should be listed
225 as Grade 7.
226

227 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Pray to accept*
228 *the updated DPW Light Equipment Operator job description as presented, with small*
229 *corrections mentioned, effective today, October 25, 2021.*

230 *Voting: 5-0-0; motion carried unanimously.*
231

232 **6.2 Transfer Station Permanent Part Time Attendant Wage Adjustment**

233 Eric Hahn stated that he has had no luck filling positions at the Transfer Station. While there
234 has been a fair amount of interest in the positions at first, the wage proposed seems to be an
235 issue.
236

237 In response to a question from Selectman D'Angelo, Eric Hahn stated that he would also like
238 to adjust the rate of pay for the existing Transfer Station employee. He stated that the proposal
239 is to bring that employee up to Grade 3 Step 4.
240

241 Eric Hahn noted that it would cost approximately \$11,000 a year to fill the three Transfer
242 Station positions, each at 29 hours per week.
243

244 Town Administrator Shankle suggested changing the pay rate at Grade 2 Step 1 and adjusting
245 all those ahead of it, instead of moving the existing employee to Grade 3.
246

247 Selectman Brew stated that he is not typically in favor of changing the pay scale based on a
248 single individual, however he felt that for this position, a change in grade is warranted. He
249 noted that another option could be offering a temporary sign-on bonus. Eric Hahn agreed that
250 he did not want to change the pay rate for Grade 2 as he believes there is a difference between
251 a part-time worker and a skilled laborer.
252

253 Chairman Lyon stated that he initially believed that a sign-on bonus could be the right way to
254 handle this, as that could be paid from ARPA funds. This could be awarded if a new employee
255 stays in the position for six months to one year. However, after listening to the discussion, he
256 now believes that changing the grade for this position is the proper way of addressing this.
257

258 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Pray that the*
259 *Part Time Transfer Station employees be moved from grade 2 to grade 3 on the Town Wage*
260 *Scale, effective October 31, 2021.*

261 *Voting: 5-0-0; motion carried unanimously.*

262
263 Eric Hanh stated that, in his five years in this position, the Board has proven its support for
264 departments, particularly the DPW, with adoption of policies that have helped employees to
265 do their jobs and to get the public the right help it needs.

266
267 Chairman Lyon stated that Eric Hahn has done a lot for the Department and Town, and that
268 both have much to be thankful for because of him.

269 **6.3 Amherst Tree Lighting 2021**

271 Jennifer Stover stated that the COVID-19 Task Force discussed the Amherst Tree Lighting
272 event for this year. The Task Force agrees with the motion made by the Board of Selectmen
273 on September 27, 2021, in consideration of Halloween and trick-or-treating and reiterates that
274 same statement: That participants do their due diligence and participate based on their own
275 comfort level. The CDC provides guidance for outdoor activities. She thus proposed that the
276 Amherst tree lighting take place on December 10, 2021.

277
278 *A MOTION was made by Selectman Grella and SECONDED by Selectman D'Angelo to*
279 *recommend that those considering participation in the Amherst Tree Lighting*
280 *activities on the Town Green do their due diligence and participate based on their own*
281 *comfort level. The CDC provides guidance for outdoor activities.*

282 *Voting: 5-0-0; motion carried unanimously.*

283 **7. Approvals**

284 **7.1 Approvals**

285
286 Item A.

287 A new residence was recently constructed on the parcel which disqualified 2 acres from
288 current use. The Land Use Change Tax in the amount of \$15,000 represents 10% of the full
289 and true market value of \$150,000.

290 *A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to approve*
291 *the Land Use Change Tax in the amount of \$15,000 for Tax Map 006 Lot 026-000.*

292 *Voting: 5-0-0; motion carried unanimously.*

293
294 Item B.

295 This lot was purchased on 10/12/2021 and is less than 10 acres and is no longer contiguous
296 with the same owner. The Land Use Change Tax in the amount of \$27,500 represents 10% of
297 the full and true market value of \$275,000.

298 *A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to approve*
299 *the LUCT in the amount of \$27,500 for Tax Map 005 Lot 059-020.*

300 *Voting: 5-0-0; motion carried unanimously.*

301
302 Item C.

303 Our assessor has reviewed the attached Veteran Tax Credit Application provided and the
304 applicant qualifies for the Tax Credit under RSA 72:28 for the 2022 tax year. The attached
305 application has been reviewed by our assessor and our assessor recommends granting this
306 credit.

307 A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to approve
308 the Veteran Tax Credit for the year 2022 in the amount of \$500 for Map 001, Lot 012-000
309 000-021.

310 Voting: 5-0-0; motion carried unanimously.

311

312 Item D.

313 Our assessor has reviewed the attached Veteran Tax Credit Application provided and the
314 applicant

315 qualifies for the Tax Credit under RSA 72:28 for the 2022 tax year. The attached application
316 has been reviewed by our assessor and our assessor recommends granting this credit.

317 A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to approve
318 the Veteran Tax Credit for the year 2022 in the amount of \$500 for Map 003, Lot 086-028.

319 Voting: 5-0-0; motion carried unanimously.

320

321 **7.2 Payroll, AP, & Minutes**

322 A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Pray to
323 approve one (1) FY21 Payroll Manifest in the amount of \$228,166.90 dated October 21, 2021,
324 subject to review and audit.

325 Voting: 5-0-0; motion carried unanimously.

326

327 **NH DMV**

328 A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Pray to
329 approve one (1) FY21 Accounts Payable Manifest in the amount of \$38,362.72 dated October
330 18, 2021, subject to review and audit.

331 Voting: 5-0-0; motion carried unanimously.

332

333 A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Pray to
334 approve one (1) FY21 Accounts Payable Manifest in the amount of \$37,316.45 dated October
335 18 2021, subject to review and audit.

336 Voting: 5-0-0; motion carried unanimously.

337

338 **Vendors**

339 A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Pray to
340 approve one (1) FY21 Accounts Payable Manifest in the amount of \$353,021.00 dated
341 October 14, 2021, subject to review and audit.

342 Voting: 5-0-0; motion carried unanimously.

343

344 A MOTION was made by Selectman Pray and SECONDED by Selectman D'Angelo to
345 approve the Board of Selectmen meeting minutes of October 12, 2021, as presented.

346 Voting: 5-0-0; motion carried unanimously.

347

348 **8. Action Items**

349 The Board reviewed its action items.

350

351 **9. Old/New Business**

352 Selectman Brew stated that he recently attended the wood-energy seminar at the Space Station
353 in New Boston. He noted that there will be a Master Plan Steering Committee meeting
354 tomorrow at 6:30pm. There will also be a public forum for the Master Plan update on
355 November 15, 2021, at 6:30pm at the Middle School.

356

357 Selectman Grella stated that the Historic District Commission recently approved two
358 applications.

359

360 Selectman D'Angelo stated that he also attended the wood-energy seminar. He stated that the
361 SAU's Joint Facilities Advisory Committee had one public forum and will have another on
362 November 8, 2021.

363

364 Selectman Pray stated that there will be a Recreation Committee meeting tomorrow.

365

366 *A MOTION was made by Selectman Grella and SECONDED by Selectman D'Angelo to*
367 *adjourn the meeting at 9:20pm.*

368 *Voting: 5-0-0; motion carried unanimously.*

369

370 **NEXT MEETING: Monday, November 8, 2021**

371

372

373

374

375

Selectman Danielle Pray

Date