



Town of Amherst, NH

BOARD OF SELECTMEN MEETING MINUTES

Barbara Landry Meeting Room
2 Main Street
Monday, August 12, 2019

1 **1. Call to Order**

2
3 Chairman Peter Lyon called the meeting to order at 6:00 p.m.

4
5 Attendees: Chairman Peter Lyon, Selectmen Dwight Brew, John D'Angelo, Reed Panasiti,
6 and Tom Grella. Also present: Town Administrator Dean Shankle.

7
8 **2. Pledge of Allegiance** – Bill Stoughton, alternate member of the Amherst Conservation
9 Commission, lead the pledge.

10
11 **3. PUBLIC HEARING – Amherst Conservation Commission**

12
13 Amherst Conservation Commission Chairman, Rob Clemens, called to order a special
14 meeting of the ACC at 6:01 p.m.

15
16 Pursuant to New Hampshire RSA 36-A:5, The Amherst Conservation Commission
17 hereby announces to the citizens of Amherst the convening of a Public Hearing to
18 take input on the acquisition of property by the Town. All interested citizens are
19 invited to participate.

20 ***Map & Lot: 006/020/002***

21 ***Owner of Record: Dwight J. Grader***

22
23 *Amherst Conservation Commission members in attendance: Chairman Rob Clemens,*
24 *Vice Chair Jared Hardner, Vick Bennison, Frank Montesanto, Bill Stoughton, and Lee*
25 *Gilman.*

26
27 Amherst Conservation Commission Chairman, Rob Clemens, called to order a special
28 meeting of the ACC at 6:01 p.m., for the purpose of a public hearing, regarding lot 6-20-
29 2. Mr. Clemens stated that the ACC is proposing acquiring this lot for \$120,000 using
30 funds available in the Town's Conservation Fund. This is a 5.51 acre parcel adjacent to
31 other conserved parcels of land on the eastern side of town. This is the last non-
32 conserved, undeveloped lot in Grater Woods. It has highly valuable wildlife habitat. It is
33 believed that this lot could be sold for development if not conserved. The original asking
34 price for the property was \$125,000. An independent appraisal came in at \$115,000. A
35 negotiated compromise price of \$120,000 was agreed upon. ACC Chairman Clemens
36 closed the public hearing at 6:07pm.

A MOTION was made by Jared Hardner and SECONDED by Frank Montesanto to approve the purchase of Lot 6-20-2 and approve the release of the funds from the Town's Conservation Fund.

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

4. Grater Road Property Board Discussion

Selectman D'Angelo stated that this purchase would make an almost continuous piece of conservation land into a continuous one.

In response to a question from Selectman D'Angelo, ACC Chairman Clemens explained that the proposed price is higher than the appraisal price due to this being an important parcel for the Town. The negotiated price is between the two appraisal prices and appears to be a fair way to proceed.

In response to a question from Selectman Brew, ACC Chairman Clemens stated that there is part of a Class 6 road in this area that was left, presumably, so that this lot could someday be developed.

Chairman Lyons explained that the proposed purchase price is in the middle of the two appraisal prices. This land could be up for development, if not conserved and it contains some of the highest ranked wildlife habitat in New Hampshire.

A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to approve the purchase of the Grater Road property, Map and Lot 006/020/002, currently owned by Dwight J. Grader of Marblehead, MA, at the price of \$120,000.00, under the terms of the Purchase and Sales Agreement drafted and to authorize the Town Administrator to sign all related documents on behalf of the Town of Amherst, Board of Selectmen.

Voting: 5-0-0; motion passed unanimously.

A MOTION was made and SECONDED to adjourn the Amherst Conservation Meeting.

Voting: motion passed unanimously

5. Citizen Forum

Selectman Grella stated that this was his first post-op Board meeting. He has been touched by the Department and Department Head well-wishes he's received. He believes this is the greatest town. The Board expressed their happiness to have Selectman Grella back and recovering nicely.

6. Administration

6.1 Administrator's Report

Town Administrator Shankle explained that the Traffic Safety Committee met to discuss road lines and speed limits in Town.

He also explained that the DPW dedicated a new flagpole to Richard "Red" Crocker and all of the DPW workers.

84 The final Recreation Department concert/block party will be held this Tuesday, in
85 conjunction with a silent auction held by the Police Department for unclaimed bicycles.
86 Town Administrator Shankle stated that Pennichuck has filed with the NH Public Utilities
87 Commission for a rate increase of 7.85% for general metered and non-metered, 24.20%
88 for municipal fire, and 72.09% for private fire.
89

90 **6.2 Finance Director – FY19 Year End**

91 Finance Director, Cheryl Eastman, presented her FY19 end of the year report. She stated
92 that the overall operating budget expenses were 4.01% under budget. She explained that if
93 the Contingency line was removed, that surplus would drop to 3.18%. FY19 actual
94 revenues were 7.05% over estimates.
95

96 Town Administrator Shankle explained that the expenditure lines with the largest
97 variances tended to be Departmental lines where there were some changes regarding
98 employees during the year. Most other lines varied less than 1%. In general, it was not that
99 the Town budgeted more than was needed, but that the money was not spent due to other
100 matters.
101

102 Ms. Eastman agreed that the budgeting was done effectively. Expenditures appear to be in
103 control and this shows well thought-out budgeting. Revenues were under estimated and
104 she believes this should and can be closer to actuals in the future.
105

106 Selectman Brew requested next year to have an additional column for the percentages of
107 variance. He explained that the Contingency line shows up because of an agreement that
108 the Board has with the voters that the line can be used in case of great difficulties, but the
109 Board will otherwise do everything they can not to spend it.
110

111 Selectman D'Angelo requested next year to have a report that shows the Contingency line
112 in and a version with it taken out, as the Board has no intent to spend it. He stated that,
113 without that line in the budget report, \$0.97 of every \$1.00 was spent. They can work on
114 getting the revenue closer, but it is still the closest he's seen it in his 5-6 years doing this
115 process.
116

117 Chairman Lyon stated that the Board tries their best to zero in on expenses and revenues.
118 They don't seem to be able to zero in any better because they are also trying to be
119 conservative.
120

121 Ms. Eastman stated that a number of material weaknesses that became apparent during the
122 FY18 audit have been corrected, which should allow the upcoming audit to go much more
123 smoothly.
124

125 **6.3 Road Closure Request - Opportunity Networks 5k**

126 Town Administrator Shankle stated that Opportunity Networks would like to close Church
127 Street from the intersection of Manchester Road and Middle Street for a 5k fundraiser
128 event.
129

A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to allow the closure of Church Street from the intersection of Manchester Road and Middle Street during the Opportunity Networks' 5k Fundraiser, October 12, 2019, during the hours of 7:30 a.m. to 12:00 p.m. and authorize Melissa Boyle, Opportunity Networks Fundraising & Event Manager, to plan the closure with the Amherst Police Department and the Public Works Department.

Voting: 5-0-0; motion passed unanimously.

6.4 Cider Fest 2019 Request

A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to approve the Friends of the Orchard annual Cider Fest to be held Saturday, September 28, 2019 at Lindabury Orchard from 12pm to 4pm.

Voting: 5-0-0; motion passed unanimously.

6.5 Souhegan Regional Landfill District Commission Resignation

Town Administrator Shankle read a letter of resignation from Stephen Morgan for the Souhegan Regional Landfill District Commission, as he will be moving from the area.

Selectman Panasiti stated that he has known Mr. Morgan for a number of years. He has put his heart and soul into everything he has done for this town, especially for the landfill. It is hard to see him go.

A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to accept, with regret, the resignation of Stephen Morgan as Amherst representative to the Souhegan Regional Landfill District, effective August 8, 2019.

Voting: 5-0-0; motion passed unanimously.

6.6 Souhegan Regional Landfill District Commission Appointment

A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to appoint Dan Veilleux as Amherst representative to the Souhegan Regional Landfill District, effective immediately. Term expires in 2020.

Voting: 5-0-0; motion passed unanimously.

6.7 Buckridge Drive Discussion

Town Administrator Shankle explained that the Town has received an Intent to Cut from Maurice Bowler for Lot 15, Map 7. There is an issue regarding access to the lot with the neighbors. According to RSA 231:40-43, the BOS may designate a right-of-way for the removal of lumber, but as the Board has not yet received a specific petition for this from the owner, he recommends that the Board wait until a petition is in hand to move ahead.

In response to a question from Selectman Brew, Town Administrator Shankle explained that the Intent to Cut has already been issued by Tax Collector, Gail Stout. The owner has a right to log his land, there is just an issue on how he will access the land.

In response to a question from Selectman Brew, Town Administrator Shankle stated that the Board has an obligation to lay out access for the owner in order to access his land. This process should start with the Board but may eventually have to move to the courts.

177 In response to a question from Selectman Panasiti, Town Administrator Shankle explained
178 that there used to be two rights-of-way put there by the Planning Board. There is only one
179 now as the Planning Board allowed for building on the other. This right-of-way lies
180 between three lots, 17-22, 17-20, and 17-15. Some of the abutters claim that several years
181 ago an agreement was made between the abutters and the owner. How this agreement
182 pertains to logging of the land is at the heart of this issue. This right-of-way is not owned
183 by either lot 17-22 or 17-20.

184
185 Bonnie Knott, 22 Buckridge Drive, explained that there was an agreement made in 2010
186 with Mr. Bowler for the right-of-way. The agreement stated that he would petition for a
187 subdivision on that land within four years. By 2014 this had not happened, and the
188 agreement states that Mr. Bowler thus gave up his right to use the right-of-way forever.
189 The abutters would like to discuss with the Board stipulations of what Mr. Bowler can and
190 cannot do with the right-of-way.

191
192 Town Administrator Shankle suggested that the abutters work with DPW Director, Eric
193 Hahn, to make their conditions known before the petition proceeds further.
194 There was discussion over the fact that this right-of-way is not technically owned by the
195 abutters. There isn't anyone in particular who can lay claim to this right-of-way or who is
196 paying taxes on it at this time.

197
198 Chris Goodrich, 26 Buckridge Drive, explained that this right-of-way is not just dirt and
199 woods; 60 feet of his paved driveway sit on this land. The right-of-way has not been used
200 in about 20 year and thus the right of use of it by Mr. Bowler has expired. His lawyer will
201 supply language that supports that, if necessary.

202 203 **7. Staff Reports**

204 **7.1 Bench Donation Acceptance – Recreation**

205 Recreation Director, Craig Fraley, explained that Robert and Beverly Melle, 5 Old
206 Manchester Road, contacted him about a granite bench on their property. They are
207 moving and would like for the bench, which is dedicated to their son Mark, to be given to
208 the Town to be placed in Buchanan Park under the tree closest to the road on the northern
209 side of the property. The Melle's believe this is fitting, as their son was a very social
210 person and having a memory of him at the park would be appropriate.

211
212 The Board thanked the Melle's for their generous donation.

213
214 *A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to*
215 *accept the donation of a granite bench from Robert and Beverly Melle to be placed at*
216 *Buchanan Park under the tree closest to Middle St on the Northern side of the property.*
217 *Voting: 5-0-0; motion passed unanimously.*

218 219 **7.2 Forestview Cemetery Roadway Construction**

220 DPW Director, Eric Hahn, asked that this item be tabled until the next meeting.

224 **7.3 Boston Post Road/Mont Vernon Road CPI Change Order**

225 The Board discussed that there was a change order approved at their last meeting for
226 \$323,878.91, for Boston Post Road. The total for both Boston Post Road and Mont
227 Vernon Road is \$382,704.32. This change will reflect adding an additional \$58,825.41 to
228 the change order to complete both road segments.

229
230 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Grella to*
231 *approve an additional \$58,825.41 be added to the change order approved at the BOS*
232 *meeting of July 22, 2019, making a total expenditure of \$383,704.32 and that the Town*
233 *Administrator be authorized to sign for the Board of Selectmen.*

234
235 *An AMENDED MOTION was made by Selectman D'Angelo and SECONDED by*
236 *Selectman Grella to approve an additional \$58,825.41 to be used for the paving of Mont*
237 *Vernon Road be added to the change order approved at the BOS meeting of July 22,*
238 *2019, making a total expenditure of \$383,704.32 and that the Town Administrator be*
239 *authorized to sign for the Board of Selectmen.*
240 *Voting: 5-0-0; motion passed unanimously.*

241
242 **7.4 Boston Post Road Line Striping**

243 DPW Director Hahn explained that a 1-year trial for not striping the back side of Boston
244 Post Road was approved at the last Board meeting. He is now requesting the same trial for
245 Boston Post Road from Wilkins School northerly to the intersection of Mont Vernon
246 Road. This section of road is very straight and he believes that the absence of double
247 yellow lines will improve the sharing of the roadway for anyone who uses it. He believes
248 the traffic on the backside of Boston Post Road has been moving slower since the change.
249 This is one way to help the Bicycle Pedestrian Committee to begin to achieve some of
250 their goals. The Traffic Safety Committee agreed with the 1 year trial.

251
252 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Grella to*
253 *approve that the line striping on Boston Post Road from the intersection of New Boston*
254 *Road to the intersection of Mont Vernon Road be omitted at the end of the road rebuilding*
255 *for a trial period of 1 year. To be evaluated by Board of Selectmen, Bicycle Pedestrian*
256 *Committee, and the Traffic Safety Committee at the end of the trial period.*
257 *Voting: 5-0-0; motion passed unanimously.*

258
259 **7.5 2020 Board of Selectmen Meeting Calendar – Administration**

260 The Board discussed the calendar and made changes including: switching the meeting
261 dates in April to the 6th and the 20th, switching the meeting dates in February to the 10th
262 and 18th, and having a meeting on December 21st instead of the 28th.

263
264 **7.6 2020 Town Employee Holidays – Administration**

265 *A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to*
266 *approve the 2020 Town Employees' Holiday schedule as presented.*
267 *Voting: 5-0-0; motion passed unanimously.*
268
269
270

7.7 FY21 Budget Timeline – Administration

Chairman Lyon stated that, in the past, the Board has first heard strategic plans from the Department Heads. Then a smaller subset of a Board member, a Ways & Means member, and the Department Head have then sat down privately to discuss any questions. The Department Head would then, finally, present in front of the full Board and Ways & Means Committee. He suggested not having the individual private meetings, as a way to be more transparent and because those meetings were not posted meetings or televised. In addition, he felt that these meetings have not proven productive in the past. He proposed hearing the strategic plans during 3 Board meetings between September 9th and October 7th, and then hearing the full presentations during 3 Board meetings between October 14th and November 4th. A first draft of the budget could then be in front of the Board on November 12th, and the Board could review it and make any necessary changes during the 3 meetings between November 12th and December 9th.

The Board discussed this idea.

Town Administrator Shankle explained that, during the last budget process, some Department Heads felt that questions were asked during the smaller private meetings that the input for did not carry over into the larger, full meetings.

Selectman D'Angelo stated that he agrees with being transparent, but that there is no current constituency for this change.

Selectman Panasiti suggested that the public be invited to the smaller meetings, so that they can ask questions there if they choose.

Chairman Lyon stated that the questions asked in the smaller meetings then get brought to the larger meetings again.

Town Administrator Shankle explained that the smaller meetings should really be posted and have minutes taken. He would also like for himself and the Finance Director to be able to attend these meetings.

The Board agreed that one or two different suggestions for this process will be drafted for the next meeting and discussed.

8. Approvals

8.1 EVERSOURCE Petitions & Pole Licenses

A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to approve EVERSOURCE Petition & Pole License #12-0777 requesting the placement of one utility pole on Candlewood Drive.

Voting: 5-0-0; motion passed unanimously.

A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to approve EVERSOURCE Petition & Pole License #12-0778 requesting the placement of one utility pole on Boston Post Road.

Voting: 5-0-0; motion passed unanimously.

A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to approve EVERSOURCE Petition & Pole License 12-0781 requesting the placement of one utility pole on Beaver Brook Circle.
Voting: 5-0-0; motion passed unanimously.

8.2 Assessing

A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to approve and sign the Veteran Tax Credit RSA 72:28 (2020 Tax Year) for:
Property Map/Lot 003-086-024 in the amount of \$500.00
Property Map/Lot 005-025-001 in the amount of \$500.00
Voting: 5-0-0; motion passed unanimously.

8.3 Payroll

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY19 Payroll Manifest in the amount of \$66,010.74, dated July 19, 2019, subject to review and audit (Annual Fire Call FY19).
Voting: 5-0-0; motion passed unanimously.
A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY20 Payroll Manifest in the amount of \$243,899.27, dated August 1, 2019, subject to review and audit.
Voting: 5-0-0; motion passed unanimously.

8.4 Accounts Payable

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY20 Accounts Payable Manifest in the amount of \$31,379.13, dated July 31, 2019, subject to review and audit (Town Clerk Transfers to the State of NH).
Voting: 5-0-0; motion passed unanimously.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY20 Accounts Payable Manifest in the amount of \$39,134.41, dated July 31, 2019, subject to review and audit.
Voting: 5-0-0; motion passed unanimously.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY19 Accounts Payable Manifest in the amount of \$39,650.31, dated July 23, 2019, subject to review and audit.
Voting: 5-0-0; motion passed unanimously.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY20 Accounts Payable Manifest in the amount of \$955,054.58, dated July 24, 2019, subject to review and audit. **This manifest includes annual payments for road notes, equipment notes, and payment to Continental Paving**
Voting: 5-0-0; motion passed unanimously.

*A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY20 Accounts Payable Manifest in the amount of \$50,000.00, dated July 25, 2019, subject to review and audit. **This manifest is budgeted payments to Social Services organizations.***

Voting: 5-0-0; motion passed unanimously.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY20 Accounts Payable Manifest in the amount of \$2,964,773.00, dated August 1, 2019, subject to review and audit (School Disbursements).

Voting: 5-0-0; motion passed unanimously.

8.5 Concentration Account

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY20 Concentration Account Manifest in the amount of \$1,819.93, dated July 25, 2019, subject to review and audit.

Voting: 5-0-0; motion passed unanimously.

8.6 Previous Meeting Minutes – July 22, 2019

A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo, to approve the Board of Selectmen meeting minutes of July 22, 2019.

Voting: 5-0-0; motion passed unanimously.

9. Action Items

The Board reviewed their action items.

10. New/Old Business

Selectman Panasiti stated that there was be a Recreation meeting last week.

11. Non-Public Session, RSA 91-A, II (d)

A MOTION was made by Chairman Lyon and SECONDED by Selectman D'Angelo to enter into non-public session via RSA 91-A, II (d).

By roll call vote: Lyon: yes, Grella: yes, Brew: yes, D'Angelo: yes, Panasiti: yes, the motion passed unanimously.

The Board entered Non-Public Session at 7:47 pm.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Grella to come out of Non-Public Session.

By roll call vote: D'Angelo: yes, Panasiti: yes, Brew: yes, Grella: yes, Lyon: yes, the motion passed unanimously.

The Board came out of Non-Public Session at 8:10 pm.

Chairman Lyon announced that no motions were made in the non-public session.

409 A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to
410 adjourn the meeting at 8:12 pm.
411 Voting: Motion passed unanimously, 5-0-0.

412
413
414 **NEXT MEETING: August 26, 2019 - Monday**

415
416
417
418
419
420 **SIGNATURE ON FILE** _____

421 *Selectman Reed Panasiti*

08.26.2019 _____

Date