



Town of Amherst, NH

BOARD OF SELECTMEN MEETING MINUTES

Barbara Landry Meeting Room
2 Main Street
Monday, August 26, 2019

1 **1. Call to Order**

2
3 Chairman Peter Lyon called the meeting to order at 6:30 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** – Marie Grella, acting Chair of the Cemetery Trustees, led the
9 pledge.

10
11 **3. Citizen Forum**

12 State Senator Shannon Chandley explained to the Board that there is additional
13 legislation that will be coming before the Senate and House members over the next
14 several weeks. She asked that the Board inform her of their priorities over what should
15 pass or be vetoed. If there are certain bills of particular interest to the Board, she would
16 be happy to come back and discuss them with the Board.

17
18 Chairman Lyon stated that the Board would be happy to have Senator Chandley and
19 other representatives back in October for a larger discussion.

20
21 Selectman Brew brought forth questions regarding the warrant article passed by the
22 voters in town last year for the solar cap. He explained that he will email Senator
23 Chandley with his specific questions regarding the legislature that deals with this item.

24
25 Bill Widmer, 94 Baboosic Lake Road, explained that he is a member of the Conservation
26 Commission, but was in front of the Board as a private citizen. He has concerns regarding
27 encroachments on town lands and believes the Board should examine creating a policy
28 and procedure for addressing these items as they become aware of them. Some of these
29 encroachments may involve complicated situations, and there will be inconsistencies if
30 each one is addressed individually without a set of procedures to follow.

31
32 Town Administrator Shankle stated that he has no problem with policies, but he wonders
33 where this will be placed on the staff's priority list. These types of encroachment issues
34 could cost a considerable amount of time and money to resolve. Currently, the plan is for
35 the ACC to identify encroachments and address them to the best of the group's ability.

36

Bill Widmer stated that he will be back before the Board in late winter/spring to deal with some specific encroachments he knows about, and he hopes the Board will have a policy and procedure for dealing with them at that time.

4. Amherst Historical Society – Old Home Day Final Plan

John Bement, of the Historical Society, presented the Board with the final Old Home Day plan. There will be a beer garden inside the Wigwam Museum, hosted by White Birch Brewing. The official state liquor license will allow for this to occur. The Society is requesting an additional closing of Middle Street to allow for more walking room during the event, from 10am-3pm.

In response to a question from Selectman Brew, Mr. Bement explained that there will be removal cones on the closed street, which will still allow for safety vehicles to get in/out and residents to access their homes.

A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to approve the closing of Middle Street, from Cross Street to School Street, on September 7, 2019 from 10am-3pm for the purpose of Old Home Day.

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

5. Administration

5.1 Administrator's Report

Town Administrator Shankle explained that retired Amherst fire Captain, Dave Hanlon, passed away last week. There will be a funeral held at the Meadow View Cemetery tomorrow at 10:30am.

Town Administrator Shankle stated that the town staff is moving forward with their budgets. He will be reviewing them next week.

He also explained to the Board that Finance Director, Cheryl Eastman, contacted the DRA regarding what the town's undesignated fund balance can be used for. The DRA stated that items that cannot wait until the next town meeting, such as the replacement of necessary safety equipment, culvert/bridge repairs required by DES, or town plowing equipment destroyed by fire, are all reasonable uses.

5.2 Purple Heart Sign Locations

Marie Grella stated that Amherst is the 3rd town in New Hampshire to become a Purple Heart town. Lyndeborough will be the 4th. She hopes to show other towns that it is not a complicated process. There will be 6 signs placed throughout town: at the Bedford/Amherst town line on Route 101, on Route 101A heading into Merrimack, on Chestnut Hill Road beyond the Amherst cemetery, on Route 101A by the church coming from Milford, in Amherst Street before Wheeler, and on Route 122 coming from Hollis.

In response to a question from Selectman Panasiti, Ms. Grella stated that she would like to have a ceremony at one of the signs with some of the Selectman, once it's ready.

84 **5.3 Highway Safety Committee Appointment**

85 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to*
86 *appoint Simon Corson, Community Development Department Representative, to the*
87 *Highway Safety Committee, effective immediately.*

88 *Voting: 5-0-0; motion passed unanimously.*
89

90 **5.4 Disposition of Municipal Records, NH RSA 33-A:3**

91 Town Administrator Shankle stated that there should be a committee to approve document
92 destruction and retention, per RSA 33-A:3.

93
94 *A MOTION was made by Selectman Grella and SECONDED by Selectman Brew to*
95 *approve the immediate creation of a committee to review document destruction each year.*
96 *The committee shall be comprised of a representative from the Town Clerk's office, the*
97 *Tax & Assessing Department, and the Town Treasurer, as described in NH RSA 33-A:3.*

98 *Voting: 5-0-0; motion passed unanimously.*
99

100 **5.5 RFP Responses, IT Services**

101 Town Administrator Shankle explained that 3 bids were received for this RFP. He
102 recommends that the Board interview at least the lowest bidder, if not all three of them. It
103 was agreed that a small group would conduct these interviews in the upcoming week to
104 then make a recommendation to the full Board.

105
106 **5.6 Use of Town Common Request – Fundraiser, Nashua Humane Society**

107 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to*
108 *approve the request to use the Town Green/Common for the fundraising event, "Goldens*
109 *on the Green" on Sunday, September 29, 2019 from the hours of 1:00 p.m. to 3:00 p.m.*

110 *Voting: 5-0-0; motion passed unanimously.*
111

112 **5.7 FY21 Budget Timeline Review**

113 The Board decided to mostly follow the same budget timeline as they have in the past.
114 There will be three Strategic Plan meetings (which includes an additional meeting on
115 October 7th), and then there will be three meetings in which to review the draft budget.

116
117 Selectman Brew requested that the proposed warrant articles be included from the
118 beginning of the draft review of the budget in order to discuss them fully.

119
120 Chairman Lyon stated that Tax Collector, Gail Stout, has noted that there will probably be
121 a warrant article regarding exemptions for National Guard members who are actively
122 working in combat, or a related field.

123
124 **5.8 Town Health Officer Appointment**

125 *A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to*
126 *appoint Scott Tenney to the Town Health Officer position for a period of three years*
127 *(expires 2022), and to authorize the Board of Selectmen to sign the appointment form for*
128 *same.*

129 *Voting: 5-0-0; motion passed unanimously.*
130

131 **6. Staff Reports**

132 **6.1 Forestview Cemetery Road Construction, Continental Paving**

133 DPW Director, Eric Hahn, stated that the Cemetery Trustees have a viable plan in hand
134 for Forestview Cemetery. They are hoping to use the existing contract with Continental
135 Paving to pave in the cemetery area. No funds will be used, except for those that the
136 Trustees provide, and this work will not take away from the scheduled roadwork in town.

137
138 In response to a question from Selectman Panasiti, Director Hahn stated that this is the
139 same amount of money that was earmarked previously for this project; nothing has
140 changed.

141
142 Selectman Brew noted that there is some additional work required, such as tree work,
143 which Continental Paving will not provide. The total for all of the work required is about
144 \$160,000.

145
146 Marie Grella explained that there will be the option for people to purchase trees in
147 memory of their loved one, which will help to defray this cost a bit.

148
149 *A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to*
150 *approve a change order for Forestview Cemetery construction work under the existing*
151 *contract with Continental Paving and to authorize the Cemetery Trustees and the Town*
152 *Administrator to sign the change order in the amount of \$113,520.*

153 *Voting: 5-0-0; motion passed unanimously.*
154

155 **6.2 Winter Road Maintenance and Dirt Roads**

156 DPW Director, Eric Hahn, explained that the town has traditionally used a 50/50 mix of
157 salt/sand to treat winter roads. It has been this way for approximately the last 20 years.
158 Many state are now interested in finding the best way to treat roads for the environment,
159 for cost, and for public safety. NH DES has a Green SnowPro program, which provides
160 liability protection for contractors who choose to be trained and follow the program. This
161 is not available yet to municipalities, but the hope is that it will one day be extended.

162
163 In response to a question from Selectman Brew, Director Hahn explained that the
164 protection is good against contractors being sued for not treating the roads, sidewalks, etc.,
165 as long as they're following the DES RSA.

166
167 Director Hahn requested permission to change the treatment on town roads to being 100%
168 salt, for a 1 year trial period. The sand put onto the roads during the winter gets washed
169 into the ditches and waterways and can choke out growth in these areas. The town puts
170 down a lot of sand each winter, and then must sweep it off the streets and vacuum it out of
171 the catch basins each spring. This is about a \$50,000/year cost. The plan is to follow the
172 Green SnowPro practices set forth by DES, along with the matrix they provide. This
173 should allow for an overall reduction in salt use and a large reduction in the use of sand
174 throughout town.

175
176 In response to a question from Selectman Brew, Director Hahn stated that following the
177 matrix will be better for the environment than what is being done currently. The sand

being used to treat roads comes from quarries and is highly associated with phosphorus. This then becomes part of our water.

Foreman, Eric Slosek, stated that the DPW will put out only exactly as much salt as research requires to meet the guidelines.

In response to a question from Selectman Panasiti, Mr. Slosek explained that the liquid pretreatment used on town roads is a 35% mixture of calcium chloride with an inhibitor in it. This pretreatment will only be used depending on the matrix from the state and the temperature at the time.

In response to a question from Selectman Panasiti, Director Hahn stated that all but 2 of the DPW drivers are currently qualified for this process. These other two are scheduled to be trained next month.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Brew to authorize the Department of Public Works to apply winter road treatment according to the published NHDES winter treatment application matrix, and further that the current list of paved no-salt and limited treatment roads be stricken and those roads follow the published NHDES winter treatment application matrix. I move that the Road Commission review gravel roads and make recommendations for future improvements or discontinuance and report back to the BOS by November 2019.

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

Chairman Lyon stated that this will hold for a one-year period and after that the BOS will review based on volume used comparatively, effectiveness, and citizen feedback.

The Board, Director Hahn, and Mr. Slosek discussed testing water sources in town now to see if any changes occur due to the altered type of treatment.

Director Hahn next displayed a map showing all of the paved roads in town that are “no salt” (sand only) roads. These roads are scattered throughout town and cause extra logistical issues for the DPW. He does not know why these roads exist, other than that some of these probably contain residents who requested this at some point. He believes that drivers in town expect the same conditions on all paved roads throughout town, and this is not currently the case.

Selectman Brew explained that the scientific understanding has evolved over the years to show that sand is not harmless when treating roads. There are many homes in town with private wells, and so if the argument is that some roads are “no salt” in order to protect people’s wells, then this approach should be taken throughout town. Instead, there seems to be a well-justified rationale towards using salt and this should apply throughout town.

Selectman D'Angelo agreed that the “no salt” roads were likely due to believing sand was harmless. These paved roads should be treated the same as the rest in town, and it should be explained to town residents that this is now recommended by DES.

Selectman Panasiti suggested this information be posted to the DPW's Facebook page.

Director Hahn explained that there are also approximately 9 miles of gravel roads throughout town. He does not believe that all of these roads should be lost, but there are several short sections of dirt roads, that are not contributing to the historic ambiance of town, that could be altered. He requested permission for the Roads Committee to study which of these roads should be upgraded or disposed of. The amount of roads will only change to being slightly less than 8 miles in total, if these changes are made to the recommended roads.

In response to a question from Town Administrator Shankle, Director Hahn stated that the recommended roads would either be paved, or there could be a warrant article created to revert these to Class 6 roads. He suggested that Green Road, Eaton Road, Sprague Road, and Stockwell Road be paved immediately.

In response to a question from Selectman Panasiti, Director Hahn stated that all dirt roads in town are classified as scenic roads, he believes.

6.3 Courthouse Road Overlay

DPW Director Hahn stated that Courthouse Road has deteriorated faster than anticipated. Nine companies were asked to bid on doing a 1.5" overlay on the road, and Continental came in with the most competitive pricing. This overlay should buy the town another 2-4 years before having to re-do the road.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Grella to award the bid for overlaying delaminating section of Courthouse Road closest to Route 122 in the amount of \$15,000 to Continental Paving and to authorize the Town Administrator to sign all related documents.

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

7. Approvals

7.1 Board of Selectmen Meeting Calendar (amended)

The Board agreed to adopt the amended 2020 Meeting Calendar.

7.2 Quarterly Septic Warrant

A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to approve and sign the Quarterly Warrants for the Baboosic Lake Community Septic invoices, due October 1, 2019 as follows:

<i>Phase I Quarterly Maintenance Warrant</i>	<i>\$1,023.24</i>
<i>Phase II Quarterly Maintenance Warrant</i>	<i>\$4,778.80</i>
<i>Phase III Quarterly Maintenance Warrant</i>	<i>\$5,628.26</i>
<i>Phase IV Quarterly Maintenance Warrant</i>	<i>\$4,040.22</i>

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

272 **7.3 Assessing**

273 *A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to*
274 *approve and sign the LUCT Abatement Recommendation for:*
275 *Property Map/Lot 006-079-002 in the amount of \$1,950.00*

276
277 The Board discussed this abatement recommendation. They expressed interest in hearing
278 directly from the Town Assessor before granting the abatement.

279
280 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to*
281 *table the previous motion.*

282 *Voting: 5-0-0; motion passed unanimously.*
283

284 **7.4 Form MS-1, Inventory of Valuation**

285 Selectman Brew shared the MS-1 form with the Board. This report provides the
286 certification of valuations, appropriations, estimated revenues, and such other
287 information as the DRA may require upon reports prescribed for that purpose. The
288 town's current net valuation is 1,737,836,020. This shows an increase over last year,
289 mostly due to growth through new construction.

290
291 *A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to*
292 *accept the MS-1 Report for 2019 as presented.*

293 *Voting: 5-0-0; motion passed unanimously.*
294

295 **7.5 Payroll**

296 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti,*
297 *to approve one (1) FY20 Payroll Manifest in the amount of \$245,763.42, dated August 15,*
298 *2019, subject to review and audit.*

299 *Voting: 5-0-0; motion passed unanimously.*
300

301 **7.6 Accounts Payable**

302 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti,*
303 *to approve one (1) FY20 Accounts Payable Manifest in the amount of \$31,608.21, dated*
304 *August 21, 2019, subject to review and audit (Town Clerk Transfers to the State of NH).*

305 *Voting: 5-0-0; motion passed unanimously.*
306

307 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti,*
308 *to approve one (1) FY20 Accounts Payable Manifest in the amount of \$245,847.76, dated*
309 *August 20, 2019, subject to review and audit.*

310 *Voting: 5-0-0; motion passed unanimously.*
311

312 **7.7 Concentration Account**

313 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti,*
314 *to approve one (1) FY20 Concentration Account Manifest in the amount of \$214.93,*
315 *dated August 21, 2019, subject to review and audit.*

316 *Voting: 5-0-0; motion passed unanimously.*
317
318

7.8 Previous Meeting Minutes – August 12, 2019

A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo, to approve the Board of Selectmen meeting minutes of August 12, 2019.

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

8. Action Items

The Board reviewed their action items.

9. New/Old Business

Selectman D'Angelo stated that the suit against the Zoning Board of Adjustment was dismissed by the judge last Friday, as the court supported the ZBA's decision. The Board thanked the ZBA and its Chair for working so diligently on the case.

A MOTION was made by Selectman Panasiti and SECONDED by Selectman Brew to adjourn the meeting at 8:43 pm.

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

NEXT MEETING: September 9, 2019 - Monday

SIGNATURE ON FILE

SEPTEMBER 9, 2019

Selectman Reed Panasiti

Date