



Town of Amherst, NH

BOARD OF SELECTMEN MEETING MINUTES

Barbara Landry Meeting Room

2 Main Street

Monday, October 21, 2019

1 **1. Call to Order**

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

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

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9 **2. Pledge of Allegiance** – Gail Stout, Tax Collector, led the pledge.

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11 **3. Citizen Forum**

12 Frank Montesanto, 55 Christian Hill Road, addressed the Board. He stated that he
13 attended the Planning Board meeting for the Jacobson Farm Conditional Use Permit
14 hearing last Wednesday. The public was given a three minute time limit to speak, and
15 was asked to address all of their comments/questions to Chairman Mike Dell Orfano. Mr.
16 Montesanto stated that he stood up during the public comment portion of the meeting to
17 discuss concerns he has regarding the safety of the solar arrays proposed for some of the
18 open space fields in the development. As he stood up to speak, the Chairman of the
19 Planning Board walked away and had a conversation with someone else on the side of the
20 stage. Mr. Montesanto doesn't believe the Chairman was paying attention to his
21 comments at all. Another member of the Planning Board finally directed Mr. Montesanto
22 to ask his questions directly to the developer. The Chairman then returned to his seat, at
23 which time Mr. Montesanto asked his second question, which the Chairman also did not
24 listen to, in Mr. Montesanto's opinion, as he was speaking to a Board member seated
25 next to him.

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27 Mr. Montesanto explained that there are not just concerns regarding the density of this
28 project, but with the process being laid out by the Planning Board. As a member of the
29 Conservation Commission, he cannot imagine how it would look if he simply got up and
30 walked away while a member of the public addressed the Commission with a question.
31 He is dumbfounded and upset. He is not looking for any action regarding this issue, but
32 wanted to bring it to the Board's attention.

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34 Chairman Lyon explained that he appreciated Mr. Montesanto's concerns. While the
35 Planning Board is an independent Board, he would make sure to have a conversation with
36 its Chair regarding these concerns.

4. Staff Reports

4.1 2019 Property Tax Rate Setting – Finance Dept

Chairman Lyon stated that there are two things for the Board to discuss in regard to setting the tax rate: 1) the amount of the unassigned fund balance to apply to offset the tax rate, 2) overlay. He explained that the Board voted at the last meeting on a number for the unassigned fund balance to offset the tax rate, however there will be a different number presented to the Board tonight.

Cheryl Eastman, Finance Director, stated that the number presented last week was estimated based on the unreserved balance on the town's MS535 report, which included funds leftover from the SB38 grant, which were not utilized, have lapsed, and thus will be returned into the fund balance.

She explained that the DRA is not yet aware of this last figure (funds leftover from the SB38 grant) because the audit is not yet complete. Thus, this figure will be included in next year's figures, but not this year's.

Selectman D'Angelo stated that he was skeptical of the actual unassigned fund balance total last year and the Board agreed to request that that auditors look backwards five years to reconstruct these numbers and determine if they are exact. This was never completed. He does not trust that the unassigned fund balance numbers are correct. He requested that the Board follow through on their vote from last year to have the last five years of unassigned fund balance numbers reconstructed by the auditors.

In response to a question from Selectman Panasiti, Cheryl Eastman explained that the number reported last week was \$6,257,106, including \$127,854 from the unused SB38 grant. The \$120,000 for the contingency fund was also not subtracted from this previously reported amount. The DRA removed the SB38 and the contingency fund amount, reducing the current unassigned fund balance amount.

In response to a question from Selectman Panasiti, Cheryl Eastman explained last week the Board voted on a total of \$351,250, per its policy, to help offset the tax rate. Due to the items removed by the DRA, this amount is now \$161,362; a reduction of about \$109,000.

Selectman Brew noted that this change has nothing to do with the historical fund balance. This change is due to items identified by the town not being official to the DRA. He recommends the Board stick with its policy and deal with this as being a timing issue only. The funds will still be added into the fund balance, but not until next year. While it is tempting to look back historically, this is not actually an issue in play at this time.

In response to a question from Selectman Grella, Cheryl Eastman stated that she doesn't know how long it would take the auditors to perform a historic look back at the fund balance, as she didn't know this was an issue.

Selectman Grella stated that he is ok with the change and isn't sure that looking back will help at all with this.

In response to a question from Selectman Panasiti, Chairman Lyon explained that sticking with the \$351,250 number would mean changing the Board's policy and returning over twice as much as the policy calls for. Following the policy would mean returning the \$161,362 amount.

A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to reconsider the following vote made at the October 14, 2019 meeting:

A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to return \$351,249.50 to the taxpayers.

Voting: 3-0-2 (Selectman D'Angelo and Panasiti abstained); motion to reconsider carried.

A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to return \$161,362 to the taxpayers.

Voting: 4-1-0 (Selectman D'Angelo voted against); motion carries

Chairman Lyon stated that the Board needs to now consider the overlay, which is the number that must be raised and appropriated to cover any abatement costs over the fiscal year. It is believed that, in the worst case, this amount might be \$140,000-150,000. A mid-range amount would be around \$100,000. If the fund overlay is set at \$50,000, the municipal tax rate will be 5.57. If the fund overlay is set at \$100,000, the municipal tax rate will be 5.60. He also explained that if the amount approved for the overlay is insufficient, anything over that amount will come out of the unassigned fund balance

Selectman Brew stated that, historically, the Board has budgeted for the worst-case scenario and used less each year than was allocated, causing the unassigned fund balance to grow. He believes the best idea is to take a best estimate at what the amount realistically might be to try and come as close as they can.

A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to use \$100,000 for the overlay figure for setting the December tax rate.

Voting: 4-0-1 (Selectman D'Angelo abstained); motion carried.

Cheryl Eastman explained that, with these two numbers set, the total overall tax rate will be \$26.96/thousand with a municipal tax rate of \$5.60/thousand.

4.2 ICMA Retirement Services – Finance Dept

Town Administrator Shankle stated that he is requesting that employees of the town be allowed to work with ICMA to set up a 457b plan for retirement savings, if they so choose. By federal law, this must be managed and owned by the town.

Chairman Lyon commented that this alternate plan offering will have the same match contribution as the current plan.

In response to a question from Selectman D'Angelo, Town Administrator Shankle stated that it is possible to roll funds from another 457b into the proposed 457b plan with no penalty.

A MOTION was made by Selectman Brew and SECONDED by Selectman D'Angelo to offer an optional 457 plan through ICMA and the town will match up to 5.5% of the employee contribution.

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

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to adjourn the meeting at 7:01 pm.

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

NEXT MEETING: October 28, 2019 - Monday

SIGNATURE ON FILE

Selectman Reed Panasiti

10.28.2019

Date