

# Town of Amherst, NH BOARD OF SELECTMEN MEETING MINUTES

## Barbara Landry Meeting Room 2 Main Street Tuesday, November 12, 2019

1.	Call	to	Or	der
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Chairman Peter Lyon called the meeting to order at 6:30 p.m.

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

Chairman Lyon explained that Board of Selectmen meetings are usually televised and recorded, but, unfortunately, the videographer was not available for this evening. The Board agreed to proceed with the meeting as scheduled.

**2. Pledge of Allegiance** – Mike Dell Orfano, Chairman of the Planning Board, led the pledge.

### 3. **Citizen Forum** – none.

## 4. Planning Board Request for Funds

Mike Dell Orfano, Chair of the Planning Board, addressed the Board regarding funding for the Master Plan. He explained that the original plan was to wait until the 2020 census data became available, but discussions have led to an understanding that the American Community Survey data could be adequate to begin the process with. Instead of focusing on silos of information, this time the process will focus on themes and an outreach program directly to the constituents. The Planning Board is hoping to work with NRPC throughout this process.

Mike Dell Orfano stated that, under the previous silo approach that wasn't supposed to start until 2022, only \$1 has been put into the budget for the Master Plan process for FY20. With the change in process, there is now a request to appropriate approximately \$15,000 from this year's budget to begin the process. It is hoped that the whole process will take approximately one year, and the bulk cost should come in FY21.

Executive Director, Jay Minkarah, and Assistant Director, Sara Siskavich also addressed the Board. Director Minkarah explained that NRPC is interested in helping the Planning Board to pursue the thematic approach. He explained that the current themes being explored are Community Character, Lifetime Community, Business Development, Infrastructure, and Sustainability & Resilience. He stated that maps and data will help to inform these sections.

Mike Dell Orfano stated that the Planning Board is ready to start the public process officially on January 1, 2020. The Marketing Outreach program has already gotten started. There will be an over effort to get volunteers to work on each of the working groups. The \$15,000 requested will be put towards public engagement. The budget for the next fiscal year will be used for consolidating and validating data, continued outreach, and bringing that information back to the public. The Planning Board is looking for this Master Plan to be a benchmark of land use planning for the next 10 years. The Planning Board will also include money in their budget each year to reevaluate the Master Plan goals and make sure the document is still valid for where the town is at that time.

In response to a question from Chairman Lyon, Mike Dell Orfano explained that the process should cost about \$40,000 in total, but the Planning Board is requesting an additional \$20,000 in next year's budget for contingencies.

In response to a question from Selectman Panasiti, Mike Dell Orfano explained that the last plan lacked steps to take to accommodate what was heard from the public. This plan will include actionable steps and deliverables.

In response to a question from Selectman Brew, Director Minkarah stated that he can point the Board towards some good Master Plans that do include tradeoffs and action plans. The key things needed for a good Master Plan are: measurable, actionable outcomes, a large amount of civic engagement, and a way to identify the parties responsible for the outcomes. Scenario planning will involve looking at items of importance, outcomes, and understanding the tradeoffs towards other goals. There will be balance achieved through this process.

Mike Dell Orfano explained that the Planning Board will work to drive the cost efficiency of this process in order to meet the statutory requirements. The primary requirement is land use planning.

Selectman Brew stated that he would like to see specifically what the \$15,000 is going to be used for. He would then propose including \$25,000 in next year's budget, with additional money towards the process if needed.

Selectman Grella stated that the Planning Board should have about two months' worth of work completed before the deliberative session in March in case the budget amount needs to be increased at that time.

A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to request a more detailed estimate as to how this year's funds will be spent, to ask the Town Administrator to identify those funds (\$15,000) in this year's budget, and to allocate \$25,000 in next year's budget for the Master Plan process.

#### **Discussion:**

Selectman Brew explained that this motion doesn't mean that the Planning Board can't request more money for the process, but it will need to come back to the Board of Selectmen to discuss it first.

In response to a question from Town Administrator Shankle, Director Minkarah explained that the proposed budget for the process is aggressive but that is why the contingency amount is being requested.

Town Administrator Shankle requested that the upper limit for this process be stated, so that the Planning Board doesn't have to come back next year to ask for more money. He believes it will cost about \$60,000-75,000 to do this process correctly.

Director Minkarah agreed that the process could cost closer to \$55,000-60,000 to get all of the things the Planning Board is looking for along with accounting for any unknowns. There will be a high level of community involvement expected and the NRPC will work within whatever budget it is given. The Planning Board has stated that it's not interested in data and analysis that won't inform the Plan, which should reduce the cost of chasing data that is not necessary. The contingency amount could be reduced by building some of the possible cost items back into the budget amount.

Town Administrator Shankle suggested that the Selectmen sit down with the Planning Board to get the real budget number before making a decision. Selectman Brew stated that he would like for the Board to act tonight on the motion and then act to increase the budget, if needed, at the next meeting.

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

## 5. FY21 Budget

#### 5.1 Draft Presentation/Review

The Board discussed proposed changes to the budget that are not currently included in the draft version.

Town Administrator Shankle stated that four years ago the Deputy Town Clerk was moved from a part-time to full-time position. At that time the employee should have been moved up from grade 5, but never was. He is requesting that this position be moved to an Executive Assistant position at grade 12, step 4. This is to correct what should have happened in the past. This change should occur on July 1, 2020. In order to make this accommodation, \$3,300 is being requested to be added to the Town Clerk's budget line. In conjunction with this, there will be a change to the agreement that the Deputy Clerk will receive the Town Clerk's salary when she is out for more than two days. That agreement will disappear.

Town Administrator Shankle stated that there is also a non-union employee cost of living increase of 2% being requested. Finance Director, Cheryl Eastman, stated that this increase will be close to \$150,000.

Town Administrator Shankle explained that he spoke to Bruce Mayberry regarding updating impact fees and it will probably cost about \$25,000 to complete the studies and calculations needed. It is hoped that this money might be able to be found in this year's budget. There is also approximately \$78,000 that will be coming to the town from the state that could be used for this project.

133	A MOTION was made by Selectman Brew and SECONDED by Selectman D'Angelo to
134	reclassify the Deputy Town Clerk position effective July 1, 2020 to a grade 12 step 4
135	employee and to increase the FY21 budget by \$3,300 to reflect that change.
136	Voting: 5-0-0; motion carried unanimously.
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138	A MOTION was made by Selectman Brew and SECONDED by Selectmen Grella to
139	include a 2% COLA in the FY21 budget.
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141	Discussion:
142	Selectmen Brew suggested that the Board look at the numbers at their next meeting to see
143	what can be done to rationalize the medical co-pay numbers with the suggested COLA
144	amount.
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146	Voting: 5-0-0; motion carried unanimously.
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148	In response to a question from Ways & Means member, Lisa Eastland, Chairman Lyon
149	stated that the town's COLA is sometimes higher or lower than the Social Security
150	increase for the following year. The COLA for town employees is determined annually by
151	the Board of Selectmen before including it in the proposed budget.
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153	In response to a question from Will Ludt, 3 School Street, Chairman Lyon stated that the
154	impact fee assessment will not be included in the proposed budget at this time, but the
155	Board will revisit the issue towards the end of this fiscal year in hopes of finding the
156	necessary amount in the current year's budget. The Board is also still waiting to see a
157	final draft of the CIP in order to further discuss how to address impact fees.
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159	Town Administrator Shankle explained that tying impact fees to the CIP is not a state
160	requirement but is a town requirement by ordinance.
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162	Selectman Brew suggested that the Board add to their next meeting agenda to discuss
163	potential changes to the impact fee ordinance to address any possible impediments to
164	implementing impact fees. It may be possible to invite someone with more knowledge on
165	the subject to the meeting and/or invite the Planning Board members as well. He
166	explained that the town only has one chance per year to make a change to its zoning
167	ordinances, and that chance is coming up soon.
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169	George Bower stated that, at the time when the ordinance was written, the RSA required
170	impact fees to be tied to the CIP. If the RSA has changed since then, the ordinance should
171	change as well.

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Mike Dell Orfano stated that he believes that impact fees cannot be imposed on current applications to the town. If the urgency for this process change is due to current events in town, it is possible that impact fees cannot be influenced by existing projects.

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Town Administrator Shankle explained that he believes impact fees are collected each time a building permit is pulled; so, if the current projects are phased, impact fees might still apply.

Cheryl Eastman stated that the increases previously discussed (\$3,300; \$25,000; and \$150,000) will lead to a 4.57% increase to the budget bottom line.

#### **5.2** Warrant Articles Review

Chairman Lyon stated that there are new proposed warrant articles from the Bicycle Pedestrian Advisory Committee. These include a warrant article for the proposed Amherst Street side path, a warrant article for a proposed side path near the Souhegan High School to Homestead Road, a warrant article for proposed upgrades to roadway surfaces, and an alternative warrant article that proposes to combine the high school and roadway surface projects into a Multimodal Roadway Upgrade Capital Reserve Fund.

Chris Buchanan, Chair of the Bicycle Pedestrian Advisory Committee, explained that the Amherst Street multi-use path would occur in conjunction with previously scheduled road work. The path will be 8' wide and separated from the roadway by a 5' section. This type of path is referenced in the Committee's Multi Modal Plan. This is an appropriate method for roads which no longer merit the mixing of road users with vehicles due to speed, etc. The proposal comes in two segments: a northern segment stretching from Miles Road to Boston Post Road or Courthouse Road, budget allowing; and a southern section from the Milford town line to Border Street. There is no scheduled road work for the middle section, so the Committee is proposing an on-road solution for that area.

George Bower, Committee member, explained that the Committee completed pavement width measurements in this middle section and found that there is ample room to allow for a small paved shoulder after re-striping of the existing pavement. This proposal will allow multi-modal users to get from the Amherst Village to the Milford Oval. The goal, over time, would be to tie in other multi-modal paths off of this. The town has a unique opportunity to do this next year due to already scheduled road reconstruction.

In response to a question from Chairman Lyon, George Bower stated that the Committee's best guess at this time is that the project will cost \$235,000 above and beyond the existing costs for road reconstruction. The Committee will continue to work with Eric Hahn, DPW Director, to get better informed numbers.

In response to a question from Selectman Grella, George Bower stated that, if one was traveling from Amherst to Milford, the proposed side path would be on the left-hand side of the road.

In response to a question from Selectman Brew, George Bower stated that it is hard to have better estimates on the cost of this project at this time, as the road construction piece has not yet been engineered. The town can either take advantage of this opportunity now or wait for probably another 15 years for construction on this road to occur again.

George Bower stated that this proposed project is exactly what the new Master Plan is working towards; this is the thematic concept in action.

Selectman D'Angelo agreed that there has been great interest in multi-modal projects throughout the town and that he agrees with putting the proposals on the warrant to see if people are truly serious about their support.

In response to question from Selectman Panasiti, George Bower explained that federal grants will be easier to achieve if there are already matching funds available for the town to take advantage of.

Chairman Lyon suggested that the Committee meet with the Highway Safety Committee before March.

In response to a question from Chairman of the Ways & Means Committee, Peter Moustakis, Selectman Brew explained that a normal warrant article lapses after the fiscal year; a non-lapsing warrant article doesn't lapse for five years.

In response to a question from Peter Moustakis, George Bower explained that the side path will allow bicyclists on it, thus separating them from the roadway vehicles as well.

George Bower explained that the previously proposed project for some of the Village streets will not be occurring this next year. The side path Souhegan High School to Homestead project he could see being funded over 2-3 years but there may be some issues with the culvert on that road. There are several other culverts around town that are higher priority and so the project may be delayed a bit. There is a thought to put both of these projects into a single capital reserve fund (CRF) warrant article that can continue to accumulate funds for the next 2-3 years.

Chris Buchanan explained that the estimated cost figures for the Souhegan High School side path project came directly from the paving estimate for the Amherst Street side path project. The estimate for the Village streets project comes directly from the manufacturer of the interlocking pavers.

Selectman Brew suggested that the two projects are different enough that they should be split up. Some voters may be against one project while for the other, thus splitting them will give a better chance for them to pass. He also believes there will be a better chance for either project to pass with more specific numbers for each.

Selectman D'Angelo stated that he believes the town should vote to establish a multi-modal CRF with some money and add slowly to it over the next 2+ years. He also believes that when the Police Station Renovation CRF is completed and off of the warrant next year, that will help other projects a bit. The multi-modal CRF can be a generic fund that mentions the two projects as possibilities.

In response to a question from Selectman Panasiti, George Bower stated that it will be essential to do work on some of the already paved roads in town by creating pathways through the use of paint. This process can go forward, through DPW efforts, continuously and with almost no cost.

273 Selectman Grella agreed that there should be a warrant article for the Amherst Street side path and another to create a multi-modal CRF. 274 275 Chairman Lyon stated that he would like to see individual projects voted on to give voters 276 277 to chance to vote for specific proposals. 278 279 Chairman Lyon explained that warrant article #27, Service-Connected Total Disability Tax Credit, is in year 2 of a 3-year plan to increase the credit amount to the maximum by 280 281 statute. Warrant Article #28, Optional Tax Credit for Combat Service, is a new article that looks to give a \$500 tax credit to service members that were in active combat duty during 282 the tax year. 283 284 285 Selectman Panasiti explained that the intent of this article is for a reduction to individuals in the National Guard that served in a combat area during a specific tax year. The town's 286 lead assessor had some concerns regarding having to interpret orders to see if an 287 288 individual was active during a certain tax year, but the orders should clearly state this and there should be no issue in interpreting them. 289 290 291 Selectman Brew stated that he would like to see the article enacted consistently and fairly. 292 293 Selectman D'Angelo suggested that this proposed article may muddy the waters between 294

article #27 and article #28. It may be recommended to defer this article until article #27 is completed and removed from the warrant.

In response to a question from Lisa Eastland, Selectman Panasiti explained that there can't be any overlap between individuals for articles #27 and #28, as one would not be eligible for both in a single tax year.

Town Administrator Shankle explained that warrant articles #38 and #39 deal with the Peabody Mills Environmental Center (PMEC) Revolving Account. He explained that at the deliberative session on February 7, 2001 the town voted for two warrant articles that created the revolving funds account, restricted the fees to be spent only for the operation and maintenance of PMEC, and noted that those fees should only be paid out at the Amherst Conservation Commission's (ACC) request.

He explained that over the years the ACC has worked to inform many of the programs at PMEC run by the Recreation Department, but the Recreation Department has been expending the funds instead of the ACC. Both parties agree that the Recreation Department is been equipped to currently expend these funds, but the ACC would like to make sure that there continue to be conservation education programs run at PMEC.

Thus, article #38 looks to discontinue the revolving funds account controlled by the ACC and place the funds into the unassigned fund balance. Warrant article #39 looks to raise and appropriate the same amount of funds to be placed into the Recreation Department's Revolving Account.

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In response to a question from Selectman D'Angelo, Recreation Department Director,
Craig Fraley, explained that the ACC will continue to help with
environmental/conservation programs at PMEC and that their concern was not really with
the funds being expended but the continued programming.

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6. Administration

## 6.1 Administrator's Report

Town Administrator Shankle explained that census workers will be in town soon to gather information. He also asked the Board to review a draft letter to be sent to Eric Bazil, regarding his proposed land swap. Finally, he discussed with the Board the proposed bus stop location for the Derryfield School.

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7. Staff Reports

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7.1 Truck Bid – Rec. - This item was moved to later in the meeting.

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7.2 Vehicle Replacement – AFR - This item was moved to later in the meeting.

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7.3 **Baboosic Lake Septic Committee – DPW -** *This item was taken up at this time.* 

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Eric Hahn, DPW Director, explained that the formation of this committee is to provide a conduit for information flow back and forth between the DPW/town and the Baboosic Lake septic users.

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The Board reviewed the committee's draft charter.

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A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to adopt the Baboosic Lake Community Septic System Charter, with the change that the members will consist of three residents connected to the system, advertise for candidates and appoint candidates as members at a future meeting.

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

Truck Bid - Rec. -

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Recreation Department Director, Craig Fraley, explained that this proposed truck will be to replace the current F350 truck. The truck was put out to bid and three quotes were received; Colonial Municipal Group was the lowest bidder. The financing for the truck was also put out to bid; Government Leasing Company was the lowest bidder over three

This item was revisited at this time.

years. The Recreation Department will be able to absorb this cost for this year and will build it into their budget accordingly for the next two years.

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In response to a question from Selectman Panasiti, Craig Fraley explained that the warranty is three years/36,000 miles.

A MOTION was made by Selectman Grella and SECONDED by Selectman Brew to award the bid to purchase a 2019 Ford F250 XL Super Duty truck from Colonial Municipal Group. This truck will be paid for as a three-year lease purchase, to be financed by

Government Leasing Company for an annual payment of \$10,880 and a one-time

365 document fee of \$250.

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366	Voting: 5-0-0; motion carried unanimously.				
367	voiling. 5-0-0, motion carried unanimousty.				
368	7.2 Vehicle Replacement – AFR - This item was revisited at this time.				
369	7.2 Vemele Replacement – AFR - This tiem was revisited at this time.				
370	A MOTION was made by Selectman Brow and SECONDED by Selectman D'Angelo to				
371	A MOTION was made by Selectman Brew and SECONDED by Selectman D'Angelo to				
372	award the bid for purchase of a 2019 Chevrolet Tahoe to MacMulkin Chevrolet at a cost of \$35,072,00. And further to award the bid for purchase and installation of the				
373	of \$35,972.00. And further to award the bid for purchase and installation of the Emergency Warning Package at a cost of \$7,677.76 to Global Public Safety. Also, to				
374	award the bid for the purchase and installation of the Two-Way Radio Package at a cost				
375	of \$5,157.86 to Beltronics.				
376	Voting: 5-0-0; motion carried unanimously.				
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378	7.4 The Flume Culvert Update – DPW				
379	Erin Hahn explained that the failed culvert at The Flume left a void under the road that ha	as			
380	been investigated and monitored. With engineering support, a slip-line can be installed.				
381	The state bid will be utilized to purchase the necessary materials. The total repair cost				
382	will be about \$85,000. This should be completed by the end of November.				
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384	7.5 Dump Truck Bid – DPW				
385	Eric Hahn explained that the state bid will be utilized for this purchase at a gross amount				
386	of \$154,791. The DPW will be making a \$30,000 down payment for a maximum amount				
387	to be financed at \$124,791. There will also be an estimated trade-in value of about				
388	\$15,000; this amount will be used to reduce the financed amount.				
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390	Chairman Lyon commented that the DPW is unable to get a bid for both the vehicle and				
391	its financing because this type of truck takes time to build and, thus, some companies				
392	may not want to bid out so far in advance. The DPW will be committed to paying for thi	iS			
393	truck if the financing happens to fall through.				
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395	A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to				
396	approve the purchase of a 6-wheel 2020 model year dump truck with Tenco body for				
397	\$154,791 from Liberty Int'l Trucks of NH, with a down payment of \$30,000 from this				
398	year's budget. Further, it is the intent of this motion to fund the remainder with a four-				
399	year lease purchase agreement.				
400	Voting: 5-0-0; motion carried unanimously.				
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402	Discussion:				
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404	A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to				
405	reconsider the previous motion made for the AFR Vehicle Replacement (7.2)				

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

A MOTION was made by Selectman Brew and SECONDED by Selectman D'Angelo to award the bid for purchase of a 2019 Chevrolet Tahoe to MacMulkin Chevrolet at a cost of \$35,972.00. And further to award the bid for purchase and installation of the Emergency Warning Package at a cost of\$7,677.76 to Global Public Safety. Also, to award the bid for the purchase and installation of the Two-Way Radio Package at a cost

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413	of \$5,157.86 to Beltronics. <b>These funds are to come from the AFR Vehicle Capital</b>				
414	Reserve Fund.				
415	Voting: 5-0-0; motion carried unanimously.				
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417	8. Approvals				
418	8.1 Petitions & Pole Licenses – EVERSOURCE				
419	A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to				
420	approve the placement of a utility pole on Mack Hill Road as described in PSNH #12-				
421	0804, Eversource Petition and Pole request and to authorize the Board of Selectmen to				
422	sign related paperwork on behalf of the Town of Amherst.				
423	Voting: 5-0-0; motion carried unanimously.				
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425	A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to				
426	approve the placement of a utility pole on Mack Hill Road as described in PSNH #12-				
427	0805, Eversource Petition and Pole request and to authorize the Board of Selectmen to				
428	sign related paperwork on behalf of the Town of Amherst.				
429	Voting: 5-0-0; motion carried unanimously.				
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431	A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to				
432	approve the placement of a utility pole on Waterview Drive as described in PSNH #21-				
433	1437, Eversource Petition and Pole request and to authorize the Board of Selectmen to				
434	sign related paperwork on behalf of the Town of Amherst.				
435	Voting: 5-0-0; motion carried unanimously.				
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437	8.2 Signing Winter Operations Policy – Approved 9/23/2019				
438	The Board reviewed and signed this policy.				
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440	8.3 Payroll				
441	A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti,				
442	to approve one (1) FY20 Payroll Manifest in the amount of \$214,564.37 dated November				
443	7, 2019, subject to review and audit.				
444	Voting: 5-0-0; motion passed unanimously.				
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446	8.4 Accounts Payable				
447	A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti,				
448	to approve one (1) FY20 Accounts Payable Manifest in the amount of \$963,320.82 dated				
449	October 29, 2019, subject to review and audit.				
450	Voting: 5-0-0; motion passed unanimously.				
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452	A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti,				
453	to approve one (1) FY20 Accounts Payable Manifest in the amount of \$2,964,773.00,				
454	dated November 1, 2019, subject to review and audit.				
455	Voting: 5-0-0; motion passed unanimously.				
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457	8.5 Concentration Account				

458	A MOTI	ION was made by Selectman I	YAngelo and SECONDED by Selectman Panasiti,				
459	to approve one (1) FY20 Concentration Account Manifest in the amount of \$1,893.59,						
460	dated October 30, 2019, subject to review and audit.						
461		Voting: 5-0-0; motion passed unanimously.					
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463	8.6	<b>Previous Meeting Minutes</b>	s – October 28, 2019				
464		G	,				
465	A MOTI	ION was made by Selectman F	anasiti and SECONDED by Selectman D'Angelo,				
466	to approve the Board of Selectmen meeting minutes of October 28, 2019, as amended [To						
467	insert at the end of Line 44: "When Mr. Quinn was finished, Selectman D'Angelo asked						
468			Quinn found objectionable. Mr. Quinn was unable				
469			words "a warrant-article based approach" from				
470			ead, "responded that the CIP process was done				
471		annually 2013-2015, was not done from 2016-2017, and was restarted in 2018;" and to					
472	insert the word "maintenance" before the word "projects" in Line 172].						
473		Voting: 5-0-0; motion passed unanimously.					
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475	9. Act	ion Items – the Board reviewe	ed its action items.				
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477	10. Old/New Business						
478	Selectman Grella explained that he attended a State Highway Department presentation						
479	regarding the upcoming culvert replacement on 101 in Bedford. Rob Clemens, Chair of						
480	the ACC, also attended the meeting, as the town is an abutter to the project on their						
481	conservation land. Chris Buchanan also spoke, and it is hoped that the project will look to						
482	include	an 8' multi-modal connection	into Bedford. This project will not begin until next				
483	summer	r <b>.</b>					
484							
485	A MOT	ION was made by Selectman <mark>I</mark>	Panasiti and SECONDED by Selectman Grella to				
486	adjourn the meeting at 9:30pm.						
487	Voting: 5-0-0; motion carried unanimously.						
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492	NEXT N	MEETING: November 25, 20	19 - Monday				
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497	SIGNA	TURE ON FILE	11.25.2019				
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