



Town of Amherst, NH

BOARD OF SELECTMEN MEETING MINUTES

Barbara Landry Meeting Room
2 Main Street
Monday, January 27, 2020

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, Selectman Dwight Brew, Selectman Reed Panasiti,
6 Selectman John D'Angelo, and Selectman Tom Grella.
7 Also, present: Town Administrator Dean Shankle, Recreation Director Craig Fraley.

8
9 **2. Non-Public Session, RSA 91-A:3, II (d)**

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11 *A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to*
12 *enter into non-public session via RSA 91-A:3, II (d).*

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

15
16 *The Board entered Non-Public Session at 6:00 pm.*

17
18 *A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to*
19 *come out of Non-Public Session.*

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

22
23 *The Board came out of Non-Public Session at 6:27 pm.*

24
25 *Chairman Lyon announced that no motions were made in the non-public session.*

26
27 The Board reconvened public session at 6:31pm.

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29 **3. Pledge of Allegiance** – Dean Shankle, Town Administrator, led the pledge.

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31 **4. Citizen Forum** – none.

32
33 **5. Bicycle & Pedestrian Advisory Committee**

34 Chris Buchanan, Chair of the Bicycle & Pedestrian Advisory Committee, addressed the
35 Board. He explained that, in meeting with the Milford Planning Board regarding the
36 Amherst Street Side Path proposal, they indicated that Amherst Street in Milford may
37 also be due for road construction in 2020. Milford will continue to look into carrying the
38 side path project forward on their end.

Chris Buchanan explained that there are several projects the Committee is reviewing that will have no price tag. One of the first projects the group is looking into, is a redevelopment of trails with the Amherst Conservation Commission (ACC) on the Purtell land. This is a section of land between Atherton Commons and Country Mansions. The project seeks to improve access on currently overgrown trails in that area. There is an existing easement on the land and volunteer work could easily make the project happen. There is also the potential for this trail project to eventually connect out to Route 122, and then Joshua's Park.

Another project involves Eversource property that stretches from Stearns Road to Horse Hill in Merrimack. The Committee is exploring the possibility of a multi-use trail under Eversource's facilities.

Chris Buchanan requested that the Board recommend a few items to NHDOT. One of these items is requesting that the State grant the Town a right-of-way along Route 101, at Birch Park. This is a project that the Recreation Department has been waiting for permission from NHDOT to move forward with for about three years. There is an indication that a request regarding this from the Board of Selectmen might make NHDOT more apt to respond.

In response to a question from Chairman Lyon, Chris Buchanan explained that this request includes an area from Baboosic Lake to Thornton Ferry I. He stated that Craig Fraley, Recreation Department Director, has been trying to contract NHDOT regarding this issue for three years and that it is thought that communication from the Board may help get some answers.

Chris Buchanan explained that another consideration is the realignment of Route 122 from Courthouse Road to Route 101. This road stretch was recently resurfaced, but NHDOT has not yet completed repainting the lines. A very inexpensive modification for NHDOT would be to shift the lines slightly northward. This would allow the town to have a painted side path in this area. This could then connect to the proposed side path on Amherst Street.

In response to a question from Chairman Lyon, Chris Buchanan stated that, if nothing is done, NHDOT will repaint the lines exactly as they previously were. This shifting request would allow for a defined side path on this stretch out to Birch Park. There is plenty of lane space to make this request.

Chris Buchanan also explained that the potential for a connection from the Purtell easement toward Joshua's Park could someday warrant a crossing by NHDOT across Route 122. If this request is made now, it could be ready for action within several years. There is an opportunity to explore this option now as a forward-thinking item.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Brew to ask Town Administrator Shankle to put together, and to give Chairman Lyon the authorization to sign on behalf of the Board, a request to NHDOT in regard to the right-of-way along Route 101 and the lane realignment along Route 122.

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

87
88 Chris Buchanan explained that SB 707-FN, a senate bill for a 10.4-mile side path on
89 Route 122 from the Route 101 / Baboosic Lake Road intersection, to Hollis-Brookline
90 High School, is going before the Senate Transportation Committee on February 4, 2020
91 at 2pm. This project could be a showcase example for the State DOT and provide an
92 opportunity for how multimodal infrastructure can be made. While this project can be a
93 showcase, it also should highlight a cost savings for NHDOT when done in conjunction
94 with scheduled road work. This would allow NHDOT to continue on with future projects,
95 in conjunction with scheduled roadwork, as follows. He explained that Selectman/State
96 Rep Panasiti has agreed to be at the meeting. He suggested that, if the Board chose to
97 issue a statement in support of this bill, it could encourage the State Transportation
98 Committee to also support it.

99
100 In response to a question from Selectman Brew, Chris Buchanan displayed a map of the
101 proposed project. This would run from the eastbound onramp of 101 at the Baboosic
102 Lake Road intersection, to hopefully connect with the proposed Amherst Street side path,
103 and southward into Hollis.

104
105 In response to a question from Selectman Panasiti, Chris Buchanan stated that this
106 proposal would include a paved facility that would be 10ft wide with a minimum of 5ft
107 separation between the path and street. This has been through DOT engineering, and
108 would be scheduled for 2025, if it passes.

109
110 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti*
111 *to send a letter of support to the Senate Transportation Committee regarding SB 707-FN.*
112 *Voting: 5-0-0; all in favor.*

113
114 Chris Buchanan also mentioned to the Board that a refurbishment of NH101 in the area
115 from Bedford to Wilton was originally slated to have \$57 million recommended for it.
116 This amount has been reduced down to about \$7 million. This is the second NHDOT 10-
117 year plan that does not include any additional funds for the prospect of making this
118 stretch of road into a divided highway.

119 120 **6. Administration**

121 **6.1 Administrator's Report**

122 Town Administrator Shankle explained that the town has looked into purchasing the
123 Buck Meadow golf course. There is currently a new opportunity to enter into a purchase
124 and sale agreement for \$575,000. None of this will come from tax dollars, as this will be
125 a joint purchase between the ACC (Conservation Fund) and Recreation Department
126 (Recreation Fund). This will be contingent on the necessary public hearings and Board
127 approvals.

128
129 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Grella to*
130 *authorize the Town Administrator to sign the purchase and sale for Buck Meadow golf*
131 *course and to do the due diligence needed to move towards the purchase, including*
132 *setting up the necessary public hearings.*

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

134
135 Town Administrator Shankle explained that there are approximately 11 computers that
136 need to be upgraded from Windows 7 to Windows 10 by Microtime. The total cost for
137 this is approximately \$13,000. He also explained that Microtime has given a price, per
138 contract, of \$1,000/month for advanced security.

139
140 Town Administrator Shankle stated that a vote is usually taken before trees are removed
141 from scenic roads in town, but there was an emergency and a tree recently removed at 27
142 Eaton Road, that is requested to be approved after-the-fact.

143
144 *A MOTION was made by Selectman Brew and SECONDED by Selectman D'Angelo to*
145 *approve the emergency removal of a poplar tree with a failing root system from 27 Eaton*
146 *Road.*

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

148
149 Town Administrator Shankle pointed out that there were three bids in for the printing of
150 the annual Town Report. The lowest bid has different pricing options based on the
151 number printed. The Board agreed to allow Mary Guild, Executive Assistant, to
152 determine how many copies of the Town Report will be printed this year.

153
154 Town Administrator Shankle stated that the town is moving ahead with the impact fee
155 contract. The town departments and schools are currently gathering their information.

156
157 In response to a question from Selectman Panasiti, Town Administrator Shankle stated
158 that, per Eric Hahn, DPW Director, the town is currently about halfway through their
159 normal number of winter storms for the year (18/36) and have only used approximately
160 30% of the salt/sand that they typically use. The town is expected to see a significant
161 savings.

162 163 **6.2 Use of Town Common Request – AJWC, Easter Egg Hunt**

164 *A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to*
165 *approve the Amherst Junior Women's Club's request for use of the Town Common on*
166 *Saturday April 4, 2020 between the hours of 8:00am and 11:00am for the annual Easter*
167 *Egg Hunt.*

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

169 170 **6.3 Town Report Dedication**

171 Town Administrator Shankle stated that this year's Town Report will be dedicated to
172 David Hanlon.

173 174 **6.4 Town Report Cover Photo**

175 Town Administrator Shankle explained that the cover photo for this year's Town Report
176 will be a picture taken of the new Amherst Town sign over the brook at the intersection
177 of Ponemah Road and Boston Post Road.

6.5 Review Deliberative Session Presentation

The Board reviewed the Deliberative Session presentation.

7. Approvals

7.1 Assessing

A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to approve and sign the Land Use Change Tax for:

Property Map/Lot 006-006-005 in the amount of \$10,300.00

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

A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to approve and sign the Veteran Tax Credits for:

Property Map/Lot 002-170-009 in the amount of \$500.00

Property Map/Lot 003-035-001-029 in the amount of \$500.00

Property Map/Lot 007-017-024 in the amount of \$500.00

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

A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to approve and sign the All Service Veteran Tax Credits for:

Property Map/Lot 005-111-012 in the amount of \$500.00

Property Map/Lot 005-111-012 in the amount of \$500.00

Property Map/Lot 017-045-000 in the amount of \$500.00

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

A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to approve and sign the Service-Connected Total Disability Credit for:

Property Map/Lot 007-017-024 in the amount of \$2,400.00

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

A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to approve and sign the Abatement Recommendation for:

Property Map/Lot 006-080-002 in the amount of \$1,365.00

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

A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to approve and sign the Elderly Exemption Application for:

Property Map/Lot 002-113-000 in the amount of \$114,000.00

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

7.2 Payroll

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY20 Payroll Manifest in the amount of \$228,543.88 dated January 16, 2020, subject to review and audit.

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

227 **7.3 Accounts Payable**

228 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti,*
229 *to approve one (1) FY20 Accounts Payable Manifest in the amount of \$57,775.22, dated*
230 *January 6, 2020, subject to review and audit.*

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

232
233 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti,*
234 *to approve one (1) FY20 Accounts Payable Manifest in the amount of \$109,671.67 dated*
235 *January 22, 2020, subject to review and audit.*

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

237
238 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti,*
239 *to approve one (1) FY20 Accounts Payable Manifest in the amount of \$25,638.48 dated*
240 *January 23, 2020, subject to review and audit.*

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

242
243 **7.4 Previous Meeting Minutes – January 13, 2020**

244 *A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo,*
245 *to approve the Board of Selectmen meeting minutes of January 13, 2020 as presented.*

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

247
248 **8. Action Items – the Board reviewed its action items.**

249
250 **9. Old/New Business**

251 Selectman D'Angelo stated that the schools are busy preparing for their deliberative
252 sessions.

253
254 Town Administrator Shankle noted that the warrant for the town meeting was posted
255 today, as required by law.

256
257 Selectman Panasiti explained that there will be a state hearing on Wednesday regarding
258 the solar tax exemption.

259
260 Selectman Brew read a statement that he will be sharing during the hearing:

261 *“The Amherst Board of Selectmen supports HB 1406, a proposed change to RSA 72:61*
262 *which will allow a property tax exemption for solar energy systems installed as incidental*
263 *to a primary business, while requiring a PILOT to be entered into if solar energy*
264 *generation is the primary business purpose.*

265
266 *RSAs 72:61 and 72:62 provide for a property tax exemption for solar energy systems*
267 *used to heat or cool the interior of a building or to heat water for use in a building.*

268
269 *Both RSAs were originally enacted in 1975.*

270
271 *In the 1975 timeframe, any energy produced from a solar energy system would have been*
272 *used on-site as it was not practical to have a large-scale solar energy system as a*
273 *standalone commercial venture.*

Municipalities have the option to decide if they will provide an exemption for solar energy systems and to place an optional cap on the value of the solar energy system entitled to this exemption.

The RSAs currently do not allow municipalities to differentiate between businesses wishing to utilize a solar energy system to offset their electrical usage and a company that has a sole business purpose of selling electricity generated via solar.

This change in RSA 72:61 would allow an exemption for businesses that desire to utilize a solar energy system to offset their electrical usage by requiring the output be utilized on-site, while not automatically providing an exemption to a business with the primary purpose of selling wholesale electricity.

A business with the primary purpose of producing renewal electric energy for resale would continue to have the ability to enter a PILOT with a municipality under RSA 72:73 and 72:74, but this exemption wouldn't be automatic.

Generating electricity via solar is admirable under all circumstances. However, distinguishing between incidental use and as a primary business is necessary when our tax model depends on everyone paying their fair share of property tax."

10. Non-Public Session, RSA 91-A:3, II (a), (c)

A MOTION was made by Chairman Lyon and SECONDED by Selectman Panasiti to enter into non-public session via RSA 91-A:3, II (a), (c).

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

The Board entered Non-Public Session at 7:27 pm.

A MOTION was made by Chairman Lyon and SECONDED by Selectman Panasiti 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 and adjourned the meeting at 8:28 pm.

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

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to adjourn the meeting at 8:29 pm.

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

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NEXT MEETING: February 5, 2020 – DELIBERATIVE SESSION

SIGNATURE ON FILE

2020.02.10

Selectman Reed Panasiti

Date