



Town of Amherst, NH

BOARD OF SELECTMEN MEETING MINUTES

Barbara Landry Meeting Room
2 Main Street
Monday, December 7, 2020 6:30PM

1 **1. Call to Order**

2 Chairman Peter Lyon called the meeting to order at 6:31 p.m.

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4 Attendees by Zoom conference call: Chairman Peter Lyon, Selectman Dwight Brew,
5 Selectman Reed Panasiti, Selectman John D'Angelo, and Selectman Tom Grella.
6 Also present: Town Administrator Dean Shankle and Kristan Patenaude, minute taker

7
8 Ways & Means Committee Members present: Lisa Eastland (Chair), Danielle Pray (co-
9 chair), Scott Tuthill, Matt Seiler, Mike Parisi, and Bill Loscocco

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11 Other attendees and the public accessed the meeting via Zoom.

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13 Chairman Lyon explained that, pursuant to the State of Emergency declared by the
14 Governor as a result of the COVID19 pandemic and in accordance with his Emergency
15 Order #12, this meeting is authorized to take place electronically. There is no physical
16 location to observe and listen to this meeting. However, in accordance with the
17 Emergency Order, we are:

18
19 Utilizing Zoom teleconferencing for this meeting. All members of the Board have the
20 ability to communicate during the meeting through this platform and the public has access
21 to contemporaneously listen and if necessary, participate in the meeting by dialing +1 646
22 558 8656 and using a webinar ID of 872-0478-6907 or by using the link contained in the
23 agenda posted at amherstnh.gov.

24
25 Notice of the meeting and means to access it were previously posted in accordance with
26 law. Members of the public that have phoned into the meeting can raise their hand by
27 pressing the *9 on their phone, in order to make it known that they would like to speak to
28 the Board. If anyone has a problem accessing the meeting, please call 603-440-8248 for
29 assistance. In the event the public is unable to access the meeting, the meeting will be
30 adjourned and rescheduled.

31
32 All votes will be taken by roll call and for ease, in alphabetical order.
33 Lastly, the meeting is being recorded and will be replayed on ACATV.

34
35 The Board started by taking a roll call vote and stating if they were alone.
36

Roll call vote: Selectman Brew – present; Selectman D’Angelo – present; Selectman Grella – present; Selectman Panasiti – present; Chairman Lyon – present. All noted themselves as being alone.

2. Citizen’s Forum

Peter Hansen expressed concern over what is occurring near his home, at the intersection of Border Street and Amherst Street. He stated that he would like protection from the Board over the issues going on at the address indicated in his letter to them. He noted that there are often open containers on the property and that there are many kids that live nearby.

Chairman Lyon explained that the Board takes these complaints seriously. Similar complaints were initially made about two years ago. At that time the Building Inspector and Planning Director looked into the issue and were instructed by DES that the property in question couldn’t be deemed a “junkyard” under the definition. There was little else for the Town to do at that time. He stated that the Town will look into this issue again now.

4. Administration [the Board took up this item at this time while it waited for the next scheduled agenda item to be ready]

4.1. Administrative Updates

Town Administrator Shankle stated that the Town is beginning to look into what can be done for Town Meeting and Deliberative Session, during the time of a pandemic. These meetings will still be allowed, and there will be additional guidance to come from the State and NH Municipal Association as to what options will be possible.

3. Appointments

3.1 Rick Katzenberg – Health & Human Services Summary Report 2020

Rick Katzenberg stated that the group is going to look into strategies to provide a logical path forward for updating the amount of money requested of the Town by the Health & Human Services agencies. Until then, he requested that the Board continue to move forward with this line item as revised. He suggested that the increased amount may reflect the number of citizens in Town that avail themselves to using these services. He believes that a survey to each Health & Human Services agency would be helpful.

In response to a question from Selectman Panasiti, Rick Katzenberg stated that the number of services provided to the Town’s citizens does change from year-to-year. There are currently 14 services listed that Amherst citizens utilize. There are probably other groups that provide Health & Human Services to citizens of the Town, but these agencies probably service the greatest number of citizens. Rick Katzenberg stated that he is happy to put out a request to find any other agencies not currently listed that provide services to Town citizens.

Rick Katzenberg stated that the amount expended to the agencies in 2012/2013 was \$47,590. He is unsure how that number was calculated. The agencies on the list have remained fairly consistent over the years.

Selectman Panasiti stated that the funded amount could be tied to inflation rates in order to keep up with the growing needs of the Town’s citizens for these services.

Selectman Brew suggested that the funded amount could be tied to the CPI, so that inflation is taken into account. He also believes this number should be reviewed periodically.

Selectman D'Angelo stated that he doesn't believe the previously suggested 10% increase is out of line for these services.

Rick Katzenberg outlined where some of the suggested increased funds (a total of \$5,000) would be spent:

- An additional \$1,000 to the Boys & Girls Club as the need for their services has increased while the group's overall contribution intake has decreased
- An additional \$500 to Bridges, due to the increase in their services from the additional stress placed on families and students at this time. Tylee Jancar explained that, over the past year, Bridges has had 216 crisis meetings for about 30 individuals in Town.
- An additional \$1,000 to SHARE, primarily for their food pantry services
- An additional \$500 to Souhegan Valley Rides, as their rides have increased by 20% this year, and Amherst citizen's make up 15% of that amount.
- An additional \$1,000 to Opportunity Networks
- A new agency added to the list is the Senior Walking Program through the Hampshire Hills Dome. This program has grown every year for the past three years, without needing additional funding. The proposed \$1,000 funding amount will help cover the \$2 it costs to walk at the Dome.

A MOTION was made by Selectman Grella and SECONDED by Selectman D'Angelo to unable the motion made two weeks ago (November 23, 2020) to "increase the total amount paid by the Town to these agencies by 10%, or \$5,000, at the discretion of the Health & Human Services Committee."

Roll call vote: Selectman Brew – aye; Selectman D'Angelo – aye; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.

In response to a question from Selectman Panasiti, Rick Katzenberg stated that surrounding towns have Health & Humans Service budget lines as well, but he is unsure how they are applied. Rick Katzenberg and Tylee Jancar agreed to work to get this data to the Board.

A MOTION was made by Selectman Grella and SECONDED by Selectman D'Angelo to increase the total amount paid by the Town to these agencies by 10%, or \$5,000, at the discretion of the Health & Human Services Committee.

Roll call vote: Selectman Brew – aye; Selectman D'Angelo – aye; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.

4. Administration

4.1. Administrative Updates [continued]

Town Administrator Shankle explained that he received an email from a gentleman who is interested in buying a property in Town and putting a discretionary easement on it. RSA 79-C gives the Town the right to approve this easement and use it for public use; the owner gets a tax break accordingly. He sent the gentleman to discuss this idea with the Conservation Commission, which will come back to the Board with a recommendation.

The Board discussed possibly hearing a last-minute PAR during this meeting but agreed to wait to hear it until a future meeting.

5. Staff Reports

5.1 FY22 Budget and Warrant Articles

Cheryl Eastman, Finance Director, explained that the budget document now contains all of the changes made at the last Board meeting. She explained that the final Souhegan Regional Landfill District budget has been received, and that the line item has been reduced by \$23,000. The budget does not yet reflect this change. The recent increase to the Health & Human Services line item has also not yet been made. The current proposed budget total is \$14,877,676, a 1.7% increase.

Chairman Lyon noted that any health insurance increases are not yet included in this document.

Selectman Brew explained that, in terms of the unassigned fund balance, the current amount sits at \$460,000 over 10%, as per the policy. The board agreed to reduce this amount by \$200,000 to fund the Police Station Renovation Warrant Article. Thus, the amount over 10% sits at \$260,000. It is being proposed to return half of that amount, \$130,000, to the taxpayers to help offset taxes. He doesn't believe it would be too aggressive for the Board to consider doubling that amount. The current tax impact on the average \$355,000 house of the proposed budget is \$186.10. He suggested that the Board consider returning the full \$260,000 to the taxpayers to help offset taxes. This would lower the tax impact on the average \$355,000 slightly. While the policy says that the Board should return 50% of the amount over 10%, he believes the Board safely budget 100% at this time and still be in compliance with the policy. By the year end, the Town will have more than likely under expended the budget a bit and also received some revenue in excess of that being projected.

Selectman D'Angelo stated that he doesn't support the existing policy, or the proposed unassigned fund balance target; however, the Board does have a policy that it usually rigidly adheres to. He is unclear why this policy would suddenly be ignored, and the extra funds be used to offset the tax impact. He noted that two weeks ago he suggested using some of these extra funds for the DPW Vehicle Warrant Article but was told this wouldn't be done. He believes if the Board has a policy that it's married to, it should stick to the policy as currently stated.

Chairman Lyon stated that he doesn't believe it violates the policy to project the returned funds differently.

Selectman D'Angelo stated that, if the Town does not receive excess revenue and is right on its projected budget number, that this would be a violation of the policy.

In response to a question from Selectman Grella, Chairman Lyon stated that, if Selectman Brew's suggestion is carried out, the tax impact on the average \$355,000 house for the proposed budget would be \$159.66.

177 Selectman Panasiti questioned why the \$260,000 number is being used when this is not real,
178 but projected capital. Selectman Brew stated that he believes using the \$260,000 number is
179 actually a more accurate number, in the end. Even if, at the end of the year, the Town ends up
180 exactly on budget and without excess revenue, returning the \$260,000 will not drop the
181 unassigned fund balance below 10%.

182
183 In response to a question from Selectman Panasiti, Selectman D'Angelo explained that, if the
184 proposed Police Station Warrant Article fails, the Town will have an excess amount of funds
185 over it's target in the amount of \$460,000, allowing the Town to return \$230,000 to offset
186 taxes.

187
188 *A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to change*
189 *the unassigned fund balance amount to return to taxpayers from \$130,000 to \$260,000.*
190 *Roll call vote: Selectman Brew – aye; Selectman D'Angelo – nay; Selectman Grella – aye;*
191 *Selectman Panasiti – nay; Chairman Lyon – aye. 3-2-0; motion carried.*
192

193 In response to a question from Lisa Eastland, Selectman Brew explained that there are now
194 two proposed DPW line items for vehicle purchases. One line item will be used to make the
195 first and subsequent payments on lease/purchase equipment. The other line item will be used
196 for non-lease/purchase, sub-\$20,000 equipment items, such as sign boards or trailers; the
197 current proposed amount for this line item is \$10,000. Moving forward, the non-
198 lease/purchase line item will continue to exist. The lease/purchase line item would continue to
199 exist for two more years, in order to pay off existing lease/purchase items. There is also a third
200 line in the budget, proposed at \$130,000 to be used for new DPW vehicle purchases. Also
201 proposed is a CRF Warrant Article, to be funded with \$120,000 for new DPW vehicle
202 purchases. While the budget line items would not roll over from year-to-year, the CRF would.
203 The intent is to use the budget line item funds first, and then the CRF funds.

204
205 Selectman D'Angelo explained that the plan is to draw down the CRF each year by about 70-
206 90%, thus requiring the Town to request an additional \$120,000-130,000 each year for lease-
207 purchase or non-lease/purchase vehicles. A different option would be to leave the budget as it
208 is and ask for \$120,000 to be placed in a CRF and used when vehicles exceed the amount of
209 funds available in the budget line item.

210
211 Chairman Lyon explained that the Board has already voted on this item and a position has
212 already been taken.

213
214 Lisa Eastland asked if the Board would consider revisiting its unassigned fund balance policy,
215 as it's about 3-5 years old. Chairman Lyon noted that the policy has not been changed, mostly
216 due to the fact that recommendations from the DRA have not changed.

217
218 Lisa Eastland stated that the Ways & Means Committee still has items to discuss before being
219 ready to vote. One of those items is the Library portion of the Town's budget. While some
220 members feel the Library budget is on track, others believe it may be too large for the size of
221 the space and the number of people who use it.

Chairman Lyon reviewed the Warrant Article regarding Open Space Acquisitions with the Board. Some of the legal language in the Warrant Article has been changed. The Warrant Article stated that the Board has the right to make the open space purchase through RSA 41:14A, which will require two public hearings. There is also the option for the public to request, by petition, that the purchase be discussed at Town Meeting. Also, the Warrant Article has been changed from being “evergreen” to having a 5-year expiration term, whether used or unused. At that time, the Board can decide if it wants to put forward a similar Warrant Article or not.

Bill Stoughton, of the Amherst Conservation Commission, stated that the ACC wants to be as specific as possible in regard to what type of land will be proposed to be purchased under this Warrant Article. The land must be located within Town, cannot be more than 800 acres, and the purpose of the land acquisition will be spelled out. Along with these criteria, the ACC has a separate checklist detailing the criteria it uses to evaluate the priority of proposed land acquisitions. The land must have importance for either wildlife habitat, water resources, or connectivity. The Town will be obligated to obtain an appraisal for each proposed land acquisition, before votes are taken by the ACC and Board, and two public hearings are had.

In response to a question from Bill Loscocco, Bill Stoughton explained that, if the Warrant Article is voted to be placed on the ballot, the ACC will create an information sheet for voters.

In response to a question from Danielle Pray, Bill Stoughton explained that the proposal to look at land based on “other property interests,” deals with the possible sale of development rights. This is not a common item to seek for land acquisitions.

In response to a question from Lisa Eastland, Bill Stoughton explained that, once a property is identified, a tentative agreement would be reached with the seller, the proposal would need to go through two public hearings and the necessary votes, and then a bond/note would be issued. It is not until that point that a bond is floated that the taxpayers are obligated for the purchase.

5.2 Update to Lot 24-11 Park Project

Craig Fraley, Recreation Director, explained that the deed for this Lot states that no permanent structures of any kind can be built on the property. Thus, a fishing deck cannot be installed. He looked into installing a fence and sign on the property, but, per Town Counsel, a fence is a permanent structure and also cannot be installed. He is proposing to install a sign stating that the land was given to the Town to be used by its citizens as a Park. He would like to include language that nothing can be stored overnight on the Lot.

Craig Fraley noted that the Lot has been remarked by Meridian Land Services. DPW Director Eric Hahn has explained that Broadway was not there when the Town took ownership of this property. When the roadway was installed, it took away some of the waterfrontage of the parcel. Where the land meets with water is the property line of the Lot.

Town Administrator Shankle suggested that a park or picnic bench could possibly be placed on the Lot in the future. While a fence cannot be installed, plantings and landscaping may be used to delineate the Lot area.

In response to a question from Selectman Panasiti, Town Administrator Shankle stated that the land was donated to the Town to be used as a park in perpetuity.

5.3. Award 2021 Statistical Revaluation Update Contract Bid

Gail Stout shared the RFP results with the Board. She requested that the Board look beyond the lowest bidder and consider some of the others. She believes there could be an advantage in having a fresh set of eyes look at the revaluation. KRT Appraisals has done the last two revaluations and these are completed every five years; they have also been the Town's contracted assessors for the last nine years. She believes that some of the other bidders show a higher level of professionalism and might be better at educating the public, Board, and Town as a whole, about the process. She does believe that any of the three bidders will deliver a good product. She requested that the Board award the bid to Vision Government Solutions.

Selectman Brew noted that the primary interest in this process should be for accuracy and professionalism.

Selectman D'Angelo stated that the State checks the work of any revaluation company that is 5% or more off. This has never been the case with KRT Appraisals. He suggested sticking with the company, as it's the lowest bidder.

Selectman Grella stated that he believes the Town is justified to go with another bidder.

In response to a question from Selectman Panasiti, Gail Stout stated that the CAMA Software used by the Town is a Vision Government Solution product.

Town Administrator Shankle stated that he believes it's a good idea for Towns to change the company they use for this process once in a while.

Chairman Lyon stated that he is influenced by the potential quality product provided to the Town. He was quite interested in Vision's bid package and their knowledge of the CAMA Software.

A MOTION was made by Selectman Panasiti and SECONDED by Selectman Grella to award the bid for the 2021 Statistical Revaluation update to Vision Government Solution in the amount of \$82,500.

Roll call vote: Selectman Brew – nay; Selectman D'Angelo – nay; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 3-2-0; motion carried.

5.4 DPW Cell Phone Policy

DPW Director, Eric Hahn, stated that the sole Town policy regarding cell phones is about 19 years old. He is hoping that this proposed policy will bring the DPW up to current standards. He explained that the radios within the DPW trucks are only suitable to use if the employees are in their vehicles, and about 95% of the time they are not. If the policy is approved, his next step will be to shop around for cell phone plans. He would hope to purchase basic flip phones for the Department.

In response to a question from Chairman Lyon, Eric Hahn stated that he will not be requesting more money to purchase these cell phones but will instead move money around in the budget. Eric Hahn stated that he would like to get rid of the radios altogether eventually. The Department will continue to have a scanner.

Chairman Lyon questioned if the Town would consider reexamining its cell phone plan.

A MOTION was made by Selectman Panasiti and SECONDED by Selectman Grella to approve DPW Policy 20-001, Amherst DPW Cell Phone Use.

Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.

6. Approvals

6.1 Baboosic Lake Community Septic Warrants

A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to approve the Quarterly Warrants for the Baboosic Lake Community Septic invoices due January 4, 2021, as follows:

<i>Phase I Quarterly Septic Warrant</i>	<i>\$2,011.32</i>
<i>Phase II Quarterly Septic Warrant</i>	<i>\$5,553.97</i>
<i>Phase III Quarterly Septic Warrant</i>	<i>\$6,759.35</i>
<i>Phase IV Quarterly Septic Warrant</i>	<i>\$4,794.57</i>

Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.

6.2 EVERSOURCE Petition & Pole Licenses

A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to approve one (1) pole/s 853/5 on Honey Brook Lane in the Town of Amherst.

Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.

A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to approve one (1) pole/s 411/25 on Buckridge Drive in the Town of Amherst.

Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.

A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to approve one (1) pole/s 3212X/5A on Old Nashua Road in the Town of Amherst.

Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.

6.3 Accounts Payable, Meeting Minutes November 23, 2020

A MOTION was made by Selectman D’Angelo and SECONDED by Selectman Panasiti to approve one (1) FY21 Accounts Payable Manifest in the amount of \$7,223.00 dated November 19, 2020, subject to review and audit.

By roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to approve one (1) FY21 Accounts Payable Manifest in the amount of \$132,249.04 dated November 24, 2020, subject to review and audit.
By roll call vote: Selectman Brew – aye; Selectman D'Angelo – aye; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to approve one (1) FY21 Accounts Payable Manifest in the amount of \$66,459.29 dated November 25, 2020, subject to review and audit.
By roll call vote: Selectman Brew – aye; Selectman D'Angelo – aye; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to approve one (1) FY21 Accounts Payable Manifest in the amount of \$3,024,202.00 dated December 1, 2020, subject to review and audit.
By roll call vote: Selectman Brew – aye; Selectman D'Angelo – aye; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to approve one (1) FY21 Payroll Manifest in the amount of \$263,414.90 dated December 3, 2020, subject to review and audit.
By roll call vote: Selectman Brew – aye; Selectman D'Angelo – aye; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.

A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to approve the meeting minutes of November 23, 2020, as presented.
By roll call vote: Selectman Brew – aye; Selectman D'Angelo – aye; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.

7. Action Items

The Board reviewed its action items.

8. Old/New Business

Selectman Brew explained that the Master Plan Steering Committee's survey is online. He encourages everyone in the Town to fill it out.

In response to a question from Selectman Grella, Town Administrator Shankle stated that there will be two public hearings as part of the upcoming Board meetings, in regard to the proposed 30mph speed limit for Manchester Road.

The Board noted that it needs to create a 2021 meeting schedule.

Town Administrator Shankle stated that the Town's annual Tree Lighting will be held virtually on Friday at 6:30pm. It will be hosted on Zoom and the Town Access TV channel.

A MOTION was made by Selectman Grella and SECONDED by Selectman Panasiti to adjourn the meeting at 9:07pm.

410 *By roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye;*
411 *Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.*

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413 **NEXT MEETING: Monday, December 21, 2020**

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Selectman Reed Panasiti

Date