



# **Town of Amherst, NH**

## **BOARD OF SELECTMEN MEETING MINUTES**

**Barbara Landry Meeting Room**  
**2 Main Street**  
**Monday, December 21, 2020 6:30PM**

1       **1. Call to Order**

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

3  
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, Lori Mix, and Bill Loscocco

10  
11      Other attendees and the public accessed the meeting via Zoom.

12  
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 861-5528-1949 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 available on Vimeo and replayed on  
34      ACATV.

35  
36      The Board started by taking a roll call vote and stating if they were alone.  
37

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 - none**

## **3. Public Hearing**

Chairman Lyon stated that this public hearing is regarding a few proposed traffic control measures in Town.

*A MOTION was made by Selectman Panasiti and SECONDED by Selectman D’Angelo to open the Public Hearing.*

*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.*

Chairman Lyon stated that this is the first of two public hearings for this item. The next public hearing will occur on January 4, 2021, at 6:30pm. These public hearings are to discuss the following proposed traffic control measures:

1. Two (2) stop signs at the intersections of the following Town of Amherst roads:
  - a. Madison Lane @ Williamsburg Drive
  - b. Madison Lane @ Georgetown Drive
2. A maximum speed limit of 30 M.P.H. for the section of Manchester Road located between the intersections of Mack Hill Road and Limbo Lane.
3. A no parking zone on Grater Road between the intersection with South Grater Road and the point 600 feet north of South Grater Road.

Rob Clemens, Chair of the Amherst Conservation Commission (ACC) noted that the Grater Road parking zone proposal was recommended by the ACC to the Highway Safety Committee last April/May due to overuse of the parking area on Grater Road. Parking was occurring along both sides of the road and there were concerns regarding the narrowness of the road and safety vehicles. This proposal is still warranted because people are still parking along the road, even with temporary No Parking signs placed.

No member of the public chose to speak during the Public Hearing.

*A MOTION was made by Selectman Brew and SECONDED by Selectman D’Angelo to close the public hearing.*

*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.*

Chairman Lyon noted that a second Public Hearing on this subject would be held on January 4, 2021

## **4. Administration**

#### 4.1. Administrative Overview

Town Administrator Shankle stated that Finance Director, Cheryl Eastman, has given her notice to the Town. She will be difficult to replace.

The Board agreed to change the time of the upcoming Budget Public Hearing on January 11, 2021, from 7:00pm to 6:30pm.

Town Moderator, Steve Coughlan, joined the Board. He explained that the upcoming Deliberative Sessions are tentatively scheduled for February 1, Souhegan School District; February 2, Amherst School District; and February 3, Town of Amherst. In most years, the three entities share the same space and technology for each Deliberative Session. For this year, HB 1129, passed by legislation, there are alternate ways to have a deliberative-like process without meeting in person. There seems to be some consensus in Town that people would like to continue with a traditional deliberative process, as much as possible, with the ability to have a voice and amend articles. It is up to the School Boards and Selectmen to ultimately pick the time and location for the Deliberative Sessions. If one entity decides to do something different than the others, it may be confusing to taxpayers and possibly impact attendance.

Steve Coughlan explained that the general election can still be held on March 9, 2021, just as it was in the fall. The Deliberative Session can be postponed for up to 72 hours, if there is an emergency. He is proposing that the Deliberative Session be held at Souhegan High School in the auditorium, which will hold about 100 people with social distancing. This should cover the number of people that have attended both the Town and Souhegan School District Deliberative Sessions over the past number of years. The Amherst School District may have a much larger turnout, due to proposed bond articles. Steve Coughlan suggested that overflow rooms with video monitors be utilized. If people attend with their family or podmates, they may sit together, thus allowing for additional space. With the main auditorium and overflow rooms, Souhegan High School should be able to accommodate approximately 200 people, with social distancing. The overflow audience will be able to hear what is going on in the auditorium and will be able to be heard. There will be assistant moderators in each overflow room. There will also be one overflow room set up for those who do not wish to, or cannot, wear masks.

In response to a question from Chairman Lyon, Steve Coughlan stated that he held a run-through of this process which worked well. Town Administrator Shankle was able to watch the run-through from Town Hall and able to hear everything. Steve Coughlan explained that, although Zoom will be utilized for the process, people will not be able to actively participate from home. People participating in the deliberative process must check-in and will not be able to do so remotely. People will still be able to watch the proceedings remotely, but not actively participate.

In response to a question from Selectman Brew, Steve Coughlan explained that, once the time and location are decided on for the Deliberative Session, the process is in the hands of the moderators. Every town and school district are in the same boat for this process; there may be additional flexibility given by the Governor at some point.

Selectman Brew stated that he believes this process has been well thought through. He hopes that the Souhegan and Amherst School Boards support this proposed process as well.

Selectman D'Angelo stated that he believes this is a reasonable plan. He believes there will need to be rules regarding mask use for the presenters and Selectmen.

Selectman Grella noted that there will need to be discussion regarding social distancing on the stage for the Selectmen and Department Heads. Steve Coughlan noted that the School District members tend to use the orchestra pit and that the Selectmen could do so as well, which would allow for extra seats to be set aside for the Department Heads. Steve Coughlan stated that the air ventilation within the High School is at the recommended standard levels for COVID-19.

Selectman D'Angelo noted that there should be additional helpers available during Deliberative Session to aid in seating choices for singles or couples.

In response to a question from Will Ludt, 3 School Street, Steve Coughlan stated that everyone attending Deliberative Session will need to check-in, probably in the lobby area of the High School. There will be social distancing in line and the check-in volunteers will be provided plastic shields. Voting on any amendments or reconsiderations will still take place, even in the overflow rooms.

*A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to hold the Town Deliberative Session on February 3, 2021, at 7pm, at Souhegan High School.*

*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 accept, with regret, Cheryl Eastman's resignation.*

*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.*

## **4.2 Budget Discussion**

The Board and Ways & Means Committee reviewed each Warrant Article to move it to Public Hearing on January 11, 2021. The Board agreed that it wanted the Ways & Means Committee votes on articles in order to craft their opinions moving forward. The Board also decided it was reasonable to have on record if the Board supports each article, prior to the Public Hearing.

Chairman Lyon read ARTICLE 22: Open Space Acquisition Bond

Shall the Town vote to raise and appropriate the sum of six million dollars (\$6,000,000.00) to purchase land and easements or other property interests within the Town of Amherst for conservation purposes, and to authorize the Board of Selectmen to issue bonds or notes up to six million dollars (\$6,000,000.00) in compliance with provisions of the Municipal Finance Act (RSA33:1 et seq., as amended); provided, however, that notwithstanding anything herein to the contrary, the Town shall not issue more than three million dollars (\$3,000,000.00) of bonds or notes in any one fiscal year; to authorize the Selectmen to negotiate and determine the rate of interest thereon and the maturity and other terms thereof, and to take any other

action they deem appropriate to effectuate the sale and/or issuance of said bonds or notes, however, no such bonds or notes shall be issued with a term of maturity of less than ten (10) years or more than twenty (20) years, furthermore, to authorize the Selectmen to acquire said property exercising their authority under RSA 41:14-a, and additionally to raise and appropriate the sum of Two Hundred Forty Thousand Dollars (\$240,000.00) for the first year interest and costs. Land or property interests to be purchased with bond proceeds shall total not more than 800 acres and shall be acquired in the name of the Town as conservation land to be managed by the Conservation Commission pursuant to RSA 36-A:4, to protect and limit the future use of, or otherwise conserve and properly utilize open spaces and other land and water areas. The authorization to borrow provided hereunder shall not lapse until June 30, 2026. (Tax impact = \$0.14) (3/5 Vote Required)

*A MOTION was made by Selectman Brew and SECONDED by Selectman D'Angelo to support the Open Space Acquisition Bond Warrant Article.*

*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 move the Open Space Acquisition Bond Warrant Article to the Public Hearing.*

*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.*

*The Ways & Means Committee supports Article 22, 4-3-0.*

Chairman Lyon read ARTICLE 23: Operating Budget

Shall the Town vote to raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth herein, totaling \$14,877,676. Should this article be defeated the default budget shall be \$14,630,503, which is the same as last year with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting in accordance with RSA 40:13 X and XVI to take up the issue of a revised operating budget only. This operating budget warrant article does not include appropriations contained in any other warrant article. (Tax Impact = \$8.52) (Majority vote required)

*A MOTION was made by Selectman Brew and SECONDED by Selectman D'Angelo to support the Operating Budget Warrant Article.*

*Roll call vote: Selectman Brew – aye; Selectman D'Angelo – nay; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 4-1-0; motion carried.*

*A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to move the Operating Budget Warrant Article to the Public Hearing.*

*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.*

*The Ways & Means Committee supports Article 23, 7-0-0.*

225  
226 Chairman Lyon read ARTICLE 24: Contingency Fund  
227 Shall the Town vote to establish a contingency fund for the current year, in accordance with  
228 NH RSA Section 31:98-a, for unanticipated expenses that may arise and further to raise and  
229 appropriate the sum of one hundred-twenty thousand dollars (\$120,000) to go into the fund.  
230 Said sum shall come from the undesignated fund balance and no amount to be raised from  
231 taxation. Any appropriation left in the fund at the end of the year will lapse to the general  
232 fund. (Tax Impact = \$0.00) (Majority vote required)  
233  
234 *A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to support*  
235 *the Contingency Fund Warrant Article.*  
236 *Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye;*  
237 *Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.*  
238  
239 *A MOTION was made by Selectman Brew and SECONDED by Selectman D’Angelo to move*  
240 *the Contingency Fund Warrant Article to the Public Hearing.*  
241 *Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye;*  
242 *Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.*  
243  
244 *The Ways & Means Committee supports Article 24, 7-0-0.*  
245  
246 Chairman Lyon read ARTICLE 25: Communications Center Capital Reserve Fund  
247 Shall the Town vote to raise and appropriate the sum of twenty-five thousand dollars  
248 (\$25,000) to be added to the Communications Center Capital Reserve Fund, previously  
249 established. (Tax Impact = \$0.01) (Majority vote required)  
250  
251 *A MOTION was made by Selectman Brew and SECONDED by Selectman D’Angelo to*  
252 *support the Communications Center Capital Reserve Fund Warrant Article.*  
253 *Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye;*  
254 *Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.*  
255  
256 *A MOTION was made by Selectman D’Angelo and SECONDED by Selectman Panasiti to*  
257 *move the Communications Center Capital Reserve Fund Warrant Article to the Public*  
258 *Hearing.*  
259 *Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye;*  
260 *Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.*  
261  
262 *The Ways & Means Committee supports Article 25, 7-0-0.*  
263  
264 Chairman Lyon read ARTICLE 26: Assessing Revaluation Capital Reserve Fund  
265 Shall the Town vote to raise and appropriate the sum of twenty-five thousand dollars  
266 (\$25,000) to be added to the Assessing Revaluation Capital Reserve Fund, previously  
267 established. (Tax Impact = \$0.01) (Majority vote required)  
268  
269 *A MOTION was made by Selectman D’Angelo and SECONDED by Selectman Brew to*  
270 *support the Assessing Revaluation Capital Reserve Fund Warrant Article as written.*

271 *Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye;*  
272 *Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.*  
273  
274 *A MOTION was made by Selectman Panasiti and SECONDED by Selectman D’Angelo to*  
275 *move the Assessing Revaluation Capital Reserve Fund Warrant Article to the Public Hearing.*  
276 *Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye;*  
277 *Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.*  
278  
279 *The Ways & Means Committee supports Article 26, 7-0-0.*  
280  
281 Chairman Lyon read ARTICLE 27: Service-Connected Total Disability Tax Credit  
282 Shall the Town vote to increase the optional tax credit for Service-Connected Total Disability  
283 on residential property occupied by a service-connected totally disabled person or their  
284 surviving spouse from \$3,200 to \$4,000 as permitted by RSA 72:35 I-a. (Tax Impact = \$0.01)  
285 (Majority vote required)  
286  
287 *A MOTION was made by Selectman Panasiti and SECONDED by Selectman D’Angelo to*  
288 *support the Service-Connected Total Disability Tax Credit Warrant Article as written.*  
289 *Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye;*  
290 *Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.*  
291  
292 *A MOTION was made by Selectman D’Angelo and SECONDED by Selectman Panasiti to*  
293 *move the Service-Connected Total Disability Tax Credit Warrant Article to the Public*  
294 *Hearing.*  
295 *Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye;*  
296 *Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.*  
297  
298 *The Ways & Means Committee supports Article 27, 7-0-0.*  
299  
300 Chairman Lyon read ARTICLE 28: Bridge Repair and Replacement Capital Reserve Fund  
301 Shall the Town vote to raise and appropriate the sum of two hundred thousand (\$200,000) to  
302 be added to the Bridge Repair and Replacement Capital Reserve Fund, previously established.  
303 (Tax Impact = \$0.11) (Majority vote required)  
304  
305 *A MOTION was made by Selectman Panasiti and SECONDED by Selectman D’Angelo to*  
306 *support the Bridge Repair and Replacement Capital Reserve Fund Warrant Article as written.*  
307 *Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye;*  
308 *Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.*  
309  
310 *A MOTION was made by Selectman D’Angelo and SECONDED by Selectman Panasiti to*  
311 *move the Bridge Repair and Replacement Capital Reserve Fund Warrant Article to the Public*  
312 *Hearing.*  
313 *Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye;*  
314 *Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.*  
315  
316 *The Ways & Means Committee supports Article 28, 7-0-0.*  
317

318 Chairman Lyon read ARTICLE 29: Fire Rescue Vehicle and Equipment Purchase and Repair  
319 Capital Reserve Fund  
320 Shall the Town vote to raise and appropriate the sum of two hundred fifty-seven thousand  
321 dollars (\$257,000) to be added to the Fire Rescue Vehicle and Equipment Purchase and  
322 Repair Capital Reserve Fund, previously established. (Tax Impact = \$0.15) (Majority vote  
323 required)

324  
325 *A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to*  
326 *support the Fire Rescue Vehicle and Equipment Purchase and Repair Capital Reserve Fund*  
327 *Warrant Article as written.*

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

330  
331 *A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to*  
332 *move the Fire Rescue Vehicle and Equipment Purchase and Repair Capital Reserve Fund*  
333 *Warrant Article to the Public Hearing.*

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

336  
337 *The Ways & Means Committee supports Article 29, 7-0-0.*

338  
339 Chairman Lyon read ARTICLE 30: Establish DPW Vehicles & Equipment Replacement CRF  
340 Shall the Town vote to establish a DPW Vehicles & Equipment Replacement Capital Reserve  
341 Fund under the provisions of RSA 35:1 for the purpose of replacement of DPW vehicles and  
342 equipment and to raise and appropriate the sum of One Hundred Twenty Thousand Dollars  
343 (\$120,000) to be placed in this fund. Further, to name the Board of Selectmen as agents to  
344 expend from said fund. (Tax Impact = \$0.07) (Majority vote required)

345  
346 *A MOTION was made by Selectman Brew and SECONDED by Selectman D'Angelo to*  
347 *support the Establish DPW Vehicles & Equipment Replacement CRF Warrant Article as*  
348 *written.*

349  
350 The Board discussed a Ways & Means Committee suggestion to amend the language of the  
351 article to read "...for the purpose of acquisition and replacement of DPW vehicles..."

352  
353 Selectman Brew questioned if the wording should read "and" or "or." He would like for  
354 whatever language is included to closely match the statute.

355  
356 Chairman Lyon suggested that the Board wait to amend the language of the Warrant Article  
357 until Town Counsel has reviewed it. Town Administrator Shankle suggested that the Board  
358 amend the wording of the Warrant Article now, because it will be easier to remove it in the  
359 future, if the Board sees fit.

360  
361 *An AMENDED MOTION was made by Selectman Brew and SECONDED by Selectman*  
362 *D'Angelo to amend the language of Warrant Article 30, to read "...for the purpose of*  
363 *acquiring and replacement of DPW vehicles ..., " to leave the rest of the wording the same,*  
364 *and to support the Warrant Article.*

Roll call vote: Selectman Brew – aye; Selectman D’Angelo – nay; Selectman Grella – aye; Selectman Panasiti – aye; Chairman Lyon – aye. 4-1-0; motion carried.

A MOTION was made by Selectman D’Angelo and SECONDED by Selectman Panasiti to move the Establish DPW Vehicles & Equipment Replacement CRF Warrant Article to the Public Hearing.

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.

The Ways & Means Committee supports Article 30, 5-2-0. It was noted that the votes against were due to not wanting to limit the use of these CRF funds to fund only high cost, infrequent DPW purchases. It was believed this CRF would be better suited to allow for routine, over-time purchases.

Chairman Lyon read ARTICLE 31: Police Station Renovation Completion

Shall the Town vote to raise and appropriate the sum of Two Hundred Thousand Dollars (\$200,000) for the purpose of completing the 3rd floor of the Police Station renovation. Said sum shall come from the undesignated fund balance and no amount to be raised from taxation. Any appropriation left in the fund at the end of the year will lapse to the general fund. (Tax Impact = \$0.0) (Majority vote required)

A MOTION was made by Selectman Panasiti and SECONDED by Selectman D’Angelo to support the Police Station Renovation Completion Warrant Article as written.

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 move the Police Station Renovation Completion Warrant Article to the Public Hearing.

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.

The Ways & Means Committee supports Article 31, 7-0-0.

Chairman Lyon read ARTICLE 32: Establish and fund CRF for Amherst Multimodal Facilities

Shall the Town vote to establish an Amherst Multimodal Facilities Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of design and construction of projects and provide matching funds for grants for such projects, and to raise and appropriate the sum of Seventy-Five Thousand Dollars (\$75,000) to be placed in this fund. Further, to name the Board of Selectmen as agents to expend from said fund. (Tax Impact = \$0.04) (Majority vote required)

A MOTION was made by Selectman D’Angelo and SECONDED by Selectman Panasiti to support the Establish and fund CRF for Amherst Multimodal Facilities Warrant Article as written.

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 move the Establish and fund CRF for Amherst Multimodal Facilities Warrant Article to the Public Hearing.*

*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.*

*The Ways & Means Committee supports Article 32, 7-0-0.*

Chairman Lyon read ARTICLE 33: Recreation Facilities Acquisition, Construction, and Maintenance CRF

Shall the Town vote to raise and appropriate the sum of Fifty Thousand Dollars (\$50,000) to be added to the Recreation Facilities Capital Reserve Fund, previously established. (Tax Impact = \$0.03) (Majority vote required)

*A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to support the Recreation Facilities Acquisition, Construction, and Maintenance CRF Warrant Article as written.*

*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 move the Recreation Facilities Acquisition, Construction, and Maintenance CRF Warrant Article to the Public Hearing.*

*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.*

*The Ways & Means Committee supports Article 33, 7-0-0.*

Lisa Eastland noted that the dissenting votes (4-3-0) on Article 22 were due to Ways & Means members believing: 1) this is a want versus a need; 2) this proposal is like an open blank check, making it hard for taxpayers to estimate their taxes in any given year; 3) the idea of preserving open space in Town is attractive but there isn't enough data to show that open space increases the value of Amherst.

Scott Tuthill noted that, while he isn't against conservation, he voted against Warrant Article 22 because there are going to be a lot of asks on the ballot this year and he isn't sure this is the right year for this request.

#### **4.3 Discretionary Easement Policy/Proposal**

Town Administrator Shankle explained that the Town has been approached to consider putting a discretionary easement (DE) on a piece of property. Although this process has been around for a while this is not a process that the Town has ever used. Whether or not to grant such an easement is completely up to the Board. In order to get the process started, he suggested that the potential applicant speak with the Conservation Commission. They did and the Commission came back with basically two recommendations:

1) That the town develop a process for reviewing discretionary easement applications.

2) That the ACC felt that the property that the discretionary easement was being discussed would be a good candidate for such an easement. He suggests that the Board set up a process for pursuing this type of easement and move forward. There are several decisions to make in regard to NH RSA 79-C: 1) the Board can choose on an annual basis to set the tax bill for a proposed easement property from anything from current use value to 75% of the fair market value; 2) the Board can choose the number of years that a discretionary easement is in place for, a minimum of 10 years or more; 3) the Board can set the current use number in advance.

Town Administrator Shankle explained that discretionary easements can apply to any property in Town and are different from current use properties, in that the parcel does not need to be 10 acres. There are many properties in Town that could apply for this type of easement and the Board should think about this item. The Board can turn down any application for any reason, including that it doesn't want the Town to lose tax returns from the property. He noted that very few other NH towns use this type of easement on a regular basis.

Selectman Brew stated that he believes the Board needs more information before voting on this. He explained that there are 432 parcels in Town without buildings currently on them. 322 of these parcels are less than 10 acres. These 322 parcels are comprised of about 876 acres of land, with an assessed value of approximately \$12M. 100 of the 432 parcels are more than 10 acres, comprising about 3,000 acres, assessed at approximately \$2M. He explained that for the Town to enter into a discretionary easement there must be benefit shown to the Town.

Selectman D'Angelo agreed with Selectman Brew's concerns. He would like to hear the process for discretionary easements to be approved before moving forward. He believes that there will need to be a solid reason for the Town to give up tax benefits for certain benefits to the Town.

Selectman Grella agreed that he would like to see some advantages and disadvantages to this proposal.

Selectman Panasiti agreed that he would like more information before moving forward.

Chairman Lyon agreed what the Board needs more information on this item. He noted that anyone in Town who meets the qualifications can apply for a discretionary easement. He doesn't believe the Board can write a policy to disallow these requests; the Board will have to hear these applications.

Rob Clemens, Chairman of the ACC, explained that the ACC examined discretionary easements as a tool for conservation preservation in Town. He believes this type of easement has merit in certain situations. He explained that the ACC could review applications for this type of easement and make recommendations to the Board, just as it does for other types of easements.

#### **4.4 Discretionary Easement Proposal**

Dave Hall, 8 Elizabeth Lane Mont Vernon, explained that he is the listing agent for Diane Aubrey, who owns a lot on Pine Top Road and Austin Road. A nearby landowner, Dave Morley, 120 Mack Hill Road, is interested in purchasing the property. Dave Morley is not a

direct abutter, as there is one property in-between his current property and this proposed one. Dave Morley approached him regarding purchasing the property, in order to place it into conservation land. The two contacted the owner of the land in-between the two properties to see if he would approve of a corridor lot line change, but this was not agreed on. Dave Hall then mentioned the possibility of a discretionary easement to Dave Morley. This is a land use tool for land that may not meet the requirements of current use. The burden is on the owner to come before the Board and prove the benefit of the proposed easement to the Town. This particular proposal was presented to the ACC and was endorsed for its recreation and wildlife value.

Selectman Brew questioned the criteria used by the ACC to make this recommendation for this parcel. He agreed that the Board needs to review the potential process for discretionary easements and the criteria that the Board can use to evaluate these requests.

John Harvey, ACC Commissioner, noted that the specific conservation values for approving discretionary easements are embedded in the RSA. The RSA lists six conservation and recreation values to consider. He explained that part of the process is for the Board to receive an opinion from the ACC on any application.

Rob Clemens noted that the process for approving discretionary easements is not unlike the process for examining property in Town for acquisition. There is a process for this type of easement and there are a series of evaluation guidelines that should be considered in terms of being a benefit to the Town.

Selectman Brew stated that there appears to be approximately \$12M of land under 10 acres. He hopes the Board will take this into consideration moving forward.

Selectman D'Angelo explained that the Board will need to look at the benefits of any proposals to the Town and how to shift what is lost to the remaining tax base.

In response to a question from Selectman Panasiti, Dave Hall stated that there is a pre-existing, pre-drilled well on the property from 1974. Dave Hall explained that he believes the lot used to be used as farmland.

Jon Harvey suggested that the ACC take it under discussion to provide the Board with a list of priority items that can be used to help decide on a discretionary easement. Town Administrator Shankle noted that other towns that use this type of easement should be examined.

## **5. Staff Reports**

### **5.1 AFR Hiring Part-time**

Fire Chief, Matt Conley, stated that this is a part-time hire under the Rescue Department.

*A MOTION was made by Selectman Brew and SECONDED by Selectman D'Angelo to hire Michael Gilbert, Paramedic, as recommended by the Fire Chief, at a rate of \$22.37/hour. 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.*

553  
554 **5.2 AFR Hiring Call Employees**

555 *A MOTION was made by Selectman Panasiti and SECONDED by Selectman Brew to approve*  
556 *the hiring of Kent Salenger and David Dion as on-call Firefighters, as recommended by the*  
557 *Fire Chief.*

558 *Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye;*  
559 *Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.*  
560

561 Town Administrator Shankle noted that these positions start at \$10/hour. Fire Chief Conley  
562 explained that these hires will start as probationary firefighters.  
563

564 **5.3. Baker Foundation Grant Award for Amherst Makerspace**

565 Recreation Department Director, Craig Fraley, stated that the Town has received a \$4,000  
566 from the Barker Foundation for the Makerspace. He suggested that this be placed in the  
567 Makerspace fund for tools, etc.  
568

569 *A MOTION was made by Selectman Panasiti and SECONDED by Selectman D’Angelo to*  
570 *accept the \$4,000 grant award from the Baker Foundation. This grant will be deposited into*  
571 *the Makerspace line in the -02 Revolving Account.*

572 *Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye;*  
573 *Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.*  
574

575 **5.4 Approval of Maria Daly for Recreation Commission Alternate**

576 Craig Fraley stated that Maria Daly has been involved with many Recreation Department  
577 programs and is an avid user of the Town trails. He believes she will be a great asset to the  
578 Recreation Commission as an alternate.  
579

580 *A MOTION was made by Selectman Panasiti and SECONDED by Selectman D’Angelo to add*  
581 *Maria Daly to the Recreation Commission for a three-year term as an Alternate, to expire in*  
582 *2023.*

583 *Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye;*  
584 *Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.*  
585

586 **6. Approvals**

587 **6.1 Assessing**

588 *A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to approve*  
589 *the 2020 Abatement credit for Map 017 Lot 065-000 in the amount of \$3,700.*  
590

591 *Discussion:*

592 *Selectman Brew suggested that Town Administrator Shankle follow-up on this item, in regard*  
593 *to the tax amount now being paid by 3 Thoreau Lane. Selectman Panasiti also noted that he*  
594 *would like to follow-up on if it’s possible to receive two tax credits: one for the Veteran’s Tax*  
595 *Credit and one for the Disabled Veteran Tax Credit.*  
596

597 *Roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye;*  
598 *Selectman Panasiti – aye; Chairman Lyon – aye. 5-0-0; motion carried unanimously.*  
599

A MOTION was made by Selectman Brew and SECONDED by Selectman D'Angelo to approve the 2020 Abatement credit for Map 017 Lot 066-001 in the amount of \$6,134.62. 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 the Land Use Change Tax in the amount of \$14,000 for Tax Map 004 Lot 148-001, Spring Road. 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 Accounts Payable, Meeting Minutes December 7, 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 \$31,068.72 dated October 31, 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 \$27,575.93 dated November 15, 2020, subject to review and audit (NH DMV).

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 \$34,435.48 dated November 30, 2020, subject to review and audit (NH DMV).

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 \$2,193,485.37 dated December 8, 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 December 7, 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 noted that the Master Plan Steering Committee survey has been live for about three weeks. Over 1,000 responses have been received so far. Out of the 8,000 eligible

townspeople, this is about a 12.5% return rate. He believes there may have been opportunities missed to reach out through the schools and the Recreation Department. The Committee is looking to extend the deadline for the survey.

Selectman D'Angelo explained that the School Boards have met to determine their Warrant Articles. The Joint Facilities Warrant Article will be quite pricy. The Souhegan High School is planning to look at two specific projects only to place on the ballot.

Selectman Grella noted that an expert completed a study on the Corn Crib cooperage. There is a local townspeople looking to renovate the structure using donations/funding.

*A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to adjourn the meeting at 9:00pm.*

*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.*

**NEXT MEETING: Monday, January 4, 2021**

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*Selectman Reed Panasiti*

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*Date*