



Town of Amherst, NH

BOARD OF SELECTMEN MEETING MINUTES

Barbara Landry Meeting Room
2 Main Street
Monday, February 10, 2020

1 **1. Call to Order**

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

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

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9 **2. Pledge of Allegiance** – John Bowler, Amherst firefighter, led the pledge.

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11 **3. Citizen Forum** – none.

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13 **4. Deliberative Session Review**

14 The Board reviewed the outcomes of the Town Deliberative Session.

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16 Selectman D'Angelo stated that he believes the meeting went fairly well. He was
17 unhappy that one of the petition warrant article authors stood up and discuss zoning
18 articles that are not currently on the ballot. He felt that the moderator should have
19 restricted comments to the petition warrant article. He also believes that the author made
20 false statements, took quotes out of context, and used deceptive means to try to sell the
21 warrant article.

22
23 Selectman Panasiti stated that he believes the meeting went as it is designed to. He gave
24 his appreciation to Town Administrator Shankle, Executive Assistant Mary Guild, and
25 the town staff for their hard work.

26
27 Selectman Grella thanked Town Administrator Shankle, Executive Assistant Mary Guild
28 and the Department Heads for getting all of the information out to the public.

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30 Selectman Brew suggested that the Board work to develop a checklist regarding what to
31 include in their handouts to the public each year, in order to help with consistency.

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33 Chairman Lyon agreed that the checklist is a good idea in order to build on past
34 information and not forget what's been done in the past. He also thanked Town
35 Administrator Shankle, Finance Director Cheryl Eastman, and the Department Heads.

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5. Housing Needs Assessment – NRPC

Town Administrator Shankle explained that there has been discussion regarding Amherst's housing situation both as it deals specifically with certain proposed construction projects, and generally. The public was previously told that the town needs more of certain types of housing, but there was no data to back this up. Community Development Director, Nic Strong, contacted NRPC in order to get this data. The information can also be used for Master Planning purposes, but the intent of it currently is to answer the questions being asked. This is considered a professional 3rd party review.

Jay Minkarah, NRPC Executive Director, and John Goeman, Regional Planner, presented the assessment. Jay Minkarah explained that the assessment work was done in house and through looking at information from the Office of Strategic Initiatives. The data shows that, since 2010, the town's overall growth has been less than 1%. This projection into the future show a fairly modest increase as well.

In regard to household size, Amherst deviates from the state and region by showing a slight decrease in the number of households, a significant decrease in the number of one-person households, but an increase in the number of 3-4 person households.

In response to a question from Selectman Brew, Jay Minkarah explained that the data shows a slight decrease in the number of households in Amherst from 2010-2018. This is not the same thing as the number of units in town.

Jay Minkarah explained that the total number of family households in Amherst was about 82%, which shows a significant difference from the state and regional data, at about 66-68%. The household composition data indicates that in Amherst, households containing married couples with children are the overall highest type; again, a significant deviation from the region and state. Over 85% of the units in town are single-family, detached units. The assessment was able to find two financial assisted communities in town. The median income for Amherst is \$135,000; this is the second highest median income in the region. The median home value in Amherst in 2018 was \$347,900; this is significantly higher than the county and the state, but not the highest in the region.

In regard to affordable housing, a unit is considered affordable to those who earn 100% of the median income; for a unit in Amherst this price is \$352,300 because of the high-income level. Rental vacancy rates in the region are at a historic low, around 2%.

John Goeman explained that in 2019 rental vacancy rates were probably even lower, around 1/2-0%.

Jay Minkarah stated that the median rental rate in Amherst is about \$1,400/month. The town should be continuing to provide approximately 5% of the rental units in the region into future years. This percentage equates to approximately 38 units/year. When looking historically at the number of housing permits, this number seems to be on track.

In order for a town to comply with the New Hampshire workforce housing statute, the municipality must either provide realistic opportunities for the development of workforce

housing, or, be able to demonstrate that they already have their regional fair share of workforce housing.

Jay Minkarah explained that the data shows that Amherst, by the numbers, is at a deficit of approximately 380 workforce units. Amherst, however, does currently comply with the statute, due to the fact that it does provide fair and reasonable workforce housing development opportunities.

Jay Minkarah suggested that the town consider any possible changes to their ordinances and regulations in terms of if they will impact this opportunity to provide workforce housing. He also suggested that the town examine goals for providing workforce housing, as a way to measure the ordinances' effectiveness.

In response to a question from Selectman Brew, Jay Minkarah stated that, while Amherst has a deficit of approximately 380 workforce units, the region has a surplus of approximately 12,000 units. These are primarily concentrated in Nashua.

Town Administrator Shankle questioned if the petition warrant article to get rid of the IIHO (Integrated Innovative Housing Ordinance) would place the town at risk of not complying with the statute.

Selectman Brew noted that there are two ways to comply with the statute: to either meet the fair share percentage, or to allow for realistic opportunities. The town's ordinances are currently in support of workforce housing, thus keeping the town in compliance.

In response to a question from Selectman Brew, Jay Minkarah explained that if the mechanism that allows the town to develop workforce housing is eliminated, without replacing it with another mechanism, it could be problematic.

Selectman Brew asked if it was common practice to place deed restrictions on workforce housing to maintain the workforce housing stock. Jay Minkarah stated that it is common to put deed restrictions on workforce housing units in order to keep them affordable through future sales.

Selectman D'Angelo commented that the town appears to be over 9% under its fair share number of units. This would suggest that homes will either need to be downsized or more of this type of unit will need to be built. Jay Minkarah agreed that, in order to meet the fair share percentage, the town would need to build nothing else for the next 10 years.

In response to a question from Selectman D'Angelo, Jay Minkarah stated that some of this data could be updated annually fairly easily, if the town so chooses.

In response to a question from Chairman Lyon, Jay Minkarah stated that the projected population chart for the town increases only very, very slightly from 2020 (11,470) to 25 years into the future (11,536). While there are larger household sizes in Amherst, these are starting to decline and are projected to continue to do so over time. There are also lower birth rates, higher death rates, and declining migration rates.

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134 In response to a question from Chairman Lyon, Jay Minkarah explained that the increase
135 in the young population is being seen regionally as well. He is unsure what this is due to
136 but sees it as a positive, if it continues into the future.
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138 Jay Minkarah stated that Amherst's overall level of development activity is on target to
139 share the town's burden of the region. The town has a deficit in the number of workforce
140 housing units it should have but does currently comply with the requirements of the
141 stature. He believes it is critical for the town to look at its regulations and any proposed
142 changes to them, if it wants to continue to provide the reasonable and realistic
143 opportunity as set forth in the statute.
144

145 The Board discussed the possibility of asking NRPC to evaluate the effects of the
146 proposed warrant articles. Jay Minkarah stated that he believes NRPC would be able to
147 evaluate, if the proposed changes were adopted, if the town would then still be able to
148 provide reasonable and realistic opportunities. This would not be a legal opinion.
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150 Lisa Eastland, Planning Board alternate member, stated that, while more information is
151 always valuable, the Planning Board has already gotten a legal opinion on this matter.
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153 Selectman D'Angelo explained that, while NRPC's opinion will not be a legal one, it will
154 be able to be shared with the public, which the town attorney's legal opinion will not.
155

156 In response to a question from Selectman Panasiti, Town Administrator Shankle
157 explained that the workforce housing ordinance predates the IIHO and is essentially the
158 same now as it was before the IIHO was enacted. The IIHO beefed up the ordinance and
159 gave some additional caveats to it. Most of the density bonuses in the IIHO don't relate to
160 affordable housing, and most of the developments proposed under the IIHO are not
161 affordable housing. He believes people will want to know if the town needs the IIHO in
162 order to be compliant before voting in March.
163

164 Chairman Lyon stated that he is hesitant to step on the Planning Board's territory, but
165 also believes this opinion could contain useful information.
166

167 Town Administrator Shankle stated that it is the Board of Selectmen's responsibility to
168 make sure the town complies with state law.
169

170 *A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to allow*
171 *the Town Administrator to explore with NRPC any potential impact of either eliminating*
172 *the IIHO or capping the IIHO bonuses to 35% on the Town's ability to provide realistic*
173 *opportunities for the development of workforce housing to comply with "fair share," and*
174 *to enter into an agreement with NRPC if the Town Administrator deems appropriate.*
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176 In response to a question from Selectman Brew, Jay Minkarah stated that the report
177 reviewed by the Board today cost \$1,500 and that he does not believe the requested
178 report will cost substantially more than that.
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Voting: 5-0-0; motion carried unanimously.

6. Administration

6.1 Administrator's Report

Town Administrator Shankle stated that he and Nic Strong are ready to bring the Town Planner candidate to the Board. He also explained that he received a letter from Hollis thanking Building Inspector, Scott Tenney, for his assistance during their town building inspector's leave. The Congregational Church of Amherst has installed a frame acknowledging the grant that the Bertha Rogers Trust Fund awarded to the Church for financial support of its new fire suppression and alarm systems. He explained that Planning Board members will be getting separate town email address. The cost for 10 of these is \$310/year. He also mentioned that the town is moving forward with the purchase of Buckmeadow by going through a series of due diligence items.

6.2 February 18, 2020 Meeting Reschedule

The Board discussed that the next meeting will be on February 17, 2020. The Board will also meet on March 9, 2020 and March 23, 2020 for public hearing due to the purchase of Buckmeadow. The Board will also meet on March 30, 2020.

6.3 Use of Town Common Request – PIV, Family Fun Day

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to approve the Preschool in the Village request to use the Town Common for their annual Family Fun Day on Saturday, May 16, 2020.

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

6.4 Review of Boards/Committees/Commissions Positions

The Board reviewed the list of term expirations for Boards/Committees/Commissions. The Board agreed to review these after the March elections. Chairman Lyon suggested that the Board outline a process for this review. He also suggested that interested parties and incumbents write a short letter of interest to be submitted by March 31, 2020. Selectman Brew also suggested that the positions be listed on the town website in order to drum up interest.

6.5 Raffle Permit Applications

A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to allow the sale of raffle tickets at the Presidential Primary Election, February 11, 2020 at the polling place, Souhegan High School, to benefit the Souhegan High School Parent, Teacher, Student Association, subcommittee, Project Graduation.

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

A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to allow the sale of raffle tickets at the Presidential Primary Election, February 11, 2020 at the polling place, Souhegan High School, to benefit the Souhegan High School Parent, Teacher, Student Association.

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

7. Staff Reports

7.1 DPW Internal Hire, Promotion

DPW Director, Eric Hahn, stated that the Road Foreman position was posted, four candidates were interviewed, and an internal candidate was chosen.

A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to promote Jeff Caswell to DPW Road Foreman and that the vacancy created by his promotion is authorized to be filled.

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

7.2 DPW New Hire, Part Time

DPW Director Hahn explained that there is a vacancy at the transfer station. This hire will fill the Saturday schedule, but someone is still needed for the other days.

A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo that Frederick Lamb be hired as a part time attendant for the transfer station, effective 02/10/2020.

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

7.3 BLCS Committee Applicants

DPW Director Hahn stated that the Baboosic Lake Community Septic committee (BLCS) was solicited to the connected residents. He is hoping to appoint the first two and come back for the third. The Board chose the appointee term dates by lottery.

A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to appoint Susan McCarthy to a two-year BLCS committee appointment, expiring 2022.

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

A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to appoint Bruce Bowler to a three-year BLCS committee appointment, expiring 2023.

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

7.4 U.S. Census Boundary Validation

A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo for the Chairman of the Board of Selectmen to sign the US Census Bureau Boundary Validation Program form indicating our legal boundaries are correct and the Town Administrator submit the completed form to the Census Bureau.

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

7.5 AFR Vehicle Replacement

Fire Chief, Matt Conley, explained that Amherst Fire is recommending the purchase of a Toyne Engine Pumper. This was the lowest of three received bids, at \$567,833.03. He explained that this truck will be to replace that 1994 Fire Engine. The 1991 engine will also need to be replaced within the next couple of years.

The Board discussed the price points for prepaying for the chassis and the performance bond.

In response to a question from Selectman Brew, Chief Conley stated that it will probably be about one year before the truck is built and to the Department.

In response to a question from Selectman Brew, Chief Conley stated that this is a very good quality truck and that there were no concerns at all about it. John Bowler explained that the Department would like to start to standardize the fleet towards this brand. This would allow for all of the trucks to have similar components for continuity.

Chief Conley explained that the truck will come prepped with radio antennas. He will then come back to the Board with estimates for the radio cost and install cost.

Selectman D'Angelo stated that the current trucks in the fleet are 12 years and then six years apart in age. He suggested that when looking to replace the fourth truck, the Department look into a used truck in its midlife. This way the Department should be replacing a truck every 5-7 years regularly. John Bowler stated that they would take this idea into account, but that the used vehicle market is currently very limited.

In response to a question from Selectman Panasiti, Chief Conley stated that most everything on the truck will be galvanized, and, if not, power coated.

The Board agreed to hear more information from Chief Conley regarding the exact cost for each option for the proposed truck at a later meeting.

7.6 MOU – Souhegan Cooperative Communications Network

Chief Conley explained that Bedford has drafted a Memorandum of Understanding for the Board to review. This is for the key agencies to establish a board to protect what has been installed for the purposes of increased mobile and portable radio coverage as well as redundant coverage for the dispatch centers part of the Souhegan Cooperative Communications Network. For the first year this network is estimated to cost about \$10,000; this will be split between the five towns, at \$2,000 each.

In response to a question from Chairman Lyon, Chief Conley explained that this network has existed since 2013.

Town Administrator Shankle stated that he would feel better if the town was in 100% control of their part of this and not 1/6, or 1/7 in control. He would like to better understand the benefit of this to Amherst.

In response to a question from Selectman D'Angelo, Chairman Lyon stated that there is an option to leave the agreement at the end of a fiscal year, if it gives 12 months' notice.

The Board agreed that they would like more information regarding the MOU and to also hear from Police Chief Reams.

8. Approvals

8.1 Assessing

A MOTION was made by Selectman Brew and SECONDED by Selectman D'Angelo to approve and sign the Veteran Tax Credits (Tax Year 2020) for:
Property Map/Lot 004-091-002 in the amount of \$500.00
Property Map/Lot 005-004-001 in the amount of \$500.00
Property Map/Lot 008-049-055 in the amount of \$500.00
Voting: 5-0-0; motion carried unanimously.

A MOTION was made by Selectman Brew and SECONDED by Selectman D'Angelo to approve and sign the Veteran Tax Credits (Tax Year 2021) for:
Property Map/Lot 005-166-002 in the amount of \$500.00
Property Map/Lot 017-009-000 in the amount of \$500.00
Voting: 5-0-0; motion carried unanimously.

A MOTION was made by Selectman Brew and SECONDED by Selectman D'Angelo to approve and sign the All Service Veterans' Tax Credits (Tax Year 2021) for:
Property Map/Lot 002-166-045 in the amount of \$500.00
Voting: 5-0-0; motion carried unanimously.

A MOTION was made by Selectman Brew and SECONDED by Selectman D'Angelo to approve and sign the Solar Exemption for:
Property Map/Lot 005-166-002 in the amount of \$13,200.00
Voting: 5-0-0; motion carried unanimously.

8.2 Eversource Petition & Pole License

A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to approve the Petition & Pole License PSNH #12-1478 for placement of one (1) utility pole on Stearns Road and to authorize the Board of Selectmen to sign the document on behalf of the Town of Amherst.
Voting: 5-0-0; motion carried unanimously.

8.3 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 \$226,728.33 dated January 30, 2020, subject to review and audit.
Voting: 5-0-0; motion passed unanimously.

8.4 Accounts Payable

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY20 Accounts Payable Manifest in the amount of \$35,099.55, dated February 5, 2020, subject to review and audit.
Voting: 5-0-0; motion passed unanimously.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY20 Accounts Payable Manifest in the amount of \$31,273.46 dated February 5, 2020, subject to review and audit (Town Clerk Transfers to the State of NH).
Voting: 5-0-0; motion passed unanimously.

*A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY20 Accounts Payable Manifest in the amount of \$207,854.23 dated February 4, 2020, subject to review and audit.
Voting: 5-0-0; motion passed unanimously.*

*A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY20 Accounts Payable Manifest in the amount of \$82,526.66 dated February 5, 2020, subject to review and audit.
Voting: 5-0-0; motion passed unanimously.*

*A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY20 Accounts Payable Manifest in the amount of \$2,856,178.00 dated February 3, 2020, subject to review and audit. (School Disbursements)
Voting: 5-0-0; motion passed unanimously.*

8.5 Previous Meeting Minutes – January 27, 2020

*A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo, to approve the Board of Selectmen meeting minutes of January 27, 2020 as presented.
Voting: 5-0-0; motion passed unanimously.*

9. Action Items – the Board reviewed its action items.

10. Old/New Business

The Board discussed the times that each Selectman would be available at the polling place on Voting Day.

*A MOTION was made by Selectman Grella and SECONDED by Selectman D'Angelo to adjourn the meeting at 9:11pm.
Voting: 5-0-0; motion carried unanimously.*

NEXT MEETING: February 17, 2020

Selectman Reed Panasiti

Date