# Call to Order

Chairman Peter Lyon called the meeting to order at 6:00 p.m.

Attendees by Zoom conference call: Chairman Peter Lyon, Selectman Dwight Brew, Selectman Reed Panasiti, Selectman John D’Angelo, and Selectman Tom Grella.

Also present: Town Administrator Dean Shankle and Kristan Patenaude, recording secretary

Other attendees and the public accessed the meeting via Zoom.

# Non-Public Session, RSA 91-A:3 II.(e)

*A MOTION was made by Selectman D’Angelo and SECONDED by Selectman Panasiti that the Board of Selectmen enter Non-Public Session under RSA 91-A:3 II.(e).*

*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.*

The board entered non-public session at 6:04 p.m.

No motions were made and no actions were taken.

*A MOTION was made by Selectman Panasiti and SECONDED by Selectman D’Angelo that the Board of Selectmen exit Non-Public Session.*

*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.*

The board exited non-public session at 6:32 p.m.

The board resumed public session at 6:34 p.m.

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

Utilizing Zoom teleconferencing for this meeting. All members of the Board have the ability to communicate during the meeting through this platform and the public has access to contemporaneously listen and if necessary, participate in the meeting by dialing +1 301 715 8592 and using a webinar ID of 885-0797-7228 or by using the link contained in the agenda posted at amherstnh.gov.

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

All votes will be taken by roll call and for ease, in alphabetical order.

Lastly, the meeting is being recorded and will be replayed on ACATV.

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

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

# Citizen’s Forum

Donald Holden, 20 Fells Drive, explained that, as a Trustee of the Facilities for the Congregational Church, the group is putting together an application for a grant from FEMA that is being offered for houses of worship. The deadline for applying is April 9, 2021. The Church applied for this grant last year but was not selected. He is requesting a letter of support from the Board, endorsing the application. The funds from this grant will be used to improve the security of the Church facilities, including motion detectors, ground window sensors, panic buttons, etc. He has completed a security walk-through with Mike Knox, of the Amherst Police Department, and someone from American Security. He is waiting to receive an estimate for the proposed improvements cost from American Security.

In response to a question from Chairman Lyon, Donald Holden confirmed that the Town does own the steeple part of the Church and that it might also have interest in this project as the Church is located in the Town.

In response to a question from Chairman Lyon, Donald Holden stated that there is no financial commitment on behalf of the Town with the submittal of this letter. If awarded the grant, the Church will do the work and then be reimbursed by FEMA.

Selectman Brew stated that he believes this grant application is a good idea for the safety of the Church staff, as well as the Preschool in the Village students, located inside the Church. It will also help to protect the Town-owned steeple.

Selectman D’Angelo agreed.

In response to a question from Selectman Grella, Donald Holden stated that there are two doors in the Church to access the steeple, both are secured with locks. If an unauthorized person was to access the steeple, the proposed security measures would allow this to be noticed and for someone to be alerted.

Selectman Panasiti stated that he believes this grant application is a win/win.

Donald Holden explained that the grant is for up to $100,000 projects, with $1.5M available in the State of NH. The Church will probably be requesting approximately $30,000 for this project.

*A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti that the Board of Selectmen support the FEMA grant application, on behalf of the Congregational Church to provide increased security, and that the Chair sign on behalf of the Board.*

*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.*

# Scheduled Appointments

## Conservation Commission Forest Management Plan, Jared Hardner

Jared Hardner and Rob Clemens joined the Board to present the Amherst Conservation Commission’s (ACC) Forest Management Plan.

Jared Hardner explained that the purpose of the Forest Management Plan is to layout the ACC’s intent and describe the forests in Town. Amherst has 12 major forest areas that are operable, totaling approximately 1,800 acres. The Plan has three main objectives: 1) conserve native biodiversity; 2) maintain or improve recreational areas, natural aesthetics, and wildlife viewing opportunities; 3) generate revenue. The current Plan covers 2020-2040.

Jared Hardner noted that it is important to remember that Amherst’s forests generally occur on abandoned agricultural and grazing lands. These are mid-aged forests that do not experience a great deal of tree mortality or blowdowns. These forests are not very diverse and do not have the same wildlife composition as older forests. The ACC is still unclear as to what the optimal distribution of forests should be but has continued to consult with the County Forester and UNH. Currently, the plan is to focus future management interventions on sustaining the forest ecosystems and the forest-dependent species they support. This area of the State has large contiguous blocks of forest, which is good. Over the next 20 years, the ACC will work to determine which interventions are most effective. One option for these interventions is a shelterwood forest, which will leave selected large oaks (for example) and clear out the rest of the species until there is some amount of appropriate recruitment of the species sought. The ACC will continue to do smaller interventions and take an adaptive approach.

Jared Hardner explained that the ACC surveyed its forests in 2018-2020. The data for the field surveys of approximately 200 forest stands has been loaded into GIS. This allows for easy visualization and rapid analysis of over 40 different variables. The following intervention types will be examined: 1) Control invasive species via herbicidal and mechanical treatments; 2) Diversify age classes via group-selection harvests and shelterwood; 3) Reduce stand densities via thinning harvests; and 4) Establish sites for protection of old growth forests.

Dwight Brew noted that the ACC will need to look years ahead in order to try to change the mix of tree ages within a forest stand. He suggested that the ACC use examples of places around Town that these types of interventions have been done before, to show the public that areas grow back after cuts are made.

In response to a question from Dwight Brew, Jared Hardner explained that a shelterwood intervention would remove approximately 90% of trees from an area. This would occur on larger parcels of land, probably closer to 10 acres.

In response to a question from Selectman D’Angelo, Jared Hardner stated that areas where interventions are done will be monitored. General updates to the GIS data will also take place; the Plan will be updated with that note.

In response to a question from Selectman Panasiti, Jared Hardner explained that cuts remove some of the woody biomass from an area, which could help with fire hazard concerns. Some of the biomass is also chopped up and put onto the ground, in order to create a more complex habitat for wildlife.

In response to a question from Chairman Lyon, Jared Hardner explained that the interventions laid out will pay for themselves. Any additional funds will go into the Conservation Fund.

Rob Clemens noted that the Town voted a couple of years ago to give 100% of the LUCT funds to the ACC’s Conservation Fund. This has helped to launch items like this Plan forward. He appreciates the support of the Town and the Board. He also noted that many of the forested lands in Town are in private ownership. The ACC is consulting with the County Forester to determine how to help private landowners manage these forests.

# Administration

## Administrative Updates

Town Administrator Shankle explained that the State Economic Reopening Task Force has been discussing that positivity rates are declining, and vaccination rates are increasing. The Town has continued to assess reopening, including looking at coordinating hybrid meetings.

## PILOT agreement with Parkhurst Place

Chairman Lyon stated that, as a part of the Board’s periodic review of PILOT (Payment In Lieu of Taxes) agreements with qualifying property owners in Town, organizations such as churches and charities, the Board has completed review work of the Parkhurst Place Senior Living Facility on Veterans Road. Due to the fact that that review identified a concern with the structure of ownership which included a private investment group, the Board worked closely with Parkhurst Place and the Souhegan Valley Interfaith Housing Corporation (SVIHC) in order to reach a new PILOT agreement with the charitable organization, SVIHC; SVIHC being a group of Amherst residents and various local churches which was formed some twenty years ago in order to provide affordable housing for senior Amherst residents. Following considerable effort by both the Board and SVIHC, and a restructuring of ownership which no longer includes private investors, there is now a newly proposed PILOT in front of the Board for approval, which reflects changes in ownership consistent with state statute, mechanisms for continuous Town review and a return to the same financial formula for the annual payment in lieu of taxes. That formula includes the payment of municipal, non-school, and county taxes annually.

Selectman Brew pointed out that SVIHC is a non-profit organization in New Hampshire.

*A MOTION was made by Selectman Brew and SECONDED by Selectman D’Angelo to approve the attached Payment In Lieu of Taxes with Souhegan Valley Interfaith Housing Corp.*

*Selectman D’Angelo noted that SVIHC has existed for over 20 years. The law has changed, realigning the ownership structure, but this is essentially the same deal moving forward.*

*Selectman Panasiti agreed that this agreement is best for the Town and Parkhurst Place. He thanked Chairman Lyon for his work on this item.*

*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.*

**5.1 Administrative Updates**

Town Administrator Shankle introduced the new Finance Director, Laurie May to the Board.

Laurie May explained that she worked in the Town of Rindge as the Finance Director for the past four years and in the town of Peterborough for the prior 16 years. She has enjoyed working for Amherst and enjoys being in the Town.

The Board welcomed Ms. May.

# Staff Reports

## Forestview Cemetery, Andrew Mullin Eagle Scout Project

Selectman Brew explained that Andrew Mullin, of Troop 4 in Milford, has offered to build a circular seating area at Forestview Cemetery. The seating area will consist of two granite benches and a flagpole. He noted that Andrew Mullin has been working with the Cemetery Board of Trustees and the DPW on this project. The hope is to have the project complete in time for a public flag raising on Flag Day, June 14, 2021. A number of local businesses, civic organizations, and individuals are aiding Andrew in this project. The Board will need to accept this as a gift to the Town, once completed.

*A MOTION was made by Selectman Brew and SECONDED by Selectman Grella that the Board support the Eagle Scout project, 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.*

## Road Reconstruction - RFP award

DPW Director, Eric Hahn, explained that the road reconstruction bid for this year has different stipulations than in the past, due to the fact that the Town vote on the budget was pushed out. This RFP reserves the right for the Town to change the segments completed, either by adding or subtracting them, even after the contract is awarded/signed. This RFP lists 12 roads and segments in Town.

Eric Hahn explained that only one bid was received in writing, from Continental Paving. However, two companies actually showed up to the bid opening, Continental Paving and Pike Industries. The representative from Pike Industries stated that the company was very interested but couldn’t submit a bid unfortunately because it couldn’t find a suitable partner in this area. If the Town were to choose to do every road, as listed in the RFP, it would cost approximately $1.5M. This is within the Town’s means, even if a default budget is voted on. He is recommending that the Town choose to pave Christian Hill, Dodge Blueberry and Bayberry Roads. This will cost approximately $1.15M. He is asking for authorization to expand up to $1.3M, in case there are any delays or other increases.

Eric Hahn explained that there is still $521,000 left in the road reconstruction budget this year. If the budget passes, there will be an additional $1.3M available on July 1, 2021. In the worst-case scenario, the Town will spend $1.3M on road reconstruction, but still have $521,000 left to spend next year. If reconstruction of Christian Hill, Dodge, Blueberry and Bayberry Roads are completed in a timely fashion, the Town could add more roads from the RFP list. In this case, he would recommend adding Manhattan Drive and Caldwell Drive.

Assistant DPW Director, Eric Slosek, reviewed a list of differential construction costs from 2020 to this year.

Dwight Brew noted that Continental Paving was selected to award the bid to a few years ago. That contract has since been extended once or twice, with unit pricing kept the same. He thinks that, while the approach to maintain maximum flexibility in the RFP is reasonable, it may have had unexpected consequences. This may have contributed to there being only one bidder. He is interested in knowing what the cost differences are for the listed roads using last years unit pricing versus the new Continental proposal. He questioned why the Town is only getting one bidder for this RFP, when there were multiple bidders a few years ago. He wondered if listing that the Town can change the combination of roads limited the number of bidders.

Eric Hahn stated that it is unclear why there was only one bidder for this RFP. He noted that Continental Paving as won the competitive bidding projects since 2011 for the Town.

In response to a question from Selectman Brew, Eric Hahn stated that he believes the minimum number of bidders there has ever been during that time was two, possibly three.

In response to a question from Selectman Brew, Eric Hahn stated that he is unsure if delaying the decision on this item will put the Town at a disadvantage. These companies are booking up work. The Town may have to put out a new RFP.

In response to a question from Selectman D’Angelo, Eric Hahn stated that he did not run the new RFP by anyone before sending it out to bidders.

Selectman D’Angelo suggested that, with changes of this magnitude, the RFP should be sent out to someone in Town for review. He explained that the structure of this RFP is very Amherst-friendly, but not necessarily very vendor-friendly. He believes the RFP needs to be a fair shake for the vendor as well. He encouraged a more standard RFP for next year. He questioned why Eric Hahn is not requesting $1.5M from the Board in order to complete all of the segments listed in the RFP, especially if $421,000 will still carry over to next year’s budget.

Eric Hahn stated that all of the numbers are based on estimates and he is uncertain if they may be off by some amount. He would also like to see what happens with the TAP Grant, as some of the roads are also listed in that grant.

Selectman Grella stated that he would like to go with the $1.5M figure and focus on the facts and figured supplied by Continental.

Selectman Panasiti stated that the RFP isn’t great and that there seems to be issues with the bidding process. He suggested that Town Administrator Shankle contact the other possible bidders to find out why they didn’t submit bids. He noted that there may need to be a new RFP made available to all bidders.

Chairman Lyon stated that the RFP was not written with the purpose of only getting a single bidder. He is inclined to go back out with a new RFP but is concerned with putting the Town in a worse situation.

Town Administrator Shankle stated that he is willing to discuss the RFP with the other potential bidders. He believes the Town needs to be able to go into an RFP in the future without worrying about having the money for the contract. He also noted that this RFP can barely be defined as a contract.

Chairman Lyon noted that this is a difficult year because the Town vote was moved back.

Selectman Brew suggested that the RFP be written so that there’s a period of performance laid out – either January 1 – December 31, or July 1 – June 30.

Eric Hahn stated that this RFP does state that all work needs to be completed by December.

Selectman Brew stated that he doesn’t understand how it can be said that these prices are reasonable or not much higher than last year, because last year’s prices have not been applied to this year’s roads.

Eric Hahn agreed to work on getting those numbers to the Board by next week. Town Administrator Shankle agreed to try contacting the other possible bidders. The Board agreed to meet to discuss this next Monday at 4pm.

## Utility Revaluation Bid

Gail Stout, Tax Collector, explained that the Town is currently going through its revaluation process. There was an RFP sent out for the revaluation of utilities in Town. Out of five bidders, two bids were received; the lowest bid came in at $7,800 for a one-year contract. She is suggesting that the Board approve a five-year contract, with proceeding years to include updates to new equipment.

*A MOTION was made by Selectman Panasiti and SECONDED by Selectman D’Angelo to award the bid for the Utility Revaluation to Scott W. Bartlett, CNHA, in the amount of $22,800 for the tax year 2021 through 2025 with payments broken down as follows: 2021 - $7,800; 2022 - $3,750; 2023 - $3,750; 2024 - $3,750; and 2025 - $3,750.*

*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.*

## Police Station Renovation CRF Withdrawal Request

*A MOTION was made by Selectman Panasiti and SECONDED by Selectman D’Angelo to approve and sign for the withdrawal of $609,000 from the Police Station Renovation Capital Reserve Fund for the first four AIA requests.*

*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.*

# Approvals

## Assessing

*A MOTION was made by Selectman Brew and SECONDED by Selectman D’Angelo to approve the 2020 abatement request for Map 003 Lot 032-003 in the amount of $101.00.*

*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 Brew and SECONDED by Selectman D’Angelo to grant the abatement in the amount of $100.00 for Map 004, Lot 044-000.*

*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 Brew and SECONDED by Selectman Panasiti to approve the 2020 abatement for Map 001 Lot 005-001 in the amount of $2,734.*

*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 Brew and SECONDED by Selectman Panasiti to approve and sign the Timber Tax Levy and Certification of Yield Tax in the amount of $429.41 for Map 003, Lot 032-002.*

*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 Brew and SECONDED by Selectman D’Angelo to approve the BTLA settlement for Map 002, Lot 066-001 for tax year 2019 and 2020.*

*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.*

## Payroll, AP and Minutes Approvals

*A MOTION was made by Selectman D’Angelo and SECONDED by Selectman Panasiti to approve one (1) FY21 Payroll Manifest in the amount of $215,291.55 dated March 11, 2021, 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 $48,629.00 dated March 5, 2021, subject to review and audit.*

*By roll call vote: Selectman Brew – aye; Selectman D’Angelo – aye; Selectman Grella – aye; Selectman Panasiti – yes; 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) FY21Accounts Payable Manifest in the amount of $44,057.36 dated March 10, 2021, 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 Panasiti and SECONDED by Selectman D’Angelo to approve the meeting minutes of March 9, 2021, 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.*

# Action Items

The Board reviewed its action items.

# Old/New Business

Selectman Brew explained that the Master Planning Steering Committee put out an RFP to get help on the rest of the Master Plan process. Three bidders responded. The Master Planning Steering Committee will interview two of the bidders on Monday and one on Tuesday, all via Zoom at 6:30pm. The Committee will then meet to decide which bidder and approach to take.

Selectman Brew noted that he and Town Administrator Shankle are working with four members of the July 4th Committee to form an agreement regarding the authority of the Committee and a charter of procedures. He requested that the Board discuss this at its next meeting.

Selectman D’Angelo explained that Amy Facey, Chair of the SAU School Board and of the Joint Facilities Advisory Committee has resigned to take over as the SAU’s Business Administrator.

Selectman Grella stated that construction has begun at Forestview Cemetery. It is expected to be completed within three weeks/

Chairman Lyon noted that there has been no decision yet regarding July 4th activities for the Town. He will be touring the Clark School on Monday with the Joint Facilities Committee. It has been determined that the school will not be used in the future and will need to be disposed of. The SAU is considering offering it to the Town. Selectman D’Angelo noted that the building is in need of extensive updated.

*A MOTION was made by Selectman D’Angelo and SECONDED by Selectman Panasiti to adjourn the meeting at 8:26pm.*

*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, April 12, 2021**

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*Selectman Reed Panasiti* *Date*