1. **Call to Order**

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

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 861-3978-6291 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.*

1. **Citizen’s Forum - none**
2. **Scheduled Appointments**

**3.1 Chris Buchanan for BPAC**

Chris Buchanan, Chair of the Bicycle and Pedestrian Advisory Committee, explained that the application deadline for the TAP Grant has been set for March 19, 2021. In order for an application to be considered, the Board of Selectmen must vote to support the application and submit a letter stating such. The project proposed is essentially the same as what was proposed at the last Board meeting. He asked the Board to consider supporting the BPAC’s application for the TAP Grant.

In response to a question from Chairman Lyon, Chris Buchanan explained that the letter of interest does not commit the Town to anything. The application will be evaluated by the Regional Planning Commission and grants will be awarded in June. If the Town’s application is selected for a grant, municipal agreement would be necessary in October. DPW Director, Eric Hahn added that, if Warrant Article funds are needed to complete the proposed project, the grant can be made available to those awarded in next March. Most TAP Grant projects take between 2-4 years to complete.

In response to a question from Selectman Brew, Chris Buchanan explained that the total proposed project costs approximately $960,000. If federal funds are awarded, this total would be approximately $770,000, leaving the municipal burden at approximately $192,000. If the Town is able to incorporate some of this project into already scheduled road construction, the cost could be even less to the Town. Chris Buchanan stated that the Town looks to only gain from this application, if awarded, financially. Chris Buchanan noted that the scope of the project can be adjusted after the grant is awarded.

In response to a question from Selectman Grella, Eric Hahn stated that construction on any piece of the project cannot be started prior to the grant being awarded.

In response to a question from Selectman Panasiti, Eric Hahn stated that if the Warrant Article for this project fails, but the TAP Grant is approved, the road rebuild schedule may need to be adjusted slightly or there may be a slight delay in the project. If the grant is received, it is generally best to show that some progress is being made with the funds. If the Warrant Article passes, it could allow for some preliminary engineering to be completed.

*A MOTION was made by Selectman Panasiti and SECONDED by Selectman Brew to support the application for the TAP Grant and to authorize the Chair to sign a letter for such.*

*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.*

**3.2 Bill Smith regarding Old Milford Road**

Bill Smith, 19 Old Milford Road, addressed the Board regarding drainage issues at his property. He explained that during moderate rains or during snow melts, the culvert near his house drains to his property and saturates the yard. This creates a flow over his driveway and onto the back of his property. There is no drainage ditch to divert the water flowing down his side of the road. He believes that the overly saturated ground caused a tree to fall on his house a couple of years ago. There are other rotting trees in the front of his property, and he has taken down 25 trees in fear of them falling. He believes that he has gone over and above as a property owner to deal with this. He has reached out to the DPW a few times and mostly been ignored. He requested that the Board help mitigate this problem.

Eric Hahn stated that he has empathy to the homeowner, but that he cannot do anything about this problem in the short term. The topography of the land in this area leads to the water draining directly to this property. The Town is obligated, per State law, not to change the course of a natural streambed. The water flow that exists prior to a road being put in place must be maintained during the life of the road. The best he could do would be to tie the culvert in front of Mr. Smith’s house to the other culvert when the road is rebuilt, but this leads to other issues and places a burden on abutters. DES will not let him, or the homeowner redirect the course of the streambed.

Mr. Smith questioned why the Town allowed for a house to be built on this property in 1988 if this issue was not going to be fixable. He believes that the Town approved the building permit with this knowledge and so sort of helped create this problem. He noted that he almost lost his life when the tree fell onto his house due to the water that flows directly onto his property. He questioned what else can be done.

In response to a question from Chairman Lyon, Eric Hahn stated that Old Milford Road is approximately 200 years old. The drainage of this road has remained unchanged since the 1930’s.

Eric Hahn stated that he would happily sit down with Mr. Smith to discuss other possible options. He will meet with Mr. Smith and offer suggestions that are allowable under RSAs.

Selectman Brew stated that he is very sympathetic to Mr. Smith’s situation. Some of Amherst’s lands are wet and considered not buildable, while others are wet but still buildable. This is a challenge for builders if they decide to develop these lots. He understands Eric Hahn’s point, in that water flows downhill. He is hopeful that the meeting between Mr. Smith and Eric Hahn will result in some amount of satisfaction for the homeowner.

Selectman D’Angelo also sympathized the Mr. Smith. He noted that he had similar issues that he spent the money to fix on his own property.

Town Administrator Shankle suggested that someone from the Conservation Commission also sit in on the meeting.

In response to a question from Selectman Panasiti, Eric Hahn explained that the culvert in question is manmade, and made of reinforced concrete. It should have a lifespan of 70-80 years. Eric Hahn noted that during a road rebuild, he could possibly move the culvert slightly, except that the culvert would have to remain outflowing on Mr. Smith’s property, so that it would not cause an issue to his neighbor’s property. Any change would need to comply with DES regulations.

In response to a question from Mr. Smith, Eric Hahn stated that he believes Old Milford Road is do for reconstruction in 4-5 years.

1. **Administration**

**4.1 Administrative Updates**

Town Administrator Shankle explained that the new Finance Director, Laurie May, is due to start on Monday. She will be starting at Grade 9, Step 2 – or $3,164/biweekly.

*A MOTION was made by Selectman Brew and SECONDED by Selectman D’Angelo to approve the hiring of Laurie May as the new Finance Director, at Grade 9, Step 2, starting next Monday.*

*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.*

Town Administrator Shankle noted that the State distributed 12,000 Johnson & Johnson COVID-19 vaccine doses at NH Speedway last weekend. The State is preparing to vaccinate groups 2A and 2B soon.

Town Administrator Shankle stated that the NH unemployment rate dropped 3.6% in January from 16% last April.

Town Administrator Shankle explained that the Town is in Phase I of its statistical revaluation of property process. Data is currently being collected. Due to the cyclical evaluation process, some property owners may be called up to three times for different items. This year only exterior inspections will be done, with internal information being confirmed at the door or by mail. All staff and vehicles have identification.

**4.2 Easter Egg Hunt**

Town Administrator Shankle explained that the Junior Women’s Club would like to hold its annual Easter Egg Hunt. This year’s event will be a drive-through and pick-up event. A maximum of 100 cars are eligible for pre-registration for the event.

*A MOTION was made by Selectman Brew and SECONDED by Selectman Panasiti to* *allow the Amherst Jr. Women's Club to run their annual Easter Egg event on the Town Green on March 27th, 2021 from 9:00 am to 12:00 noon as outlined in the information provided by the Recreation Department.*

*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.*

**4.3 Amherst Return of Funds, New Hampshire Interlocal Trust**

Town Administrator Shankle stated that the Town’s health insurance company is returning $71,450.16. The Town needs to decide if it would like this as a one-time payment, or as a return applied as a “Premium Holiday” to members’ contributions.

*A MOTION was made by Selectman Brew and SECONDED by Selectman Grella to allow the Town Administrator to fill out and sign the NHEIT Return of Funds form and select the “one-time payment by check” option.*

*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.*

**4.4 Planning Board, Lot 8-47**

Town Administrator Shankle explained that Lot 8-47 is a backlot without frontage on a Class 6 road. The Board needs to approve a building permit for the Lot and to accept a Waiver of Release form from the property owner. The lot owner already appeared before the Zoning Board of Adjustment (ZBA) to receive a variance, which was granted. The landowner also went before the Planning Board for review of this item and comments were sent to the Board for review.

Attorney Tom Quinn, Esq., explained that this lot dates back to the 1930’s and has always been serviced by a 15’ right of way easement. The variance that was granted allowed the lot to be made larger, but it is still a non-conforming lot. The intent of this project is to construct a residence, with access to it over the existing right of way.

In response to a comment by Selectman Brew, Attorney Quinn agreed that the Board must accept the Waiver of Release of Liability form as a requirement for the Town to issue a building permit.

In response to a question from Selectman D’Angelo, Attorney Quinn noted that he will send this iteration of the waiver to Town Counsel for review.

*A MOTION was made by Selectman Brew and SECONDED by Selectman D’Angelo that the Board of Selectmen authorize the issuance of a building permit, once the Waiver of Liability has been approved by Town Counsel and recorded with the Registry of Deeds.*

*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.*

**4.5 Pulpit Road Release of Liability**

Town Administrator Shankle suggested that the Board send this item to the Planning Board and the Community Development Office for review and comment. The Board agreed to do so.

1. **Staff Reports**

**5.1 Bean Foundation Grant Award**

Town Administrator Shankle explained that the Town was awarded a $40,000 grant for the Recreation Department to renovate the Buck Meadow clubhouse. As this is unanticipated revenue, there must first be a public hearing, before the grant money can be accepted. This will happen at a future Board meeting.

**5.2 Joshua’s Park Goes Undercover Fundraiser**

Town Administrator Shankle explained that a fundraising committee is looking into raising funds to build shaded structures at Joshua’s Park. The cost of this project is unclear at this time. The Board will hear more about this in the future.

**5.3 Acceptance of Snowmobile Donation**

Town Administrator Shankle explained that the Dutremble family was kind enough to donate a snowmobile so that the Recreation Department can continue to groom the snowshoe and cross-country skiing trails on the Buck Meadow property.

*A MOTION was made by Selectman Panasiti and SECONDED by Selectman Grella to accept the Dutremble family' s donation of the 2001 Polaris 440 Snowmobile to the Parks and Recreation Department for the purpose of grooming the trails at Buck Meadow Conservation and Recreation Area.*

*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.*

**5.4 Mechanics Garage Foundation Bids**

Eric Hahn explained that the Board of Selectmen approved the purchase of a mechanic’s garage last year. The funds were encumbered, and foundation plans have since been received. The project was put out to bid and he is requesting that the Board award the bid to the lowest, qualified bidder. The structure will need to be erected prior to June 30, 2021.

In response to a question from Selectman Grella, Eric Hahn stated that he is not planning to seal the concrete. The proposed concrete is 4” thick and essentially waterproof. This is basically impervious surface. There will be no floor drains installed.

*A MOTION was made by Selectman D’Angelo and SECONDED by Selectman Panasiti to award the Mechanics Building Foundation construction bid for RFP 03-21 to Leighton A. White for $81,465.00.*

*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.*

1. **Approvals**

**6.1 Baboosic Lake Community Septic Warrants**

*A MOTION was made by Selectman Brew and SECONDED by Selectman D’Angelo to approve and sign the Quarterly Warrants for the Baboosic Lake Community Septic, invoices due April 1, 2021, as follows:*

*Phase I in the amount of $ 2,011.32*

*Phase II in the amount of $ 5,459.22*

*Phase III in the amount of $ 6,749.72*

*Phase IV in the amount of $ 4,817.15*

*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.*

**6.2 Assessing**

*A MOTION was made by Selectman Brew and SECONDED by Selectman D’Angelo to deny the 2020 abatement request for Map 001 Lot 010-012.*

*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 deny the abatement for Map 001, Lot 012-000-018.*

*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 2020 abatement for Map 001 Lot 013-003 in the amount of $122.*

*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 Land Use Change Tax in the amount of $17,500.00 for Tax Map 004 Lot 147-003.*

*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 Land Use Change Tax in the amount of $17,500.00 for Tax Map 004 Lot 147-004.*

*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 Land Use Change Tax in the amount of $13,300.00 for Tax Map 006 Lot 079-010.*

*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 Land Use Change Tax in the amount of $13,300.00 for Tax Map 006 Lot 079-011.*

*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 Land Use Change Tax in the amount of $13,300.00 for Tax Map 006 Lot 079-012.*

*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 Land Use Change Tax in the amount of $13,300.00 for Tax Map 006 Lot 079-013.*

*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 All-Service Veterans' Tax Credit for tax year 2021 on the following map and lot number:*

*MAP/LOT AMOUNT 017-017-000 $500.00*

*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.*

**6.3 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 $223,857.01 dated February 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 Payroll Manifest in the amount of $232,444.87 dated February 28, 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) FY21 Accounts Payable Manifest in the amount of $3,266,428.00 dated February 1, 2021, subject to review and audit (School Disbursements).*

*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 $212,999.03 dated February 2, 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) FY21 Accounts Payable Manifest in the amount of $318,523.74 dated February 16, 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 $3,266,427.00 dated March 1, 2021, subject to review and audit (School Disbursements).*

*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) FY21 Accounts Payable Manifest in the amount of $349,750.78 dated March 2, 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) FY21 Accounts Payable Manifest in the amount of $25,725.21 dated March 3, 2021, subject to review and audit (NH DMV).*

*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) FY21 Accounts Payable Manifest in the amount of $23,855.10 dated March 3, 2021, subject to review and audit (NH DMV).*

*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 Panasiti and SECONDED by Selectman D’Angelo to approve the meeting minutes of February 8, 2021, 6:00pm Non-Public, 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.*

*A MOTION was made by Selectman Panasiti and SECONDED by Selectman D’Angelo to approve the meeting minutes of February 8, 2021, 6:30pm, 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.*

1. **Action Items**

The Board reviewed its action items.

1. **Old/New Business**

Selectman D’Angelo stated that the Amherst School Board voted to approve the change in start times for Amherst schools to begin in the fall.

Chairman Lyon noted that he and Town Administrator Shankle have been invited to attend the SAU’s Joint Facilities Committee meeting regarding possible changes to the Clark School on Monday afternoon.

*A MOTION was made by Selectman Panasiti and SECONDED by Selectman Grella 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, March 22, 2021**

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*Selectman Reed Panasiti* *Date*