



Town of Amherst, NH
BOARD OF SELECTMEN MEETING MINUTES
Barbara Landry Meeting Room
2 Main Street
Monday, November 28, 2016

1. Call to Order

Chairman Dwight Brew called the meeting to order at 6:33 p.m. Attendees: Chairman Dwight Brew, Vice Chairman Reed Panasiti, Selectmen Tom Grella, Nate Jensen, and Peter Lyon. Also present: Town Administrator, Jim O'Mara, and Suzanne Beauchesne taking minutes.

2. Pledge of Allegiance: Town Treasurer, Liz Overholt, led the pledge.

3. Citizens Forum

Mr. Dave Williams, who addressed the Board at its last meeting of November 14 regarding disallowing signage throughout town and keeping Amherst beautiful, came forward to state that he did some research and had suggestions on the need to control signs on public rights-of-ways. He said he conducted an unofficial survey on Facebook and within 24 hours, 50 people said they agreed signs should be controlled, two people said they liked the way it is.

Mr. Williams feels that rather than trying to remove signs, the town should implement a policy to avoid signs going up to begin with. Specifically, Mr. Williams suggested 1) once a candidate declares, they must sign a notice that they will comply with the town's policy; 2) send notice of the town policy to respective parties; 3) ensure national candidates are notified through local parties; 4) place notices in the Amherst Citizen, town website and other town locations.

Chairman Brew said the Town Administrator, Jim O'Mara, and Community Development Director, Gordon Leedy, will take the suggestions under advisement and said that the town can only implement things allowed by the state legislature. He said not that it could not be done but the question becomes how much of the town's resources should be used for this purpose. He said "there are property owners behind those signs and we would have to check with each".

Director of Community Development, Gordon Leedy, said rights of ways have certain responsibilities for town, and the town would want to be clear where signs are located on the right of way and not on private property. Town Administrator, Jim O'Mara, said the

town's candidates do pick up their signs. Vice Chairman Panasiti suggested starting with state representatives and local offices. Mr. Williams said "we can keep trying to take them [signs] down but if we are vigilant about notices, perhaps then we don't have to face taking them down". Director Leedy said 4x8 signs are not allowed under town ordinance. Chairman Brew suggested preparing an addendum to the current town policy and perhaps re-visit the policy on the transfer station where candidates for office must be within a certain number of feet to the entrance. Mr. Williams said the town has the right to ban signs altogether according to the Supreme Court. Chairman Brew said the federal government can give the state authority but if the state does not provide the authority to the town, the town cannot comply. He said in some states, the RSA is more applicable than the Supreme Court. Town Administrator O'Mara said they will have a draft policy for the Board to review at its second meeting in January to get something out for the March election.

4. Cemetery Trustees

Two Cemetery Trustees came forward seeking permission to utilize the services of town counsel in order to file a *cy pres* petition seeking \$200,000 from the trust. They will have a warrant article on this year and will provide a more precise figure soon. Use of the trust fund to build the cemetery will avoid any taxpayer impact. The trustees met with Terri Knowles of the Attorney General's Office (AGO) who indicated they could not use the funds without filing a *cy pres*. Selectman Jensen said he supported the request. Vice Chairman Panasiti asked how they maintain account balances. The trustees said through investment; they cannot use principal but can use some of the interest but the AGO does not allow using 100 percent without the court's permission. Selectman Jensen said if *cy pres* is approved then they must go to the voters. Selectman Lyon asked what legal cost might be. Town Administrator O'Mara wasn't sure.

Selectman Nate Jensen moved, second by Selectman Lyon, to authorize the Town Administrator to secure Town Counsel to file a *cy pres* petition on behalf of the Cemetery Trustees. Motion passed 4-0-1 [Selectman Grella abstained].

Chairman Brew also asked that the Trustees provide, at a later date, a clarification of the definition of "plot" versus "lot".

5. Community Development Strategic Initiatives

Gordon Leedy, Director of the Office of Community Development, presented his office's Strategic Planning Vision (attached) listing five strategic goals and the inputs needed to reach the goals. His report included FY15-17 accomplishments and proposed 2018 initiatives in support of the five goals identified. Chairman Brew and Selectman Jensen asked about the feasibility study costs. Director Leedy said the goals would be to have portions done in house if possible. Selectman Lyon asked what kind of product could be expected from the feasibility study. Director Leedy said the study would give the town a roadmap to finance and get off the dime in developing and the town needs to do "everything we can do develop that resource". Director Grella thanked Director Leedy for a comprehensive report and asked about the hiring of a planner. Director Leedy said they interviewed six candidates from nine or ten applications received. They narrowed it down to two with one being their favorite. Vice Chairman Panasiti suggested work on

Stormwater could be costly. Administrator O'Mara said it seems Baboosic Lake may be off the MS4 list. Director Leedy said there was an \$80,000 contingency in the DPW budget.

Director Leedy said he expects the feasibility study will be completed on or about June 2017. The study will provide options and estimated cost and the town can then decide what is doable. He said retail business has changed in radical ways. In response to Chairman Brew about options if the town cannot come up with \$30,000, Director Leedy said some work could be done in-house but they cannot do engineering. He said if something had to go it would be trails.

6. Road Bond Balance

In response to the Board's question at the last meeting, Town Administrator O'Mara said of the original road reconstruction bond of \$15 million approved by voters via warrant on March 9, 2010, \$13,350,866.42 has been expended, leaving a balance of \$1,649,133.58. A breakdown of expenses was provided to Board members.

Administrator O'Mara said he met with the Amherst Conservation Commission. Chairman Brew said the Commission's budget has gone from \$8,000 to \$14,000 to \$22,000. A list of expenses was estimated as follows:

Recorder	\$ 1,100
Professional Development	\$ 1,000
Land Management	\$ -
Town Meadow Maintenance	\$ 5,000
Trail Maintenance	\$ -
Water Crossing Repair and Replacement	\$ 3,000
Invasives Mitigation	\$ 4,000
Signage	\$ 2,195
Kiosk	\$ 1,000
Dues & Subscriptions	\$ 700
Educational Outreach	\$ 500
Lindabury Orchard Rehab	\$ 3,450
TOTAL	\$21,945

Administrator O'Mara said water crossings are in need of repair and professional development is new. He said he should have had someone from the Commission attend tonight's meeting. Selectman Lyon suggested inviting them to the next Board meeting.

7. FY18 Budget

Town Administrator Jim O'Mara went over a revised FY18 proposed operating budget of \$12,858,977, reflecting a 0.81% change over FY17. The global assumptions break out as follows:

GLOBAL ASSUMPTIONS			
	Current	Value	FY18 Impact
Step Adjustment Full Time		About 2%	
Step Adjustment Part Time		About 1%	

COLA (including FICA)		2.5%	\$ 90,821
457(b) Employer Match	5.50%	7.00%	\$ 39,246
Health Insurance		10.00%	\$101,762
Dental Insurance		1.00%	\$ 437
NHRS Retirement-Police	26.38%	29.43%	\$ 14,359
NHRS Retirement-Fire Rescue	29.16%	31.89%	\$ 7,851
Heat, Gasoline, Diesel			
Water, Electric, Phones		1.00%	\$ 1,577
TOTAL			\$256,053

The Board discussed the proposed COLA and comparison of increases between Social Security and the Military and making determinations based on the CPI. Ways & Means Chairman, John D'Angelo reminded everyone that COLAs are intended to "keep you current in terms of purchasing power". Selectman Lyon suggested that the BOS keep in mind the importance of taking care of an important resource, the employees, by providing a 2% COLA. Selectman Grella said he is leaning towards a two percent increase, Chairman Brew, one percent, and Vice Chair Panasiti 1.5 percent. Selectman Jensen asked for justification on Administration requesting an employer match of 7.00 percent from 5.50 percent to the 457(b) Retirement Benefit

Administrator O'Mara said historically Police and Fire are at 29%-30%; teachers are close to 10 percent. Selectman Jensen said Police and Fire don't pay social security and are in a separate system. Selectman Lyon suggested an increase to 6.00 percent and Chairman Brew suggested keeping it at 5.50 percent and that he would rather focus on COLAs. John D'Angelo said he does not support an increase to 7.00% and feels the 5.50% is grossly excessive and already generous by corporate standards. He also suggested that a Human Resources Specialist could be doing such an analysis. Selectman Jensen would like to leave it at 5.50% and a COLA at 1.5%. Administrator O'Mara will provide updated figures at the next Board meeting. He said heating cost will be flat. The Board then discussed FY18 proposed budget initiatives.

Initiatives	Cost
Police – Patrolman	\$ 85,000
Recreation – Mower	Will be taken from this year's budget
Tax/Assessing – Vision Software	Push back one year
DPW – Roads	\$2,600,000
DPW – Bridges	\$ 115,000
DPW – Buildings	\$ 10,000
DPW – Stormwater	\$ 80,000
CD – Planning (Outside Hire)	\$ 30,000
CD – Zoning	\$ 20,000
Conservation – Land Management	\$ 10,295
Library – Employee Compensation "True-up"	\$

Selectman Jensen asked if overtime could be cut when a patrolman is added to the police force. Chief Reams said overtime covers a variety of things; such as, training, court appearances, etc. which is separate from changing a model covering shifts.

Vice Chairman Panasiti suggested that perhaps the townspeople do not want growth and the \$30,000 for the feasibility study might be deferred. Director Leedy said “growth is going to happen” and it may be wiser to prepare accordingly rather than not. It was pointed out that the Conservation Commission budget request totals \$21,945 from a total of \$14,150 last year. Amy Lapointe, Library Director, said the requested compensation increase does not reflect any increase in staffing but rather is a fix from a previous year’s shortfall. The budget figure and percentage change was noted with each suggested change. The Ways and Means Committee members will provide their input at the next Board meeting.

The Board discussed a number of budgeted areas: Stormwater, road reconstruction, and the vehicle replacement and purchasing plan.

Town Administrator O’Mara went through the proposed Warrant Articles as follows:

Article 21	Town Officers	
Article 22	Operating Budget	Budget figure to be changed in accord with Board discussion
Article 23	Contingency Fund	Establish a Contingency Fund of \$150,000 (not \$100,000) with no amount to be raised from taxation.
Article 24	Police Union Contract	
Article 25	Authorization for Special Meeting on Collective Bargaining Agreement Warrant Article Rejected or Amended at Annual Meeting	
Article 26	Assessing Revaluation Capital Reserve Fund	
Article 27	Communications Center Capital Reserve Fund	
Article 28	Fire Station Renovation CRF	
Article 29	Appropriation of Previously Collected Land Use Change Tax Funds and Deposit to the Fire Station Renovation Capital Reserve Fund	
Article 30	Fire Truck Refurbish and Purchase Capital Reserve Fund	Make two separate request: \$100,000 and \$50,000
Article 31	Bridge Repair and Replacement CRF	
Article 32	Ambulance Capital Reserve Fund	
Article 33	Town Computer System CRF	Has not been funded in the last two years
Article 34	Elderly, Blind, and Disabled Exemption	
Article 35	All Veterans’ Tax Credit	

8. Town Administrator

8.1 Police Station Renovation Vision

In response to Chairman Brew who questioned an advance visit by an outside vendor to develop a conceptual architectural design plan for the PD/former EMS facility renovation, Police Chief Mark Reams said he had spoken to the Chairman. Chief Reams stated the need to move forward with conceptual plans to capture the rough needs envisioned for renovation and get plans that will provide prospective architects/builders with a basis for project cost estimation, one-time versus phased construction schedules, and cost options. Once plans are drawn, the Chief will seek Board comments.

8.2 Fire Station Update

Town Administrator O'Mara said that architects had conducted a walk-through of the facility and are reviewing the septic design plan. More information will be provided as the work proceeds.

8.3 Code Red – Mont Vernon Notice

Chief Reams commented on a letter received from the Town of Mont Vernon's Police Chief wherein they state they will no longer be participating in the Code Red program so will no longer be providing any funding towards the program effective at year end 2016. In response to Chairman Brew, Chief Reams said the cost of participation in the program is \$8,500 per year and suggested the Board not follow Mont Vernon's exit from the program.

8.4 ACTV Station Manager Proposal

As part of the Board packet, Administrator O'Mara provided a proposal to hire a station manager and a job description for the position. Chairman Brew was concerned about the stipend for the position. Administrator O'Mara read through the job duties and noted that 96 meetings per year would be produced and broadcast. The Board agreed to table the matter pending discussion with Doug and Joe.

8.5 Sewer Feasibility Study – Community Development Bid

Director of Community Development, Gordon Leedy, provided the results of an RFP that was issued to eight qualified vendors to conduct a Sanitary Sewer Feasibility Study. One did not meet specifications. Of the four who responded, Director Leedy suggested the bid be awarded to Underwood Engineers. Selectman Grella moved, second by Selectman Lyon, to award the Sanitary Sewer Feasibility Study bid to the lowest qualified bidder, Underwood Engineers, at a cost of \$29,500. Motion passed unanimously, 4-0 [Selectman Jensen was excused prior to this vote].

9. Approvals

9.1 Abatements

Selectman Lyon moved, second by Selectman Grella, to grant the abatement for property located at Ponemah Road, Map 3, Lot 36-4 in the amount of \$427. Motion passed unanimously, 4-0.

Selectman Lyon moved, second by Vice Chairman Panasiti, to deny the abatement for property located at 3 Nathan Lord Road, Map 3, Lot 47-24. Motion passed unanimously, 4-0.

Selectman Lyon moved, second by Selectman Grella, to deny the abatement for property located at 5 Victoria Ridge, Map 4, Lot 147-14. Motion passed unanimously, 4-0.

Selectman Lyon moved, second by Selectman Grella, to grant the abatement for property located at 10 Orchard View Drive, Map 8, Lot 89-9 in the amount of \$1,140. Motion passed unanimously, 4-0.

Selectman Lyon moved, second by Selectman Grella, to deny the abatement for property located at 41 The Flume, Map 11, Lot 12-17. Motion passed unanimously, 4-0.

Selectman Lyon moved, second by Selectman Grella, to grant the abatement for property located at 37 Courthouse Road, Map 16, Lot 24-5 in the amount of \$1,928. Motion passed unanimously, 4-0.

Selectman Lyon moved, second by Selectman Grella, to grant the abatement for 22 properties as listed on the attached for overpayment of their taxes.

9.2 DRA Monitoring Reports – Informational

Town Administrator O'Mara read through paperwork from the NH Department of Revenue Administration (DRA) as part of their review of the assessing and revaluation work completed in 2015 and 2016. The monitoring report lists each property that the DRA randomly selected for review. The purpose of the review is to determine the quality, accuracy, and completeness of work as required under RSA-J:11.

9.3 DRA Sales Ratio Survey

Town Administrator O'Mara noted that KRT Appraisal provided a draft analysis of the sales data performed through the State's data entry program. Overall, the town's assessment to sale median ratio is expected to be about 97% for the 2016 tax year. The 267 valid sales indicate a COD of approximately 8 with the PRD at 1.01. These figures are expected to be similar to the DRA's analysis, which should be completed in early spring of 2017. The statistics indicate that the desired effect of bringing assessments more in line with market values as of April 1, 2016 and improved overall equity, and meet the current DRA assessment review guidelines regarding statistics. Selectman Lyon moved, second by Selectman Grella, to accept and sign the 2016 DRA Sales Ratio Study. Motion passed unanimously, 4-0. The signed form will be submitted to the DRA.

9.4 Septic Warrants

Selectman Lyon moved, second by Selectman Grella, to approve and sign the Quarterly Maintenance Warrants for the Baboosic Lake Community Septic bills due January 2, 2017 as follows: Phase I for \$873.24; Phase II for \$5,054.43; Phase III for \$5,796.82; and Phase IV for \$4,-12.80. Motion passed unanimously, 4-0.

9.5 Payroll

Selectman Lyon moved, second by Selectman Grella, to approve one (1) FY17 Payroll Manifest in the amount of \$198,352.49 dated November 23, 2016, subject to review and audit. Motion passed unanimously, 4-0.

9.6 Accounts Payable

Selectman Lyon moved, second by Selectman Grella, to approve one (1) FY17 Accounts Payable Manifest in the amount of \$29,305.03 dated November 16, 2016, subject to review and audit. (Town Clerk Transfers to the State of NH). Motion passed unanimously, 4-0.

Selectman Lyon moved, second by Selectman Grella, to approve one (1) FY17 Accounts Payable Manifest in the amount of \$354,931.03 dated November 15, 2016, subject to review and audit. Motion passed unanimously, 4-0.

Selectman Lyon moved, second by Selectman Grella, to approve one (1) FY17 Accounts Payable Manifest in the amount of \$2,626,573.00 dated December 1, 2016, subject to review and audit. (School Disbursements). Motion passed unanimously, 4-0.

9.7 Previous Meeting Minutes: November 14, 2016

Selectman Lyon moved, second by Selectman Grella, to approve the Board of Selectmen meeting minutes of November 14, 2016. Motion passed unanimously, 4-0.

10. New/Old Business

Town Administrator O'Mara notified the Board that the NH Department of Environmental Services has requested the use of the Barbara Landry Meeting Room for a meeting between TCI, Pennichuck, NHDES and residents impacted by PFOA. The meeting will take place on December 6th at 7:00 p.m. The public is welcome.

11. Next Meeting: December 12, 2016

12. Adjournment

Vice Chairman Panasiti moved, second by Selectman Grella, to adjourn the meeting at 11:40 p.m. Motion passed unanimously, 5-0.

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Selectman Nate Jensen
Clerk, Board of Selectmen

12/12/16

Date