



Town of Amherst, NH
BOARD OF SELECTMEN MEETING MINUTES
Barbara Landry Meeting Room
2 Main Street
Monday, August 14, 2017

1. Call to Order

Chairman Dwight Brew called the public meeting to order at 6:00 p.m.

Attendees: Chairman Dwight Brew, Vice Chairman Nate Jensen, Selectmen Tom Grella, Peter Lyon, and Reed Panasiti. Also present: Town Administrator, Jim O'Mara, and Suzanne Beauchesne taking minutes.

2. Pledge of Allegiance – Walmart Manager, Tony Tiner, led the pledge.

3. Recognition, Tony Tiner, Amherst Walmart Manager

Chairman Brew called on Selectman Lyon who recognized Anthony "Tony" Tiner, Amherst Walmart Manager. A certificate of appreciation was presented by Lt. Ciampoli of the Amherst Police Department, and Fire-Rescue Chief Conley in grateful appreciation for all of the contributions made to the Town of Amherst.

After a short recess, Chairman Brew called the meeting back to order.

Vice Chairman, Nate Jensen, announced his resignation from the Board effective at the end of tonight's meeting. He has accepted a position with the US Homeland Security Department in Washington, D.C. and will be unable to continue to fulfill his duties as a selectman. Board members agreed that the process to get a replacement member to fill the Vice Chairman's term should begin right away.

Town Administrator, Jim O'Mara, stated that Bruce Berry, Director of Public Works, needed to take immediate action on lowering the tonnage on Horace Greeley Bridge to be discussed later during the meeting.

36 **4. Public Hearings:**

37
38 **4.1 No Parking Ordinance**

39
40 Pursuant to RSA 41:14-b, Vice Chairman Jensen moved, second by Selectman Grella, to open the
41 first of two public hearings for the purpose of regulating traffic as follows: “No Parking
42 Ordinance – There will be no parking from the corner of the town beach parking lot driveway exit
43 closest to the building to the town’s right of way on the shore side of Broadway”. Motion passed
44 unanimously, 5-0. There were no public comments. Vice Chairman Jensen moved, second by
45 Selectman Grella, to close the public hearing at 6:41 p.m. Motion passed unanimously, 5-0. A
46 second public hearing a required by law is scheduled for August 28, 2017 at 6:30 p.m.

47
48 Chairman Brew adjusted the agenda to take up **Agenda Item 7.3 SB 191 Keno/Kindergarten**

49
50 Selectman Panasiti said Governor Sununu signed into law SB 191 establishing keno and relative
51 to funding for kindergarten. He said municipalities do not have to implement keno; keno has to
52 be approved by the town. Having keno in town does not require the town to have full day
53 kindergarten; nor does having full day kindergarten require a town to have keno. Like other
54 lottery money, funds raised from keno will be sent to the Education Trust Fund then dispersed to
55 the towns that have full day kindergarten starting in FY20. Selectman Panasiti asked Principal
56 Porter Dodge who was in attendance what was the cost of public kindergarten. Principal Dodge
57 was not sure. Towns that implement full day kindergarten will receive \$1,100 per student in
58 FY19 in addition to their current adequacy funds. A town could potential receive up to \$3,600 per
59 student. Chairman Brew suggested the matter be addressed as part of the budget process.

60
61 **4.2 Unanticipated Revenue – DOT**

62
63 Pursuant to NH RSA 31:95-b, III, Vice Chairman Jensen moved, second by Selectman Grella, to
64 open a public hearing at 6:45 p.m. Motion passed unanimously, 5-0. Chairman Brew indicated
65 that the purpose of the hearing is to accept and expend \$280,493.03 unanticipated revenue in the
66 form of an additional apportionment from the NH Department of Transportation (NHDOT) to be
67 used for local road improvement projects, and as authorized by a vote on Article 6, March 10,
68 1994 Town Meeting. Bruce Berry, Director of Public Works, came forward to share his thoughts
69 on how funds could be used. Director Berry said his choice would be to continue the
70 reconstruction work on Governor Wentworth Road with a cost estimate of \$270,000. His second
71 choice would be to do overlays on a few roads; cost estimate of \$150,000.

72
73 Chairman Brew brought up legislation that would allow for \$30 million to be distributed to cities
74 and towns for bridge reconstruction. Director Berry said there are restrictions and funds will be
75 non-lapsing. The Board discussed the matter at length. Chairman Brew noted that taxpayers will
76 fund \$274,000 and suggested a presentation be made in September to discuss all options.
77 Chairman Brew welcomed comments from the public.

78
79 Rick Katzenberg said the School Committee has met often and the Board has implemented 80 to
80 90 percent of recommendations made by the committee. Director Berry’s first recommendation
81 was the committee’s number two recommendation. He said the area around Bean Field and
82 Homestead Road is a concern about safety. Estimated cost by Director Berry is \$80,000 to
83 \$100,000. Principal Dodge spoke of the Safe Routes to School (sidewalks) as well which is on a
84 town right-of-way. Director Berry said there were five utility poles along that area. Jim Emmons

asked if funds could be used for a bike path. Selectman Lyon said “no”. His reading of the legislation is that funds must be used for highway and bridge betterment only.

Vice Chairman Jensen said the Board has a strong mandate on road building given the voters added \$200,000 to focus on road building. Sidewalks are a need worthy of support but absent the ability to do that, he’d much prefer to continue building roads and supports Director Berry’s first proposal. Selectmen Panasiti and Grella agreed. Selectman Grella said the sidewalk matter can be placed on the warrant next year. Selectman Lyon agreed and felt sidewalks can be handled at another time. Chairman Brew said his preference would be to move forward with Director Berry’s first choice.

Vice Chairman Jensen moved, second by Selectman Grella, to close the public hearing at 7:06 p.m. Motion passed unanimously, 5-0.

Vice Chairman Jensen moved, second by Selectman Grella, to accept and expend \$280,493.03 unanticipated revenue from DOT and to be deposited into the construction account. Motion passed unanimously, 5-0.

Vice Chairman Jensen moved, second by Selectman Grella to move forward with Director Berry’s first recommendation to continue reconstruction work on Governor Wentworth. Motion passed unanimously, 5-0.

Chairman Brew suggested the School Committee put together a draft charter in establishing a Bike Path Committee. Gordon Leedy, Director of Community Development, supports the initiative.

4.3 Unanticipated Revenue – Zoning ordinance violation

Pursuant to the provisions of NH RSA 31:95-b, III, Vice Chairman Jensen moved, second by Selectman Grella, to open the public hearing at 7:10 p.m. Motion passed unanimously, 5-0. The purpose of the hearing is to accept unanticipated revenue in the amount of \$53,761.25, payment of zoning violation fine and legal fees. Town Administrator, Jim O’Mara, stated that the funds were made payable to the town in consideration of a release of attachments in the Hillsborough County Registry. Payment of \$25,000 is for a civil penalty entered in the Milford District Court in reimbursement to the town. Administrator O’Mara said that \$33,063.25 was spent on legal fees leaving a balance of \$20,698. Funds will go straight into the General Fund

There were no public comments made. Vice Chairman Jensen moved, second by Selectman Grella, to close the public hearing at 7:11 p.m. Motion passed unanimously, 5-0.

5. Citizen’s Forum

6. Departmental Quarterly Reports

6.1 Recreation

Craig Fraley, Recreation Department Director, updated the Board on his department’s activities as follows:

- Disc Golf course is underway. Opens tomorrow after two years in the making thanks to staff and all involved. The Park's name is now officially Birch Park. Course completion will be ongoing. Large piles of debris to be burned this winter when weather allows for burning.
- Pump track has been a huge hit.
- Community Garden plots have gone well. Some plots were abandoned and the Garden Committee has planned for weeding and cleanup of those plots. Final grading and finish work is almost completed, thanks to Jim Sickler.
- Joshua's mother was in town and many met on Friday at Joshua's Park to let butterflies go.
- The beach has been busy but not as busy as 2016; weather related. Gaga pit was installed by Aidan Johnson for his Eagle Project. Plans to increase parking (100 can safely be parked off the road) have started to come together; will be part of strategic planning for next year. Director Fraley said he has worked with neighbors to keep an eye on their neighborhood/town beach when it is not staffed.
- Two baseball teams won states in their age divisions; last game this week. Swim team took 2nd place at Rotary Swim Meet in Milford and 3rd overall in states. Summer Concert Series has produced big numbers for all shows. Most popular were the Bat Magoon Band and Robert Allwarden and Friends. Final event tomorrow, August 15th, with WGIR Block Party at Wilkins School.
- Senior BBQ at Baboosic Lake Town Beach will be on Wednesday, September 20th at 11:30 a.m.

Director Fraley said the summer camp was sold out this summer. It is well received with kids crying on their way out. In response to Vice Chairman Jensen, Director Fraley said that a gaga pit is an Israeli dodge ball game played in an octagon. Kids love it. Board members thanked Director Fraley and staff for a job well done.

6.2 Community Development

Gordon Leedy, Director of Community Development, provided a PowerPoint presentation of his quarterly report [attached] that included five strategic goals, inputs and the progress made on each goal.

6.2.1 Sewer Feasibility Study

A copy of a preliminary draft Sanitary Sewer Feasibility Study prepared by Underwood Engineers was provided to the Board for their review.

6.3 DPW

Vice Chairman Jensen moved, second by Selectman Grella, to authorize Director of DPW, Bruce Berry, to reduce the tonnage on the Horace Greeley Road Bridge. Motion passed unanimously, 5-0. In response to Selectman Panasiti, Director Berry said that bridge pipes were 90 percent compromised.

Director Berry provided his department's quarterly update as follows:

- Roadside mowing: To date, 72 miles have been mowed out of 122 miles of town roads.

- All approved center and fog line striping has been completed and 75 percent of 243 stop bars, crosswalks, and parking spaces have been repainted.
- Approximately 50 percent of 702 catch basins have been cleaned. The vendor doing the work has also contributed to other DPW maintenance projects including the cleaning of roadside ditches.
- Converted approximately 5,000 tons of material into crush gravel rap using collected spoils from road construction and contractor projects (joint project between DPW and contractor using DPW loader).
- Reconfigured the chipper box to better fit the six wheel dump bodies.
- Roadside brush and tree clearing took place along 11 roads (truck & chipper box). This work improves line of sight and exposes road signage.
- With a rented 50 foot trailer mounted lift, DPW staff removed limbs and whole trees from 11 roads, two town buildings, and two commons. This work would normally have required hiring a bucket truck with crew. The two week rental was \$4,500 and assuming a \$1,000 outside hire fee per tree location, there is an estimated DPW cost avoidance of \$11,000. This work also establishes an ongoing list of stumps to be dug and removed or where appropriate, ground into sawdust.
- DPW staff has completed constructing the concrete blocking framework for the seventh sander hanger/vehicle storage bay.
- Drainage work/culvert repair work on Craftsman Lane, The Flume, and prep work for a culvert install on Roberge Drive.
- Shoulder gravel repair has started. First roads are Corduroy Road and Boston Post.
- Patching of various roads is ongoing.
- Roads have been and will continue to be graded on an as-needed basis.
- Manchester Road reconstruction: installed 12 catch basins, 1,482 feet of culvert pipe, 865 feet of underdrain and base coat of asphalt.
- Nathan Lord reconstruction: recorded eight easements, secured three Department of Environmental Services' permits, secured two Department of Transportation permits, removed 200 feet of 24" drain pipe, and installed 280 feet of 36" drain pipe.
- DPW has performed various building maintenance projects.
- Transfer Station decals continue to be issued at both the Transfer Station and the DPW office on Dodge Road. Since receiving notification of the Department of Transportation proposed inspection sticker relocation slight adjustments have been made to Transfer Station location.
- Summer staff assistance comes to a close the week ending August 18th.

7. Town Administrator

7.1 NHRS Group II Certification

Vice Chairman Jensen moved, second by Selectman Lyon, to certify to the NH Retirement System one additional police position with the NH Retirement System. Motion passed unanimously, 5-0.

7.2 Naming Rights Policy

Selectman Lyon moved, second by Vice Chairman Jensen, to approve the "Naming Rights Policy" as presented. Selectman Grella said a waiting period of three years of a deceased may

diminish memory of the significant contributions made by a citizen. Selectman Lyon said an exception could be handled at the time and policy could be waived as appropriate. Motion passed unanimously, 5-0.

7.3 SB 191- Keno/Kindergarten – Taken Up Earlier

7.4 Internet Committee

Vice Chairman Jensen reviewed the Amherst Internet Committee Findings [attached] relative to internet connectivity in the town of Amherst. He said the document was a work in progress and the Committee expects to finalize it at the Committee meeting to be held on Wednesday night. The Board discussed the pros and cons of renewing the contract with Comcast. It was suggested to send letters to two firms identified by Administrator O'Mara to learn how they might benefit the town. Chairman Brew asked who might be a good candidate to serve as Chair of the Committee given Vice Chairman Jensen's resignation. It was felt that the Committee should choose its own Chair.

8. Approvals

8.1 Pole License & Petition

Vice Chairman Jensen moved, second by Selectman Lyon, to authorize the installation of utility pole 9/14Y on Boston Post Road and to authorize the Board of Selectmen to sign the petition presented. Motion passed unanimously, 5-0.

8.2 Hawkers & Vendors Permit Application

Vice Chairman Jensen moved, second by Selectman Grella, to grant a permit to Kristin Derosa to sell food truck concessions from August 14, 2017 through August 14, 2018. Motion passed unanimously, 5-0.

8.3 Assessing

Selectman Lyon moved, second by Selectman Grella, to approve a land use change tax for property located at Walnut Hill Road, Map/Lot 8-92, in the amount of \$450. Motion passed unanimously, 5-0.

Selectman Lyon moved, second by Vice Chairman Jensen, to approve a timber tax levy/certification of yield tax for property located at Christian Hill & Lyndeborough Road, Map/Lot 5-84 & 5-164 in the amount of \$120.87. Motion passed unanimously, 5-0.

8.4 Payroll

Vice Chairman Jensen moved, second by Selectman Grella, to approve one (1) FY17 Payroll Manifest in the amount of \$77,194.74 dated July 31, 2017 subject to review and audit. (Annual Firecall Pay) Motion passed unanimously, 5-0.

Vice Chairman Jensen moved, second by Selectman Lyon, to approve one (1) FY18 Payroll Manifest in the amount of \$233,310.66 dated August 3, 2017 subject to review and audit. Motion passed unanimously, 5-0.

8.5 Accounts Payable

Vice Chairman Jensen moved, second by Selectman Grella, to approve one (1) FY18 Accounts Payable Manifest in the amount of \$37,768.14 dated July 31, 2017 subject to review and audit. (Town Clerk Transfers to the State of NH) Motion passed unanimously, 5-0.

Vice Chairman Jensen moved, second by Selectman Lyon, to approve one (1) FY17 Accounts Payable Manifest in the amount of \$21,907.41 July 25, 2017 subject to review and audit. Motion passed unanimously, 5-0.

Vice Chairman Jensen moved, second by Selectman Grella, to approve one (1) FY18 Accounts Payable Manifest in the amount of \$837,286.35 dated July 26, 2017 subject to review and audit. Motion passed unanimously, 5-0.

Vice Chairman Jensen moved, second by Selectman Lyon, to approve one (1) FY18 Accounts Payable Manifest in the amount of \$36,447.00 dated July 27, 2017 subject to review and audit. Motion passed unanimously, 5-0.

Vice Chairman Jensen moved, second by Selectman Lyon, to approve one (1) FY18 Accounts Payable Manifest in the amount of \$655,072.92 dated August 8, 2017 subject to review and audit. Motion passed unanimously, 5-0.

Vice Chairman Jensen moved, second by Selectman Lyon, to approve one (1) FY17 Accounts Payable Manifest in the amount of \$600.00 dated August 9, 2017 subject to review and audit. Motion passed unanimously, 5-0.

Vice Chairman Jensen moved, second by Selectman Lyon, to approve one (1) FY18 Accounts Payable Manifest in the amount of \$2,788,070.00 dated August 1, 2017 subject to review and audit. (School Disbursements) Motion passed unanimously, 5-0.

Concentration Account

Vice Chairman Jensen moved, second by Selectman Lyon, to approve one (1) FY18 Concentration Account Manifest in the amount of \$1,215.32 dated July 28, 2017 subject to review and audit. Motion passed unanimously, 5-0.

Vice Chairman Jensen moved, second by Selectman Lyon, to approve one (1) FY18 Concentration Account Manifest in the amount of \$14.98 dated August 8, 2017 subject to review and audit. Motion passed unanimously, 5-0.

8.6 Previous Meeting Minutes – July 24, 2017

Vice Chairman Jensen moved, second by Selectman Lyon, to approve the Board of Selectmen meeting minutes of July 24 2017, as presented. Motion passed 4-0-1 [Selectman Panasiti abstained].


327
328 **9. New/Old Business**
329

330 Vice Chairman Jensen thanked the Board saying he very much enjoyed working with them; his
331 departure bittersweet. Board members wished him well.
332

333 **10. Non-Public Session, RSA 91-A:3, II (a)**
334

335 In accord with NH RSA 91-A:3, II (a), Vice Chairman Jensen moved, second by Selectman
336 Panasiti, to enter non-public session at 9:45 p.m. Roll Call: Brew-yes, Grella-yes, Jensen-yes,
337 Lyon-yes, Panasiti-yes. Motion passed unanimously, 5-0.
338

339 **NEXT MEETING: August 28, 2017**
340

341
342 
343 _____
344 Selectman Peter Lyon
345 Vice Chairman, Board of Selectmen
346
347

8-28-17

Date