



Town of Amherst, NH
BOARD OF SELECTMEN MEETING MINUTES
Barbara Landry Meeting Room
2 Main Street
Monday, January 8, 2018

1. Call to Order

Chairman Dwight Brew called the meeting to order at 6:34 p.m.

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

2. Pledge of Allegiance – Marie Grella, Acting Chair of the Cemetery Trustees, led the pledge.

3. Citizens Forum

Chairman Brew announced that tonight's meeting was being recorded but not broadcast live, as usual, due to malfunctioning equipment. It will be a week or before the equipment is operational again.

4. Town Administrator

4.1 Officer Promotion – APD

Vice Chairman Lyon moved, second by Selectman Grella, to approve the recommendation of Police Chief Mark Reams and Town Administrator Jim O'Mara to promote Detective Nicholas A. Skiba to the rank of Sergeant, effective January 8, 2018. Motion passed unanimously, 5-0. Chief Reams said there were eight candidates who applied for the position, and after a vigorous selection process, Sergeant Skiba was chosen for the position. Administrator O'Mara indicated that an official pinning ceremony will take place at the Board's next meeting on January 22, 2018.

4.2 Moving Wall Road Race – Date Change

Marie Grella rose to indicate that the 5K Moving Wall Road Race will be held on June 15, 2018, rather than June 14th, and will be the same course as is run for the Turkey Trot. The race will benefit the Moving Wall Project. The Wall will be in Amherst from July 18-23 of 2018. Selectman Grella moved, second by Selectman Akillian, to approve the date change. Motion passed unanimously, 5-0.

4.3 New Hire – AFR

Vice Chairman Lyon moved, second by Selectman Grella, to approve the hiring of Jessica Matthews as an EMT-Basic effective 11/6/17 at an hourly wage of \$16.75. Motion passed unanimously, 5-0.

4.4 Moose Plate Grant – Heritage Commission

Selectman Panasiti moved, second by Selectman Akillian, to accept the NH “Moose Plate” grant on behalf of the Amherst Heritage Commission and authorize the Chairman of the Board of Selectmen to sign related documents on behalf of the town. Motion passed unanimously, 5-0.

4.5 Solid Waste Ordinance Review

A proposed Solid Waste Facility Ordinance was provided in the Board packet. The purpose of the regulation is to: 1) prevent unauthorized entrance and use of the facility, 2) prohibit the deposit of illegal and unacceptable waste, 3) control the disposal of authorized solid waste to facilitate compliance with operating standards, 4) establish charge fees, and 5) assist residential source recycling of materials brought into the facility. Chairman Brew stated that the cost of operating the Amherst Transfer Station is \$650,000 per year and is for residential use only. At the suggestion of Bruce Berry, the Director of Public Works, the Board previously authorized the distribution of transfer station permits to be issued biennially in an effort to restrict use of the facility by non-residents. An ordinance will allow enforcement by the town Police Department if required. Town Administrator O’Mara will schedule the first of the two required public hearings at the Board’s next meeting on January 22, 2018.

4.6 Highway Safety Committee – Street Lights

In response to notification from the NH Department of Transportation (NHDOT) of their intention to remove 31 street lights along sections of Routes 101 and 101A, the Amherst Highway Safety Committee (AHSC) met in late December 2017 to discuss and analyze traffic accident data. The AHSC raised a number of concerns regarding the NHDOT’s proposed actions. Based upon the data revealed and concerns expressed, the AHSC indicated strong opposition to the removal of any highway lighting at this time, and urged the Board of Selectmen to request a meeting with the NHDOT to discuss the matter. Town Administrator O’Mara thanked the legislative delegation for their efforts on the matter and has invited the legislators to appear at the January 22nd Board meeting. He will also extend an invitation to NHDOT. Representative Shannon Chandley, in attendance at tonight’s meeting, stated that she was waiting to hear back from NHDOT. Chairman Brew thanked the AHSC for their thorough and good work on the matter.

Chairman Brew adjusted the agenda to take up **Agenda Item 5 - Public Hearing**. At 7:00 p.m. Selectman Akillian moved, seconded by Selectman Panasiti, to open the public hearing pursuant to NH RSA 32:5, I, to take input on the proposed FY19 Town Operating Budget, bonds and notes, and proposed warrant articles. Motion passed unanimously, 5-0.

Chairman Brew recognized the board members and department heads and asked Chairman of the Ways & Means Committee (W&M), John D’Angelo to introduce other committee members. He reviewed slides comparing the tax rate of Amherst versus other Hillsborough County towns, the town portion of the overall tax impact, proposed budget apportionment, proposed initiatives and costs, the default budget, revenue, the property tax impact, and input from the W&M. Chairman Brew stated that the current Amherst municipal tax rate of \$5.23 per thousand is well below the county-wide average tax rate of \$7.35 and that 23 of the 31 towns in Hillsborough County have a

tax rate higher than Amherst's. Only seven towns in the county have a lower tax rate than Amherst's. Chairman Brew pointed out a number of line items that had a change above or below four percent; such as, the increased cost in health insurance and utilities. He then went over the accomplishments and initiatives of each department.

Chairman Brew indicated that the Board of Selectmen worked closely with department heads and the W&M in preparing the proposed FY19 budget of \$13,894,881 which is only 3.37% higher than the current budget. Also, the difference between this year's default budget and the default budget for FY19 is just over \$122,000.

Chairman of the W&M, John D'Angelo, said that the W&M was a part of the budgeting process from the beginning. They reviewed dozens of decisions made by the department heads and town administrator and agreed with most items, but felt the following items warranted further conversation:

- 1) For the second year in a row, the Board of Selectmen (BOS) has added \$200,000 to the Department of Public Works (DPW) road budget early in the process, only to remove the funds later. DPW initially asked for an additional \$1 million for roads, and is now planning for a zero increase. If an additional \$1 million is needed, the only feasible way to get there is to add a little each year. The W&M agrees with the Board's directive that DPW shift to a strategy of maintaining roads in good and fair condition since most of the road segments identified in the Road Bond have been rebuilt, but requests that a steady state budget for road maintenance and rebuilding be identified and a plan laid out to achieve this budget.
- 2) W&M does not support a COLA increase of 2.5 percent and reiterated that additional, objective data should be leveraged to support proposed increases.
- 3) W&M believes that the maintenance of town-owned land, including the mitigation of invasive species, is something that is customarily funded as a town general budget item, and should continue to be funded as such. Placing this initiative in a warrant article runs the risk of it failing to pass.

Chairman Brew went over each Warrant Article as follows:

ARTICLE 21: To choose all necessary Town Officers for the ensuing terms as follows:

- 2 Selectmen for 3 Years
- 1 Town Moderator for 2 Years
- 1 Town Treasurer for 3 Years
- 1 Cemetery Trustee for 3 Years
- 2 Library Trustees for 3 Years
- 1 Supervisor of the Checklist for 6 Years
- 1 Trustee of the Trust Funds for 3 Years
- 2 Zoning Board of Adjustment Members for 3 Years

ARTICLE 22: Operating Budget

Shall the Town vote to raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth herein, totaling **\$ 13,894,881**. Should this article be defeated the default budget shall be

\$ 13,511,243, which is the same as last year with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting in accordance with RSA 40:13 X and XVI to take up the issue of a revised operating budget only. This operating budget warrant article does not include appropriations contained in ANY other Warrant Article. (Majority vote)

(The Board of Selectmen supports this article by a vote of 5-0.)

(The Ways and Means Committee supports this article by a vote of 7-0.)*

* NB: The difference between a 7-0 or 6-0 vote by the W&M is merely a reflection of attendance at the time of the vote.

This article has an estimated tax impact of \$0.18 (18 cents) per thousand).

ARTICLE 23: Contingency Fund

Shall the Town vote to establish a contingency fund for the current year, in accordance with NH RSA Section 31:98-a, for unanticipated expenses that may arise and further to raise and appropriate the sum of one hundred and twenty thousand dollars (**\$120,000**) to go into the fund. Said sum shall come from the undesignated fund balance and no amount to be raised from taxation. Any appropriation left in the fund at the end of the year will lapse to the general fund. (Majority vote)

(The Board of Selectmen supports this article by a vote of 5-0.)

(The Ways and Means Committee supports this article by a vote of 6-0.)

This article has an estimated tax impact of \$0.00 per thousand.

Chairman Brew stated that the NH Department of Revenue Administration (DRA) has determined there is no tax impact because the money to be placed in this contingency fund is coming from the undesignated fund balance; therefore, no money is to be raised by taxation.

ARTICLE 24: Amherst Conservation Commission 100% of LUCT Funds

Shall the Town vote, pursuant to RSA 79-A: 25, II, to change the amount of revenues of all future payments collected pursuant to RSA 79-A Current Use Taxation, to be deposited into the existing Conservation Fund in accordance with RSA 36-A:5, III from 50%, which is the current level, to 100%. If adopted this article shall take effect until altered or rescinded by a future town meeting. (Majority vote)

(The Board of Selectmen supports this article by a vote of 5-0.)

(The Ways and Means Committee supports this article by a vote of 6-0.)

The LUCT Fund balance: \$ as of December 31, 2017.

Vice Chairman Lyon stated that in 2001, the community voted to give the conservation commission 50% of LUCT funds received annually. Using that same process, as spelled out in RSA 79-A: 25, II, the Board is now asking that 100% of LUCT funds collected be deposited into the conservation fund. He said the conservation fund is used for management and maintenance of existing town land and for the acquisition of additional land. The Vice Chairman said that often property owners wish to give the town the first right of refusal to purchase their land and do not want to wait for the annual vote to appropriate the funds for the purchase.

ARTICLE 25: Appropriation of Previously Collected Land Use Change Tax Funds

Shall the Town vote to raise and appropriate the sum of forty three thousand five hundred dollars (**\$43,500**), said sum to come from the amount collected and deposited into the Land Use Change Tax Fund (LUCT) in the preceding fiscal year and to transfer said amount into the Conservation Account to be used for a trail grant match, update the town forest management plan and control of invasive species. No additional amount to be raised by taxation. (Majority vote)

(The Board of Selectmen supports this article by a vote of 5-0.)

(The Ways and Means Committee supports this article by a vote of 7-0.)

Vice Chairman Lyon said this article is asking the voters for permission to expend monies from the LUCT fund to assist in the first phase of a proposed bike/pedestrian pathway to go through Birch Park. He said it is hoped that one day Amherst will have safe and accessible walkways to get around all of Amherst. The proposed project also aligns with the Recreation Department's 8-to-80 initiative. \$15,000 of the \$43,500 requested is earmarked for this project. The balance of \$28,500 is for three commission initiatives; one is to update the Conservation Commission's Town Forest Management Plan (\$13,500) and the other two initiatives involve the effort to control invasive species at two properties.

Rob Clemens, Chairman of the Conservation Commission rose to thank the Board and the members of the Ways and Means Committee for recognizing the importance of the work to be done by the Conservation Commission. He said the commission feels that it is "an appropriate way to go". He said he has faith in the voters and with public outreach and education, he believes "we will get a positive vote on Articles 24 and 25".

ARTICLE 26: Police Station Renovation Capital Reserve Fund

Shall the Town vote to establish a Capital Reserve Fund under the provisions of RSA 35:1, for the purpose of renovating the Police Station and to raise and appropriate up to the sum of two hundred thousand dollars (**\$200,000**) to be placed into said fund and to further name the Board of Selectmen as the agents to expend. (Majority vote)

(The Board of Selectmen supports this article by a vote of 5-0.)

(The Ways and Means Committee supports this article by a vote of 7-0.)

This article has an estimated tax impact of \$0.11 per thousand.

Vice Chairman Lyon said the original building was built in 1980 with the last renovations made over 21 years ago in 1996. He said the renovations will improve safety, reduce town liability exposure, and improve administrative services. Current proposed renovation plans will meet current and future department needs for 25-plus years at a cost expected to be approximately \$600,000 (considerably less than the estimated \$3 million-plus required to build a new facility). Vice Chairman Lyon said renovation of the station is anticipated to be completed by the close of FY21. The Board of Selectmen has authorized the formation of a seven-person committee, to include two at-large members of the community, to oversee and evaluate all design plans and costs should this article be approved.

ARTICLE 27: Bridge Repair and Replacement Capital Reserve Fund

Shall the Town vote to raise and appropriate the sum of one hundred and fifteen thousand (**\$115,000**) to be added to the Bridge Repair and Replacement Capital Reserve Fund, previously established. (Majority vote)

(The Board of Selectmen supports this article by a vote of 5-0.)

(The Ways and Means Committee supports this article by a vote of 6-0.)

This article has an estimated tax impact of \$0.07 per thousand.

The Bridge Replacement CRF has a balance of \$85,794 as of December 31, 2017.)

Selectman Grella said the Board is once again asking for support to fund a program that will allow replacement of four town water crossings prior to failure, at approximately \$100,000 per crossing and \$15,000 to perform preventative maintenance on other bridges. He said Amherst is initiating this proactive measure to prevent unanticipated closures, subsequent detours and permitting delays

inherent in replacing a failed bridge. Selectman Grella said that Amherst has four bridges that do not qualify for the state aide replacement program and are, therefore, the town's responsibility to maintain or replace.

ARTICLE 28: Assessing Revaluation Capital Reserve Fund

Shall the Town vote to raise and appropriate the sum of twenty-five thousand dollars (**\$25,000**) to be added to the Assessing Revaluation Capital Reserve Fund, previously established. (Majority vote)

(The Board of Selectmen supports this article by a vote of 5-0.)

(The Ways and Means Committee supports this article by a vote of 6-0.)

This article has an estimated tax impact of \$0.02 per thousand.

The Assessing Revaluation CRF balance: \$32,375 as of December 31, 2017.

Selectman Akillian said this article adds \$25,000 to the existing Capital Reserve Fund that was established to budget for the state-mandated re-assessment of all properties in Amherst. The law requires a revaluation to take place every five years. The town began funding the revaluation in this manner in 2004.

ARTICLE 29: Communications Center Capital Reserve Fund (CRF)

Shall the Town vote to raise and appropriate the sum of twenty-five thousand dollars (**\$25,000**) to be added to the Communications Center Capital Reserve Fund, previously established. (Majority vote)

(The Board of Selectmen supports this article by a vote of 5-0.)

(The Ways and Means Committee supports this article by a vote of 6-0.)

This article has an estimated tax impact of \$0.02 per thousand.

The Communication CRF balance: \$55,681 as of December 31, 2017.

Selectman Akillian stated that the Communications Center CRF was established in 2006 to fund major equipment repairs and upgrades to the town's communications center and to provide a source of funds for state and federal communication system grants. Over the last four years, \$39,000 has been expended from this fund for those purposes.

ARTICLE 30: Fire Rescue Vehicle and Equipment Purchase and Repair Capital Reserve Fund

Shall the Town vote to raise and appropriate the sum of three hundred twenty five thousand dollars (**\$257,000**) to be added to the Fire Rescue Vehicle and Equipment Purchase and Repair Capital Reserve Fund, previously established. (Majority vote)

(The Board of Selectmen supports this article by a vote of 5-0.)

(The Ways and Means Committee supports this article by a vote of 7-0.)

This article has an estimated tax impact of \$0.15 per thousand.

The Fire Truck CRF balance: \$797,742 as of December 31, 2017.

Selectman Grella said that last year, voters were asked, and approved, a change of purpose of the fire department CRF to be expanded to include EMS capital equipment to create this Fire Rescue Vehicle and Equipment Purchase and Repair CRF. Last year, voters also approved depositing \$200,000 into this fund and, at Fire Rescue Chief Conley's recommendation the Board is asking to add \$257,000 into the fund.

ARTICLE 31: Discontinue Capital Reserve Funds

296
297 Shall the Town vote, pursuant to RSA 35:3, to discontinue the following Capital Reserve Funds
298 with said funds with accumulated interest to date of withdrawal, to be transferred to the town's
299 unassigned fund balance.
300

NAME	DATE ESTABLISHED	AMOUNT
Rescue Squad Fund	Unknown	\$14.40
Fire Station Renovation Fund	2015	\$156.38
Structural Repair Fund	2013	\$ - 0 -
Forest View Design Fund		\$ - 0 -

301
302 Selectman Panasiti stated that every couple of years as a matter of housekeeping the Town
303 Administrator reviews the CRFs that voters have established to determine whether there is
304 continued need for the funds. The four listed above are no longer needed and require voter
305 approval to discontinue them.
306

307 **ARTICLE 32: Appoint Agents**

308

309 Shall the town vote to appoint the Board of Cemetery Trustees as agents to expend from the
310 Cemetery Lot Trust Fund previously established by passage of warrant article No. 22 at the March
311 1987 annual town meeting. (Majority vote required).

312 *(The Board of Selectmen supports this article by a vote of 5-0.)*

313 *(The Ways and Means Committee supports this article by a vote of*

314
315 Selectman Akillian indicated that voters had previously approved \$70,000 for the design of the
316 Forestview Cemetery. Currently there is a balance of \$80,000 in the fund and the Board suggests
317 placing those funds in an unrestricted fund to be able to handle the care of all cemeteries. This
318 would enable the town to pay for services in a timely fashion. Two options were proposed:
319 Article 32 would transfer the balance of the Trust Fund into the General Fund and moved to the
320 unrestricted fund, and a separate Article 33 would deposit Trust Funds into the unrestricted fund.
321 Town Administrator O'Mara said this would have to be approved by the DRA. Warrant articles
322 must be signed and posted by January 29th.
323

324 Board members discussed how the process might be improved. Selectman Akillian suggested the
325 presentation highlight key department stats and accomplishments such as the number of people
326 attending library programs and those served by the police and fire departments, for example. All
327 Board members agreed the presentation should be shortened. Chairman Brew reminded everyone
328 that the deliberative session will be held on February 7th.
329

330 **4.7 Annual Report Printing Bids**

331

332 Selectman Panasiti moved, second by Selectman Akillian, to award the Annual Report printing bid
333 to Smith & Town of Berlin, NH at a cost of \$2,600 for 1,500 copies of the report. Motion passed
334 unanimously, 5-0. Town Administrator O'Mara mentioned that Smith & Town printed the 2016
335 reports and they were pleased with their work.
336

337 **4.8 Minute Taker Resignation**

338

339 Vice Chairman Lyon moved, second by Selectman Grella, to accept, with regret, the resignation of
340 minute-taker Suzanne Beauchesne. Motion passed unanimously, 5-0.
341
342

343 **5. Public Hearing – Taken Up Earlier**

344
345 **6. Approvals**

346
347 **6.1 Petition and Pole License**

348
349 Vice Chairman Lyon moved, second by Selectman Grella, to grant Eversource's (PSNH) request to
350 install and maintain underground conduits, cable and wires, and maintain poles and structures as
351 may be necessary along and under License one (1) pole 9/28Y located on Boston Post Road in
352 Amherst. Motion passed unanimously, 5-0.
353

354 **6.2 Payroll**

355
356 Selectman Panasiti moved, second by Selectman Akillian, to approve one (1) FY18 Payroll
357 Manifest in the amount of \$214,277.65 dated December 21, 2017, subject to review and audit.
358 Motion passed unanimously, 5-0.
359

360 Selectman Panasiti moved, second by Vice Chairman Lyon, to approve one (1) FY18 Payroll
361 Manifest in the amount of \$229,094.37 dated January 4, 2018, subject to review and audit. Motion
362 passed unanimously, 5-0.
363

364 **6.3 Accounts Payable**

365
366 Selectman Panasiti moved, second by Vice Chairman Lyon, to approve one (1) FY18 Accounts
367 Payable Manifest in the amount of \$33,923.28 dated December 18, 2017, subject to review and
368 audit (Town Clerk Transfers to the State of NH). Motion passed unanimously, 5-0.
369

370 Selectman Panasiti moved, second by Selectman Akillian, to approve one (1) FY18 Accounts
371 Payable Manifest in the amount of \$25,852.54 dated January 2, 2018, subject to review and audit
372 (Town Clerk Transfers to the State of NH). Motion passed unanimously, 5-0.
373

374 Selectman Panasiti moved, second by Selectman Akillian, to approve one (1) FY18 Accounts
375 Payable Manifest in the amount of \$375,546.08 dated December 29, 2017, subject to review and
376 audit. Motion passed unanimously, 5-0.
377

378 Selectman Panasiti moved, second by Selectman Akillian, to approve one (1) FY18 Accounts
379 Payable Manifest in the amount of \$2,686,887.00 dated January 2, 2018, subject to review and
380 audit (School Disbursements). Motion passed unanimously, 5-0.
381

382 **6.4 Meeting Minutes**

383
384 **6.4.1 December 11, 2017**

385
386 Selectman Panasiti moved, second by Selectman Akillian, to approve the Board of Selectmen
387 meeting minutes of December 11, 2017, as presented. Motion passed unanimously, 5-0.
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395 **6.4.2 December 11, 2017 Non-Public Session**

396
397 Selectman Panasiti moved, second by Vice Chairman Lyon, to approve the non-public Board of
398 Selectmen meeting minutes of December 11, 2017, as presented. Motion passed unanimously, 5-0.
399

400 **6.4.3 December 18, 2017**

401
402 Selectman Panasiti moved, second by Selectman Akillian, to approve the Board of Selectmen
403 meeting minutes of December 18, 2017, as presented. Motion passed unanimously, 5-0.
404

405 **6.4.4 December 18, 2017 Non-Public Session**

406
407 Selectman Panasiti moved, second by Selectman Akillian, to approve the non-public Board of
408 Selectmen meeting minutes of December 18, 2017, as presented. Motion passed unanimously, 5-0.
409

410 **7. New/Old Business**

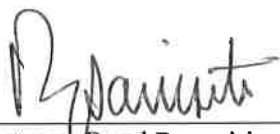
411 Because of the gravity of the situation, Town Administrator O'Mara asked the Board make an
412 exception and act on an item not previously included on the agenda; that is, to consider bids
413 received for the purchase, installation, and technical services for a new video server. Selectman
414 Akillian moved, second by Vice Chairman Lyon, to award a bid for the removal of the old,
415 installation of the new, and all technical services for operation of an UntraNexus-HD X2 Digital
416 Video Server to include shipping and handling, at a cost of \$13,126. Motion passed unanimously,
417 5-0.
418

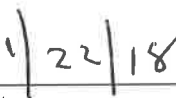
419
420 Chairman Brew said he attended a Saturday meeting with the Historic District Commission. The
421 Commission would like to be involved earlier in projects proposed; such as, roads, signage, etc.
422

423 **8. Non Public Session**

424
425 Vice Chairman Lyon moved, second by Selectman Grella, to adjourn the meeting at 9:16 p.m.
426
427

428 **NEXT MEETINGS: January 22, 2018**
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430
431 
432 _____
433 Selectman Reed Panasiti
434 Clerk, Board of Selectmen
435

431 
432 _____
433 Date