



Town of Amherst, NH
BOARD OF SELECTMEN MEETING MINUTES
Barbara Landry Meeting Room
2 Main Street
Monday, April 9, 2018

1. Call to Order

Chairman Dwight Brew called the public meeting to order at 6:02 p.m.

Attendees: Chairman Dwight Brew, Selectmen John D'Angelo, Tom Grella, Peter Lyon, and Reed Panasiti. Also present: Town Administrator Jim O'Mara.

2. Employee Recognition, Reception

Chairman Brew thanked Mr. Bruce Berry for his years of service to the town as Director of Public Works. Mr. Berry worked for the town for almost 17 years and has a number of accomplishments to his name during that time. Chairman Brew listed some of these, including: the Mack Hill Road Bridge, approximately 15 miles of road reconstruction, the Baboosic Lake Community septic project, the guidance of storm water interns, the reconstruction of Town Hall, and his help during the many interesting storms the town has weathered. He has been fully devoted to the town and the town is better off for it.

Selectman Lyon presented Mr. Berry with a plaque for his service and stated that he hopes Mr. Berry can now focus on his family and himself.

The recognition ceremony was followed by a reception.

3. Pledge of Allegiance – Bruce Berry led the pledge.

4. Citizen's Forum – None

5. Town Administrator

5.1 Horace Greeley Road Bridge Bid – DPW

Town Administrator O'Mara explained that the New Hampshire DOT prequalifies any construction company doing bridge work. The town is scheduled for an 80% reimbursement of construction fees for this project. Once approved, the town will receive 40% of this reimbursement up front and the other 40% upon completion of the project. All bidders were

vetted and the lowest submitted bid is from E.D. Swett, Inc. at a total of \$1,130,019.90. Administrator O'Mara stated that Hoyle, Tanner will be looking into the town's requirement interests to make sure we meet the timeframes for this project.

A MOTION was made by Selectman Lyon and SECONDED by Selectman Grella to award the Horace Greeley Road Bridge bid to E.D. Swett, Inc. at a total of \$1,130,019.90, as the lowest qualified bidder, and to authorize the Town Administrator to sign all related documents on behalf of the Board of Selectmen.

In response to a question from Selectman Panasiti, Mr. Bruce Berry stated that, while the town has not used this contractor before, E.D. Swett, Inc. comes highly recommended by the DOT and is well-used throughout the state.

In response to a comment by Administrator O'Mara, Chairman Brew stated that the Board would like for Administrator O'Mara to continue to alert the Board if changes are going to be made over \$5,000 and for them to discuss these changes at one of their meetings.

Voting: motion passed unanimously, 5-0.

5.2 Atlas Fireworks Permit

Town Administrator O'Mara stated that the Board is the only body that can issue a permit for the wholesale retail sale of fireworks. He asked that the Board approve the permit with three conditions.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to approve the Atlas Fireworks Sales Application with the following contingencies: 1. The heating fuel oil tank be replaced entirely 2. The soil/ground contamination be remediated to the requirements and standards of NH DES, and 3. The potential leak of the septic/sewer drain line be repaired within 30 days of approval, and to authorize the Board to sign the application designating approval of permit.

Voting: motion passed unanimously, 5-0.

5.3 April 23/30 Meeting

Chairman Brew stated that the April 23rd meeting falls during school vacation week. The Board agreed to move the meeting to April 30th. The Board will also meet May 29th instead of the 28th, October 9th instead of the 8th, November 13th instead of the 12th, and December 17th instead of the 24th/25th.

5.4 Town Employees' Holidays – 2019

The Board reviewed the proposed employees' holiday schedule for the 2019 calendar year. They discussed that the town will be observing a July 5, 2019 holiday, in place of Columbus Day.

81 *A MOTION was made by Selectman Grella and SECONDED by Selectman Lyon to approve*
82 *the town 2019 holiday schedule.*

83 *Voting: motion passed unanimously, 5-0.*
84

85 **5.5 Board of Selectmen Meeting Schedule – 2019** 86

87 The Board reviewed the proposed meeting schedule for the 2019 calendar year. They
88 discussed moving the November 11, 2019 meeting to November 12, the May 27th meeting to
89 May 28th, the April 22nd meeting to April 29th. They will review this schedule again in
90 January to decide on any other changes.
91

92 **5.6 Finance Report, 3rd Quarter** 93

94 Town Administrator O'Mara reviewed the 3rd Quarter finance report with the Board. He
95 stated that all spending is within reason. He will present the finance report to the Board
96 monthly from now on.
97

98 Selectman D'Angelo explained that he would like to see a list of projects identified, that were
99 previously not able to be funded, to possibly schedule to take place at the end of the year if
100 town finances are running under expected totals. Administrator O'Mara stated that the
101 handicap ramp to Town Hall is in a currently being repaired and could be included on this list
102 of projects.
103

104 **5.7 New Hires – AFR** 105

106 *A MOTION was made by Selectman Lyon and SECONDED by Selectman Grella to appoint*
107 *Kevin Fountain and Kevin McNamara to the Amherst Fire Rescue Department.*

108 *Voting: motion passed unanimously, 5-0.*
109

110 **5.8 Use of Common Request – Amherst Historical Society** 111

112 John Bement, of the Amherst Historical Society, explained that the group is requesting
113 permission to use the Town Common on Saturday, September 8, 2018 for the purpose of
114 holding a family-oriented community event, called the Amherst Old Home Day festival. This
115 will be an all-day event, including a family picnic lunch, walking/church tours, the Farmer's
116 Market, craft vendors, and a candlelight dinner.
117

118 *A MOTION was made by Selectman Grella and SECONDED by Selectman D'Angelo to*
119 *approve the Amherst Historical Society request to use the Town Common Saturday,*
120 *September 8, 2018 for the purpose of holding the Amherst Old Home Day festival, and to*
121 *allow the Town Administrator to open the Town Hall restrooms during this event.*

122 *Voting: motion passed unanimously, 5-0.*
123
124
125
126

5.9 NRPC – NRSWMD Representative Appointment

Town Administrator O'Mara stated that there is an NRPC subcommittee, the Nashua Region Solid Waste Management District (NRSWMD), which Amherst is a member of. This consortium allows town residents to drop off hazardous waste materials annually. The town needs to appoint a representative to this group.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to elect acting DPW director Eric Hahn to be the District representative to the NRPC's NRSWMD.

Voting: motion passed unanimously, 5-0.

6. Approvals

6.1 DRA Form MS-DTB, Default Budget

Town Administrator O'Mara explained that there is a required form from DRA of how the town will allocate the money is issued a default budget from the voters. Although the Board would not know the exact ways this would be broken out until closer to the actual event of this happening, the document is required as a mechanical exercise.

6.2 Hawkers & Vendors Applications

Town Administrator O'Mara shared an application for Tastee Kone, LLC with the Board. He also shared an application for a food truck which will be stationed at the Amherst Garden Center.

A MOTION was made by Selectman Lyon and SECONDED by Selectman Grella to approve the Hawkers, Peddlers & Vendors permit renewal for Mardi K. Wilson for a one year period commencing on April 10, 2018, and to authorize the Chairman to sign approval on behalf of the Board of Selectmen.

Voting: motion passed unanimously, 5-0.

A MOTION was made by Selectman Lyon and SECONDED by Selectman Grella to approve the application for Hawkers, Peddlers & Vendors permit for Cory Boutin for one year commencing on April 9, 2018 (food truck stationed at Amherst Garden Center).

In response to a question from Selectman Grella, Administrator O'Mara confirmed that the food truck will only be open when the Garden Center is open.

Voting: motion passed unanimously, 5-0.

The Board discussed applications for 6 vendors from Andersen Windows who wish to go door-to-door to sell replacement windows.

In response to a question from Chairman Brew, Administrator O'Mara stated that if hawkers/vendors are viewed to be bothering people in town, the Board could revoke their permit at a future meeting.

Selectman Lyon explained that he doesn't believe the Board can prohibit these types of applications, but they can regulate them. Administrator O'Mara stated that the Board has regulated these vendors to Monday-Friday 9am-5pm, in the past.

*A MOTION was made by Selectman Lyon and SECONDED by Selectman Grella to approve the Hawkers, Peddlers & Vendors permit applications for the 6 individuals named in the Renewals by Andersen application for a two month period, April 9 – June 11, 2018, regulated from Monday-Friday 9am-5pm.
Voting: motion passed unanimously, 5-0.*

6.3 Assessing

*A MOTION was made by Selectman Lyon and SECONDED by Selectman Grella to approve and sign the All Service Veteran Tax Credit for:
Property Map/Lot 005-021-000 in the amount of \$500.00.
Voting: motion passed unanimously, 5-0.*

*A MOTION was made by Selectman Lyon and SECONDED by Selectman Panasiti to approve and sign the Disabled Exemption for:
Property Map/Lot 003-035-001-041 in the amount of \$65,000.00
Voting: motion passed unanimously, 5-0.*

*A MOTION was made by Selectman Lyon and SECONDED by Selectman Grella to approve and sign the Elderly Exemption for:
Property Map/Lot 002-098-009 in the amount of \$151,000.00
Voting: motion passed unanimously, 5-0.*

*A MOTION was made by Selectman Lyon and SECONDED by Selectman Panasiti to deny the application for exempt status, due to the applicant not qualifying under the statutes:
Property Map/Lot 017-066-000
Voting: motion denied unanimously, 5-0.*

*A MOTION was made by Selectman Lyon and SECONDED by Selectman Grella to deny the abatement, due to there being insufficient data presented to warrant a change in value:
Property Map/Lot 002-035-000
Voting: motion denied unanimously, 5-0.*

*A MOTION was made by Selectman Lyon and SECONDED by Selectman Grella to deny the abatement, due to there being insufficient data presented to warrant a change in value:
Property Map/Lot 002-038-000
Voting: motion denied unanimously, 5-0.*

A MOTION was made by Selectman Lyon and SECONDED by Selectman Panasiti to deny the abatement, due to there being insufficient data presented to warrant a change in value: Property Map/Lot 002-041-000

Voting: motion denied unanimously, 5-0.

A MOTION was made by Selectman Lyon and SECONDED by Selectman Panasiti to deny the abatement, due to there being insufficient data presented to warrant a change in value: Property Map/Lot 003-079-000-004

Voting: motion denied unanimously, 5-0.

A MOTION was made by Selectman Lyon and SECONDED by Selectman Panasiti to approve and sign the abatement for:

Property Map/Lot 004-062-010 in the amount of \$2,016.00

Voting: motion passed unanimously, 5-0.

A MOTION was made by Selectman Lyon and SECONDED by Selectman Panasiti to approve and sign the abatement for:

Property Map/Lot 006-028-004 in the amount of \$1,212.00

Voting: motion passed unanimously, 5-0.

6.4 Payroll

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to approve one (1) FY18 Payroll Manifest in the amount of \$212,835.95 dated March 29, 2018, subject to review and audit.

Voting: motion passed unanimously, 5-0.

6.5 Accounts Payable

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve FY18 Accounts Payable Manifests:

1) in the amount of \$34,906.07 dated March 30, 2018, subject to review and audit (Town Clerk Transfers to the State of NH).

2) in the amount of \$170,103.23 dated April 3, 2018, subject to review and audit.

Voting: Motion passed unanimously, 5-0.

6.6 Previous Meeting Minutes

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve the Board of Selectmen public meeting minutes of March 26, 2018, as amended.

Voting: motion passed unanimously, 5-0.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve the Board of Selectmen non-public meeting minutes of March 26, 2018, as presented.

Voting: motion passed unanimously, 5-0.

264 **7. Action Items**

265
266 Town Administrator O'Mara will explore the possibility and process of moving the town
267 election date, return to the Board with that information and then the Board will discuss it
268 internally.

269
270 The Board will review any committee openings at their next meeting.

271
272 **8. New/Old Business**

273
274 Selectman D'Angelo stated that he attended a Souhegan School Board meeting where the
275 percent of money that the Recreation Department gets to book the fields at Souhegan was
276 discussed. He explained that Mr. Craig Fraley asked for the percentage to raise from 15% to
277 20% but that the Board wasn't interested in changing the percent.

278
279 The Board discussed the possibility of meeting with the School District in order to carry out
280 a negotiation session for the field space discussion.

281
282 Town Administrator O'Mara explained that there were two negotiating points discussed at
283 the meeting. One was a request from Mr. Fraley to raise the percent from 15 to 20. The other
284 was the request for the same proprietary language that is set forth for the town's first right of
285 refusal for field space, after the schools, to also be extended to gym space as well.

286
287 Selectman Panasiti stated that he attended the Recreation Department meeting and noted that
288 the schools now wish to use the field space for events other than sporting, thus bumping the
289 Recreation Department's time there. He would like to have a review of the Recreation
290 Department's expenses in order to determine if the recovery of costs for the replaced field is
291 going as planned.

292
293 Selectman Lyon stated that he and Chairman Brew met with Ms. Mary Guild to discuss the
294 format for presenting non-personnel policies for possible amendment to the Board.

295
296 Chairman Brew stated that he met with the Cemetery Trustees last week to open the
297 combination bid for engineering and surveying, but that there have been no responses yet.
298 The group will meet tomorrow morning with Mr. Gordon Leedy to further discuss plans.

299
300 Town Administrator O'Mara presented the Board with a schematic of the proposed location
301 for and a rendered drawing of the proposed bocce ball court(s). The Board discussed if there
302 will be appropriate fencing around the site. This will be an item for the Planning Board and
303 will also be discussed by the Historic District Commission.

304
305 Town Administrator O'Mara explained that there is an agreement between the town and the
306 former owner of a lot on Paul's Way, regarding leaving access for a dry hydrant there. The
307 new buyer is asking to be released from this agreement as the area is dried up and is now
308 under pressurized hydrants from Pennichuck.

Town Administrator O’Mara stated that he has spoken with Mr. Eric Hahn who has rewritten the job descriptions for the newly titled roads foreman and building and grounds foreman positions. He is requesting to make both of these positions on a single pay grade (pay grade 14). The Board agreed that this will be a posted agenda item for the next meeting.

In response to a question from Selectman D’Angelo, Town Administrator O’Mara explained that there was a committee, the Town Land Committee, formed to discuss the encroachment on town and ACC land near Baboosic Lake. Chairman Brew stated that this should be an agenda item for the next meeting.

9. Non-Public Session per RSA 91-A:3 II (a)
A MOTION was made by Selectman Panasiti and SECONDED by Selectman D’Angelo at 8:16 p.m. to enter non-public session. By roll call vote: D’Angelo: yes, Panasiti: yes, Brew: yes, Grella: yes, Lyon: yes, the Board went into non-public session.

NEXT MEETING: April 30, 2018

SIGNATURE ON FILE	2018.04.30
_____	_____
Selectman Reed Panasiti	Date
Clerk, Board of Selectman	