



Town of Amherst, NH
BOARD OF SELECTMEN MEETING MINUTES
Barbara Landry Meeting Room
2 Main Street
Tuesday, November 13, 2018

1. Call to Order

Chairman Dwight Brew called the meeting to order at 5:30 p.m.

Attendees: Chairman Dwight Brew, Selectmen John D'Angelo, Tom Grella, Peter Lyon, and Reed Panasiti. Also present: Executive Assistant Mary Guild.

2. Non-Public Session per RSA 91-A:3, II (e)

Selectman Lyon moved to enter non-public session under RSA 91-A:3, II (e). The motion was seconded by Selectman D'Angelo. By roll call vote: D'Angelo: yes, Panasiti: yes, Brew: yes, Grella: yes, Lyon: yes, the Board went into non-public session.

The Board entered the non-public meeting at 5:30 p.m.

Selectman Panasiti moved to exit the non-public session at 6:24 p.m. The motion was seconded by Selectman Grella. By roll call vote: D'Angelo: yes, Panasiti: yes, Brew: yes, Grella: yes, Lyon: yes, the Board came out of non-public session.

Chairman Brew stated that during non-public session, no votes were taken, and no decisions were made.

The Board resumed the public meeting at 6:30 p.m.

3. Pledge of Allegiance – Amherst Garden Club president, Becky Stoughton, led the pledge.

4. Citizens' Forum – none

5. Donations

5.1 Amherst Garden Club Donation *[this item was moved to later in the meeting]*

35 **5.2 Opportunity Networks to ACC**

36 Chairman Brew explained that Opportunity Networks, on behalf of Sue and Sally Long, is
37 donating into the Conservation Commission's gift account for their work in building a trail
38 and bench in memory of the late Bill Long.

39
40 *A MOTION was made by Selectman Lyon and SECONDED by Selectman Panasiti on behalf*
41 *of the Town of Amherst and the Amherst Conservation Commission, to accept the donation*
42 *from Opportunity Networks in the amount of \$1,000 and to authorize the expenditure of the*
43 *donation to build a trail extension and install a memorial bench in honor of Bill Long at the*
44 *Sky Meadow property.*

45 *Voting: 5-0-0; motion passed unanimously.*

46
47 ***The Board took up item 5.1 Amherst Garden Club Donation, at this time***

48 Sue Spiess and Becky Stoughton, of the Amherst Garden Club, thanked the town and the
49 Board for their cooperation with the Club in giving the garden shed a spot at the South Fire
50 Station.

51
52 In response to a question from Selectman Grella, Ms. Spiess stated that the warranty info for
53 the shed was made out using the town's information and thus the registration appears to be
54 complete.

55
56 *A MOTION was made by Selectman Grella and SECONDED by Selectman Lyon on behalf of*
57 *the Town of Amherst to accept the Amherst Garden Club donation of a garden shed at the*
58 *value of \$10,049.10.*

59 *Voting: 5-0-0; motion carried unanimously.*

60
61 **6. NOTICE OF PUBLIC HEARING [this item was tabled until its start time of 7:00 p.m.]**

62
63 **7. Town Treasurer Stipend Request**

64 Town Treasurer, Liz Overholt, presented the Board with her request for a stipend increase.

65
66 In response to a question from Selectman D'Angelo, Ms. Overholt stated that the request
67 comes due to an increase in hours on treasurer business. In 2013, Ms. Overholt stated, she
68 spent about 30 hours per month on business; today she spends about 50 hours per month.

69
70 In response to a question from Selectman Panasiti, Ms. Overholt explained that she was
71 originally elected to the position back in 1990 and has held it for a majority of the time since
72 then. She was last re-elected in March 2017.

73
74 Chairman Brew stated that there are a few town positions that receive a stipend. Except for
75 selectmen, these positions also then receive the COLA. Thus, the town treasurer's \$12,000
76 stipend was increased to around \$13,000, as of last July.

77
78 Selectman Lyon thanked Ms. Overholt for her service as town treasurer. He stated that he
79 believes this stipend increase should be reviewed in an election year, so that the public can be
80 informed of the changes, if any are made. He also explained that it would make sense for the
81 new Town Administrator to review this request once one is chosen.

Chairman Brew stated that he believes the new Town Administrator might be able to look at the position and see if there are efficiencies that can be made between it and the Finance Department.

The Board discussed that there are other positions in town that receive a much smaller stipend, and that they need to remain cognizant of those people while having this discussion as well.

8. Budget Discussion [this item was moved until later in the meeting]

9. Administration [this item was taken up by the Board at this time]

9.1 Police Station Renovation CRF Withdrawal Request

Chairman Brew stated that the architectural design service work, by Dennis Mires, P.A. has been estimated at \$39,000. The Police Department currently has \$15,000 that has been earmarked for this purpose. They need to withdraw \$24,000 from the Police Station Renovation Capital Reserve for the remainder.

A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to authorize the request to withdraw \$24,000 from the Police Station Renovation Capital Reserve Fund and to expend funds in the amount of \$24,000 for payment to Dennis Mires, P.A. for architectural design services at the Police Station.

Voting: 5-0-0; motion passed unanimously.

9.2 New Hires – AFR

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Lyon to appoint Scott Lancaster to the Amherst Fire Rescue as an EMT Paramedic, effective immediately.

Voting: 5-0-0; motion passed unanimously.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Lyon to appoint Mary Woo to the Amherst Fire Rescue as an EMT Paramedic, effective immediately.

Voting: 5-0-0; motion passed unanimously.

9.3 Michachunk Settlement

Selectman Lyon explained that this is regarding a Settlement Agreement dated October 26, 2018 between Michachunk Development, Inc. and the Town of Amherst, whereby the Town agrees to refund \$9,750, representing a portion of the Land Use Change Tax paid on July 31, 2017 by Michachunk Development for Map 005 Lot 059-040.

A MOTION was made by Selectman Lyon and SECONDED by Selectman D'Angelo to approve and sign an abatement in the amount of \$9,750 for Map 005 Lot 059-040, being a portion of the Land Use Change Tax paid in full on July 31, 2017 and to further authorize the Treasurer to issue a check in that same amount as previously approved to resolve the LUCT abatement litigation pending in Superior Court.

Voting: 5-0-0; motion passed unanimously.

132 **10. Approvals [the Board took up this item at this time]**

133
134 **10.1 Property Tax Warrant**

135
136 *A MOTION was made by Selectman Lyon and SECONDED by Selectman D'Angelo to*
137 *approve and sign the December 2018 Tax Warrant in the amount of \$24,247,071.00.*
138 *Voting: 5-0-0; motion passed unanimously.*
139

140 **10.2 Septic Tax Warrant**

141 *A MOTION was made by Selectman Lyon and SECONDED by Selectman Grella to approve*
142 *and sign the Quarterly Maintenance Warrants for the Baboosic Lake Community Septic bills,*
143 *due January 1, 2019, as follows:*
144

145	<i>Phase I Quarterly Maintenance Warrant</i>	<i>\$1,038.00</i>
146	<i>Phase II Quarterly Maintenance Warrant</i>	<i>\$4,920.22</i>
147	<i>Phase III Quarterly Maintenance Warrant</i>	<i>\$5,621.24</i>
148	<i>Phase IV Quarterly Maintenance Warrant</i>	<i>\$4,037.88</i>

149
150 *Voting: 5-0-0; motion carried unanimously.*
151

152 ***The Board took up item 6 at this time, 7:00 p.m.***

153 **6. PUBLIC HEARING: Pole License Amendment**

154
155 *A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to*
156 *open the public hearing at 7:01 p.m.*
157 *Voting: 5-0-0; motion passed unanimously.*
158

159 Chairman Brew explained that the purpose of this public hearing is to determine whether the
160 public good requires that the petition submitted by the Tax Collector to amend the language
161 contained within the Pole Licenses issued by the Town of Amherst in accordance RSA
162 231:163 should be granted. The suggested language change, as recommended by Town
163 Counsel, is needed to protect the Town of Amherst's legal obligation to tax the Right of Way
164 that is currently being leased to FairPoint Communications (Consolidated Communications),
165 Public Service Company of NH (Eversource), and any other taxable entities that may contract
166 with the town to lease town property.
167

168 ***'...In accordance with the requirements of RSA 72:23, (I) (b), it is hereby provided that the***
169 ***licensee(s) shall be assessed for and shall pay all properly assessed real and personal***
170 ***property taxes no later than the due date. Failure of the licensee(s) to pay the duly assessed***
171 ***personal and real estate taxes when due shall be causing to terminate said license. It shall***
172 ***be the licensee's obligation to pay both current and potential real and personal property***
173 ***taxes, as well as any real and personal property taxes on structures or improvements added***
174 ***by the lessee. ...'***
175

176 Scott Bartlett, NHCG, and Gail Stout, Tax Collector, explained that there is a separate statute
177 regarding the poles and conduits being taxable by the town. This revised language deals
178 specifically with the underlying town land that the utilities are using.
179

Selectman Lyon reviewed the list of property owners/lessees notified of the hearing: Pennichuck Water Works, Inc., Energy North Natural Gas, Inc., Public Service of New Hampshire, FairPoint Communications Inc., New England Telephone and Telegraph (NH and TX), and Comcast.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Lyon to close the public hearing at 7:07 p.m.

Voting: 5-0-0; motion passed unanimously.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Grella to grant the petition submitted by the Tax Collector to amend all currently issued and future pole licenses issued pursuant to RSA 231:161 to add the following language:

'...In accordance with the requirements of RSA 72:23, (I) (b), it is hereby provided that the licensee(s) shall be assessed for and shall pay all properly assessed real and personal property taxes no later than the due date. Failure of the licensee(s) to pay the duly assessed personal and real estate taxes when due shall be cause to terminate said license. It shall be the licensee's obligation to pay both current and potential real and personal property taxes, as well as any real and personal property taxes on structures or improvements added by the lessee. ...'

Voting: 5-0-0; motion passed unanimously.

The Board took a short 1-minute recess.

Ways & Means members entered the meeting: Sarah Bonnoit, Elaina Bedio, Maggie Paul, Peter Moustakis, Michael Facques, and Scott Tuthill.

The Board took up item 8 at this time.

8. Budget Discussion

8.1 FY20 Budget

Chairman Brew stated that the Town is currently operating on their yearly baseline of \$13,894,881.00 and has been since July 1, 2018. The Department Heads have gone through their budgets and reduced their line items by a total of about \$79,000. The baseline number has been adjusted by reducing administrative changes but also by applying the global adjustment increases. All wage driven line items were increased by 2%, raising the proposed budget by about \$101,000. The proposed initiatives add about \$417,000 to the proposed budget. In total, the baseline number, minus any reductions, plus initiatives, and global adjustments, resolves to about a 4.51% increase from the current year's budget.

Chairman Brew explained the initiative line items. The Step initiative for eligible employees is a net of \$46,805. There are 5 software license initiative lines, to move the Town away from purchasing licenses and towards subscription services. The road rebuild line looks to add \$200,000/year to the current town's road maintenance and repair line (currently at \$1.1 million) to work on the town's road plan.

In response to a question from Selectman Lyon, Executive Assistant Mary Guild explained that the PO module initiative line is to allow for money spent to be better tracked. Currently there is no real record of money spent until the Finance Department receives an invoice, but this will require items to have purchase orders before being ordered.

In response to a question from the Ways & Means Committee, Ms. Guild explained that the Health Agencies and Hospitals initiative line deals with the solicitation to the town from local charitable organizations. The town currently commits \$45,000 to these organizations that directly support residents of Amherst; this initiative would raise that amount to \$50,000.

Chairman Brew explained that the Souhegan Regional Landfill initiative line is regarding the Souhegan Regional Landfill, which represents 4 local towns, one of which being Amherst. This group is involved in the disposal of the landfill.

Mr. Eric Hahn, DPW Director, stated that the increase which the town must absorb is looking to increase by about 5-7% for this upcoming calendar year. The group will hold a public hearing in December regarding their next year's budget.

Chairman Brew and Recreation Director, Craig Fraley, discussed the Recreation Truck and Recreation Mower lines. Mr. Fraley stated that he is looking into lease purchasing these two items, which can be bundled together for a 3-year option.

The Board discussed purchasing the mower out of Recreation's -02 account, which is generally supposed to be used for programming. The Board was split on the idea 3-2.

Chairman Brew stated that they will leave it up to Mr. Fraley if he wishes to purchase or lease/purchase the equipment.

Regarding the Master Plan Update initiative line, Selectman Lyon stated that the Planning Board is considering holding off on the update until the new census data comes out 2020. Community Director, Gordon Leedy, stated that he would like to lead this data and begin to engage in the planning process next year. There is \$18,000 in this proposed initiative for survey and software tools.

In response to a question from Selectman Lyon, Mr. Leedy stated that he believes a survey for the master plan could cost between \$15-17,000. This money is essentially a placeholder amount to allow the department to do at least some items. The Board agreed to reduce this initiative item to \$0 until more planning has been done around it.

Regarding the Document Conversion initiative line, Mr. Leedy explained that this year was the first year of a 5-year program to convert all the documents in the basement to digital format.

In response to a question from Selectman Panasiti, Mr. Leedy explained that the document management system is up and running. Approximately 50,000 files have been converted so far, and there are about 700,000 pages of information still to transfer in the basement. There is approximately \$85,000 worth of work to do on this project, so the hope is to split it out over several years.

8.2 Warrant Articles

Chairman Brew explained that the Bike/Pedestrian Network warrant article deals with a grant that was applied for by Community Development for \$67,500. If received, the town must come up with a 20% match for the grant. This would be funded over 2 years, with the first amount of \$67,500 being asked for this year. The grant should be awarded in January.

Mr. Leedy stated that this funding is for Phase II of a VI Phase project. The entire project will cost approximately \$2.5-3 million. The plan is to pursue outside funding for the bulk of this cost, but, if not received, the plan will become a long-term one. There is also the possibility to attempt private fundraising, or to advance the project in any way that makes the most sense with the least impact to the taxpayer.

The Board discussed what the options will be for this warrant article if the grant is not received. Selectman D'Angelo explained that even if this project doesn't go further than this Phase, it's still a worthwhile project. This will connect Baboosic Lake with the Village via a bike/pedestrian path.

Chairman Brew stated that the Maintain and Manage Historic Resources warrant article has been reduced to \$0, as this project's cost will be put into an already existing software line.

Chairman Brew explained that the Police Station Renovation is in year 2 of 3 of funding the capital reserve.

Chairman Brew stated that the Communications warrant article is to provide money to the capital reserve fund to replace equipment such as a communications console and communications tower for the Police Department.

Chairman Brew stated that, in previous years, the town has funded Bridge warrant articles at \$115,000. All the money that is currently in the Bridge Capital Reserve Fund is effectively spoken for. The Spring Road Bridge is a non-state reimbursable bridge and will cost about \$100,000 this year. Service repairs on the town's culverts will cost about \$75,000. Warrant Article 33 is for the Mont Vernon Road Bridge (FY22) which will fund a capital reserve at \$200,000 for 3-4 years. This should be enough to fund the town's portion of this bridge.

Selectman D'Angelo suggested that the town consider taking this money out of the unassigned fund balance to keep it off the town's budget as a warrant article. The Board discussed how much of a balance they like to keep in the undesignated fund balance.

A MOTION was made by Selectman D'Angelo and SECONDED by Chairman Brew to take \$1.2 million out of the unassigned fund balance in order to fund the next 6 years' worth of bridge repairs.

Selectman D'Angelo stated that he believes the unassigned fund balance is too high and that leaving fund in that balance is not the best way to give them value. Even if the decision was to only take out half of that amount, \$700,000, to help fund the bridge repairs, it would help and not ask the town for additional tax money

Voting: 1-4-0; motion does not pass.

Chairman Brew explained that the warrant article for \$140,000 for a new Mechanic Garage for DPW is part of a long-term plan.

In response to questions from the Ways & Means Committee, Chairman Brew requested that Mr. Hahn come back to the Board with supporting materials for this new garage.

In response to a question from the Ways & Means Committee, Chairman Brew explained that the initiatives and warrant articles add up to about \$929,500. If the budget and these items all pass, the impact on a \$353,000 home would be an increase of \$234 in taxes.

In response to a question from the Ways & Means Committee, Chairman Brew stated that there is approximately \$120,000 in the contingency fund right now. This is money to be used in the event of an emergency that can't possibly be dealt with in any other way. The Board also discussed how close the town came last year to spending its total budget.

In response to a question from Selectman Lyon, Ms. Guild stated that the health insurance is currently slated to increase by a maximum of 15%. Rates will come out in the beginning of December.

Selectman Panasiti suggested cutting the road rebuild initiative in half (\$100,000) and then examine the effects before giving more to the project. He explained that he would like to see what can be done with a more modest increase in budget. Mr. Hahn stated that he believes this would create a domino effect with road quality heading downwards, but he will work with whatever he is given.

In response to a question from Chairman Brew, Mr. Hahn stated that he believes the extra \$200,000/year is necessary for the roads and more short-term relief will be needed if only \$100,000 is funded instead. Chairman Brew asked Mr. Hahn to examine his road plan and see how things would change if only a \$100,000 increase is funded instead.

In response to a question from the Ways & Means Committee, Ms. Guild explained that the Bank Charges & Fees line is going to be examined and other banks are going to be investigated for their input.

Ms. Paul, of the Ways & Means Committee, stated that she has questions on a couple of Library line items (supplies and travel), which seem to be higher than most other departments.

Chairman Brew stated that Amherst adopted a warrant article back in 1977 allowing those who use solar energy to heat their homes to not pay a property tax on the cost of the equipment. A lot has happened since that time and there is some concern with the way that warrant article was written. Warrant Article 37 looks to put a cap on the existing solar exemption. The highest exemption in Amherst is currently \$21,000, so the thought is to put the cap at around \$30,000.

Selectman Lyon agreed that there needs to be a balance between keeping some tax money and not dissuading people from pursuing solar energy.

The Board agreed to modify the Warrant Article to read a cap of \$30,000 and review it again at a later date.

The Board re-took item 10 at this time.

10. Approvals

10.3 Assessing

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

Property Map/Lot 003-027-010 in the amount of \$8,710.00

Voting: 5-0-0; motion passed unanimously.

A MOTION was made by Selectman Lyon and SECONDED by Selectman Grella to approve and sign the 2018 Department of Revenue Equalization Assessment Data form.

Voting: 5-0-0; motion passed unanimously.

10.4 Payroll

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to approve one (1) FY19 Payroll Manifest in the amount of \$216,738.78 dated October 25, 2018, subject to review and audit.

Voting: motion passed unanimously, 5-0-0.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti to approve one (1) FY19 Payroll Manifest in the amount of \$206,211.67 dated November 8, 2018, subject to review and audit.

Voting: motion passed unanimously, 5-0-0.

10.5 Accounts Payable

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY19 Accounts Payable Manifest in the amount of \$33,093.60 dated November 1, 2018, subject to review and audit (Town Clerk Transfers to the State of NH).

Voting: Motion passed unanimously, 5-0-0.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY19 Accounts Payable Manifest in the amount of \$300,086.98 dated October 30, 2018, subject to review and audit.

Voting: Motion passed unanimously, 5-0-0.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY19 Accounts Payable Manifest in the amount of \$128.98 dated November 7, 2018, subject to review and audit.

Voting: Motion passed unanimously, 5-0-0.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Panasiti, to approve one (1) FY19 Accounts Payable Manifest in the amount of \$2,938,852.00 dated November 1, 2018, subject to review and audit. (Schools Disbursement).

Voting: 5-0-0; motion passed unanimously.

10.6 Previous Meeting Minutes – October 22, 2018

A MOTION was made by Selectman Panasiti and SECONDED by Selectman D'Angelo to approve the Board of Selectmen meeting minutes of October 22, 2018.

Voting: 5-0-0; motion passed unanimously.

424 **11. Action Items**

425
426 The Board reviewed action items.
427

428 **12. New/Old Business**

429
430 Ms. Guild explained that there is an appeal to the BTLA for a property on Homestead Rd.
431 whose claim was denied by the Board. It will probably be eventually filed with the Board.
432

433 Ms. Guild also explained that there was an investigation required into TCI and the PFOA issue
434 in town. A company called Arcadis was hired to do the investigation and has presented a
435 report to the state. They would also like to present the report to the Board.
436

437 **13. Non-Public Session, RSA 91-A:3, II (b)**

438
439 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Grella to*
440 *adjourn the public meeting and enter into non-public session, RSA 91-A:3, II (b) at 9:31 p.m.*
441 *Voting: Motion passed unanimously, 5-0-0.*
442

443 *By roll call vote: D'Angelo: yes, Panasiti: yes, Brew: yes, Grella: yes, Lyon: yes, the Board*
444 *went into non-public session.*
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446
447
448

449 **NEXT MEETING: November 26, 2018 - Monday**
450
451
452

453
454 **SIGNATURE ON FILE**

2018.11.26

455 _____
456 *Selectman Reed Panasiti*

Date