



# Town of Amherst, NH

## BOARD OF SELECTMEN MEETING MINUTES

Barbara Landry Meeting Room

2 Main Street

Monday, January 9, 2023, 6:30PM

Attendees: Chairman Peter Lyon, Selectman Bill Stoughton, Selectman John D'Angelo, Selectman Grella, and Selectman Danielle Pray

Also present: Town Administrator Dean Shankle, Kristan Patenaude – Recording Secretary

### 1. Call to Order

Chairman Peter Lyon called the meeting to order at 6:30 p.m.

### 2. Pledge of Allegiance – led by Tom Silvia.

### 3. Citizen's Forum

None at this time.

### 4. Budget Public Hearing

**4.1. Pursuant to New Hampshire RSA 32:5, I, the Amherst Board of Selectmen hereby announces to the citizens of Amherst the convening of a Public Hearing to take input on the proposed FY24 Town Operating Budget and proposed warrant articles.**

*A MOTION was made by Selectman Pray and SECONDED by Selectman D'Angelo to enter into a Public Hearing, pursuant to New Hampshire RSA 32:5, I.*

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

Chairman Lyon reviewed the draft Deliberative Session presentation. He read Article 22 – Operating Budget, into the record.

*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 \$15,889,910. Should this article be defeated the default budget shall be \$15,650,729 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. (Tax Impact = \$4.14) (Majority vote required)*

Chairman Lyon reviewed the noteworthy budget increases, and reductions/cost avoidances. He noted that the revenue estimate has been increased by approximately \$200,000. This is important because every revenue dollar is an additional dollar that does not have to be raised through taxes.

Chairman Lyon noted that the Deliberative Session, February 8, 2023, will be broadcast via Zoom, but the Moderator will only allow public comment from those in-person during the meeting.

*A MOTION was made by Selectman Stoughton and SECONDED by Selectman Pray to support Warrant Article 22 – Operating Budget.*

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

*A MOTION was made by Selectman Stoughton and SECONDED by Selectman Pray to advance Warrant Article 22 – Operating Budget, to the Deliberative Session.*

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

Selectman D'Angelo read Warrant Article 23 – Contingency Fund into the record.

*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 twenty thousand dollars (\$120,000) to go into the fund. Said sum shall come from the unassigned 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. (Tax Impact = \$0.00) (Majority vote required)*

*A MOTION was made by Selectman Stoughton and SECONDED by Selectman D'Angelo to support Warrant Article 23 – Contingency Fund.*

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

*A MOTION was made by Selectman Stoughton and SECONDED by Selectman D'Angelo to advance Warrant Article 23 – Contingency Fund, to the Deliberative Session.*

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

Selectman D'Angelo read Warrant Article 24 – Baboosic Lake Septic Operating Budget into the record.

*Shall the Town vote to raise and appropriate the sum of \$69,040, for operating and maintaining the Baboosic Lake Septic System for the ensuing year, said sum is to be offset by user fees. Should this article be defeated the default budget shall be \$69,080 which is the same as last year with certain adjustments required by previous action of the Town or by law. (Tax Impact = \$0.00) (Majority vote required)*

Selectman D'Angelo explained that the Baboosic Lake Septic Operating budget was pulled from the Operating Budget, as this is user-funded, so as to not use taxpayer dollars.

*A MOTION was made by Selectman Stoughton and SECONDED by Selectman D'Angelo to support Warrant Article 24 – Baboosic Lake Septic Operating Budget.*

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

85  
86 *A MOTION was made by Selectman Stoughton and SECONDED by Selectman D'Angelo to*  
87 *advance Warrant Article 24 – Baboosic Lake Septic Operating Budget, to the Deliberative*  
88 *Session.*

89 *Voting: 5-0-0; motion carried unanimously.*  
90

91 Selectman D'Angelo read Warrant Article 25 – Communications Center Capital Reserve Fund  
92 into the record.

93 *Shall the Town vote to raise and appropriate the sum of twenty-five thousand dollars*  
94 *(\$25,000) to be added to the Communications Center Capital Reserve Fund, previously*  
95 *established. (Tax Impact = \$0.01) (Majority vote required)*  
96

97 Selectman D'Angelo explained that this Capital Reserve Fund (CRF) is used to pay for  
98 communication-related items, such as microwave relay towers. Approximately \$125,000 has  
99 been used from this fund over the last five years.

100  
101 *A MOTION was made by Selectman Stoughton and SECONDED by Selectman D'Angelo to*  
102 *support Warrant Article 25 – Communications Center Capital Reserve Fund.*

103 *Voting: 5-0-0; motion carried unanimously.*  
104

105 *A MOTION was made by Selectman Stoughton and SECONDED by Selectman D'Angelo to*  
106 *advance Warrant Article 25 – Communications Center Capital Reserve Fund, to the*  
107 *Deliberative Session.*

108 *Voting: 5-0-0; motion carried unanimously.*  
109

110 Selectman Grella read Warrant Article 26 – Assessing Revaluation Capital Reserve Fund into  
111 the record.

112 *Shall the Town vote to raise and appropriate the sum of twenty-five thousand dollars*  
113 *(\$25,000) to be added to the Assessing Revaluation Capital Reserve Fund, previously*  
114 *established. (Tax Impact = \$0.01) (Majority vote required)*  
115

116 Selectman Grella explained that the State requires towns to go through a revaluation process  
117 every five years. This CRF is used to fund that process.  
118

119 *A MOTION was made by Selectman Stoughton and SECONDED by Selectman D'Angelo to*  
120 *support Warrant Article 26 – Assessing Revaluation Capital Reserve Fund.*

121 *Voting: 5-0-0; motion carried unanimously.*  
122

123 *A MOTION was made by Selectman Stoughton and SECONDED by Selectman Pray to*  
124 *advance Warrant Article 26 – Assessing Revaluation Capital Reserve Fund, to the*  
125 *Deliberative Session.*

126 *Voting: 5-0-0; motion carried unanimously.*  
127

128 Selectman Grella read Warrant Article 27 – Bridge Repair and Replacement Capital Reserve  
129 Fund into the record.

130 *Shall the Town vote to raise and appropriate the sum of two hundred thousand dollars*  
131 *(\$200,000) to be added to the Bridge Repair and Replacement Capital Reserve Fund,*  
132 *previously established. (Tax Impact = \$0.08) (Majority vote required)*  
133

134 Selectman Grella explained that the Town/DPW plans to carry out a bridge/culvert  
135 engineering study in the upcoming year to better plan for projects into the future.  
136

137 *A MOTION was made by Selectman Stoughton and SECONDED by Selectman Grella to*  
138 *support Warrant Article 27 – Bridge Repair and Replacement Capital Reserve Fund.*  
139 *Voting: 5-0-0; motion carried unanimously.*  
140

141 *A MOTION was made by Selectman Stoughton and SECONDED by Selectman Grella to*  
142 *advance Warrant Article 27 – Bridge Repair and Replacement Capital Reserve Fund, to the*  
143 *Deliberative Session.*  
144 *Voting: 5-0-0; motion carried unanimously.*  
145

146 Selectman Stoughton read Warrant Article 28 – Fire Rescue Vehicle and Equipment Purchase  
147 Capital Reserve Fund into the record.

148 *Shall the Town vote to raise and appropriate the sum of two hundred fifty-seven thousand*  
149 *dollars (\$257,000) to be added to the Fire Rescue Vehicle and Equipment Purchase and*  
150 *Repair Capital Reserve Fund, previously established. (Tax Impact = \$0.11) (Majority vote*  
151 *required)*  
152

153 Selectman Stoughton explained that the current balance of this CRF is approximately \$1.5M.  
154 This CRF is used to purchase all of the major Fire/Rescue vehicles and equipment. The Fire  
155 Chief and a logistics volunteer, Russ Thomas, have reviewed all aspects of the vehicles and  
156 replacement equipment costs. A plan looking out 30 years, but focusing on the next 5-10  
157 years, has been created. In some years, no purchases are planned, while other years contain  
158 major purchases. In the current budget year, three large purchases are proposed. For the  
159 budget years of 2024 and 2025, no purchases are anticipated. The purchases are calculated out  
160 over time to smooth the impact on the tax rate.  
161

162 Chairman Lyon explained that it was recently determine that a tower truck will need to be  
163 purchased in 2027. This will be a major purchase which will deplete the CRF and quickly put  
164 it in the red in following years. The Board will need to discuss in the spring how to address  
165 this purchase. Options include additional contributions to the CRF at approximately  
166 \$440,000/year, to purchase certain items using ARPA funding in order to preserve the CRF or  
167 borrowing the money to purchase the truck. Approximately \$1M in additional funding is  
168 needed to make this purchase. The Board agreed to address this discussion in the spring.  
169

170 *A MOTION was made by Selectman Stoughton and SECONDED by Selectman Grella to*  
171 *support Warrant Article 28 – Fire Rescue Vehicle and Equipment Purchase Capital Reserve*  
172 *Fund.*  
173 *Voting: 5-0-0; motion carried unanimously.*  
174

A MOTION was made by Selectman Stoughton and SECONDED by Selectman Grella to advance Warrant Article 28 – Fire Rescue Vehicle and Equipment Purchase Capital Reserve Fund, to the Deliberative Session.  
Voting: 5-0-0; motion carried unanimously.

Selectman Stoughton read Warrant Article 29 – DPW Vehicles and Equipment Acquisition and Replacement Capital Reserve Fund into the record.  
Shall the Town vote to raise and appropriate the sum of one hundred twenty thousand dollars (\$120,000) to be added to the DPW Vehicles and Equipment Acquisition and Replacement Capital Reserve Fund, previously established. (Tax Impact = \$0.05) (Majority vote required)

Selectman Stoughton explained that the current balance of this CRF is approximately \$240,000. The process for this item is similar to that for the Fire/Rescue CRF. The needs of the Department are reviewed and spread out over time. The DPW has a steadier need for purchasing vehicles/equipment each year. There is approximately \$180,000 needed for these purchases each year. In this year, \$180,000 was included in the Operating budget for these purchases.

A MOTION was made by Selectman Stoughton and SECONDED by Selectman Pray to support Warrant Article 29 – DPW Vehicles and Equipment Acquisition and Replacement Capital Reserve Fund.  
Voting: 5-0-0; motion carried unanimously.

A MOTION was made by Selectman Stoughton and SECONDED by Selectman Pray to advance Warrant Article 29 – DPW Vehicles and Equipment Acquisition and Replacement Capital Reserve Fund, to the Deliberative Session.  
Voting: 5-0-0; motion carried unanimously.

Selectman Stoughton read Warrant Article 30 – Amherst Multimodal Facilities Capital Reserve Fund into the record.  
Shall the Town vote to raise and appropriate the sum of seventy-five thousand dollars (\$75,000) to be added to the Amherst Multimodal Facilities Capital Reserve Fund, previously established. (Tax Impact = \$0.03) (Majority vote required)

Selectman Stoughton explained that the current balance of this CRF is approximately \$64,000. This is the third year of a three-year CRF request. The first year was approved by the voters for \$75,000, and the second year was voted down by the voters for \$75,000. This funding is important for the Bicycle & Pedestrian Advisory Committee to use to install a side path near the Souhegan High School and Amherst Middle School. These funds are also used by the Committee to secure grants. The Committee has learned that for grants to be successful, the group must demonstrate a municipal match for projects, usually 20%, and complete engineering. This request will allow for the Committee to have a municipal match in funding and funding for engineering, in order to better secure a grant.

A MOTION was made by Selectman Stoughton and SECONDED by Selectman Pray to support Warrant Article 30 – Amherst Multimodal Facilities Capital Reserve Fund.  
Voting: 5-0-0; motion carried unanimously.

A MOTION was made by Selectman Stoughton and SECONDED by Selectman Pray to advance Warrant Article 30 – Amherst Multimodal Facilities Capital Reserve Fund, to the Deliberative Session.

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

Selectman Pray read Warrant Article 31 – Recreation Fields Acquisition and Construction Capital Reserve Fund into the record.

Shall the Town vote to raise and appropriate the sum of thirty thousand dollars (\$30,000) to be added to the Recreation Fields Acquisition and Construction Capital Reserve Fund, previously established. (Tax Impact = \$0.01) (Majority vote required)

Selectman Pray explained that this CRF currently has a balance of approximately \$102,000. This is the third year of a three-year request to fund this CRF. This funding will be used to build fields at Buck Meadow. The Master Plan for Buck Meadow has been completed. The original request for this CRF was \$50,000, but the Board decided to use recreation impact fees to lower the warrant article request to \$30,000.

A MOTION was made by Selectman Stoughton and SECONDED by Selectman Pray to support Warrant Article 31 – Recreation Fields Acquisition and Construction Capital Reserve Fund.

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

A MOTION was made by Selectman Stoughton and SECONDED by Selectman Pray to advance Warrant Article 31 – Recreation Fields Acquisition and Construction Capital Reserve Fund, to the Deliberative Session.

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

Selectman Pray read Warrant Article 32 – Readoption of Veterans Tax Credits into the record. Shall the Town vote in accordance with RSA 72:27-a to readopt the provisions of RSA 72:28, II, previously adopted, for an annual Optional Veterans' Tax Credit in the amount of \$500. If readopted, the annual All Veterans' Tax Credit, previously adopted, will also be \$500, the same amount as the Optional Veterans Tax Credit. If readopted and approved, this article shall take effect for the 2023 property tax year. (Tax Impact= \$0.00) (Majority vote required)

Selectman Stoughton recused himself from this item.

A MOTION was made by Selectman Pray and SECONDED by Selectman Grella to support Warrant Article 32 – Readoption of Veterans Tax Credits.

Voting: 4-0-0; motion carried unanimously.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Pray to advance Warrant Article 32 – Readoption of Veterans Tax Credits, to the Deliberative Session.

Voting: 4-0-0; motion carried unanimously.

Selectman Pray read Warrant Article 33 – Elderly and Disabled Exemption into the record.

269 *Shall the Town vote to modify the maximum annual income amount to qualify for the elderly*  
270 *and disabled exemption from property tax, previously established, to be as follows: a net*  
271 *income of not more than \$54,300 (formerly \$49,960) for a single person, or if married, a*  
272 *combined net income of less than \$73,325 (formerly \$67,640) in accordance with RSA 72:39-*  
273 *a. (Tax Impact = \$0.00) (Majority vote required)*  
274

275 Selectman Pray explained that this proposal is to allow those who qualify to continue to  
276 receive their exemption due to the recent social security increase.  
277

278 *A MOTION was made by Selectman Stoughton and SECONDED by Selectman Grella to*  
279 *support Warrant Article 33 – Elderly and Disabled Exemption.*

280 *Voting: 5-0-0; motion carried unanimously.*  
281

282 *A MOTION was made by Selectman Stoughton and SECONDED by Selectman Pray to*  
283 *advance Warrant Article 33 – Elderly and Disabled Exemption, to the Deliberative Session.*

284 *Voting: 5-0-0; motion carried unanimously.*  
285

286 Chairman Lyon read Warrant Article 34 – Budget Preparation into the record.

287 *Shall the Town vote to require that the annual budget and all special warrant articles having*  
288 *a tax impact, as determined by the governing body, shall contain a notation stating the*  
289 *estimated tax impact of the article. The determination of the estimated tax impact shall be*  
290 *subject to approval by the governing body. (No Tax Impact) (Majority vote required)*  
291

292 Chairman Lyon explained that this warrant article will allow the tax impact for each article to  
293 be included on the ballot. This would start to take place next March, if approved.  
294

295 *A MOTION was made by Selectman Stoughton and SECONDED by Selectman D'Angelo to*  
296 *support Warrant Article 34 – Budget Preparation.*

297 *Voting: 5-0-0; motion carried unanimously.*  
298

299 *A MOTION was made by Selectman Stoughton and SECONDED by Selectman D'Angelo to*  
300 *advance Warrant Article 34 – Budget Preparation, to the Deliberative Session.*

301 *Voting: 5-0-0; motion carried unanimously.*  
302

303 Selectman Pray read Warrant Article 35 – Appointment of a Town Treasurer into the record.

304 *Shall the Town vote to change the office of Town Treasurer from an elected position to an*  
305 *appointed position in accordance with RSA 41:26-e. Such appointment shall be made in*  
306 *accordance with RSA 669:17-d by the Board of Selectmen. Such appointment shall be made in*  
307 *writing and shall include the compensation to be paid. If approved the person holding the*  
308 *elected office shall continue to hold such office until the next annual town election following*  
309 *the vote. (No Tax Impact) (Majority vote required)*  
310

311 Selectman Pray explained that this article would allow the Town Treasurer to be appointed by  
312 the Board of Selectmen, instead of elected. The State legislature approved this process in  
313 2007. This would allow the Town more flexibility in finding a Treasurer and the ability to vet  
314 any potential interested candidates.  
315

A MOTION was made by Selectman Stoughton and SECONDED by Selectman Pray to support Warrant Article 35 – Appointment of a Town Treasurer.  
Voting: 4-1-0; motion carried [Selectman D'Angelo against.]

A MOTION was made by Selectman Stoughton and SECONDED by Selectman Pray to advance Warrant Article 35 – Appointment of a Town Treasurer, to the Deliberative Session.  
Voting: 5-0-0; motion carried unanimously.

The Board reviewed the petitioned warrant article.

Chairman Lyon read Article 36: Tax Cap – PETITION WARRANT ARTICLE into the record.

*Shall the Town adopt the provisions of RSA 32:5-b, and implement a tax cap whereby the governing body (or budget committee) shall not submit a recommended budget that increases the amount to be raised by local taxes, based on the prior fiscal year's actual amount of local taxes raised, by more than the lesser of (a) 2% (two percent); or (b) the annual percentage increase in the U.S. Consumer Price Index – All Urban Consumers for the Northeast, published by the U.S. Bureau of Labor Statistics, as of the month of December of the immediately-preceding year? (3/5 Majority Vote Required).*

Chairman Lyon noted that this article was previously unanimously not supported by both the Board and the Ways & Means Committee.

Terry Reiber, 15 Martingale Road, stated that he created this petition and has broad support for it, based on the individuals who signed. He noted that this proposal is not a condemnation of the Board or Ways & Means Committee. He noted that this is being proposed to address what could happen in the future when there are changes in membership made to these groups. He does not want to see new people come on board and raise the Town's taxes. The current Board members are fiscally responsive, but he does not want Amherst to become Keene or Peterborough. He noted that a similar petitioned warrant article was submitted for each one of the school districts in Town.

Russ Hodgkins, 39 Thornton Ferry Road I, stated that he supports this petitioned warrant article. He stated that he believes an advantage to the tax cap proposed would be to allow residents on fixed incomes the ability to continue to live in Town. He noted that, if passed, this item would not go into effect until July 2024.

Lisa DeAngelis stated that she believes this petitioned warrant article is a reasonable one and noted that it takes into account the consumer price index.

Chairman Lyon stated that this article will advance to the ballot, as it is a petitioned warrant article.

Town Administrator Shankle explained that this warrant article requires a public hearing within 15-30 days of the March vote. The Acting Superintendent of Schools has asked if the Town would like to participate in a joint public hearing with the schools on this item.

Chairman Lyon stated that the Board will address this public hearing at its own meeting on February 21<sup>st</sup>. The Board agreed.

Chairman Lyon explained that he does not support this petitioned warrant article as he believes it puts guardrails on the Board to potentially allow for responsible choices to be made in the future. The current Board works hard to be fiscally responsible. He would rather the Board be accountable to that responsibility than to an artificial number, as proposed.

In response to a question from a member of the Ways & Means Committee, Chairman Lyon noted that any warrant article can be amended by the voters at the Deliberative Session, as long as the amendment does not alter the intention of the article as proposed. Town Administrator Shankle explained that this is correct with the exception of zoning articles.

Chairman Lyon read Article 37: Noise Reduction Ordinance – PETITION WARRANT ARTICLE into the record.

*Are you in favor of the adoption of the ordinance as proposed by citizen petition, which is summarized as permitted under NH RSA 40:13 (VI), as follows: an ordinance to prohibit noises judged to be excessive, unnecessary, or unusually loud; exempting some noises dependent on the type of activity producing the noise, the location of the source of the noise, the intensity of the noise, or the time during which the noise is emitted; and establishing monetary fines for violations?.*

Terry Reiber stated that he received 25 signatures on this petitioned warrant article. He suggested a few changes to the wording of the article. He asked that it be retitled ‘Enforceable Noise Ordinance,’ as the Town currently has a noise ordinance but it is not enforceable. He also asked that the period at the end of the article be removed and that the language regarding a majority vote required be added.

In response to a question from Chairman Lyon, Mr. Reiber stated that his original petition was titled ‘Regulation of Noise Ordinance.’

Selectman D'Angelo explained that he is reluctant to substitute the included brief summary for the entire 2–3-page ordinance being proposed. While the ordinance was written to be enforceable, the summary may not accurately capture this. Chairman Lyon noted that the proposed zoning ordinance amendments include a summary, not the entire ordinance as proposed. Selectman D'Angelo explained that he is extremely reluctant to create a summary for the specific words of the ordinance which the petitioners drafted. Selectman Pray suggested that the complete ordinance be included in the voter's guide. Chairman Lyon agreed that the complete ordinance would be made available at Town Hall and at the polling location.

Selectman Pray stated that she has an issue including the word ‘enforceable’ in the title of this petitioned warrant article, as it makes it sound like this is the Town's current noise ordinance with fines included.

Selectman Stoughton stated that he is okay with the summary being included on the ballot, as long as the entire ordinance is available where required and as requested. He stated that he

does not support including the word ‘enforceable’ in the title as this is conclusory and it is unclear if the ordinance is actually enforceable.

In response to a question from Selectman D'Angelo, Chairman Lyon stated that it is the Board's job to ensure that the summary of this proposed ordinance is accurate. He stated that this was previously run by Town Counsel.

Wendy Rannenberg, Ways & Means Committee, noted that this is not a zoning ordinance, as the Planning Board agreed not to directly address it themselves. She is concerned with the generic wording included in the summary and would prefer that the whole ordinance be included for voters to read.

*A MOTION was made by Selectman Stoughton and SECONDED by Selectman Grella that the summary of proposed Petition Warrant Article 37 be titled “Regulation of Noise Ordinance,” with the typographical errors corrected and the inclusion of the ‘majority vote required’ language as discussed.*

*Voting: 4-1-0; motion carried [Selectman D’Angelo against.]*

Chairman Lyon noted that Petition Warrant Article 38: Scenic Road – Christian Hill Road, will also advance to the ballot.

*A MOTION was made by Selectman Stoughton and SECONDED by Selectman Grella to close the public hearing.*

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

*The Board took a brief recess.*

## **5. Scheduled Appointments**

None at this time.

## **6. Administration**

### **6.1. Administrative Updates**

Town Administrator Shankle explained that the State is looking into a number of new housing bills. It is also looking to expand the restaurant infrastructure investment program. He noted that Executive Assistant Jennifer Stover recently completed classes and received her Human Resource Management Certified Professional designation. The Board congratulated Ms. Stover.

Town Administrator Shankle noted that the Town’s audit will not be completed in time to place it in the Annual Report. This was a responsibility of the auditing firm. It is required to be included by State Law. He will call the Municipal Association for more direction.

### **6.2. NHIT Renewal**

Town Administrator Shankle explained that the Town received the NH Interlocal Trust not to exceed rate of 9.86%.

A *MOTION* was made by Selectman Stoughton and *SECONDED* by Selectman D'Angelo to authorize the Town Administrator to sign all associated documents for this renewal.  
Voting: 5-0-0; motion carried unanimously.

### **6.3 Pennichuck Main Water Line Update**

Town Administrator Shankle explained that the Governor & Executive Council approved the Town's grant request of \$1.5M for this project. He noted that the Town has received a complaint through the Superior Court regarding the PFAS issue. Town Counsel will review this. He noted that Pennichuck's water installation to the affected homes is ongoing. All 15 meters are expected to be installed by January 27<sup>th</sup>.

## **7. Staff Reports**

### **7.1. DPW Employee Pay Increase**

DPW Director Eric Slosek explained that Jeff Chancey has been fulfilling the duties of Heavy Equipment Operator since this fall when he was assigned to grade the gravel roads in Town. Mr. Chancey has continued to work outside of his job classification by also filling in for the vacant Fleet Mechanic position. He recommended the Board to appoint Jeff Chancey as acting Heavy Equipment Operator, grade 11, step 6 \$26.17, retroactive to November 1, 2022. Mr. Chancey is currently a Light Equipment Operator, grade 7, step 6 \$24.44.

A *MOTION* was made by Selectman Grella and *SECONDED* by Selectman Pray to appoint Jeff Chancey as acting Heavy Equipment Operator, paid at Grade 11, Step 6 \$26.17, retroactive to November 1, 2022. This is a temporary appointment until the position is filled permanently.

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

### **7.2 DPW Grader Purchase**

DPW Director Eric Slosek explained that he is recommending to the Board the purchase of a used grader from Chappel Tractor in Milford, in the amount of \$90,000. He further recommended approving the trade of the Town's current 1986 Champion grader to Chappell, in the amount of \$20,000. The trade-in will reduce the out-of-pocket expense for a net purchase price of \$70,000. This purchase is recommended to be funded using the unanticipated revenue received from NHDOT in the form of a State Block grant. This purchase is in the DPW's Vehicle Replacement Plan. It will allow the DPW to plan for the future replacement of this grader in thirteen years, when its useful service life of 25 years is met. The current grader is well beyond its useful service life at 37 years old.

A *MOTION* was made by Selectman Grella and *SECONDED* by Selectman D'Angelo to approve the purchase of a 2012 Volvo G946B grader from Chappell Tractor for the purchase price of \$90K. Further, move to approve the trade of our current 1986 Champion grader to Chappell tractor for the trade-in value of \$20K, for a net purchase price of \$70K..

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

### **7.3 Thornton Ferry Road I Temporary Bridge Update**

DPW Director Eric Slosek explained that an agreement has been signed for the temporary bridge. A Notice to Proceed has been sent out. He will continue to update the Board on this item as it moves forward.

502  
503 **7.4 Community Septic leak incident update**

504 DPW Director Slosek explained that the community septic leak occurred on December 25,  
505 2022. He has filed claims with Primex for this, one for damages to clean out the affected  
506 parcel and a second for the Town infrastructure itself. He explained that he is reviewing new  
507 potential vendors to manage the system, along with companies to assist with emergency  
508 excavations, and suppliers for the associated parts and tools.  
509

510 In response to a question from Selectman Stoughton, DPW Director Slosek stated that he does  
511 believe the leak was in part due to an influx of Lake water from the storms.  
512

513 The Board thanked DPW Director Slosek and his crew for their work on Christmas Day.  
514

515 **8. Approvals**

516 **8.1 Assessing**

517  
518 **BTLA Settlement and Abatement Recommendation 2021, 2022**

519 **Item A.** This abatement and BTLA Settlement agreement is for an assessed value of \$404,000  
520 from \$434,500 for repairs not completed as of April 1, 2021. The assessment for 2022 should  
521 be revised to \$414,300 from \$404,000 due to cured deferred maintenance. The taxpayer has  
522 indicated if the town reduces the assessment as mentioned, they would withdraw the appeal.  
523

524 *A MOTION was made by Selectman Stoughton and SECONDED by Selectman Grella to*  
525 *approve the BTLA Settlement and abatement for Map 004, Lot 112-008 in the amount of*  
526 *\$649.95 for 2021 and \$426.82 for the 2022 tax year.*

527 *Voting: 5-0-0; motion carried unanimously.*  
528

529 **Solar Exemption**

530 **Item B.** The Assessor has reviewed the attached Solar Exemption Application provided and  
531 the applicant qualifies for the Tax Exemption under RSA 72:62 for the 2023 tax year.  
532

533 *A MOTION was made by Selectman Stoughton and SECONDED by Selectman Grella to*  
534 *approve the Solar Tax Exemption in the amount of \$20,000 for Map 005, Lot 090-005*  
535 *commencing in Tax Year 2023.*

536 *Voting: 5-0-0; motion carried unanimously.*  
537

538 **8.2 Payroll, AP, and Minutes**

539 **Payroll**

540 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Pray to*  
541 *approve one (1) FY23 Payroll Manifest in the amount of \$234,322.60 dated December 15,*  
542 *2022, subject to review and audit.*

543 *Voting: 5-0-0; motion carried unanimously.*  
544

545 *A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Pray to*  
546 *approve one (1) FY23 Payroll Manifest in the amount of \$243,836.01 dated December 29,*  
547 *2022, subject to review and audit.*

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

**Accounts Payable**

*A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Pray to approve one (1) FY23 Accounts Payable Manifest in the amount of \$36,203.21 dated December 16, 2022, subject to review and audit. (NH DMV)*

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

*A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Pray to approve one (1) FY23 Accounts Payable Manifest in the amount of \$2,981,009.00 dated January 1, 2023, subject to review and audit. (Schools)*

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

*A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Pray to approve one (1) FY23 Accounts Payable Manifest in the amount of \$535,271.70 dated December 20, 2022, subject to review and audit. (Vendors)*

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

*A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Pray to approve one (1) FY23 Accounts Payable Manifest in the amount of \$2,490.00 dated December 22, 2022, subject to review and audit. (Vendors)*

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

**Minutes**

*A MOTION was made by Selectman Pray and SECONDED by Selectman D'Angelo to approve the Board of Selectmen meeting minutes of December 12, 2022, as amended.*

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

*A MOTION was made by Selectman Pray and SECONDED by Selectman D'Angelo to approve the Board of Selectmen meeting minutes of December 19, 2022, as amended.*

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

**9. Action Items**

The Board reviewed its action items.

**10. Old/New Business**

Selectman Stoughton explained that the Planning Board has completed its public hearings for the proposed zoning ordinance amendments and advanced them to the ballot. There will be a Planning Board hearing on the Master Plan on January 18, 2023.

Chairman Lyon explained that the Board received a letter this evening from a resident regarding recent derogatory comments made by an alternate member of the Planning Board during a meeting. He stated that he believes the concerns may be justified and asked the Board to vote on sending this letter along to the Planning Board Chair for his review.

*A MOTION was made by Chairman Lyon and SECONDED by Selectman D'Angelo to forward the resident's email regarding an alternate Planning Board member's derogatory comments to the Chair of the Planning Board..*

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

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598 **11. Adjournment**

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600 *A MOTION was made by Selectman Grella and SECONDED by Selectman D'Angelo to*  
601 *adjourn the meeting at 8:52pm.*

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

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604 **NEXT MEETING: Monday, January 23, 2023**

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\_\_\_\_\_  
*Selectman Danielle Pray*

\_\_\_\_\_  
*Date*