



# **Town of Amherst, NH**

## **BOARD OF SELECTMEN MEETING MINUTES**

**Barbara Landry Meeting Room**  
**2 Main Street**  
**Monday, December 12, 2022, 6:30PM**

Attendees: Chairman Peter Lyon, Selectman Bill Stoughton, Selectman John D'Angelo, 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 Bruce Bowler.**

### **3. Citizen's Forum**

Doug Chabinsky, 89 Boston Post Road, stated that he recently sent the Board a petition signed by a number of people regarding traffic speed, volume, and noise in the Village. He has not yet heard back from the Board on this item. Chairman Lyon stated that he was in receipt of this petition and would be in contact with Mr. Chabinsky to attend a future meeting to discuss this topic.

### **4. Scheduled Appointments**

#### **4.1 Bruce Bowler and Eric Slosek, SRLD update**

Bruce Bowler explained that there is a fairly large increase to the SRLD budget this year. A new compactor, previously ordered, has been cancelled due to lead times. The intention will be to purchase this compactor out of next year's budget. Fuel surcharges are estimated at \$70,000 over the budgeted amount. Currently, an incinerator is closed due to a recent fire. Thus, the SRLD is having to send loads to Fitchburg for servicing. This leads to paying more per ton. There are increased tipping fees, but less wait times. The SRLD is trying to work with other towns to increase their load tonnage. There are also two towns using diesel motors for their compactors. The SRLD is currently paying to fuel these but will request those towns to start funding this themselves, in hopes of cutting some costs.

Eric Slosek explained that the plan is to roll out a composting service through a third-party company. Currently, there is a company which picks up at the Hollis Primary School. The intention is to roll out this program to residents beginning February 1, 2023, after a public information campaign. This will include information on social media, on the Town website, and pamphlets at the Transfer Station kiosk. With tipping fees at approximately \$90/ton, any reduction in amounts would be helpful. The program will have a 6-month trial period, which the Town can cancel out of at any time.

Eric Slosek reviewed the increased costs to recycling items. Clear plastic, in November 2021 was \$80/ton in revenue. In October 2022, this revenue was \$0/ton. Cardboard in November 2021 was at a revenue of \$160/ton. Currently, this is \$10/ton. The SRLD is paying more to get rid of these recycled items and the revenue for them is going down.

In response to a question from Selectman Pray, Eric Slosek explained that tipping fees will remain at \$77/ton until the end of December. Beginning in January, these will increase to \$90/ton. Composting gives the Town an opportunity to reduce some of these costs. The composting services will allow for the Town to fill up two 64-gallon totes. This would be a break-even point.

In response to a question from Chairman Lyon, Eric Slosek stated that the schools use their own dumpsters for trash. He noted that Dan Veilleux has been in contact with the schools regarding joining the Town's compost trial period.

## **4.2 Health & Human Services Budget Presentation, Rick Katzenberg**

Rick Katzenberg explained that 15 agencies are requesting aid from the Town this year. Each agency was interviewed regarding the number of Amherst citizens taking advantage of their programs and their other sources of income. He explained that one suggestion this year is to take the funds usually given to the American Red Cross, and instead add them to the funds for SHARE. This is a local agency with significant financial constraints. In 2021, SHARE distributed 3,759 meals. This year, SHARE distributed 6,909 meals. The allocation requested for SHARE is \$3,500, which allows for considerably more benefit to the citizens than the requested amount.

Selectman Stoughton suggested that, in the future, the survey given to agencies may want to request information regarding how much of the funding received goes toward the clientele versus overhead.

## **5. Administration**

### **5.1. FY24 Budget Draft #3**

Finance Director Debbie Bender reviewed the revenues budget. She explained that there is a large change between FY23 and FY24 due to the Rooms & Meals Tax. An extra \$458,000 was given by the State for FY23, but this will not repeat in FY24. The revenue for FY24 is projected to be approximately \$167,000 less than FY23.

Selectman D'Angelo expressed concern that the revenue is being under forecasted. He noted that former Selectman Jensen did a regression analysis which showed that there has been a 2.9% yearly average increase for revenues. Debbie Bender stated that she does not want to underestimate revenues and tried to budget this tightly. Chairman Lyon noted that the Board can adjust the revenue numbers next October after a few months' worth of experience in the new fiscal year.

Debbie Bender reviewed the expenditures budget. She explained that she sat with each Department Head and reviewed the budget line-by-line. She reviewed some of the larger budget changes with the Board. She explained that the Assessor's contract line item has been reduced by approximately \$10,000. The MS-4 consultant line item has been reduced by

approximately \$15,000. The Fire Department Mechanic & Call wages line item was reduced by approximately \$10,000. The SRLD line item was reduced by approximately \$11,000. The DPW New Equipment capital line was reduced by approximately \$17,000. Due to a final health insurance not-to-exceed number, that budget line will be approximately \$75,000.

Selectman Stoughton noted that a number of smaller reductions, lumped together, total approximately \$45,000. Debbie Bender noted that these changes include small reductions in postage, utilities, training, and dues/subscriptions lines.

Selectman Stoughton suggested applying extra State Highway funding to the Road Reconstruction line, to move it back to \$100,000. He noted that, if additional ARPA funds are available, they could be used to help fund the excavator. He suggested that the proposed replacement voting machines could also be funded through ARPA funds. This would leave approximately \$814,000 of ARPA funds not yet committed.

The Board discussed the extra funding request for the Fourth of July Committee. Selectman D'Angelo noted that, with a large turnover on the Committee, the extra funding may be needed this year.

Selectman Stoughton noted that approximately \$11,000 can be shifted from the Recreation Department budget to the -02 Revolving Fund. He also noted that the DPW Seasonal Worker salary budget line could be reduced by approximately \$20,000 for this year.

Chairman Lyon stated that, with the reductions discussed, this leads to a 2.4% budget increase for FY24. The proposed warrant articles include a 2.1% increase. This leads to an estimated increase on the tax to an average \$482,000 house of \$116. The Town's ARPA funds were initially at \$1.192M, and \$400,000 of this has been allocated. The Board has agreed not to use as Police or Fire impact fees. It will be using \$32,000 of road impact fees and some Recreation impact fees for field construction. The unassigned fund balance will be used for \$120,000 of a contingency fund warrant article and \$900,000 to possibly offset the tax rate. The Board will wait until next October to finalize the amount that will be used to offset taxes.

Chairman Lyon asked about adding an additional \$50,000 to the amount potentially used to offset the tax rate. Selectman Pray noted that she would be considered about the level of the unassigned fund balance. Selectman Stoughton stated that he would like to eventually see the unassigned fund balance level at approximately 8%-9% but does not believe this should all be done within one year.

Chairman Lyon noted that the 2.4% budget increase is one of the lowest he has seen in years. Unfortunately, due to the revenue amounts forecasted, the tax increase does not reflect the budget increase. Selectman Stoughton noted that most of the revenue changes are external ones which the Board cannot change.

## **5.2. FY2024 Warrant Draft #3**

The Board reviewed the draft warrants. It was noted that the Multimodal Facilities CRF will remain at \$75,000. The Recreation Fields Acquisition & Construction CRF will be reduced to

\$30,000, as \$20,000 of this will be funded through impact fees. There are two petition warrant articles, one for a tax cap and one regarding a noise reduction ordinance.

Terry Reiber, 15 Martingale Road, explained that he has had an issue with noise at his house in the past and it was explained to him that the Town does not have an enforceable noise ordinance. He previously attempted to work with the Planning Board on this idea but has since decided to submit a citizen's petition. He noted that he received 50 signatures on the petition and 7/10 people that he spoke to about it signed.

Selectman D'Angelo noted that the Board has historically only taken a position on citizen petitions which impact the tax rate.

The Board discussed the principal and interest of the land acquisition bond. Chairman Lyon noted that the Conservation Commission is willing to use some of its Conservation Fund to cover the first-year costs if the Town purchases a parcel. Selectman D'Angelo noted that \$160,000 was raised from taxpayers for this purpose previously and has since lapsed into the unassigned fund balance, as no parcel purchase was made. Chairman Lyon explained that this money could be accessed with a warrant article or kept in the unassigned fund balance and used to offset the tax rate.

#### **5.6 Proposed Warrant Article from Selectman Pray, regarding change to Treasurer from Elected to Appointed – *The Board took up this item at this time***

Selectman Pray noted that there are two State RSAs dealing with the term limit for an appointed Treasurer, and this is normally one year, or until a qualified replacement can be appointed. There is also an RSA to remove an elected Treasurer, but not an appointed one. The benefits to this change would be to allow for an open field to find more candidates for the position and to allow for background checks.

Selectman Stoughton stated that he supports this proposal.

Selectman D'Angelo stated that the downside of this proposal would be that it increases the power of the Board.

Chairman Lyon stated that a warrant article allows for the voters to decide if this is what they want.

Tom Silvia suggested that debt may be a cheaper and more efficient way to finance certain Town projects than a Capital Reserve Fund (CRF). Borrowing through the municipal bond market allows for one of the lowest costs at a lower rate. He stated that he believes debt would be a more efficient way for the Town to finance some of its CRFs, as it allows for grater consistency of the tax rate. Chairman Lyon noted that bonds require a supermajority to pass.

Steve Boczenowski stated that he supports Tom Silvia's idea. He noted that certain capital projects, such as a new fire engine are funded by citizens for 5-7 years. These same citizens may not live in the Town when the benefit of the new fire engine is received. Alternately,

other citizens may have moved into Town more recently and will receive that benefit without having paid for it.

### **5.3 Administrative Updates**

Town Administrator Shankle stated that the waterline project has been moving ahead. The main lines are in place, and construction on lines to individual houses will shortly begin. The Sanborn Head study on PFAS' in this area should be complete in mid-January. He requested authorization for the Chair to sign a contract for a temporary bridge, as he may be on vacation when the contract comes in and unable to sign it.

*A MOTION was made by Selectman Stoughton and SECONDED by Selectman D'Angelo to authorize the Chair of the Selectmen, in addition to the Town Administrator, to sign the contract and all associated documents for the temporary bridge.*

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

### **5.4 Donations**

*A MOTION was made by Selectman Stoughton and SECONDED by Selectman D'Angelo to accept a \$5,000 donation on behalf of the Amherst Conservation Commission.*

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

*A MOTION was made by Selectman Stoughton and SECONDED by Selectman D'Angelo to accept a \$250 donation for Memorial Day flags and patriotic purposes.*

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

### **5.5 Discussion of Thornton Ferry Road I**

Chairman Lyon stated that the Board has received legal advice that it should petition the courts for quiet title of this parcel.

*A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Stoughton to authorize the Town's attorney to obtain quiet title of this land, as soon as is feasible.*

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

The Board discussed a State demolition grant regarding this property. Selectman Pray explained that the qualifiers for this grant are that the lot will be used for affordable housing or a greenway easement. It is unclear if the Town will be given this grant. Town Administrator Shankle explained that the attorney suggested that the Board not pursue the demolition grant until quiet title has been obtained. The Board agreed to comply with this suggestion at this time.

Eric Slosek explained that he has received one quote from an asbestos abatement company for \$2,800 for this property. He is seeking two additional quotes.

### **5.6 Proposed Warrant Article from Selectman Pray, regarding change to Treasurer from Elected to Appointed – This item was previously addressed**

## **6. Staff Reports**

### **6.1. Hiring of a Call Firefighter**

A MOTION was made by Selectman Pray and SECONDED by Selectman D'Angelo that the Board approve the hiring of Probationary Firefighter Robert Ellis, adding him to the current roster of call firefighters for Amherst Fire Rescue at the recommendation of Chief Matthew Conley. The hourly rate for the probationary firefighter is \$11.44 per hour.  
Voting: 4-0-0; motion carried unanimously.

## **7. Approvals**

### **7.1 Hawkers and Peddlers Licenses, Alec Drummond and David Staples**

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Stoughton to approve a Hawkers and Peddlers License for Alex Drummond and David Staples for roofing and siding sales, Monday – Friday, 9am-5pm for solicitation only, terminating on January 12, 2023.  
Voting: 4-0-0; motion carried unanimously.

### **7.2 AP, Payroll, & Minutes**

#### **Payroll**

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman Pray to approve one (1) FY23 Payroll Manifest in the amount of \$280,210.29 dated December 1, 2022, subject to review and audit.  
Voting: 4-0-0; 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 \$27,230.02 dated November 30, 2022, subject to review and audit. (NH DMV)  
Voting: 4-0-0; motion carried unanimously.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman to approve one (1) FY23 Accounts Payable Manifest in the amount of \$3,260,150.00 dated December 1, 2022, subject to review and audit. (Schools)  
Voting: 4-0-0; motion carried unanimously.

A MOTION was made by Selectman D'Angelo and SECONDED by Selectman to approve one (1) FY23 Accounts Payable Manifest in the amount of \$2,619,658.88 dated December 6, 2022, subject to review and audit. (Vendors)  
Voting: 4-0-0; 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 November 7, 2022.  
Voting: 4-0-0; 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 November 28, 2022, as amended.  
Voting: 4-0-0; 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 1, 2022.  
Voting: 4-0-0; motion carried unanimously.

#### **8. Action Items**

The Board reviewed its action items.

#### **9. Old/New Business**

Selectman Stoughton explained that there will be a second public hearing by the Planning Board on the proposed amendments to the Zoning Ordinance. Two of these amendments have been moved to the ballot so far. The Planning Board will also hear several petition zoning warrant articles in January.

Selectman D'Angelo noted that the SAU39 Joint Facilities Advisory Committee meeting for tomorrow has been cancelled.

Chairman Lyon congratulated and thanked all of the Amherst Holiday weekend event volunteers.

#### **10. Adjournment**

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

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

**NEXT MEETING: Monday, December 19, 2022**

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Selectman Danielle Pray

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Date