



Town of Amherst, NH

BOARD OF SELECTMEN MEETING MINUTES

Barbara Landry Meeting Room
2 Main Street
Monday, January 5, 2015 at 6:30 PM

I. Public Session

Chairman Dwight Brew called the meeting to order at 6:32 p.m. Attendees: Chairman Dwight Brew, Vice Chairman Mike Akillian, Selectmen John D'Angelo, Brad Galinson, and Tom Grella. Also present: Town Administrator, Jim O'Mara, and Suzanne Beauchesne taking minutes.

II. Pledge of Allegiance – Resident Joseph McCool led the pledge.

Chairman Brew read a document stating that the former director of the Amherst Department of Emergency Medical Services (EMS) Brian Gleason was indicted by a Hillsborough County Superior Court grand jury for the unauthorized use of a town credit card to purchase items for personal use exceeding \$1,500 -- a Class A felony. Chairman Brew stated that routine spot operational checks continue. All questions should be directed to the Hillsborough County Attorney.

III. Citizen Forum

Joseph McCool submitted a petition signed by 156 residents asking the Board to convene a Special Town Meeting for the purpose of giving Amherst voters an opportunity to review and vote on a series of petitioned warrant articles relating to a proposal by the Tennessee Gas Pipeline Company and Kinder Morgan to construct a high-pressure natural gas transmission pipeline through the town of Amherst. Mr. McCool also distributed copies of 15 proposed warrant articles and asked that the petition and proposed articles be attached to the minutes of the meeting.

Town Administrator O'Mara stated that the Town Clerk will authenticate the petition signatures and the proposed warrant articles will be forwarded to Town Counsel for review. Mr. McCool stated that a wealth of information is available on natural gas pipelines and the impact on property values and community infrastructures, and cited information taken from the US Department of Transportation's Office of Pipeline and Hazardous Materials Safety Administration (PHMSA). The PHMSA charge includes protecting people and the environment, establishing policies, and enforcing standards to prevent incidents.

Chris Ager thanked the Board and town employees for their public service and hard work on behalf of all the residents of Amherst. Mr. Ager stated that Kinder Morgan has 70,000 miles worth of pipelines throughout the country and the decision of whether or not a pipeline comes through Amherst will ultimately be made by the federal government. Mr. Ager suggested a balanced approach and thorough review of all the facts surrounding the pipeline so that if the pipeline has to come to Amherst, a "best deal" can be negotiated. Selectman D'Angelo agreed and stated that if necessary getting to the "best deal" will be the town's greatest challenge.

Alice Bury, who would be directly impacted by the pipeline, rose to state, that while seeking signatures for the petition, she learned that town residents are very strongly opposed to the pipeline, and, given more time, she could have gotten 300 signatures. Mrs. Bury asked that the Board review how the town of Hollis handled the matter.

Chairman Brew stated that further discussion of the pipeline will be placed on next week's Board meeting agenda (following the public hearing on the budget), at approximately 7:30 p.m.

Chairman Brew then sought to clarify the vote of the Board at its last meeting relative to “not holding any private meetings with Kinder Morgan.” Chairman Brew stated that the Board must have the flexibility to reach out to pipeline representatives in order to learn of ongoing plans and actions. Vice Chairman Akillian agreed that, while there is much anxiety surrounding the issue and while transparency is desirable, the Board must have the flexibility to conduct town business, and does not feel the Board relinquished its responsibility in that regard based on the vote taken. Mr. McCool was in agreement and stated that he would expect only that any new proposals, plans or maps be timely shared with the residents.

Jill Romano rose and stated that the information on the website is helpful and that she and her neighbors are eager to learn of a timeline and next steps. Selectman D’Angelo stated that no timeline has been established, since that will be initiated by a filing by K-M, which has not occurred as yet. The Board was just informed of the new, re-drafted proposal on December 11th. The issue is complex and it is important that the Board take the time to seek input, learn the facts, and work with all relevant parties before determining how the matter should or can be handled.

Selectman Grella mentioned that all signs (pro or against the issue) must be on the homeowner’s property and/or have the homeowner’s permission.

IV. FY16 Budget & Warrant Discussion

Chairman Brew suggested going through each proposed warrant article to be presented at the public hearing of January 12, 2015, and noting the Board’s position as well as the position of the Ways and Means (W&M) Committee. Suggested changes to the slide presentation include:

- All Slides - changing the slide background from black to white for easier reading.
- Slide 4 – listing John Post as a full member of the W&M, not an Alternate. John Rubery is an Alternate member.
- Since “highlights” were listed by department, Vice Chairman Akillian suggested the inclusion of Board highlights as well. Suggestions should be forwarded to Town Administrator O’Mara.
- Slide 21 – change the title from “FY16 Highlights” to FY16 Proposed Initiatives or Goals.
- Slide 22 - under DPW, it was suggested that the first bullet be changed to “increase the Town Building budget line for the continued repair and maintenance of the town’s aging buildings” or verbiage to that effect.
- Slide 35 - there were various points of view on what information should be included so that the information provided is factual and useful to taxpayers.
- Slide 46 - Chairman Brew suggested including the “Deliberative Session” date.
- Vice Chairman Akillian confirmed that back-up data will be provided for each presentation.

Article 21 contains the available positions for Town Officers for the ensuing terms as follows:

- 2 Selectmen for 3 years
- 1 Cemetery Trustee for 3 years
- 2 Library Trustees for 3 years
- 1 Supervisor of the Checklist for 1 year
- 1 Town Treasurer for 3 years
- 1 Trustee of the Trust Fund for 3 years
- 3 Zoning Board of Adjustment Member for 3 years

103 **Article 22 – Bridge Replacement Bond**

104
105 Town Administrator O'Mara advised that the language of this article will be forward to Town Counsel for
106 review.

107
108 Vice Chairman Akillian moved to endorse Article 22 as written. Seconded by Selectman D'Angelo. Vote
109 5-0. The Ways and Means Committee supported 7-0

110
111 **Article 23 – Operating Budget**

112
113 Chairman of the Ways and Means Committee, Russ Thomas, provided a handout and presented a financing
114 proposal for the Fire Fleet that encompasses the benefits of lease purchasing and would allow for smaller
115 budget amounts being requested via Warrant Article. A lengthy discussion ensued. Chairman Brew felt the
116 proposal was a good idea but suggested holding off until a new fire chief is named. Selectman D'Angelo
117 also liked the concept but suggested working through the financing of the DPW fleet over the next year
118 before incorporating in the fire department budget. Vice Chairman Akillian stated that the information
119 presented is extremely valuable and thanked the members of the Ways and Means Committee, and
120 particularly Russ Thomas, for their time, energy, and hard work on the matter, but agreed that it may be
121 best to incorporate lease purchasing of the fire fleet after the Board has had a chance to work through the
122 DPW fleet financing. Chairman Brew distributed comparative data of municipalities to be included in the
123 presentation.

124
125 Vice Chairman Akillian moved to endorse Article 23 as written. Seconded by Selectman D'Angelo. Vote
126 5-0. The Ways and Means Committee voted 7-0 to support this article.

127
128 **Article 24 – Contingency Fund**

129
130 Vice Chairman Akillian moved to endorse Article 24 as written. Seconded by Selectman D'Angelo. Vote
131 5-0. The Ways and Means Committee voted 7-0 in support of this article.

132
133 **Article 25 – Assessing Revaluation Capital Reserve Fund**

134
135 Vice Chairman Akillian moved to endorse Article 25 as written. Seconded by Selectman D'Angelo. Vote
136 5-0. The Ways and Means Committee voted 7-0 in support of this article.

137
138 **Article 26 – Communications Center Capital Reserve Fund (CRF)**

139
140 Selectman D'Angelo moved to endorse Article 26 as written. Seconded by Vice Chairman Akillian. Vote
141 5-0. The Ways and Means Committee voted 7-0 in support of this article.

142
143 **Article 27 – Fire Station Renovation CRF**

144
145 Vice Chairman Akillian moved to endorse Article 27 as written. Seconded by Selectman D'Angelo. Vote
146 5-0. The Ways and Means Committee voted 7-0 in support of this article.

147
148 **Article 28 – Fire Truck CRF**

149
150 Vice Chairman Akillian moved to endorse Article 28 as written. Seconded by Selectman D'Angelo. Vote
151 5-0. The Ways and Means Committee voted 7-0 in support of this article.

154 **Article 29 – Safe Routes to Schools (Sidewalks)**

155
156 Vice Chairman Akillian moved to endorse Article 29 as written. Seconded by Selectman D’Angelo. Vote
157 5-0. The Ways and Means Committee voted 7-0 in support of this article.

158
159 **Article 30 – Mosquito Control Program**

160
161 Vice Chairman Akillian moved to endorse Article 30 as written and subject to the figure of \$40,000
162 possibly decreasing. (Administrator O’Mara will follow-up with Dr. Lockwood on final cost figure.)
163 Seconded by Selectman D’Angelo. Vote 3-2 (Chairman Brew and Selectman Galinson opposed). The
164 Ways and Means Committee will submit their vote to Town Administrator O’Mara.

165
166 **Article 31 – Cemetery Lot Sales**

167
168 Vice Chairman Akillian moved to endorse Article 31 as written. Seconded by Selectman D’Angelo. Vote
169 5-0. The Ways and Means Committee will submit their vote to Town Administrator O’Mara.

170
171 **Article 32 – Refurbish David Lane Tennis Courts**

172
173 Article 32 will not be presented since project funding will be covered by the Recreation Department’s 02
174 revolving fund.

175
176 **V. Town Administrator**

177
178 **a. New Hire – EMS**

179
180 Selectman D’Angelo moved to hire Donald Cole as a part time EMS employee. Seconded by Selectman
181 Galinson. Vote 5-0

182
183 **b. Resolution to Transfer a 457(b)**

184
185 Selectman D’Angelo moved to approve a “457 Direct Rollover into an IRA” from the Town of Amherst for
186 the benefit of annuitant, Bruce Berry, currently employed by the Town of Amherst. This is initiated per the
187 request of Bruce Berry by letter dated January 5, 2015. Approval is also granted to James O’Mara, Jr.,
188 Town Administrator, to sign all associated documents pertaining to this transfer. Motion was seconded by
189 Selectman Galinson. Vote 5-0

190
191 **VI. Old and New Business**

192
193 Town Administrator O’Mara asked the Board to accept a \$2,000 grant from the NH Police and Training
194 Council as reimbursement for middle management training taken by two lieutenants of the Amherst Police
195 Department. The money will be applied against the original expense. Selectman Galinson moved to accept
196 and expend the \$2,000 grant from the NH Police and Training Council on behalf of the Amherst Police
197 Department. Seconded by Selectman Grella. Vote 5-0

198
199 Town Administrator O’Mara asked the Board to approve a Road Construction loan in the amount of
200 \$3,059,999.99. Selectman D’Angelo moved to award the bid to TD Bank that would provide an overall
201 estimated interest savings of \$158,446 over 10 years. Seconded by Vice Chairman Akillian. Vote 5-0

202
203 Vice Chairman Akillian stated that 511 responses have been received on the Village Strategic Plan survey.
204 The next meeting of the committee will be held next Wednesday, January 14, 2015, where issues will be

205 categorized and working teams identified. An additional update will be provided to the BOS in late
206 January.
207

208 Selectman D'Angelo reported that, about two hours before the start of the Board meeting, notification was
209 received that the Nashua Regional Planning Commission is hosting an educational session about the NH
210 Site Evaluation Committee on Wednesday, January 14, 2015 at 7:00 p.m. at the Milford Town Hall. The
211 NH Site Evaluation Committee was established by the legislature for the review, approval, monitoring and
212 enforcement of compliance in the planning, siting, construction and operation of energy facilities. Counsel
213 for the Committee will present an overview of the process in NH and how communities and NRPC can
214 participate.
215

216 Selectman Grella asked if the 24 Manchester Road address could be changed so that traffic does not get re-
217 directed from Limbo Lane when suppliers are using a GPS to make a delivery. Residents have expressed a
218 concern about commercial trucks traveling down the narrow parts of Manchester Road. Town
219 Administrator O'Mara reminded the Board that the address was changed because there was a concern of
220 using a Limbo Lane address. Town Administrator O'Mara will ask the Safety Committee to convene and
221 take up the issue.
222

223 **VII. Right to Know Request – None to Report**

224

225 **VIII. Approvals**

226

227 **a. Veteran Tax Credit Recommendation**

228

229 Selectman Galinson moved to approve a Disabled Veteran Tax Credit for the property located at 17 Boston
230 Post Road, Map 007, Lot 087-004, in the amount of \$1,400. Seconded by Selectman Grella. Vote 5-0
231

232 **b. Payroll**

233

234 Selectman D'Angelo moved to approve one (1) FY15 Payroll Manifest in the amount of \$186,486.92 dated
235 December 24, 2014, subject to review and audit. Seconded by Vice Chairman Akillian. Vote 5-0
236

237 Selectman D'Angelo moved to approve one (1) FY15 Payroll Manifest in the amount of \$1,690.72 dated
238 December 29, 2014, subject to review and audit. Seconded by Vice Chairman Akillian. Vote 5-0
239

240 Selectman D'Angelo moved to approve one (1) FY15 Payroll Manifest in the amount of \$171,778.39 dated
241 January 8, 2015, subject to review and audit. Seconded by Vice Chairman Akillian. Vote 5-0
242

243 **c. Accounts Payables**

244

245 Vice Chairman Akillian moved to approve one (1) FY15 Accounts Payable Manifest in the amount of
246 \$181,163.28 dated December 31, 2014, subject to review and audit. Seconded by Selectman D'Angelo.
247 Vote 5-0
248

249 Vice Chairman Akillian moved to approve one (1) FY15 Accounts Payable Manifest in the amount of
250 \$26,991.24 dated December 31, 2014, subject to review and audit. (Town Clerk Transfers to the State of
251 NH). Seconded by Selectman D'Angelo. Vote 5-0
252

253 **d. Minutes**

254

Selectman D'Angelo moved to approve, with amendment, the Board of Selectmen meeting minutes of December 22, 2014. Seconded by Vice Chairman Akillian. Vote 5-0

Amendments:

Line 41: Insert "by Kinder Morgan" after the word "proposed".

Lines 58-59: Remove the sentence: "Selectman D'Angelo stated that no substantive meetings have been held with Kinder Morgan", and insert "Selectman D'Angelo confirmed that earlier this month Kinder Morgan extended an invitation to meet to the Town Administrator and the Director of Community Development. As Board representative, Selectman D'Angelo attended the informal meet-and-greet which included an exchange of business cards."

Line 147: Change the name "Kiana Kolman" to Tiani Coleman.

IX. Non-Public Session

Selectman Galinson moved to enter into non-public session at 9:15 p.m. pursuant to NH RSA 91-A:3 II (c) and (e). Seconded by Selectman Grella. Roll Call: Akillian-yes, Brew-yes, D'Angelo-yes, Galinson-yes, and Grella-yes. Vote was unanimous.

The Board and Town Administrator Jim O'Mara discussed a matter which, if discussed in public, may adversely affect the reputation of someone other than a member of the body.

The Board and Town Administrator Jim O'Mara discussed a pending litigation.

Mr. D'Angelo moved to exit non-public session at 9:58pm. Second by Mr. Akillian. The vote was unanimous, 5-0.

The Board exited nonpublic session at 9:59pm.

Chairman Brew stated that in nonpublic session no motions were made and no votes were taken.

Mr. Akillian moved to adjourn the meeting at 9:59pm. Second by Mr. Grella.

X. Adjourn

The meeting adjourned at 10:00pm.