

**Town of Amherst, NH**  
**BOARD OF SELECTMEN MEETING MINUTES**  
**Barbara Landry Meeting Room**  
**2 Main Street**  
**Monday, April 20, 2015**

**Non Public Session**

Vice Chairman D'Angelo moved to enter non-public session at 6:00 p.m. pursuant to NH RSA 91-A: 3 II (b). Second by Mr. Grella.

Roll Call: Brew-yes, D'Angelo-yes, Grella-yes, Jensen-yes, Panasiti-yes. The vote was unanimous 5-0.

The Board and Town Administrator Jim O'Mara discussed the hiring of a public employee.

Vice Chairman D'Angelo moved to exit non-public session at 6:25 p.m. Second by Mr. Panasiti. The vote was unanimous 5-0.

Chairman Brew stated that in non-public session no motions were made and no votes were taken.

The Board did not meet in non-public session under NH RSA 91-A: 3 II (d) as stated on the agenda.

**1. Public Session**

Chairman Dwight Brew called the meeting to order at 6:35 p.m. Attendees: Chairman Dwight Brew, Vice Chairman John D'Angelo, Selectmen Tom Grella, Nate Jensen, and Reed Panasiti. Also present: Town Administrator, Jim O'Mara, and Suzanne Beauchesne taking minutes.

**2. Pledge of Allegiance** – Amherst resident, Dick Lefebvre, led the pledge.

**3. Citizens Forum**

Town Treasurer, Liz Overholt, came forward to request that the Board begin discussions in preparation for how future roadwork will be funded. To date the town has borrowed about \$7.5 million with up to \$2 million anticipated for FY16 of the \$15 million road bond passed in 2010. Ms. Overholt reminded the Board that it took over a year to get the necessary information ready to propose the \$15 million Warrant Article and an additional two years to get the article passed.

**4. Village Strategic Plan Update**

Mike Akillian came forward to provide an update on the Village Strategic Plan which was launched by the Select Board in October 2014 with the hope of engaging more boards, committees, commissions, and citizens in a discussion on the evolution of the Village over time. The Committee received 550 responses to the visual preference survey and solicited ideas at a number of house meetings. Five working groups have been identified: 1) community development; 2) traffic and safety; 3) lighting & utilities; 4) historic preservation; and 5) recreation, attractions and events.

Mr. Akillian provided flyers advertising two additional public forums that will be held on May 19<sup>th</sup> and May 21<sup>st</sup> at 7:00 p.m. in the Multi-Purpose Room at the Clark School. The flyers will be posted around town and on the town's website, and all were encouraged to attend. The Strategic Planning Committee expects to provide a presentation to the Board at its June 8<sup>th</sup> Board meeting which will lay out a number of possibilities for the Select Board to consider. If necessary, the Committee can meet again at the Board's June 23<sup>rd</sup> meeting and conclude the project by the end of June as required by the NRPC grant.

#### **5. Attorney Thomas Quinn – P&S – 2 Lynch Farm Road**

While awaiting Attorney Quinn's arrival, the Board discussed Agenda Items 6 and 8.9.

#### **6. Board Assignments – 2015-2016**

Board of Selectmen committee assignments were made at the last meeting. A liaison for the Trustees of the Trust Funds was not made at that time. Chairman Brew offered to serve in this capacity. The Board approved.

#### **8.9 Trail Agreement**

John Harvey, Chairman of the Amherst Conservation Commission, came forward to ask the Board's approval of two "Trail Agreements" that are non-binding and establish the roles and responsibilities between land owners and the Town. The agreements between the Town the Wilkins and the Forest Society respectively allow the Town to develop skid roads on their property that would add to the growing trail system. The agreements allow the general public to use the trails for non-motorized, passive recreation. While the agreements are non-binding (not official legal documents since the agreements are not attached to a deed, nor registered with the county), Mr. Harvey did get Town Counsel's approval. The agreements allow for the same maintenance management as all town trails and either party can do maintenance. In addition, the agreements place no liability to the Town or property owners and there is an ordinance in effect wherein police may investigate if necessary. Also, the agreements may be revised or terminated at any time upon mutual consent of all parties.

One agreement includes two Wilkins easements that abut the Cedar Brook parcel and would triple the area available for trails. The other parcel abutting Lyndeborough Road will add an additional 50 percent available for trails.

Selectman Grella moved to approve the agreements and authorize Town Administrator Jim O'Mara to sign the Trail Agreements on behalf of the Town of Amherst. Seconded by Vice Chairman D'Angelo. Vote 5-0

Town Administrator Jim O'Mara noted that the Board's authorization is for the two subject trail agreements only. Any future such agreements will come before the Board for approval.

#### **5. Attorney Thomas Quinn – P&S – 2 Lynch Farm Road**

Attorney Quinn appeared before the Board seeking clarification on how the Purchase and Sale Agreement should be structured for the purchase of the Wheeler property located at 2 Lynch Farm Road. As agreed to at the March 23, 2015 Selectmen's meeting, the sale price of the property is noted on the P&S Agreement at \$70,000. Deducting the \$20,000-plus owed by the seller, the Town's obligation (via the Conservation Commission) will total \$50,000 at the time of closing.

Vice Chairman D'Angelo moved to waive, at the time of closing, the elderly tax deferral liens totaling \$17,077.83. Selectman Jensen seconded. Vote 5-0

Vice Chairman D'Angelo moved to waive, at the time of closing, the emergency assistance liens totaling \$3,140.67. Seconded by Selectman Jensen. Vote 5-0

Vice Chairman D'Angelo moved to waive, at the time of closing, the 2014 property tax to be abated totaling \$1,562.13. Seconded by Selectman Jensen. Vote 5-0

The total amount waived, at the time of closing, amounts to \$21,780.63.

Vice Chairman D'Angelo moved that all Board members execute the P&S agreement. Seconded by Selectman Grella. Vote 5-0

Board members executed the Purchase & Sale Agreement. At the time of closing, John Harvey, Chairman of the Amherst Conservation Commission, will sign the deed since the Commission will be responsible for managing the property.

## **6. Board Assignments – 2015-2016 – discussed earlier in the meeting.**

## **7. Finance Update – Lisa Ambrosio**

Lisa Ambrosio, Finance Director, provided a FY15 expense budget review indicating four departments in jeopardy of deficits having spent greater than 75% of their budgets. Those departments include Administration, Finance, Library and Recreation. The expenses within Administration and Finance were primarily from professional services and changes in staff. With regards to Public Works Administration (4311), Director Ambrosio is working closely with DPW Director Bruce Berry in reviewing engineering and building repair costs and possibly shifting costs to capital expenditures. Director Ambrosio expects to garner some savings from DPW's outside hires and leasing (4312), and the Souhegan Regional Landfill District (4323).

With the savings from legal, workmen's compensation, and interest, Director Ambrosio expects to be able to offset other deficits. The Board thanked Director Ambrosio for the timely report and asked that quarterly reports be provided in the future.

Town Administrator O'Mara stated that such reports are available to the Board on demand and will be scheduled on the second monthly Board meeting of the first month of the quarter. In addition, Director Ambrosio will be scheduled to provide a revenue-based report at the next Board meeting. Also, Administrator O'Mara felt it important to note the support from the community in allowing for contingencies and mentioned the substantial savings provided by a refinancing the road bonds.

## **8. Town Administrator's Report**

### **8.1 Capital Improvement Plan**

Board members were asked to review initial CIP submissions to provide staff and the CIP Committee some guidance, especially if an item was not likely to get funded anytime in the future. Selectman Panasiti felt that a number of DPW items could be brought to the forefront. Vice Chairman D'Angelo and Selectman Jensen, as liaison to the CIP Committee, will ensure all items are vetted carefully.

Vice Chairman D'Angelo moved to appoint the following individuals to the CIP Committee. Seconded by Selectman Jensen. Vote 5-0

BOS Representative – John D'Angelo  
BOS Alternate – Nate Jensen  
Ways & Means Representative – Russ Thomas  
Souhegan School Board Representative – Steve Coughlan  
Souhegan School Board Alternate – Chris Jansen  
Amherst School Board Representative – Peg Bennett  
SAU Representative – Elizabeth Shankel  
ASD Ways and Means Representative – Gene Kuczewski  
Planning Board Representative – Sally Wilkins  
Planning Board Representative – Rich Hart  
Citizen Member – Danielle Pray  
Citizen Member – To be determined

## **8.2 2015-2016 Road Reconstruction Bid**

Town Administrator Jim O'Mara presented Public Works Bid #03-15 for summer road reconstruction which was responded to by three bidders. Selectman Grella moved to award the work to the lowest bidder, Continental Paving, for \$2,320,015.46. Seconded by Selectman Panasiti. Vote 5-0

Vice Chairman D'Angelo moved to authorize Town Administrator O'Mara to sign the Notice of Award. Seconded by Selectman Grella. Vote 5-0

## **8.3 Communication Capital Reserve Withdrawal Request**

On behalf of Chief Reams, DPW Director Berry, and the Communications Center Committee, Administrator O'Mara asked the Board to authorize the expenditure of \$5,069 from the Communication Fund to cover the equipment and related installation costs associated with upgrading the Department of Public Works radio tower site to a VHF repeater system. Unlike Fire, EMS, and Police, DPW is unable to maintain reliable mobile and portable communications.

Vice Chairman D'Angelo moved to authorize the expenditure of \$5,069 from the Communication Capital Reserve Fund to cover the equipment and related installation costs associated with upgrading the Department of Public Works radio tower site to a VHF repeater system. Seconded by Selectman Panasiti. Vote 5-0

Selectman Jensen moved to award the bid for the subject services to Central Communications Corporation, the lowest bidder, in the amount of \$5,069. Seconded by Vice Chairman D'Angelo. Vote 5-0

## **8.4 Davis Lane Tennis Court Rebuild Bid**

Administrator O'Mara stated that the Recreation Department needs the Board's permission to move forward with the resurfacing of the Davis Lane Tennis Courts. The project was originally priced to cost \$125,000. With the reconstruction project happening on Foundry Street, the Recreation Department is able to get a much more affordable rate to reconstruct the Davis Lane Courts since the paving company will be onsite. Administrator O'Mara also reminded the Board that approval must be provided by the Amherst School District as well. While the project will impact the Clark School side of the tennis courts, the project will be done when school closes.

The total cost of the project is \$85,443.75 to be taken from the revolving 02 account and broken out as follows:

\$13,445.00	Net post installation and court painting
\$65,498.75	Reclaiming and paving
\$ 5,000.00	Fence replacement
\$ 1,500.00	Miscellaneous (nets, grass seed, loam)

Vice Chairman D'Angelo moved to award the net post installation and court painting work to the lowest bidder, Vermont Recreational Surfacing and Fencing , from Barnet, Vermont for \$13,445. Selectman Panasiti seconded. Vote 5-0

Vice Chairman D'Angelo moved to award the fence replacement work to Gate City Fence of Nashua for \$4,775, the lowest bid received. Seconded by Selectman Panasiti. Vote 5-0

Vice Chairman D'Angelo moved to award a single source bid to Continental Paving for \$65,498.75. Seconded by Selectman Jensen. Vote 4-1-0 (Chairman Brew opposed). The purchasing policy was waived because a \$50,000-plus savings will be realized by employing the paving company working on the reconstruction project on Foundry Street.

### **8.5 Application for State Bridge Aid Construction**

Town Administrator O'Mara noted that Warrant Article 22 seeking to raise and appropriate \$3,324,108 to reconstruct two bridges was approved by the voters 2116-693. The two projects qualify for 80 percent reimbursement under the terms of Municipally-Managed State Aid Projects.

Selectman Grella moved to authorize Town Administrator O'Mara to sign two applications for State Bridge Aid construction indicating that the Town of Amherst has raised and appropriated \$1,650,000 each as its share of the cost for replacing Bridge No. 112/071 on Mont Vernon Road over Caesars Brook and Bridge No. 145/106 on Thornton Ferry Road I over Beaver Brook. Seconded by Vice Chairman D'Angelo. Vote 5-0

### **8.6 Appoint three (3) EMS Staff**

Selectman Grella moved to authorize the hiring of Timothy Fournier as an EMT, Daniel Szmyt as a paramedic, and Kimberly Beaulieu as an EMT-Intermediate. Seconded by Selectman Jensen. Vote 5-0

### **8.7 BOS Meeting Schedule**

Town Administrator O'Mara provided an updated schedule of Board meetings through 2015. Select Board meetings will be held as follows and will be updated on the town's website.

May 11, 26; June 8, 22; July 13, 27; August 10, 24; September 14, 28  
October 13, 26; November 9, 23; December 14, 28

### **8.8 Position Reclassification Request**

Town Administrator O'Mara stated that the Finance Department was looking to replace the assistant position with an accountant position to more accurately reflect the work being performed.

Vice Chairman D'Angelo moved to approve a position of Accountant in the Finance Department and eliminate the position of Assistant in said department. Seconded by Selectman Jensen. Vote 5-0

**8.9 Trail Agreements – taken up earlier in the meeting.**

**8.10 11 Baboosic Lake Road - Violations**

Town Administrator O'Mara suggested removing this item from the agenda and has asked Community Development Director, Colleen Mailloux, to meet with the Amherst School District to try to resolve the matter which involves a number of setback violations.

**9. Volunteer Handbook**

Selectman Panasiti provided a proposed Volunteer Handbook that addresses the expectations of volunteers serving on various town boards, committees and commissions.

Selectman Jensen moved to adopt the Volunteer Handbook. Seconded by Vice Chairman D'Angelo. Vote 5-0

The Board agreed that not all prospective candidates need to be interviewed, especially incumbents or those interested in uncontested seats. On the first page of the handbook, No. 4, the word "will" should be replaced with the word "may" in the first sentence. Administrator O'Mara also offered to review the document to make minor tweaks for the sake of consistency.

**10. Appointments – Boards, Committees, and Commissions**

Town Administrator O'Mara suggested postponing this agenda item to the next meeting once the Volunteer Handbook is finalized.

**11. Trustee of the Trust Funds – Alternate Appointment**

As with the previous agenda item, all committee and commission appointments will be determined at the next Board meeting and receive a copy of the Volunteer Handbook.

**12. Homeland Security Grant Update**

Town Administrator O'Mara indicated that a bid request had been released for a stock or demonstrator fire engine. Vendors were asked to submit only high-end top quality custom cab apparatus with seating for 6, and to include a trade allowance on a 1987 Pierce 1250/1500 pumper tanker with 3121 engine hours, 45,233 miles. Bids are due by May 1<sup>st</sup> with anticipated award made the week of May 11<sup>th</sup>. Delivery of apparatus is expected by mid-to-late June 2015.

**13. Pipeline Update**

Vice Chairman D'Angelo stated that the Pipeline Task Force (PTF) last met about ten days ago and members are in the process of getting various educational documents prepared and uploaded to the town's website. Documents include an economic impact assessment, a safety document, gas production 101, a background document on the need for natural gas, and a timeline.

Vice Chairman D'Angelo is waiting to hear back from Kinder Morgan on scheduling a meeting with the Board to discuss alternate routes. Once a meeting time is determined, it will be posted to the website. The public will be invited to observe; no public comments will be taken.

#### **14. Right to Know Requests**

Town Administrator O'Mara stated that a request from a Manchester law firm was received and responded to within 48 hours.

#### **15. Old and New Business**

Town Administrator O'Mara mentioned that property located at Town Farm Road, Lot 1-18-1 is a Class VI road (dirt road) located off Ponemah Road. Improvements necessary to make the road and driveway accessible to emergency vehicles require a Conditional Use Permit from the Planning Board for impacts within the Wetland and Watershed Conservation District. Because the proposed improvements will take place within the Town's existing Right of Way, the Board of Selectmen will have to authorize the work. The Conditional Use Permit application will be considered by the Planning Board on May 6<sup>th</sup>. If approved, the property owner will submit a request to the Board for approval of the building permit on a Class VI road, approval of the waiver of municipal liability, and authorization of the improvements within the Right of Way.

Town Administrator O'Mara provided a letter dated April 17<sup>th</sup> from the Abacus Group regarding the town's Code Enforcement Officer. Selectman Grella moved to authorize Administrator O'Mara to respond to the letter on behalf of the Town. Seconded by Vice Chairman D'Angelo. Vote 5-0

#### **16. Approvals**

##### **16.1 Abatement Recommendations**

Vice Chairman John D'Angelo moved to "un-table" the abatement recommendation for Map 012-012-000, a commercial property located at 135 Route 101A. Seconded by Selectman Grella. Vote 5-0

Selectman Panasiti moved to approve the abatement recommendation for a 2.99 acre, commercial property, located at 135 Route 101A, Map/Lot 012-012-000, in the amount of \$5,033. Seconded by Selectman Grella. Vote 5-0

Selectman Panasiti moved to approve the abatement recommendation for a condominium unit located at 2 Peacock Brook Lane, Map/Lot 002-009-000-001 in the amount of \$627. Seconded by Selectman Grella. Vote 5-0.

Selectman Panasiti moved to approve the abatement recommendation for a condominium unit located at 4 Peacock Brook Lane, Map/Lot 002-009-000-002 in the amount of \$421. Seconded by Selectman Grella. Vote 5-0.

Selectman Panasiti moved to approve the abatement recommendation for a condominium unit located at 6 Peacock Brook Lane, Map/Lot 002-009-000-003 in the amount of \$677. Seconded by Selectman Grella. Vote 5-0.

Selectman Panasiti moved to approve the abatement recommendation for a condominium unit located at 8 Peacock Brook Lane, Map/Lot 002-009-000-004 in the amount of \$680. Seconded by Selectman Grella. Vote 5-0.

Selectman Panasiti moved to approve the abatement recommendation for a condominium unit located at 10 Peacock Brook Lane, Map/Lot 002-009-000-005 in the amount of \$682. Seconded by Selectman Grella. Vote 5-0.

Selectman Panasiti moved to approve the abatement recommendation for a condominium unit located at 12 Peacock Brook Lane, Map/Lot 002-009-000-006 in the amount of \$688. Seconded by Selectman Grella. Vote 5-0.

Selectman Panasiti moved to approve the abatement recommendation for a condominium unit located at 14 Peacock Brook Lane, Map/Lot 002-009-000-007 in the amount of \$690. Seconded by Selectman Grella. Vote 5-0.

Selectman Panasiti moved to approve the abatement recommendation for a condominium unit located at 16 Peacock Brook Lane, Map/Lot 002-009-000-008 in the amount of \$677. Seconded by Selectman Grella. Vote 5-0.

Selectman Panasiti moved to approve the abatement recommendation for a condominium unit located at 24 Peacock Brook Lane, Map/Lot 002-009-000-012 in the amount of \$698. Seconded by Selectman Grella. Vote 5-0.

Selectman Panasiti moved to approve the abatement recommendation for a condominium unit located at 26 Peacock Brook Lane, Map/Lot 002-009-000-013 in the amount of \$653. Seconded by Selectman Grella. Vote 5-0.

Selectman Panasiti moved to approve the abatement recommendation for a condominium unit located at 32 Peacock Brook Lane, Map/Lot 002-009-000-016 in the amount of \$866. Seconded by Selectman Grella. Vote 5-0.

Selectman Panasiti moved to approve the abatement recommendation for a condominium unit located at 36 Peacock Brook Lane, Map/Lot 002-009-000-018 in the amount of \$659. Seconded by Selectman Grella. Vote 5-0

#### **16.2 Disabled/Veterans Tax Credit**

Selectman Grella moved to grant the Disabled/Veteran Tax Credit for Map/Lot 005-141-001 located at 30 Bloody Brook Road in the amount of \$1,400. Seconded by Selectman Panasiti. Vote 5-0

#### **16.3 Veterans Tax Credit**

The following list includes two duplicate properties where a husband and wife are each entitled to a credit which must be disbursed separately for a sum no greater than \$500.

Selectman Grella moved to grant the Veteran Tax Credit for Map/Lot 008-045-001 located at 304 Route 101 in the amount of \$500. Seconded by Selectman Panasiti. Vote 5-0

Selectman Grella moved to grant the Veteran Tax Credit for Map/Lot 008-045-001 located at 304 Route 101 in the amount of \$500. Seconded by Selectman Panasiti. Vote 5-0

Selectman Grella moved to grant the Veteran Tax Credit for Map/Lot 002-072-023 located at 13 Eastern Avenue in the amount of \$500. Seconded by Selectman Jensen. Vote 5-0



Selectman Grella moved to grant the Veteran Tax Credit for Map/Lot 002-072-023 located at 13 Eastern Avenue in the amount of \$500. Seconded by Selectman Panasiti. Vote 5-0

Selectman Grella moved to grant the Veteran Tax Credit for Map/Lot 020-020-000 located at 19 Mack Hill Road in the amount of \$500. Seconded by Selectman Panasiti. Vote 5-0

Selectman Grella moved to grant the Veteran Tax Credit for Map/Lot 022-009-000 located at 40 Mack Hill Road in the amount of \$500. Seconded by Selectman Panasiti. Vote 5-0

Selectman Grella moved to grant the Veteran Tax Credit for Map/Lot 002-072-009 located at 1 Airline Drive in the amount of \$500. Seconded by Selectman Panasiti. Vote 5-0

Selectman Grella moved to grant the Veteran Tax Credit for Map/Lot 006-028-053 located at 28 Fells Drive in the amount of \$500. Seconded by Selectman Panasiti. Vote 5-0

Selectman Grella moved to grant the Veteran Tax Credit for Map/Lot 004-047-001-016 located at 25 Scottie Way in the amount of \$500. Seconded by Selectman Panasiti. Vote 5-0

#### **16.4 Elderly Exemption**

Vice Chairman D'Angelo moved to grant the elderly exemption for Map/Lot 004-201-017 located at 28 Corduroy Road in the amount of \$71,000. Seconded by Selectman Jensen. Vote 5-0

Vice Chairman D'Angelo moved to grant the elderly exemption for Map/Lot 009-004-001 located at 196 Mack Hill Road in the amount of \$142,000. Seconded by Selectman Jensen. Vote 5-0

#### **16.5 Current Use Application**

Selectman Jensen moved to approve the Current Use Application for Map/Lot 004-009-000 located at 9 Roberts Road. Seconded by Vice Chairman D'Angelo. Vote 5-0

Selectman Jensen moved to approve the Current Use Application for Map/Lot 004-065-001 located at 12 Stearns Road. Seconded by Vice Chairman D'Angelo. Vote 5-0

Selectman Jensen moved to approve the Current Use Application for Map/Lot 006-021-000 located at 5 Lynch Farm Road. Seconded by Vice Chairman D'Angelo. Vote 5-0

#### **16.6 Payroll**

Vice Chairman D'Angelo moved to approve one (1) FY15 Payroll Manifest in the amount of \$179,360.30 dated April 16, 2015, subject to review and audit. Seconded by Selectman Jensen. Vote 5-0

#### **16.7 Accounts Payable**

Vice Chairman D'Angelo moved to approve one (1) FY15 Accounts Payable Manifest in the amount of \$13,380.60 dated April 9, 2015, subject to review and audit. Seconded by Selectman Jensen. Vote 5-0

Vice Chairman D'Angelo moved to approve one (1) FY15 Account Payable Manifest in the amount of \$36,469.78 dated April 16, 2015, subject to review and audit (Town Clerk Transfers to the State of NH). Seconded by Selectman Jensen. Vote 5-0

Vice Chairman D'Angelo moved to approve one (1) FY15 Accounts Payable Manifest in the amount of \$177,489.94 dated April 20, 2015, subject to review and audit. Seconded by Selectman Jensen. Vote 5-0

#### **16.8 Meeting Minutes of April 6, 2015**

Vice Chairman D'Angelo moved to approve the Board of Selectmen meeting minutes of Monday, April 6, 2015. Seconded by Selectman Jensen. Vote 5-0

#### **17. Action Item Review**

Selectman Jensen recapped action items to include: closing on the Lynch property; scheduling quarterly finance reports; filing State Bridge Aid applications; follow-up on Volunteer Handbook; interviewing committee applicants as necessary; reply to Abacus letter.

In response to Chairman Brew, Selectman Jensen stated that the Ways and Means presentation to the Board on the budget process will be made at the next Board meeting. Also, Vice Chairman D'Angelo will provide an update on the Finance System purchase.

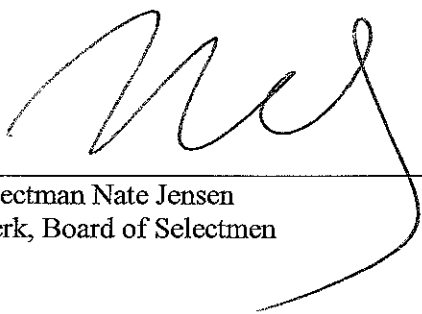
#### **18. Non-Public Session (if necessary)**

Non-Public Session was held earlier.

#### **19. Adjournment**

Vice Chairman D'Angelo moved to adjourn the meeting. Seconded by Selectman Grella. Vote 5-0

The meeting adjourned at 9:00 p.m.



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Selectman Nate Jensen  
Clerk, Board of Selectmen

5/11/15

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Date