



Town of Amherst, NH

BOARD OF SELECTMEN MINUTES

Barbara Landry Meeting Room
2 Main Street
Monday, March 24, 2014 at 6:30 PM

Call to Order: Chairman Dwight Brew called the meeting to order at 6:37 p.m. Attendees: Chairman, Dwight Brew; Vice-Chairman, Brad Galinson, Selectmen Mike Akillian, John D'Angelo, and Tom Grella. Also present: Town Administrator, Jim O'Mara; Executive Assistant, Torrey Demanche, and Suzanne Beauchesne taking minutes.

Pledge of Allegiance – Suzanne Beauchesne, new minute-taker, led the pledge.

Citizen Forum – no citizens came forward.

Selectmen Officer Elections and Liaison Assignments

Vice Chairman Galinson motioned to nominate Dwight Brew to remain in the officer position of Board Chair. Selectman Akillian seconded. Vote 4-0-1 (Chairman Brew abstained from the vote and accepted the nomination.)

Vice Chairman Galinson motioned to nominate Mike Akillian to the position of Board Vice Chairman. Selectman Grella seconded. Vote 4-0-1 (Selectman Akillian abstained from the vote and accepted the nomination.)

Selectman Galinson motioned to nominate John D'Angelo to remain in the officer position of Board Clerk. Selectman Grella seconded. Vote 4-0-1 (Selectman D'Angelo abstained from the vote and accepted the nomination.)

Selectmen liaison assignments were made and agreed to as follows:

| | |
|--------------------------|-------------------------------|
| Legislative/NHMA Liaison | Dwight Brew |
| Safe Routes to Schools | Dwight Brew (Voting position) |

Commissions

| | |
|-------------------------------------|---|
| Conservation Commission | Dwight Brew BOS, Ex-Officio |
| Heritage Commission | Thomas Grella BOS Liaison (Voting position) |
| Historic District Commission | Thomas Grella BOS, Ex-Officio (Voting position) |
| Nashua Regional Planning Commission | Dwight Brew BOS, Ex-Officio |
| Recreation Commission | Brad Galinson BOS, Ex-Officio (Non-Voting) |
| Road Commission | Thomas Grella BOS, Ex-Officio (Voting position) |

Committees

| | |
|--|--|
| Capital Improvement Committee | Mike Akillian/John D'Angelo, Alternate (Voting position) |
| Communication Infrastructure Committee | Dwight Brew, Ex-Officio (Non-Voting) |
| Highway Safety Committee | Thomas Grella BOS, Ex-Officio (Voting position) |
| Storm Water II Committee | Thomas Grella BOS, Ex-Officio (Voting position) |
| Sewage Committee | Thomas Grella BOS, Ex-Officio |
| Facility/Vehicle Committee | Thomas Grella BOS, Ex-Officio |

Liaisons

| | |
|-------------------------------------|--|
| Amherst School District Board | Mike Akillian, Liaison (Non-Voting) |
| Cemetery Trustees | Brad Galinson BOS, Ex-Officio (Non-Voting) |
| Library Trustees | Dwight Brew BOS, Ex-Officio (Non-Voting) |
| Souhegan Coop School District Board | Mike Akillian, Liaison (Non-Voting) |
| SAU 39 | Mike Akillian, Liaison (Non-Voting) |

Representatives

| | |
|---------------------------|---|
| Planning Board | John D'Angelo BOS, Ex-Officio (Voting position) |
| | - Grella, Back-Up and Galinson, 2 nd Alternate |
| Trustee of the Trust Fund | Brad Galinson |

Community Development

a. Building Permit Policy – permits required for all structures larger than 32 SF.

Sarah Marchant, Community Development Director, appeared before the Board seeking guidance on the Amherst Building Permit Policy which requires that all structures require building permits. This is overly burdensome for taxpayers and staff because permits are required for very small structures, such as dog houses and chicken coops.

Selectman D'Angelo motioned that no permit be required for structures less than 32 square feet or less with no side longer than 8 feet and the height not to exceed 10 feet with said guideline to be reviewed and approved by the Planning Board and ratified by the voters of Amherst. Seconded by Vice Chair Akillian. Vote 4-1 (Selectman Grella voting in the negative)

b. Waiver of Municipal Liability

Selectman Galinson motioned that the Board approve the Waiver of Municipal Liability to allow for building construction on a Class VI road - Bartlett Drive. Seconded by Selectman Grella. Vote 5-0

c. CIP Committee Appointment

Sarah Marchant, Community Development Director, provided a list of individuals who have stepped forward and volunteered to serve on the FY2016-2021 CIP Committee:

Selectman Mike Akillian – BOS Member
Amherst Ways and Means Rep – Russ Thomas
Souhegan SB Member – Chris Janson
Amherst SB Member – Peg Bennett
SAU Representative – Elizabeth Shankel
Souhegan Finance Committee Rep – Tom Silvia
Planning Board Member – Eric Hahn (to be finalized at 04/02 meeting)
Planning Board Member – Sally Wilkins (to be finalized at 04/02 meeting)
Citizen Member – Addie Hutchinson
Citizen Member – Danielle Pray

BOS Alternate – Selectman D'Angelo
SSB Alternate – Steve Coughlan
ASB Alternate – Awaiting meeting on 3/27/14
PB Alternate – TBD
Citizen Alternate – John Post (W&M)

Vice Chair Akillian motioned approval of the list of volunteers to make up the current Capital Improvements Planning Committee (CIP). Seconded by Selectman D'Angelo. Vote 5-0

d. CIP Project Request Review

Director Marchant indicated that of the 55 projects listed, 18 projects were slated for FY16 with five to be decided. Chairman Brew suggested filtering through the list and providing a sense of the Board on the merit of identified projects to be worked on over the next six years. Vice Chair Akillian suggested moving projects forward and indicated that it was the CIP charge to agree on the sequence and impact to taxpayers and determine what of the four financing alternatives make sense. Director Marchant indicated that the Board's decisions would be helpful so that CIP does not take time on those projects least likely to succeed or get approval from the voters.

Selectman Galinson expressed concern that over the next six years many projects will not make it onto the ballot and if they do, they are likely to be voted down by the voters. Board members reflected a sense that it would be useful to identify projects to be completed in the short term and long range; i.e., approve the list while recognizing that some will not get funded.

Director Marchant reiterated the fact that the CIP is tasked with organizing all needs and determining the best timing to implement those projects to keep the tax rate as even as possible. The Board discussed the process of the CIP Committee. The Board's overview is to ensure that capital projects bring the CIP, budget process, and strategic planning in line.

The Board amended the Ambulance submission from the EMS Division to reflect the correct year of FY16 vs. the FY15 year stated on the document. The Board discussed the DPW Division submission of increasing the Road Maintenance budget line and requested that it be removed from the CIP package. The Board stated that the request should be reviewed as part of the operating budget process and not the CIP process. The Board discussed the merits of reviewing the ACC CIP submission as it is a committee vs. a Town Department.

Vice Chair Akillian expressed the importance of determining financing alternatives and be able to provide the voters with an opportunity to weigh in. The sense of the Board is to continue to perfect an evolving process with annual updates so that project request submissions are in line with the Strategic Plan. The Board will re-visit. In conclusion, the Board authorized Director Marchant to accept 54 of the 55 projects as acceptable proposals from the town departments.

e. Business Retention and Expansion MOU

Community Development Director Sarah Marchant sought the Board's support in participating in the UNH Cooperative Extension's Business Retention and Expansion program. Done in partnership with the Town of Milford and Souhegan Valley Chamber of Commerce, the program costs of \$2,000 would be covered as follows: charitable foundation grant of \$1,000, Town of Milford \$500 and Town of Amherst \$500, with Amherst's share coming from the Community Development Office's budget. Vice Chair Akillian motioned that the Town of Amherst participate in the program and once the funding source is finalized, authorize the Town Administrator to sign a Memorandum of Understanding (MOU) with the UNH Cooperative Extension. Seconded by Selectman D'Angelo. Vote 5-0

Department of Public Works – Road Reconstruction Bid

Bruce Berry, Public Works Director, provided bid results for road reconstruction. Director Berry indicated that an invitation to bid was advertised in three online venues, and personal invitations extended to six companies. The pre-bid meeting was attended by R&D Paving, Busby Construction, F.L. Merrill Construction, Pike Industries, American Excavation and Continental Paving. American Excavation and Continental Paving submitted bids. Director Berry recommended that the bid be awarded to Continental Paving. Selectman D'Angelo expressed concern at the 10 percent difference in price between the two bids. Director Berry stated that he was comfortable the lower bid would not result in lower quality work. The town has had good experiences with Continental Paving in recent years. Town Administrator O'Mara pointed out that the bid includes road work to be done this season that is budgeted for and will be paid out of the DPW road maintenance budget line. In the FY15 budget there are \$740,000 budgeted for road work.

Selectman Grella motioned to award Contract #01-14 to Continental Paving for road reconstruction of Boston Post Road, County Road, Cricket Corner Road, Cross Street, Danbury Circle, Foundry Street, and North Meadow Road, Reconstruction and Merrimack Road (mill and fill). Contract price shall be two million, five hundred and five thousand, and seven hundred fifty two dollars and twenty-five cents (\$2,505,752.25). Seconded by Vice Chair Akillian. Vote 5-0

Transfer Station Policy (Item I moved up from Town Administrator's Report)

A complaint was received by a resident on the cost of disposing wood and other construction materials and another on transfer station personnel not being helpful. Public Works Director Bruce Berry referenced the town's Solid Waste Operating Plan that is intended to ensure all residents are treated equally while protecting human health and preserving the natural environment. Director Berry indicated that the fee schedule is set, in part, to help attendants determine "what is, or what isn't, OK". Director Berry further stated that he was comfortable with the current policy since everyone gets treated the same. Selectman D'Angelo mentioned the complaint of a 50 year old woman who was ignored by staff when she was having difficulty dumping a mattress and box spring. Director Berry stated he was embarrassed by the occurrence, but was concerned about the well-being of his own staff as well. Selectman D'Angelo suggested staff be encouraged to be more helpful when they safely can be.

Approvals:

a. Accounts Payable

Selectman D'Angelo motioned to approve one (1) FY14 Accounts Payable Manifest in the amount of \$145,799.36 dated March 24, 2014 subject to review and audit. Seconded by Vice Chair Akillian. Vote 5-0

Selectman D'Angelo motioned to approve one (1) FY14 Accounts Payable Manifest in the amount of \$2,378,538 dated April 1, 2014 subject to review and audit (Schools). Seconded by Vice Chair Akillian. Vote 5-0

Selectman D'Angelo motioned to approve one (1) FY14 Accounts Payable Manifest in the amount of \$26,293.38 dated March 24, 2014 subject to review and audit. (Town Clerk Transfers to the State of NH). Seconded by Vice Chair Akillian. Vote 5-0

b. Payroll

Selectman D'Angelo motioned to approve one (1) FY14 Payroll Manifest in the amount of \$166,438.69 dated March 18, 2014 subject to review and audit. Seconded by Vice Chair Akillian. Vote 5-0

c. Tabled Minutes 02-24-14

Selectman D'Angelo motioned to approve the February 24, 2014 Board of Selectmen meeting minutes with amendments. Seconded by Vice Chair Akillian. Vote 5-0

d. Minutes 03-10-14

Selectman D'Angelo motioned to approve the March 10, 2014 Board of Selectmen meeting minutes with amendments. Seconded by Vice Chair Akillian. Vote 5-0

The Board of Health Minutes of March 10, 2014 were Tabled

e. MS-2 – Report of Appropriations Actually Voted on.

Town Administrator O'Mara stated that Finance Director Paul Hebert has prepared the MS-2 Form for the Board's signature. The MS-2 Form is a report of Appropriations Actually Voted on and must be submitted to the NH Department of Revenue Administration within 20 days of the election. Selectman Grella motioned Board approval of the MS-2 form. Seconded by Selectman D'Angelo. Vote 5-0

f. Veterans Tax Credits

Selectman Galinson motioned to approve the Veteran Tax Credit request for Map 005, Lot 016-033 in the amount of \$500. Seconded by Selectman Grella. Vote 5-0

Selectman Galinson motioned to approve the Veteran Tax Credit request for Map 010, Lot 034-000 in the amount of \$1400. Seconded by Selectman Grella. Vote 5-0

g. Tabled Abatements

| MAP/LOT | RECOMMENDATION | \$ AMOUNT |
|-------------|----------------|-----------|
| 007-094-001 | To Approve | \$1881.00 |
| 003-086-003 | To Approve | \$926.00 |

Chairman Brew stated the tabled abatements will remain there pending receipt of more information.

Town Administrator

a. Library Trustee Alternate Appointment

Town Administrator O'Mara referenced a letter from the Chairman of the Library Board of Trustees noting the Board's desire to have Dick Martini re-appointed as an alternate to the Library Board. Selectman Galinson motioned the appointment of Dick Martini as an Alternate to the Amherst Library Board of Trustees. Seconded by Selectman Grella. Vote 5-0

b. Appoint Member to Cemetery Maintenance Finance Committee

Town Administrator O'Mara reported on the formation of the Cemetery Maintenance Finance Committee which was established to update the methods and processes by which cemetery maintenance is funded and supported throughout the town. It was agreed by the Amherst Board of Selectmen, the Cemetery Trustees, and the Trustees of the Trust Funds to launch a seven-person committee to review 1) Regulations to gain clarity about and adherence to, legal requirements regarding the management and

disbursement of related trusts; 2) Processes related to the “sale of plots, burial expense tracking, and financial management; and 3) Financial Reconciliation to identify situations where monies have not been billed, paid, or deposited properly.

The seven-person committee will include a representative from the Board, Cemetery Trustees, and Trustees of the Trust Funds; the Amherst Finance Director; and three Amherst citizens appointed by the Selectmen. The Board hopes to have the committee launched in April. Any citizens wishing to be considered for a role on the committee should contact Town Administrator O’Mara no later than April 11, 2014. Vice Chair Akillian motioned to name Selectman Galinson as the Board representative on this committee. Seconded by Selectman Grella. Vote 5-0

c. Commission, Committee, and Board Vacancies

Chairman Brew indicated that Executive Assistant, Torrey Demanche, has posted a notice that residents should submit letters of interest by April 4th if they wish to serve. Chairman Brew opened up for discussion the Board’s practice of having interested parties come before the Board and asked for thoughts on whether the practice should be changed and/or discontinued.

Selectman D’Angelo felt it important to seek the opinion of the Chairs. Discussion ensued regarding the importance of an interested parties capability, compatibility, experience, and attendance record. Torrey Demanche, Executive Assistant, reported that all Chairs have been advised and encouraged to get the word out.

d. Forestview Cemetery Design Expansion Trust

Town Administrator O’Mara reported that on the 2011 ballot Article 28 to discontinue the current Cemetery Capital Reserve Fund which contained an ending balance of \$14,230 to be transferred to the general fund. Residents voted in favor of Article 28 -- 1765 Yes, 273 No. The vote on Article 29 which established the Forestview Cemetery Design Expendable Trust Fund was also approved -- 1278 Yes, 741 No. Administrator O’Mara pointed out that the funds were not a part of the operating budget.

Selectman Galinson motioned approval to raise \$14,230 for the purpose of defraying the cost of the preparation of plans and specifications for the construction design of the Forestview Cemetery on Merrimack Road. Seconded by Selectman Grella. Vote 5-0

e. Computer / Capital Reserve Withdrawal

Town Administrator O’Mara asked the Board to authorize a withdrawal from the Computer Capital Reserve. The purpose for the withdrawal is for the town to upgrade the current computer servers. Article 32 expenditure was approved by voters 1380 Yes/676 No.

Selectman D’Angelo motioned for the Board to approval a Computer Capital Reserve withdrawal in the amount of \$8,376.12 to replace a computer server. Seconded by Vice Chair Akillian. Vote 5-0

f. Bragdon Sledding Hill

Town Administrator O’Mara brought up an ACC Resolution for the Board to consider relative to management of winter activities at the Bragdon Sledding Hill. Discussion centered on safety,

management, maintenance, and liability. A resident, Katie Button indicated that if the town does not charge a fee, it cannot be sued. Chairman Brew indicated the importance of keeping the sand buckets filled and will report back to the ACC that the Board is not inclined to support their recommendation.

g. Petition Warrant Article #41 – NH Resolution Letter

After reviewing the draft letter, Vice Chair Akillian proposed indenting the Article and ending the letter with “accordingly, with the acceptance of the article, I am passing this on to you at the request of the voters of the Town of Amherst, NH.”

Vice Chair Akillian motioned the letter be sent out with suggested changes. Selectman D’Angelo seconded. Vote 5-0

h. Transition of Town Equipment from Cemetery Fields

Chairman Brew indicated that equipment and playground would have to be removed from the Cemetery Fields by September 1st, 2014. Suggested locations include Alice Town lot, Amherst School lot on Baboosic Lake Road, and behind the ice skating rink. The Board recognized that traffic is a problem at the Alice Town lot. Perhaps the new Director of Recreation could be tasked with finding a more permanent home. Administrator O’Mara suggested asking the Cemetery Trustees if there are items that should remain in place; such as the sprinkler heads, fence, etc. The Board agreed that any property transferred should be documented and transferred at no charge.

i. FY15 Board Goals/Initiatives

Chairman Brew distributed a list of FY15 initiatives for discussion. All initiatives were accepted for work in FY15, and selectmen agreed to the following assignments:

- 1) Finance System Implementation Plan -- (Dwight, Brad, Jim and Paul –John volunteered to assist)
- 2) Strategic Planning – look back/forward/goals/schools -- (Mike, John, Sarah)
- 3) FY15 Planning and Budgeting/ looking back -- (Dwight and Mike – Jim and Department Heads)
- 4) Performance Evaluation Process – Review/Performance-to-Pay -- (Brad and Dwight)
- 5) Communications and Civic Engagement
 - a) Website Enhancements (Torrey, Mike, Jim, and Dwight)
 - b) Outreach and Discussions (overtures to others -- Lions Club, Blog)
 - c) PR process (Mike and Dwight)
- 6) Public Safety Review - costs, etc. -- (John and Tom)
- 7) DPW Review -- (John and Tom)
- 8) Cemetery/Trust Fund Review -- (Brad and Dwight)

j. Park & Recreation Director Vacancy

Administrator O’Mara reminded the Board of the vacancy for a new Recreation Director. Town Administrator O’Mara suggested inviting two Recreation Commissioners to participate in the selection process to fill this vacancy. The Board agreed.

k. Board of Selectmen Calendar

Selectman Galinson motioned acceptance of 2014 and 2015 Board of Selectmen meeting schedules with amendment to the March 2015 meeting dates (meeting dates should be listed as March 9th and March 23rd). Seconded by Selectman D'Angelo. Vote 5-0

I. Transfer Station Policy (Taken up during Director Berry's address)

m. Finance Software System

Town Administrator O'Mara provided an update on the purchase of finance software. Administrator O'Mara is expecting fresh figures from Tyler Technology along with two other bids. The advantage of going with Tyler Technology is that the town would receive up to a 49 percent discount on licensing because we would be adding on through the school system and training costs could be lowered. Administrator O'Mara anticipates coming to the Board in May with budget transfers and a recommendation of the most qualified vendor.

The Board expressed the need to fast track the purchase and implementation, especially given the last audit.

IX. Right-to-Know – no pending requests at this time.

X. Stormwater Coalition – no new updates to report.

XI. Old and New Business

Selectman Grella suggested inviting the Souhegan Robotics Team and the Boys Hockey Team, State Champions, to attend one of the next two board meetings (April 14th and 28th), respectively. The Board concurred.

XII. Non-Public Session

At 9:20 p.m., Vice Chair Akillian motioned to enter Non-Public Session pursuant to NH RSA 91-A: 3II (a). Seconded by Selectman D'Angelo. Roll Call: Akillian –yes, D'Angelo – yes, Grella – yes, Galinson – yes, and Brew – yes.

March 24, 2014
Non Public Session

The Board entered non-public session at 9:20PM

The Board discussed the compensation of public employees.

Mr. D'Angelo moved to exit non-public session at 11:12 PM, seconded by Mr. Akillian. Roll Call: D'Angelo-yes, Brew-yes, Grella-yes, Akillian-yes, Galinson-yes. Vote was unanimous.

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

Mr. Galinson moved to adjourn the meeting at 11:13PM, seconded by Mr. Grella. Motion passed unanimously.