



**Town of Amherst, NH**  
**BOARD OF SELECTMEN MINUTES**  
**Barbara Landry Meeting Room**  
**2 Main Street**  
**Monday, August 25, 2014**

**I. Non-Public Session 91-A:3 II (e) 5:30 PM**

Chairman Brew called the meeting to order.

Mr. Galinson moved to enter non-public session at 5:30pm pursuant to NH RSA 91-A: 3 II (e). Second by Mr. Grella.

Roll Call: D'Angelo -yes, Brew-yes, Galinson – yes, Grella-yes, Akillian-yes. Vote was unanimous, 5-0.

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

Attorney Tom Closson joined the entered the meeting at 6:00pm.

The Board, Town Administrator Jim O'Mara and Attorney Tom Closson discussed the status of a pending litigation.

Mr. D'Angelo moved to exit non-public session at 6:27pm. Second by Mr. Akillian. The vote was unanimous, 5-0.

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

The regular meeting resumed at 6:30pm.

**II. Public Session: 6:30 PM**

Chairman Dwight Brew called the meeting to order at 6:30 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 Torrey Demanche, Executive Assistant taking minutes.

**III. Pledge of Allegiance** – Acting Chief Matt Conley led the pledge.

**IV. Citizen Forum**

Linda Kaiser from 6 Manchester Rd. addressed the Board to share her opinion with regard the Manchester Road Bridge repair costs, due do a recent article posted in the Amherst Today by Attorney Katie Button. Mrs. Kaiser stated that she does not like to be intimidated by the press and further stated that it was the town that approached her about possibly moving her paddock fence during the bridge repair. Mrs. Kaiser further requested the cost of servicing the bond for the bridge payment until such time as the town is reimbursed by the state. Mrs. Kaiser asked to know the date the town will begin to pay, the date by which the town expects to be re-paid from the state, and from whom are we getting that estimate for repayment?

The Board thanked Mrs. Kaiser for her time and demonstrated that the requested figures could only be based on assumptions as the next phase of the process has not taken place. The estimated cost for repayment is not available at this time.

52  
53 **V. Public Hearing – Assistance to Firefighter Grant**  
54

55 Selectman D'Angelo moved to open the public hearing to discuss the acceptance of the Assistance to  
56 Firefighter Grant in accordance with RSA31:95-b:III (a). Seconded by Vice Chairman Akillian. Vote 5-0  
57

58 Town Administrator O'Mara explained the FEMA Assistance to Firefighter Grant (AFG) has been awarded to  
59 the town in the amount of \$308,750 with a \$16,250 town funded match for a total approved project of \$325,000  
60 for the purchase of a Pumper (Fire Engine).  
61

62 Chairman Brew stated that this evening's meeting was to discuss the acceptance of the grant funding and was  
63 not for the approval of purchasing a vehicle. The details and discussions for purchasing a fire engine will take  
64 place at a future meeting. Chairman Brew invited the public to come forward to speak on behalf of the grant.  
65 No citizens came forward. Chairman Brew further shared a personal observation that he believed that this grant  
66 will save the average homeowner about \$70 on their tax bill.  
67

68 Chairman Brew invited any person from the public to come forward to speak on the acceptance of the grant. No  
69 citizens came forward.  
70

71 Selectman D'Angelo moved to close the public hearing. Seconded by Vice Chairman Akillian. Vote 5-0  
72

73 Selectman D'Angelo moved to accept the Assistance to Firefighter Grant (AFG) in the amount of \$308,750  
74 with a \$16,250 town funded match for a total approved project of \$325,000, and for the Board to further  
75 authorize a request to the Trustees of the Trust Fund for the release of \$16,250 from the Fire Truck Capital  
76 Reserve for the town's matching contribution. Seconded by Selectman Grella. Vote 5-0  
77

78 Town Administrator O'Mara invited Acting Chief Matt Conley to brief the Board on a recent fire.  
79

80 Acting Chief Conley expressed his appreciation for the firefighters, EMS, and Police Department for their quick  
81 and effective efforts related to a home fire on Blueberry Hill Road. The fire was discovered by a contractor and  
82 soon thereafter Acting Chief Conley and Deputy Disco were on the scene. The Town of Milford assisted with  
83 the Rapid Intervention Team as well as assistance from area communities to include: Merrimack, Mt. Vernon,  
84 Hollis, New Boston and Wilton. The home is a total loss and it took all hands to work, control and overhaul the  
85 scene. The fire started in the kitchen and is believed to be accidental. In addition, the Salvation Army assisted  
86 by providing water and snacks for the crew. The Red Cross offered assistance to the displaced family.  
87 Acting Chief Conley mentioned that since the word has gotten out about the Town of Amherst receiving the  
88 Assistance to Firefighters Grant, he has already received several contacts from apparatus vendors offering an  
89 opportunity to view their vehicles.  
90

91 **VI. Town Administrator**  
92

93 **a. Fire Truck Capital Reserve Withdrawal Request (taken up previously in meeting)**  
94

95 **b. DPW Center of Town Construction Update**  
96

97 DPW Director Bruce Berry gave an update on the road construction in the center of town. Director Berry read  
98 from a prepared memo that is available at the end of these minutes.  
99

100 **c. Cemetery Fields – Forest View Cemetery**  
101

Administrator O'Mara reported that the terms of a Memorandum of Understanding (MOU) between the Town and the Cemetery Trustees signed in May 2014 will have been fulfilled effective September 1, 2014. Administrator O'Mara noted that a pump failure was fixed by the town and that winterization has not occurred. Selectman Grella agreed to continue providing the winterization service on behalf of the Cemetery Trustees.

**d. Part-Time New Hire DPW**

Vice Chairman Akillian moved to hire Sharon Blood for a 10-hour per week position to assist Director Berry in DPW. Seconded by Selectman D'Angelo. Vote 5-0

**e. Baboosic Lake Milfoil**

Administrator O'Mara referenced a request received from Jeff Mulligan, a member of the Baboosic Lake Association, to close all public access to the lake due to the spread of invasive Milfoil on the lake. Administrator O'Mara reminded the Board that in 1971 by a vote of 218 to 144 the town voted to purchase the land and building known as the Baboosic Lake Pavillion for \$67,500. The Board is reluctant to close access to the lake especially since the Milfoil was not caused by a boat launched from the beach, and because there is no enforcement mechanism in place at the present time. All agreed that the Baboosic Lake working group be encouraged to develop an ordinance for the Board's approval followed by public hearings to be held on the matter. An ordinance will allow for enforcement going forward.

Selectman Grella asked if more sand could be placed on the beach. Administrator O'Mara indicated that DES provides beach sand but are unlikely to grant the request.

**f. Recreation Playground Equipment Update**

Administrator O'Mara met with the School Board relative to moving a two bay swing structure and the tire swing to Bean Field. The School Board was very receptive to the idea; however, they requested that certified personnel from Primex Insurance examine the area for liability exposure. The School Board is awaiting a recommendation which is expected by September 8, 2014.

**g. Finance Director Interview Committee**

Administrator O'Mara recommended the composition of the Finance Director Interview Committee to include: two members of the BOS, the Town Administrator, Amherst Treasurer, SAU 39 Business Administrator, Milford Finance Director, and Rita Donaldson, Auditor from MRI. Four applications have been received. Chairman Brew and Selectman D'Angelo agreed to serve on the committee. Interviews are expected to be held within the next two weeks.

**h. FY15 Important Dates Calendar**

A calendar of important dates between November 2014 and May 2015 was distributed. The Board expressed their thanks to Executive Assistant, Torrey Demanche, for preparing the calendar and felt the calendar was very helpful.

Administrator O'Mara indicated that the staff strategic plan updates will begin at the BOS meeting of September 22<sup>nd</sup> and be done by the BOS's second meeting in October. Chairman Brew asked Administrator O'Mara to get in touch with Moderator Steve Coughlan to assemble the Ways and Means Committee for the updates.

**VII. Old and New Business**

Administrator O'Mara indicated that a "canned" request for unclaimed funds was received by Town Clerk, Nancy Demers. The request has been distributed to all departments. Responses are forthcoming.

Vice Chairman Akillian stated that he had distributed a press release seeking interested citizens who wish to serve on the Amherst Village Strategic Planning Committee. Responses are due by August 29, 2014. To date, six citizens have submitted applications to fill the three citizen slots. The Committee slate includes:

Board of Selectman – Mike Akillian  
Heritage Commission – Bill Veillette  
Historical Society – To be Announced  
Planning Board – Gordon Leedy  
Library Director – Amy Lapointe  
Community Development Director – Colleen Mailloux  
School District – Lucy Fox  
Public Works Director – Bruce Berry  
Police Chief – Mark Reams  
3 citizen slots (to include at least one business person)

Vice Chairman Akillian is hoping to hold the first meeting of the committee the third week of September when the large room in the library will be available. Vice Chairman Akillian further clarified that members of this committee are tasked with the leg work of soliciting input from the community and report finding to NRPC (Nashua Regional Planning Commission) who will in turn generate a report of findings.

## **VIII. Right-to Know Request – listed under "Old and New Business".**

### **IX. Approvals**

#### **a. Accounts Payable**

Town Administrator O'Mara advised the Board that due to a recent change in RSA 41:29 I (a), payroll and accounts payable manifests will no longer be brought to the Board in the form of *estimates*. HB 522 (*No Meeting Required to Sign Manifest*) solves the problem by expressly allowing the selectmen to sign the manifest "noncontemporaneously" outside a public meeting. The manifest itself is still subject to disclosure under the Right-to-Know Law, and if a quorum of the board meets to sign the manifest at the same time, they would have to comply with the law. (Cordell Johnston- *New Hampshire Town and City, September/October 2013*). What this means is the Board will no longer be required to approve estimated manifests and then later vote to rescind and approve actual dollars for a manifest, once it becomes available. Executive Assistant Demanche will e-mail the detail of a manifest to the Board for review. If the Board member approves, they can sign the coversheet, scan and return it or they can simply email her back writing, "I approve the (AP or PR) manifest dated XX/XX/XXXX". Then at the next regular meeting the Board can ratify the action which occurred non-contemporaneously between meetings.

Vice Chairman Akillian moved to rescind one (1) **FY15** Estimated Accounts Payable Manifest in the amount of \$555,000 dated August 14, 2014, and I further move to approve one **FY14** Accounts Payable Manifest in the amount of \$8,151.47 and one **FY15** Accounts Payable Manifest in the amount of \$223,269.99 dated August 14, 2014, subject to review and audit. Seconded by Selectman D'Angelo. Vote 5-0

Administrator O'Mara referenced legislation that was recently amended to allow Selectmen to sign-off remotely on payroll and accounts payable manifests.

Vice Chairman Akillian moved to approve one (1) **FY15** Accounts Payable Manifest in the amount of \$472,444.65 dated August 25, 2014, subject to review and audit. Seconded by Selectman D'Angelo. Vote 5-0

Vice Chairman Akillian moved to approve one (1) **FY15** Actual Accounts Payable Manifest in the amount of \$31,520.65 dated August 11, 2014, subject to review and audit. (Town Clerk Transfers to the State of NH). Seconded by Selectman D'Angelo. Vote 5-0

Vice Chairman Akillian moved to approve one (1) **FY15** Actual Accounts Payable Manifest in the amount of \$21,993.15 dated August 24, 2014, subject to review and audit. (Town Clerk Transfers to the State of NH). Seconded by Selectman D'Angelo. Vote 5-0

#### **b. Payroll**

Selectman D'Angelo moved to rescind one (1) **FY15** Estimated Payroll Manifest in the amount of \$185,221.29 dated August 7, 2014, and approve one (1) **FY15** Actual Payroll Manifest in the amount of \$226,693.83 dated August 7, 2014, subject to review and audit. Seconded by Vice Chairman Akillian. Vote 5-0

Selectman D'Angelo moved to rescind one (1) **FY15** Estimated Payroll Manifest in the amount of \$198,151.24 dated August 21, 2014, and approve one (1) **FY15** Actual Payroll Manifest in the amount of \$195,891.91 dated August 21, 2014, subject to review and audit. Seconded by Vice Chairman Akillian. Vote 5-0

#### **c. Minutes**

Selectman D'Angelo moved to approve Board of Selectmen minutes of Monday, August 4, 2014. Seconded by Vice Chairman Akillian. Vote 5-0

#### **d. Baboosic Lake Community Septic Warrants**

Selectman Galinson moved to approve and sign the Quarterly Maintenance Warrants for the Baboosic Lake Community Septic bill due October 1, 2014 for phase I for \$4,737.60, phase II for \$5,287.67, phase III for \$5,615.53, phase IV for \$4,119.80. Seconded by Selectman Grella. Vote 5-0

#### **e. Veterans' Tax Credits**

Administrator O'Mara indicated that the listing includes two separate credits – service during war (up to \$500) and a service-related disability credit (up to \$1400). Selectman Galinson motioned -- pursuant to New Hampshire RSA 76:16 -- to approve and sign the abatement applications for a Veterans' Tax Credit consistent with New Hampshire RSA 72:28 for the following properties:

MAP/LOT	AMOUNT
001-015-002	\$2,500.00
002-043-005	\$3,000.00
002-164-010	\$2,000.00
003-011-000	\$4,900.00
004-002-000	\$5,500.00
004-018-003	\$2,500.00
004-109-010	\$4,100.00
005-085-000	\$1,500.00
006-071-004	\$2,000.00
006-104-007	\$2,000.00

255 008-015-004 \$4,400.00  
256 025-024-000 \$1,500.00  
257 025-105-000 \$4,900.00  
258

259 And further, the stated credits shall be applied to each Veteran's property tax bill on the thirty-first (31<sup>st</sup>) day  
260 from the issuance of the December 2014 property tax bills and any balance due thereafter shall be applied to  
261 future tax billings until the credit is exhausted. Seconded by Selectman Grella. Vote 5-0  
262

263 **f. Yield Tax & Timber Tax Levy**  
264

265 Selectman Galinson motioned to approve and sign the Certification of Yield Tax and Timber Tax Levy for 94  
266 Chestnut Hill Road, map 11, lot 005-001 in the amount of \$228.35. Seconded by Vice Chairman Akillian.  
267 Vote 5-0.  
268

269 **g. MS1**  
270

271 Selectman Grella motioned to approve and sign the Department of Revenue (DRA) MS-1 Report for 2014.  
272 Seconded by Selectman Galinson. Vote 5-0  
273

274 **h. MS4**  
275

276 Town Administrator O'Mara presented the MS4 which has been completed by Rita Donaldson who is the MRI  
277 consultant assisting in the Finance Department. No motions or signatures are required. This document will be  
278 sent to the DRA and is an advisory document for the Board's review. The MS5 will be presented at the Board's  
279 next meeting on September 8, 2014.  
280

281 **X. Adjourn**  
282

283 Selectman D'Angelo motioned to adjourn the meeting at 8:05 pm. Seconded by Vice Chairman Akillian. Vote  
284 5-0