



Town of Amherst, NH

BOARD OF SELECTMEN MEETING MINUTES

Barbara Landry Meeting Room

2 Main Street

Monday, December 15, 2014 at 6:00 PM

I. Public Session

Chairman Dwight Brew called the meeting to order at 6:00 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 – NH Representative Robert Rowe led the pledge.

III. Citizen Forum

a. Incompatible Offices Discussion

State Representative Robert Rowe came forward to discuss the fiduciary responsibility of elected officials. According to Representative Rowe, there is no specific statute addressing the matter but common law provides that elected trustees should not serve on any other Board. Trustees of the Trust Fund should not serve in any other municipal capacity. Vice Chairman Akillian stated that he, Selectman Galinson, Bill Belvin, and Bob Grunbeck had recently met with Terry Knowles of the Attorney General's office regarding the Memorandum of Understanding (MOU) between the Board and Cemetery Trustees. The AG's office raised that the Cemetery Trustees and Trustees of the Trust Funds, in their respective roles, may be incompatible. Selectman Galinson stated that, according to the Attorney General's office, an RSA existed that was reviewed annually and listed various incompatible elected positions. Representative Rowe suggested the Board contact the Attorney General's office and Dick Scamman at the Department of State. Chairman Brew stated that the Attorney General's office suggested the town contact their state representatives. Representative Rowe said the deadline for introducing legislation had passed but will look at the RSA index and introduce a late bill if necessary. Representative Rowe will report back to the Board in February and, in the meantime, suggested the Board talk with Town Counsel, Bill Drescher.

b. Conservation Commission – Acquisition of Land

Chairman Brew noted that no additional information was forthcoming regarding the Amherst Conservation Commission accepting, on behalf of the Town of Amherst, a proffered gift of real estate consisting of three parcels of property and 240 acres of woodland on the east side of Chestnut Hill Road and surrounding The Flume development. Vice Chairman Akillian moved to re-affirm the Board's decision to accept the donation. Selectman Grella seconded. Vote 5-0

IV. MRI Final Report

Selectman D'Angelo moved to accept MRI's final report, noting that acceptance indicates completion of the contracted-for work, but does not necessarily constitute agreement. Seconded by Selectman Grella. Vote 5-0

Chairman Brew mentioned that the report will be placed on the Town's website, and encouraged Fire and EMS personnel and residents to comment, either in writing or at the January 12th and January 26th Board meetings.

V. FY16 Budget and Warrant Discussions

52
53 **a. FY16 Budget**
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55 Ways and Means Committee Member, Nate Jensen, stated that the Committee had reviewed the budget
56 line-by-line and had questions based on comparisons with past fiscal year actual figures. A number of
57 questions were addressed as part of the additional \$244,761 reductions identified by the town department
58 heads and removed from the baseline budget. The Committee felt that an additional \$60,000 in cuts could
59 be sustained as follows:
60

- 61 1) EMS Maintenance and Repair – may be duplicative with several other EMS repair budgets (\$3,000)
- 62 2) DPW Outside Hire – budgeted at \$220,000 but consistently spend at \$110,000. Administrator O'Mara
63 reduced by \$20,000 but \$40,000 additional request for DPW study. The \$110,000 underspend suggests
64 significantly more room for reduction (\$50,000)
- 65 3) DPW Tires – budgets at \$10,000 but only spent \$4,000 in FY14. Ten thousand dollars seems
66 unreasonably high in FY16 (\$6,000)
67

68 Vice Chairman Akillian asked Bruce Berry, Director of Public Works (DPW), to weight in. Director Berry
69 indicated that the figures do not show line item transfers. Projections are made for next winter – 18 months
70 from this date. While not losing sight of the Ways and Means' input, Vice Chairman Akillian asked how to
71 get to the baseline for DPW. Town Administrator O'Mara stated that the baseline was included with the
72 \$244,761 reduction made by department heads. Vice Chairman Akillian asked for a list of items coming
73 out of this year's budget so that it can be removed from the FY16. The undercover police vehicle is one
74 item. Selectman D'Angelo does not want to cut too close to the \$110,000 and pointed out that DPW has 25
75 vehicles and all run on tires. The town just spent \$3,200 replacing tires for one vehicle.
76

77 Vice Chairman Akillian suggested that the Board be clear amongst themselves that the new way of doing
78 things was to use contingency funds instead of including slack in departmental budgets, in this case, DPW.
79 Chairman Brew agreed. Placing funds in contingency allows department heads to more tightly budget.
80 Selectman Grella would like to keep the outside hire line intact. Chairman Brew suggested pulling the
81 \$40,000 DPW study to cover the full-time employee starting July 1, 2016. Chairman Brew is not
82 comfortable with adding a person not fully funded.
83

84 Other recommendations and opinions from the Ways and Means include:
85

- 86 • That the town fund DPW operations review out of FY15 funds (use outside hire budget).
- 87 • Agree with the Board that funds should be allocated for a DPW person after the DPW review is
88 complete.
- 89 • Take the Road Maintenance initiative out of the budget and make it a separate Warrant Article.
- 90 • Reduce fuel/heat estimated assumptions by 10 percent across the board. (Administrator O'Mara has
91 already made reductions to most fuel and heat budgets).
- 92 • Look into outsourcing payroll to a third party vendor to see if this reduces costs and/or burden on town
93 administration.
- 94 • Support Selectman Galinson's wage and benefits proposal.
- 95 • Think the 8.23% health insurance assumption is too high; recommend a 7.5% based on historical
96 experience.
- 97 • Support hiring a part-time floating administrative support person for town hall.
- 98 • Support continuing EMS/Fire wage adjustments this year.
- 99 • Support using Land Use Change Tax (LUCT) funds for the renovation of the second floor of the
100 Central Fire Station.
- 101 • Recommend reducing the EMS director salary line by at least 3.5% since the position is unfilled.

- Support an increase in landfill part-time wages; would like to see landfill employees enforce sticker rules more vigorously.
- Support study of landfill usage to optimize (not increase) available hours.
- Support the audit of recreation department's revolving funds.

Administrator O'Mara noted that additional projected revenue is not reflected in the budget and totals \$351,000. Auto registration includes \$200,000 over projected; EMS billing adds \$113,000; and funds expected from Cemetery Trusts total \$38,000. Administrator O'Mara also reported that the Library Trustees voted to support the budget that was submitted previously.

There was discussion of adding a "floater" position and the associated costs. The Ways and Means suggestion of adding a floater was made after hearing that many department heads were doing routine administrative work and could use such help. Vice Chairman Akillian mentioned that, in the past, the Board had a lot of involvement in day-to-day administration. A well-trained floater could be helpful in a number of areas; however, a low level administrative person would not be nearly as helpful. Still, Vice Chairman Akillian's first priority is staffing DPW with administration his second priority. Selectman D'Angelo's priorities are DPW, Town Clerk, and the HR Assistant. Selectman Grella agreed.

Selectman Galinson again stated his opposition to adding staff (without a corresponding reduction) and feels a 7% increase is too high and more than three times the Consumer Price Index (CPI). Selectman Galinson feels that it is the Board's tough job to say "no" to budget increases other than for the most urgent capital needs.

Vice Chairman Akillian stated that he accepts the budget and is comfortable being able to explain the perspective that the town must balance current needs while playing "catch up" on work that should have been done long ago. Voters have directed the Board to repair its infrastructure and that has been done very judiciously, but the Board should not neglect areas that need to be addressed now and only to be faced again with playing "catch up" in other areas as is currently being done with roads and bridges.

Town Clerk, Nancy Demers, came forward and said that a floater would not be useful because much of the work in her office requires an ability to keep up with changing statutes and many tasks require certification. Within the next six month's the town clerk's office will be planning for the deliberative session and the 2016 presidential primary in addition to handling its normal workload.

Chairman Brew suggested going through line items. Selectman D'Angelo agrees with the 2 percent COLA and step increase; proposes to accept the Ways & Means recommendation and reduce the projected health care increase by \$3,500; leave Community Development as is; remove DPW study of \$40,000; hire DPW person after July 1st for \$43,000; leave in the Transfer Station and EMS wage increases; let voters decide on mosquito control program; reduce the firefighter's proposed call pay increase from \$75,000 to \$45,000 and defer the remaining \$35,000 to FY 17; leave in the deputy town clerk going from part-time to full-time.

Selectman Grella agrees that the DPW study should be taken out of the budget and done this year. Fire and EMS increases need to stay in since the town cannot lose more people and agrees with the town clerk staff change. Selectman Galinson agreed with spreading out fire pay adjustments over the next three years. Vice Chairman Akillian and Selectman Grella were not in favor; Chairman Brew is in favor, breaking the tie.

The final budget change equaled 5.97%, which amounted to an \$83.30 tax increase. Selectman D'Angelo moved to send the FY16 Proposed Operating Budget to the Ways and Means Committee for further discussion and input. Seconded by Selectman Galinson. Vote 5-0

153 **b. Warrants**
154

155 Town Administrator, Jim O’Mara, distributed and reviewed the proposed warrant articles to be presented at
156 the Annual Meeting.

157
158 Selectman Grella motioned to approve going forward with Article 31 – appropriating \$40,000 to continue
159 the mosquito surveillance and control program. Selectman D’Angelo seconded. Vote 3-2 (Chairman Brew
160 and Selectman Galinson opposed)

161
162 Regarding Article 28, Selectman D’Angelo moved to transfer \$55,000 from LUCT funds for the purpose of
163 renovating the Fire Station. Seconded by Selectman Grella. Vote 5-0

164
165 The Board questioned the amount listed (\$65,000) in Article 32 regarding refurbishing the Davis Lane and
166 Amherst Middle School Tennis Courts. Craig Fraley, Recreation Department Director, indicated that the
167 additional \$20,000 needed for the repair of the Davis Lane courts will come from the revolving account, as
168 will \$15,000 for resurfacing the AMS tennis courts..

169
170 The Board agreed to Article 22: Bridge Reconstruction Bond. “To see if the town will raise and appropriate
171 the sum of three million, three hundred twenty four thousand, one hundred eight dollars (\$3,324,108) (gross
172 budget) to reconstruct two (2) bridges, specifically Bridge #112/071 (Mont Vernon Road over Caesars
173 Brook) and Bridge #145/106 (Thornton Ferry 1 over Beaver Brook) and to authorize the issuance of bonds
174 or notes therefore of not more than three million, three hundred twenty four thousand, one hundred eight
175 dollars (\$3,324,108) in accordance with the provisions of the Municipal Finance Act (RSA 33) and to
176 authorize the Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest
177 thereon and other conditions of the bonds or notes in their judgment. These projects currently qualify for
178 80 percent reimbursement under the terms of Municipally-Managed State Aid Projects. This is a special
179 Article in accordance with RSA 32. 3/5 Ballot Vote Required.” Director Bruce Berry will provide the
180 Board with the average costs for fuel at the Board’s next meeting.

181
182 Administrator O’Mara pointed out that according to the Department of Revenue Administration explanatory
183 commentary does not have to be in the actual warrant article verbiage.

184
185 In response to Russ Thomas, Chairman of the Ways and Means, who asked if funds could be taken out of
186 the operating budget and appropriated by warrant article, Chairman Brew stated that a warrant article that
187 passes would be rolled into the FY16 budget. A warrant article cannot become a part of a default budget
188 the following year.

189
190 The Board agreed to meet on Monday, December 22, 2014 at 6:30 p.m. The first meeting in the New Year
191 will be on January 12th, 2015.

192
193 **VI. Old and New Business**
194

195 Town Administrator, Jim O’Mara, indicated that with the upcoming holidays, the transfer station will be
196 closed on December 25-26 and January 1-2. The schedule will be posted to the website.

197
198 Town Administrator O’Mara mentioned a request from Acting Fire Chief, Matt Conley to hire Christopher
199 Boland as a per diem employee. Selectman D’Angelo moved to hire Mr. Boland as a per diem employee.
200 Seconded by Vice Chairman Akillian. Vote 5-0

201
202 Administrator O’Mara reported that the Department of Transportation (DOT) approved the bid for the
203 construction/engineering work on the Manchester Road Bridge. Also, a letter was received from DOT

204 stating that \$147,149.89 will be transmitted to the town, which represents the 80 percent reimbursement for
205 all engineering costs incurred for the Manchester Road bridge design work.
206

207 Administrator O'Mara stated that KRT Appraisals has sent out letters to households who have yet to be
208 inspected asking that those residents contact the office to arrange a time when a physical inspection can be
209 held. The tax collection rate to-date is at 95.8 percent, which is in line with historical averages.
210

211 Selectman D'Angelo mentioned that information on the Kinder Morgan proposed pipeline has been posted
212 onto the website. Executive Assistant Torrey Demanche, and Community Development Director Colleen
213 Mailloux will determine additional information to be uploaded and include updated information as it
214 becomes available.
215

216 **VII. Right to Know Request – None to report.**
217

218 **VIII. Approvals**
219

220 **a. Accounts Payable**
221

222 Selectman D'Angelo moved to approve one (1) FY15 Accounts Payable Manifest in the amount of
223 \$184,196.75 dated December 15, 2014, subject to review and audit. Seconded by Vice Chairman Akillian.
224 Vote 5-0
225

226 Selectman D'Angelo moved to approve one (1) FY15 Accounts Payable Manifest in the amount of
227 \$2,127,140 dated January 1, 2015, subject to review and audit. (Schools) Seconded by Vice Chairman
228 Akillian. Vote 5-0
229

230 **b. Minutes**
231

232 Vice Chairman Akillian moved to approve the minutes of the Board of Selectmen's meeting of November
233 24, 2014. Second by Selectman D'Angelo. Vote 5-1
234

235 **IX. Non-Public Session 91-A:3 II (c)**
236

237 Vice Chairman Akillian moved to enter into non-public session at 9:25 p.m. pursuant to NH RSA 91-A:3 II
238 (c). Seconded by Selectman D'Angelo. Roll Call: Akillian-yes, Brew-yes, D'Angelo-yes, Galinson-yes,
239 Grella-yes. Vote was unanimous.
240

241 The Board and Town Administrator Jim O'Mara discussed a matter which, if discussed in public, may
242 adversely affect the reputation of someone other than a member of the body. There was no discussion
243 pursuant to NH RSA 91-A: 3 II (e).
244

245 Mr. D'Angelo moved to exit non-public session at 9:58pm. Second by Mr. Akillian. The vote was
246 unanimous, 5-0.
247

248 The Board exited nonpublic session at 9:59pm. Chairman Brew stated that in nonpublic session no motions
249 were made and no votes were taken.
250

251 Mr. Galinson moved to adjourn the meeting at 10:00 pm. Second by Mr. Grella.
252

253 **X. Adjourn**
254