



Town of Amherst, NH

BOARD OF SELECTMEN MEETING MINUTES

Barbara Landry Meeting Room
2 Main Street

Monday, January 12, 2015 at 6:30 PM

I. Public Session

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 Suzanne Beauchesne taking minutes.

II. Pledge of Allegiance – Tax Collector, Gail Stout, led the pledge.

III. Citizen Forum

All citizens in attendance wished to speak about the pipeline, which was taken up later in the meeting.

IV. FY16 Budget & Bond Public Hearing

Vice Chairman Akillian moved to open the public hearing. Seconded by Selectman Grella. Vote 5-0.

Chairman Brew provided a slide presentation of the FY16 proposed budget and initiatives that also included how tax dollars are apportioned, how Amherst compares to other towns, FY15 highlights, the default budget and the overall tax impact. Warrant Articles 21 through 32 were also presented. (See presentation at the end of these minutes.)

The first three slides included a list of elected officials and town counsel, a list of department heads, and a list of the Ways and Means Committee members

Article 21 -- To choose all necessary 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

The filing period for all town offices opens January 21st and closes on January 30, 2015. All interested in filing for office can do so at the Amherst Town Clerk's office in the Town Hall.

Article 22 -- Bridge Replacement Bond

Selectman Grella reported that Amherst owns 14 bridges. Red listed bridges are inspected annually; all others are inspected every other year. The Thornton Ferry Road I over Beaver Brook Bridge and Mont Vernon Road over Caesars Brook Bridge have been rated in fair condition. The NH Department of Transportation (DOT) listed both bridges on its list "Awaiting Town Action to Raise Funds and Request Construction Aid". Article 22 is a special Article in accordance with RSA 32, and gives the Board of Selectmen the authority to repair and replace the two bridges when necessary. Chairman Brew noted that,

once a bridge gets onto the “construction aid” list, it can still take several years to be activated for reconstruction and be eligible for the aid, and the Town must demonstrate that it has the required 20% of dedicated funds to move forward. That is what Article 22 does. The DOT’s Bridge Aid construction list is currently projected out and filled into 2024. There were no public comments. The Ways and Means Committee unanimously supports this article.

Article 23 – Operating Budget

Chairman Brew presented the proposed FY16 operating budget of \$12,427,814 and indicated that, if Article 23 fails, the default budget of \$12,064,726 would be used and would require adjustments to the proposed budget.

Chairman Brew continued with a review of how tax dollars are apportioned and how Amherst compares to other towns. For the current fiscal year which ends on June 30, 2015, the municipal tax rate was \$5.20 per thousand dollars of property valuation which is just under 20 percent of the overall tax bill, or equal to \$1,716 on a \$330,000 home which is the typical home value in Amherst. Of the 31 towns in Hillsborough County, Amherst’s tax rate of \$5.20 is below the Hillsborough County average tax rate of \$7.19. Of the 31 towns, 25 have a higher municipal tax rate and only five have a lower municipal tax rate when compared to Amherst.

Chairman Brew went over **FY15 highlights** by department [slides 14-20] which included:

- Hiring three new department heads: Colleen Mailloux, Community Development Director; Lisa Ambrosio as Finance Director; and Craig Fraley, Recreation Director.
- Made numerous improvements to the Communications infrastructure
- Rebuilt two miles of roads; reconstructed/repaved 2.7 miles of roads and rebuilt 3,000 feet of sidewalk on Boston Post Road.
- Implemented the first year of a three year plan to help close the gap on EMT pay scale which should help better attract and retain EMTs.
- Updated the Ambulance Billing and Collection policies to address gaps and deficiencies.
- Continued our program of updating protective gear worn by fire fighters, and expanded training to increase the pool of driver/operators.
- In the Police Department, the addition of a part-time administrative assistant has freed up officers to deal more directly with law enforcement issues.
- The Community Development Office completed updates on water and septic ordinances; continued to organize and digitize building, septic, and land use files; and implemented measures to streamline the permitting, review and inspection process.
- The Recreation Department received a \$15,000 grant from the Amherst Community Foundation for a new skating rink at the Amherst Middle School and a number of improvements were made to the Town Beach at Baboosic Lake.
- The library celebrated the 20th Annual Boardman Concert, made possible by the generosity of Anna Boardman; purchased an automated defibrillator; improved the interior layout to make more efficient use of the space; added an evening story time and equipped the Children’s Room with iPads with educational applications.

Chairman Brew noted that the Board of Selectmen worked closely with department heads and the Ways and Means Committee to come up with a budget that meets the needs of Amherst while being mindful of the taxpayers. The FY16 proposed budget is \$12,427.814 without warrants; \$617,383 or 5.23 percent higher than the current year budget. The proposed base operating budget without warrants will add \$40 per year to the average home in Amherst.

Chairman Brew stated that the Board continues the long-term strategic planning process established in FY15. This process includes annual planning and budget reviews across town government. **The FY16 proposed initiatives [slides 22-27] include:**

- Increase Deputy Town Clerk's hours from part-time to full-time increasing the budget by approximately \$43,000; include \$10,000 for department head professional development; and continue implementation of new finance software.
- The Community Development budget comprising Planning and Zoning has increased because the Board has chosen to fund multiple initiatives that cost very little but has a large return to the Town. The office will complete digitization of Planning Board applications, create road design standards, and develop an economic vision statement that will lead to the establishment of an economic development committee in FY17, and revise the site plan regulations, develop commercial and industrial design guidelines, and continue funding of the sub-contracted building inspector.
- The DPW budget contains an increase of \$10,000 to maintain Town buildings.
- Funding has been included to increase the hourly wages for landfill staff to help reduce turnover and attract new candidates, and contains funding to add a professional who will concentrate on the revised Federal Stormwater requirements.
- \$100,000 was added to the road maintenance line and \$50,000 to the equipment lease line.
- The budget increases by \$49,906 to \$178,951 for heavy equipment replacement.
- Wages for EMS personnel are less than other towns in the area. The budget adjustment proposed for FY16 is year two of a three-year plan to increase EMS wages to help us better attract and retain EMTs.
- Continue the FY15 initiative to compensate "on-call" firefighters for meeting and mandatory training time, and continue implementation of community survey.
- The Recreation Department looks to develop and implement a marketing strategy for Peabody Mill Environmental Camp (PMEC) to become self funding.
- The Library intends to introduce new digital media offerings and continue making improvements to the space.

Chairman Brew showed a summary chart of the FY16 proposed budget. DPW comprises 34 percent of the budget, Public Safety (Police, Fire and EMS) 31 percent, and the remaining departments (Library, Recreation, Administration, Debt Services, Community Development, and Welfare/Health) total 35 percent. A handout showing a FY15 Approved vs. FY16 Proposed Operating Budget comparison was provided and reflects the following:

- A 2 percent cost of living wage adjustment and for those eligible, a step increase (the town's wage matrix has eleven steps.)
- The annual maintenance fee associated with the new finance software.
- A "not to exceed" commitment from our healthcare provider of a projected rate increase of 8.23% for employee health insurance. Town is budgeting for a 7.5 percent increase. Employees are paying an additional 2.5 percent more of the premium for health.
- Workers compensation insurance premiums have increased due to "experience" with minor incidents.
- Reduced heating oil budget to the FY14 "actual" year end expenditure.
- The town's contribution rates to the NH State Retirement System will increase from 25.30 percent to 26.38 for police and from 27.74 percent to 29.16 percent for fire (only police employees and firefighters participate in the NH Retirement System).

The principal budget has increased due to the FY15 spending of the road note which comes due in the following fiscal year and will be approximately \$200,000. In this budget, the Board also anticipates having to start paying the 20 percent of the cost of rebuilding the Manchester Road Bridge, projected at \$50,000. Some savings are due to the efforts of the new Finance Director and Treasurer in re-writing existing notes at

153 a lower interest rate. The Town's overall interest obligation has decreased over last year due to a
154 combination of declining interest amounts, which occur over the life of the notes, and the re-write.

155
156 FY16 estimated revenue [slide 33] reflects an increase in motor vehicle registrations and \$185,000 taken
157 from the fund balance to reduce taxes.

158
159 Chairman Brew stated that a default budget is intended to allow a Town or School District to operate but
160 not at a funding level higher than the current year's funding (except in a few specific cases such as debt
161 service and contractual obligations). The default budget applies if the proposed operating budget is voted
162 down. This year's default budget adjustments come to \$144,295 over the FY15 voter-adopted budget
163 bringing the FY16 Default Budget to \$12,064.726 [slide 35].

164
165 There were no public comments. The Ways and Means Committee unanimously approves Article 23 as
166 presented.

167 **Article 24 – Contingency Fund**

168
169 Chairman Brew indicated that in accord with RSA 31:98-a, passed by the Legislature in 2013, contingency
170 funds cannot be expended without voter approval. Article 24 seeks to establish a contingency fund for
171 unanticipated expenses that may arise, and further to raise and appropriate \$100,000 to go into the fund.
172 This amount shall come from the undesignated fund balance with NO amount to be raised from taxation.
173 There were no public comments. The Ways and Means Committee voted 7-0 in support of this article.

174 **Article 25 – Assessing Revaluation Capital Reserve Fund**

175
176 Selectman Grella stated that in accord with RSA 75:8-a the "assessors/selectmen shall reappraise all real
177 estate within the municipality so that the assessments are at full and true value at least as often as every fifth
178 year." This article adds \$25,000 to an existing Capital Reserve Fund that has been established to budget for
179 the State-mandated re-assessment of all properties in Amherst. The last revaluation was conducted for Tax
180 Year 2011. The next revaluation will occur in Tax Year 2016 which will fall in FY 2017. The projected
181 funding for this revaluation is the CRF Balance of \$58,038 and proposed requests of \$25,000 for FY16 and
182 FY17. There were no public comments. The Ways and Means Committee voted 7-0 in support of this
183 article.

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

185
186 Vice Chairman Akillian spoke in favor of Article 26. This fund was created in 2006 to fund major
187 emergency equipment repairs and upgrades and serves as a source of matching funds for state and federal
188 communications grant projects. There were no public comments. The Ways and Means Committee voted
189 7-0 in support of this article.

190 **Article 27 – Fire Station Renovation CRF**

191
192 Selectman D'Angelo indicated that this article seeks to establish a CRF for the purpose of finishing
193 renovation of the second floor of the Central Fire Station. Firefighters need a place to rest when waiting to
194 be dispatched to an incident and to shower upon returning to the station after battling a fire. Estimated cost
195 of repair has varied. These funds will come from the Land Use Change Tax Fund which must be spent
196 annually, and further names the Board of Selectmen as the agents to expend. This CRF will allow the
197 Town to put money away over time rather than trying to ask for it in a single fiscal year. There were no
198 public comments. The Ways and Means Committee voted 7-0 in support of this article.

204 **Article 28 – Fire Truck CRF**

205
206 Selectman D’Angelo stated that this article seeks approval to add \$150,000 to the Fire Truck CRF which
207 was established in 1999. The cost of a fire truck is approximately \$450,000 - \$500,000 and must be
208 refurbished every ten years. The Board of Selectmen recently approved a withdrawal of \$16,250 to provide
209 for the town match to purchase a Pumper Fire Engine which will be funded by the Assistance to Firefighters
210 FEMA grant. There were no public comments. The Ways and Means Committee voted 7-0 in support of
211 this article.

212
213 **Article 29 – Federal Transportation Alternative Program Sidewalk Construction Project**

214
215 Vice Chairman Akillian stated that this article seeks to raise funds for the construction of sidewalks along
216 Jones Road and a portion of Mack Hill Road, Manchester Road, and New Boston Road. The project is
217 eligible for 80 percent reimbursement through the Federal Transportation Alternative Program (TAP) grant.
218 If selected, Amherst will receive \$262,480. The Town’s share amounts to \$65,620. If Amherst is not
219 selected, the project will not go forward. The federal grant selection results will be announced in mid-to-
220 late February. There were no public comments. The Ways and Means Committee voted 7-0 in support of
221 this article.

222
223 **Article 30 – Mosquito Control Program**

224
225 Vice Chairman Akillian stated that this article would allocate \$40,000 to monitor and apply larvicide
226 directly to select wetland areas where mosquitoes might possibly spread West Nile Virus or Eastern Equine
227 Encephalitis. Vice Chairman Akillian mentioned that information presented during the budget discussion
228 on the matter showed Amherst at “no risk” which may have led to the split vote by the Board. Further
229 research has revealed that Amherst is within a “low risk” area and surrounded by towns with moderate risk.
230 The risk is moving towards Amherst. What Amherst has been doing to limit the risk is recommended and
231 the Board agreed to reconsider the matter in light of the updated information. There were no comments
232 from the public. The Ways and Means Committee is opposed to this article strictly on a fiscal basis, but
233 will reconsider their position given the updated information.

234
235 **Article 31 – Cemetery Lot Sales**

236
237 Selectman Galinson stated that Article 31 seeks to align its practices in accordance with RSA 289:2-a on
238 receipts from the sale of cemetery lots. The Article authorizes the Town to treat the sale of cemetery lots as
239 sales of town property and deposit any funds received therefrom into the General Fund. This practice was
240 agreed to between the Board of Selectmen and Cemetery Trustees. There were no comments from the
241 public. The Ways and Means Committee supports this article unanimously.

242
243 Chairman Brew went over a slide showing the tax impact if all proposed warrants for FY16 are approved.
244 The overall proposed budget will increase an additional \$613,100. This will increase the municipal tax rate
245 by \$.19 to \$5.51. This will result in an annual increase of \$62 to the average household in Amherst.

246
247 Selectman Grella moved to close the public hearing. Vice Chairman Akillian seconded. Vote 5-0

248
249 The Board then voted on each Article as follows:

250
251 **Article 21 – To choose all necessary Town Officers**

252 Selectman D’Angelo moved to place Article 21 on the Warrant as written. Seconded by Selectman Grella.
253 Vote 5-0
254

255 **Article 22 – Bridge Replacement Bond**

256 Selectman Grella moved to place Article 22 on the Warrant as written. Seconded by Selectman D’Angelo.

257 Vote 5-0

258

259 **Article 23 – Operating Budget**

260 Selectman D’Angelo moved to place Article 23 on the Warrant as written. Seconded by Vice Chairman

261 Akillian. Vote 5-0

262

263 **Article 24 – Contingency Fund**

264 Selectman D’Angelo moved to place Article 24 on the Warrant as written. Seconded by Vice Chairman

265 Akillian. Vote 5-0

266

267 **Article 25 – Assessing Revaluation Capital Reserve Fund**

268 Selectman D’Angelo moved to place Article 25 on the Warrant as written. Seconded by Vice Chairman

269 Akillian. Vote 5-0

270

271 **Article 26 – Communications Center Capital Reserve Fund**

272 Selectman D’Angelo moved to place Article 26 on the Warrant as written. Seconded by Vice Chairman

273 Akillian. Vote 5-0

274

275 **Article 27 – Fire Station Renovation Capital Reserve Fund**

276 Selectman D’Angelo moved to place Article 27 on the Warrant as written. Seconded by Vice Chairman

277 Akillian. Vote 5-0

278

279 **Article 28 – Fire Truck Refurbish Capitol Reserve Fund**

280 Selectman D’Angelo moved to place Article 28 on the Warrant as written. Seconded by Vice Chairman

281 Akillian. Vote 5-0

282

283 **Article 29 – Federal Transportation Alternative Program Sidewalk Construction Project**

284 Vice Chairman Akillian moved to place Article 29 on the Warrant as written. Seconded by Selectman

285 D’Angelo. Vote 5-0

286

287 **Article 30 – Public Health Mosquito Surveillance and Control Program**

288 Selectman D’Angelo moved to re-consider the Board’s position on Article 30. Seconded by Selectman

289 Grella. Vote 5-0

290

291 Selectman D’Angelo moved to place Article 30 on the Warrant as written. Seconded by Vice Chairman

292 Akillian. Vote 5-0

293

294 **Article 31 – Authorize Process Regarding Cemetery Lot Sales**

295 Selectman D’Angelo moved to place Article 31 on the Warrant as written. Seconded by Vice Chairman

296 Akillian. Vote 5-0

297

298 The Deliberative Session is scheduled for Wednesday, February 4, 2015 at 7:00 p.m. at the Souhegan High

299 School Auditorium. Voting Day is Tuesday, March 10, 2015 from 6:00 a.m. to 8:00 p.m. at the Souhegan

300 High School Gymnasium. All were invited and encouraged to attend.

301

302 Vice Chairman Akillian moved to recess the meeting for a few minutes. Seconded by Selectman D’Angelo.

303 Vote 5-0

304

305 Given the number of people in attendance, Chairman Brew moved up the discussion of item VI.

306
307 **VI. Pipeline Update**
308

309 Selectman D'Angelo opened the discussion by proposing Article 32 asking the Town to authorize the Board
310 of Selectmen to file with the Federal Energy Regulatory Commission (FERC) as an intervener regarding the
311 proposed Kinder Morgan pipeline project. Chairman of the Conservation Commission, John Harvey, has
312 been meeting with a number of people including an attorney from Mason, NH (Christophe
313 Courchesne from the Conservation Law Foundation) who has suggested that such authority would
314 strengthen the Town's position in presenting a unified front and demonstrate solidarity on the issue.
315

316 Selectman D'Angelo then presented a proposal to create an Amherst Pipeline Task Force for purposes of
317 performing research, analyzing response options, understanding the process, legal framework, how safety
318 will be assured, identifying potential environmental and economic impact, and coordinating outreach.
319 Anyone interested in being a part of this working Task Force should email Town Administrator Jim O'Mara
320 and include their area of expertise or profession.
321

322 Jill Romano again asked about the timeline. Selectman D'Angelo stated the timeline was unknown but
323 many believe KM will file with FERC in October or November which provides a window of opportunity to
324 fully understand the process and Amherst's options, and potentially prepare to intervene over the next seven
325 to nine months.
326

327 Jack Conway asked how KM defines stakeholders. Selectman D'Angelo believes that the definition KM is
328 using is "directly impacted property owners", and not "abutters." There was some discussion of the Bon
329 Terrain petition warrant article, and concerns were expressed regarding any industrial development on the
330 water table and aquifers. Selectman D'Angelo stated that all plans will have to be filed with the Amherst
331 Planning Board or with the NH Site Evaluation Committee, depending on the industrial use proposed.
332

333 Rick Bewersdorf heard that KM was planning to build an LNG plant and ship the gas to Europe. Selectman
334 D'Angelo has seen no information to support this and did not believe this to be the case given the expense
335 of building such a facility.
336

337 Selectman D'Angelo pointed out that the six New England states via NESCOE asked the federal
338 government to find ways to get natural gas into this area and the process is a long way from the threat of
339 eminent domain even being discussed.
340

341 John Michael Vore rose to state that many were very concerned and asked how the town planned to educate
342 people about the matter and how to respond to KM surveying their land. Selectman D'Angelo stated that
343 the Warrant Article would be placed on the ballot and much community outreach could be done through the
344 Task Force. In addition, Selectman D'Angelo hoped KM would host an Open House in Amherst as is being
345 done in Milford, Rindge, Londonderry, and Hudson over the next month. The Milford Open House is being
346 held on January 27 at the Hampshire Dome. Selectman D'Angelo further stated that it was every
347 homeowner's right to refuse surveying of their property and recommended an article that has been posted
348 onto the Town's website entitled "Knowing and Protecting Your Rights When an Interstate Gas Pipeline
349 Comes to Your Community".
350

351 Brian Dillon of 5 Terrace Lane stated that he was concerned about his property value, insurance, and
352 environmental/economic considerations and asked the Board to consider whether they would want the
353 pipeline going through their back yards.
354

355 Ken Bury of Patricia Lane asked whether rezoning from residential to industrial would be required, and
356 reported that Hollis had spent money on consulting services which the Board may want to consider.

Joseph McCool rose to say that the issue is not inevitable, and referenced a Boston Globe article dated December 5, 2014 where a KM representative (Allan Fore) stated that the pipeline route was re-drafted because of the fierce local opposition in Massachusetts. Mr. McCool also thought it was important that the Task Force not go on for a long length of time.

Alice Bury of Patricia Lane suggested that not letting KM survey may delay the process and hopes the Task Force can help the grassroots. Mrs. Bury trusts the Board will keep her and her neighbors in mind and advocate for them and all of the people of Amherst.

Vice Chairman Akillian stated two kinds of activities are required – analysis and advocacy -- and that it is incumbent upon the Board to do the research. Credible analysis and compelling facts will lead to effective advocacy. Selectman D'Angelo stated that the Board's role is to represent and advocate on behalf of "your interest, your concerns, and your property".

David Beech of 25 Simeon Road said he did not get a letter from KM and felt it important that KM host an Open House in Amherst.

Tiana Coleman was concerned that the Task Force was just a formality. There was a short discussion on how the Board intends to educate the public about Article 32. Vice Chairman Akillian suggested that in the past, Warrant Articles are included in the newspaper, and will be discussed during the Deliberative Session. Selectman D'Angelo suggested anyone so inclined might wish to send a "letter to the editor".

Chairman Brew pointed out that, in the opinion of legal counsel, a Special Meeting cannot be held within 60 days of the Town Meeting, or Deliberative Session, which is scheduled for February 4, 2015.

Selectman D'Angelo moved to approve and Article 32. Seconded by Selectman Grella. Vote 5-0

V. Town Administrator

a. Gator Replacement Purchase

Town Administrator Jim O'Mara stated that Recreation Director, Craig Fraley, submitted a request to replace the 2000 gator and proposes to purchase the vehicle from the 01 and 02 accounts for a total of \$15,708.37.

Selectman Grella moved to approve the purchase of a new gator from Nashua Outdoor Power Equipment, a John Deere dealer that holds the current State Bid for grounds equipment. Seconded by Selectman Galinson. Vote 5-0

b. Police Department Cruisers

Town Administrator Jim O'Mara presented a bid request from Police Chief Reams for the purchase of two police vehicles. Selectman D'Angelo moved to award the bid to Ford of Londonderry for a total of \$50,512 that includes free delivery. Selectman Grella seconded. Vote 5-0

VI. Pipeline Update (taken up earlier in the meeting)

VII. Right to Know Request – None to Report

VIII. Old and New Business

The Board discussed the possibility of retaining legal counsel to assist on the pipeline issue. Town Administrator O'Mara will check on the availability of experts locally and in the Washington, D.C. area. Administrator O'Mara will report back to the Board at its meeting on January 26th.

IX. Approvals

a. Accounts Payables

Vice Chairman Akillian moved to approve one (1) FY15 Accounts Payable Manifest in the amount of \$1,780.00 dated January 12, 2015, subject to review and audit. Seconded by Selectman D'Angelo.
Vote 5-0

b. Minutes

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

X. Non-Public Session – Not Necessary

XI. Adjourn

Selectman Galinson moved to adjourn the meeting at 9:15 p.m. Seconded by Vice Chairman Akillian.
Vote 5-0