

1 **BOARD OF SELECTMEN MINUTES**  
2 **MAY 9, 2011**  
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5 Chairman James O'Mara called the meeting to order at 6:15 p.m. Selectmen present: Bruce Bowler,  
6 Dwight Brew, George Infanti and Thomas Grella. Also present: Town Administrator Gary MacGuire  
7 and Executive Assistant Sharon Frydlo.  
8

9 **Pledge of Allegiance**

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11 Mr. O'Mara asked Robert Schaumann to lead everyone in the Pledge of Allegiance.  
12

13 **Swearing in of New Town Moderator**

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15 Mr. Schaumann swore in Stephen Coughlan who was appointed by the Supervisors of the Checklist on  
16 April 19, 2011. He handed over the 150 year old gavel that had been presented to him by Arnie Wight,  
17 former Town Moderator in 1988. He noted that Steve served the Town in many capacities, one of which  
18 was Deputy Town Moderator for the past ten years. Mr. Coughlan thanked Bob for his service and his  
19 faith in him, as well as the Supervisors who nominated him. He remarked that he hoped to stay in service  
20 as long as Bob.  
21

22 Representatives Bob Rowe, Peter Hansen and Bill Belvin presented Bob with a Declaration from the  
23 Speaker of the House for his faithful service to the people of Amherst for the past 22 years.  
24

25 Vice Chairman Bruce Bowler, on behalf of the Board of Selectmen, presented Bob a gaveled plaque for  
26 his dedicated service to the Town of Amherst.  
27

28 Town Clerk Nancy Demers thanked Mr. Schaumann for helping in all of the elections. His first  
29 Presidential Election was in 1988 when he became Town Moderator and for the 23 years they worked  
30 together. She indicated she would miss him and hoped he will have a nice life in Jaffrey.  
31

32 Mr. Schaumann informed everyone he will be back for the 4<sup>th</sup> of July Parade and assured them he won't  
33 be a stranger and thanked everyone for being a part of his life.  
34

35 Marie Grella also thanked Bob for leading the Memorial Day Parade and noted that he was always  
36 welcome to come back and lead it again year after year.  
37

38 Fire Chief Mark Boynton remarked that many people didn't know Bob has served on the Fire Department  
39 and whether it was three or thirty years, he was instrumental in recruiting members for them and as he  
40 came in that night, he was told he had recruited four more members. Chief Boynton presented Bob with a  
41 gold badge in recognition of his years of service and his efforts in recruitment.  
42

43 *At 6:25 p.m. Mr. Infanti moved, second by Mr. Grella, to take a brief recess. Vote: Unanimous.*  
44

45 *Mr. Bowler moved to resume the Board's regular meeting at 7:42 p.m., second by Mr. Brew. Vote:*  
46 *Unanimous.*  
47

48 **Citizens' Forum**

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50 Representatives Bill Belvin and Peter Hansen spoke to the Selectmen on the state of the State relative to  
51 the budget and revenues and the action and options the Governor has. They also spoke about the right to

52 work matters. The Board was told there was a special committee set up for the Retirement System.  
53 Census reports were in and they spoke about redistricting that may change the demographics between  
54 Milford and Amherst, but it was speculation.  
55

56 Mr. Bowler was concerned about the proposed vehicle registration elimination. He noted it was a source  
57 of lost revenues for Amherst, asked what the State proposed to do to make up this loss and felt they  
58 should go back to the gas tax. Rep. Hansen explained that one thought was that it would bring in  
59 Massachusetts residents from bordering towns who would buy other things other than gasoline.  
60

61 The Board was told that the revenues are far worse than what the Governor had anticipated. Their  
62 objective was to find ways to generate more revenue. They believed there is a \$57 million deficit. Mr.  
63 O'Mara commented that there has been a lot of emphasis on real revenues and over projecting revenues.  
64 Did they know how close on target the State has been compared to the actual. Rep. Belvin spoke about  
65 stimulus money and revenues and the need to borrow money. The accuracy in FY11 was better than in  
66 FY10. He spoke further on HB1 and HB2.  
67

68 Mr. O'Mara thanked both Representatives for taking the time to come in as well as the remainder of the  
69 delegation for keeping the Selectmen informed. He noted that Senator Bragdon indicated he would make  
70 some time for them right around the Committee of Conference time.  
71

72 **Administrative Business**  
73 **Approval of Minutes for April 18, 2011**  
74

75 *Mr. Bowler moved to approve the minutes of April 18, 2011, second by Mr. Infanti. Vote: Unanimous.*  
76

77 **Approval of Payroll Register**  
78

79 *Mr. Grella moved to approve the Payroll Manifest dated April 19, 2011 for the pay period ending on*  
80 *April 16, 2011 in the amount of \$165,421.19, second by Bowler. Vote: Unanimous.*  
81

82 **Approval of Accounts Payable Register**  
83

84 *Mr. Grella moved to approve the Accounts Payable Manifest dated from April 25, 2011 to May 9, 2011*  
85 *in the amount of \$3,535,360.81, second by Mr. Bowler. Vote: Unanimous.*  
86

87 **Discussion Items**  
88 **Board & Commission Interviews**  
89 **Susan Clark – Historic District Commission**  
90

91 Mrs. Clark told the Board she had been told there was a position open on the HDC. She has lived in  
92 Town for 30 years. They always had an interest in the stewardship and integrity of the Village. Serving  
93 on the HDC seemed like a natural progression in contributing to this, since they had restored several of  
94 their homes. Mr. Grella spoke on her behalf, as well as David's, who had painstakingly restored their  
95 home. He remembered them coming to the HDC about adding a small addition to their stable and after it  
96 was completed, you couldn't tell that it was an addition. They had gone above and beyond what other  
97 people did to restoring their property.  
98

99 **Perrin Enriquez – Historic District Commission**  
100

101 Mrs. Enriquez told the Board she grew up in Amherst and moved back in 2004. She joined the Historical  
102 Society and has been Membership Director since 2006. She spoke about her work as Director of

103 Development for Historic New England, but added she no longer worked for them. She felt she was  
104 unique in that she doesn't live in the Historic District, but on Buckridge Drive . She felt that the Village  
105 is important no matter where someone lived.

106  
107 Mr. Bowler noted that they now have five alternates to fill the open full position. Dick Kimball declined  
108 because of his work commitment. They just appointed Bruce Fraser, as an alternate and he believed they  
109 should consider other alternates already on the Commission before they consider any new members for  
110 the vacant position. There were Doug and Katy who should be considered before appointing new folks.  
111 Mr. O'Mara asked Mr. Grella to check with the other alternates and then they would make the  
112 appointments.

#### 113 **Mike Heaney – Recreation Commission**

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116 Mrs. Frydlo advised that Mr. Heaney was unexpectedly called out of town and sent his apologies.

#### 117 **Chris Kaiser – Road Commission, Letter of Interest**

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120 *Mr. Bowler moved for Chris Kaiser continue serving his term on the Road Commission for another*  
121 *term to 2014, second by Mr. Grella.* Discussion: Mr. O'Mara noted there were no other citizens  
122 interested in serving. *Vote: Unanimous.*

#### 123 **ACC Policy on OHRVs & Non-Motorized Vehicles**

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126 Mr. Brew believed that Chairman John Harvey wanted to present this to the Board. Further discussion  
127 was tabled until his arrival.

#### 128 **Request for Use of the Town Common for Colonial History Week**

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131 *Mr. Infanti moved that they allow the Common to be used on Friday, May 20, 2011 for the Annual*  
132 *Third Grade History Week Picnic, second by Mr. Bowler. Vote: Unanimous.*

#### 133 **Request for Use of the Town Common for Three Concerts**

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135  
136 *Mr. Infanti moved to allow the Town Band to hold three concerts – Tuesday, June 21, Tuesday, July*  
137 *19 and Tuesday, August 30 on the Common beginning at 7:00 p.m. and sponsored by the Lions Club,*  
138 *second by Mr. Bowler. Vote: Unanimous.*

#### 139 **Town Administrator Report** 140 **Recreation Department Volunteer Background Check Policy**

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143 Mr. MacGuire advised that when the above item first came to the Board it was decided that the Policy  
144 should go to Town Counsel. Recreation Director Nancy McMillan was scheduled to come in within the  
145 next twenty minutes. Further discussion was tabled until her arrival.

#### 146 **Selection of Contract Assessing Vendor**

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148  
149 Mr. MacGuire advised that that this was a four year Assessing Vendor Contract. The RFP was sent out to  
150 six firms with three responding – Municipal Resources, KRT Appraisal and Cross Country Appraisal. He  
151 noted they were a bit difficult to compare. MRI came in at \$84,000 and they were currently budgeted at  
152 \$89,339 and would be a reduction in their current budget. KRT Appraisal came in at \$92,160 based on an  
153 estimated \$47.26 per hour. Cross Country Appraisal estimated \$50.00 per hour and came in between

154 \$62,400 to \$83,200. MRI estimated 34.5 hours per week at \$46.83 per hour. They hold the Town's  
155 existing contract and knew of no issues with them. It was his recommendation that the Board approve  
156 them again for the next four years beginning July 1, 2011. He remarked that they have seen the three  
157 vendor proposals that were in their "read file".  
158

159 **Mr. Infanti so moved, second by Mr. Bowler.** Discussion: Mr. Brew mentioned he was unfamiliar with  
160 Cross Country Appraisal, but just looking at the numbers on the low end they would be coming in at 25%  
161 less than what MRI was coming in at. If all else was equal, he would strongly go with Cross Country  
162 knowing that there was an upside in what amounts to a savings of \$20,000. Mr. MacGuire was not  
163 convinced they could do a revaluation at this time. They don't have the luxury of providing the services  
164 they outlined in the RFP and was more comfortable with the higher number of hours. He noted that one  
165 issue is with the Vision Software in that both MRI and KRT have more experience with them than Cross  
166 Country, who was a bit limited. They should look at the personnel that MRI would provide and find them  
167 significantly higher. If they looked at the \$800 difference, it would be better to go with the second lowest  
168 bidder.  
169

170 Mr. Brew asked if it was the intent to have all the properties in Amherst reassessed. Mr. MacGuire  
171 remarked that they do not have an Assessor in Town and the contract provides Assessing Services. They  
172 will provide onsite Assessing in Town. Mr. Brew mentioned they are going to be asked to vote on a  
173 number of reductions and wondered whether they keep any metrics on what percentage of the overall  
174 assessment they were acting on. He was trying to get a sense of how accurate on where they want to be.  
175 Mr. MacGuire advised he had not reviewed it as a metric. They have approximately 5,000 properties and  
176 the percentage was pretty low in errors on what is a complicated system. They were talking about a lot of  
177 parcels that are being viewed and most of the things they see are not necessarily what would be picked up  
178 by a review with measurements being off and items like this. From the DRA level, Amherst hasn't had  
179 issues. The percentage was so low and it was not a concern to him of a vendor that provides good  
180 service. He told Mr. Bowler that MRI had tied their bid to a COLA increase and the last two years there  
181 hasn't been any. He told Mr. O'Mara that MRI has a CPI driver each year and have waived it, depending  
182 on the economy.  
183

184 Mr. Brew remarked that the Selectmen have the obligation to go out and solicit multiple bids. They  
185 should disqualify someone who doesn't meet their specifications. They also have an obligation to spend  
186 money as wisely as possible. As it stood, he was looking at the \$83,200 vs. the \$84,000 and he was  
187 focusing on the downsizing of hours as well. He informed the Board he would be voting for the company  
188 that appears to be qualified and has the lowest number. Mr. O'Mara commented that Gary had indicated  
189 that Cross Country did not have enough experience in the Vision Software and there would be a learning  
190 curve. Mr. MacGuire advised that out of their thirty clients, only two used Vision. Some of KRT's  
191 personnel were very familiar with Vision Appraisal and obviously MRI, who worked with it in all the  
192 years they have been in Amherst. He told Mr. O'Mara that MRI has 15 NH Contracted Assessing  
193 Clients, KRT has 0 and Cross Country has 30. Mr. Grella noted that in the proposal, MRI would be using  
194 the Boston CPI.  
195

196 Mr. Bowler asked Mr. O'Mara if he didn't think two clients was enough experience in Vision. He replied  
197 he was merely asking the question. Two could be sufficient and two could be insufficient. They have a  
198 competent vendor and they are talking about metrics. If there were unanswered questions, he indicated he  
199 would be willing to table this or did the Board want to go forward. His observation was there was  
200 something to be said about \$800.00 for learning the community and a comfort level.  
201

202 **Mr. Infanti moved to approve the not to exceed \$84,000 contract.** Mr. MacGuire indicated that any  
203 motion would be to look to hire a vendor as the Amherst Assessing contract for four years. Obviously,  
204 the money factor could change with any of them. His biggest concern was that they are in a difficult

205 position to offer a service and it was not like bidding out a truck and hard to get a level on it. MRI's  
206 contract is \$84,000 and a CPI could drive it higher over a four year contract. Mr. Bowler asked how did  
207 this fall within the budget and default budget. Mr. MacGuire explained that they had to have Assessing  
208 services. Under the municipal escape clause, he thought this would be difficult and it would be more like  
209 breaking a contract for cause similar to any other contract. Mr. Infanti indicated that *the motion was to*  
210 *enter into a contract with MRI for a four year contract at \$84,000 each year, second by Mr. Grella.*  
211 *Vote: 2-3, Mr. Brew, Mr. Bowler and Mr. O'Mara opposed.*  
212

213 Mr. Brew remarked that there was no escalator clause in the Cross Country Appraisal proposal and *moved*  
214 *that the Town of Amherst award a four year Assessing contract to Cross Country Appraisal in the*  
215 *amount not to exceed \$83,200 per year, second by Mr. Bowler.* Discussion: Mr. Brew noted that in  
216 their budget this year, they included money for a reval that they felt they had to put in because they knew  
217 they were obligated by the State to do this. Mr. Infanti clarified that it was Vision that did the reval. Mr.  
218 Brew didn't know whether Gary felt it worthy to get additional information that the Board didn't have  
219 before they actually took a vote. They all have comfort with what they know and they were spending the  
220 taxpayers' money and they were obligated to follow procedures and create a level playing field and award  
221 items to the lowest qualified bidder. He believed it was the lowest qualified without any escalating  
222 clause. He thought MRI had done a qualified job. Mr. O'Mara noted that on the RFP paragraph 8, all  
223 have escalation clauses and have the ability to charge them additional costs. As Chairman, he encouraged  
224 them not to vote for Dwight's motion and get questions to the Town Administrator. He indicated that the  
225 vote was 0-5 and that the motion failed.  
226

227 Mr. Bowler indicated he had no problem in taking a vote. Mr. O'Mara reminded the Board that the  
228 documents have been available to all Board members and there were questions of the magnitude and  
229 questions that night and Mr. MacGuire has been available for questions and answers about the contract.  
230 He asked all the Selectmen to review all the available documents and they will take this up again at the  
231 next meeting.  
232

233 **Board & Commission Interviews – Continued**  
234 **Anne Krantz – Heritage Commission**  
235

236 Mrs. Krantz told the Board that being a member of the Commission has been very rewarding, particularly  
237 last year because of the 250<sup>th</sup> Anniversary and Caroline Quinn. They were looking forward to new  
238 projects. Their charge is taking interest and protecting historic artifacts outside the Village itself.  
239 Specifically, at this time to look at farms that have been overlooked coupled with the wonderful survey  
240 they did last year. She had a personal interest in old farms and indicated she regretted not taking pictures  
241 of the old chicken coops that had been replaced by the Sports Authority on Route 101A.  
242

243 Mr. Bowler noted that they had been told that she was willing to step down as a full member and become  
244 an alternate, so that Mary Mahar could move up. According to the RSA, the Commission can have seven  
245 full members with no more than five alternate members.  
246

247 **Will Ludt – Heritage Commission**  
248

249 Mr. Ludt thanked the Board for the opportunity to meet with them. Last year the Commission's focus  
250 was on the 250<sup>th</sup> Anniversary Celebration and by far their number one project. Caroline Quinn did an  
251 outstanding job supported by the other Heritage Commission members. They all chipped in when  
252 required and it went well. In 2011, they will begin an outreach program by briefing Boards and  
253 Commissions on projects and making use of the current money they receive. They have established, in  
254 conjunction with the Planning Board, a demolition policy on buildings. They were also looking to  
255 expanding scenic roads in Town. There were some people who were interested in seeing this done and

256 the Commission will be working with them. They were looking at facilitating restoring the watering  
257 trough in front of Town Hall. They would be also looking to do a town-wide barn survey. They will still  
258 be available to the Selectmen or any other residents who may have some concerns and do some  
259 preservation work. He was very proud of their team that were dedicated and he looked forward to the  
260 next three years.

261  
262 **Mr. Grella moved that they appoint Will Ludt to 2014, Anne Krantz to 2014, Nancy Spear to a full**  
263 **membership, Mary Mahar to a full member expiring in 2013, second by Mr. Infanti.** Discussion: Mr.  
264 Brew asked if they were extending the number of regular members on the Board. **Mr. Grella amended**  
265 **his motion to have Mary Mahar continue as an alternate with term to expire in 2013.** Discussion: It  
266 was pointed out that Anne was willing and wanted Mary to move up to a full member. **Vote 0-5.**  
267

268 **Mr. Grella moved to appoint Will Ludt, term to expire in 2014, second by Mr. Bowler. Vote:**  
269 **Unanimous.**

270  
271 **Mr. Grella made a motion to move Nancy Spears from an alternate to a full member, term to expire in**  
272 **2014, second by Mr. Bowler. Vote: Unanimous.**

273  
274 **Mr. Grella made a motion to move Anne Krantz from a full member to an alternate, term to expire in**  
275 **2014, second by Mr. Bowler. Vote: Unanimous.**

276  
277 **Mr. Grella made a motion to move Mary Mahar from an alternate member to a full member, term to**  
278 **expire in 2013, second by Mr. Bowler. Vote: Unanimous.**

#### 279 280 ACC Policy on OHRVs & Non-Motorized Vehicles

281  
282 Chairman John Harvey told the Board that for years, the Conservation Commission had been getting by  
283 with an informal policy. He read the definition of OHRVs as "...any mechanically propelled vehicle used  
284 for pleasure or recreational purposes running on rubber tires, belts, cleats, tracks, skis or cushion of air  
285 and dependent on the ground or surface for travel, or other unimproved terrain whether covered by ice or  
286 snow or not, where the operator sits in or on the vehicle." (RSA 215-A:6) and would cover ATVs,  
287 snowmobiles and dirt bikes. Their informal policy covered those, as well as mountain bikes which were  
288 non-motorized and they had been getting along fairly well with it. It has been determined that wheels and  
289 cleats cause damage to the trails. This year they had two rather aggressive incidents on Joppa Hill and  
290 Bertha Rogers properties. They called the Police who responded. They said it was unenforceable  
291 because the Town lacked having a policy in place. This caused the Commission to approve this as an  
292 official policy of the Town to prohibit OHRVs from all Conservation land with mountain bikes be  
293 allowed in three places – Haseltine Community Preserve, Bicentennial Trail and Hemlock Trail in Joe  
294 English. They would like to have their personal vehicles for maintenance be allowed on all properties. If  
295 the Board agrees to approve this policy, they will draft a letter for the Board's signatures to be sent to the  
296 Police Department and request it be put on the website in an appropriate place.

297  
298 Mr. Infanti asked what kind of damage would the mountain bikes have done. Mr. Harvey explained that  
299 the tires are aggressive along with usually the riders. He spoke further about the damage they can do to  
300 the trails. The Commission has an agreement with the NEMBA where in order to use the Haseltine  
301 Trails, they maintain the trails and any erosion in the spring. Mr. Bowler asked about the B&M Trail and  
302 thought it fell under this Policy as well. He had a problem with the mountain bikes, but no problem with  
303 the motorized vehicles. Mr. Grella asked for reconsideration. Mr. Harvey indicated they could do that.  
304 He noted that portions of the B&M Trail were private property. He thought they certainly could discuss it  
305 and get them an answer.

306

307 Mr. O'Mara asked Mr. MacGuire if this should be an ordinance. He replied that it was based on the  
308 Board's decision that night, they could bring it to Town Counsel to see if they had the authority to make  
309 this policy, as well as passing an ordinance and if so, what should the language be. Mr. Infanti indicated  
310 they also needed to look into the railroad bed and need to have "teeth put into it" for the Police to enforce.  
311 Mr. O'Mara asked John to go back to the Commission on the railroad bed from Walnut Hill to the private  
312 property and then they will go to Town Counsel. Mr. MacGuire was not sure where the mountain bikes  
313 would fall, since they were not defined by RSA and might be somewhat problematic, but the OHRVs  
314 were fine. Mr. O'Mara thought that if the mountain bikes compromised the ordinance, perhaps they  
315 could do something different with them. He asked that John get back to them sometime in June.

### 316 **Recreation Department Volunteer Background Check Policy**

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319 Director Nancy McMillan told the Board that the Administration Committee for the Recreation  
320 Commission has been working on this Policy for approximately a year using documents from other  
321 communities and other states. The documents consisted of Standard Operating Guidelines, Background  
322 Check Checklist, Volunteer/Employee Background Check Policy and a Background Check Authorization  
323 Waiver Form. They were asking if someone was going to be an employee or volunteer in the Recreation  
324 Department and working with youth under the age of 18, that they submit information for a background  
325 check. She briefly spoke about the criteria and information they will be seeking from the volunteers or  
326 employees. She spoke about other local organizations to also ask that their volunteers have background  
327 checks and use the Recreation Department's criteria. The costs would be born by the outside  
328 organization. She noted that there were other organizations that will help them in this regard. There was  
329 also the National Recreation & Parks Association of which Amherst was a member.

330  
331 Mrs. McMillan continued ... Screening applications on an annual basis and records remain in a file for  
332 five years. People who had lived outside the State will also be checked. There is an appeal process that  
333 she spoke briefly about and is similar to the Town of Amherst Employee Policy process. She also talked  
334 about eligibility. She mentioned that they will impose this in two phases beginning in the fall of 2011,  
335 after that, with the Partners who use the facilities. She also spelled out the confidential aspects of the  
336 process. If approved, the application will be shredded. If denied, the information would be held at the  
337 Town Hall and kept with regular personnel information. The Standard Operating Guidelines and Policy  
338 will be given to each volunteer or employee as they apply. She also spoke briefly about the Background  
339 Check Authorization Waiver Form. Mrs. McMillan noted that Gary worked with Attorney Drescher and  
340 made changes to it which was what was before the Board.

341  
342 Mr. Grella asked why the two phases. Director McMillan told him it was to make sure her office could  
343 get this up and running, doing a good job with their volunteers and employees and secondly to get the  
344 other organizations that may not have their own policy. She told Mr. Bowler that an appeal was first to  
345 the Recreation Director and second was the Town Administrator. ***Mr. O'Mara moved to accept the  
346 Recreation Volunteer Background Check Policy, second by Mr. Brew. Vote: Unanimous.***

### 347 **Third Quarter Financial Report**

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349  
350 Mr. MacGuire invited Financial Director Merri Howe to join them. They began with the third quarter  
351 review of revenues that closed on March 31, 2011 – they had been grouped together for this process. (1.)  
352 Land Use Change Tax was revenue received from the Conservation Land Account for bond payments and  
353 no more funds were due on this. (2.) Payment in Lieu of Taxes – a small amount has been collected  
354 included some from Welfare. (3.) Other Taxes \$11,655 has been received. (4.) Interest & Penalties on  
355 Delinquent Taxes - \$89,210 has been received out of the \$150,000 budgeted. (5.) Motor Vehicle Permit  
356 Fees – They were a bit short and the budgeted amount of \$2,224,000 and was their best guess. (6.)  
357 Permit Fee and Other License Revenues did not contain the cable franchise fee. (7.) Federal and State

358 Revenues contain revenue from Rooms & Meals and Highway Block Grant, etc. (8.) Other contains  
359 revenues received from sale of property, fines, etc. (9.) Other Intergovernmental Revenue include SRO  
360 payments from the schools that come in at the end of June. (10.) Income from Departments contains  
361 revenues collected for building permits, EMS, etc. The number looked good to them, but was  
362 unpredictable. (11.) Interest on Investment – The Town was dealing with very low returns.

363  
364 Mr. MacGuire indicated that overall they were not in bad shape. The one unknown is the motor vehicle  
365 permit fees and one they would be monitoring closely in the next quarter. Mr. Brew remarked that they  
366 were  $\frac{3}{4}$  of the way through and only 71% anticipated revenue was in. He asked if they expected the year  
367 to end up at 100% or less. Mr. MacGuire indicated that if Mr. Brew looked half was generated by motor  
368 vehicle registrations which was based on the economic situation. There were some increases in some  
369 line, but believed they will end up short on motor vehicle permit fees.

370  
371 Mr. Brew asked if they were \$100,000 short on projected revenue, will they be required to do anything or  
372 do they do nothing. Mr. MacGuire advised they have controlled their expenditures in the past to match a  
373 shortage and “yes” they will do it again. Mr. O’Mara asked that on revenues they don’t get, will they  
374 reduce spending dollar to dollar. Mrs. Howe explained that the only way to reduce the gap is to reduce  
375 expenditures on the budget side. Mr. MacGuire told Mr. O’Mara that they look at motor vehicle revenue  
376 on a weekly basis during June.

377  
378 Mr. MacGuire advised they would now review the third quarter expenditures that closed on March 31,  
379 2011. General Government – a good portion available was contingency. Election, Registration and Vital  
380 Statistics was the Town Clerk’s budget. Financial Administration – they still had audit payments to  
381 make. Tax Collection – this is where they expected to be. Assessing and Revaluation of Property – there  
382 were a few payments made from some Court cases. Legal Expenses – this was hard to predict and some  
383 of their legal expenses spiked at Town Meeting time and the labor issue was now gone. Personnel  
384 Administration – there were two Workers’ Comp payments remaining. They were off approximately  
385 \$10,000 that had to be made up. Planning Board and Zoning Department were on track. General  
386 Government Buildings had their peaks and valleys. Cemeteries – more was spent during this time of  
387 year. Property / Liability Insurance had a small amount left. Police Department tracks more evenly.  
388 Emergency Medical Services and Fire Department were fine with what was left. Public Safety  
389 Communications had a little bit of room and with the personnel issues within the Department, he  
390 anticipated some savings. Public Works Administration and Department of Public Works – together they  
391 do not look bad. Street Lighting also does not look bad. Souhegan Regional Landfill District – Mrs.  
392 Howe advised four payments were made with no further payments and they now have a surplus. Mr.  
393 MacGuire reported that the Landfill Department and Health Administration were both fine. Animal  
394 Control (Dog Officer) was a very small line. Welfare (Direct Assistance) – they have recognized Sharon  
395 many times in managing this account and doing it very efficiently. The Recreation Department was fine  
396 as was Parks and Grounds. The Library was on target. Patriotic Purposes – Memorial Day and July 4<sup>th</sup>  
397 were fine. Both the Heritage Commission and Conservation Commission were also fine. He briefly went  
398 over the Principal and Interest expenditures for long term bonds and notes.

399  
400 Mr. MacGuire reported that the 2010 Carryovers amounted to \$220,927, the 2011 Unanticipated Revenue  
401 that were added to the budget was \$11,064, and the 2011 Adopted Budget was \$9,760,645 for a total of  
402 \$9,992,636.

403  
404 Mrs. Howe told Mr. Brew that if a Department Head wanted to make sure an expenditure was in FY11,  
405 they would ask for a purchase order. Mr. MacGuire added that there were no real surprises on either side.  
406 It was also mentioned that one of the changes in motor vehicle registrations was that residents had the  
407 ability to register their vehicles four months in advance, thereby saving a \$30.00 additional fee.

408

409 **Award Road and Bridge Financial Notes**

410

411 Mr. MacGuire advised that they sought proposals for the road reconstruction bonding not to exceed \$2  
412 million and not to exceed \$2.1 million for the bridges. Bids were received for both a ten year bond and a  
413 15 year bond. First Colebrook Bank bid 3.75% for 10 years with fees not to exceed \$2,000 and a deposit  
414 account requirement, Lake Sunapee Bank bid 2.95% for 10 years with no fees and no account  
415 requirement and Northway Bank 3.27% for ten years with no fees and no account requirement. First  
416 Colebrook Bank bid 3.95% for 15 years, Lake Sunapee Bank 3.15% for 15 years and Northway Bank  
417 3.59% for 15 years.

418

419 Mr. MacGuire noted that they have used all of these institutions for various services and/or notes and  
420 lease payments and have experience with all three. Lake Sunapee was clearly the low bidder on both the  
421 ten and 15 year bonds. Merri chose these, the closing date was that day and the reason they have seen the  
422 bid results for the first time. Their recommendation would be to go to Lake Sunapee for both bonds or  
423 notes.

424

425 ***Mr. Infanti moved that they go to Lake Sunapee at 2.95% for ten years and 3.15% for 15 years as***  
426 ***recommended by the Finance Director, second by Mr. Grella.*** After a brief discussion, Mr. Infanti  
427 indicated that this motion was to accept the two numbers from Lake Sunapee. Mr. Brew asked if they  
428 withdrew the entire amount at once. Mrs. Howe explained they take the funds as needed until the project  
429 that the bond is funded for was complete. Mr. Brew asked when they began paying interest. Mrs. Howe  
430 indicated that usually they do this on the anniversary, based on what was taken out. Mr. Brew thought it  
431 would be good to have a recommendation and discussing at a future meeting the 10 years vs. 15 years vs.  
432 20 years and apply it going forward. Mr. O'Mara asked that they come back with a recommendation as to  
433 whether they should go with 10 or 15 years with Lake Sunapee. ***Vote: Unanimous.***

434

435 **Mack Hill Easements**

436

437 Mr. MacGuire indicated that this was a premature agenda item. Mr. O'Mara asked that it be placed on the  
438 next agenda instead.

439

440 **Compile the List of BOS Goals for FY12**

441

442 Mr. O'Mara remarked that they "keep losing their luster" the longer they are in a meeting. He asked that  
443 this item be placed under Administrative Business for their next meeting as this was something that  
444 deserved more air time. If there was no objection, they can move it into the Approval portion of the  
445 agenda.

446

447 **Approve**

448 **Unanticipated Revenue**

449

450 ***Mr. Brew moved to approve the Fire Department Grant in the amount of \$1800.00, second by Mr.***  
451 ***Bowler.*** Discussion: Mr. MacGuire reported that this was a grant application the Board approved  
452 sometime ago and for enhancements for the Communication Center. Mr. O'Mara indicated he would  
453 accept an amendment to authorize to expend, ***Mr. Brew so moved, second by Mr. Bowler. Vote:***  
454 ***Unanimous.***

455

456 **Sign Application & Permit for Wholesale/Retail Sales of Permissible Fireworks**

457

458 Mr. O'Mara indicated they received an application from Atlas Fireworks. ***Mr. Infanti moved to sign the***  
459 ***application and permit, second by Mr. Grella. Vote: Unanimous.***

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### Hawkers & Peddlers Permit

Mr. O'Mara advised they received a request for the above permit from Tastee Kone, LLC on Route 101. He asked the Board to authorize approval for the Chairman to sign. *Mr. Infanti so moved, second by Mr. Brew. Vote: Unanimous.*

### Veterans Tax Credits

After reading the recommendation from MRI, *Mr. Bowler moved to approve a Veterans Tax Credit for M/L 1-32-2 in the amount of \$500.00, second by Mr. Grella. Vote: Unanimous.*

After reading the recommendation from MRI, *Mr. Bowler moved to approve a Veterans Tax Credit for M/L 2-179-3 in the amount of \$500.00, second by Mr. Grella. Vote: Unanimous.*

### Elderly Exemptions

After reading the recommendation from MRI, *Mr. Bowler moved to approve an Elderly Exemption for M/L 2-166-4 in the amount of \$132,000, second by Mr. Infanti. Vote: Unanimous.*

After reading the recommendation from MRI, *Mr. Bowler moved to deny an Elderly Exemption for M/L 18-44, second by Mr. Infanti. Vote: Unanimous.*

After reading the recommendation from MRI, *Mr. Bowler moved to approve an Elderly Exemption for M/L 7-78 in the amount of \$88,000, second by Mr. Infanti. Vote: Unanimous.*

After reading the recommendation from MRI, *Mr. Bowler moved to deny an Elderly Exemption for M/L 2-72-29, second by Mr. Infanti. Vote: Unanimous.*

After reading the recommendation from MRI, *Mr. Bowler moved to approve an Elderly Exemption for M/L 2-2-70 in the amount of \$176,000, second by Mr. Infanti. Vote: Unanimous.*

After reading the recommendation from MRI, *Mr. Bowler moved to approve an Elderly Exemption for M/L 4-47-1-14 in the amount of \$176,000, second by Mr. Infanti. Vote: Unanimous.*

After reading the recommendation from MRI, *Mr. Bowler moved to approve an Elderly Exemption for M/L 3-47-18 in the amount of \$88,000, second by Mr. Infanti. Vote: Unanimous.*

After reading the recommendation from MRI, *Mr. Bowler moved to approve an Elderly Exemption for M/L 4-18-22 in the amount of \$88,000, second by Mr. Infanti. Vote: Unanimous.*

After reading the recommendation from MRI, *Mr. Bowler moved to approve an Elderly Exemption for M/L 6-74-8 in the amount of \$88,000, second by Mr. Infanti. Vote: Unanimous.*

After reading the recommendation from MRI, *Mr. Bowler moved to deny an Elderly Exemption for M/L 1-32-22, second by Mr. Infanti. Vote: Unanimous.*

### Yield Tax

After reading the recommendation from MRI, *Mr. Bowler moved to approve a Yield Tax on M/L 2-26-5, 2-26-3, 2-26, & 2-12-2 in the amount of \$183.40, second by Mr. Infanti. Vote: Unanimous.*

511 **Abatements**

512  
513 After Mr. Bowler read the recommendation from MRI, *Mr. Infanti moved to approve an Abatement on*  
514 *M/L 7-46 in the amount of \$2,838.53, second by Mr. Bowler. Vote: Unanimous.*

515  
516 After reading the recommendation from MRI, *Mr. Bowler moved to approve an Abatement on M/L 4-*  
517 *149-4 in the amount of \$1,118.21, second by Mr. Infanti. Vote: Unanimous.*

518  
519 After reading the recommendation from MRI, *Mr. Bowler moved to approve an Abatement on M/L 8-*  
520 *103 in the amount of \$442.37, second by Mr. Infanti. Vote: Unanimous.*

521  
522 After reading the recommendation from MRI, *Mr. Bowler moved to approve an Abatement on M/L 10-*  
523 *44-1 in the amount of \$1,015.81, second by Mr. Infanti. Vote: Unanimous.*

524  
525 After Mr. Bowler read the recommendation from MRI, *Mr. Infanti moved to approve an Abatement on*  
526 *M/L 6-91-1 in the amount of \$1,062.91, second by Mr. Grella. Vote: 4-0-1, Mr. Bowler abstained.*

527  
528 **Current Use Application**

529  
530 *The Board approved the Current Use Application on M/L 4-59-1 upon a motion made by Mr. Infanti*  
531 *and seconded by Mr. Bowler.*

532  
533 **Teljet Longhaul, LLC Petition & License for Three Poles on Old Nashua Road**

534  
535 *Mr. Infanti moved to approve the above Petition & License, second by Mr. Bowler. Vote: Unanimous.*

536  
537 **Elderly & Disabled Exemption Renewal Reviews**

538  
539 Mr. MacGuire advised the Board had a list of 15 Maps & Lots of people that are receiving the above  
540 exemptions. The Town reviews the list every five years, however, many towns are doing this review on  
541 an annual basis. Letters had been sent out to folks receiving these exemptions, seeking their assets and  
542 income levels as part of the revaluation. The 15 people on the list no longer meet the asset and income  
543 limitations as adopted by the Town. Income: Single \$36,760, Married \$52,000 and Assets: Not in excess  
544 of \$150,000. It is the recommendation of their vendor that these exemptions be removed, as these people  
545 no longer meet them and they would like to get letters out to them before the tax bills are sent out.

546  
547 *A motion was made and seconded to remove fifteen properties from receiving an Elderly and Disabled*  
548 *Exemptions for the 2011 tax year.* Discussion: Mr. MacGuire made it clear that some of the limits were  
549 very small, but were over the limit. He met with Scott Marsh, senior member of MRI along with the Tax  
550 Collector and this is something they don't like to be doing. Scott suggested they might want to make a  
551 transition to do this yearly so that people who fall out can fall back in. He commented that unfortunately  
552 he did not have an option to offer them.

553  
554 Mr. Bowler thought they should change it, if not every year, but every two years. He asked when was the  
555 last time they looked at this? He didn't remember making a change on it, but remembered making a  
556 change in the exemption. Mr. MacGuire indicated he could tell them that after research, they were not  
557 keeping up with their neighbors. They have 15 residents they were delivering this bad news to. If they  
558 were doing this every year, it may be easier based on their income. Mr. Bowler really would like to know  
559 when was the last time they have done this? Some were just barely over and were being shortchanged.  
560 The last thing they want to do is hurt the elderly. Mr. Brew mentioned that Gary said they have to do this  
561 and perhaps they could put it on as a warrant article next year. Mr. Bowler agreed because it was coming

562 in at the eleventh hour. Mr. MacGuire indicated that this was why they want to get the letter out and have  
563 their Assessing Department deal with these folks personally. He noted that he looked at a way to prorate  
564 this under the Statutes, but there wasn't any. He wanted to make it clear that this wasn't a light decision  
565 made on their parts. *Vote: Unanimous.*

566  
567 **Old Business**  
568 **Communication**  
569

570 Mr. O'Mara mentioned that the Board receives questions via emails from citizens and he wanted to open  
571 up discussion on this for the Board's input and how to communicate back to them in a timely manner.  
572 The most recent email was about trash cans and he was not sure what some of them may have done and  
573 there may be five different positions for obtaining information and couldn't do it because it was against  
574 the law to do. Mr. Infanti's personal feeling was if they receive a complaint, they should pass it onto the  
575 Town Administrator. Mr. Bowler added that a few years ago it was the Chairman and the Town  
576 Administrator. Mr. O'Mara mentioned that after the Selectmen's meeting ends, he holds no greater rank.  
577 He thought there could be a clear line that divides the responsibility between the Board and the Town  
578 Administrator. He was one that believes the Board needs to authorize him to, for example, sign the  
579 Hawkers & Peddlers Permit for the ice cream stand. For the issue of the trash cans, there was nothing  
580 wrong with the Town Administrator authorizing this because he represents them. He asked if they were  
581 comfortable with them going forward so that it will eliminate any confusion.

582  
583 Mr. Brew was 100% in agreement with this. In this meeting, they were the Amherst Board of Selectmen.  
584 Outside the meeting, they were just regular citizens and were not authorized to decide if they should paint  
585 the trash cans blue, but the Town Administrator was authorized on behalf of the Town. They also run the  
586 risk of debating the issue outside of the meeting. It has already been decided on what they can do in a  
587 meeting and what they can't. Mr. Infanti indicated that he normally replies that it has been passed onto  
588 the Town Administrator. Mr. O'Mara thought it fine with him. Mr. MacGuire remarked that all  
589 communication has its flaws. His suggestion would be that he would copy the Chairman or at least a  
590 confirmation to the Chair or whoever, that "yes" he did what he was suppose to do.

591  
592 Mr. O'Mara suggested that Gary update them at the next meeting. Mr. MacGuire wanted to make sure  
593 that this communication keeps going and not dropped by anyone. Mr. Brew noted there was a huge  
594 difference sending something out rather than the five members doing a "reply all". He thought there may  
595 be instances where it makes sense for the Town Administrator to update the Board so there is no  
596 discussion or decisions and that they were not involved. Mr. O'Mara was inclined to have Gary copy him  
597 and also sent it to all of them so that they were not all taking action. Mr. Infanti noted that in the past, it  
598 had fallen to the Chairman if there was a complaint or back in the day, Bruce and he would respond that  
599 they would do something about it and someone would get back to them.

600  
601 **New Business**  
602

603 Mr. Brew reported he attended the Conservation Commission meeting the night before and there were  
604 questions bout the website. There was some information on the old one and they wanted to get back on  
605 the new one. He told them last night that they would be discussing goals. There was a concern from the  
606 Commission about allowing the different commissions to update it. Mr. Infanti asked couldn't they do it.  
607 Mr. MacGuire informed them that he had been working with the Chairman and Rich Hart on this. Mr.  
608 Brew indicated that the pages had to be sent to someone else one at a time. There was also a number of  
609 maps and information on invasive species and they didn't have a way to update all the information that  
610 was there. He will get more information. Mr. MacGuire reiterated he had been talking to both John and  
611 Rich for sometime.

612

613 Mr. Infanti reported that the Planning Board had a plan come forward last week that is different. The  
614 access roads are in Bedford, but the nine or eleven house lots were in Amherst and they briefly talked  
615 about impact fees. Letters were received from the Fire and Police Chiefs, as well as EMS and they were  
616 looking at 15 minutes travel time from the Stations. There was also the matter of the School Buses. The  
617 plan calls for 5-8 acre lots.

618  
619 Mr. Grella spoke about the issue with the scale at the Transfer Station on Saturday. The Heritage  
620 Commission will also be conducting a barn inventory in Town.

621  
622 Mr. O'Mara reported that on the website there was letter from the Mayor of Nashua seeking a Board of  
623 Directors for the newly acquired Pennichuck Water Works. All the information is on the website and  
624 there has also been advertisements in the newspaper.

625  
626 Mr. Infanti reported he has received a number of kudos and compliments on their new website and how  
627 much easier it was to get around, as well as how professional and neat it was. He acknowledged their  
628 Town Administrator, as this was a great effort made by their vendor and also Gary. He has heard nothing  
629 but good reports.

630  
631 As there was no further business to come before the meeting, ***Mr. Bowler moved to adjourn the meeting***  
632 ***at 9:46 p.m. second by Mr. Brew. Vote: Unanimous.***

633  
634 Respectfully submitted,

635  
636  
637 Sharon L. Frydlo  
638 Executive Assistant