

MINUTES

CALL TO ORDER

Meeting called to order by Mr. Weiss at 6:30 p.m.

ATTENDANCE

Present: Gerry Weiss, Alisa Brewer, Anne Awad, Stephanie O’Keeffe

Absent: Diana Stein,

Town Manager Larry Shaffer

Human Resources Director Eunice Torres and H.R. consultant Kay Zlogar

Walter Chudzik, Renee Moss, Brian Schwanke, Cindy Kanaley, James Broadnax, Personnel Board
Chair Flo Stern, Personnel Board members Tony Butterfield and Jacquelyn Smith-Crooks

OPENING REMARKS/ANNOUNCEMENTS

Mr. Weiss said that Chamber of Commerce members will water some downtown flowerpots while Bill Elsasser is away. Other interested volunteers should contact the Chamber or Mr. Weiss.

Mr. Weiss said that the State approved an increase in Payment in Lieu of Taxes (PILOT) funding to communities with State-owned land for FY09. It was noted that this would not affect Amherst due to the funding formula in the Strategic Partnership Agreement with UMass. Ms. Awad said that she has been the liaison to the group STAR, a partnership of communities with State land which works together to lobby for PILOT increases, and noted that Amherst’s participation has been important and that another liaison should be assigned when she leaves the Select Board.

Mr. Weiss read a letter from Comcast about the switch to all-digital broadcasting beginning in February, and it affecting only those using “rabbit ear” antennas or roof antennas. More info is available from Comcast.

Ms. Brewer said that the ballot question seeking repeal of the State income tax had acquired enough signatures to get on the November ballot, and that a campaign supporting the repeal should be anticipated. She said that questions about banning greyhound racing and supporting marijuana leniency would also be on the ballot.

PUBLIC COMMENT

No one from the public sought to comment.

SELECT BOARD’S ACTION

Approval of Minutes

VOTED 3 in favor, 0 opposed, 1 abstention (Brewer) and one absent (Stein) to approve the minutes of the June 16, 2008 Select Board Meeting.

VOTED 3 in favor, 0 opposed, 1 abstention (Brewer) and one absent (Stein) to approve the minutes of the June 23, 2008 Select Board Meeting.

Committee Appointments

VOTED 4 in favor, 1 absent (Stein,) to reappoint the following:

- Denise Barberet, Hampshire Regional Emergency Planning Committee, for a term to expire June 30, 2009.
- Andrew Melnechuk, Public Transportation Committee, for a term to expire June 30, 2010.
- Frank Gatti, Human Rights Commission, for a term to expire June 30, 2011.
- Mark Parent, Town/Commercial Relations Committee, for a term to expire June 30, 2011.
- Flo Stern, Housing Partnership/Fair Housing Committee, for a term to expire June 30, 2011.

VOTED 4 in favor, 1 absent (Stein,) to approve the Town Manager's appointment of Bruce Carson to the Planning Board, for a term to expire June 30, 2011.

VOTED 4 in favor, 1 absent (Stein,) to approve the Town Manager's reappointment of Ludmilla Pavlova-Gillham to the Planning Board, for a term to expire June 30, 2011.

VOTED 4 in favor, 1 absent (Stein,) to appoint Hwei-Ling Greeney to the Committee on Homelessness, for a term to expire June 30, 2011.

Pole Hearing

Hearing opened: 6:43 p.m.

Hearing closed: 6:52 p.m.

Walter Chudzik from Western Massachusetts Electric Company explained the location and purpose of a new utility pole on Snell Street to service an Amherst College building. No members of the public spoke to the issue. Ms. Brewer requested that for the future, details of abutter notification be given to the Select Board, so that its members might sign documentation to that effect with confidence.

VOTED 4 in favor, 1 absent (Stein,) to approve, pending permit from the Department of Public Works, the petition from Western Massachusetts Electric Company and Verizon New England, Inc., to set one jointly owned pole (#126/2 T-29) on the North side of Snell Street, approximately 222' westerly of South Pleasant Street. Proposed pole needed to provide 3 Phase power to an Amherst College building; also that permission be and thereby is granted to each of said Companies to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings in accordance with the plan marked 6A810246.

Boltwood Parking Lot Closing - Big Brothers Big Sisters Craft Fair

Big Brother Big Sister Director Renee Moss sought permission to use the parking lot in front of Town Hall for vendor registration on Saturday, July 12th from 6:30 a.m. to 8:30 a.m., as it has done for 28 years. Ms. Brewer asked if parking meters needed to be bagged also, and Ms. Moss said yes, and that the group always handles that directly with the Police Department, along with the closing off of a section of Boltwood Avenue. It was noted that bagging meters and closing streets are issues the Select Board has to approve for other groups, and that in the interest of fairness and equity, it would need to do so for this event as well. It was agreed that this year these matters would be handled as they have been in the past, but that next year a more formal request will be required.

VOTED 4 in favor, 1 absent (Stein,) to approve the request from the Big Brothers Big Sisters of Hampshire County to close the Boltwood Parking Lot (across from the Town Hall) from 6:30 a.m. to 8:30 a.m. on July 12, 2008 for artisans to park temporarily to register for the fair.

Prepare Don't Despair Presentation

James Broadnax made a presentation about a web portal his organization has created that will give a portion of proceeds to the Town from goods purchased through the site, www.AmherstFirst.com. He

said that proceeds to the Town could be as much as a million dollars per year in three years. He described the group's organization, the increases in Internet purchasing and projections for the future, the site activity reporting and access that would be available to the Town, reward points for customers and the tools and training available to local businesses. He said that the shopping portal is supported by a company in North Carolina called Market America, and that it currently has about 35 million products and services available through the site from more than 2,000 stores.

Mr. Shaffer said that the program is an interesting idea and represents no liability or exposure for the Town.

There were questions from the Select Board about what percentage of a purchase would go to the Town (it varies based on different vendor agreements and formulas,) the lack of a local board (one is intended to be formed,) Mr. Broadnax's role (business advisor to the board) and whether the organization is pursuing similar arrangements in other communities (it is not.) The points were made that the only real role for the Town is to accept any donation the group may ultimately provide, and that the Town and the Select Board need to be careful about promoting a private business venture.

No action taken.

Personnel Board – COLA Recommendation

Flo Stern and members of the Personnel Board presented a recommendation to allocate the FY09 cost of living adjustment (COLA) for non-union employees in a different manner this year. Rather than providing a 2% increase to all, the total represented by that amount would be distributed evenly among the 71 full-time equivalent employees, at \$1,278 each. The intent was to address the burdens of higher fuel and utility prices on lower wage earners, and a straw vote among employees attending a meeting on the issue was strongly in favor of the equal distribution amount.

Mr. Shaffer, whose contract stipulates that he receives the same COLA as the other non-union employees, noted concerns with the recommendation, notably that it resulted in a small number of employees receiving less than a 2% increase and a large number receiving more than 2%. He said that this could result in higher-wage employees seeking to unionize, could affect future union negotiations, and served to compress the wage classification scale. The minority report from the Personnel Board said that there was no reason to depart from the 2% figure that the unions had agreed to, that the flat distribution departed from the system of pay classification as a function of required skills and training, and amounted to the higher-wage employees making forced donations to the lower-wage employees.

Mr. Weiss and Ms. Awad expressed approval of the recommendation; Ms. O'Keeffe expressed personal disagreement with the recommendation but support for the process that led to it; Ms. Brewer also supported the process but expressed concern that dissenting employees may not have been fully aware that such a change might occur.

VOTED 4 in favor, 1 absent (Stein) to approve applying a flat-rate COLA increase for FY09 of \$1,278 for each of the 71 non-union employees, as expressed in terms of Full Time Equivalents.

Annual Report

Ms. Brewer said that she and the Town Manager would meet to coordinate plans for the Annual Town Report, and that letters would be distributed in late July to department heads and committees reminding them that reports are due September 1st. Mr. Weiss requested that Select Board members provide suggestions for details to include in the Select Board report. **No action taken.**

LICENSES AND PERMITS

Special All Alcoholic Liquor License – University of Massachusetts

VOTED 4 in favor, 1 absent (Stein,) to approve the Special All Alcoholic Liquor License for the University of Massachusetts for July 11, 2008 from 6:00 p.m. – 11:00 p.m. at the Fine Arts Center for a reception.

Change of Manager – Bertucci’s Brick Oven Ristorante

VOTED 4 in favor, 1 absent (Stein,) to approve the change of manager for Bertucci’s Brick Oven Ristorante to Cynthia Kanaley, 26 Helen Drive, Southampton, MA.

TOWN MANAGER’S REPORT

SunEthanol Update

Mr. Shaffer said that a couple of proposals have been submitted to the executives of SunEthanol to provide the increased lab space they need in order to stay in Amherst. He said that he is in regular communication with company officials. Mr. Shaffer said that there is no formal notification of developers and property owners regarding opportunities like this, but rather that he uses the media to make developers aware of the opportunity and wants contacts and proposals to go through him so that he can advocate for them. It was noted that due to pressures from venture capitalists and others, and the need for high-end lab space not currently available in Amherst, even the best efforts may not succeed in keeping the company here.

No action taken.

Collective Bargaining Update

Mr. Shaffer said that contracts had been executed with two unions – the DPW union and the SEIU, for wage increases of: 1% in 2007, 2% in 2008, 3.5% in 2009 and 3.5% in 2010, which he said equaled a 10% increase over four years, and averaged out to 2.5% per year, similar to the 10% in the teachers’ contract, but distributed differently. He said the contracts contain inducements for switching to HMOs from PPOs for insurance, which cost the Town less, and there were small adjustments in the terms and the language. Mr. Shaffer said that the contracts with the police and firefighters unions remain unsettled, that both are in mediation and that an agreement appears close with the police, but not with the firefighters.

Ms. Brewer asked about a timeline for encouraging a shift to the State’s GIC health plan, which would require union approval. Mr. Shaffer said that the Town’s self-insurance program is in strong shape, and there would be no recommendation to switch to GIC soon, though he expects that in the future. He said that the Town plan showed a \$2 million surplus as of mid-June, it has paid back all the money it owed to the General Fund, and that the surcharge paid by the Town and employees to cover the previous deficit will soon end. Current plans are to reduce risk by purchasing more stop-loss insurance with the surplus to provide more stability and predictability to the fund.

No action taken.

Hadley Ambulance Negotiations

Mr. Shaffer said that the situation with Hadley was unchanged, but that he would be resuming negotiations once FY08 numbers are finalized. He said he has not reconsidered the cost-per-call model on which negotiations with UMass and the other towns have been based, despite concerns expressed, and that said he has not been convinced that the model is inaccurate or that a better one exists. He reiterated the data and financial figures on the subject and the need to make long term plans that may include a new fire station.

Select Board members repeated and emphasized a desire to be presented with staffing and financial numbers for providing fire and ambulance protection just to Amherst, and to understand how a potential loss of the Hadley town and insurance revenues would impact the ability to provide protection to Amherst. Mr. Shaffer said he didn't expect the potential loss of Hadley revenue to impact Amherst protection, and said that personnel layoffs might not be necessary if the growth in Amherst ambulance calls continues along with the projected growth in revenue from the other towns, UMass and Amherst College, and the ambulance rate increases.

Mr. Shaffer was asked if he could provide the requested data on Amherst fire and ambulance protection and the impact of potential lost Hadley revenue within a month's time, and he said he could.

No action taken.

Mileage Reimbursement

Mr. Shaffer corrected recent confusion on the issue of mileage reimbursements for Town employees and volunteers using their personal vehicles on behalf of the Town. The new rate, effective July 1, is 50 cents per mile.

No action taken.

ADJOURNMENT

The meeting adjourned at 9:31 p.m.

Approved at the August 11, 2008 Select Board meeting

