

MINUTES

CALL TO ORDER

Meeting called to order by Ms. O'Keeffe at 6:32 p.m.

ATTENDANCE

Present: Stephanie O'Keeffe (Chair), Alisa Brewer, Aaron Hayden (Clerk), Diana Stein, Gerry Weiss, Laurence Shaffer (Town Manger), John Musante (Assistant Town Manager/Finance Director)

Others presenting: David Keenan, Rob Kusner,

ANNOUNCEMENTS:

Thanks to ACTV which is now streaming Select Board, School Committee, and other town meetings on their website.

Gerry Weiss announced the Empty Bowls dinner is tomorrow night and to check with the Pub to see if there are still tickets available

PUBLIC COMMENT

David Keenan had two items to "open the lid on." It is important that we know what equipment the Town owns while we make our budget decisions. He made a list of all the Town's vehicles with the help of each Town Department and sent a copy to the Select Board. While large institutions in Town are cautious with Payment In Lieu Of Taxes, they might be more willing to invest in capital project bonds. Their investment in Town bonds would also encourage the institutions to look into the problems and their solutions.

Rob Kusner urges us to support gas tax and notes it is on the agenda. Additionally, Mr. Kusner is hopeful that some of the large amounts of stimulus funding that is likely to support the public works will help with the transformation of needed transportation infrastructure to support alternative transportation to the automobile. We can't keep doing business as usual and need to promote alternate transportation solutions.

Mr. Shaffer reported the PVTA board is considering doubling their capital funding. Projects under consideration are new smaller buses, improved and more bus stops. Potential new projects would be a new hub bus stop adjacent to Kendrick Park, new bus top enclosures and the use of solar panels to light them. UMass and the Amherst Public Transportation and Bicycle Committee are putting together a list of suggestions.

SELECT BOARD'S ACTION

FY 09 2nd Quarter Budget Update

Mr. Musante presented the first quarterly budget update (presentation to the Select Board is a recent addition to the budget process). Mr. Musante described how State's mid-year cuts may affect our budget. Generally the budgeted expenses and revenues are as expected, the increases balancing the decreases. Mr. Musante stated that more is being spent on snow removal than was expected. Amherst received a non-recurring grant (now years since we requested it) for replacing the Wildwood roof for \$550,311. Veteran services funds are short; the state is eleven months behind in their reimbursements. The Enterprise Funds are in good shape. In terms of State Aid, Governor Patrick's message at Massachusetts Municipal Association meeting outlined planned mid-year cuts including State Aid to

cities and Towns (about \$1,000,000 for Amherst). The Governor's FY 10 Budget looks to cut about \$2.8 million from Amherst.

The Governor will propose allowing an increase to meals tax and hotel/motel tax from 5% to 6% with the extra to go to Towns – about \$1.2 million to Amherst. He will also work to close the telecommunications loop hole. All this will take time consuming legislative action. The Governor would support a local options tax of 1% on meals and lodging which could provide revenues of \$600,000 for meals and \$25,000 for lodging.

In the FY 09 status report, elections cost is greater than budgeted because of the turn out for the Federal election. The cost of legal services includes a \$40,000 retainer plus hourly charges for litigation, labor and personnel issues, and land acquisition. Even with the new contract it seems we'll spend as much as other years because of the extraordinary number of lawsuits especially involving Conservation. PCI \$30,000 surplus from turnover, other larger department have turnover budgeted in - it is hard to anticipate turnover in smaller departments. The Select Board has 3 regular meetings in February plus one special meeting on Wednesday, February 25, 2009 to discuss the budget – next week can we get early report on the cuts.

Town Manager's Report

Mr. Shaffer presented the budget to Finance Committee.

Testing for new census takers is on-going; about 100 people from the area have taken the test.

Mr. Shaffer attended a meeting with the PVRTA, and discussed a capital funds increase that may get Amherst a bus stop with a restroom at the Kendrick Park stop and two smaller sprinter buses for Route 32.

Isaac Ben Ezra is in Cooley Dickinson hospital and doing OK; Joanne Jones is also in the hospital in serious condition but should be able to return home this week.

Mr. Shaffer will be serving at the Empty Bowls fund raiser.

The Town Manager will be meeting with the Parking Task Force Friday at 9:30 a.m. to finalize meter feeder language and start working on new parking rates.

The Amherst Regional Middle School pool will be open February 7, 2009. The water is back in the pool and the water temperature is in the mid 50s. Swim lessons are scheduled to begin on the February 7, 2009 and all enrollees have been notified.

Mr. Shaffer will be meeting with the president of the July 4th Parade Committee this Friday to negotiate a "soft landing" that may allow Town to "nest" within private parade. So far the committee is not interested. The permit will be issued for 3:00 p.m. July 4, 2009 unless the Amherst Police Department has a problem with it.

Mr. Shaffer would like to discuss the logistics of a smaller prior parade. The time period of permits includes time for set up and some clean-up afterward. There are many bands, floats, marching units and apparatus from Fire Departments. An ancillary parade would be smaller so logistics can be worked out and the two parades won't be stumbling over each other. Amherst Fire Department and police equipment will not be released for the parade. The July 4th Parade Committee can not be compelled to change their values for shaping the parade even if they run counter to the Town Manager's values. Last June the decision of the Select Board urged the Town Manager to grant the permit but, without a compromise, the Town equipment would not be in the parade.

It was mentioned that maybe the prior parade is not necessarily the "Town Parade" but can be anybody's parade. The July 4th parade should bring people together, however, there doesn't seem to be enough common ground yet.

The skating rink at Kendrick Park is well taken care of by the Department of Public Works and lots of people are using it. We need to be careful how we spend our money but the rink really improves the quality of life, and gives a lot of people joy. It doesn't cost a lot, only some Over Time work to flood it at night. The people are learning how to make a rink from Stan Ziomek.

The Amherst Fire Department got a \$44,370 grant for new turnout gear. Mr. Shaffer is pleased with Chief Hoyle for securing the grant. There is a grant request for the new Quint Fire Truck as well which would release the capital funds (ca. \$600,000) Town Meeting approved last year for this new piece of equipment.

The "Shedding the Light" project is underway – the project will light an old tobacco barn on Route 116. The lights will be powered by photovoltaic panels and will light the interior of the barn. The slats will be opened to showcase the light. It is an interesting art project that will bring attention to our farming heritage and provide a use for an otherwise abandoned building. The Swartz family who grows crops hydroponically is working on this.

Last week Mr. Shaffer attended a UMass seminar on Economic Development and Tourism. The seminar brought representatives from the Chamber of Commerce, the academic institutions, the Town of Hadley, and local businesses together to discuss partnerships that would enhance our tourism profile. We appreciate UMass bringing together the group and a great deal of information was shared. UMass was surprised that the general populace didn't know of the activities on campus – there are 16 different public calendars of activities at UMass available.

Goals & Expectations for Town Manager 2009 - Continued

We might use review instruments from other towns as a model; some were garnered at the MMA Conference. We should wrap up FY 09 goals now and work on FY 10. Ms. O'Keeffe will polish up goals with a Select Board memo, and incorporate Mr. Shaffer's response to complete FY 09. We need an instrument for evaluation based on these goals and Aaron Hayden and Gerry Weiss are preparing this.

Town Meeting Preparation Issues

Proposal for Human Rights Language: The Stonewall Center made a presentation to the Human Rights Committee that the Amherst's non-discrimination language doesn't include gender identity for specific protection. 13 States and 100 Massachusetts Towns include the language. Town Counsel needs to look into the mechanism to bring forward the change and whether Town Meeting needs to ratify the change. Amherst represents its equal opportunity policy to many bodies and those representations all need to be changed. If a Town Meeting Warrant Article is needed, the Select Board will sponsor it. Mr. Weiss will work on shepherding it along.

What dates and deadlines for Town Meeting to publish:

Monday, May 4, 2009, is now the first day of the 2009 Annual Town Meeting, however, not all following Wednesdays were available at Amherst Regional Middle School. Many weeks have Monday and Thursday meetings, at variance with the traditional of Mondays and Wednesdays. (We need to communicate with the School Administration the importance of regular Town Meetings. Larry Shaffer will contact the School administrators to see if it is possible to secure Monday and Wednesday dates in May and June of Annual Town Meetings in 2010 and beyond.

This Annual Town Meeting will have a difficult Warrant with some Zoning issues as well as the budget. We don't know exactly how many zoning articles there will be but it is likely there will be 40 articles all together and the budget articles will be dramatic.

We should publish all dates reserved even if we don't end up needing them all especially since there are so many Thursdays this year. The Board would like to have all the possible dates publicized with a special note about the Monday and Thursday weeks as well as the Monday – Wednesday weeks. The Select Board will post meetings prior to all Town Meeting dates. The various deadline dates are firm – we are not going to change them.

VOTED unanimously to adopt in its entirety the January 14, 2009 version of the Annual Town Meeting and Election Calendar, and to approve its timely posting in all the legal and traditional locations

Report on MMA Annual Meeting

Ms. O'Keeffe and Ms. Brewer attended the MMA meeting which included a presentation by Governor Patrick relative to budget updates. Both spoke on the many ideas they gathered at various seminars including new ethics rulings, methods for reviewing a Town Manager, collaborations (and out right mergers) between Towns or police departments, development permitting and that the Town of Hadley won First place for their Annual Town Report. Subcommittee meetings that bring forward a recommendation should be posted.

Approve Minutes

VOTED four in favor, one abstention (Brewer) to approve the January 12, 2009 meeting minutes, with all submitted edits.

Consider Gas Tax Support Letter

The Public Works Committee recommended that the Board notify State Legislator of our support for increasing gas tax for supporting transportation infrastructure. Ms. Stein is in favor of an increased gas tax since it will make alternative fuels and transportation more attractive. Mr. Weiss noted that the proposal needs more work and a more public discussion was needed. The tax seems regressive and public transportation doesn't work well enough to counter regressive nature of tax. The sense of the Board is that we agree the tax has potential positive outcomes and potential negative outcomes and needs more study to take action. The Public Work Committee will be notified about the Select Board's determination on this issue, and will be told that the committee may bring back a more detailed recommendation, if the wish.

Founder's Day Events:

VOTED unanimously to close both Boltwood Avenue from Spring Street to Main Street, from 10:00 a.m. to 1:00 p.m., and the parking lot in front of Town Hall from 8:00 a.m. to 1:00 p.m. on Friday, February 13, 2009, for the 250th Celebration Committee's celebration of Founder's Day in Amherst, which begins at noon.

Committee Appointments – Select Board

VOTED unanimously to appoint William Hutchinson, to the Kanegasaki Sister City Committee, for a term to expire June 30, 2012.

Committee Appointments – Town Manager

James Scott has been a long time participant in Town affairs including serving on the Conservation Commission in the past. He would like to get involved again. This appointment is filling the unexpired term of Liv Baker.

VOTED unanimously to approve the Town Manager's appointment of James Scott to the Conservation Commission, for a term to expire June 30, 2009.

Stephen Schreiber is a professor of Architecture and would like to serve the community on the Planning Board. Mr. Schreiber will be filling the remainder of Katherine Sanderson's term

VOTED unanimously to approve the Town Manager's appointment of Stephen Schreiber to the Planning Board for a term to expire June 30, 2009.

Liaison & Representative Reports

Ms. Stein reported the Planning Board may have 5- 8 Zoning Articles for 2009 Annual Town Meeting. The Energy Task Force will have their fair and parade October 10, 2009.

The Agriculture Committee is sponsoring a Farm Fest October 3, 2009.

The Board of Health has lifted the ban on installing outdoor wood boilers now that new State Regulations controlling smoke and ash pollution are in place. Now one only needs a building permit.

Chair's Report

The Beacon, the MMA newsletter, spoke with Ms. O'Keeffe about an article on the Facilitation of the Community Choices Committee process. It was suggested we enter the FCCC process into the MMA innovation contest.

LICENSES AND PERMITS

Taxi Driver's License – Ilene Tibbetts

VOTED unanimously to approve the new Taxi Driver's License for Ilene Tibbetts, 34 Briggs Street, First Floor, Easthampton, MA 01027.

Common Victualler's License – Mango Mango

VOTED unanimously to approve the new Common Victualler's for Mango Mango, 61 Main Street, Manager Kent Chu.

Special Wine & Malt Liquor License – Cherry Hill Golf Course

VOTED unanimously to approve the Special Wine & Malt Liquor License for Cherry Hill Golf Course for February 7, 2009 from 12:00 p.m. – 7:00 p.m. for Winterfest.

ADJOURNMENT

VOTED unanimously to adjourn the open meeting at 9:40 p.m.

Respectfully submitted;

Aaron Hayden