

## MINUTES

### CALL TO ORDER:

Meeting was called to order by Ms. O'Keeffe at 6:30 p.m.

### ATTENDANCE:

Present: Stephanie O'Keeffe (Chair), Alisa Brewer, Aaron Hayden (Clerk), Diana Stein, Gerry Weiss, Larry Shaffer (Town Manager)

Others presenting:

### PUBLIC COMMENT

No comments today

### ANNOUNCEMENTS

Gerry Weiss gave an update on the Annual Town Meeting schedule;  
3/9 last day for misc citizen article 10 signatures for TM warrant  
3/11 last day to register to vote for 3/31 annual town election

### SELECT BOARD'S ACTION

**ACTV, recent broadcast issues** – postponed to March 9<sup>th</sup>

**Select Board role in collective bargaining;** Larry Shaffer reported that the Select Board can be involved. Other towns use every conceivable model for select board engagement. Depending on our engagement we may have to amend the Town Government Act.

Discussion: What are the next steps? Explore SB having a more formal role, or getting more information and keeping our current less formal role.

Gerry Weiss – without the Select Board being at the table can we really be informed on what is going on?

Mr. Shaffer reported that currently our negotiator, Jim Connors, takes direction from the Town Manager and is actually at the table. It is possible that by sitting at the table we might get sucked into the gravity of the situation. At the bargaining table anything goes, some are very good at keeping above the fray and keeping the objectives in sight. It is important the negotiator gets the job done.

We can get more information on the progress through some regular communication with Jim Conors.

The process is very long and drawn out and each participant needs to be present at all meetings. We also need to have a Lead Negotiator; the team supports the Lead by taking the temperature of the room and taking notes and advises the Lead outside the meeting.

Proposal; To accept more regular communication and engagement with the process. Accepted without objection.

Discussion: What review (of contracts and grants) means.

Mr. Shaffer explored the concept of review with Town Counsel and what it means to review. We don't ratify but we do comment on the contract or grant.

Gerry Weiss prefers this more active role of reviewing and being engaged with the negotiation process without being at the table.

Alisa Brewer noted that it is important that the SB is aware of what grants are being applied for. We can't hold an application up, deadlines need to be met. Departments need to be notified to leave time in their grant writing process for our review as well as Town Counsel's.

Mr. Shaffer agreed it makes sense that the Select Board review a grant before it goes out to the Town Counsel. It is especially important that grants that eventually oblige the Town for payments in the future or will reduce the tax base do especially need to be reviewed. (Grants become contracts and so require Town Counsel's review.)

**Sign Town Election Warrant;** Duly completed.

### **Approve Minutes**

Diana Stein moved to approve the minutes of the *February 23, 2009* Select Board meeting as amended. Gerry Weiss seconded and the motion carried with four votes for; AB absent.

Diana Stein moved to approve the minutes of the *February 25, 2009* Select Board meeting as amended. Gerry Weiss seconded and the motion carried with 4 votes for; AB absent.

### **Letter to Superintendents**

Stephanie O'Keeffe presented 2 letters; one of thanks to outgoing interim school superintendents and one of congratulations to Dr. Alberto Rodriguez. The letters were signed by the entire Select Board.

### **Committee Appointments – Select Board**

Gerry Weiss moved to appoint Eric Magazu to Committee on Homelessness, for a term to expire June 30, 2012. Aaron Hayden seconded and the motion carried with 4 votes.

### **Chair's Report**

**Liquor license violations report at renewal time.** Kate Seaman and Captain Kent will come to a Select Board meeting prior to our vote on license renewals to report on the nature and resolution of any violations of any of the applicants.

The letter requesting boards and committees to post minutes and agendas to the Town website regularly has been sent. The deadline for responding is April 17, we will have a report on the response at our April 20<sup>th</sup> meeting.

## **Town Manager's report on Recent & Upcoming Activity;**

### **The Town Manager:**

Met with John Kerry's office staff to discuss his new higher profile in Western Mass. Senator Kerry may hold office hours in Town Hall. Asked that the senator's schedule be reviewed to see if he can visit during the 250<sup>th</sup> celebrations. Spoke about the importance of the stimulus package and resolving health care issues since we all face budget problems until they are resolved. Mr. Shaffer also spoke of special projects and the Senators' ability to make special appropriations for the Town and how we might file for them.

Met with Brad Durkin who runs the "Campus Live" webpage – the fastest growing website with a portal specifically for schools and universities. Discussed ways to link Town GIS to web page and Google Earth to help direct students to activities off campus that would benefit the Town. Mr. Shaffer was impressed with their effort and business model and again with how much of an engine UMass is for the local economy.

Met with Jeff Brown who runs Ride Buzz to explore ways of promoting the service. Ride Buzz uses the internet to connect riders with drivers.

Attended a seminar on a model for free enterprise development and its implications for a town like Amherst. Seminar was well attended by students and it seems likely that new models like this will be successful in the future the way current models are now failing. UMass seems to generate a lot of new ideas.

He also noted that

The Parking Task Force is looking at many different proposals including making 51 spaces free., a request from the merchants. This would cost the Town \$95, 000 in revenue. Mr. Shaffer will introduce the idea of the Northampton model with 15 min free spaces near businesses that could benefit from them.

Diana Stein has heard requests for these 15 minute spots, but she doesn't think they should be free.

Mr. Shaffer distributed a letter from Town Counsel – in 1988 the Amherst Housing required rent control. Ms. Waxman continued to charge a higher rate while the lawsuit was pending that tested the rule. When the lawsuit was settled the difference was sent to Amherst with the court's requirement that we either find the tenants or return the money to the State. On investigation it seemed worth trying again to keep the money in town as a windfall to social services in Town. A proposal to use the money for fuel assistance and emergency housing assistance for Amherst residents was accepted by the courts and a \$105k check will be coming to us soon.

Mr. Shaffer caught up with Mayor Higgins to discuss a very large Veteran's District that bunched together the small towns around Amherst and Northampton. We need to develop a heritage of working together on problems of mutual interest. Mr. Shaffer and Mayor Higgins will meet again next Tuesday to discuss forming this district. The Select Board are invited to attend, we may have to post a meeting if more than two of us plan to attend.

The Select Board stated its support of this effort. Mr. Weiss noted his pleasure at seeing this initiative after advocating for regionalism of Veteran's Services for the past 5 years.

Following up on posting legal notices: Kate has surveyed all departments that post legal notices; the survey results will be distributed at next meeting. Each committee has different requirements for legal notices. Since each committee meets at different times it seems best to advertise in the Gazette which publishes 6 times a week rather than the Bulletin which is published only once. This is in response to a citizen query that observed more Amherst residents read the Bulletin.

We will also make all the legal posting on the website as a matter of course.

Following up on the Springfield MRF recycling information: We get a check from the MRF for the value of recyclables, which is likely to decline by 84% this year. But the cost of trucking the material to the MRF and but even if the revenue is zero, is still much less expensive than trucking it to a landfill so we will continue to bring material to the MRF.

Reported on meeting with the PVTA – last Friday John Musante and Mr. Shaffer met with PVTA Director Mary MacInnes. Amherst sent a letter with specific capital requests for, small buses (sprints), bus shelters and solar powered lighting in bus stops.

A large issue is Route 32 which Amherst now subsidizes. The ridership is increasing on this route: The PVTA agreed to fund this route if it receives certain state funding e.g., forward funding from the State, and if we get to 50% capacity on the buses. The smaller “Sprinter” buses would be easier to fill. The conversation will continue.

Also the PVTA is receiving some stimulus fund money for new buses.

Mr. Shaffer is keeping the Public Transportation and Bicycle Committee informed of his discussions with the PVTA.

The stimulus package is coming out in dribs and drabs with different rules for different grants.

North Amherst PRP – Conversation with the Patterson family seems to be moving toward an agreement. Mr. Shaffer believes the development of this parcel is an important part of improving the tax base.

Weekly radio spot: Every Tuesday morning Mr. Shaffer will speak on the radio at 7:45 on issues that are important to Amherst. WHAI 98.3

Grant updates;

Dispatch, no news, we remain confident but don't know.

AFD's Quint: Bad news on the \$650k grant (applied for after our approved capital appropriation with the hopes of allowing the budgeted money to come back into the capital budget) - We did make the first round but did not succeed in the second round based on many factors.

## **LIAISON AND COMMITTEE REPORTS**

**Budget Coordinating Committee report** postponed to 3/9

**Report on meeting with candidates for school superintendent:** Gerry Weiss reported on the town officials' meeting with the candidate - It was valuable to have the meetings set aside for town officials and could speak about candidates' views on the schools' relationship with the Town. Mr. Weiss believes in the need for a close relationship. All the candidates' agreed and even gave examples. It is important, especially as funding gets more difficult, that the Town and the Schools work together. (Alisa Brewer noted only Amherst officials actually attended these Town official meetings.)

Mr. Weiss sent his written observations to the search committee.

**Annual report status update**, editing is underway. (The report is in line behind the budget and some other major printing projects.)

**Attendance by liaisons:**

Discussion, Gerry Weiss, while attending committee meetings, realized how important attendance is for an SB liaison. Attendance does really improve understanding of what the committee is doing.

Alisa Brewer, citing an existing policy, agrees that attendance is important but it is difficult to schedule at times: Some committees have a lot to do with the SB and maybe attendance is more important, other committees don't have that much to do with SB and maybe it is less important. Each committee has a different relationship with SB.

Diana Stein observed that attending meetings does allow greater understanding and opportunity to clarify SB's needs and position. We can't go to everything but she tries to get to her committees every other meeting. If one never goes, it is hard to understand how the committee works.

Stephanie O'Keeffe notes that while we can encourage attendance it is hard to interpret strictly the requirement to attend. Choosing a committee (to be liaison to) has recently been based on the liaison's schedule to some extent.

Gerry Weiss proposes the SB states that it does matter that we attend our meetings as much as possible.

Alisa Brewer suggests we review the existing document on SB liaisons and she will send a copy to us for discussion next week.

Gerry Weiss pointed out that committees work hard and our presence really shows that we appreciate their effort. DAAC, HRC, COA are not as much in public eye and attending their meetings confirms that we are interested in the issues they are struggling with. We can help bring those issues forward.

Diana Stein noted that the less prominent committees are most appreciative of our presence.

### **Zoning Sub-committee of the Planning Board**

For the 2009 Annual Town Meeting Diana Stein reports that the committee is considering;

Zoning amendment for taxis services

Expanding the municipal parking district, public hearing April 1<sup>st</sup>. The proposal expands the district to the west and north around Kendrick Park.

Alisa Brewer proposed the Select Board encourage a press release from the Planning Board on this issue to engage the broad interest that was voiced in Town Meeting last Fall.

A proposal to modify some minimum area requirements in the Business Districts.

Are working on a proposal to change the zoning near the Dickinson Homestead.

### **CPAC:**

Diana Stein reported on the recent meeting;

The CPA Committee consulted with Town Counsel on various projects to be sure they were eligible for CPA funding. Any signs that have just historical information were found not to meet the legal criteria for funding. Such signs would also have to have to satisfy the preservation requirement.

Most of the other projects under consideration are eligible.

At the next meeting the CPA Committee is voting on the list of acceptable projects to bring forward to Town Meeting.

There was a long discussion about CPA funds: Those funds that are appropriated and not spent for work that is not allowed by the CPA need to be returned to the fund. Money that has been spent on an inappropriate project can not be retrieved.

The discussion with the Town counsel about the appropriateness of each project should reduce lawsuits that stem from CPA funding.

**Committee on Homelessness** is working on getting a single room occupancy shelter in Amherst.

**Budget Audit Committee:** A written report will be coming to the Select Board soon.

**4 Towns meeting** on Saturday, was convened by the School Committee: Alisa Brewer reported that there is some misunderstanding about how bad the budget reductions are. Tier 3 cuts are already required to balance the budget. Each Town is working on finding funding to try to get back to Tier 1 cuts. A lot depends on the Federal stimulus money for education, and more should be known by April 1<sup>st</sup>.

State budget considerations - The hotel and motel tax, in any form, is not likely to be enacted before June  
The poles and wires tax has actually three separate property types, it is not a single tax.  
The UMass Campus Motel doesn't pay the current hotel tax.  
Reimbursement for school transportation helped foster school regionalization but now funding is variable.

Also the School Regionalization group will meet Saturday with other Towns to try and get ahead of the State's likely requirements for towns to regionalize schools at the K- 12 level. (Regionalization might mean collecting together areas with 5000 students, though the discussion on the optimal number is still being considered.)

The meals tax: Stan Rosenberg's Municipal Relief Commission will send an amended bill which will include a local option meal tax of 2% with 1% to stay local and 1% to go to the State for distribution using the lottery formula.

(Stimulus money for chapter 70, education, is likely to be announced in 2 weeks.)

**JCPC's** schedule is available on the website as "Budget Process" link. Currently they are gathering information. They meet Thursdays at 12:15

Last week they looked at the Police and Fire Departments.

This week they will look at Facilities--Town and School Buildings.

Next week is Town and School IT.

**Budget note** – Gerry Weiss reports the SEIU would like all the unions sit down together with the Town Manager to respond to his recent letter asking for cuts in the COLA.

Diana Stein noted the conference room is very hot – one town saved enough money to keep teachers hired by turning down the heat in the schools. She suggested lowering the thermostats/

## **ADJOURNMENT**

VOTED unanimously to adjourn the meeting at 8:38 p.m.

**Next meetings**

3/6 MMA meeting in Belchertown 8-10 am

3/9 (Discussion on funding and implementating the proposed Road Repair Plan road repairs is postponed from this date until stimulus money is clearer)

3/16 Regular meeting

3/23 Regular meeting; DPW issues, Traffic calming plan, Lincoln Ave proposal, Cottage Street parking changes, approve section of Downtown Sidewalk work.

3/30 no meeting

3/31 Annual Town election

Respectfully submitted;

*Aaron Hayden*