

MINUTES

CALL TO ORDER

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

ATTENDANCE

Present: Diana Stein, Gerry Weiss, Stephanie O'Keeffe

Absent: Alisa Brewer, Aaron Hayden

Town Manager Larry Shaffer

Town Staff: DPW Superintendent Guilford Mooring, Planning Director Jonathan Tucker

Members of the Public: Martin Carrera, Phil Jackson, Ruth Hooke

OPENING REMARKS AND ANNOUNCEMENTS

Mr. Weiss announced that Puerto Rican Day would be November 9, 2009, and that there would be the annual proclamation at the next meeting.

Ms. Stein announced that October 24, 2009 would be the International Day of Climate Action.

PUBLIC COMMENT

There was no public comment.

SELECT BOARD'S ACTION

Amherst 350 Day of Climate Action Proclamation

Mr. Weiss read the proclamation.

VOTED: 3 in favor, 2 absent to proclaim October 24, 2009 as Amherst 350 Day of Climate Action.

United Nations Day Proclamation

Mr. Weiss read the proclamation.

VOTED: 3 in favor, 2 absent to proclaim October 24, 2009 as UN Day in Amherst..

Committee Appointments

VOTED 3 in favor, 2 absent, to appoint the following:

- Michael Ash, Public Transportation and Bicycle Committee, for a term to expire June 30, 2011
- John Bamberger, Public Transportation and Bicycle Committee, for a term to expire June 30, 2011

Halloween Street Closure Request

Mr. Jackson spoke about the request and how changes had been made, as reflected in the motion, in consultation with the Police Chief for improved communication and organization over last year.

VOTED: 3 in favor, 2 absent, to approve the closing of Lincoln Avenue and Sunset Avenue on Saturday, October 31, 2009 from 6:30 p.m. - 8:30 p.m. with barricades restricting northbound traffic at Amity and barricades restricting southbound traffic at Fearing, and with the agreement that at least one

resident will be stationed at each barricade wearing a traffic vest, with a flashlight, and a cell phone, and that the police department be given the names of two individuals that can be contacted during the period of the closure should any issues arise.

Taking Positions on Nov. 2, 2009 Special Town Meeting Warrant Articles

Article 14 – Petition – Resolution to Assist in Safe Resettlement of Cleared Guantanamo Detainees

Ms. Hooke explained the history, details and intent of the article, as described in the document provided to Town Meeting members. Ms. O’Keeffe said she appreciated the sentiment behind the article but would vote against it. Mr. Weiss read prepared remarks in support of the article, and Ms. Stein indicated that she would support it.

VOTED: 2 in favor (Weiss, Stein) 1 opposed (O’Keeffe), 2 absent (Brewer, Hayden) to recommend Article 14 – Resolution to Assist in Safe Resettlement of Cleared Guantanamo Detainees.

Article 5 – Street Acceptance – Lawrence Circle

Mr. Mooring explained that all the conditions had been fulfilled by the developer in order for the Town to accept Lawrence Circle as a public way. It was noted that Ms. Stein and Mr. Hayden had attended the street viewing with Town Engineer Jason Skeels.

VOTED: 3 in favor, 2 absent to accept the layout and to recommend Article 5 – Street Acceptance – Lawrence Circle.

Article 6 – Zoning Amendment – Footnote A. Amendment

Mr. Tucker explained the article, which seeks to correct the language of a footnote in the dimensional regulations table. Further details are described in the Planning Board Report to Town Meeting.

VOTED: unanimously to recommend Article 11-- Zoning Amendment – Footnote A. Amendment

Article 7 – Zoning Amendment – Non-Conforming Structures

Mr. Tucker explained the article, which seeks to authorize alterations of properties that are non-conforming in both lot frontage or area as well as in other dimensional requirements, rather than only one of those categories. Further details are described in the Planning Board Report to Town Meeting.

VOTED: 3 in favor, 2 absent to recommend Article 7 -- Zoning Amendment – Non-Conforming Structures

Article 8 – Zoning Amendment – Sign Area

Mr. Tucker explained the article, which seeks to clarify what constitutes the visual display area of signs for size calculation. Further details are described in the Planning Board Report to Town Meeting.

VOTED: 3 in favor, 2 absent to recommend Article 8 -- Zoning Amendment – Sign Area

Article 13 – Zoning Amendment – Green Buildings and Lot Coverage

Mr. Tucker explained the article, which seeks to encourage green roofs and permeable paving by altering building and lot coverage calculations when they are used. Further details are described in the Planning Board Report to Town Meeting. He indicated that parts A & B – the green roofs portion of the article -- would be recommended for referral back to the Planning Board, and Parts C and D, minus the Green Roofs definition, would be proposed. After much discussion, Mr. Weiss said he would abstain from the recommendation, but might support the article at Town Meeting. Ms. O’Keeffe and Ms. Stein indicated that they would support it.

VOTED: 2 in favor, 1 abstention and 2 absent to recommend Article 13 – Zoning Amendment – Green Buildings and Lot Coverage, Part C and Part D minus the Green Roofs definition.

VOTED: 3 in favor, 2 absent to recommend referral back to the Planning Board of Parts A and B of Article 13.

Budget Policy Guideline Discussion

Ms. O’Keeffe presented draft budget policy guideline suggestions for discussion. Mr. Weiss suggested that a policy might address a commitment to maintain human service funding in some capacity. Ms. O’Keeffe said that a policy might request that the Town Manager’s budget come in below the Finance Committee’s guidelines, further reducing the size of Town government, and trying to break the cycle of unsustainable expense. There was lengthy discussion about how to deal with the shortfall in a way that addresses current and future years, and the effect of unpredictable State aid. Mr. Shaffer said it would be helpful for the Select Board to say if cuts should occur broadly across all areas, or if public safety should be protected with deep cuts and elimination of services in other areas. Additionally, he asked for opinions about proportional distribution of the shortfall across the Town, School and Library budgets, versus a different allocation, as well as the expected size of an override question.

Action: Consensus agreement to consider revised draft policy guidelines at the next meeting.

Committee Procedures

Ms. Stein described a suggestion that the new Citizen Activity Form include a question about the applicant’s willingness to maintain electronic archives for the board or committee on which they sought to serve. There was concern that the question might appear to be criteria for selection, and it was felt that the topic would be better addressed by each committee itself.

Action: By consensus, it was decided not to add the electronic archive question to the CAF.

Liaison and Representative Reports

Public Shade Tree Committee: Ms. Stein reported that new downtown trees have not been planted yet, but will be in the spring, and that there are issues about the location of a new tree at Jones Library. Also, a tree inventory grant has been received and an RFP will be issued in the spring.

Agricultural Commission: Ms. Stein reported about possibly needing to revisit the charge to address misunderstandings about the role of non-voting representatives.

Disability Access Advisory Committee: Mr. Weiss reported that a waiver from full ADA-compliant requirements was being recommended for a fraternity undergoing renovation. He said that illegal parking in handicap-accessible spaces, public or private, violates a Town bylaw and is being enforced.

Board of Health: Ms. Stein reported that work continues on smoking regulations, but that H1N1 is the current priority.

Campus & Community Coalition: Ms. O’Keeffe reported that the bylaws subcommittee of the CCC was working on recommendations for Town Meeting to raise the penalties for Keg, Open Container and Noise bylaw violations to \$300, the highest amount allowed by the State. Additionally, a bylaw making public urination a ticketable offense is under consideration. Ms. O’Keeffe also reported that she learned that UMass sophomores will no longer be required to live on campus next year, and noted that the Town needs to be prepared for pressures on local real estate including creation of illegal bedrooms; information to landlords and inspection and enforcement capabilities will need to be increased.

No action taken.

Chair’s Report

Ms. O’Keeffe reported on the following:

- That she would be meeting with representatives of the UMass Student Government Association the following day, and would report back on that meeting
- That she had registered the Select Board team for the AEF Trivia Bee
- That she would be attending the October 27th SAFE graduation and invited others to join her

LICENSES AND PERMITS

Public Hearing – La Veracruzana – Alteration of Premise

Public hearing opened at 6:49 p.m.

Public hearing closed at 6:57 p.m.

VOTED 3 in favor, 2 absent to approve the Alteration of Premise for Veracruz Foods, Inc., d/b/a La Veracruzana, 63 South Pleasant Street.

TOWN MANAGER'S REPORT

The Town Manager reported on the following:

- The status of signage and ongoing efforts to ensure bicycle accommodation and compliance with the Select Board's approval of the 18-month detour for the Governor's Dr./North Pleasant St./Eastman Lane reconstruction project
- The status of the solar panel project for the DPW garage and the landfill: the company withdrew its offer once Federal stimulus funds were reduced and favorable terms to the Town could no longer be met; the landfill will still get the panels, and other options are being sought for the DPW garage
- The planned 5-story multi-use building for Boltwood Place; his support for it; and how its public announcement occurred in the press and not at a Select Board meeting, due to the timing of his surgery and recovery absence
- The status of the "Leah the dog" case: that the family was appealing the Town's decision in court the next day; that Animal Welfare Officer Carol Hepburn would be there; and that whatever decision the judge makes could result in further appeal
- The Sukkot structure erected at Kendrick Park for the Jewish holiday: how it brought interest and vitality to the space, as is his goal with the park; that people learned more about that holiday because of it; and that the timing of his surgery and recovery absence prevented him from informing the Select Board and the community about it at an earlier Select Board meeting
- The arrangements being made to manage compliance with the State's new Conflict of Interest Law and the required testing and certification for all employees, volunteers and vendors
- The recommendation that David Ziomek, Director of Conservation and Development, represent the Town in discussions with Sunderland and Hadley about possibly partnering on developable Sunderland land that has water supply potential (**Action:** *The Select Board approved the recommendation by consensus.*)
- The planned program to solicit ideas from employees and reward the best ones, as a way of gathering input and celebrating employee innovation
- The recent reorganization of the mezzanine at Town Hall
- Budget News: still awaiting details of the Governor's anticipated midyear "9C" cuts to local aid

ADJOURNMENT

By consensus, the meeting adjourned at 9:52 p.m.

-- Respectfully submitted by Stephanie O'Keeffe