

## MINUTES

### CALL TO ORDER

Meeting called to order by Ms. O’Keeffe at 6:31 p.m.

### ATTENDANCE

Present: Alisa Brewer, Aaron Hayden, Diana Stein, Gerry Weiss, Stephanie O’Keeffe

Absent: None

Town Manager Larry Shaffer

Town Staff: Assistant Town Manager/Finance Director John Musante, Planning Director Jonathan Tucker

Members of the Public: Terry Forest, Anthony Monette, Stephanie Santos

### PUBLIC COMMENT

Terry Forrest expressed concerns about the ability of people in wheel chairs to get on and off the PVRTA buses at several downtown stops, due to mailbox placement, sidewalk construction and winter snow.

Mr. Shaffer suggested that Mr. Forrest contact him directly, and that he would look into the issues.

### SELECT BOARD'S ACTION

#### **Puerto Rican Day Proclamation**

Mr. Weiss read the proclamation. A ceremony will be held in the Town Room at noon on November 9th, followed by the raising of the Puerto Rican flag at 1:00 p.m.

**VOTED:** unanimously to proclaim November 19, 2009 as Puerto Rican Day and to permit the Puerto Rican flag to be flown from November 9, 2009 to November 25, 2009.

#### **Citizen Activity Form Update**

Ms. Stein suggested two revisions to the CAF: inclusion of information about the new Conflict of Interest law training requirement, and a question about applicants’ willingness to manage electronic committee archives. **Action:** By consensus, the former was approved with amendment, the latter was rejected.

#### **FY10 1<sup>st</sup> Quarter Budget Update**

Mr. Musante presented the quarterly budget update, as described in his October 23, 2009 memo to the Select Board “FY10 Municipal Budget/Actual Report for Quarter Ending September 30, 2009.” He answered questions from members and indicated that revenue and expenditures are tracking appropriately. Information on pending mid-year “9C” cuts by the Governor is the key concern.

**Action:** No action taken.

#### **Designation of Staff Liaison to State Ethics Commission**

Mr. Shaffer explained that the newly expanded Conflict of Interest law requires designation of a senior level employee to manage compliance with the law, i.e., assuring that required information is provided, and that certifications are acquired, filed and kept up to date for all applicable individuals. He said that individuals should not embark on certification until more information is provided by Town Hall as to the

correct procedures; group training and testing may augment individual on-line testing.

**VOTED:** unanimously, consistent with Mass General Law Chapter 268A, to designate Sandra Burgess, Amherst Town Clerk, as Liaison with the State Ethics Commission.

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

#### **Article 9 – Zoning Amendment – Medical Offices**

Mr. Tucker explained the article, which seeks to better classify different sized medical practices and to regulate where they can locate, based on those classifications. Additional detail is provided in the Planning Board Report to Town Meeting. Questions were raised about article particulars, the wording of the expected motion, and the status of information provided to Town Meeting members. Mr. Shaffer said he would check to see if an additional mailing of materials might be feasible. Support was expressed for the article by three Select Board members and Mr. Shaffer. Mr. Weiss indicated that he would abstain because he wants to hear more discussion of the minority reports at Town Meeting, and said that he might end up supporting the article. Ms. Stein indicated that she would abstain because she wanted to go over the motion language more carefully, and said that she might end up supporting the article. Mr. Hayden will speak to the article at Town Meeting.

**VOTED:** 3 in favor (Brewer, Hayden, O’Keeffe) 0 opposed, 2 abstentions (Weiss, Stein) to recommend Article 9 -- Zoning Amendment – Medical Offices

#### **Article 10 – Zoning Amendment – Phased Growth Sunset**

Mr. Tucker explained the article, which seeks to add one year to the expiration of the phased growth sunset, in anticipation of the nearly-finished Master Plan. Additional details are available in the Planning Board Report to Town Meeting. Mr. Hayden will speak to the article at Town Meeting.

**VOTED:** unanimously to recommend Article 10 – Zoning Amendment – Phased Growth Sunset

#### **Article 11 – Zoning Amendment – Neighborhood Business (B-N) District**

Mr. Tucker explained the article, which seeks to create a transitional district with residential and low-intensity business use. Additional details are provided in the Planning Board Report to Town Meeting. Mr. Hayden will speak to the article at Town Meeting.

**VOTED:** unanimously to recommend Article 11-- Zoning Amendment – Neighborhood Business (B-N) District

#### **Article 12 – Zoning Amendment – Depot Center Rezoning**

Mr. Tucker explained the article, which seeks to rezone multiple properties in the area of Main, Dickinson and High Streets, to better reflect the actual and desired mix of residential and business uses there. It relies in part on the new zoning district proposed for creation in Article 11. Further details are described in the Planning Board Report to Town Meeting. Mr. Hayden will speak to the article at Town Meeting.

**VOTED:** unanimously to recommend Article 12 -- Zoning Amendment – Depot Center Rezoning

#### **Designation of Speakers for Other Articles**

Speakers were designated for the articles considered at the 10/19/09 meeting:

Article 5 – Street Acceptance – Ms. O’Keeffe

Article 6 – Zoning Amendment -- Footnote A – Ms. Brewer

Article 7 – Zoning Amendment – Non-Conforming Structures – Ms. Stein

Article 8 – Zoning Amendment – Sign Area – Ms. Stein

Article 14 – Petition to Assist in the Safe Resettlement of Cleared Guantanamo Detainees – Mr. Weiss

#### **Budget Policy Guideline Discussion**

Ms. O’Keeffe presented a new draft of a budget policy document, “Proposed Budget Policy Guidelines,”

dated 10/26/09. Ms. Stein offered written edit suggestions, and other revisions were discussed. Four members expressed support for a statement identifying recreation and senior services as part of the Town's core and the need to not eliminate those; Ms. Brewer said that she wasn't ready to spare any potential cuts except perhaps to Public Safety. There was a constant refrain about the scale of anticipated cuts, the necessity of an override, and the need to be explicit about what would be lost if an override were to not pass. The draft policy document had general approval, and Ms. O'Keeffe will incorporate suggested revisions and revisit the statement on reserve use for presentation and perhaps final approval at the next meeting. It was agreed that the issue of questions to Department Heads would be pursued separately from the policy guidelines, and discussion of those draft questions was postponed until the next meeting. There was discussion about how consideration of any potential redistribution of cuts among the budget areas -- thus departing from proportional distribution -- might occur, and it was agreed that the topic would be taken up with the Finance Committee Chair.

**Action:** Consensus agreement to proceed as described.

### **Report on Official Visit to Kanegasaki, Japan**

Mr. Hayden thanked those who helped him to prepare for the Kanegasaki trip celebrating Amherst's Sister City's thirty year anniversary as a community of lifelong learning. He briefly described meetings, events and travels, and shared photos. He identified areas of possible expansion in the relationship between Amherst and Kanegasaki, to be discussed with the Kanegasaki Sister City Committee, and said that he and Nancy Pagano were considering options for presenting a more in-depth presentation and slide show to a wider audience.

**No action taken.**

### **Liaison and Representative Reports**

**Puffers Pond 2020:** Mr. Hayden reported on the success of a recent public forum to gather thoughts and ideas about Puffers Pond, and noted a second such forum to be held the evening of October 29, 2009.

**Committee on Homelessness:** Mr. Weiss reported that response to an RFP seeking winter emergency shelter was productive but inadequate, and potential warming shelter options are also being considered.

**250<sup>th</sup> Anniversary Celebration Committee:** Ms. Brewer reported that tickets are now available for the December 5<sup>th</sup> gala. They are \$50 each and can be purchased online, at Hastings, and other locations.

**No action taken.**

### **November and December Meeting Dates**

The following meeting dates for November and December were agreed to by consensus:

November 9th (6:15 p.m. start time,) and 23rd; December 7th and 21<sup>st</sup>

Wednesday meetings scheduled before Town Meeting sessions will be confirmed or cancelled at the Monday meeting prior. All additional meeting dates scheduled for pre-Town Meeting sessions will be cancelled upon the completion of Town Meeting.

### **Chair's Report**

Due to the late hour, the Chair's Report was postponed until the next meeting.

### **Calendar Preview**

Other upcoming events were noted: 10/30 MMA Legislative Breakfast in Deerfield; 11/8 Senate candidate forum at UMass.

## **LICENSES AND PERMITS**

### **New Lunch Cart License – Mo Mo's Wild Dogs**

**VOTED** unanimously to approve the new Lunch Cart License for Mo Mo's Wild Dogs, business address 135 Wilson Street, Spencer, MA, manager: Anthony Monette, including the extended hours of

10:00 p.m. to 2:00 a.m., Tuesday through Saturday.

**New Taxi Driver/Chauffeur License – Stephanie Santos**

**VOTED** unanimously to approve the New Taxi Driver/Chauffeur License for Stephanie Santos, 119A Brittany Manor Drive, Amherst, MA.

**TOWN MANAGER’S REPORT**

The Town Manager reported on the following:

- The upcoming (10/27) SAFE graduation he planned to attend
- The Town’s notification that its “mini entitlement” status with the Community Development Block Grant Program has been secured for two more years.
- The upcoming (10/30) Halloween Parade, which he planned to participate in, in costume
- Mr. Tucker’s meeting in Storrs, CT as part of Amherst’s “Knowledge Corridor” strategy, where Storrs’ Town officials supported seeking an AMTRAK stop on a line extending to New London
- PVRTA’s commitment to provide five bus shelters for the Rte. 116 stretch Federal funds will pave by next spring; Guilford and the PTBC will consider optimal locations for the shelters
- Last week’s court appeal regarding Leah the dog, with a decision from the judge expected soon
- No update yet on the new free parking spaces; will report back on that soon
- Budget news: awaiting word on 9C cuts; preparing to give Department Heads guidelines on the percentage cut necessary for drafting FY11 budgets; and the Select Board will be updated soon in Executive Session about plans for collective bargaining

**No action taken.**

**ADJOURNMENT**

By consensus, the meeting adjourned at 10:19 p.m.

-- Respectfully submitted by Stephanie O’Keeffe