

MINUTES

CALL TO ORDER

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

ATTENDANCE

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

Absent: None

Town Manager: Larry Shaffer

Assistant Town Manager: John Musante

Members of the Police Department: Chief Livingstone and Captain Gundersen

Members of the Public: Yajaria Garay, Mark Parent, Leslie Arriola, and Jeffrey Blaustein

OPENING REMARKS/ANNOUNCEMENTS

The following were announced:

Ms. O'Keeffe: There would be an executive session immediately following the Select Board meeting to discuss collective bargaining.

Ms. Stein: Tomorrow, Tuesday January 26th the League of Women Voters of Amherst is presenting a program entitled "Is Amherst Ready for a Major Emergency?" in the Town Room with refreshments at 7 p.m. and talks by Mr. Shaffer and Mike Zlogar at 7:30 p.m.

Ms. O'Keeffe: The Four Towns Meeting scheduled for 1/30/2010 will likely be delayed until February 6th but at the same time and location (9-11a.m. at ARMS).

Ms. O'Keeffe: The Planning Board Master Plan Forum will be held on Feb. 3 at 7:05 p.m. in the Town Room.

Mr. Weiss: The Budget Coordinating Committee (BCG) will meet Tuesday at 11:30 in the 1st floor meeting room and the meeting will be taped and shown by ACTV.

Ms. Brewer: She and Ms. O'Keeffe attended the MMA meeting on the weekend, and she distributed materials from the meeting to the SB. Ms. Brewer noted that there were clarifications of the Open Meeting Law and that posting the meetings and the agendas were critical points to follow.

Ms. Stein noted that Mr. Eddings observed that many minutes and agendas were not posted on the web site and

Ms. O'Keeffe noted that Ms. Streeter had also provided materials noting the same, that we had tried to address this with a letter to each committee and then having liaisons follow up with their committees. We will address this again next week.

PUBLIC COMMENT

Presentation of the Cooley Partnership Award

Chief Livingstone announced that he and Captain Gundersen were there to present the first (?) Cooley Partnership Award (2009) to Scott Merzbach of the Daily Hampshire Gazette and the Amherst Bulletin. Chief Livingstone noted that relationships between police and press are not always good but that ours are excellent. Captain Gundersen read the award which noted among many favorable attributes Mr. Merzbach's dependable and articulate voice.

Town Commercial Relations Committee (TCRC) Report

The report was presented by Mark Parent, Leslie Arriola and Jeffrey Blaustein.

In an effort to understand complaints about the permitting process, TCRC members attended eight Zoning Board of Appeals (ZBA) Meetings and two Design Review Board (DRB) meetings. They found both to be respectful and sensitive to the petitioners but noted that the meetings could be more efficiently run with less repetition. They recommend a number of actions—modeling efficient meetings, training and appropriate behavior. They recognized that the ZBA and the DRB were trying their best, thanked them for their service and looked forward to helping improve the process and reversing public opinion. Mr. Parent is now a member of the ZBA and can help with this.

Mr. Hayden stressed how important it is to have people serve on Town Committees.

Mr. Shaffer noted that some training is available through the Town Lawyer and Ms. O’Keeffe said that the Planning Board does get training about their jurisdiction. Saying no is hard and leads to some repetition as Mr. Hayden said. Mr. Parent suggested that groups could learn from watching the Select Board!

SELECT BOARD'S ACTION

FY 11 Budget Priority Cut List

Discussion:

Ms. O’Keeffe reminded all that our last meeting was when the budget was proposed by Mr. Shaffer, that the full budget has since been given to the SB and that it is available on line. The cuts list has two parts. The first page of cuts totals \$570,211 and those cuts will be made even if there is an override. The second page totals \$896,513, and the services that these cuts represent may be proposed in whole or in part for an override.

The Select Board then questioned several specific line items. Ms. Stein wondered why the amount workers paid for health care is so much higher than it used to be. Mr. Musante referred us to his Health Report but noted that premium share had increased and so had various co-pays, including those for drugs. Mr. Weiss noted that the Governor’s proposal to keep local aid level funded was encouraging. However, Mr. Musante said that this is just a proposal and that the legislature often does not follow the Governor’s recommendations. To be conservative, a 5% reduction in local aid will be assumed rather than the 10% previously used or zero %. Ms. Brewer noted that the outsourcing of email was a wished for item, rather than one really cut from our cut list and Ms. Stein said the same item had appeared last year as well.

Mr. Weiss reported that only the Library had so far voted on cut lists and priority for saving; the others had not yet voted on cut order. He also inquired about the cut of the Public Health nurse hours, to which Mr. Shaffer said the new director was a public health nurse and could help with that service. And Mr. Weiss asked about the loss of the Sports Program Management Assistant. This will be a permanent cut as LSSE needs to be more self-supporting. The assistant was offered another position but is leaving to take a Masters degree. Another point raised was the projected reduction in utilities. Some of this is conservation due to changes made by Ron Bohonowitz at Bangs, the garage and the police station; some is due to the large drop in gas and oil prices.

Mr. Weiss said that there was much finger crossing about aspects of the budget. Mr. Shaffer noted that all budgets are estimates, noting a warm winter saves on snow removal etc. Another concern was removal of the labor relations negotiator. Ms. Brewer said that would be a shame as it is good to have a buffer between management and workers and that the negotiator provides such. Mr. Weiss commented that the customer assistant loss to the Collector would be the third loss in 3 years. Mr. Musante agreed, said people are still necessary but that technology increases had helped mitigate the impact here. Lines are longer, however. It was noted that the loss of the customer assistant in the Town Clerk’s office is problematic in that it would cut the staff from 3 to 2—a large percentage drop. It also

results in a \$13,000 loss in revenue to the Town as passports will not longer be available, losing the fees associated with providing this service.

Funding subsidies for kids from families with lower income for summer and after school programs will be applied for through a Community Development Block Grant. The Town budget pays for some of this. Mr. Weiss felt that subsidies were so important that if the money was not obtained, Amherst should not have LSSE. Mr. Weiss also asked about the number of police, which was larger in the budget book. The discrepancy is because the budget sheet is dealing only with uniformed police and not other personnel. There were 48 uniformed police in FY 09, 45 in FY 10 and projected to lose one more in FY 11 with a reduction to 44. Discussion about a 50% reduction of street lights included that some folks already pay for having a street light near their house and that others could adopt a street light if they wished to pay for it also.

VOTED unanimously to move the 50% reduction in street lights to top of the cut list—i.e. it would be the first of the optional cuts made saving \$48,422 and to switch the positions of the LSSE Special Activities and LSSE Customer Assistant- Registrar, making Special Activities a higher restoration priority.”

COMMITTEE APPOINTMENTS

VOTED unanimously to appoint Marcia Rossi Wise to the Public Art Commission for a term to expire June 30, 2013.

VOTED unanimously to appoint Michael Giles to the Committee on Homelessness for the unexpired terms of Stanley Maron to expire June 30, 2010.

LICENSES AND PERMITS

New Taxi Driver/Chauffeur License – Vajaria Garay

VOTED unanimously to approve the new Taxi Driver License for Yajaria Garay, 491 Bridge Road, Florence, MA 01062.

Special Wine & Malt License - Cherry Hill Golf Course

VOTED unanimously to approve the Special Wine & Malt License for Cherry Hill Golf Course for February 6, 2010 from 12:00 p.m. – 7:00 p.m. for Winterfest 2010.

TOWN MANAGER'S REPORT

Amherst College Gift to the Town - Mr. Shaffer reported that Amherst College had given \$90,000 to the Town and this more than covers the cost of the ambulance service to the college. In the past two years and two months, the college has given \$320,000 to the Town, and we are very grateful.

Emergency Preparedness Event on Jan 26 at 7 p.m. - Mr. Shaffer discussed the League of Women Voters of Amherst event. Mr. Shaffer, Assistant Fire Chief Mike Zlogar, Director of Emergency Preparedness, Julie Federman, Health Director and Lieutenant Robert O'Connor of the Police Department will give and update on the status of emergency preparedness in Amherst and answer questions from the audience.

Amherst Rotary Gift of Two Ice Rescue Suits -These are for the fire department and Mr. Shaffer expressed thanks on behalf of us the Town.

Fire Department Contract. Mr. Shaffer said that the Union will vote on February 10th, and he is pleased that they are close and hopes the contract will be ratified.

Tan Brook Condominium Complaints – A letter forwarded to the Select Board about a number of

problems had been written on December 21, 2009 and was not answered promptly by Inspector Bonnie Weeks. Mr. Shaffer noted that the issue was complicated but that the issues are being addressed and that the Town should have communicated sooner with the President of the Condominium Association Board of Trustees. It will do better in the future.

Second Round of Meetings with Town Staff He met for second round of talks with employees. These are difficult times, and he wants to try to maintain morale.

Amtrak Ridership in Amherst - The ridership from the Amherst Station is up 7%, while it is down in many other stations. This suggests we are a viable station.

Zoning Sub Committee – Mr. Shaffer brought a proposal to rezone a property on University Drive from Office Park to Light Business (B-L) for affordable housing and they will take it under advisement.

Permanent Parking Plan Amherst College - TCRC voted unanimously to support the parking plan proposed by Amherst College, and the proposal will go before the Parking Task Force for a recommendation before coming to the Select Board.

Western Mass Economic Council – Mr. Shaffer noted the severe revenue issues suffered by Cowls and the suitability of that space for energy-related business for that space.

MEMBER REPORTS

Budget Coordinating Group – Ms. O’Keeffe said that this group, with representatives from the Select Board, Finance Committee, the Library, the Schools, the Town Manager and the Assistant Town Manager, represents shared priorities across the community. They are working on the size and structure of the override proposal, hope to have it ready for the February 8th or a possible February 12th Select Board Meeting, as the final language must be in the Town Clerk’s office by February 16th. BCG will try to identify and address common questions about the Town, School and Library budgets, to help inform people in advance of the override vote March 23rd.

Community Preservation Act Committee – Ms. Stein reported some projects that have been dropped, (see www.amherstma.gov/cpa for the project list) the cost of another had increased due to grant possibilities and the amount of money available is more that ¾ of a million, as some previous voted funds will not be used as planed. Ms. Brewer added that the next meeting is Feb. 4th and the public hearing for the projects is Feb. 18th. The Select Board’s primary interest in the CPAC proposals and process was to ensure that any capital requests received due consideration for CPA eligibility. The consensus was that the Board is satisfied that such consideration has occurred, and we don’t expect to weigh in again prior to offering a recommendation on CPAC’s proposal to Town Meeting.

Fire Chief Selection – Mr. Hayden praised the selection committee for their many hours of volunteer service, including a long and full day of interviews of 6 candidates. The top choice had 7 first place votes and background checks etc. are being conducted. Many thanks are due to this hard-working committee.

Formation of a Housing and Community Development Committee - Mr. Weiss and R. Rosenblatt suggest that combining FH/HP, COH and CDC into one larger committee with subcommittees to work on specific projects would save staff time and avoid overlapping issues. This will be discussed by the three committees involved.

Disability Access Committee – Mr. Weiss reported that the DAAC needs new members.

Homeless Warming Shelter – Mr. Weiss said this is a complete success sheltering now 10-12 persons a night. Many thanks to Kevin Noonan and the other volunteers. The Police report NO problems.

TMCC – Mr. Hayden reported that there are 18 vacancies on various committees and TMCC recommends posting them on ACTV, announcements at the SB and putting out literature. The committee is investigating electronic voting, which though expensive, might have cost offsets.

Puffer’s Pond Committee – Mr. Hayden said they will soon have a draft of their recommendations for the Conservation Commission. Students at the Landscape Architecture and Regional Planning program at UMass will present ideas on landscaping.

Energy Task Force – Ms. Stein reported that there will be a Sustainability fair that will combine Earth Day, the Energy Fair and Arbor Day into one celebration in March and businesses are invited to participate.

Public Transportation – Ms. O’Keeffe said that there are new laws on bike safety, that the Police Department is informing drivers and bikers and is distributing front headlights. Activities of the PTBC are being reviewed for inclusion in the Town’s Commonwealth Capital application. A grant will help fund these.

Our Commonwealth Capital score (which is high) on sustainable practices increases eligibility for funding, which encourages walking, biking etc.

Campus Coalition – Ms. O’Keeffe reported that they think the penalties for violating the Open Container, Keg Licensing and Noise bylaws should all be increased to the State-allowed maximum of \$300. The consensus of the Select Board was that we should support this and have a public hearing at the end of February on this change.

Minutes of Committees – Both Mr. Kevin Eddings and Ms. Mary Streeter has noted that many committees are not posting agendas and minutes in a timely way and Ms. O’Keeffe said that we had sent a letter about this many months ago to the various committees. She also noted that we do not have enough SB members to provide a liaison to every committee that would like one. We will discuss this further at our next meeting.

CHAIR’S REPORT

Town Counsel Use – Ms. O’Keeffe said that she wanted us to have a shared understanding about the use of Town Counsel. Mr. Hayden said that he sent a letter directly about information needed for the work on Puffer’s Pond. Ms. Stein said that the one case where she used Town Counsel, she cc’d the Town Manager and that for ethical issues the Office of State Ethics. It was generally agreed that the Town Manager should be consulted on large issues before engaging Town Counsel, while cc’ing the Town Manager on communications about smaller issues would be adequate.

ADJOURNMENT

The meeting adjourned for good at 9:50 p.m. to an executive session after a unanimous roll call vote.

-- Respectfully submitted by Diana Stein