

**SELECT BOARD MINUTES**  
Monday, March 7, 2011 – 6:30 p.m.  
Town Room, Town Hall

In attendance:

Alisa Brewer, Aaron Hayden, Stephanie O’Keeffe, Diana Stein, Jim Wald, John Musante (Town Manager)

Others presenting: Claire McGinnis (Town Treasurer), David Eisenthal (UniBank), Anne Woodbridge (Chair Amherst Arts Council), Tony Maroulis (Chamber of Commerce), Sandy Pooler (Town Director of Finance),

**Taxi License – David Cutler for Green Transportation**

Diana Stein moved to approve the new Taxi Driver/Chauffeur License for David Cutler, 24 West Main Street, #343, Clinton, CT 06413 with the Green Transportation Taxi Company.

Aaron Hayden seconded and the motion carried with 4 yes and one absent.

**Special Wine & Malt Liquor License – Brenda Ryan Newton for UMass Amherst Campus Ctr.**

Diana Stein moved to approve the Special Wine & Malt Liquor License to **Brenda Ryan Newton on behalf of UMass Amherst Campus Center**, Amherst, MA for Wednesday, March 16, 2011 from 5:00 p.m. – 9:00 p.m. at the Conte Building, UMass Amherst for a reception.

Aaron Hayden seconded and the motion carried with 4 yes and one absent.

**Special Wine & Malt Liquor License – Brenda Ryan Newton for UMass Amherst Campus Ctr.**

Diana Stein moved to approve the Special Wine & Malt Liquor License for Brenda Ryan-Newton of the University of Massachusetts for Thursday, March 17, 2011 from 5:00 p.m. – 8:00 p.m. at the Integrated Science Building, UMass, Amherst for a reception.

Aaron Hayden seconded and the motion carried with 4 yes and one absent.

**Committee Appointments**

Diana Stein moved to **confirm the Town Manager’s appointment** of Johannes Brongers as a Munson Memorial Building Trustee for a term to expire on June 30, 2013.

Aaron Hayden seconded and the motion carried with 4 yes and one absent.

6:45 Issuance of Bonds – Road Paving (\$4.5M) and Hawthorne Property (\$500K): Ms. McGinnis and Mr. Pooler presented the bonds and described the lending process.

John Musante noted that Town Meeting approved this borrowing for road improvements and for purchasing the Hawthorne property. The Hawthorne property will be paid off with CPAC funds, and the road bond will be paid from revenue. The low interest rate of 2.21% was lower than expected from 10 bidders. The Standard & Poors credit report was a strong third party endorsement of the Town’s fiscal policy and health which helped attract the bidders and low interest rate.

Claire McGinnis outlined the process including two short term notes that are being rolled over since they are not ready for long term borrowing.

Stephanie O’Keeffe noted these short term notes were not clearly on the agenda and wanted to check whether it was appropriate to act on them now.

David Eisenthal (UniBank) pointed out that the Select Board was not voting whether to certifying the notes, we're just our signing them. It is only a technical requirement to issue previously approved (by Town Meeting) debt, it was not a new decision.

Alisa Brewer concurs that this is not changing anything, we are not deliberating at all. And the memo from UniBank describing the notes is part of the public notice and is on line. The notes each support a specific activity, the Select Board was authorized by Town Meeting to take these loans. The short term loans that are being prepared for a longer term instrument are

- \$220,000 for portable classrooms authorized at a November 2007 Special Town Meeting
- \$180,000 for the roof and interior renovation of the South Amherst School authorized at the May 2010 Annual Town Meeting

The long term loans we are approving

- pay for major repairs to the roads and begin to reduce the backlog of paving repairs
- purchases the Hawthorne property

Diana Stein moved that the sale of the \$5,000,000 General Obligation Municipal Purpose Loan of 2011 Bonds of the Town dated March 15, 2011 (the "Bonds"), to First Southwest Company at the price of \$5,176,223.50 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on November 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2011	\$500,000	2.00%	2016	\$500,000	2.75%
2012	500,000	3.00	2017	500,000	3.00
2013	500,000	2.00	2018	500,000	3.00
2014	500,000	2.50	2019	500,000	3.00
2015	500,000	2.50	2020	500,000	3.75

**Further Voted:** to approve the sale of a \$400,000 1.01 percent General Obligation Bond Anticipation Note of the Town dated March 16, 2011 and payable March 16, 2012 (the "Note"), to People's United Bank at par and accrued interest, if any.

**Further Voted:** that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated February 15, 2011, and a final Official Statement dated March 1, 2011, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

**Further Voted:** that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver continuing and significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Notes, as applicable, for the benefit of the holders of the Bonds and Notes from time to time.

**Further Voted:** that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Aaron Hayden seconded and the motion carried with 4 yes and one absent.

All the details of the projects and borrowing are on the Town website in several places.

#### 7:00 (7:10) **New Parking Machines and Parking Rates**

Mr. Musante presented a proposal for a new parking meter system that we will vote on at our next meeting. A lot of time was spent looking at our parking system and thinking about making it and our Downtown more attractive. Special thanks to Tony Maroulis, Peggy Roberts, John Coull and Stephanie O’Keeffe for helping out. The new equipment considered would reduce our maintenance and operating costs. Mr. Musante also presented a slide show with details of the system and its benefits.

Tony Maroulis was pleased that he and the Chamber of Commerce were part of the discussions on the proposal. The proposal goes a long way to improving the long standing problems with parking downtown and will be a real asset for visitors. There is also support for making the fees more uniform.

Stephanie O’Keeffe observed that with the new system there is the capability of collecting data that can help guide further parking improvements.

Alisa Brewer suggested we may be considering a policy change; for instance the proposal will make feeding the meter easier. Also the different policies of paying for parking until 6 pm on the streets and 8 pm in the lots might be part of the policy considerations. This would affect the two metered public parking “lots” shown on the parking map that are really parking “areas” since they have parking meters and the 6pm ending time. These areas were not mentioned in the proposal.

The location of the numbering bollards is important for ADA compliance and street maintenance; too small posts will be more easily damaged than the meters are now. And where there aren’t meters already, there needs to be a discussion about the location for the new bollards so they don’t present an obstruction to pedestrians generally and pedestrians with disabilities.

Diana Stein is concerned with snow obscuring the numbers. If they are as tall as parking meters they’ll be fine but anything shorter might get buried.

John Musante noted the lengthy discussion in the ad-hoc committee on this and that in the heavy snow sometimes even meters get buried.

Diana Stein also wanted to know about the financing since the system is more expensive than what is in place currently.

John Musante replied that the costs will be offset by the avoided cost of maintaining the current old machines as well as the higher fees.

Stephanie O’Keeffe noted a common comment she has received was about people who were discouraged from staying in Town and purchasing more goods and services because their parking meter time was almost up and they had to leave.

Diana Stein noted that we will keep the free 15 minute parking spots.

Stephanie O’Keeffe spoke of the complex issues around parking and how many opinions there are and that this change is as small as possible, really about the way we pay only, the other policies won’t change.

John Musante thanked Claire McGinnis, Guilford Mooring and Kris Pacunas for their work in supporting the project.

**7:25 Amherst Cultural Council – Request to Amend Charge to Increase Membership:** Anne Woodbridge, Chair of the ACC, presented the requested change and particularly noted the increased work the committee is carrying to support hundreds of requests for grants and outreach into the schools and community. The Committee must follow State Cultural Council guidelines and timelines to secure grants and is working with the community to find out what they feel is important. The ACC is working to attract a diversity of performances. The Amherst Cultural Council is known by the State Cultural Council for its success and good work.

Next year the ACC would like to do even more publicity and outreach at the same time. The period between submitting grants and awards is shorter and so more intense. The more members they have the more effective they can be at doing their job.

Diana Stein pointed out that the charge has been re-written to conform with the States rules on cultural councils.

Alisa Brewer also noted to the Select Board that the descriptions of the committee has been made to conform with the new town guidelines. She also asked, for completeness, that the enabling regulation (962 CMR 2.00) be included on the charge since the work of this council is controlled by the State and even though Town Meeting established it.

Diana Stein moved to approve the charge for the Amherst Cultural Council as amended and increasing the membership from seven to nine members.

Aaron Hayden seconded and the motion carried with 4 yes and one absent.

### **7:50 Consider Draft Statement in Support of Olympia Oaks**

Stephanie O’Keeffe would like to bring a statement of support from the Select Board to the CDC’s March 24<sup>th</sup> meeting. A comprehensive permit is an approval from the ZBA which expedites the process of getting all the approvals lined up for a housing project.. There are many ways to invoke the 40B rules for comprehensive permits, in this case the Town is asking for it.

John Musante noted the ZBA will review and needs to approve the project.

Stephanie O’Keeffe read a statement of support for this permit:

Amherst has long identified affordable housing as a critical need and an expression of community values. For more than 20 years, creating quality affordable housing on this Olympia Drive site has been a goal, one affirmed and reaffirmed through multiple Town Meetings votes. Propositions like these are a long time in the making, as this one certainly has been. Granting a comprehensive permit would be a way to maintain necessary prudence by the ZBA without adding unnecessary delay to a project which has long had overwhelming community support.

The Select Board strongly supports the comprehensive permit application.

Diana Stein moved to approve the statement of support for HAP’s 40B application for a Comprehensive Permit for the Olympia Oaks housing project on Olympia Drive.

Aaron Hayden seconded and the motion carried with 4 yes and one absent

**7:45 (8:10) Town Manager's Report**

Plan for Solar Panels at Former Landfill  
Gateway, Kendrick Park and North & South Amherst Visioning  
Pot Hole Season  
Report on Meeting with Farmers Market Representatives  
Recent & Upcoming Activity

**8:05 (8:35) Discussion FY 12 budget**

John Musante described some of the complex background that supports this list (of recommended adds) that is list above the level funded budget. The highest increase in the budget that we might expect to bale to present to Town Meeting this Spring is about 2.1%

The individual line items were discussed as to what they are, how the decisions could be made regarding them if the expected state aid that would support them doesn't materialize and their priority on this list.

We would like more information in the Budget Book to be able to compare the individual items on the Restoration List to. This is the type of information that we would need to be able to make the (difficult) decisions on priorities. Now we can only suggest broad areas to suggest for the restoration or cut list.

This list is the Town Manager's suggestions and represents his best estimate of the size of the pie. The 2.1% is a very reasonable suggestion especially as it follows a recent 11% cut in the Town budgets.

Stephanie O'Keeffe reviewed the BCG summary points for background to our discussion.

The priorities for the adds, slightly different than the original list start with putting back overtime for emergency services, needed facility maintenance and veteran's services we are likely to be obliged to support anyway. Next are new positions for Energy Coordinator, Building Inspector, support for a CDBG administrator and a Parks and Recreation area supervisor.

**8:30 (9:50) Member Reports**

Liaison and Representative Reports:

Alisa Brewer announced an open house at the homeless shelter;a public hearing on the Hawthorne property and that the CDC is considering a new charge.

Diana Stein reported the CPAC meeting was cancelled for lack of quorum; and the LWV Women's health forum on 3/12.

Aaron Hayden announced the middle school children from Kanegasaki will be visiting Amherst starting March 23<sup>rd</sup>.

Stephanie O'Keeffe announced 3/12 Monte Carlo night at Valentine to support ARHS sports and 3/10 Summit Hse porch repair.Hadley Sr Ctr.

**OTHER ITEMS:**

Posting Draft Minutes:

Diana Stein noted that there could be a great deal of time between a meeting and when minutes get approved.

Alisa Brewer thought it would be helpful to post draft minutes

Stephanie O’Keeffe thought that draft minutes would be confusing to interpret.

Diana Stein said that their being clearly marked draft could work to avoid the confusion.

Alisa Brewer wondered what the process would be to put the draft on line and how to decide they when the minutes are ready enough?

Aaron Hayden noted that the most difficult part of the minutes to get right is the nuanced discussion and forming opinions may not be ready for publication until the Select Board has checked to see that the interpretation is correct. Hastily published minutes could leave people with an incorrect impression that is often hard to get back. There are elements of the meeting that are easier to capture and could be put on the web sooner, decisions, decision points, letters accepted and the like.

It is important for the Select Board to identify what is needed from hasty unchecked unofficial minutes.

Diana Stein thought the public could skim down through a draft to find what they were interested in hearing on a replay.

Aaron Hayden noted that an agenda with corrected times would provide this information.

Stephanie O’Keeffe noted that getting the minutes done at all is tough and proposed that the secretary (pro-tem) should decide when they are ready and to send them to the office as draft for a trial run.

#### CALENDAR PREVIEW

3/14: Empty Bowls – Survival Center Fundraiser, starting at 4:00 p.m. at The Pub

3/21: SB Mtg: Update on Bylaw/Code Enforcement Issues in Neighborhoods

3/29: Annual Town Election

April SB Meetings: 4/4 (6:00 for Lib Trustee selection), 4/11, 4/20 (Wednesday, @ APD Community Room) and 4/25

4/9: Senator Rosenberg’s Municipal Conference – Clarion Hotel, Northampton


10:01 The meeting was adjourned

Comments and corrections encouraged,

Respectfully submitted;


Aaron Hayden


List of Documents at the Meeting and available on line in 2011-03-07 Packet:















 [12 Transportation-revised 03 03 2011](#)

 [AM CULT COUN 2-24-11 Rev 3](#)

 [BCG Summary Points](#)

 [Comments on Handbook](#)

 [committee appt confirmation](#)

-  [Cultural Council Charge \(old\)](#)
-  [Farmers Market Update](#)
-  [FY 12 Cherry Sheet Estimates](#)
-  [Motions 03-07-2011 FINAL](#)
-  [Parking System Upgrade Select Board Presentation](#)
-  [S and P conf call presentation](#)
-  [S andP Report - February 2011](#)
-  [SB FC memo rating and rate](#)
-  [Selectboard letter](#)
-  [Selectmen Vote Bonds 3\\_11 Amherst](#)
-  [Special Liquor Licenses](#)
-  [Stmt of Support](#)
-  [taxi driver 03.07.11](#)
-  [TM FY 12 Prioritized list for budget restoration](#)