

**SELECT BOARD MINUTES**  
Monday, March 21, 2011 – 6:30 p.m.  
Town Room, Town Hall

**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, Jim Wald

Town Manager: John Musante

Members of the Public: Nancy D’Amato (Garden Club), Police Chief Scott Livingstone, Health Director Julie Federman

**OPENING REMARKS and ANNOUNCEMENTS:** Chair O’Keeffe announced that there would be an executive session following the meeting and that the Select Board would not reconvene. Ms. O’Keeffe said that approving the affordable housing restrictions for Amherst Housing Authority units on Olympia Drive is postponed due to confusion about and incorrect planning for this project. Other announcements included that the Personnel Board needs a citizen member (Stein) and that there would be the following events: a meeting on the Hawthorne Meadow (Brewer), a UMass Community Forum, a Pot Luck Fund Raiser for Kanegaski (Hayden), LWV candidates night at the middle school (Brewer), a Stretch Code presentation on ACTV (Hayden and Wald) and a memorial service for Eva Schiffer in the middle school auditorium on March 27<sup>th</sup> at 2 p.m.

**SELECT BOARD'S ACTIONS:**

**Flag raising request and proclamation for child abuse prevention awareness**

The Select Board VOTED unanimously to approve the raising of the Children's Memorial flag on April 7th, in honor of April 2011 being Child Abuse Prevention Month in Amherst, per the Select Board's proclamation.

**Parking Space Reservations and New Licenses**

**Garden Club of Amherst:** The Select Board VOTED unanimously to approve the reservation of all 18 metered parking spaces on the south side of the Spring Street lot on Friday, May 13, 2011, from 6:00 a.m. to 4:00 p.m. for the Garden Club of Amherst.

**Amherst Farmers Market:** The Select Board VOTED unanimously, to approve the closing of the Spring Street parking lot each Saturday from April 23, 2011 to November 19, 2011 from 7:00 a.m. to 1:30 p.m. for the Farmers’ Market, noting the need for alternative arrangements during reconstruction of the lot to be requested at a later time. They will move to the Town Hall lot and then apply again at that time.

**Boltwood Place parking arrangements:** Mr. Musante informed the SB about plans for 14 spaces on the west side of the Boltwood Garage to serve as a staging area for the duration of the construction; efforts will be made to accommodate heavy delivery times in that area and to make the spaces available when not in use by the construction project. It is expected the building will be completed in September. This issue did not require Select Board action because Boltwood is not a public way. **Requested:** That the Chamber, the Senior Center, UMass and the colleges be notified about the downtown parking options in light of the temporary loss of garage spaces during the Boltwood Place construction, so that those entities might inform their downtown visitors.

**New Common Victualler’s License (That’s A Wrap):** The Select Board VOTED unanimously to approve a Common Victualler’s License for That’s A Wrap Williamstown, Inc. d/b/a That’s A Wrap, 23 North Pleasant Street, Amherst, MA open from 7 a.m. to 11 p.m. Thursday, Friday and Saturday and 7 a.m. to 9 p.m. Sunday, Monday, Tuesday and Wednesday. **Requested:** That internal efforts continue to improve the sequencing of Common Victualler licenses as part of the approval process prior to an establishment's opening. Ms. Brewer noted that she is tired of Victualler’s licenses being applied for when the business has already opened and

suggested that this step be put earlier in the check list for the permitting process. Alternatively, that the SB be informed that approval after opening is acceptable.

### **New Parking Machines and Parking Rates**

The Select Board VOTED unanimously to approve a change in hourly parking rates for all On Street Parking Meters, and the meters in both Main Street and Spring Street Parking Lots from \$0.40 to \$0.50 per hour; all annual parking permits both residential and employment from \$20 and \$35 to \$25 per year; and leased parking rates in the Lower Level of the Boltwood Garage from \$75/month/\$650 annually to \$75 month/\$750 annually, and maintaining the parking lot rate of 50 cents per hour, as outlined in the Downtown Parking System Improvement Plan dated 3/7/2011 (see Parking System Upgrade Select Board Presentation March 7<sup>th</sup>, 2011 packet). The new parking machines will have some new exciting new features: being able to pay by credit or debit card, by cell phone and at a distance from the parking space, which will be numbered.

### **Additional Parking Space Reservations and New Licenses**

**Parking Request – Walk and Roll for Aphasia:** The Select Board VOTED unanimously to approve the reservation of twenty one (21) spaces on the WEST side of Boltwood Ave. between the Spring St. lot and College St., from 9:00 a.m. to 3:00 p.m. on Saturday, April 9, 2011 for the 2nd Annual Walk and Roll for Aphasia.

**Taxi License - Noah Wasterberg for Tik TakTaxi:** The Select Board VOTED unanimously to approve the new Taxi Driver/Chauffeur License for Noah Wasterberg, 160 Clark Hill Road, Amherst, MA 01003 with the Tik Tak Taxi Company.

**Special Wine & Malt Liquor License – Brenda Ryan Newton for UMass Amherst Campus Center:** The Select Board VOTED unanimously to approve the Special Wine & Malt Liquor License to Brenda Ryan Newton on behalf of UMass Amherst Campus Center, Amherst, MA for Tuesday, March 22, 2011 from 6:00 p.m. – 9:00 p.m. at the Fine Arts Center Lobby UMass Amherst for concessions.

**Special Wine & Malt Liquor License – Brenda Ryan Newton for UMass Amherst Campus Center:** The Select Board VOTED unanimously to approve the Special Wine & Malt Liquor License to Brenda Ryan Newton on behalf of UMass Amherst Campus Center, Amherst, MA for Tuesday, May 3, 2011 from 6:00 p.m. – 9:00 p.m. at the Fine Arts Center Lobby UMass Amherst for concessions.

### **Update on Neighborhoods: Bylaw and Code Enforcement and Effect**

Police Chief Livingstone updated the Select Board about bylaw and code enforcement issues and the multiple approaches being undertaken by the Town and the University to work together to address off-campus behavior and student rental issues. There has been a 35% increase in noise complaints, which was a surprise and an increase in the number of tickets given for complaints. But there was a decrease in arrests and summonses for alcohol offenders, no repeat offenders for open containers of alcohol and only one for nuisance house behaviors. Health Director Julie Federman talked about the common goal of safe and healthy neighborhoods, dealing with rental property issues including inspections and maintenance, tobacco policy and the value of having a common IT platform so that one can check whether other departments have had problems at that address. Chief Livingstone noted one disturbing trend is an increase in violence, not so much toward the police but amongst the students.

Mr. Musante noted the need for working with University, involving the landlords and learning what other college communities do.

**FY12 Budget Update and Discussion** Ms. O’Keeffe explained the BCG summary points, Ms. Stein and Mr. Wald summarized the JCPC recommendation status, and clarifying discussions about the FY12 Town budget continued. It was noted that breaking out meals taxes from lodging taxes would be preferred; the organization charts and job descriptions in the Conservation and Development section are useful and informative; the Police Facility budget is separate, unlike that of other Town buildings, as a legacy of the preference for tracking those expenses when the building was new-- this could change, if that were determined to be the new preference.

The working allocation for the Town is about a 1% increase over FY 11; for the schools about a 1.5% increase. The library would need \$8,000 more for accreditation; without that they potentially face a reduction in funds from the State; the capital budget was only 5.64% last year due to the dropping of the Patterson project and because the override didn't include any money for capital. It should increase to at least 6.25% this year, if possible.

**Status and Next Steps for Town Flag Design:** It was agreed without a vote that Ms. Stein and Ms. O’Keeffe will coordinate on a recommendation for a budget (including source of funds) and a plan for proceeding with the creation of a Town flag design and the manufacturing of a number of flags, to be brought to a future meeting. Mr. Wald noted that the flag should have the book and the plow, and Amherst, 1759.

## **TOWN MANAGER’S REPORT:**

### **Solar Plan for Old Landfill – Neighborhood Meeting Being Planned**

The neighborhood meeting is planned for 4/6 at 7:00 p.m. at Fort River School, with John Musante, Guilford Mooring and a representative from Blue Wave. This is the first meeting to deal with concerns from the neighborhood. The design team will present to the Select Board at an April Meeting.

**Report on Western Mass. Economic Development Council Board Meeting:** Mr. Musante has been elected to their Board of Directors. The Council includes CEO’s of major employers, many higher education leaders, politicians etc. This is a valuable position, presents the opportunity to share information with top local decision-makers from industry, education, government and more.

**Gateway, Visioning Process Schedule Update:** The Gateway visioning process concerns the former frat row. The Amherst Redevelopment Authority selected ACP to assist in the visioning process. They tentatively planned stakeholder meetings for 4/12 and 4/13, and charrettes for 4/28 through 4/30; the consultant will compile and digest the information during May, with the goal of a June presentation and action step plan. The inclusion of students in the process was suggested.

**Winter Shelter Update – Report and Open House:** The 3/12 open house at FBC was praised as very successful. The recent Shelter Report from Milestone Ministries was summarized. The following aspects are worth noting: the number of users of the Shelter are averaging 14.4 per night, up from January—the maximum number is 16. Males using the facility represent 72% of the total, females 28%. Nine people were placed into long-term housing; six into other placements. We are all pleased with the work and status of the shelter to date, and acknowledge the need to work toward a regional approach to long-term housing solutions for the future.

**Recent & Upcoming Activity:** All of the Select Board and Mr. Musante participated in Survival Center's Empty Bowls fundraiser. Mr. Musante spoke at Applewood about Town goals and issues. Upcoming events include the Kendrick Park Design meeting 3/24 at Bangs Center where the best elements of 3 previous designs were placed into one (same night as Safe Routes to School meeting at Wildwood and the ZBA meeting on Olympia Oaks comprehensive permit application at Town Hall).

## **Member Reports:**

### **Liaison and Representative Reports:**

**CPAC:** Ms. Stein said they are recommending funding for projects totaling \$735,952, out of \$966,387 in available funds, and she summarized some of those projects.

**Ag Com:** Ms. Stein said there is much support on the committee for expanding the Farmers Market to allow more access for Amherst farmers and noted that such markets are significant for farmers' income. Also, they discussed fliers explaining the Town's Right to Farm bylaw for local Realtors to distribute to potential home buyers, and also the recommendation expected to be brought forth by Dave Ziomek regarding use of some Wentworth Farm land as part of the mitigation and compensation arrangement owed on the Kimball House property.

**Personnel Board:** Ms. Stein reported that they are looking at the job description for Library Director.

**Zoning Subcommittee:** Ms. Stein reported that they announced the zoning articles they intend to bring to spring Town Meeting, including articles on duplexes, residential parking regulations, watershed protection lot coverage, stretch code, support for a petition on backyard livestock and an alternative to a general bylaw

petition on animal welfare related to backyard livestock. Development Modification is not ready to be brought back for the spring.

**HP/FHC and LSSE Commission:** Ms. Brewer reported on plans for the 3/23 public meeting on Hawthorne, the challenges to making sure everyone is informed and getting their questions answered, and the helpful information available at [www.amherstma.gov/hawthorne](http://www.amherstma.gov/hawthorne).

**Committee on Homelessness:** Ms. Brewer reported on a change of Chair for the group and ongoing discussions about the most appropriate ways of offering input and suggestions regarding the Shelter operation.

**Council on Aging:** Ms. O’Keeffe reported on efforts to address needs of seniors, including safe home modification options, improving parking access for center users, and a workshop series about staying in or returning to the workforce.

**Conservation Commission:** Ms. O’Keeffe reported on efforts to improve signage at trail heads and conservation land, and a planned April meeting for public feedback on policies related to agricultural activity on conservation land.

**Campus and Community Coalition:** Ms. O’Keeffe reported on the status of a letter sent from the Municipal Strategies subcommittee to the Code of Student Conduct Review Commission; efforts to educate incoming freshman and their parents about Town bylaws by UMass and the UMPD; planned patrol efforts by the UMPD and APD for the spring; and concerns raised about the annual Kegs and Eggs event held by a couple of downtown bars each March.

**Committee Handbook Revisions:** This is frequently postponed due to time constraints and if it can't be allotted adequate agenda time at upcoming meetings, it may be delayed until summer or else dealt with at Wednesday meetings during spring Town Meeting.

**Endorse Tax Credit and Funding Support Letter – Olympia Oaks:**

The Select Board VOTED unanimously to sign the letter of support for HAPHousing’s funding application for federal and state low income housing tax credits, DHCD HOME, Affordable Housing Trust Fund and other funding for the proposed Olympia Oaks development of forty-two units of affordable multi-family rental housing located at Olympia Drive.

**Committee Appointments:**

The Select Board VOTED unanimously to appoint the nine (9) residents (Precinct 1: Mary Jane Laus; Precinct 2: Carolyn Holstein; Precinct 3: Nonny Burack; Precinct 4: Charles Moran; Precinct 5: Tom Ehrgood; Precinct 6: Bonnie Bascomb-MacCracken; Precinct 7: Adrienne Terrizzi; Precinct 8: John Kick; Precinct 9: Jonathan O’Keeffe) from diverse geographical areas of the Town according to the Town Government Act, Section 1.21, as recommended by the Town Clerk, to the **Districting Advisory Board**, plus Sandra Burgess, the Town Clerk as a non-voting ex officio member.

The Select Board VOTED unanimously to appoint Gretchen Fox of 90 Fearing Street to the **Amherst Cultural Council** for a term to expire June 30, 2014.

The Select Board VOTED unanimously to appoint Ellen Kosmer of 15 South Orchard Drive to the **Amherst Cultural Council** for a term to expire June 30, 2014.

The Select Board VOTED unanimously to appoint Bonnie Isman of 635 South East Street to the **Public Art Commission** for a term to expire June 30, 2014.

**Minutes – March 7, 2011**

The Select Board VOTED 4 to 1 (Brewer abstained) to approve the minutes of the Select Board’s March 7, 2011 meeting, as presented.

**Chair's Report:** Ms. O’Keeffe reminded Select Board members to send any feedback on the draft "Complete Streets" proposal to Rob Crowner. She noted that she would be presenting the Select Board's statement of support for the comprehensive permit application for the Olympia Oaks project at the 3/24 ZBA meeting.

**Calendar Preview:** The upcoming events were noted, including SB meetings, the Town election and Senator Rosenberg's municipal conference.

**Executive Session:**

The Select Board VOTED by ROLL CALL VOTE to go into Executive Session for the purpose of discussing strategy with respect to collective bargaining or litigation AND, to consider the purchase, exchange, lease or value of real estate, as an open meeting may have a detrimental effect on bargaining, litigating and/or negotiating position of the Town. The Board will not reconvene in Open Meeting following the close of Executive Session. The Select Board adjourned to Executive Session at 9:57.

**List of Documents from packet:**

[2011-03-17 BCG summary](#)  
[Affordable Housing Restriction and Letter of Support](#)  
[Attorney General Press Release Open Meeting Law](#)  
[Chief of Police Analysis of TBL Violations](#)  
[Child Abuse Awareness Proclamation](#)  
[Current Parking Fees](#)  
[Districting Committee Applicants](#)  
[Flag Raising for Child Abuse Prevention](#)  
[Growing More Food in Amherst - A Public Discussion](#)  
[Hawthorne Meadow Public Process Flyer 03-23-11](#)  
[Letter in Support of HAPHousing application for t](#)  
[Milestone 2 March 2011 20110315135453368](#)  
[New License - Common Vic - Its a Wrap](#)  
[Parking Request - Annual Walk for Aphasia](#)  
[Parking Request Amherst Farmers Market](#)  
[Parking Request Garden Club](#)  
[Public Safety Review of Parking Requests](#)  
[Revised Motions 03-21-2011 FINAL](#)  
[Special One Day Licenses](#)  
[Taxi License - Noa Wasterberg](#)  
[TM FY 12 Prioritized List revised](#)  
[Town Clerk Recommendation for Districting Committ](#)  
[UMass community forum 04-05-11](#)

From the 3/7/11 Packet

[Parking System Upgrade Select Board Presentation](#)