

Minutes

Select Board

Present: Stephanie O’Keeffe, Alisa Brewer, Aaron Hayden, Diana Stein, and Jim Wald

Absent: None

Staff: Town Manager John P. Musante, Finance Director Sandy Pooler, Director of Conservation and Development David Ziomek, Human Resources/Trust Manager Kay Zlogar, Library Employee and SEIU rep Tina Swift, and Munson Librarian Sue Hugus

Other: Tony Butterfield (Personnel Board), Chris Hoffmann (Library Trustee), Irv Rhodes (Amherst School Committee Chair), Michael Hanke (Historical Commission Chair), Janet Winston (Design Review Board Chair)

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

Announcements

Ms. O’Keeffe announced upcoming events including Winterfest and the Town Meeting Coordinating Committee's informational Town Meeting forum. The deadlines for Town Meeting articles and for submitting nomination papers for Town Meeting and Town-wide office were also noted.

Personnel Procedures Manual Update

Personnel Board member Tony Butterfield and Human Resources/Trust Manager Kay Zlogar presented the updated draft of the Personnel Procedures Manual, describing the comment and review process which had occurred to date. Proposed changes include new references to Library Trustees, intended to reflect divisions of authority prescribed by the Amherst Town Government Act, the Memorandum of Understanding between the Town and the Library, and other documents. It was noted questions and concerns remain among Library Trustees and staff regarding whether the new wording represents a change in practice, understanding, or working conditions, as expressed in comments from those parties present including Chris Hoffmann, Tina Swift and Sue Hugus. The Personnel Board asserts that no change was intended and Town Counsel confirms that no change was created by the reference. The Select Board recommended and all parties agreed that no harm would be done by postponing approval of the updated manual until Library Trustees and staff were able to discuss it further and achieve more clarity, either with further revisions or acceptance that the proposed wording is a clarification rather than a change.

It was agreed without formal vote to take no action on the Personnel Procedures Manual at this time and to consider approval after additional discussions among Library Trustees, Library Staff, Town Manager, and the Personnel Board can take place.

FY12 - 2nd Quarter Budget Update

Finance Director Sandy Pooler reviewed the memo submitted to the Select Board regarding expense and revenue tracking to date.

Land Gift Acceptances

Director of Conservation and Development David Ziomek described the parcel and noted Town Meeting’s spring 2010 vote to approve its purchase.

VOTED unanimously, pursuant to the vote taken under Article 17D of the May 3, 2010 Annual Town Meeting, as continued, to accept a parcel of land, as described in a Deed from Kestrel Land Trust to property located on Meadow Street, Amherst, which property is to be administered, managed and controlled by the Amherst Conservation Commission under the provisions of G.L. c. 40, § 8C.

Request/Plan for Election to Fill School Committee Vacancy

School Committee Chair Irv Rhodes reported that the School Committee had voted to ask the Select Board to fill the seat. Ms. O'Keeffe noted Town Counsel's opinion that the law does not require a vacancy to be filled, but mandates a process if the decision is made to fill it, and said that proximity to an election is the most common reason for leaving a vacancy unfilled. Ms. Brewer expressed disagreement with Town Counsel's interpretation.

It was agreed without formal vote that since the School Committee requested an election, the Select Board would schedule. The Select Board's process to be utilized was provided by Ms. O'Keeffe. Letters of interest for the School Committee vacancy will be directed to the School Committee and Select Board members upon receipt by the offices. The Select Board's office will coordinate with the Superintendent's office.

VOTED unanimously to hold a joint meeting with the School Committee on February 6, 2012 to hold an election to fill the vacancy created by Steve Rivkin's resignation, as outlined in MGL Chapter 41, Section 11.

It was agreed that the Chairs of the two groups would coordinate the time the election would occur at the February 6, 2012 meeting, in an effort to permit maximum School Committee attendance.

Town Flag Design

The history of the flag design process, an initiative spearheaded by Ms. Stein and assisted by Mr. Wald, was summarized. Mr. Hanke and Ms. Winston described the Historical Commission's and Design Review Board's consideration of the submitted designs and the recommendation made by unanimous vote of both bodies.

VOTED unanimously to accept the design recommended to the Select Board by the Design Review Board and Historical Commission, created by illustrator Barry Moser for the official Town of Amherst Flag. The design depicts a U-shaped heraldic shield set against a maroon backdrop with an open book in the top portion to represent the town as a place where higher learning takes place, under which the word "Amherst" is spelled out in yellow letters in the center of the shield with three sheaves of wheat beneath indicating Amherst's agricultural roots with the Town's year of origin at their base and that of the shield.

It was agreed without formal vote to leave designation of the color of the date of origin to Barry Moser's discretion. Ms. Stein will coordinate with the groups that have committed to funding production of the flag, and with the flag company, and bring additional info to the Select Board, as necessary.

FY 13 Budget Discussion – Water and Sewer Rates

It was noted the proposed rates and date for a planned vote were announced at the January 3, 2012 Select Board meeting to provide the opportunity for public comment, however none was received. The Select Board requested notice of the new rates be included on all water and sewer bills sent between now and the prescribed effective date.

VOTED unanimously, acting as the Water and Sewer Commission, as prescribed by the Amherst Town Government Act, to increase the water rate from \$3.30/100 cubic foot to \$3.40/100 cubic foot and increase the sewer rate from \$3.35/100 cubic foot to \$3.45/100 cubic foot, effective July 1, 2012.

Taxi Licenses

VOTED unanimously to approve a new Taxi Driver/Chauffer License for Mick Castillo of Holyoke, MA and Jeffrey S. Bouvies of Westfield on behalf of Aaron's Transportation Company.

VOTED unanimously to approve a new Taxi Driver/Chauffer License for Lagrace T. Tshibuabua of Amherst, MA on behalf of Tic Tak Taxi Company.

Special Liquor License

VOTED unanimously to approve a Special Wine and Malt License for Peter Sylvan on behalf of the Hurricane Booster Club for a Monte Carlo Night Fundraiser to be at the Valentine Hall, Amherst College from 6:30 p.m. – 12:00 a.m., Saturday, March 10, 2012.

Special Liquor Licenses

VOTED unanimously to approve a Special Wine and Malt License to Brenda Ryan-Newton, Director of Catering on behalf of the University of MA for concessions to be served at the Fine Arts Center, UMass Amherst on each of the following dates:

- January 31, 2012 7:00 – 9:00 p.m.
- February 01, 2012 7:00 – 9:00 p.m.
- February 22, 2012 6:30 – 10:00 p.m.
- March 01, 2012 7:00 – 10:00 p.m.
- March 06, 2012 7:00 – 10:00 p.m.
- March 27, 2012 7:00 – 10:00 p.m.
- April 03, 2012 7:00 – 10:00 p.m.
- April 19, 2012 7:30 – 10:00 p.m.

VOTED unanimously to approve a Special Wine and Malt License to Brenda Ryan-Newton, Director of Catering on behalf of the University of MA for concessions to be served at Bowker Auditorium, UMass Amherst on each of the following dates:

- February 5, 2012 6:30 – 9:00 p.m.
- March 31, 2012 7:00 – 10:00 p.m.
- April 13, 2012 7:30 – 10:00 p.m.

VOTED unanimously to approve a Special Wine and Malt License to Brenda Ryan-Newton, Director of Catering on behalf of the University of MA for concessions to be served at the Goodell Library, UMass Amherst on February 12, 2012 from 5:00 – 10:00 p.m.

VOTED unanimously to approve a Special Wine and Malt License to Brenda Ryan-Newton, Director of Catering on behalf of the University of MA for concessions to be served at Herter Hall, UMass Amherst on January 28, 2012 from 2-4 p.m.

Innholders Licenses

VOTED unanimously to approve the 2012 Innholder license for the Amherst Inn, 257 Main St., Amherst, MA; Owners: Ann King and Alan Zieminski.

VOTED unanimously to approve the 2012 Innholder license for the Allen House Inn, 599 Main St., Amherst, MA; Owner: Alan Zieminski.

Select Board members requested information relating to whether there was a limitation or quota on issuance of Innholder licenses.

It was agreed without formal vote that the Chair will refer all non-local proclamation requests to other appropriate bodies for consideration and determination of the need for action by the Select Board.

FY 13 Budget Discussion

There was brief discussion of the Town Manager's FY 13 Budget proposal, with questions and comments offered. It was noted similar discussions will take place at each meeting prior to Town Meeting to provide clarity and feedback on the budget recommendation.

It was agreed without formal vote to put off specific consideration of the proposed prioritized additions and restorations list until later in the process, when additional State revenue information and information about School and Library budgets is available.

Progress Report - Town Manager Performance Goals

Mr. Musante reviewed and summarized a memo relating progress to date on each of the nine goals. Select Board members provided comment and sought to provide further clarity of expectations for the requested assessment of Town-owned buildings and staffing plan, Goals #7 and #9.

Town Manager's Report

PVTA Advisory Board Chair: Mr. Musante reported on his election to this position by his colleagues on the Advisory Board. The position will provide Amherst a strong voice in local public transportation matters.

PARC Grant Award: Mr. Musante reported Amherst's application to fund War Memorial Pool repair and improvements was successful, and is expected to cover 70% of the project's costs. The work has gone out to bid and the construction schedule anticipates completion in time for the planned pool opening at the end of June. The application for design work at Puffers Pond was not funded, but that and other projects are expected to be submitted for future PARC grant consideration.

Recent & Upcoming Activity: Mr. Musante reported he and other staff are attending a meeting of the Western Mass Network to End Homelessness Leadership Council on January 25, 2012 in Springfield in an effort to become more informed and to build on our regional partnerships in addressing homelessness issues.

Member Reports

Ms. O'Keeffe, Stein and Brewer and Mr. Musante reported on their attendance at the Massachusetts Municipal Association (MMA) Conference in Boston and the value of the different seminars attended. Preliminary State budget information provided by the Governor's office was reviewed.

Liaison Reports

Liaisons referenced or summarized recent activity and upcoming meeting schedules for the following committees:

Ms. Brewer: LSSE Commission, Housing and Sheltering Committee recruiting, Regional School District Advisory Committee (first public forum scheduled for 2/29)

Ms. Stein: Board of Health, CPAC, Agricultural Commission

Mr. Wald: Historical Commission, Design Review Board, JCPC

Ms. O'Keeffe: Conservation Commission, Council on Aging, BCG, Amherst Housing Authority

Chair's Report

Ms. O'Keeffe reported on having attended a reception to welcome new Library Director Sharon Sharry, an event postponed from its originally-scheduled date the week of the Halloween storm.

Adjournment

The meeting adjourned at 9:32 p.m.

Respectfully Submitted,

List of Documents Presented at the Meeting - Available in the Online Packet for the Meeting Date

2012-01-23 Packet
01-23-2012 Agenda - final
01-23-2012 Draft Motions Revised
Personnel Board Memo to Select Board 1 2012
Personnel Procedures Manual January 2012 97-
FY12 Second Quarter Revenue Expense Report to
Deed from Kestrel Land Trust
GIS Map of Parcel from Kestrel Land Trust
Letter of Interest for School Committee Vacan
Select Board Process for Filling Elected Boar
Amherst Flag v 10 adj JW color
Amherst Flag v 10 adj JW date1
Amherst Flag v 10 adj JW date2
Amherst Flag v 1A
Amherst Flag v 2
Amherst Flag v 4
Amherst Flag v 5
Amherst Flag v 6
Amherst Flag v 7
Amherst Flag v 8
Amherst Flag v 9
Memo to SB regarding process for flag design
FY 13 Water and Sewer Rate Letter to SB
MMA Press Release on FY 13 Budget
Town Manager Performance Goals - Progress Rep
Lt. Gov Press Release PARC Grant Awards
Proclamation request caffeine awareness
Taxi Driver - Bouvies, Jeffrey
Taxi Driver - Castillo, Mike
Taxi Driver - Tshibuabua, Lagrace
Special All Alcoholic License - Hurricane Bo
Special License - UMass Goodell Library
Special License - UMass Herter Hall
Special Licenses - UMass Bowker Auditorium
Special Licenses - UMass Fine Arts Center
Inn Holder License - Allen House Inn
Innholder License - Amherst Inn