

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; and Associate Planner Nate Malloy

Other: Deborah Radway, HR Director Appointee; Jerry Molongoski, WMECO representative; and Trevor Hopton, part-owner of the Metacomet Café.

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

Introduction of New Human Resource (HR) Director

Town Manager Musante introduced and welcomed Amherst’s new HR Director Deborah Radway. Ms. Radway spoke about her enthusiasm for the opportunity, which will start July 16, 2012. Mr. Musante also expressed his appreciation to those who served on the search committee including Human Rights Commission Chair Reynolds Winslow, Director of Conservation and Development Dave Ziomek, Personnel Board representative and retired Police Chief Charlie Scherpa, Northampton Human Services Director Glenda Stoddard and Interim HR Director/Health Claims Trust Manager Kay Zlogar.

Ms. Brewer noted that as the third Deb working in the mezzanine offices, she had created a cheat sheet of sorts, which she shared. Ms. Gordon, the Administrative Assistant at the front desk should now be addressed as Debbie; Ms. Roussel, the Assistant to the Town Manager, Debra, and our new HR Director, Ms. Radway, as Deb.

Special Licenses

VOTED unanimously to approve two Special all-alcohol Licenses for Meredith Schmidt on behalf of Top of the Campus, Inc., for receptions to be held from 5-11 p.m., on Tuesday, June 12, 2012 on the Goodell Library Lawn and Wednesday, June 13, 2012 in the Berkshire Dining Hall, both located on the University of Massachusetts Amherst campus.

Taxi License

VOTED unanimously to approve a new Taxi Driver/Chauffeur License for Colin Baker on behalf of Ambassador Taxi.

New Committee Appointments

VOTED unanimously to appoint Bryan Harvey as the citizen representative to the Audit Committee for a term to expire June 30, 2013.

VOTED unanimously to appoint: Walter Mullin to the La Paz, Nicaragua Sister City Committee; Jennifer Lind and Rene Theberge to the Public Arts Commission; Richard Fein and William Mullin to the Public Works Committee; and Susan Lowenstein as a Registrar of Voters, all with terms to expire June 30, 2015.

Committee Reappointments

VOTED unanimously to appoint: Jana McClure to the Community Development Block Grant Advisory Committee; Paris Boice as the Conservation Commission representative and Ellen Kosmer and Michael Jacques as at large members to the Community Preservation Act Committee; Denise Barberet and Katherine Vorwerk Feldman to the Hampshire Regional Emergency Planning Committee; Lois Raj, Kathleen Anderson and Reynolds Winslow to the Human Rights Commission; Aaron Kropf to the Kanegasaki Sister City Committee; Kathleen Mullin to the La Paz, Nicaragua Sister City Committee; D. Anthony Butterfield to the Personnel Board; Charles Moran to the Public Works Committee; Michael Jacques, Barry Roberts and Leslie Arriola to the Town/Commercial Relations Committee, all with terms to expire June 30, 2015.

Senior Work Off Program Rules

Finance Director Sandy Pooler summarized the proposal for the Select Board.

VOTED unanimously to amend the program rules for senior citizen property tax abatements under MGL c59, §5K, by increasing the number of eligible volunteers from 30 to 35.

Audit Committee Charge

VOTED unanimously to amend the charge of the Audit Committee to identify representatives from the Select Board, School Committee, Library Trustees, and Finance Committee as designated by vote of their membership and to identify the member of the public as appointed by the Select Board; and, to change the title of Town Accountant to Comptroller.

Agreed without formal vote for Ms. Stein to continue as the Select Board's representative to the Audit Committee.

The Select Board reviewed their designations as committee and liaison representatives and agreed to maintain current assignments as listed on the back of this evening's and every agenda.

Pole Hearing

The Pole Hearing opened at 6:55 p.m. WMECO Representative Jerry Molongoski provided explanation for the proposal and answered Select Board questions. No one from the public offered comment and the hearing was closed at 6:59 p.m. VOTED unanimously to grant permission to construct and maintain poles, wires, cables and fixtures, including the necessary sustaining and protecting fixtures to be owned and used in common by Western Massachusetts Electric Company and Verizon New England, Inc. on the southerly side of Mill Lane, the first said pole (WMECo #86/13, Verizon #12) to be located at a point approximately one thousand seven hundred fifteen (1,715') easterly from the center line of West Street, on the lot line of house numbers 135 and 145; and, the second pole (WMECo #3M, Verizon #12 ½) to be installed on the lot line of house numbers 145 and 157, and to remove existing pole (WMECo #13, Verizon #12) on the front of house #145, in accordance with plan #6A220173.

Common Victualler License

Trevor Hopton presented and introduced himself as part owner/manager of the new business.

VOTED unanimously to grant a Common Victualler License to operate Metacommet, Inc. at 27 South Pleasant Street, Amherst with hours of operation from 11 a.m. – 11 p.m. seven days a week; E. Spencer and Trevor Hopton, Managers, issuance pending approval of Inspections and Health Department licensing requirements.

Town Manager Evaluation and Goal Setting Process

The Select Board reviewed and agreed to accept the proposed timeline for conducting the annual Town Manager evaluation and goal setting process as presented by the Chair. Select Board members discussion brought forth several recommended changes in the evaluation form. Ms. O'Keeffe requested suggestions for changes in the staff questionnaire be forwarded to her by noon on June 14, 2012 to allow for inclusion of both forms in the next packet for final approval at the June 18, 2012 meeting.

Acceptance of Easements for Snell Street Bridge Work

VOTED unanimously pursuant to the authority granted under Article 13 of the November 7, 2011 Special Town Meeting, as continued, to accept from Amherst College a temporary access and construction easement, as shown on the accompanying layout plan (Attachment C), said easement to be used during the replacement of the Snell Street rail trail bridge.

Local Historic District Commission

Associate Planner Nate Malloy spoke about the next steps necessary to establish the Local Historic District, the committee responsible for oversight and other details that need to be in place before the regulatory aspects of the district take effect. A draft committee charge was presented and reviewed and suggestions for changes were noted. The Select Board agreed that it would be important for this committee to have Special Municipal Employee status. Further discussion and approval of the Local Historic District Commission establishment was deferred to the meeting of June 18, 2012; a revised draft will be presented at that time. Members were asked to bring materials to the next meeting that might be helpful for approving the committee charge.

Town Meeting Wrap-Up

Discussion of Annual Town Meeting brought forth a list of suggestions for improvements. The Chair agreed to summarize the items and forward to the Town Meeting Coordinating Committee (TMCC).

Select Board members voiced their support of a Consent Calendar, noting it would be useful for those recurring articles whose verbal explanation and that written in the Finance Committee Report correspond, believing it would provide a degree of efficiency and time-savings. It was noted that use of the Consent Calendar is at the Town Moderator's discretion; however, Select Board members articulated their belief that TMCC's support and encouragement among Town Meeting members would be valuable.

Discussion brought forth consideration of a change in the start time of Town Meeting to a half hour earlier. Select Board members noted that while the start time of Town Meeting is at the Select Board's discretion with the posting of the

warrant, consideration by TMCC would assist in their determination of the net benefit with broader consideration given to the pros and cons of such a change.

Select Board encouraged discussion with the Moderator regarding points of mutual expectations on questions and answers specific to an Article, specifically in regard to Rule #6 of the Rules of Order for Town Meeting. First, does and should the 3-minute rule for subsequent speakers apply to someone answering a question? Select Board members concern related to an individual's inability to predict how long it may take to adequately respond to questions and therefore would not be able to ask for additional time in advance; and further, those responding from the front table cannot see the timer. Also, in the interest of making sure the body feels all rules are being equally and neutrally applied, how do "follow-up questions" work and how is it determined whether or not to allow? Speakers often ask two or three follow-up questions, creating further time challenges for the person answering. It was thought that if multiple questions were asked separately, each response should be provided three minutes, otherwise allowing questions to be bundled unfairly burdens the responder.

The Select Board encouraged TMCC to expand its helpful recommendations about Town Meeting preparation (of visuals, for example) to include seeking assistance with amendments that are planned ahead of time. Town staff, the Moderator or others can often assist in determining if an amendment is viable, and if not, how to make the idea behind an amendment move forward. It was noted and clarified that the intent was not to seek a position on an amendment, but rather help ensure that an amendment is clear and legitimate, rather than working out such questions on the floor of Town Meeting. Encouraging that this process be done when practical and possible would benefit the person seeking the amendment and the entire body to ensure the process is legally permissible.

Select Board members communicated their appreciation of TMCC's continuing efforts at improving the various sound and visibility issues in the auditorium, citing both improvements and continuing challenges. Power points and other slide presentations seemed especially problematic this Town Meeting.

Issues with the check-in procedures were noted and presented for TMCC consideration specifically related to Town Meeting members receiving tally cards the first night of Town Meeting. Were members able to vote on subsequent nights without checking in, thereby presenting vulnerabilities in the accuracy of attendance and voting? Does the vote of a person who is not officially "present" count? Did they fail to check in or could someone else have been provided their tally cards? If the votes shouldn't count, how would that be determined on the floor? Could the results of a close vote change after the fact if the votes of those who were not checked in were nullified? And, what are the implications if that were to occur?

Spectators often arrive later in the meeting to hear an article of interest and have not heard the Moderator's announcements about appropriate places to sit, which often results in non-members sitting in sections reserved for Town Meeting members, where they may or may not be participating in voting. Even with the most innocent intentions, not everyone understands how Amherst Town Meeting with its various rules is meant to operate. It was noted that tally cards on all votes or electronic voting could be a way of addressing this problem.

Regarding Rules #10 and 13 of the Rules of Order for Town Meeting, Select Board members want TMCC to know that the Select Board has agreed that in order to allow Town Meeting to exercise its power of determining when a particular session ends, the Select Board Chair will make a motion to consider the next article every night, and will only make the motion to adjourn after that motion has failed. While this is not expected to result in a significant change, as the motion to continue after 10 o'clock in the evening will likely almost always fail, it appropriately allows Town Meeting, rather than the Select Board Chair to make the decision.

Review of minutes from the May 7, 2012 meeting was postponed until the June 18, 2012 meeting, as they had not been included in members' paper packets, only online. Mr. Musante noted that the office had withheld the minutes to facilitate approval for all of the May Select Board meetings together at the next meeting.

Town Manager's Report

Mr. Musante reported that the contract for ambulance services with Hadley has been finalized and includes a new provision regarding provision of emergency medical dispatch calls as needed, which has been approved by the State's 911 Commission and allows for a small increase in those funds in accordance with plans for regionalization of emergency dispatch. It was noted contracts with Leverett and Shutesbury renew next year.

War Memorial Pool renovations are nearing completion, assuming several days of uninterrupted good weather. June 18, 2012 has been chosen as the deadline for determining if the grand opening scheduled for June 23, 2012 can take place.

Site coordinator positions have been advertised for the Town-School After-School Program. Filling those and positioning a leadership structure were noted as the key next steps. Finance Director Sandy Pooler has been involved in the planning, in part to ensure continued eligibility for State vouchers and subsidies is maintained.

Work to display the Civil War Tablets in the Town Room of Town Hall, a project supported by the Amherst Historical Commission is proceeding. A Request for Proposals (RFP), the formal process necessary for soliciting bids on an engineering assessment is moving forward, as are efforts by Senator Rosenberg to secure funding from the State's Civil War Sesquicentennial Commission to assist in the funding of the project.

Mr. Musante reported on his attendance at various events, which included the Human Rights Commission's award ceremony, the League of Women Voters' Legislative Update and the Puffers Pond Annual Pancake Breakfast. Upcoming events include the June 27, 2012 Pioneer Valley Transit Authority Board meeting to address potential fare increases and finalize the FY 13 budget. State legislators are still working on details of funding Regional Transit Authorities, which could resolve the PVTA's current projected budget gap and eliminate or minimize the need for any fare hikes.

Member Reports

Ms. Stein reported on her discussions regarding a potential change to a five-member Zoning Board of Appeals panel with an administrative meeting of that body. She noted the Building Commissioner and other planning and inspections staff will be looking into the pros and cons of such a configuration over the coming months. It was noted if it is determined a worthwhile change for the Town of Amherst, Town Meeting approval is required.

Ms. Stein also reported on the activities and scheduling of the Agricultural Commission, as did Mr. Wald pertaining to the Historical and Public Art Commission; Ms. Brewer on the Housing and Sheltering Committee and Mr. Hayden on the Town Meeting Coordinating Committee and the Recycling and Refuse Management Committees.

Ms. O'Keefe provided a memo with details about a variety of recent meetings of relevance to the Select Board.

ADJOURN The meeting adjourned at 9:26 p.m.

Submitted by John P. Musante, Town Manager

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

2012-06-11 Agenda

Draft Motions

Introduction and Resume of New HR Director Deborah Radway

Finance Director Memo on Work-off Program Changes

DPW Director comments on Pole Hearing Petition

WMECo Pole Hearing Petition

Common Victualler Application for Metacommet, Inc.

Draft Historic District Commission Charge

Local Historic District Final Bylaw 05-21-2012

Local Historic District Points to Town Meeting

DPW Memo on Requested Easement

Temporary Right of Way Easement for Snell Street Pedestrian Bridge Rehab

Summer 2012 Evaluation/Goals timeline

Post-FY 11 Eval Process and Thoughts for FY 12

Draft Town Manager 2012 Evaluation Form

Draft Staff Questionnaire for 2012

Chair's Report 6-11-12

Draft Revision of Audit Committee Charge

Taxi Driver Application of Colin Baker Redacted

Draft Minutes 05-07-2012

Special All-Alcoholic Licenses for UMass Amherst June 12 and 13, 2012

FY 13 Appointments