

SELECT BOARD MEETING
Monday, October 15, 2012 – 6:30 p.m.
Town Room, Town Hall

Minutes

ATTENDANCE

Select Board

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

Absent: None

Staff: John P. Musante, Town Manager

Other: David Ziomek, Director of Conservation & Development; Rob Morra, Building Commissioner; Scott Livingstone, Police Chief; Tim Nelson, Fire Chief; Julie Federman, Health Director; Jon Thompson, Code Enforcement Officer; Sandy Pooler, Finance Director; Guilford Mooring, DPW Superintendent; Michael Hanke, Historical Commission chair; David Webber, Planning Board chair; John Coull.

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

Public Comment

Paige Wilder offered comment on the Safe and Healthy Neighborhoods brochure, noting typographical and grammar concerns and a suggestion for mid-term evictions and the ability to issue trespass orders against tenants as a tool. Ms. Wilder also expressed concern about the suggestion to students to inform neighbors about parties so that neighbors might call if problems and further suggesting that parties need to be redefined as smaller numbers of people.

Rolf Karlstrom noted the memo he had submitted on behalf of the Coalition of Amherst Neighborhoods regarding a Town Manager Performance goal about Safe and Healthy Neighborhoods, and asked that it might be considered at the November 5 meeting when he is back in town.

Taxi/Chauffeur Licenses

VOTED Three in Favor, Two Absent (Brewer, Wald) to approve a new Taxi/ Chauffeur License for Edouard P. Beaugard of Amherst on behalf of Green Cab Co. and

VOTED Three in Favor, Two Absent (Brewer, Wald) to approve a new Taxi/ Chauffeur License for Cory Rinehart of Springfield on behalf of Gottago Taxi.

Special Licenses

VOTED Three in Favor, Two Absent (Brewer, Wald) to approve All Alcohol Licenses for each reception scheduled on the following dates and premises of the UMass Amherst Campus listed below; Meredith Schmidt, Campus Center Director.

October 20, 2012 from 6:00 p.m. – 12:00 a.m. at Fine Arts Center

October 24, 2012 from 5:00 p.m. – 9:00 p.m. at Goodell Library-Bernie Dallas Room

December 10, 2012 from 4:00 p.m. – 6:30 p.m. at Fine Arts Center

VOTED Three in Favor, Two Absent (Brewer, Wald) to approve Special Wine and Malt licenses for each reception scheduled on the following dates and premises of the UMASS Amherst Campus listed below; Meredith Schmidt, Campus Center Director:

October 27, 2012 from 12:00 p.m. – 4:00 p.m. at Furcolo Hall – School of

Education/Lawn, UMASS October 27, 2012 from 2:00 p.m. – 4:00 p.m. at the

Isenberg School of Management Atrium, UMASS October 27, 2012 from 10:00 a.m.
– 5:00 p.m. at the Student Union Lawn, UMASS
November 10, 2012 from 7:00 p.m. – 11:00 p.m. at the Fine Arts Center, UMASS

Mr. Wald arrived at 6:37 p.m.

Common Victualler Licenses

VOTED Four in Favor, One Absent (Brewer) to approve a Common Victualler License for Survival Centers, Inc d/b/a Amherst Survival Center, 138 Sunderland Rd, Monday, Tuesday & Friday 11:00 a.m. – 3:00 p.m.; Thursday 11:00 a.m. – 7:00 p.m. Cheryl Zoll, Executive Director; pending issuance until any/all outstanding Town Department regulations have been satisfied.

Ms. Brewer arrived at 6:40 p.m.

VOTED unanimously to approve a Common Victualler License for Advanced Fresh Concepts Franchise d/b/a AFC Sushi at Big Y #46, 175 University Dr, Monday through Sunday from 9:00 a.m. to 7:00 p.m., Aaron Liang, Manager; pending issuance until any/all outstanding Town Department regulations have been satisfied.

Committee Appointments

VOTED unanimously to confirm the Town Manager's appointment of Laura Lovett to the Historical Commission with a term to expire June 30, 2013; Judith Moran to the Historical Commission with a term to expire June 30, 2015; and Jim Brissette to the Leisure Services and Supplemental Education Commission with a term to expire June 30, 2014.

VOTED unanimously to approve the appointment of William Stenzel of Amherst to the Kanegasaki Sister City Committee for a term to expire June 30, 2015.

Resolution Honoring African American Revolutionary War Soldiers and Creation of a National Memorial

VOTED unanimously to endorse a proposed resolution honoring African American Revolutionary War Patriots of Amherst, Massachusetts and the proposed National Liberty Memorial, as presented.

Election Warrant November 6, 2012

VOTED unanimously to authorize the November 6, 2012 State Election Warrant, as presented.

Select Board Positions on Town Meeting Warrant Articles

VOTED unanimously to recommend the following November 19, 2012 Special Town Meeting Articles:

- CPA – Open Space: Brunelle Property;
- CPA – Open Space: Ricci Property;
- CPA – Historic Preservation: North Common;
- Reports of Boards and Committees;
- Transfer of Funds – Unpaid bills from Previous Years;
- Borrowing for Road Work; and
- Contract Authority for Solar in Other Towns.

The Select Board assigned members to speak to each article reviewed this evening, requesting an updated assignment sheet for the Special Town Meeting be included in the next meeting's packet.

Proposal to Form Local Historic District Study Committee – North Amherst

Historical Commission Chair Michael Hanke explained that North Amherst is among the areas in town identified by the Historical Commission as potential Local Historic Districts. Residents of the area are concerned about the ability to preserve its historic character and significance, and persuaded the Historical Commission to recommend moving forward with this now. Patricia Holland of Montague Road spoke in favor of the proposal. Ms. Brewer expressed some concern about realistic expectations for the kinds of protections offered by such a status, as well as having adequate staff and citizen resources to pursue at this time. Mr. Wald addressed those concerns and emphasized the difference between LHD status and zoning.

VOTED unanimously to establish a Local Historic District Study Committee for North Amherst, per MGL Ch. 40C.

Set 7:00 p.m. as Start Time for Special Town Meeting

Discussion on start time for Town Meeting brought forth agreement for a trial run at the Fall Town Meeting with an earlier start time. The plan will include seeking feedback from Town Meeting members after the Fall Town Meeting with the assistance of Town Meeting Coordinating Committee to determine preference for either 7:00 or 7:30 p.m. start time.

VOTED unanimously to begin the Special Town Meeting, scheduled for November 19, 2012 at 7:00 p.m.

FY 13 Town Manager Performance Goals

The Select Board reviewed the ten existing goals and agreed to include an eleventh goal based on the suggestion submitted by the Coalition of Amherst Neighborhoods.

VOTED unanimously to approve the FY 13 Town Manager Performance Goals, as amended.

FY14 Budget Policy Guidelines

The Select Board reviewed the FY 13 budget policy guidelines and provided suggestion for a variety of revisions and clarifications. Board agreed without formal vote to proceed over the next couple of meetings with the Budget Policy Guideline plan as presented, including taking public comment on the draft guidelines to date at the October 22, 2012 meeting. Ms. O’Keeffe will incorporate the Budget Policy Guideline revisions as discussed into a new working draft for the October 22, 2012 meeting.

Town Manager's Report

Mr. Musante reported on his attendance at the recent International City Managers Association conference, which featured valuable networking and workshops, and provided an opportunity to share ideas among top officials from other college communities who are grappling with the same off-campus impact challenges that Amherst faces.

Mr. Musante provided a status update on the appeal process and its possible outcomes regarding the loss of CDBG mini-entitlement status. The Select Board agreed that finding a way to address the loss of CDBG funds was critical and looks forward to the Town Manager’s recommendations as to how to best address.

Mr. Musante noted the Select Board should expect the fall Special Town Meeting draft warrant in the packet for the October 22, 2012 meeting, as well as a draft of the revised taxi regulations, with the goal of having them ready for final approval at the November 5 meeting.

The Select Board requested that the packet of information relative to the draft tax regulations include a memo about the process to date, including process of drafting, sharing with companies, and collecting feedback.

Safe and Healthy Neighborhoods Initiative (SHN) – Status Report and Next Steps

Mr. Musante reviewed the status of the SHN initiative and efforts to date, as summarized by his memo provided for this meeting. Rob Morra, Julie Federman, Chief Nelson and Chief Livingstone spoke and summarized each of their departments' activities regarding complaints, inspections and other interactions with landlords and students. Mr. Musante described the SHN work group he is establishing to pursue new Town policies and bylaws, including review of the *Four Unrelated Persons* zoning limit and a planned Rental Registration and Permitting proposal for the 2013 Annual Town Meeting. Planning Board chair David Webber voiced his support of the SHN work group being established by the Town Manager, which includes a representative from the Planning Board. John Coull urged the Town to also use social media to assist in SHN messaging. The Select Board requested the Town Manager provide a report on the role and expectations for private security firms being utilized by some neighborhoods in an upcoming Town Manager's report.

Member Reports

The Select Board agreed to support the recommendation from the Budget Coordinating Group (BCG) to appropriate the additional \$585,000 expected in State aid to the Other Post Employment Benefits (OPEB) Trust or to the Stabilization Fund, not to put it towards new spending. There was some hesitation noted in funding the OPEB versus Stabilization due to the unknown element of a potential need to use reserves to replace lost Community Development Block Grant (CDBG) funds next year.

Activities and scheduling on liaison committees were reviewed. Ms. Stein reported on Community Preservation Act Committee (CPAC), Board of Health, Kanegasaki Sister City Committee and attendance at the Hampshire Council of Governance dinner in honor of retiring Congressman John Olver. Mr. Wald reported on Historical Commission and provided an update on the Town Flag. Ms. Brewer provided details on Housing and Sheltering Committee, Regional School District Planning Committee, reminding the Board of the Trivia Bee scheduled for October 25, 2012 and the Four Town Meeting on November 3, 2012. Ms. O'Keeffe referenced the memo she provided on recent activity on behalf of the Select Board, noting the Coffee Hour with UMass Student Leaders preceding the October 22, 2012 Select Board meeting.

Postponed approval of the Select Board Annual Report to a future meeting.

Minutes

VOTED unanimously to approve the minutes of July 16, 2012 and October 1, 2012.

Meeting adjourned at 10:01 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

Agenda and Draft Motions

Town Manager SHN Progress Report and Next Steps

SHN Information Packet

Board of Health and Inspection Services Status Reports

Health Department Housing and Nuisance Complaints FY 13

Health Department Off Campus Living Flyer

Health Department Letter to Landlords and Tenants May 2012

Health Department Letter to Landlords and Tenants September 2012
Health Department Notice to Abate a Nuisance
Fire Department SHN Status Report
Police Department SHN Status Report
UMass Respect our Neighbors Poster
DPW Capital Project Request for Minor Road Paving Bond
Road Project Spreadsheet
Brunelle Project CPA Proposal
Map for Conservation Partnership Grant – Brunelle Acquisition
Ricci Project CPA Proposal
Map for LAND Grant Proposal – Ricci Acquisition
North Common Project CPA Proposal
North Amherst National Historic Register District Map
Info Sheet on Establishing a Local Historic District
Flow Chart on Establishing a Local Historic District
Local Historic District Study Committee Draft Charge
Town Meeting Coordinating Committee Letter to Select Board
FY 14 Budget Policy Guideline plan
BCG Summary 9-13-12
Chair's Report 10-15-12
Context and Findings: Student Discipline and UMass Code of Student Conduct
UMass Amherst Dean of Students Office Student Conduct Report 2011-12
FY 13 Town Manager Goals – Draft Memo
Coalition of Amherst Neighborhoods' Letter Re Town Manager FY 13 Performance Goals
Resolution Honoring African American War Soldiers
Town Warrant for November 6, 2012 State Election
Final Minutes October 1, 2012
Draft Minutes July 16, 2012
Taxi Driver Applications Beaugard and Corey
Special License Applications UMass October 20 and 27, 2012
Common Victualer License Amherst Survival Center and Advanced Fresh Concepts Corp. (Big Y)