

Minutes

ATTENDANCE

Select Board

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

Staff: John P. Musante, Town Manager; Sandy Pooler, Finance Director; Deborah Radway, HR Director, and David Burgess, Principal Assessor

Other: Board of Assessors Members John Kick and Marilyn Blaustein; Resident Melissa Perot Elissa Campbell, Drew Grande, Kim Selznick, and Daniel Okoroafor.

**Public hearing opened at 6:01 p.m. and immediately adjourned to 6:45 p.m. with Mr. Musante and Mr. Hayden present.**

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

**Public Comment**

Melissa Perot thanked the Select Board for supporting Article 19 and encouraged the Town to establish a schedule of response costs for nuisance house violations and expressed her desire that violation letters be specific in their detail.

Elisa Campell, Drew Grande from the MA Chapter of the Sierra Club and Kim Selznick presented to urge the Select Board to petition the Governor to close Mt. Tom Power Plant. The desire to support the important issue of improved air quality was expressed, along with the desire to ensure that the consequences of a closed plant wouldn't include simply relocating the negative impacts. Additionally, it was emphasized that clean alternatives like wind and solar require strong support.

Mr. Grande, in his presentation with Ms. Campbell and Ms. Selznick, indicated that action by the Select Board in the next four weeks or so would be desirable, but that there was no specific urgency to the request. Aaron Hayden agreed to coordinate next steps on the proposal by the Sierra Club representatives that the Select Board send a letter to the Governor requesting closure of the Mt. Tom coal-burning power plant, or that it be made to comply with current air quality standards.

**Proclamation of Human Rights Day**

Human Resource Director Deborah Radway provided an overview of the plans for celebration, inviting the community on behalf of the Human Rights Commission to attend the vigil on the Town Common on December 10, 2012 beginning at 6 p.m.

VOTED unanimously to proclaim December 10, 2012 as Human Rights Day in Amherst and encourage all Amherst citizens to be mindful of human rights principles and urge all municipal, state, federal and international bodies to incorporate said principles into their laws and policies as a means to move toward the creation of a human rights culture, which is a “lived awareness” of human rights principles.

**FY 12 Annual Report**

VOTED unanimously to accept the FY 12 Annual Report for the Select Board as presented by Chair Stephanie O’Keeffe.

The Select Board requested an update on how the new taxi regulations are working in late spring.

There was also a suggestion for greater clarity on the street meter bags saying "2-hour limit" during the holiday free parking times if that is in fact the case. And if it is, is it being enforced? The Board thought it would be

good to know for future years, so the public has clear expectations, and good to know for next year so that the Select Board can be clear in its vote and intentions.

### **Renewal of Annual Licenses**

VOTED unanimously to approve the list of renewals for alcohol and non-alcohol licenses presented, dated December 3, 2012, and subject to receipt of documentation noted as pending for the calendar year beginning January 1, 2013 through December 31, 2013.

### **Special Licenses**

VOTED unanimously to approve a Special All Alcohol License for Amherst College Catering Services on behalf of the Trustees of Amherst College for a cash bar to be held for a 21+ student activities event to be held on Thursday, December 6, 2012 from 8:00 p.m. – 12:00 a.m. in the Friedmann Room, Keefe Campus Center at Amherst College; Greg Wardlaw, Catering Manager.

VOTED unanimously to approve a Special All Alcohol License for Top of the Campus, Inc. on behalf of the University of Massachusetts for a reception to be held on Wednesday, December 12, 2012 from 4:00 p.m. – 6:30 p.m. in the Fine Art Center, UMass Amherst; Meredith Schmidt, Assistant Treasurer.

VOTED unanimously to approve a Special Wine and Malt License for Top of the Campus, Inc. on behalf of the University of Massachusetts for a reception to be held on Friday, December 14, 2012 from 3:00 p.m. – 5:30 p.m. in the Atrium of the School of Management, UMass Amherst; Judy Bardwell.

VOTED unanimously to approve a Special All Alcohol License for Hurricane Boosters for a fundraiser to be held on March 16, 2013 from 6:00 p.m. – 12:00 a.m. in Valentine Hall, Amherst College.

### **Tax Classification**

Public hearing adjourned from 6:00 p.m. reopened at 6:45 p.m.

Mr. Burgess explained the classification issues and the recommendations from the Board of Assessors. Select Board members asked questions and provided additional detail about past considerations of the situation, to more fully-inform the viewing public.

No one from the public offered comment at the Public Hearing.

### **Public hearing closed by unanimous vote at 7:01 p.m.**

VOTED unanimously to adopt a minimum residential factor of one, equal tax rate for all classes of properties for Fiscal Year 2013 and that no open space discount be granted.

VOTED unanimously to NOT adopt a Residential Exemption for Fiscal Year 2013.

VOTED unanimously to NOT adopt a Small Commercial Exemption for Fiscal Year 2013.

The Select Board's classification votes result in a \$20.39 tax rate for FY13. It was noted that this rate is high, which is difficult for some, however it is expensive to maintain Amherst's valued programs and services, and that economic development remains an important tool for reducing the tax burden on residential property owners.

### **New Taxi Business**

VOTED unanimously to approve a new Taxi Business License for Daniel Okoroafor d/b/a Christian Coach Taxi, 13 Montague Road, Amherst, MA for the license year to begin January 1, 2013 through December 31, 2013.

## **Post Town Meeting Wrap-up**

The Select Board discussed the following issues, which Ms. O’Keeffe will summarize and circulate to Town Meeting Coordinating Committee (TMCC), the Planning Board and others as appropriate:

The 7:00 p.m. start time seemed beneficial in allowing more time to spend on issues each evening, with quorum being reached around 7:10 or so each session. The Board indicated their interest in feedback solicited by TMCC from Town Meeting members.

The Select Board encourages consideration of the Consent Calendar for Spring Town Meeting. While its use is at the discretion of the Moderator, the Board believed that its effectiveness would be greatly assisted if TMCC were to take the lead on educating Town Meeting about it ahead of time.

The Select Board’s observation and feedback was that check-in has had some delays, and wondered if there might be ways to improve upon that process.

Board members were curious as to how the new system of members being issued a single set of tally cards worked, noting the paper-saving part seemed beneficial.

The Select Board suggested that the Planning Board consider whether there might be any benefit to changing the deadline for petition zoning articles -- whether more time might allow for a better public hearing schedule, for example. We are not recommending a change, only offering the reminder that such change is an option if that would be helpful.

So that Town Meeting members are well-prepared for zoning articles, we recommend reminding them that in addition to the excellent Planning Board reports, which in some instances could contain greater detail, the Zoning Bylaw itself is a valuable information resource. Additionally, the Zoning Primer that Harrison Gregg put out several years ago is useful as both an overview and a refresher, and might be a good thing to distribute to Town Meeting members periodically, or to encourage that they access it on the Town web site.

The Select Board Chair, Town Manager and the Assistant to the Town Manager will meet to review the pre-Town Meeting calendar, deadlines, and information provided to petitioners about packet mailings and pre-TM presentations. Any feedback on those elements would be welcomed, and can be sent to the Select Board e-mail address: [selectboard@amherstma.gov](mailto:selectboard@amherstma.gov).

## **Town Manager's Report**

Mr. Musante summarized the Safe & Healthy Neighborhoods Work Group's charge, membership and timeline, and talked about the success of its first meeting. It was noted that all the group's packet materials are available on the web and that public comment is encouraged and can be facilitated by e-mailing members or the SHN Work Group’s Chair Dave Ziomek. Future public hearings to receive comment on the draft rental regulations to date are planned, and those dates will be publicized once they are set.

Mr. Musante spoke about the three situations he is aware of where private firms have been hired in neighborhoods including the Lincoln/Fearing neighborhood, Cows Road area, and Hobart Lane; Puffton and Townhouse also have their own private security. Mr. Musante noted there is good communication and coordination between Amherst Police Department and the private firms, whom are not able to act as enforcement agents or complainants for violations, but can provide valuable information to the Police. Ms. Brewer suggested that students be made aware of the different roles of the two entities.

Mr. Musante spoke about several elements in draft form as the FY14 Budget creation moves forward including potential recommendation of 0% increase for health insurance, down from the 2.5% projection in October; a small increase to the Veterans Services budget, to try to keep it aligned with benefit costs; Human Resources focusing on a sustained employee training effort; addressing the inadequate balance in the Solid Waste enterprise fund and potential fee increases to ensure the transfer station's activities are self-supporting; recommendations about restructuring the work load and work day in the Inspections Dept. to provide better

baseline inspection services for the future; OPEB contributions from the enterprise funds; efforts to phase DPW staffing back into general fund support from project-funded support for more efficient and flexible labor, to be paid for in part by cost-savings realized from the soon-to-be-installed LED street lights. Regarding the loss of CDBG funds, it was noted between expected transitional funds and unobligated administrative funds from the existing grant, he expects to be able to cover the gap without using FY14 general fund dollars next year. Discussions with HUD folks continue about the ability to be flexible with category percentages when transitioning from mini-entitlement status.

Mr. Musante noted new tree work will be starting on the Notch as part of a road construction project there. Mr. Musante announced that the December 5, 2012 LAND Grant award ceremony, at which Amherst will be among the communities to receive a grant, will be hosted in Amherst, in the Town Room at Town Hall. He also announced that Amherst was not successful in its bid for the PARC Grant application for the North Common, but feedback from the State indicated that the process was very competitive and encouraged the Town to try again next year.

### **Member Reports**

Select Board Members gave updates on the activities and scheduling of the committees on which they serve as liaisons including: Ms. Stein reported on Board of Health and Personnel Board and Ms. O’Keeffe on Council on Aging and Campus and Community Coalition.

### **Executive Session**

VOTED by ROLL CALL VOTE: O’Keeffe, Yes; Wald, Yes; Brewer, Yes; Hayden, Yes; Stein, Yes to enter into Executive Session per Massachusetts General Law Chapter 30A, section 21, part a, subset 3, to discuss strategy with respect to collective bargaining, as the Chair has declared an open meeting may have a detrimental effect on the bargaining position of the public body, with the intent NOT to return to public session at the conclusion.

ADJOURN The meeting adjourned at 8:57 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

Draft Motions

FY 2013 Classification

Taxi Business Application for 2013 - Christian Coach

Handout Mount Tom Evaluation of Compliance with the 1-hour NAAQS for SO2

Sample Letter regarding Mt. Tom Power Plant

Draft Select Board Annual Report FY 12

Human Rights Day Proclamation Draft 2012

Alcohol License Renewals 2013

Special All Alcohol License Applications Amherst College, Hurricane Boosters and UMass Amherst

Special Wine and Malt License Application UMass Amherst