

## Minutes

### ATTENDANCE

Select Board

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

Absent:

Staff: John P. Musante, Town Manager; Kris Pacunas, IT Director

Other:

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

**Public Comment:** Melissa Perot came before the Select Board and urged that elements of the Nuisance House bylaw be changed at the upcoming Annual Town Meeting. She inquired as to how to go about doing so. Ms. O’Keeffe indicated she would contact Ms. Perot with information on how to propose bylaw changes.

### Downtown WiFi

IT Director Kris Pacunas briefed the Select Board on recent upgrades to the Town's downtown WiFi system. He noted that the system was largely crafted in-house and yielded a superior outcome and at a lesser cost, as suppliers could not provide the strength and quality the Town sought. Its speed and coverage positions Amherst at the forefront of public WiFi systems in Massachusetts; the new system benefits businesses, customers, residents, and those downtown who partake of WiFi outdoors. The Select Board expressed great appreciation for the work.

### Announce FY 14 Water and Sewer Rates

Mr. Musante announced the new rates on which his FY 14 water and sewer budgets were based, citing water rates would remain unchanged at \$3.40 per 100 cubic feet and sewer rates would increase by ten cents or 2.9% from \$3.45 to \$3.55 per 100 cubic feet. It was further noted that these rates are lower than the State average, as well as the rates in surrounding communities. The Select Board reviewed the Town Manager’s memo which detailed changes anticipated in costs and usage. The Chair asked Select Board members to bring the Town Manager’s memo on FY 14 water and sewer rates included in this evening’s packet to the next meeting, as the new rates are expected to be acted on at the January 28, 2013 Select Board meeting. If approved, the rates would be scheduled to take effect July 1, 2013.

### Renewal of Annual Licenses

VOTED unanimously to approve the renewals for licenses, as presented on the list entitled “2013 License Renewals,” dated January 7, 2013, said list subject to receipt of documentation noted as pending for the calendar year beginning January 1, 2013 through December 31, 2013.

It was noted that the applicant had made a Scribner’s error on the application and was requesting the following revision.

VOTED unanimously to approve a correction regarding the hours of operation for New Paradise Inc. d/b/a Paradise of India located at 87 Main Street, Amherst relative to the renewal of their Common Victualler and Wine and Malt On Premise Restaurant Liquor License from Monday through Saturdays 11:30 a.m. – 3:00 p.m. and 4:30 p.m. – 10:30 p.m. and Sundays 12:00 noon – 10:00 p.m. to Monday through Sunday 11:30 a.m. to 10:30 p.m., effective 1/1/2013.

### Polling/Notice and Posting Locations

It was noted the change in ownership of the former North Amherst Congregational Church which serves as one of the Town’s polling places necessitated a vote of the Select Board to acknowledge the change in name.

VOTED unanimously to approve the North Amherst Zion Church located at 1193 North Pleasant Street as the designated polling place for Precinct 1, as required under Massachusetts General Law, Chapter 54, Section 24.

The Select Board requested the office follow up with the Town Clerk regarding a comment made by Melissa Perot from the audience regarding the North Amherst Zion Church's willingness to remain a polling place.

### **Taxi/Chauffeur Licenses**

VOTED unanimously to approve a new Taxi/ Chauffeur License for Gary Burnett Jr. on behalf of Ambassador Taxicab and Transportation Company for the calendar year 2013.

VOTED unanimously to approve a new Taxi/ Chauffeur License for Benjamin Mita and Ian Doelling on behalf of Celebrity Taxi Company for the calendar year 2013.

VOTED unanimously to approve a new Taxi/ Chauffeur License for John Rennau on behalf of Aaron's Transportation.

### **Special Liquor License**

VOTED unanimously to approve a special wine and malt liquor license for the Town of Amherst d/b/a Cherry Hill Golf Club on Saturday, February 9, 2013 from 1 to 7:30 p.m. in the parking lot area of the Cherry Hill Golf Course for Winterfest 2013; Barbara Bilz, Manager.

### **Minutes**

VOTED unanimously to approve the minutes of October 11, 2012; October 15, 2012; October 16, 2012; October 22, 2012; and November 3, 2012, as amended.

### **Appointments**

VOTED unanimously to approve the appointment of Jim Oldham as an at large member of the Community Preservation Act Committee for a three year term ending June 30, 2015.

VOTED unanimously to confirm the Town Manager's appointment of Diane Amsterdam to the Board of Health for the remainder of the term ending June 30, 2013.

### **Massachusetts Municipal Association (MMA) Resolutions for Annual Meeting**

The Select Board reviewed the resolutions to come before the business meeting at the upcoming MMA Annual Meeting. To allay concerns regarding the possibility of an amendment from the floor and the Chair's ability to respond appropriately, an amended version of what the Select Board had before them this evening was proposed as an addition for each of the four resolutions.

VOTED unanimously to authorize the Chair to vote on behalf of the Amherst Select Board at the January 26, 2013 MMA Annual Meeting in favor of the Proposed Resolution Calling for a Full Local-Federal Partnership to Protect the United States Economy, Preserve Essential Services for Citizens, and Ensure the Fiscal Health of the Cities and Towns of the Commonwealth, as presented, and for the Chair to use discretion as appropriate on any amendments offered from the floor.

VOTED unanimously to authorize the Chair to vote on behalf of the Amherst Select Board at the January 26, 2013 MMA Annual Meeting in favor of the Proposed Resolution Calling for Solutions to the Transportation Finance Crisis, as presented, and for the Chair to use discretion as appropriate on any amendments offered from the floor.

VOTED unanimously to authorize the Chair to vote on behalf of the Amherst Select Board at the January 26, 2013 MMA Annual Meeting in favor of the Proposed Resolution on the Urgent Need to Ensure Sustainability for Other Post-Employment Benefit (OPEB) Costs, as presented, and for the Chair to use discretion as appropriate on any amendments offered from the floor.

VOTED unanimously to authorize the Chair to vote on behalf of the Amherst Select Board at the January 26, 2013 MMA Annual Meeting in favor of the Proposed Resolution Supporting a Local-State-Federal Partnership to Protect the Environment, as presented, and for the Chair to use discretion as appropriate on any amendments offered from the floor.

### **Mt. Tom Power Plant Letter**

Mr. Hayden reported that the letter is in progress, promising to keep the Select Board updated on his process.

### **Town Manager's Report**

Mr. Musante provided an overview of changes to parking regulations being considered relative to the downtown area, noting the draft proposals have or will be vetted with staff, members of the Business Improvement District, and the Town Commercial Relations Committee. A public hearing will be posted for a future Select Board meeting date as soon as the recommendations are complete and ready for the Select Board's action.

Under active consideration is the addition of Gaylord Street to the Town Center Permit District; the return of permitted parking to the north side of Spring Street across from the Lord Jeffery Inn, where permit spaces had been previously converted to meters; an increase to the number of reserved spaces in the lower level of the Boltwood Garage, with potential for a hybrid model with fee adjustments for spaces reserved only for daytime use; an increase to the number of complimentary 15-minute on-street spaces; changes to the location and number of taxi stands; and potential changes to commercial loading zone locations or hours.

The Select Board requested that when the parking regulation recommendations are ready for their review, that detailed support information, including the specific numbers of spaces affected, pricing, visitor passes, maps showing proposals and all other relevant contextual details to inform the consideration be made available.

Mr. Musante provided an update on taxi businesses subsequent to the implementation of revised 2013 regulations that include the new requirement for meters. It was reported there has been a reduction in the number of taxi companies, down from 11 to 9 and the number of vehicles reduced from 61 to about 19. It was noted that there is an expectation that the number of vehicles will increase as the students return from winter break.

The Select Board questioned the status of the Christian Cab Company whose 2013 business license was approved in December, as the company's name was absent on the Taxi Update memo distributed this evening.

The Select Board requested that information on licensed taxi companies be added to the Town web site, including details about the requirement of meters and visual inspection stickers, possibly providing a visual for informing the public, including UMass and the other local colleges.

Mr. Musante reported that he is putting the finishing touches in place for finalizing the FY 14 Budget with highlights and the transmittal letter, with the entire "budget book" proposal ready for the January 16, 2013 meeting.

A handout highlighting the ceremony and recognition of Town employees reaching milestone years of service at the annual holiday party in December was reviewed with the Select Board. Special note was made regarding the 35 years of service by Police Chief Scott Livingstone, as well as by Ken Isabelle, recently retired from the DPW at the beginning of January. The Select Board expressed their appreciation for the service of all Town employees.

Mr. Musante noted that the PVRTA Advisory Board was made aware that release of the Governor's Transportation Plan is postponed by a week. The budget is expected to address the chronic funding problems of Regional Transit Authorities, and it is hoped that the budget will include solutions that avert fare hikes and/or service cuts.

### **Member Reports**

Select Board members provided updates on the schedules and activities of the committees to which they serve

as liaisons and representatives, as follows: Ms. Stein on the Personnel Board, CPAC and the status of production of the Town flag; Mr. Hayden on the Recycling and Refuse Management Committee, Public Transportation and Bicycling Committee and Public Works Committee; Mr. Wald on the Historic Commission; Ms. Brewer on the Disability Access Advisory Committee, LSSE Commission, Housing and Sheltering Committee, Regional School District Planning Board, and Community Development Advisory Committee; Ms. O’Keeffe on the Safe and Healthy Neighborhoods Work Group.

Ms. Brewer provided an update on the Open Meeting Law, referencing recent violations in Southampton for improper use of Executive Session and cautioned that all boards and committees should take great care with that. Ms. Brewer also noted changes to the online ethics training required for Town staff and members of local boards and committees.

In her Chair’s report, Ms. O’Keeffe noted that a meeting scheduled in December to discuss food truck regulations had been postponed; however, the goal is still to have draft regulations for the Select Board to consider in January or early February prior to final regulations being ready for a vote before spring.

The community's New Year's Day celebration of the 150th anniversary of the Emancipation Proclamation, put on by the Human Rights Commission, was noted with appreciation.

The Select Board requested that they be updated as appropriate on Town responsibilities regarding dispensing of medical marijuana as well as regulations for electronic billboards and other new State determinations with local impacts.

The upcoming meeting and event schedule was reviewed, including the annual MLK Jr. Community Breakfast on January 19, 2013 and Michelle Brooks singing Happy Birthday to mark the holiday celebrating Dr. King's birth on January 21, 2013 on the steps of Town Hall.

ADJOURN - The meeting adjourned at 8:15 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
- Downtown WiFi Press Release
- Water Sewer Rate Announcement
- MMA Annual Business Meeting Agenda and Proposed Resolutions to be considered
- Holiday Employee Recognition Program
- Taxi Licensing Update
- 2013 License Renewals (January 7, 2013)
- Paradise of India Correction of Hours of Service
- Polling Place Designation
- Taxi Driver Applications for Gary Burnett; Ian Doelling; Ben Mita and John Rennau
- Special One Day Liquor License for Winterfest 2013
- Draft Minutes for October 11, 15, 16, 22 and November 3, 2012.