

Minutes

ATTENDANCE

Select Board

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

Absent:

Staff: John P. Musante, Town Manager and Sonia Aldrich, Comptroller.

Other: Jacob Hannoush, Game Play, USA

Meeting called to order by Ms. O’Keeffe at 6:43 p.m.

Taxi Driver/Chauffeur Licenses

VOTED unanimously to approve a new 2013 Taxi/ Chauffeur License for Zachary John Bouricius on behalf of Celebrity Cab Company.

VOTED unanimously to approve a new 2013 Taxi/ Chauffeur License for John Nicol on behalf of Gottago Taxi Company.

Special Liquor License Extended

VOTED unanimously to approve a forty-eight hour extension of the special wine and malt license authorized for the Town of Amherst d/b/a Cherry Hill Golf Club, Saturday, February 9, 2013 from 1:00 p.m. to 7:30 p.m. in the parking lot area of the Cherry Hill Golf Course for Winterfest 2013; Barbara Bilz, Manager, through Monday, February 11, 2013.

FY 13 Second Quarter Budget Update

Comptroller Sonia Aldrich reviewed expenditures and revenues for the current fiscal year to date, noting that all accounts are tracking as expected with no specific areas of concern at this time.

Senior Center Parking Permit Program

Mr. Musante reviewed the goals of the pilot program as approved in mid-2011, noting that the goal of the pilot, to increase participation in Senior Center programs, was successful. Mr. Musante summarized the information provided by Director Nancy Pagano and Council on Aging member Jack Wollensak, adding his recommendation for continuation of the program without any changes.

VOTED unanimously to approve the continuation of the Senior Citizen Sticker Parking Program, as recommended by the Council on Aging and endorsed by the Parking Task Force (as originally presented to the Select Board at its June 13, 2011 meeting).

Vacancy on Library Trustees

The Select Board reviewed the information presented and agreed without formal vote to accept the recommendation of the Library Trustees to not fill the vacancy in advance of the April 9, 2013 Annual Town Election. The Town Manager will seek further clarification on MGL Chapter 41, Section 11, as to whether or not an obligation is created upon notice of the vacancy, noting the recent opinion of Town Counsel was considered ambiguous by some for its use and emphasis of the word “shall” in the last sentence of the first paragraph.

FY 14 Budget Discussion

The Select Board reviewed and offered comment on the Governor’s and the Town Manager’s FY 14 budget proposals.

Mt. Tom Power Plant

The Select Board agreed without formal vote to not proceed with a letter of advocacy regarding the status of the Mt. Tom power plant license as the license had already been renewed and the plant is exempt from stricter emission regulations due to its age.

2013 Community Development Block Grant Recommendations

The Select Board expressed their appreciation to the Town Manager and the Community Development Block Grant Advisory Committee for their hard work to craft a thoughtful recommendation to address the complexities of our transitional eligibility status. The Select Board noted their support of the Town Manager's prioritized recommendations for the 2013 Community Development Block Grant application, as outlined in the materials provided for this evening's meeting.

Annual Litigation Update

The Select Board reviewed with the Town Manager the memorandum from Kopelman and Paige on the status of pending litigation. No further action was deemed necessary.

Town Meeting Deadlines and Information

The Select Board reviewed deadlines for Annual Town Meeting, noting that the deadline for zoning-related petitions had passed with only one petition having been received. The Select Board agreed to keep the 7:00 p.m. start time for Town Meeting, noting the overwhelming positive feedback received.

Ms. O'Keeffe reported that she had been assisting a citizen with proposed changes for the Nuisance House Bylaw, which Ms. O'Keeffe expects to request be a Select Board article due to the members' expressed support for the concepts under consideration during discussion of the revisions made by vote at the Fall Town Meeting.

Massachusetts Municipal Association Annual Conference Report

Mr. Musante, Ms. O'Keeffe, Ms. Brewer and Ms. Stein reported on the seminars they attended or participated in at the recent annual MMA conference held in Boston, referencing the value of the conference. Mr. Musante reported on acceptance of a Municipal Website Award at the MMA event for the Town of Amherst, one of only six municipal websites in the Commonwealth; wonderful recognition of the progress the Town has made in our Open Government to the Max initiative.

Town Manager Report

Mr. Musante spoke about the outstanding preparation and response by the Department of Public Works and other members of the Emergency Operations Center for Winter Storm Nemo. The pace at which roads were cleared, the Town did not suffer any power outages, and received very few emergency calls were noted. A temporary increase in overflow capacity for the homeless shelter was approved in advance of the storm with good communication between provider and Town staff.

A recommendation was offered to not alter the election calendar in response to the State's offer to allow Towns to schedule the special U.S. Senate primary at the same time as the Annual Town Election. Consultation with the Town Clerk brought forth concerns regarding the tight timeline related to Town Meeting, which would require a delay in the start date. It was agreed without formal vote that the practical and logistical issues countered whatever financial and convenience benefits there might be in merging the elections.

Discussed the process for **the Safe & Healthy Neighborhoods Initiative**, including its current status and schedule for upcoming meetings to craft recommended draft Rental Regulations for sending to the Town Manager in time for Annual Town Meeting, as pledged.

Staff Recognitions included Kris Pacunas and I.T. staff related to the MMA web site award; Alan Snow's recent Massachusetts Tree Warden of the Year award; Human Resources Director Deb Radway for creating

professional development opportunities for staff with Massachusetts Municipal Personnel Association supervisory training programs held in Amherst and in conjunction with UMass professional development; Amherst Fire Department for their work at the Rolling Green fire, as well as support from Amherst Police and Public Works Departments.

Mr. Musante reported that the PVTA's FY 14 budget development so far involved conversation regarding the Governor's budget proposal and the potential of significantly increased funding for PVTA. He noted the PVTA Advisory Board, which he chairs had delayed further FY 14 budget discussions to await legislative action on the Governor's transportation finance legislation that could allow the PVTA to avoid needing to address budget gaps with fare increases and/or service cuts.

The Human Rights Commission to sponsor window painting contest as part of honoring February's Black History Month, in partnership with BID, Amherst Area Chamber of Commerce, and local businesses.

Member Reports

Select Board members provided updates on the schedules and activities for the committees to which they serve as liaisons and representatives, as follows:

Aaron Hayden for Recycling & Refuse Management Committee, Public Transportation Committee, Public Works Committee and committee assistance provided by several Amherst College interns; Diana Stein for CPAC, Board of Health, and JCPC, including a report on the order for a Town flag, which has been submitted; James Wald for Historical Commission, Design Review Board, North Common public forum, and JCPC; Alisa Brewer for Housing & Sheltering Committee, Regional School District Planning Board, and BCG; Stephanie O'Keeffe for Safe & Healthy Neighborhoods Working Group, Campus & Community Coalition, and BCG.

Ms. O'Keeffe reported on draft Food Truck regulations in progress and a meeting with the SGA officer in regard to UMass student interest in election to Town Meeting. Ms. O'Keeffe provided observations on a recent meeting in which she participated with Greek leadership, the Town Manager and staff in regard to Town-Gown issues and volunteer opportunities. Ms. O'Keeffe also reported on her meeting with ARMS Science Club in regard to their campaign to remind college students how their rowdy behaviors impact Middle School students and others by means of noise, litter, etc.

Ms. O'Keeffe reported on Town Counsel's response to the Select Board's inquiry involving a committee that includes a Select Board member in its membership, confirming that the Committee would still be eligible for Special Municipal Employee (SME) status; however, the Select Board member would be exempt. The Select Board review of SME status will be taken up at a future meeting, specifically what it means and which committees carry it.

Nyeri Sister City Committee

The Select Board discussed the status of the Nyeri Sister Committee and the recommendation of their Chair to dissolve, agreeing without formal vote to take no action at this time to suspend.

Special Liquor License

VOTED unanimously to approve special wine and malt licenses for concession sales at events to be held at the University of Massachusetts on the following dates, times and UMass Amherst premises, as listed; Judy Bardwell, Clerk, Top of the Campus, Inc.:

February 26, 2013	6:00 p.m. – 9:00 p.m.	Fine Arts Center
March 5, 2013	6:00 p.m. – 9:00 p.m.	Bowker Auditorium
March 7, 2013	6:00 p.m. – 9:00 p.m.	Bowker Auditorium
March 14, 2013	6:00 p.m. – 10:00 p.m.	Fine Arts Center

April 6, 2013	7:00 p.m. – 10:00 p.m.	Bowker Auditorium
April 11, 2013	6:00 p.m. – 10:00 p.m.	Fine Arts Center
April 12, 2013	6:00 p.m. – 10:00 p.m.	Fine Arts Center
April 27, 2013	6:00 p.m. – 10:00 p.m.	Fine Arts Center

VOTED unanimously to approve special all alcohol licenses for receptions and/or dinners to be held at the University of Massachusetts on the following dates, times and UMass Amherst premises, as listed; Judy Bardwell, Clerk – Top of the Campus, Inc.

February 15, 2013	2:00 p.m. – 4:00 p.m.	Central Heating Plant
February 26, 2013	5:00 p.m. – 8:00 p.m.	Dubois Library 26 th floor
April 6, 2013	6:00 p.m. – 11:00 p.m.	Dubois Library

VOTED unanimously to approve a special wine and malt license for a cash bar to be held at Keefe Campus Center, Amherst College from 9 a.m. – 1:00 a.m., Thursday, February 21, 2013; Charles Thompson, Director of Dining Services.

VOTED unanimously to approve a special all alcohol license for The Common School for a dance party fundraiser to be held at the Amherst College Alumni House from 7:00 p.m. to 11:00 p.m., March 23, 2013; Dana Kadish, Outreach Coordinator.

Appointments

Ms. O’Keeffe noted that the application being considered as new business was not anticipated at the time of posting the original agenda; however, the agenda had been updated to reflect the addition on Friday, February 8, 2013. The immediacy was advised due to the deficit of members and the resultant quorum issues to conduct the business of the Agricultural Commission; they might have to request an article for the Annual Town Meeting to reduce their quorum requirement prior to the closing date for submission. Ms. Stein noted the value it was thought Ms. Fricke would bring to the Commission.

VOTED unanimously to approve the appointment of Rebecca Fricke to the Agricultural Commission for a term to begin February 12, 2013 through June 30, 2015.

FY 14 Water and Sewer Rates

VOTED unanimously the Select Board, acting as the Water and Sewer Commission, as prescribed by the Amherst Town Government Act, to maintain the current water rate at \$3.40 per 100 cubic foot and increase the sewer rate from \$3.45 per 100 cubic foot to \$3.55 per 100 cubic foot, effective July 1, 2013.

Zoning Bylaw Petition

VOTED unanimously to refer the zoning article received by petition February 5, 2013, which proposes to amend the Official Zoning Map with a change in the zoning designation on Assessor’s parcels 14B-250 and 14B-251 from General Residence (R-G) to Neighborhood Business (B-N), to the Amherst Planning Board for review, public hearing and recommendation.

Special Municipal Employee Status

VOTED unanimously to grant the Design Review Board Special Municipal Employee status as of February 12, 2013.

Minutes

VOTED unanimously to approve the minutes of January 7, 2013 and January 31, 2013, as amended.

ADJOURN - The meeting adjourned at 9:58 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

Game Play USA, LLC Second Hand Sales Application

FY 13 Second Quarter Year to Date Budget Report Revised

Senior Citizen Parking Program Description and Regulations

Recommendation for Senior Center Parking Program

Select Board Process for Filing Elected Board Vacancies

Trustees Correspondence related to vacancy

2013 CDBG Recommendations from Town Manager

2013 CDBG Proposals

Citizen Participation Plan

CDBG Advisory Committee Memo to Town Manager

CDBG Cover Sheets – Recommended Articles

CDBG Cover Sheets – Non-Recommended Activities

FY 14 Budget Discussion – MMA Alert

Water Sewer Fund Projections

Water Sewer Rate Announcement

Kopelman & Paige Annual Litigation Report

Adoption or change of zoning ordinances or bylaws procedures

Assessors Map Parcels 14B-250 and 14B-251

Petition Article for Change of Zoning Map

Preview of Town Meeting Deadlines

Mass Live Article on Spring Elections

MTWFA – Tree Warden of the Year Award

SHN Status Overview 1-22-13

SHN Zoning Complaints June 1 to December 31, 2012

BCG Summary 01.31.13

Memo from Town Manager on SME Status for Design Review Board

Nyeri Kenya Sister City Committee Charge

Nyeri Sister City Committee Vote – 2007 ATM

Revised Design Review Board Charge

UMass Sober Shuttle Program Handout

Taxi Driver Applications for Bouvicius and Nicol

Special License Applications for UMass on 02-15-13; 02-21-13; 02-26 to 04-27-13; 02-26-13 and 04-06-13; and 03-23-13 for The Common School.