

Minutes

ATTENDANCE

Select Board

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

Absent: None

Staff: John P. Musante, Town Manager; Claire McGinnis, Treasurer/Collector; Sandy Pooler, Finance Director; and Sandra Burgess, Town Clerk.

Other: BID Director Alex Krogh-Grabbe, Dennis Porter, Colin Hill, Mario DePillis, Jr., Jack Hirsch, Gerald McCallum, and Paris Valley

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

Public Comment

Jack Hirsh and Gerald McCallum, residents of Flat Hills Road, expressed concerns about the recently announced plans to develop a student housing complex off of Henry Street in Amherst.

Bond Issuance

VOTED unanimously to Approve that in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund all of the Town’s \$4,000,000 General Obligation Municipal Purpose Loan of 2003 Bonds dated October 1, 2003, maturing on and after October 1, 2014, inclusive, (collectively, the “Refunded Bonds”) and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds; and,

Further Approve that the sale of the \$6,847,000 General Obligation Municipal Purpose Loan of 2013 Bonds of the Town dated March 14, 2013 (the “Bonds”), to Robert W. Baird & Co., Inc. at the price of \$7,164,514.84 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on October 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2013	\$447,000	2.00%	2021	\$325,000	3.00%
2014	660,000	2.00	2022	325,000	2.00
2015	650,000	3.00	2023	200,000	2.00
2016	640,000	3.00	2024	200,000	2.00
2017	635,000	3.00	2026	400,000	2.125
2018	515,000	3.00	2028	400,000	2.25
2019	325,000	3.00	2030	400,000	2.375
2020	325,000	3.00	2032	400,000	2.50; and,

Further Approve that the Bonds maturing on March 15, 2026, March 15, 2028, March 15, 2030 and March 15, 2032 (each a “Term Bond”) shall be subject to mandatory redemption or mature as follows:

Term Bond due March 15, 2026

<u>Year</u>	<u>Amount</u>
2025	\$200,000
2026*	200,000

Term Bond due March 15, 2028

<u>Year</u>	<u>Amount</u>
2027	\$200,000
2028*	200,000

Term Bond due March 15, 2030

<u>Year</u>	<u>Amount</u>
2029	\$200,000
2030*	200,000

Term Bond due March 15, 2032

<u>Year</u>	<u>Amount</u>
2031	\$200,000
2032*	200,000; and,

*Final Maturity

Further Approve that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated February 20, 2013, and a final Official Statement dated February 28, 2013 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted; and,

Further Approve that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement; and,

Further Approve that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time; and,

Further Approve to authorize the execution and delivery of a Refunding Escrow Agreement to be dated March 14, 2013, between the Town and U.S. Bank, National Association, as Refunding Escrow Agent; and,

Further Approve that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Parking Regulations

Public Hearing was opened at 7:10 p.m.

Dennis Porter of 33 Gaylord Street, Colin Hill of 15 Gaylord Street, and Mario DePillis Jr. of 27 Gaylord Street spoke in regard to parking challenges and concerns specific to Gaylord Street, unrelated to changes proposed for Town Center Permit Parking. Amherst Business Improvement District Director Alex Krogh-Grabbe offered comment in support of proposed changes. Mr. Musante, Mr. Pooler and Ms. McGinnis presented the proposed

changes and responded to Select Board questions. Comments by the Select Board elicited support for all the proposals with the exception of establishing a minimum charge for credit card use at the parking machines, citing loss of convenience as a concern. Further data on actual usage and costs were requested to allow consideration of the minimum charge for credit card use at another time. Additionally, Select Board members indicated a desire for Town staff to address the issues related to residents' ability to safely and practically exit their driveways, in addition to ensuring Hope Church has adequate permits for their parking needs. Public Hearing closed at 8:03 p.m.

VOTED unanimously to approve the proposed changes to parking regulations as follows:

1. **Commercial Loading Zones:**

- a. Add one (1) commercial loading zone along the median between the Main Street Lot and Main Street, west of the PVTA bus stop; and
- b. Remove three (3) 6:30 a.m. – 11:30 a.m. commercial loading zone spaces on the north side of Main Street by Town Hall. Two (2) spaces will change to metered spaces and one (1) space will change to a 15-minute parking space.

2. **15-Minute Parking Spaces:** Add three (3) 15-minute high turnover free parking spaces with signs stating a free 15-minute time limit, 8:00 a.m. to 8:00 p.m. effective duration, and with a \$10 fine for violations for spaces at the following locations:

- a. on the south side of Main Street by Town Hall;
- b. Lower Bangs Lot by Rao's; and
- c. Amity Street by Jones Library

3. **Taxi Stands:** Re-purpose five (5) metered spaces on the east side of South Pleasant Street between the Spring Street Lot and Main Street Lot driveways to late night taxi stands on Thursday, Friday and Saturday nights from 11:00 pm to 2:00 am. These spaces will remain metered for all other times. Two taxi stands adjacent to the Chamber Information Booth on South Pleasant Street will remain unchanged.

4. **Town Center Permit Parking:**

- a. Add the north side of Spring Street from Boltwood Avenue to Churchill Street to Town Center Permit Parking, Monday through Friday, 8:00 a.m. to 5:00 p.m. Metered parking will continue to be allowed at all times.
- b. Add the south side of Gaylord Street to Town Center Permit Parking, Monday through Friday, 8:00 a.m. to 5:00 p.m.

5. **Boltwood Garage Reserve Parking:**

- a. Increase by three (3) the number of leased spaces in the lower level of Boltwood Garage to a total of 28; and
- b. Change annual rate for lease of reserved space in Boltwood Garage from \$750 to \$850 per year, and eliminate the monthly rate. The last increase was June 1, 2011.

6. **Parking Lot Permit Parking:** Add a permit program for weekday parking during business hours, where the purchaser with a Town-issued permit affixed to the window can park in any available metered space in the designated lot Monday through Friday, 8:00 a.m. to 6:00 p.m. Evidence of employment in the downtown is required to qualify for the permit. An 8:00 a.m. to 12:00 noon Saturday morning pass can be added for \$25. The permit shall become available May 1, 2013 and all permits shall annually renew on May 1. Beginning each November 1st, a half year and half price permit will be available.

	Boltwood Garage Lower Level	Town CVS Lot
Monday-Friday	\$600 per year	\$400 per year
Add Saturdays	\$25 per year	\$25 per year

The Select Board voted unanimously to take no action in regard to proposed changes in minimum time with purchase by debit or credit card in multi-space meters to 2 hours to recover full cost of this type of transaction, requesting further supportive data.

The Select Board Chair requested confirmation from legal counsel relative to the public notice required for creation of a new parking permit and associated fees for lower Boltwood Garage and the CVS lot, since unlike the other items, the topic was not specifically listed on the agenda under the timed item for parking regulation.

Food Truck Regulations

The Select Board agreed without formal vote to proceed as planned with drafting food truck regulations. Ms. O’Keeffe will attempt to provide answers to a variety of questions and present regulation language for approval at either the next or subsequent meeting.

Martin Carrera, the owner of La Veracruzana restaurant, suggested a committee be formed to regulate food trucks and that the vendors should be subject to the same zoning, design, and health and safety requirements as brick and mortar restaurants. Amherst BID Director Alex Krogh-Grabbe spoke in favor of the draft regulations and the need for a balanced approach to drafting regulations, and further suggested that requirements for doing business should be made easier for new restaurants rather than harder for food trucks.

Paris Valley, a food truck licensee, spoke in favor of the regulations. She mentioned that she had moved forward with an investment in a new quieter generator to address noise problems that had been raised and cited the strict inspection standards to which she is held.

FY 14 Budget Discussion

Ms. O’Keeffe offered to draft a letter on behalf of the Select Board, with the Town Manager’s assistance, to advocate for the Governor's revenue proposal, which is intended to boost both transportation and education investment locally, as well as across the state. The letter will be sent to both Amherst legislators, key budget and decision-making officials on Beacon Hill, and adapted for a letter to the newspaper.

Gift Acceptance

VOTED unanimously to accept a gift of tangible personal property from Ann Bronner of Hadley, Massachusetts, as provided for in M.G.L. c44, §53A½, described as an original Stephen Hamilton Watercolor for addition to the collection housed in the Amherst Police Department.

Parking Meter Reservation Request

VOTED unanimously to approve reservation of thirteen (13) metered parking spaces on the North side of Main Street abutting Sweetser Park for the Fourth Annual Walk for Aphasia on Saturday, April 20, 2013 from 7:00 a.m. to 3:00 p.m., or as needed.

VOTED unanimously to approve reservation of five (5) metered parking spaces on the South side of the Unitarian Church parking lot for Barry Roberts to allow borings to take place on the church property on Friday, March 8, 2013 from 7:00 a.m. to 5:00 p.m.

Special Liquor Licenses

VOTED unanimously to approve a special all alcohol license for a student casino event in the Keefe Campus Center, Amherst College on Friday, March 8, 2013 from 8:00 p.m. to 11:00 p.m.; Molly Venne, Catering Manager.

VOTED unanimously to approve a special wine and malt license for a reception in the Isenberg School of Management Atrium, UMass Amherst on Saturday, April 27, 2013 from 3:30 p.m. to 5:00 p.m.; Judy Bardwell, Clerk, TOC, Inc.

Approve language for Nuisance House Bylaw Amendments: Stephanie explained that she did not have the language available yet, and that there were still discussions with the resident as to whether it would be brought forward as a citizen petition or a Select Board article. She reiterated the intended changes: having response costs be assessed to the property owner/manager only after the third offense, accruing from the first response but only assessed if there's a third; and striking the sentence about the 12-month "clock" restarting with new tenants, so that it would apply to violations at a property within any 12-month period regardless of the tenants; and a point of disagreement with the resident, who wants to strike a reference to exempting owners/managers in the process of evicting the problem tenant, which Stephanie suggested was unnecessarily punitive to a landlord who is taking the ultimate corrective action. The Select Board indicated agreement with it going forward as a Select Board article with the changes indicated or having the resident pursue it as a petition.

Town Manager's Report

Mr. Musante provided a status update on the Safe and Healthy Neighborhood Work Group's progress and upcoming public forum.

Mr. Musante summarized work to coordinate with downtown bars to reduce negative impacts that have increased in last few years relative to the pre-St. Patrick's Day Event. Will monitor situation this year and take additional actions as necessary.

Mr. Musante provided a preview of the paving plan for the 2013 season, including an update on Pine Street, the full report to be presented at the March 18, 2013 meeting.

Wording was presented for the Parking Machine Instructional Sign. Select Board members requested greater definition. Additionally, an electronic version of the document presented was requested to provide an easier mechanism for submission of editing suggestions.

Recent and Upcoming

Mr. Musante reported on his attendance at the Amherst Media interview of Governor Patrick, the public forum on elementary school regionalization, and the Four Towns' meeting on the Regional School budget.

Member Reports

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

Ms. Stein reported on JCPC and CPAC. Ms. Stein reported with great enthusiasm that the Town flag has been ordered and should arrive within a month or so.

Ms. Brewer reported on the work of the Regional School District Planning Committee, as well as the Housing and Sheltering Committee

The meeting adjourned at 9:31p.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

Bond Sale Memo to Select Board

Standard and Poors Rating for Amherst 2013

Proposal for Parking Regulations and Maps

Gaylord Street Handout and Presentation

Proposed Food Truck Regulations Report and Draft

Food Truck Cart Map

Resident Feedback on Food Truck Regs

Fall River Herald 02-27-2013 Article on Governor Patrick's spending increases

House Education & Transportation Investments 3rd Hampshire District – Story

Senate Education & Transportation Investments – Senator Rosenberg

Draft Parking Meter Signage

Stephen Hamilton painting donation

Parking Reservation Request & Map – Unitarian Church Parking Lot

Parking Reservation Request & Map - Aphasia Awareness

Special License Applications – Amherst College and UMass Dining Services