

## Minutes

### ATTENDANCE

Select Board

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

Absent: Aaron Hayden

Staff: John P. Musante, Town Manager; David Ziomek, Assistant Town Manager/Conservation and Development Director; Amy Rusiecki, Assistant Public Works Superintendent; Alan Snow, Tree Warden; and Stephanie Ciccarello, Sustainability Coordinator

Other: Rotary Club President Georgia Moore and members Stan Ziomek, Dick Matthews and Thad Dabrowski; Amherst Area Chamber of Commerce Executive Director Tony Maroulis; Barry Moser; Bernard Brennan; Attorney Tom Reidy; Hickory Ridge Manager William Rosenblum; Evelyn Bloom; John Spinetti, Hwei-Ling Greeney, Vince O’Connor and Janet Keller.

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

### Town Flag Presentation

Ms. Stein summarized the history of the Town flag’s creation and expressed appreciation to the Rotary Club of Amherst for funding a large flag to fly in the Hall of Flags at the State House, to Tony Maroulis and the Amherst Area Chamber of Commerce for funding production of twelve additional flags, and to artist Barry Moser for creating the design.

Rotary Club of Amherst President Georgia Moore formally presented the Town’s State House flag to the Select Board.

Ms. Stein presented Town flags to the Rotary Club, the Chamber, and Mr. Moser in appreciation of their contributions and photographs were taken to commemorate the occasion.

### Public Comment

Bernard Brennan of the Agricultural Commission expressed concern about the Saturday Farmers’ Market not being open to more Amherst producers; he acknowledged that some progress has been made with market managers, but insisted more is needed.

### CHD Child Abuse Prevention Proclamation and Flag-Raising

VOTED 4-0, 1 absent (Hayden) to proclaim April 2013 as Child Abuse Prevention Month.

VOTED 4-0, 1 absent (Hayden) to approve that the Children’s Memorial Flag be raised on the Town Common on April 30, 2013.

### Common Victualler Licenses

VOTED 4-0, 1 absent (Hayden) to approve a Common Victualler License for Basem M. Fam d/b/a College Pizza at 150 Fearing Street, Sundays through Thursday from 11:00 a.m. to 12:00 a.m., and Friday and Saturday 11:00 a.m. to 1:00 a.m.; Basem M. Fam, Owner/Manager; pending issuance until any/all outstanding regulations have been satisfied.

VOTED 4-0, 1 absent (Hayden) to approve a Common Victualler License for Pioneer Valley Pizza, LLC at 356 College Street, Sundays through Saturday, 11:00 a.m. – 11:30 p.m.; Joseph R. Bowman, Manager.

### **Special Liquor Licenses**

VOTED 4-0, 1 absent (Hayden) to amend the Special Wine Malt license approved for UMass Amherst for a reception to be held from 6:00 p.m. to 10:00 p.m. April 27, 2013 at the Fine Arts Center to a 12:30 a.m. closing time; Judy Bardwell, Clerk, TOC, Inc.

VOTED 4-0, 1 absent (Hayden) to approve the Special Wine and Malt License for the Springfield JCC for a Pioneer Valley Jewish Film Festival Benefit Party to be held in the Studio Theater of the Amherst Cinema, Amity Street, Amherst on April 14, 2013 from 2:30 p.m. to 5:00 p.m.; Dyan Wiley, Festival Director.

VOTED 4-0, 1 absent (Hayden) to approve the Special Wine and Malt License for Eva Fierst for The ArtSalon, Artists' presentation and talk, to be held in the Eric Carle Museum from 6:00 p.m. to 9:00 p.m. on April 11, 2013; Raphael Elison, Caterer.

VOTED 4-0, 1 absent (Hayden) to approve the Special Wine and Malt License for R & P Liquors for the Spring Jam to be held in the Library Gardens at Hampshire College from 1:00 p.m. to 6:00 p.m. on April 20, 2013; Nathan Day, Owner/Manager.

VOTED 4-0, 1 absent (Hayden) to approve the following Special Wine and Malt Licenses for receptions to be held in the locations and dates/times cited below; Judy Bardwell, Clerk, TOC, Inc.:

Fine Arts Center	April 24, 2013	5:00 – 7:00 p.m.
Isenberg SOM Atrium	April 25, 2013	4:00 – 6:00 p.m.
Engineering Lab II Atrium	April 27, 2013	4:00 – 5:30 p.m.
Conte Building Atrium	May 15, 2013	5:30 – 7:00 p.m.
Conte Building Atrium	May 17, 2013	4:00 – 6:00 p.m.

### **Liquor License – Hickory Ridge Golf Course**

Public Hearing Opened: 6:45 p.m. Attorney Tom Reidy, representing the applicant, explained the application and he and Manager William Rosenblum answered the Select Board's questions regarding the facility, its alcohol training and service plans. Public comment was provided by abutter Evelyn Bloom, who expressed a desire for screening or other measures to relieve noise and mitigate rowdiness that has occurred after some events held at the club under previous management. It was noted that such measures are not in the purview of the Select Board in its license consideration. The applicant indicated their willingness to welcome feedback in its effort to be a good neighbor. Select Board members expressed support for the license, noting that the golf club never has been and was unlikely to become a college student drinking destination. It was also cited that revitalizing the club is a positive for South Amherst, and a new license at that location is essentially the same as continuing a license at a location that had not been problematic in the past. Public Hearing Closed: 7:01 p.m.

VOTED 4-0, 1 absent (Hayden) to approve the application of an M.G.L. Chapter 138, Section 12 On Premise All Alcohol Restaurant Annual Liquor License to Hickory Ridge Grille, LLC at 191 West Pomeroy Lane on the premises described as a one-story frame building with dining area and lounge on main level consisting of approximately 4,720 sq. ft.; liquor storage on same level; finished lower level consisting of approximately 2,703 sq. ft., open air cocktail deck plus patio area consisting of approximately 3,616 sq. ft.; entire premises of 18 hole golf course containing three (3) structures located in the vicinity of the 6<sup>th</sup> tee box; 7<sup>th</sup> tee box and 17<sup>th</sup> tee box; with service on the golf course to be made by beverage cart; William Rosenblum, Manager of Record.

### **Sustainability Festival Parking**

Sustainability Coordinator Stephanie Ciccarello described the events and attractions planned for the annual Sustainability Festival. The public was encouraged to seek more information on the Town web site.

VOTED 4-0, 1 absent (Hayden) to approve the reservation of twenty-one (21) metered parking spaces on the west side of Boltwood Avenue, adjacent to the Town Common between Spring Street and College Street (Route 9) on Saturday, April 27, 2013 from 6:00 a.m. to 4:00 p.m. for display and vendor parking for the Sustainability Festival, to be bagged on Friday evening, April 26, 2013.

### **Arbor Day Proclamation**

Tree Warden Alan Snow described the upcoming activities to commemorate Arbor Day. He and Assistant Superintendent Amy Rusiecki talked about the Town's ongoing tree initiatives, including plans to plant more than 900 trees this summer. Residents who would like to host a tree on their property were encouraged to check the Town web site for more information or to call the Department of Public Works.

VOTED 4-0, 1 absent (Hayden) to proclaim April 27, 2013, as ARBOR DAY in the Town of Amherst, and urge all citizens to support efforts to protect our trees and woodlands and to support our Town's urban forestry program.

### **Farmers' Market Parking Request**

Amherst Farmers' Market President John Spinetti talked about the market's plans for the upcoming season, including the addition of four local producers as vendors at the Saturday Farmers' Market. Select Board members referenced the earlier public comment on the matter by Mr. Brennan and expressed the strong desire that still more be done to accommodate Amherst farmers into the market, which is a highlight of the downtown and uses Town property. Continued discussion between the Agricultural Commission, Town Manager, and Mr. Spinetti was encouraged, with the goal of satisfying Amherst producers' desire to participate. Mr. Musante concurred with that sentiment.

VOTED 4-0, 1 absent (Hayden) to approve the closure of that section of Spring Street within the Spring Street parking lot each Saturday from April 20, 2013 to November 23, 2013 from 7:00 a.m. to 1:30 p.m. for the Amherst Farmers' Market.

VOTED 4-0, 1 absent (Hayden) to approve the reservation of the first five metered parking spaces on the east side of South Pleasant Street originating at Spring Street, moving south towards College Street on each Saturday beginning April 27, 2013 to November 23, 2013 from 7:00 a.m. to 1:30 p.m. for the Amherst Farmers' Market, and on Saturday, April 20, 2013, the reservation of the first five metered parking spaces on the east side of South Pleasant Street between the Main Street and Spring Street Parking lots from 7:00 a.m. to 1:30 p.m.

### **Food Truck/Lunch Cart Regulations**

VOTED 4-0, 1 absent (Hayden) to approve the Rules Regulating the Use and Operation of Lunch Carts, as presented, with a review in six months, particularly looking to the practicality and effectiveness of the designated locations.

### **FY 14 Budget Discussion**

Town Manager Musante referenced the answers he had provided to budget questions Mr. Hayden had submitted and indicated further response would be forthcoming. A summary of the State budget situation and ongoing negotiations between the Governor and the Legislature regarding transportation was provided. Ms. Brewer noted a major concern with the Legislature's funding plan was that it focused only on transportation and did not include the education piece of the Governor's proposal.

### **Parking and Street Closure Requests**

#### **Extravaganja Festival**

VOTED 4-0, 1 absent (Hayden) to approve the reservation of the first three (3) metered parking spaces on the east side of South Pleasant Street going south from the intersection of Spring Street and six (6) metered parking spaces originating at the fifth meter on the west side of Boltwood Avenue, moving south towards College Street

from 8:00 a.m. to 7:00 p.m. and the South side of the Spring Street Parking Lot from 1:30 p.m. to 7:00 p.m. on Saturday, April 20, 2013 for the UMass Amherst Cannabis Reform Coalition's Extravaganja Festival.

### **Garden Club Plant Sale**

VOTED 4-0, 1 absent (Hayden) to approve the reservation of eighteen (18) metered parking spaces on the South side of the Spring Street parking lot for the Garden Club of Amherst's Annual Plant Sale set-up on Friday, May 17, 2013 beginning at 6:30 a.m. through no later than 6:00 p.m.

### **New Taxi Driver/Chauffeur Licenses**

VOTED 4-0, 1 absent (Hayden) to approve a new Taxi Driver/Chauffeur License for Terrence Fahey of Florence, MA on behalf of Gottago Taxi Company.

VOTED 4-0, 1 absent (Hayden) to approve a new Taxi Driver/Chauffeur License for Timothy Kane of Northampton, MA on behalf of Celebrity Cab Company.

### **Voting and Assignment of Select Board Positions on Town Meeting Warrant Articles**

Ms. Brewer requested that staff liaisons remind Boards and Committees of the opportunity to report to Town Meeting.

The Select Board asked that the Finance Director's memo in this evening's packet be updated to reflect the actual new article numbers to avoid potential confusion.

VOTED 4-0, 1 absent (Hayden) to recommend to the May 6, 2013 Annual Town Meeting, Article 1 – Reports of Boards and Committees; Diana Stein will speak to the article on behalf of the Select Board.

VOTED 4-0, 1 absent (Hayden) to recommend to the May 6, 2013 Annual Town Meeting, Article 2 – Transfer of Funds – Unpaid Bills or dismissal, as appropriate; Diana Stein will speak to the article on behalf of the Select Board.

VOTED 4-0, 1 absent (Hayden) to recommend to the May 6, 2013 Annual Town Meeting, Article 3 – Acceptance of Optional Tax Exemptions; Diana Stein will speak to the article on behalf of the Select Board.

VOTED 4-0, 1 absent (Hayden) to recommend to the May 6, 2013 Annual Town Meeting, Article 4 – Acceptance of Optional Tax Work-Off Exemption for Veterans; Alisa Brewer will speak to the article on behalf of the Select Board.

VOTED 4-0, 1 absent (Hayden) to recommend to the May 6, 2013 Annual Town Meeting, Article 5 – Authorization for Compensating Balances; Alisa Brewer will speak to the article on behalf of the Select Board.

VOTED 4-0, 1 absent (Hayden) to recommend to the May 6, 2013 Annual Town Meeting, Article 13 – Retirement Assessment; Alisa Brewer will speak to the article on behalf of the Select Board.

VOTED 4-0, 1 absent (Hayden) to recommend to the May 6, 2013 Annual Town Meeting, Article 14 – Regional Lockup Assessment; Alisa Brewer will speak to the article on behalf of the Select Board.

VOTED 4-0, 1 absent (Hayden) to recommend to the May 6, 2013 Annual Town Meeting, Article 17 – Reserve Fund; Diana Stein will speak to the article on behalf of the Select Board.

VOTED 4-0, 1 absent (Hayden) to recommend to the May 6, 2013 Annual Town Meeting, Article 18 – Revolving Fund Reauthorization; Alisa Brewer will speak to the article on behalf of the Select Board.

VOTED 4-0, 1 absent (Hayden) to recommend to the May 6, 2013 Annual Town Meeting, Article 25 – Social Services Funding; Alisa Brewer will speak to the article on behalf of the Select Board.

VOTED 4-0, 1 absent (Hayden) to recommend to the May 6, 2013 Annual Town Meeting, Article 26 – Town-Gown Strategic Planning; Stephanie O’Keeffe will speak to the article on behalf of the Select Board.

VOTED 4-0, 1 absent (Hayden) to not recommend to the May 6, 2013 Annual Town Meeting, Article 45 – Petition: Equitable Distribution of Social Services Funding; Alisa Brewer will speak to the article on behalf of the Select Board.

### **Annual Town Meeting Warrant**

The Town Manager presented the May 6, 2013 Annual Town Meeting Warrant for the Select Board’s review and authorization.

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

Mr. Musante reported on Traffic Calming measures planned with permanent speed humps proposed for Dana, temporary speed humps on Blue Hills, and either temporary or permanent humps on Lincoln, dependent on the ability to complete Lincoln's top paving coat this road construction season.

Mr. Musante commented on the job descriptions provided in the Select Board packets relative to the administrative staff to the Select Board and Town Manager office, noting interviewing for filling the administrative assistant position was in process.

A memo detailing Police response costs was distributed by the Town Manager and reviewed with the Select Board in accordance the Nuisance House bylaw in the event of third or subsequent Nuisance House violations. The Select Board members expressed support for the fee schedule and determined no further Select Board action was necessary. The Select Board did request a future update on Town bylaw fines and whether they are being upheld or reduced by the court.

Mr. Musante praised the work of the Amherst Police and Fire Departments in dealing with a busy weekend. He also expressed appreciation to the UMass Police Department for their off-campus visibility and assistance, joint patrols and other partnership work with APD; look forward to this continuing to the rest of the spring weekends.

Mr. Musante briefly reviewed recent meetings with UMass officials, the UMass Interfraternity Council, and the newly elected UMass SGA President and Vice President. He praised new neighborhood clean-up efforts by UMass Greeks, which began this weekend and are to continue over the next several Sundays. He also praised the Autism Speaks 5K event, arranged by UMass students with strong participation from Greeks, the football team and others, noting he was offered the opportunity to address the crowd there and speak to his appreciation for such work as a proud alum. The Town Manager also reported on his service on the panel at a recent MassINC transportation forum, as PVTA Chair. An update on Rolling Green Apartments and the Town's affordable housing situation is planned for an upcoming meeting.

### **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: Personnel Board, Kanegasaki Sister City Committee, Community Preservation Act Committee, Audit Committee; Mr. Wald: Historical Commission, Dickinson Historical District Committee; Ms. Brewer: Community Development Advisory Committee, Regional School District Planning Board; and, Ms. O’Keeffe: Budget Coordinating Group, Campus & Community Coalition, Safe and Healthy Neighborhoods Work Group.

**Chair's Report:** Ms. O'Keeffe noted the upcoming OPEB actuarial report to be presented at the April 25 Finance Committee meeting, to which the Select Board has been invited. Also noted the Coffee Hour Reception to honor Harrison Gregg for his long and distinguished service as Moderator to be held April 29 at 5:00 p.m. in the Town Room, Town Hall. All are welcome.

ADJOURN - The meeting adjourned at 10:03 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

The Saga of the Amherst Flag

Letter in Support of Hickory Ridge License Application

Liquor License Quota Report

Liquor License Application Hickory Ridge Grille LLC

Amherst Sustainability Festival Flyer

Amherst Sustainability Festival Parking Request and Map

Arbor Day Proclamation 2013

Tree Planting Questions and Answers

Farmers Market Parking Request 2013 and Map

Notice of Regional Lock up Assessment FY 14

Background Information on Articles

Town Manager Recommendation and list of 2013 CDBG proposals

MGL C59 s5N

Equitable Distribution of Social Service Funding by Housing for All

Chair Cover Memo on Food Truck Regulations

Rules Regulating the Use and Operation of Lunch Carts

FY 14 Budget – Legislative leaders announce Transportation finance plan

Reinventing Transit – A Blueprint for Investing in Regional Transportation

Administrative Assistant Position Description

Division Supervisor – Assistant to the Town Manager

Health Reports SHN March 4 – March 29, 2013

Inspections Report SHN

Nuisance House Bylaw – Schedule of Police Response Costs

BCG 3-28-13 Summary

COA Memo March 2013

Press Release on Off Campus Student Report

UMass Off Campus Conduct Report September – March 2013

UMass Press Release on Meeting to Discuss Spring Weekend Planning

Final Warrant 050613ATM

Extravaganja Parking Reservation and Map

Garden Club of Amherst Parking Reservation Request and Map