

Minutes

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

Select Board Absent: None

Staff Present: John P. Musante, Town Manager; Sandy Pooler, Finance Director; David Ziomek, Assistant Town Manager/Conservation and Development Director; Jonathan Tucker, Planning Director

Others Present: Melissa Perot, Stan Ziomek, Rob Crowner, Zoning Subcommittee Chair, Janet Keller, Maurianne Adams, Denise Barberet, Ben Grosscup, Louis Greenbaum, Jennifer Taub, Jerry Guidera

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

Public Comment

Melissa Perot expressed concern regarding zoning articles 31-33 to be considered by the Select Board this evening, suggesting deferral until completion of the Housing Market Demand Study.

Proclamation Honoring Stanley P. Ziomek

Mr. Musante praised Stan Ziomek for his long public and community service in Amherst and talked about the fundraising dinner to be held April 27, 2013. Ms. Stein read the proclamation, which was followed by applause.

VOTED unanimously to commend Stanley P. Ziomek for his outstanding public service of over sixty years in the Town of Amherst and hereby proclaim Saturday, April 27, 2013 Stanley P. Ziomek Day in the Town of Amherst.

Gift Acceptances

Mr. Musante and Assistant Town Manager David Ziomek explained the history of the lights at community field, the need for the Town to finally accept them as Town property and the establishment of an account to fund their maintenance, via the contribution from Mr. Ziomek. Additionally, Mr. Musante and Mr. Ziomek explained the history of the Sweetser Park fountain reconstruction and fundraising effort, and the donation of unspent funds from that effort being made to the Town for its maintenance.

VOTED unanimously to accept donation of sports lighting system and poles at Community Field and a donation of \$7,500 for the purpose of creating a maintenance fund for the system per the terms outlined in a letter dated April 22, 2013 from Amherst Athletic Association representatives Stanley P. Ziomek and David Knightly.

VOTED unanimously to accept a gift of \$20,181.57 from Stanley P. Ziomek for the Friends of Sweetser Park to be used exclusively for the maintenance and repair of the fountain, marble, granite and engraved bricks in the Park per the terms outlined in a letter dated April 22, 2013.

Extension of Land Development Agreement with HAP for Olympia Oak

VOTED unanimously to authorize the extension of the Land Development Agreement between the Town and HAP, Inc. from June 30, 2013 to August 30, 2013, to allow parties additional time to satisfy the preconditions to entering into the lease for the Olympia Drive property.

Announce Interest by Department of Conservation and Recreation (DCR) in Property Acquisition

DCR’s interest in the land on South East Street, which is part of the acquisition and funding proposal to be considered at Town Meeting in Article 24, was announced.

VOTED unanimously, pursuant to the Massachusetts General Laws and 301 CMR 51.00, et seq. to waive the 120 day notice period, and, do hereby approve the acquisition by the Department of Conservation and Recreation of approximately 5.44 (+/-) acres of land, or other property interest, in the Town of Amherst, in less than 120 days.

New Taxi Driver/Chauffeur Licenses

VOTED unanimously to approve a new 2013 Taxi Driver/Chauffeur License for Denis Racine of Easthampton, MA on behalf of Aaron's Transportation.

Common Victualler License

VOTED unanimously to amend the Common Victualler License for Basem M. Fam d/b/a College Pizza at 150 Fearing Street, for hours Sundays through Thursday from 11:00 a.m. to a 1:00 a.m. closing, and Friday and Saturday from a 11:00 a.m. to a 2:00 a.m. closing; Basem M. Fam, Owner/Manager.

FY13 Third Quarter Budget Update: Sandy Pooler reviewed the quarterly budget summary memo provided to the Select Board in this evening's packet and answered members' questions. Mr. Pooler noted expenses and revenues are tracking as expected, with some small adjustments to be recommended via the FY13 budget amendment article at Town Meeting. Investment income may need to be revised for FY14 to reflect ongoing low interest rates. Otherwise, all is well.

Establish Lincoln-Sunset Local Historic District Study Committee

VOTED unanimously to establish a seven member Local Historic District Study Committee for the Lincoln-Sunset Area (LHDSC-LSA), per Chapter 40C of the Massachusetts General Laws for a term to expire June 30, 2014.

VOTED unanimously to grant the Local Historic District Study Committee for the Lincoln-Sunset Area Special Municipal Employee status as of April 22, 2013.

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

VOTED unanimously to recommend to the May 6, 2013 Annual Town Meeting, Article 15 – Amherst-Pelham Regional School District Assessment Method; Alisa Brewer to speak to the Article on behalf of the Select Board.

VOTED unanimously to recommend to the May 6, 2013 Annual Town Meeting, Article 16 – FY 14 Operating Budget – Elementary Schools in the amount of \$21,989,199; Aaron Hayden to speak to the Article on behalf of the Select Board.

VOTED unanimously to recommend to the May 6, 2013 Annual Town Meeting, Article 16 – FY 2014 Operating Budget – Regional Schools, in the amount of \$29,130,815 and the appropriation of \$14,158,830 for Amherst's proportional share; Aaron Hayden to speak to the Article on behalf of the Select Board.

VOTED unanimously to recommend to the May 6, 2013 Annual Town Meeting, Article 16 – FY 2014 Operating Budget – Libraries, in the amount of \$2,339,757 with Town tax support of \$1,741,512; Aaron Hayden to speak to the Article on behalf of the Select Board.

VOTED unanimously to recommend to the May 6, 2013 Annual Town Meeting, Article 30 – Zoning: Converted Dwellings; Aaron Hayden to speak to the Article on behalf of the Select Board.

VOTED unanimously to recommend to the May 6, 2013 Annual Town Meeting, Article 31 – Zoning: Mixed Use Buildings - Standards and Conditions; Jim Wald to speak to the Article on behalf of the Select Board.

VOTED unanimously to recommend to the May 6, 2013 Annual Town Meeting, Article 32 – Zoning: Mixed Use Center Dimensions; Jim Wald to speak to the Article on behalf of the Select Board.

VOTED unanimously to recommend to the May 6, 2013 Annual Town Meeting, Article 33 – Zoning: Non-Conforming Uses and Structures; Jim Wald to speak to the Article on behalf of the Select Board.

VOTED unanimously to recommend to the May 6, 2013 Annual Town Meeting, Article 34 – Zoning: R-F District Dimensions; Jim Wald to speak to the Article on behalf of the Select Board.

VOTED unanimously to recommend to the May 6, 2013 Annual Town Meeting, Article 35 – Zoning: Locational Requirements for Non-Conforming Structures in Mixed Use Centers, or referral to Planning Board if Article 32 fails; Jim Wald to speak to the Article on behalf of the Select Board.

VOTED 4 in Favor with 1 Abstention (Stein) to recommend to the May 6, 2013 Annual Town Meeting, Article 36 – Zoning Petition: Amend Official Zoning Map to Change Zoning Designation on Parcels 14B-250 and 14B-251 from (R-G) to (B-N); Jim Wald to speak to the Article on behalf of the Select Board.

VOTED unanimously to recommend to the May 6, 2013 Annual Town Meeting, Article 29 – Residential Rental Property Bylaw; Stephanie O’Keeffe to speak to the Article on behalf of the Select Board.

VOTED unanimously to defer taking a position to the May 6, 2013 Annual Town Meeting, Article 38 – Petition – CAN Residential Rental and then, only if Article 29 fails; Stephanie O’Keeffe to speak to the Article on behalf of the Select Board.

Special Licenses

VOTED unanimously to approve an extension for a special wine and malt license previously approved for sale at concessions at the Fine Arts Center, UMass Amherst, Saturday, April 27, 2013 from a 10:00 p.m. to a 12:30 a.m. closing time; Judith Bardwell, Clerk.

VOTED unanimously to approve a Special Wine and Malt License to Elisabeth Bridgewater on behalf of Pioneer Valley Habitat for Humanity for a fundraiser event on the grounds of Cows Building Supply, 125 Sunderland Rd., North Amherst, on Thursday May, 2, 2013 from 2:00 p.m. to 11:00 p.m.

VOTED unanimously to approve a Special Wine and Malt License to Danielle Laferriere and Greg Wardlaw on behalf of the Amherst College Catering for a cash bar catered event at the King Dorm Quad at Amherst College on Thursday, May 2, 2013 from 9 p.m. to 12:00 a.m.

Town Manager's Report

Mr. Musante reviewed the status of the State budget process, including the current transportation bill situation.

Code enforcement officials' reports in packets relative to the **Safe & Healthy Neighborhoods Initiative** were highlighted. Mr. Musante noted the officials track complaints and follow-up on dozens of properties, as well as the status of compliance or enforcement actions.

Staff recognition highlighted activation of two members of the Amherst Police Department, Janet Lopez and Johanlet Medrano, and three members of Amherst Fire, Bill and Tom Messer, Reed Frailey as part of security efforts in the wake of the Boston Marathon bombing situation last week. Mr. Musante noted pride in the officers and the work that they do.

Mr. Musante announced there was to be a test of the **UMass emergency alert system** on Wednesday, April 24, 2013, noting a concerted effort is being made to publicize the testing, as there may be greater concern after the events of last week.

Upcoming events highlighted the **Sustainability Festival** this weekend, April 27, 2013 on the Town Common.

Mr. Musante reported on his meeting with **UMass Chancellor**, noting it was a good discussion. The objective is to continue to strive to strengthen the Town-gown partnership and work toward new solutions. Other UMass news included the Student Leadership reception and "Sammies" achievement awards, online training for students moving off campus and the Chancellor's inauguration scheduled on April 27, 2013.

Mr. Musante gave details on a recent visit by **Pakistani public officials**, noting it was a valuable and interesting discussion on the different models of local government and how they work.

Member Reports

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

Ms. Brewer reported on the Sustainability Festival, the Grow Food Amherst gardening instruction and the Craig's Doors open house.

Ms. Stein highlighted the recent activity of the Public Shade Tree Committee, Personnel Board, Board of Health, Craig's Doors open house, the May 18, 2013 planned reception for Cheryl Zoll for her years of service at the Survival Center, Disability Awareness Week, and the associated Pi Kappa Phi events.

Ms. O'Keefe provided an update on recent work of the Campus & Community Coalition.

The meeting adjourned at 10:42 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

Community Field Lights Agreement

Stanley Ziomek Proclamation

Sweetser Park Maintenance Agreement

FY 13 Third-quarter year to date budget report

Amherst School Budget

Amherst Regional School Budget

Amherst Library Budget

Rental Property Bylaw Overview

Registration Form and Self-Inspection Checklist

Draft Application

FAQ Residential Rental – SOK

Self Certification Checklist

Tenant Information Summary

Safe and Healthy Flyer

Planning Board Report – Article 30 Converted Dwellings

Planning Board Report – Article 31 Mixed Use Buildings Standard and Conditions

Planning Board Report – Article 32 Mixed Use Center Dimensions

Planning Board Report – Article 33 Non-Conforming Uses and Structures

Planning Board Report – Article 34 Fraternity Residence (R-F) Dimensions

Planning Board votes on Article 34 and 35

Planning Board Report – Article 35 Locational Requirements for Non-Conforming Structures

Planning Board Report – Article 36 Main and Gray Street Rezoning