

Minutes

ATTENDANCE

Select Board

Present: Stephanie O'Keeffe, Jim Wald Aaron Hayden, Diana Stein

Absent: Alisa Brewer

Staff: John Musante, Town Manager; David Ziomek, Assistant Town Manager; Sandy Pooler, Finance Director; Sonia Aldrich, Comptroller; Julie Federman, Health Director.

Other: Larry Kelley; Sarah la Cour, BID Director; Kim Stender, ARPS Representative; Andy Steinberg, Finance Committee Chair and Kathy Masalski, Kanegasaki Sister City Committee Chair

Meeting called to order by Ms. O'Keeffe at 6:32 p.m.

Public Comment

Larry Kelley urged the Select Board/Town of Amherst to fly ceremonial flags in remembrance of those killed on September 11th. Incoming college freshman were only six on September 11, 2001; not old enough to remember. Mr. Kelley also urged Select Board to place a referendum question on ballot in this regard.

Annual Town Election and Annual Town Meeting Dates

Ms. O'Keeffe presented proposed Town Election and Town Meeting dates for consideration. Finance Committee Chair Andy Steinberg spoke about concerns with starting the day after return from school vacation and with anticipated release of House Ways and Mean budget on or about April 16, 2013, which will require additional time if there are any significant changes. He and the Select Board agreed that there is typically uncertainty in State budget details in the spring, and that there are sufficient scheduling adjustments that can be made if necessary.

VOTED 4-0, 1 absent (Brewer) to schedule the 2014 Annual Town Election for Tuesday, March 25, 2014 with polls open from 7:00 a.m. to 8:00 p.m. and the Annual Town Meeting April 28, 2014, with additional sessions reserved for; April 30, 2014; May 5, 2014; May 7, 2014; May 12, 2014; May 14, 2014; May 19, 2014; May 21, 2014, May 28, 2014, June 2, 2014; June 9, 2014 and June 11, 2014.

Business and Driver License Transfer – Ziqui Taxi

Jim Johnson summarized the need for the request, indicating he had purchased the Ziqui Taxi business.

VOTED 4-0, 1 absent (Brewer) to approve the transfer of a 2013 taxi business license from Patrick Kayego doing business as Ziqui Taxi to Jim Johnson doing business as Ziqui Taxi.

VOTED 4-0, 1 absent (Brewer) to approve the transfer of the 2013 taxi driver/chauffeur license issued to Jim Johnson of Leeds MA on behalf of Gottago Taxi to Ziqui Taxi.

Parking Reservation and Road Closures Request

First Day Back-to-School Welcome

Kim Stender, Amherst Regional School District staff person, spoke about plans for the annual event and invited Select Board and community participation.

VOTED 4-0, 1 absent (Brewer) to approve street closures for that portion of Spring Street within the public parking lot from the intersection of South Pleasant Street to the intersection of Boltwood Avenue and that portion of Boltwood Avenue from the intersection of Spring Street to College Street on Wednesday, August 28, 2013 from 3:00 p.m. to 7:00 p.m. to ensure the safety of attendees for the Amherst/Pelham Regional School District's First Day Celebration.

BID Block Party

Sarah la Cour, BID Director, provided information on events planned for the second annual Block Party.

VOTED 4-0, 1 absent (Brewer) to approve the street closure of North Pleasant Street from the intersection of Amity and Main Streets north to Hallock Street and East Pleasant Street north from the intersection of North Pleasant to Pray Street from 2:00 – 11:00 p.m. on Thursday, September 12, 2013.

FY13 4th Quarter/Year-End Budget Update

Sandy Pooler, Finance Director and Sonia Aldrich, Comptroller reviewed the year-end budget update memo provided to the Select Board and answered questions. It was agreed to include the report in the Fall Town Meeting packet mailing, rather than sending out a separate mailing to Town Meeting members now. The Select Board expressed great appreciation for the detailed information and exceptional budget tracking and management by Town staff.

Update: Medical Marijuana Regulations, State and Local

Julie Federman, Health Director, provided information on how medical marijuana growing and dispensing facilities will be licensed across the state, and how communities are seeking to create local regulations for them. She reviewed the materials provided, and talked about the zoning amendments being drafted for consideration at Fall Town Meeting that will help Amherst to appropriately consider and site any future application for such facilities, rather than having to fit them into the closest use category as currently defined in the Zoning Bylaw.

Olympia Oaks Project

David Ziomek, Assistant Town Manager and Rudy Perkins, HAP Project Manager presented information on the lease proposal to offer information on the project.

VOTED 4-0, 1 absent (Brewer), pursuant to the vote taken under Article 18 of the May 3, 2010 Annual Town Meeting, to approve of the lease of the property at 85 Olympia Drive to Amherst Olympia Limited Partnership, and to approve and execute, and authorize the Town Manager to execute, any and all documents related thereto, including, without limitation, the Ground Lease, Notice of Lease, Grant Agreement, Affordable Housing Restriction, Ground Lessor Estoppel and Agreement, Tax Credit Regulatory Agreement, and MHP Affordable Housing Restriction, in the form presented to us on this day and/or with such non-substantive changes that may be made to the foregoing documents with the approval of the Town Manager and Town Counsel, and, further, to extend the lease contingency date as stated in the Land Development Agreement from August 30, 2013 to September 13, 2013.

Upcoming Visit by Kanegasaki Delegation and International Sister City Friendship Agreement

Kathy Masalski, Chair of the Kanegasaki Sister City Committee, and Ms. Stein previewed the schedule and activities planned for the September visit by the Mayor of Kanegaski and other city officials. A revised draft of the existing Friendship Agreement was presented for Select Board consideration, to be further reviewed by Kanegasaki officials before its official renewal during the visit.

VOTED 4-0, 1 absent (Brewer) to approve the International Sister City Friendship Agreement as to form and substance.

Town Manager's FY13 Performance Evaluation and FY14 Goal Setting

Ms. O'Keeffe reviewed the memo detailing the Select Board's performance evaluation of the Town Manager for FY13. In it, the Select Board praised Mr. Musante for his fine leadership, many strengths and his accomplishments over the past year. Areas that would benefit from additional attention were identified. The evaluation process was summarized and Ms. O'Keeffe thanked the Select Board for their thoroughness and diligence in fulfilling this important responsibility; staff who provided valuable feedback via their questionnaires and comments; and members of the public who submitted comment. Mr. Musante expressed appreciation to the Select Board for the helpful feedback provided by the evaluation. It was noted that an Executive Session to negotiate employment contract updates would follow this meeting, For FY14, the latest draft of the updated performance goals was reviewed with revisions to be incorporated for the September discussion.

Town Manager's Report

Mr. Musante reported on the following: Ongoing due diligence efforts related to preserving affordable units at Echo Village; Head Start's plans to vacate the North Amherst School and consolidate its programming, with considerations underway to lease the space to another local human service agency; road and sidewalk paving update; status updates on the Rental Permitting implementation group and the Town-Gown RFP plan (a to-be-named screening committee will determine the scope of services); Staff news: Sanitarian Javeria Mir and LSSE Sports Program Director Mark Miville have both moved on to other opportunities and their excellent work for Amherst was appreciated; and a variety of activities and initiatives are underway to usher in the new academic year, with partnerships between the Town and the University.

Member Reports

Select Board members reported on the activities and schedules of committees to which they serve as liaisons as follows: Ms. Stein: Kanegasaki Sister City Committee, Agricultural Commission, and Board of Health; Mr. Hayden: TMCC and Zoning Subcommittee

Parking and Street Closure Requests

Chamber Art Walk

VOTED 4-0, 1 absent (Brewer) to approve the reservation of one (1) metered parking space on the south side of Amity Street between the entrance and exit to the Amity Street parking lot, as shown on the attached diagram for Thursday, September 5, 2013 for the use of the Amherst Business Improvement District's trolley during the September Art Walk.

Trash to Treasures Furniture Sale

There was some confusion as to which motion for the event was current, believing the second was from the prior year's submission. The Board voted to approve both reservation requests presented, requesting office staff to confirm which was actually necessary for the event, based on whether the Farmers Market would be utilizing the section of Boltwood Avenue previously reserved.

VOTED 4-0, 1 absent (Brewer) to approve the reservation of ten (10) metered parking spaces on the west side of Boltwood Avenue moving south from the intersection of Spring Street on Friday, September 6, 2013 from 9 a.m. to 5 p.m. for set up and sixteen (16) metered spaces on the west side of Boltwood Avenue for volunteer parking only and ten (10) metered parking spaces on the east side of South Pleasant Street for customer pickup beginning at the intersections of Spring Street moving south towards College and between the hours of 5 a.m. and 4 p.m. on Saturday September 7, 2013 for the benefit of the Annual Trash to Treasures Furniture Sale.

VOTED 4-0, 1 absent (Brewer) to approve the restriction of all parking on the west side of Boltwood Avenue between Spring Street and College Street from 4 a.m. to 5 p.m. Saturday September 7, 2013 to avoid traffic congestion on the closed throughway.

ADA Celebration

VOTED 4-0, 1 absent (Brewer) to approve the reservation of thirty-five (35) metered parking spaces on the west side of Boltwood Avenue between College Street and Spring Street and on the east side of South Pleasant Street from 8 a.m. to 8 p.m. on September 21, 2013 for the Annual Stavros ADA Celebration.

Apple Harvest Festival

VOTED 4-0, 1 absent (Brewer) to approve the reservation of thirty-five (35) metered parking spaces on the west side of Boltwood Avenue between College Street and Spring Street and on the east side of South Pleasant Street from 9 p.m. Friday, September 27, 2013 to 10 a.m. on Saturday September 28, 2013 and up to five (5) meters until 5:00 p.m. on Saturday, September 28, 2013 for handicapped parking for the 27th Annual Apple Harvest Festival fundraiser for the Amherst Family Center.

Cushman Old Home Day Committee

VOTED 4-0, 1 absent (Brewer) to approve the request to block Hypotenuse Drive, which borders the Cushman common on Saturday, October 5, 2013 from 9 a.m. to 2 p.m. with a rain date of October 6, 2013 to provide adequate space for games and activities planned as part of the Cushman Old Home Day.

Taxi Driver Licenses

VOTED 4-0, 1 absent (Brewer) to approve a new 2013 taxi driver/chauffeur license for Shaun R. Downie of South Hadley MA on behalf of Ambassador Taxi Cab & Transportation.

VOTED 4-0, 1 absent (Brewer) to approve a new 2013 taxi driver/chauffeur license for Joyce E. Dube of Easthampton, MA on behalf of Aaron's Paradise Transportation.

VOTED 4-0, 1 absent (Brewer) to approve a new 2013 taxi driver/chauffeur license for Charley Fuller III of Amherst on behalf of Celebrity Cab Company.

VOTED 4-0, 1 absent (Brewer) to approve a new 2013 taxi driver/chauffeur license for James J. McColgan of Easthampton on behalf of Aaron's Paradise Transportation.

VOTED 4-0, 1 absent (Brewer) to approve a new 2013 taxi driver/chauffeur license for Richard J. McGaffigan of Florence MA on behalf of Aaron's Paradise Transportation.

VOTED 4-0, 1 absent (Brewer) to approve a new 2013 taxi driver/chauffeur license for Kazem Rahmani of Amherst on behalf of Celebrity Cab Company.

Special Licenses

VOTED 4-0, 1 absent (Brewer) to approve three Special Wine and Malt Licenses for Amherst College Dining Services for a 21 and over cash bar at a Pub Night event to be held on September 12, 2013, September 19, 2013 and September 26, 2013 from 7:00 p.m. – 1:00 a.m. in Schwemm's Coffee House, Keefe Campus Center, Amherst College; Charles Thompson, Director.

VOTED 4-0, 1 absent (Brewer) to approve a Special All Alcohol Special License for the Top of the Campus Inc. for a reception on September 27, 2013 from 6:00 p.m. to 7:30 p.m. in the lobby of the Fine Arts Center, UMass Amherst; Brenda Ryan-Newton, President.

VOTED 4-0, 1 absent (Brewer) to approve a Special Wine and Malt License for Top of the Campus Inc., for a reception on October 19, 2013 from 5:00 p.m. – 7:00 p.m. in Furcolo Hall, UMass Amherst; Brenda Ryan-Newton, President.

Common Victualler Licenses

Wings Over Amherst

VOTED 4-0, 1 absent (Brewer) to approve a new 2013 Common Victualler License for Afterburner Inc., d/b/a Wings Over Amherst, 181 D University Drive, Amherst for pickup only 11:00 a.m. through 12:00 a.m. Sundays through Saturdays, with delivery until 1:00 a.m. Sundays through Wednesdays, to 2:00 a.m. Thursdays, and until 2:30 a.m. Fridays and Saturdays; Abigail Lynn, Manager.

Freedom Cafe

VOTED 4-0, 1 absent (Brewer) to approve a new 2013 Common Victualler License for Amherst Project Inc., d/b/a Freedom Café, 768 North Pleasant Street, Amherst during daylight hours, currently 8:00 a.m. to 4:00 p.m. Mondays through Friday, adding Saturdays and Sundays during the academic year.

Executive Session

VOTED by ROLL CALL VOTE O’Keeffe, aye; Hayden, aye; Stein, aye and Wald aye, to enter into Executive Session, in accordance with Massachusetts General Law Chapter 30A, section 21: to conduct contract negotiations with non-union personnel, Town Manager John P. Musante, and will not reconvene in Open Meeting following the close of Executive Session.

ADJOURN - The meeting adjourned at 9:43 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

08-26-2013 Agenda final

08-26-2013 Draft Motions

Redacted Taxi Business License and Taxi Driver Application Johnson, J

Parking Reservation Request and Map First Day Celebration 2013

Parking Reservation and Road Closure Request and Map BID Block Party

End of Year Report FY 13

Medical Marijuana FAQ 2013

Medical Marijuana Program fee-structure

Letter from Legal Counsel regarding Olympia Oaks

Olympia Oaks Affordable Housing Restriction

Estoppel Agreement Olympia Oaks

Grant Agreement with HAP Post-Lease Work

Ground Lease Compare

Massachusetts Housing Partnership AHR Olympia Oaks

Notice of Lease Olympia Oaks

Tax Credit Regulatory Agreement Olympia Oaks

Third Amendment to LDA to extend same

Kanegasaki Sister City Agreement Revised

Kanegasaki Sister City Agreement Pledge 08.18.1993

Kanegasaki Sister City Committee Schedule 8-22-2013

Goals Discussion FY14 - 8-26-13

Select Board Evaluation form - COMPOSITE FY 13

Town Manager Evaluation Memo FY 13

Chair’s email on Setting dates for 2014 ATE and ATM

Parking Reservation Request Amherst Chamber for Art Walk

Parking Reservation Request Amherst Chamber for Art Walk Mapped

Parking reservation Request Trash to Treasures 09.07.13

Parking reservation Request Trash to Treasures Mapped

Parking Reservation Request Stavros ADA Celebration 09.21.13

Parking Reservation Request Stavros ADA Celebration mapped

Parking Reservation Request Apple Harvest Festival 09.27.13

Parking Reservation Request Apple Harvest Festival Mapped

Road Closure Request Cushman Old Home Day 10.05.13

Road Closure Request Cushman Old Home Day Mapped

Redacted Taxi Driver Applications - Downie, S., Dube, J., Fuller III, C., McColgan, J., McGaffigan, R., and Rahmani, K.

Special License Application - AC 9.12.13, 9.19.13, 9.26.13

Special License Application - UMass 10.19.13, 9.27.13

Common Vic Application - Wings Over Amherst 181D University Drive

Common Vic Application Freedom Cafe