

Minutes

ATTENDANCE

Select Board

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

Absent: None

Staff: John Musante, Town Manager; Sandy Pooler, Finance Director; Steve Connor, David Ziomek, Assistant Town Manager

Other: Amber Casey, Michael Burkart, Mary Wentworth, Mickey Rathbun and Chris Benfey, Larry Kelley,

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

Public Comment

Amber Casey, Michael Burkart and Mary Wentworth spoke to advocate for the appointment of Tracylee Boutilier to the Housing & Sheltering Committee, also urging Select Board to work more to diversify participants of the Committee.

Taxi Business and Driver License Transfer

Owner Edward Case presented and spoke on behalf of license.

VOTED unanimously to approve a new 2013 taxi business license and a taxi driver license for Edward L. Cage Jr. of Amherst, doing business as A to Z Transport Taxi Company.

Veterans' Property Tax Work Off Regulations

Finance Director Sandy Pooler and Veterans' Agent Steve Connor explained the program. In the spring, Town Meeting approved acceptance of the MGL provision to establish the tax work-off program, and Select Board approval of the program's guidelines was now necessary to implement it. The memo provided, detailing the proposed guidelines, was reviewed.

VOTED unanimously to approve the program rules for veterans property tax abatements pursuant to MGL c59, §5N as outlined in the attachment entitled Guidelines Town of Amherst Veterans Tax Work-Off Plan enclosed with Finance Director Sandy Pooler's memo of September 10, 2013 entitled Tax Work-Off Abatement Program Expansion.

Public Way Request: Permission to Place Mirror for Driveway Visibility – 666 South East Street

Residents Mickey Rathbun and Chris Benfey presented their request to install a mirror on Town property to facilitate safe entrance and exit from their driveway. The applicants requested Town assistance with the installation and the Town Manager recommended that a local company experienced with such work be engaged. The Select Board requested that DPW be consulted prior to installation to ensure compliance with any public way considerations, and reiterated that DPW would not be doing the work.

VOTED unanimously to approve the installation of a safety mirror attached to a pole within the public way on the west side of South East Street, approximately 12 feet north of the utility pole marked WMECo #57, as exhibited on the map entitled ROW Request 666 SE St; residents Chris Benfey and Mickey Rathbun; work to be performed in consultation with Department of Public Works.

Referendum on 9/11 Commemorative Flags

Larry Kelley, by a petition meeting the 10 signature requirement, asked the Select Board to place a non-binding referendum on a Town election ballot to gauge citizen sentiment on flying the commemorative flags annually on September 11th. Ms. O'Keeffe explained that Massachusetts General Law provides a process for citizens to put

referendum questions on the ballot, which Mr. Kelley was following, beginning with the 10-signature request. She said that if the Select Board rejects his request, the MGL process then allows Mr. Kelley to collect signatures from 10% of registered voters in town for this effort. She suggested that if the Select Board was interested in seeking the information about public sentiment, it should put such a question on the ballot; but as the Select Board has an established policy on the matter, and it is Mr. Kelley who wants the public to be polled, a ballot question should be via Mr. Kelley, as provided by State law. Mr. Kelley indicated that it would require significant time and effort for him to collect the required signatures.

VOTED unanimously to not approve a non-binding public opinion advisory question, as suggested by petition of Larry Kelley et al.

Town Manager Contract

Ms. O’Keeffe reviewed the agreements for changes to the Town Manager’s contract from the August 26th Executive Session, as had been announced in a press release the following day. Such agreements in Executive Session are not official until a formal vote on them has been taken in open session, thus this vote was required. VOTED unanimously to approve for the Town Manager a five year rolling contract term with a 2% increase in salary, effective October 1, 2013.

FY14 Town Manager Performance Goals

The current draft of Performance Goals was reviewed, with revisions from the August 26th discussion incorporated. Additional tweaks and revisions were discussed and will be incorporated for consideration and possible final approval at the September 30th meeting.

Review of FY13 Evaluation Process

Ms. O’Keeffe sought comment on the now-completed FY13 Town Manager evaluation process. Consensus was that it went well. A suggestion was made to consider deleting question 18 from the evaluation form when that form is reviewed at the beginning of the process next year.

Town Manager’s Report

Mr. Musante reported on the following: summer usage data on the Town pools; status updates on the Community Development Block Grant and applications for a MassWorks grant and PARC grant; information on Jones Library seeking a planning and development grant for possible facility renovation/expansion; updates on negotiations with owners of Echo Village and Rolling Green and partners in the affordable housing sector; Town-Gown study group soon to be named and will then begin work on determining scope of services for RFP; working to finalize dates and locations for meetings with Amherst Woods neighbors to get feedback on plans for a smaller solar array; speaking to a municipal conference on regional I.T. solutions; status of joint patrols and other public safety collaboration in the new semester; kudos to all involved with the recently-completed Ricci property acquisition; updates on paving construction and parking for Amherst College football games; an end to the agreement with Northampton for sharing a public health nurse position; and a status update on the work of the Rental Permitting implementation group.

Member Reports:

Select Board members reported on the activities and schedules of committees to which they serve as liaisons as follows: Ms. Stein: Letter to Rotary Club about the Town flag presentation at the State House, Kanegasaki Sister City Committee and the upcoming visit; Personnel Board, Agricultural Commission, and Board of Health; Mr. Wald: Historical Commission; Ms. Brewer: Housing & Sheltering Committee and the unveiling of the cow sculpture to raise money for Craig’s Doors.

Fall Special Town Meeting Dates

VOTED unanimously to revise the additional dates reserved for the Special Town Meeting scheduled to begin November 4, 2013 at the ARMS Auditorium, releasing the November 20, 2013 date and reserving November 25, 2013 in its place.

Zoning Bylaw Petition

VOTED unanimously to refer the zoning article received by petition September 9, 2013, which proposes to amend section 3.325 of the Zoning Bylaw, to the Amherst Planning Board for review, public hearing and recommendation.

Parking and Street Closure Requests

Annual High Point Hill Block Party

VOTED unanimously to approve the closure of Overlook Drive from house number fifty-nine (59) through seventy five (75) on Sunday, October 20, 2013 from 11:00 a.m. to 5 p.m. for the Annual High Point Hill Neighborhood Block Party.

Taxi Driver Licenses

VOTED unanimously to approve a new 2013 taxi driver/chauffeur license for Robert Wamani Kareithi on behalf of Ambassador Taxi Cab Company.

VOTED unanimously to approve a new 2013 taxi driver/chauffeur license for Andrew Garret Lederman on behalf of Celebrity Cab Company.

VOTED unanimously to approve a new 2013 taxi driver/chauffeur license for Bob Williamson on behalf of Aarons Paradise Taxi Company.

Special Licenses

VOTED unanimously to approve a Special Wine and Malt License for Amherst Area Chamber of Commerce for a live magazine show on September 19, 2013 from 6:30 p.m. – 10:30 p.m. in the Eric Carle Museum; Tony Maroulis, Executive Director.

VOTED unanimously to approve a Special Wine and Malt License for Top of the Campus Inc., for a reception on September 20, 2013 from 4:00 p.m. to 6:00 p.m. in the Herter Art Gallery – UMass Amherst; Brenda Ryan-Newton, President.

VOTED unanimously to approve the following Special Wine and Malt License for Top of the Campus Inc., Brenda Ryan-Newton, President, for concession sales in the Fine Arts Center Concert Hall lobby:

- October 3, 2013 from 5:30 p.m. – 10:00 p.m.,
- October 22, 2013 from 5:30 p.m. – 8:00 p.m.,
- October 26, 2013 from 6:00 p.m. – 10:30 p.m.,
- October 29, 2013 from 5:30 p.m. – 10:00 p.m.
- November 7, 2013 from 5:30 p.m. – 10:00 p.m.
- November 14, 2013 from 5:30 p.m. – 10:00 p.m.
- November 23, 2013 from 6:00 p.m. – 10:30 p.m.

VOTED unanimously to approve a Special All Alcoholic License for Amherst College Dining Services for a cash bar for a student formal dance on September 28, 2013 from 8:00 p.m. – 1:00 a.m. in the Keefe Campus Center, Amherst College; Greg Wardlaw, Manager.

VOTED unanimously to approve a Special Wine and Malt License for Amherst College Dining Services for a cash bar at a 21 and over Pub Night event on October 3, 2013 from 7:00 p.m. – 1:00 a.m. in Schwemm's Coffee House, Keefe Campus Center, Amherst College; Greg Wardlaw, Manager.

VOTED unanimously to approve a Special All Alcoholic License for Amherst College Dining Services for a cash bar for a class dinner on October 4, 2013 from 5:00 p.m. – 9:00 p.m. in the Lewis Sebring Commons in Valentine Hall, Amherst College; Greg Wardlaw, Manager.

VOTED unanimously to approve Special Wine and Malt Licenses for Amherst College Dining Services for a cash bar at a 21 and over Pub Night event on October 10, 2013, October 17, 2013, October 24, 2013 and October 31, 2013 from 7:00 p.m. – 1:00 a.m. in Schwemm’s Coffee House, Keefe Campus Center, Amherst College; Charles Thompson, Manager.

VOTED unanimously to approve a Special All Alcoholic License for Amherst College Dining Services for a cash bar at a Homecoming Festival on October 19, 2013 from 1:00 p.m. – 6:00 p.m. in the Coolidge Cage Gym, Amherst College; Greg Wardlaw, Manager.

ADJOURN - The meeting adjourned at 9:50 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

2013-09-16 Agenda - Final

2013-09-16 Draft Motions

Taxi Business and License Application A to Z

Veterans Work Off Program Memo to SB

Right of Way Request 666 SE St

Public Safety Response Relative to 666 SE Street Request

Right of Way Request 666 SE St Mapped

MGL CHAPTER 53 Section 18A

Petition for Ballot Ref on Flying Commemorative Flags

Musante 2013 Contract FINAL

FY14 Goals Discussion - 9-16-13

Outdoor Pool Stats FY13 v FY14

Report 2013 CDBG proposals-TM Recommendations

Mass Works Grant Summary

FY 2014 PARC Cover Letter, Project Description and Photos

FY13 LWCF-Narrative, Pictures and Application Puffers Pond

Planning and Design Letter of Intent - Amherst

MBLC Construction Grant Info Session

Legal Correspondence between AHA and Equity Residential

Chair Report - Unfurling dispute over flying of US flag in Amherst

UMass Dean of Students Correspondence

Mail - ABCC Advisory CGS Requirement

Mail - TMCC_Guidelines_for_Visual_Presentations

Letter to Rotary Club on Town Flag

Email from Senate on Amherst Flag

Hall of Flags with Amherst Flag

The Saga of the Amherst Flag

Petition Zoning Article Fall STM 2013

General Laws_ CHAPTER 40A, Section 5

High Point Hill area block party 10_20_13

High Point Hill Road Closure Request Mapped

Taxi Driver Application – Lederman, Williamson, & Kareithi

Special License Application - Amherst Area Chamber 9.19.13

Special License Application - Amherst College 9.28.13, 10.3.13, 10.4.13, 10.10.13, 10.17.13, 10.19.13, 10.24.13, and 10.31.13

Special License Application - UMass 9.20.13, 10.3.13, 10.22.13, 10.26.13, 10.29.13, 11.7.13, 11.14.13, 11.23.13