

MINUTES

ATTENDANCE

Select Board Present: Jim Wald, Alisa Brewer, Aaron Hayden, Diana Stein

Absent: Stephanie O’Keeffe

Staff: John Musante, Town Manager;

Other: Janna McClure, CDBG Advisory Committee Co-chair; Human Rights Commission members Damon Mallory, Emily Yung and Carol Ross; Residents Vince O’Connor and Jack Hirsch.

Meeting called to order by Ms. Stein at 6:31 p.m.

Public Comment

Jack Hirsch of Flat Hills Road read from and distributed a copy of remarks in regard to The Retreat proposal. Vince O’Connor urged Select Board to pursue a referendum question on next November’s election ballot for an increase in the Community Preservation Act property tax surcharge for affordable housing purposes. Mr. O’Connor also asked Select Board to speak at a future meeting regarding the Mill Street Bridge and to ask Amherst College for a greater financial contribution to the Town. Human Rights Commission representatives Damon Mallory, Emily Yung and Carol Ross presented a flyer and spoke in regard to Black History Month planned events.

Public Hearing – Liquor License Application: Bon Appetit

Hearing opened at 6:31 p.m. Manager Marcy Calderone present. Select Board Voted, 3-0, 2 Absent (Wald, O’Keeffe) to continue the hearing to 7:00 p.m.

Jim Wald arrived at 6:35 p.m.

Annual Litigation Update

Town Manager John Musante reviewed the annual litigation update report from Town Counsel, highlighting dismissal of Cohen versus Planning Board and reviewing the status of several other prominent cases.

Taxi Driver Licenses

VOTED 4 In favor (1) Absent (O’Keeffe) to approve new 2014 taxi driver/chauffeur licenses for Edward C. LeDoux on behalf of Celebrity Cab Company and Khaleel Khaleel on behalf of Tik Tak Taxi Company.

Special Liquor Licenses

VOTED 4 In favor (1) Absent (O’Keeffe) to approve a special wine and malt liquor license for Top of the Campus Inc., for a reception to be held February 13, 2014 from 5:00 p.m. – 7:30 p.m. in the Fine Arts Center Gallery/Atrium, UMass Amherst; Judy Bardwell, Clerk.

Public Hearing – Liquor License Application: Bon Appetit

Public Hearing on the liquor license application for Bon Appetit was reopened at 7:00 p.m. Mr. Wald stated for the record that he is an employee of Hampshire College. Hearing closed at 7:02 p.m. Marcy Calderone, Director of Operations, explained the change is in operations from prior management company Sodexo.

VOTED 4 In favor (1) Absent (O’Keeffe) to amend the hours of operation for Bon Appetit’s Common Victualler’s license to 7:00 a.m. – 12:00 a.m., Monday through Friday and 11:00 a.m. to 12:00 a.m. Saturdays and Sundays.

VOTED 4 In favor (1) Absent (O’Keeffe) to approve the application of Bon Appetit Management Company for a new Section 12 General On-Premise Annual All Alcoholic Beverage License on the premises of 893 West Street, Amherst, MA between the hours of 7:00 a.m. – 12:00 a.m., Monday through Friday and 11:00 a.m. to 12:00 a.m. Saturdays and Sundays; Marcy Calderoni, Manager.

Refer Zoning Petition to the Planning Board

Ms. Stein explained the purpose for which the petition had been filed, expanding the available uses for the identified property and the process under MGL requiring referral to the Planning Board. Mr. Hayden spoke in favor of the petition, noting he had served on the Planning Board when the previous covenant was approved. He indicated concern, however, with a Scribner’s error that appears in the petition article including language which was not in the approved covenant. Ms. Brewer provided dates the covenant had been approved previously.

VOTED 4 In favor (1) Absent (O’Keeffe) to refer the zoning article received by petition February 3, 2014, which proposes to authorize the Select Board to accept a revised covenant governing the range of allowable land uses on the property of 284 North Pleasant Street (Map 11C/Parcel 174), to the Amherst Planning Board for review, public hearing and recommendation.

CDBG Recommendations

Mr. Musante updated the Select Board on what staff is doing to meet the deadline for submitting the competitive CDBG grant application, required as the Town is no longer considered a mini-entitlement community. Jana McClure, Co-Chair of CDBG Advisory Committee was recognized. Mr. Musante endorsed funding recommendations received from the CDBG Advisory Committee for 2014 funding including \$600,000 for acquisition costs related to affordable housing at Echo Village, \$20,000 for emergency services, \$35,000 for the Survival Center food pantry program and \$70,000 for continued support of the emergency homeless shelter. Remarks on the comprehensiveness of the supporting memo yielded accolades for staff member Nate Malloy, specifically his support to the Advisory Committee and the extent of documentation he makes available to the public. Mr. Musante noted administrative funds included in the grant application are used for staff support of grant requirements including reports.

Committee Responsibilities

The Select Board discussed a letter regarding timeliness of Town board and committee meeting minutes and currency of board and committee web pages. Ms. Brewer noted Select Board liaisons as well as office staff have sent reminders to committee chairs. Paige Wilder spoke, noting a lack of understanding of the challenge involved. Rolf Karlstrom spoke in support of need, noting minutes serve as historical documents for reference, recommending reference to the Town’s “Open Government to the Max” initiative as a standard for compliance to posting. Vince O’Connor recommended staff take on responsibilities for ensuring compliance of minutes. The Select Board felt it unfair to add to staff workloads. Ms. Brewer spoke about the difficulty for those involved in meetings to participate and scribe meetings, evoking praise for Ms. O’Keeffe’s extensive summaries of Select Board meeting notes that assist in scribing of formal minutes. It was noted while digital recordings are beneficial, they are not allowed as a substitute for written minutes.

FY 15 Budget

Board members noted the level of care and information included in the budget was outstanding. Mr. Musante noted that budgeted revenues are estimates and if funded at the level anticipated creates a deficit in the amount of \$300,000. It is hoped the governor and state legislators will have come to agreement on a state budget by the time of Town Meeting, allowing the revenue figure to be finalized. The Town Manager called attention to a letter from Stephanie O’Keeffe in this evening’s packet that had been forwarded to legislators, leaders in the House and Senate, as well as the Governor regarding budget priorities and the need for adoption of a timely resolution on

state aid to cities and towns..

Town Manager Report

Mr. Musante cited the Town of Amherst's involvement with three Community Innovation Grant awards involving information technology in partnership with the communities of West Springfield, Northampton, and the Hampshire COG, as were several public safety applications where Amherst serves as the lead Town with Belchertown and Pelham for sharing of equipment and one with the District Attorney's office on coordination of efforts.

With the aid of staff including Finance Director, IT Director, and Comptroller and staff, the Town was able to make the online Open Checkbook concept available to the Town using existing software without need of additional Town funds.

The appointment of the Wildwood Elementary School Building Committee was reported, noting the full complement was included in this evening's meeting packet. A letter to the Superintendent outlines some next steps in the process, which is also included in the packet. Funding for a feasibility study will be forthcoming through the capital planning process with reimbursement of sixty percent from the Massachusetts School Building Authority expected.

Mr. Musante quickly summarized the cable contract ascertainment process, the negotiation of the franchise renewal, includes notice by formal letter to Comcast of the intent to renew and appointment of a cable advisory committee. Residents interested in serving should contact the Town Manager's office if they are interested in serving in such a capacity; goal is to name a committee within next sixty days.

Staff recognitions included announcement of the recent promotion of Tom Luippold, Water Treatment Supervisor to position of Director, including praise for his experience and demonstrated leadership necessary to replace Jeff Osborne who retired after 38 years of service to the Town. Kevin Sampson, Crew Supervisor, was also acknowledged and praised for his capabilities and contribution to the Town's water division.

Mr. Musante noted the need on multiple occasions for temporary permissions to increase capacity of emergency shelter due to the extraordinary winter. The Select Board requested an outline of use over the past few months, which will help emphasize need.

Mr. Musante also reviewed outcome of meeting with UMass Police Chief, Town Police and Fire Chiefs, Select Board Chair O'Keeffe, UMass officials and Chamber and BID Directors on preplanning for upcoming Blarney Blowout anticipated to occur on March 8, 2014.

Mr. Musante voiced support at a recent MassDOT hearing at the Bangs Community Center on the proposed state Transportation Capital Plan, urging MassDOT and the Governor to join legislators in support of Chapter 90 at the recommended level of \$300 million per year, which would represent more than a \$2 million increase to Amherst over the next five years. Additionally, he urged release of funding anticipated from previous transportation bond bill for the Pine Street project.

Mr. Musante attended a meeting with Aaron Hayden and Jim Wald at Senator Rosenberg's legislative breakfast at the Jones Library focused on funding for public libraries.

Mr. Musante reported that the Town-Gown study work continues; bid to be opened on February 14 with a goal of recommendation to Chancellor and Town Manager by end of month.

Member Reports

Mr. Wald reported on a successful joint capital planning approach for this year, hoping to conclude by late March. He noted inclusion of the Jones Library request for \$25,000 in local matching funds for a feasibility study planning grant. Noted recent meetings of Public Arts Committee and Design Review Board.

Ms. Stein reported on other capital requests from Police, Library and Conservation. Proposals for Community Preservation Act Committee were aired by those requesting funding; schedule of public hearings for proposals.

Ms. Brewer reported on CDBG work, repurposing of unused funds from prior years and the Housing and Sheltering Committee's work reviewing and providing comment on upcoming proposals for Town Meeting.

Open Meeting Law material was provided by Ms. Brewer on remote participation for a future meeting agenda item.

Select Board Policy - Filling Vacancy on Elected Boards

Ms. Stein reported on submission of a recommended policy from the absent Select Board chair Stephanie O'Keeffe, which provides the requested updates to a prior draft that explains how the process works to fill a vacancy in other elected Boards between formal elections. Amendment offered by Ms. Stein.

VOTED 4 In favor (1) Absent (O'Keeffe), to adopt the Filling Vacancy on Elected Boards Policy, as amended.

Minutes

Ms. Stein offered her notations of minor corrections necessary.

VOTED 4 In favor (1) Absent (O'Keeffe) to approve the minutes of July 29, 2013, August 19, 2013, August 26, 2013, September 11, 2013, and September 16, 2013, as amended.

ADJOURN - The meeting adjourned at 9:00 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 - final

Draft Motions Revised

BCG Summary Points 2014-01-27

Second Quarter YTD Budget Report to SB FC through December 31, 2013

Taxi Business Notice of Hearing Gotta Go

Police Chief Recommendation Gotta Go Renewal

Common Vic Application- Pita Pockets

Taxi Business Application - Funky Cab

Taxi Driver Application - Sanderson, C_Redacted

Taxi Driver Application- Kapinos, A_Redacted

Taxi Driver Application- Lynch, D_Redacted

Pole Hearing 270 Potwine Lane

HR Audit update 12714 transmittal

Water and Sewer Rates Recommendations to Select Board - FY 15 Revised

Ambulance Fee Recommendation to Select Board

Ambulance Fee Fire Chiefs Memo

Ambulance Fee Comparison Chart

IS Fees Proposed 1-23-14

MMA Alert Governor Files Disappointing FY 2015 State Budget

Housing and Economic Development Proposal

Staff Recognitions - HR Recruitment Update APD

Select Board Policy - New Liquor License Capacity DRAFT
Select Board Process for Filling Elected Board Vacancies - DRAFT
Liquor License Quota 2013 Revised 07-24-2013
Taxi Driver Application - Diagne,P_Redacted
Taxi Driver Application - Dioury, M Redacted
Taxi Driver Application - Lederman, A_Redacted
Taxi Driver Application- Orlando, F_Redacted
Taxi Driver Application Rae, S_Redacted
Special One Day-All Alc Amherst Athletic Boosters Inc 3.15.14
Special Wine Malt Amherst College, 2.6, 2.13, 2.20, 2.27.2014
Inn Holder License - University Motor Lodge