

MINUTES

Members Present: Stephanie O’Keeffe, Alisa Brewer and Diana Stein.

Members Absent: Aaron Hayden and Jim Wald.

Staff: John P. Musante

Other: Walter Chudzik (WMECO,) Connie Kruger (Hop Brook B & B,) Aqeel Ahmed (Game Central Station)

Meeting called to order by Ms. O’Keeffe at 6:38 p.m.

Public Comment

None.

HAP Housing Affordable Housing Application Support

VOTED 3-0, 2 absent (Hayden, Wald) to support the application of HAP Housing for federal and state low income housing tax credits for the Olympia Oaks affordable housing project.

The Select Board authorized, without formal vote, Ms. O’Keeffe to draft and forward a letter of support on behalf of the Board.

Inn Holder Licenses

VOTED 3-0, 2 absent (Hayden, Wald) to approve the application for an Inn Holder License for Hop Brook Bed and Breakfast d/b/a Hop Brook Enterprises at 15 Hop Brook Road, Amherst, MA, Manager Connie Kruger.

VOTED 3-0, 2 absent (Hayden, Wald) to approve the application for an Inn Holder License for Birdsong Bed and Breakfast at 815 South East Street, Amherst, MA, Manager Carol Gray.

Ms. Kruger informed the Board that starting a Bed & Breakfast in Amherst was very complicated. Despite the fact that it is a by-right use in her zoning district, it required considerable and expensive permitting, training and certifications. Ms. Kruger indicated there was no information about the requirements on the Town website, nor was anyone in the Zoning, Inspections, Health or Select Board departments able to provide information about all of the interdepartmental requirements. She suggested information should be available on the web site and from Town departments about how to start a B & B in Amherst, and said she would be willing to assist in that endeavor.

Licenses Renewals - 2012

VOTED 3-0, 2 absent (Hayden, Wald) to approve renewals of taxi drivers and common victualler licenses as presented on the document entitled 2012 License Renewals revised December 30, 2011 for the calendar year beginning January 1, 2012 through December 31, 2012.

Pole Hearing – Seelye Street

Public hearing opened at 6:45 p.m.

Walter Chudzik from Western Mass Electric Company explained the proposal. No one from the public offered comment.

Public hearing closed at 6:48 p.m.

VOTED 3-0, 2 absent (Hayden, Wald) to approve the request of Western Mass Electric Company and Verizon New England Inc. to set a joint and identical location for one (1) jointly owned pole, number 121/7 T-7, on the West side of Seelye Street, approximately fifty-one feet (51’) southerly of Main Street, in accordance with field plan 6A020094.

Taxi Driver/Chauffeur Licenses

VOTED 3-0, 2 absent (Hayden, Wald) to approve a new Taxi Driver/Chauffeur License for Ramin Nassiri of Amherst, MA on behalf of Tik Tak Taxi Company.

VOTED 3-0, 2 absent (Hayden, Wald) to approve a new Taxi Driver/Chauffeur License for Shane Daviau of Holyoke, MA, Jay Krenwinkel of Northampton, MA, and Steven Parsons of Williamsburg, MA on behalf of Aaron’s Transportation.

Special Liquor License

VOTED 3-0, 2 absent (Hayden, Wald) to approve a Special All Alcohol License for Greg Wardlaw/Danielle Laferriere of Amherst College Catering for a reception to be held at the Mead Art Museum from 3:00 p.m. – 6:00 p.m., Saturday, January 21, 2012.

Committee Appointments

VOTED 3-0, 2 absent (Hayden, Wald) to endorse the appointment of Ilana Schmitt to the Board of Health for a term to expire June 30, 2014, as recommended by the Town Manager.

VOTED 3-0, 2 absent (Hayden, Wald) to endorse the appointment of Kathleen Ford to the Planning Board for a term to expire June 30, 2014, as recommended by the Town Manager.

Items to be added to a future agenda included formation of a body to address Shelter feedback and review issues with staff; and status report on letter to committees without liaisons.

Second Hand Licenses

VOTED 3-0, 2 absent (Hayden, Wald) to rescind the 2012 Second Hand License approved Monday, December 5, 2011, as part of the list of renewals for alcohol and non-alcohol licenses presented that evening, dated December 2, 2011.

VOTED 3-0, 2 absent (Hayden, Wald) to approve the application for a License to Operate Secondhand Sales to Game Central Station Inc. at 220 North Pleasant Street, Amherst, MA 01002, Aqeel Ahmed, Owner.

The Select Board requested the Office review the second hand license application in regard to the requirement to maintain written records, specifically, confirming whether it is a requirement or a recommendation and who is the one indicated as responsible.

MSBA Statement of Interest – Wildwood and Fort River Elementary Schools

VOTED 3-0, 2 absent (Hayden, Wald) to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated January 9, 2012 for the Wildwood Elementary School located at 71 Strong Street, Amherst, MA which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future

- Priority 1 Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists.
- Priority 2 Elimination of existing severe overcrowding.
- Priority 4 Prevention of severe overcrowding expected to result from increased enrollments.
- Priority 5 Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility.
- Priority 6 Short term enrollment growth.
- Priority 7 Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.

and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

VOTED 3-0, 2 absent (Hayden, Wald) to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated January 9, 2012 for the Fort River Elementary School located at 70 South East Street, Amherst, MA which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future

Priority 1 Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists.

Priority 2 Elimination of existing severe overcrowding.

Priority 4 Prevention of severe overcrowding expected to result from increased enrollments.

Priority 5 Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility.

Priority 6 Short term enrollment growth.

Priority 7 Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.

and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

The Select Board requested that in future requests for support for MSBA, the Board be provided information from the School Committee discussion of the matter, minimally their minutes. It was also suggested the School Committee Chair and/or Superintendent be invited to attend the meeting.

Global Cities Covenant on Climate

Ms. Stein and Mr. Musante reported that Sustainability Coordinator Stephanie Ciccarello recommended that the Town not take action at this time. The Town's efforts are currently focused on attaining Green Communities status, with its required application and five-year energy conservation plan. Ms. Ciccarello indicated the Mexico City Pact and other conservation proposals should be considered after we have met those goals. The Select Board accepted that recommendation and took no action on the Mexico City Pact.

Proposed Resolutions for MMA Annual Business Meeting

Board members recognized that the Chair is expected to use her judgment regarding any amendments proposed from the floor, determining whether or not they are in the spirit of the Select Board's expressed support and voting accordingly.

VOTED 3-0, 2 absent (Hayden, Wald) to authorize the Chair to vote for the three (3) proposed resolutions to be considered at the January 21, 2012 Annual Massachusetts Municipal Association Business Meeting on The Transportation Finance Crisis, Opposing Unfunded Mandates on Cities and Towns of the Commonwealth, and Calling on the U.S. Government to Embrace a Strong Fiscal and Economic Partnership with Cities and Towns.

FY 13 Water and Sewer Rates

The Town Manager reviewed the packet memo about the proposed rate increase for water and sewer usage of 10 cents per 100 cubic feet: to \$3.40 for water and \$3.45 for sewer. It was noted that our rates are below the state average and below those of surrounding towns. The announcement is being made well in advance of the July 1 implementation date, so users are not surprised by the increase. The Select Board will vote on the new rates, as proposed at the January 23rd meeting.

FY 13 Budget Presentation

No further information was available this evening. It was noted the budget binder will be available at the January 13, 2012 budget presentation meeting.

Town Manager's Report

Building Commissioner Position: A search is underway to replace Bonnie Weeks, who finished her service to the Town at the end of December. Inspector Dave Waskiewicz has been appointed as interim until a new appointment is made. Members appreciated the job posting and job description included in this evening's meeting packets. Employment of the new Code Enforcement Officer position is in process, with discussions taking place with the leading candidate.

AFSCME Contract Settlement: Details of the agreement were reviewed, which runs through 6/30/13 and includes a 2% wage increase on January 1, 2012 and on July 1, 2012. The agreement also calls for formation of a committee to look at wage and compensation for comparable job titles in other towns.

Lord Jeffery Inn Reopening: The Town Manager was asked to make remarks at the ribbon cutting ceremony on January 5, 2012, noting excitement about the re-opening. Community open house and tours are scheduled for January 14, 2012. The launch of the Amherst Business Improvement District in conjunction with the Lord Jeff re-opening bodes well for downtown Amherst in 2012.

Two New Town Manager Committee Appointments: Mr. Musante reported his appointment of John Foster to the LSSE Commission and Sue Cairn to the Recycling & Refuse Management Committee.

October Storm Debris Update: DPW expects to complete removal of public way debris this week. Letters have been sent to residents with private debris who may want to avail themselves of the Town's price-discounted arrangement with Wagner Wood.

Hitchcock Center for the Environment: A recent announcement reported plans to explore a new location on the Hampshire College campus. The Board wished the Center well, noting the long and sound relationship as renters of the Larch Hill site.

University Health Services: It was reported UMass is providing an opportunity for the Town Manager, Fire Chief and Health Director to provide feedback on the reduced hours and future plans for the facility. Outreach to the Town via Nancy Buffone was noted with appreciation.

Minutes

VOTED 3-0, 2 absent (Hayden, Wald) to approve the minutes of July 25, 2011, August 29, 2011, September 12, 2011, October 3, 2011, October 18, 2011, October 24, 2011 and November 7, 2011, as amended.

The Board requested that all minutes list both present and absent members, even when no one is absent to be in compliance.

Member Reports:

Agricultural Commission: Ms. Stein reported the Committee did not meet in December.

Board of Health: Ms. Stein reported the Board of Health continues their work on regulations for outdoor wood boilers and an Emergency Preparedness Coalition for Eastern Hampshire County. Ms. Stein noted that another group -- the Hampshire Regional Emergency Planning Committee -- had received grant money for supplies to assist with future emergencies, noting she would have more to report on that in the future.

Community Preservation Act Committee: Ms. Stein reported that judging from applications received, the new letter the group had issued with guidelines for submissions had yielded excellent results. A public hearing on applications is scheduled for February 16, 2012. An attempt to increase publicity to encourage attendance is ongoing.

Town Meeting Coordinating Committee: Ms. Stein, in Mr. Hayden's absence, reported that the Committee is planning an informational meeting on January 31, 2012 at the Jones Library for residents who might be interested in running for a Town Meeting Member position. It was noted that every Town Meeting seat is up for election this year, as a result of precinct redistricting created by the 2010 Census outcome. The deadline for nomination papers, which requires only a single signature, including that of the nominee, is February 14, 2012.

Zoning Subcommittee: Ms. Stein, in Mr. Hayden's absence, reported on the Zoning Forum to be held at 5:00 p.m. on January 4, 2012 to hear the community's priorities for zoning amendments.

CDBG Advisory Committee: Ms. Brewer reported that the Committee is working to determine what information to request from awardees regarding the use and efficacy of CDBG money granted.

Housing and Sheltering Committee: Ms. Brewer noted that outreach is needed to get applicants for the new committee.

Regional School District Planning Committee: Ms. Brewer reported that the Committee is meeting soon to

consider usefulness and eligibility for available grant funds to be put toward acquiring resources, possibly a consultant, necessary to gather the needed info and data in the reconfiguration planning process, noting the deadline for the grant application is soon.

Campus and Community Coalition to Reduce High Risk Drinking: Ms. O’Keeffe reported that the UMass Night Out event attracted between 1,200 and 1,500 students. The different departments that worked together to put it on are discussing what can be done to improve it, with hopes of doing similar events monthly in February, March and April.

Open Meeting Law Update

Ms. Brewer suggested that Select Board members wishing to submit comments on the issue of what constitutes "knowingly" violating OML to the Attorney General’s Office, do so individually during the comment period, which concludes at 5:00 p.m. on January 19 , 2012. She and Ms. Stein expressed concern about what constitutes being notified or informed about different Open Meeting Law requirements.

Chair's Report: Ms. O’Keeffe reviewed upcoming deadlines for submission of warrant articles for the FY 13 Annual Town Meeting including February 6 for citizen zoning petitions and March 5 for citizen miscellaneous petitions and staff articles. Ms. O’Keeffe also reviewed upcoming January meeting and event dates.

The meeting adjourned at 8:35 p.m.

Respectfully Submitted,

John P. Musante, Town Manager

List of Documents Presented at the Meeting - Available in the Online Packet for the Meeting Date

01-03-2012 Draft Motions Revised

WMECo and Verizon Joint Pole Petition for Seelye Street

Second Hand License Application – Game Central

Email from Chief authorizing application for 2nd hand license application

MSBA Statement of Interest – Fort River Elementary School

MSBA Statement of Interest – Wildwood Elementary School

Global Cities Covenant on Climate

MMA Resolutions for Consideration

Town Manager Recommendation for FY 13 Water and Sewer Rate Increase

Town Manager Appointment for LSSE

Town Manager Appointment for Recycling & Refuse Management Committee

Building Commissioner Position Posting

Building Commission Job Description

Attorney General’s Notice for Proposed Amendment to OML on Definition of “Knowing or Knowingly”

HAP Housing Report

Letter of Support to DHCD HAP Olympia Oaks

2012 Select Board License Renewals for January 3, 2012

Innholder License Applications – Hop Brook and Birdsong Bed & Breakfast’s

Taxi Driver Applications

Draft Minutes of 7-25-11; 8-29-11; 09-12-11; 10-03-11; 10-18-11; 10-24-11; and 11-07-11.

Special Liquor License Application – Amherst College

Town Manager Recommendation for Appointment to Planning Board and Board of Health