

## Select Board Minutes

### ATTENDANCE

Select Board

Present: Jim Wald, Alisa Brewer, Aaron Hayden, Constance Kruger, Andrew Steinberg

Absent: None

Staff: John Musante, Town Manager; Sandy Pooler, Finance Director; David Ziomek, Assistant Town Manager; Robert Morra, Building Commissioner, and Deborah Radway, Human Resources Director.

Other: Community Preservation Act Committee Chair Peter Jessop, Human Rights Commission Chair Greg Bascom; Vince O'Connor, Frank Gatti and Paul Voss

Meeting called to order by Mr. Hayden at 6:35 p.m.

### Public Comment

Henry Whitten, Public Shade Tree Committee Chair promoted the Arbor Day proclamation, reporting on the planting of more than 2000 trees in the Town of Amherst while emphasizing we still need to do more. Alan Snow is coordinating a Community Day of Service at the East Amherst Common with the Stockbridge School on Friday, April 25.

Lynn Weintraub, Jones Library ESL Coordinator, spoke about the need for PVTA routes to community colleges from Amherst. She highlighted the need for a more direct route to Holyoke Community College, followed by several other speakers in agreement. A student from UMass Amherst also reiterated the need for a more direct route to HCC, but also a more comprehensive summer schedule.

### Proclamation – Arbor Day

VOTED unanimously to proclaim April 25 and 26, 2014, as ARBOR DAYS in the Town of Amherst and urge all citizens to support efforts to protect our trees and woodlands and to support our Town's urban forestry program.

### Public Hearing – New Wine & Malt Annual Restaurant Liquor License

Opened Public Hearing at 6:48 p.m. Attorney Tom Reidy of Bacon Wilson and Owner Chenghui Zheng were present. No comment from the public was offered. Owner noted need to forward employer identification to office tomorrow for completion of packet. The public hearing was closed at 6:56 p.m.

VOTED unanimously to approve the application of Oriental Flavor LLC, for a New Restaurant Wine and Malt Annual Liquor License at 25 South Pleasant Street, Amherst, MA in accordance with M.G.L. Chapter 138, Section 12; Chenghui Zheng, Manager/Owner.

### Consent to Reduction of Notice Period – APR for Mitchell Family Farm Trust

Mr. Ziomek provided explanation of the need for reduction of the notice period.

VOTED unanimously to consent to a reduction of the 120 day notice period prescribed to not less than sixty (60) days, as allowed under MGL c7C, §37, for the announcement at a public meeting of the Commonwealth of Massachusetts proposed acquisition of an Agricultural Preservation Restriction on the priority classified farmland identified as Mitchell Family Farm Trust, Project ID #14C01.

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

CPAC Chair Peter Jessop presented an overview of Article 20 and Committee's positions on each.

VOTED unanimously to recommend to the April 28, 2014 Annual Town Meeting, Article 20 – Community Preservation Act – Section A in the amount of \$380,000; Andy Steinberg to speak to the Article on behalf of the Select Board.

VOTED unanimously to recommend to the April 28, 2014 Annual Town Meeting, Article 20 – Community Preservation Act – Section B in the amount of \$150,950; Andy Steinberg to speak to the Article on behalf of the Select Board.

VOTED unanimously to recommend to the April 28, 2014 Annual Town Meeting, Article 20 – Community Preservation Act – Section C in the amount of \$750,000; Andy Steinberg to speak to the Article on behalf of the Select Board.

VOTED unanimously to recommend dismissal to the April 28, 2014 Annual Town Meeting, Article 22 – Free Cash; Alisa Brewer to speak to the Article on behalf of the Select Board.

VOTED unanimously to recommend dismissal to the April 28, 2014 Annual Town Meeting, Article 23 – Stabilization; Alisa Brewer to speak to the Article on behalf of the Select Board.

Human Rights Committee Chair Greg Bascom explained the Article brought forth by the Human Rights Commission.

VOTED unanimously to recommend to the April 28, 2014 Annual Town Meeting, Petition Article 35 – Right to Organize Resolution; Connie Kruger to speak to the Article on behalf of the Select Board.

Petitioner Frank Gatti and Paul Voss, Smith College Engineering Professor, spoke in favor of the Article.

VOTED unanimously to not recommend to the April 28, 2014 Annual Town Meeting, Petition Article 36 – Drones; Aaron Hayden to speak to the Article on behalf of the Select Board.

Petitioner Vince O'Connor spoke on behalf of this article.

VOTED unanimously to recommend to the April 28, 2014 Annual Town Meeting, petitioner's revised Petition Article 37 – Amend CPA Percentage; Jim Wald to speak to the Article on behalf of the Select Board.

Petitioner Vince O'Connor exited the meeting prior to consideration of his remaining petition articles.

Aaron Hayden noted for the record that he works for current owner of the subject property of this article; however, Select Board position will have no bearing on his employment.

VOTED unanimously to not recommend to the April 28, 2014 Annual Town Meeting, Petition Article 38 – 40 Dickinson Street; Alisa Brewer to speak to the Article on behalf of the Select Board.

VOTED unanimously to not recommend to the April 28, 2014 Annual Town Meeting, Petition Article 40 – Low Income Tax Credit; Andy Steinberg to speak to the Article on behalf of the Select Board.

VOTED unanimously not recommend to the April 28, 2014 Annual Town Meeting, Petition Article 41 – Resolution for Support of H1167; Connie Kruger to speak to the Article on behalf of the Select Board.

Building Commissioner Rob Morra provided background on the Rental Property Registration Program.

VOTED unanimously to not recommend to the April 28, 2014 Annual Town Meeting, Petition Article 42 – Rescind Rental Permitting Sections; Aaron Hayden to speak to the Article on behalf of the Select Board.

### **Member Reports**

Andy Steinberg provided an update on the Agricultural Commission activities of late as well as the Four Town Meeting regarding the regional school budget. Mr. Steinberg urged a procedural motion be made at Annual Town Meeting to consider school budgets on May 7, 2014 following the other three member towns' Annual Town Meetings.

### **Parking and Street Closure Requests**

#### **Book Cellar**

VOTED unanimously to reserve one metered parking space on the east side of North Pleasant Street immediately

south of the walkway to Boltwood Walk beginning Friday, May 2, 2014 through Thursday, May 8, 2014 between the hours of 9 a.m. and 5 p.m. for the purchase of used textbooks by The BookCellar of Nashua, NH.

### **Kendrick Park Farmers Market**

VOTED unanimously to approve the reservation of seven (7) metered parking spaces for loading and unloading of vendors' products and for use by market customers on the east side of that section of North Pleasant Street that abuts the west side of Kendrick Park from 12:00 p.m. – 7:30 p.m. each Wednesday beginning May 7, 2014 through October 15, 2014; Abby Getman, Manager.

### **Taxi Driver Licenses**

VOTED unanimously to approve two (2) new 2014 taxi driver/chauffeur license for Anthony Mcavoy Jr. and Lindsay Nolan on behalf of Celebrity Cab Company.

### **Special Liquor Licenses**

VOTED unanimously to approve a special wine and malt license for Top of the Campus, Inc. for the College of Natural Science Dinner to be held in the Berkshire Dining Hall, UMass Amherst on April 24, 2014 from 5:00 p.m. 10:00 p.m.; Judy Bardwell, Clerk.

### **Minutes**

VOTED 2 in Favor with 3 Abstentions (Wald, Brewer, Kruger) to approve the meeting minutes of the Amherst Select Board for January 6, 2014, January 16, 2014 and January 27, 2014 as presented.

### **Executive Session**

The meeting adjourned to Executive Session at 10:28 p.m. after Roll Call Vote (Hayden, Aye; Wald, Aye; Brewer, Aye; Kruger, Aye; Steinberg, Aye) per MGL Chapter 30A §21a, 6 to consider the purchase, exchange, lease or value of real property, (Rolling Green Apartments) as an open meeting may have a detrimental effect on the negotiating position and open session will NOT reconvene at the conclusion of the Executive Session.

Submitted by John P. Musante  
Town Manager

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

2014-04-16 Agenda  
2014-04-16 Draft Motions  
645 On Premise Annual Wine and Malt - Oriental Flavor  
655 APR Project Mitchell Family Farm Trust  
655 Memo to SB on Request for Reduction of 120 day Notice  
655 Mitchell Family Farm Trust Mapped  
705 A36 Drones F Gatti  
705 HSC Memo to SB and TM re Town Meeting 2014 PETITION ARTICLES  
Calendar - Recycling Drive  
Calendar - Sustainability Festival 2014  
Handout 4-16-14 Paul Voss A36  
UT11 Arbor Day Proclamation 14  
UT12 A1 Book Cellar Parking Reservation Request  
UT12 A2 Book Cellar Parking Reservation Request Mapped  
UT12 B1 Kendrick Park Farmers Market Parking Request  
UT12 B2 Kendrick Park Parking Reservation Map  
UT13 Taxi Driver Application Mcavoy, A - Celebrity Cab Co\_Redacted  
UT13 Taxi Driver Application Nolan, L - Celebrity Cab Co\_Redacted  
UT14 Special Wine and Malt - UMass 4.24.14  
UT16 Draft Minutes 01-06-2014

UTI6 Draft Minutes 01-16-2014  
UTI6 Draft Minutes 1-27-2014