

## Minutes

### ATTENDANCE

#### Select Board

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

Staff: John Musante, Town Manager; David Ziomek, Assistant Town Manager; Guilford Mooring, Superintendent of Public Works, David Burgess, Principal Assessor; Jeff Bagg, Senior Planner; IT staff Kris Pacunas, Sean Hannon, Mike Olkin, Maria Racca, Rich Dudkiewicz, Gabe Owen, Hank Allen

Other: Michael Hanke, Historical Commission Chair

Meeting called to order by Mr. Hayden at 6:30 p.m.

### Public Comment

James McDonald, Manager of the semi-private golf club Hickory Ridge LLC, introduced himself, noting the Select Board had an application before it this evening for a change of manager's name to his on the club's on-premise liquor license.

### On-Premise Liquor License Change of Manager – Hickory Ridge LLC

VOTED unanimously to approve the application for a change in manager for the Annual On-Premise All Alcohol License, #002400113 issued to Hickory Ridge Grille, LLC, 191 West Pomeroy Lane, Amherst, MA; new manager James McDonald.

Board members questioned staff knowledge and training on Massachusetts laws. Mr. McDonald acknowledged that while he is not presently knowledgeable himself, he will take Serve-safe training as must all staff.

### Public Comment Procedures

The Select Board had further extensive discussion on the draft policy presented. Mr. Hayden is to revise and present for further consideration at a future meeting.

### Appointment – LHDSC

VOTED unanimously to approve the appointment of Suzannah Fabing to the Lincoln-Sunset Local Historic District Study Committee for term effective immediately through June 30, 2017.

### New Taxi Driver Licenses

VOTED unanimously to approve the applications for a 2014 and 2015 taxi license for Billy Dean and Bryant Green on behalf of Celebrity Cab Company.

VOTED unanimously to approve the application of Jasper Lapienski for a 2014 and 2015 taxi license on behalf of Tiznit Valley Cab Company.

### Special Liquor License

VOTED unanimously to approve the application of Top of the Campus, Inc. for a special all alcoholic liquor license for December 16, 2014 from 12:00 p.m. to 4:00 p.m. in the Paige Lobby, UMass Amherst; Jennylyn Fontaine, Board Member.

### Minutes

VOTED 3-0, 2 abstain (Hayden and Steinberg) to approve the Select Board minutes of November 21, 2014, as presented. VOTED unanimously to approve the Select Board minutes of December 1, 2014, as presented.

## **Renewal of Annual Licenses**

Ms. Kruger noted that since her bed and breakfast business was included on the list being presented for renewal, she would abstain from any action on the renewals.

VOTED 4-0, 1 abstention (Kruger) to approve the list of renewals for licenses presented, dated December 15, 2014, subject to outstanding documentation pending for the calendar year beginning January 1, 2015 through December 31, 2015.

## **Historic Preservation Awards Presentation**

Chair of the Amherst Historical Commission Michael Hanke spoke about the history of the awards and their value, namely to encourage preservation projects in the Town. The awards were recently reinstated with three categories in retail, residential and institutional. Cushman Market was presented with the first award for retail, noting the façade remains as it was a century or more ago, serving as the historic center of the community. The next award was presented for a residential project to Hill House, LLC, for the redevelopment of Hill Mansion and relocating several historic houses to Gray Street. Connected to the Gray Street award, Amherst College was lauded as a good neighbor relative to historic preservations, having helped to facilitate moving two of their former properties to Gray Street, saving those stately homes that might have otherwise been torn down. The institution award was presented to Amherst College for their restoration of the Lord Jeffery Inn, accepted by Tom Davies. Mr. Hanke noted the College goes the extra mile, coming before the Historical Commission and incorporating suggestions made by the Commission.

Mr. Hanke was asked to elaborate on the differences between the Historical Commission and Historical Society, and he indicated the Historical Commission is a publicly appointed body with regulatory authority and review of projects that come before the Zoning Board of Appeals or Planning Board. The Historical Society is a private society with a collection of artifacts and memorabilia, running tours and promoting history as it relates to Amherst.

## **Property Tax Classification Votes**

Assessor David Burgess noted that the upcoming tax bills will include the increase for the CPA increase surcharge approved as State Ballot Question 5 in November, the full year having to be collected in the remaining two quarterly bills of the year. Mr. Hayden noted the need for the Board to take action following the tax classification hearing which was held at the last meeting. Mr. Burgess provided information as to the four categories of property including residential, personal, commercial and industrial, noting a \$20.59 single tax rate without any exemptions for residential or small commercial nor open space discount.

VOTED unanimously to adopt a minimum residential factor of one, equal tax rate for all classes of properties for Fiscal Year 2015 and that no open space discount be granted.

VOTED unanimously to NOT adopt a Residential Exemption for Fiscal Year 2015.

VOTED unanimously to NOT adopt a Small Commercial Exemption for Fiscal Year 2015.

## **Public Hearing - Class II and III Motor Vehicle Second Hand Sales and Junk/Salvage License**

**Public hearing opened at 7:00 p.m.** Ronnie Wagner, Office Manager and Owner Jim Wagner presented, explaining the need for transition and that there is no expectation for any change in the actual operations of the company that has been operating on the premises for many years. They manage on behalf of the prior owner and are now asking for it to be in their own name. Mr. Hayden explained the need for application for a new Special Permit, which has not been scheduled as of yet. The Select Board can proceed with review of the application, making it contingent upon a Special Permit. An abutter, Andrew Potter, spoke on behalf of the Wagners, noting positive changes since they have been operating the business. **Public hearing closed at 7:13 p.m.**

VOTED unanimously to approve the issuance of a Class 3 Motor Vehicle license to Amherst Towing and Recovery LLC at 100 Sunderland Road, Amherst, MA for the buying of second hand motor vehicles for the purpose of remodeling, taking apart or rebuilding and selling the same, or the buying or selling of parts of second hand motor vehicles or tires, or the assembling of second hand motor vehicle parts, with issuance contingent upon compliance with zoning requirements.

VOTED unanimously to approve the issuance of a Class 2 Motor Vehicle license to Amherst Towing and Recovery LLC at 100 Sunderland Road, Amherst, MA for the buying or selling of second hand motor vehicles for resale in retail transactions, and any other person who displays second hand motor vehicles not owned by him pursuant to an agreement in which he receives compensation, whether solely for displaying the vehicles, upon the sale of each vehicle, or otherwise, subject to the conditions of Massachusetts General Laws Chapter 140, Section 58, with issuance contingent upon compliance with zoning requirements.

### **Authorize Grant of Easements**

Superintendent of Public Works Guilford Mooring summarized the need for authorization by the Select Board, acting in their capacity as Water Commissioners, to grant multiple easements on Amherst Road to the Town of Pelham, which have already been approved by Town Meeting.

### **Amherst Road, Pelham**

VOTED unanimously pursuant to the authority granted by a vote taken under Article 2 of the June 2, 2014 Special Town Meeting, to grant to the Town of Pelham temporary and permanent easements on the Town-owned parcels of land abutting or near Amherst Road in Pelham and identified more particularly in said vote, for the purpose of allowing the Town of Pelham to reconstruct, realign and/or improve Amherst Road.

Mr. Mooring further summarized the need for acceptance of easements on Harkness Road on portions of land owned by Jeffrey and Pamela Weeks for installation of a wastewater pump station, part of the Amherst Woods sewer extension project.

### **Harkness Road, Amherst**

VOTED unanimously in the Select Board's capacity as the Board of Sewer Commissioners, pursuant to the authority granted under Article 7 of the April 30, 2012 Annual Town Meeting to accept under G.L. c.83, §1 temporary and permanent sewer easements granted by Jeffrey and Pamela Weeks on portions of the parcel of located at 330 Harkness Road.

### **Town Website Enhancement**

Outgoing IT Director Kris Pacunas and Acting IT Director Sean Hannon reviewed planned changes for redevelopment for the Town website, the sixth version. The site will be more responsive, resizing based on the vessel on which it is being viewed, from handheld to desktop.

Mr. Pacunas noted award of first place from the Mass Municipal Association for the Town website this year, having earned second place in the prior year. It was noted the Town was the first to offer Open Checkbook software. Mr. Pacunas introduced IT Staff members Hank Allen, Gabe Owen, Richard Dudkiewicz, Maria Racca and Mike Olkin. Mr. Hannon, Interim Director was introduced and spoke about the website redevelopment, introducing Mike Olkin. Mr. Olkin provided a presentation on a new software to be available soon after the new website launches, coined Amherst Connect. It provides for two way communication from citizens to staff and back to citizens on things such as potholes, fallen trees, and streetlight needs for replacement can be resolved.

Mr. Steinberg congratulated staff on the Town's receipt of 2014 Best in Massachusetts Excellence in Technology award at the MA Digital Summit in Boston recently.

## **Downtown Parking Forums Update**

Assistant Town Manager David Ziomek and Senior Planner Jeff Bagg provided an update on the downtown parking forums sponsored jointly by the Select Board and Planning Board and intended to assess the current parking conditions in the downtown area. The goal of the first forum was to start off with baseline information and receive public comment. With the assistance of Amherst IT a webpage ([www.amherstma.gov/parkingforum](http://www.amherstma.gov/parkingforum)) devoted to the effort has been created and includes a plethora of historical information that had not previously been publically available. The next forum date was announced, Tuesday, January 20, 2015 at 7:30 p.m., once again cosponsored by the Select Board and Planning Board at the Unitarian Society on North Pleasant Street.

A memorandum was supplied with the information garnered from the first forum and the goals of the next. Mr. Bagg prepared a chart as an initial effort to summarize the issues raised. The second forum will further explore the elements/issues and identify related strategies. Questions identified included available parking, locations, public/private ownership, signage/education, as well as review of existing regulations, winter parking bans, non-permitted on street parking, enforcement and management, regulation of existing lots, and general broad concepts of what is desired. Next step is to elaborate on steps necessary/involved in resolving the issues. The second forum will provide an opportunity to outline the preliminary goals and strategies and come up with a process to allow community members, businesses and committee members to rank the outcomes as short, mid-term and long term goals identifying the process and responsibility of each. A final forum may be necessary to solidify the final action items. The possibility of grant funding related to the creation of a parking demand action plan incorporating best practices was uncovered. It was noted public comment will be accepted until several days preceding the next planned forum. Select Board members asked if there was or was not a definitive answer to the possibility of adding to Boltwood Garage, clarification on the status of an informal parking working group that had previously been in place, and a management review of current operations to ensure the most effective, efficient process in place.

## **FY 16 Budget Policy Guidelines**

Mr. Hayden indicated a final draft of the budget policy guidelines for FY 16 was available in this evening's packet for discussion, which was hoped to have captured the intent of prior discussions. A review of the process to date was also provided, noting the hope was that the Select Board could finalize the policy this evening. Board members made several comments, requesting further minor corrections.

VOTED unanimously to approve the FY 16 Budget Policy Guidelines draft dated December 10, 2014, as amended.

## **Town Manager Report**

Mr. Musante reported on next steps on affordable housing incentives/Inclusionary Zoning, noting he is working collaboratively with staff, Planning Board Zoning Subcommittee, and Select Board to complete an Inclusionary Zoning proposal for consideration at the 2015 Annual Town Meeting scheduled for April 27, 2015. Additionally, we are developing Amherst-specific workable zoning and non-zoning incentives that foster creation and preservation of affordable housing units in Amherst using Planning Board's RKG Report by Judy Barrett as a template. We are also exploring more specific potential incentives sometime in January for final vetting thru the Planning Board and Select Board processes. Further report to the Select Board planned for the January 26, 2014 meeting.

Mr. Musante provided an update on the Town Gown process, noting the Study Committee had held their final meeting on December 4, 2014 and a transmittal letter, along with the consultant U3 Advisors Final Report, which includes a narrative, is expected any day. The Town Manager will schedule a meeting with the Chancellor sometime in the 1st quarter of 2015 to discuss next steps including who/how to create a University Town of Amherst Collaborative and to identify the next steps on housing/economic development including P3s. It was suggested that three subcommittees operate under the University Town Collaborative (UTAC) in the areas of Housing (Student housing, Housing for Faculty & Staff, Affordable Housing), Economic Development (University

partnerships, Entrepreneurships/startups, Food retail & amenities) and Quality of Life (Public Safety, Student Behavior). Additionally, it was recommended that the Town hire an Economic Development Director.

Forty Town employees were recently recognized at the December 12<sup>th</sup> holiday celebration for milestones of 35, 30, 25, 20, 15, and 10 years of service. Mr. Musante offered thanks to Select Board member Connie Kruger and Personnel Board Chair Tony Butterfield for their attendance.

A refined timeline for the Cable Ascertainment & License Renewal will be available in January. Mr. Musante acknowledged the UMass Minute Marshals Program which was highlighted in the Daily Collegian newspaper recently. The program involves a core group of approximately 30 paid undergraduate students who will attend large student gatherings and practice as *active bystanders*, warning students about the risks of having open containers, informing students when police issue a dispersal order, and generally advising students to act responsibly. They will also practice positive social messaging to peers and community members, knocking on doors and using social media to create a safe atmosphere around these gatherings before the events.

Mr. Musante reported he had followed up on a recent public comment to the Select Board expressing concern that holiday decorations on streetlights near crosswalks on North/South Pleasant Streets were too dim, creating a public safety issue. The Inspection Services Department has confirmed that the lighting exceeds all appropriate brightness standards.

The Planning Board completed and approved Site Plan Review for Archipelago Investments' One East Pleasant Street project at the Carriage Shops at their meeting December 3, 2014.

The \$1.5M MassWorks Development Grant contract to bury utility wires on East Pleasant, Triangle, North Pleasant, and Pray has been formalized. DPW Superintendent Guilford Mooring will serve as the point person, working with WMECo, Verizon, and Comcast to coordinate the project for completion in 2015.

Town Offices will close at noon on December 24, 2014 and reopen on Monday, December 29, 2014. Offices will be open regular business hours on Wednesday, December 31, 2014, closed Thursday, January 1, 2015 for the New Year's holiday and open again for regular business hours on Friday January 2, 2015.

The Select Board asked for the January 26, 2015 meeting that they be advised how they might be more involved in the inclusionary zoning process.

Mr. Hayden reviewed a letter of appreciation regarding the coordination between Amherst College, UMass and the Amherst Police Department.

### **Member Reports**

Interest in compensation of elected officials was expressed by Ms. Kruger, noting that the Amherst Select Board receives \$300 each annually, which appears to be one of the lowest of all those cited in a recent survey from Hampshire Council of Governments. It was noted discussion occurred at the time charter proposals were brought forth and took many things into consideration including varied levels of responsibilities among towns, broadening availability of those able to serve, and volunteerism at many levels for many boards and commissions that receive no compensation. A mechanism for further research on the subject outside of the Select Board was requested to include the Moderator's salary. Mr. Musante offered to do further research and report back to the Select Board at a future date.

Ms. Kruger reported on her attendance at a recent Transportation Subcommittee meeting and Council on Aging, noting acceptance of a book on behalf of the Select Board, "The Transformation of this World Depends on You" by Amherst College.

Mr. Steinberg reported on two committee meetings which he attended, as they are working on reports for the Select Board. The Recycling and Refuse Management Committee continues their work on a report on transfer station and enterprise fund, ensuring solvency and continued operation of the transfer station. The other was the Agricultural Commission meeting with members of the Amherst Farmers Market, noting their work on recommendations regarding the Market's use of Town Common and parking lot.

Ms. Brewer reported that the Housing and Sheltering Committee has posted the sheltering report and that the Community Development Block Grant Advisory Committee is currently reviewing the process for submission for grant funds, which will be available on the website as well. She noted attendance at the UMass Annual Update on their Master Plan, whose focus was on new construction.

Members reported on the success of Isaac BenEzra's reception, with thanks offered to Adrienne Terrizzi and Town Hall staff for their assistance.

Mr. Hayden reported on the availability of an annual wine and malt on premise liquor license for the calendar year. The Chair requested the Town Manager's office post notice of availability and deadlines for application that would accommodate public hearings at the February 23, 2015 meeting.

Mr. Hayden presented a draft of the Select Board's comments to the Town Meeting Coordinating Committee on the Fall Special Town Meeting. Members brought forth several suggestions and approved without formal vote, as amended.

Mr. Hayden brought forth an updated draft of a policy for the Public Comment segment of the Select Board meeting for discussion. Members noted appreciation for the work done to date and offered further remarks for amendment.

He offered a reminder of upcoming Dr. Martin Luther King, Jr. Community Breakfast on January 17. Ms. Brewer noted intent to have a table on behalf of the Select Board with handouts.

Chair Hayden reflected on the past year, offering appreciation for those that help the Select Board do their work and those that help get the work done including Amherst Media, Mr. Merzbach representing the Gazette and other press, and the people that present for public comment.

Mr. Hayden noted the Select Board held 35 meetings over the past year at which applications for 66 special liquor, 37 taxi, and 22 permissions for parking reservation were granted. 7 proclamations were given, 2 pole hearings held, and water and sewer rates voted. The Select Board offered support to MMA on several initiatives, continued enforcement of new rental regulations, completed a housing and economic development plan, developed processes for available liquor licenses and elected board vacancies. They set parking fees, non-union wages, a school zone, provided affordable housing, signed bond renewals for road repair, scheduled town meetings, completed budget work, and oversaw public transportation changes. They endured the Pine Street and Mill Street Bridge projects as well as pre-St. Patrick's Day celebrations gone awry. There were 41 articles at Annual Town Meeting at which the body approved the purchase of watershed land, granted easements, an APR, and purchase of the Fort River Farm. The Select Board considered a community health center, two Historic District Studies, Mutual Aid Agreements for Emergency Services, a paving plan, revisions to the Open Meeting Law, the Town Gown Study, the Parking Forum, the Town Manager Goals, the BID MOU, High Street Parking, the Ed Davis Report, adoption of a rotary, and the Clean Energy Alliance. Mr. Hayden expressed many thanks to boards and committees, and employees, with special appreciation noted for public safety and public works, and to our outstanding leaders, especially Mr. Musante and Mr. Ziomek, Chiefs Livingstone and Nelson, and Mr. Mooring. A special thanks to Ms. Puppel for always keeping the Select Board in line and our wish to all for a Happy New Year.

ADJOURN - The meeting adjourned at 9:45 p.m.

Submitted by John P. Musante, Town Manager

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

Agenda

Draft Motions

Licenses for Renewal 12-15-2014

Applications for Class II and Class III Amherst Towing and Recovery LLC Redacted

Amherst Road Deed to Pelham

Amherst Road Easements Recorded Plans

Amherst Road Right of Way 2014

Harkness Road Easement and Plans for AMHR Pump Station

Memo to SB on Harkness Road Easement

IT Memo on Website Preview

Parking Forum Update 12/12/2014

Budget Police Guidelines Final Draft 12.15.14

Recent and Upcoming – AC PD Response

Daily Collegian Article 12-01-14 MinuteMarshals Program

Staff Recognitions 2014

Chair – Policy for New Liquor License Capacity

Chair – Fall STM Recap to TMCC and Moderator 12.15.14

Application - Liquor License Change in Manager Hickory Ridge Grille

Draft Public Comment Policy Draft 12.15.14

Taxi Driver Applications for Dean and Green on behalf of Celebrity

Taxi Driver Application for Lapienski on behalf of Tiznit Valley

Special License Application UMass 12.16.14

Draft Minutes 11-21-2014