

ATTENDANCE

Select Board

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

Absent:

Staff: John Musante, Town Manager; Guilford Mooring, Public Works Superintendent

Other: Charles Moran, Public Works Committee

Minutes

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

Public Comment

None.

Special Liquor Licenses

VOTED 4-0, 1 Absent (Brewer) to approve a change of date from March 14, 2015 to March 15, 2015 for a special all alcohol liquor license granted to Top of the Campus, Inc. for a reception to be held on in the Berkshire Room of the UMass Berkshire Dining Commons from 5:30 p.m. to 9:30 p.m.; Jennylyn Fontaine, Board Member.

VOTED 4-0, 1 Absent (Brewer) to approve the application of the Amherst Hurricane Athletics Booster Club for a special all alcohol liquor license for Casino Night, a fundraiser to be held in Valentine Hall on the campus of Amherst College on March 14, 2015 from 7:30 p.m. to 11:59 p.m.; Clem Clay, Treasurer.

VOTED 4-0, 1 Absent (Brewer) to approve the application of Esselon Coffee Roasting Co., Inc. d/b/a Esselon Café, 99 Russell Street Hadley for a special wine and malt liquor license on the premises of the Eric Carle Museum, 125 West Bay Road, Amherst for an exhibit opening on March 14, 2015 from 3:00 p.m. to 12:00 a.m., Mark Krause, Owner.

VOTED 4-0, 1 Absent (Brewer) to approve the applications of Top of the Campus, Inc. for special all alcohol liquor licenses for receptions to be held at UMass Amherst on March 14, 2015 from 5:30 p.m. – 9:30 p.m., in the Berkshire Room of the Berkshire Dining Commons; March 28, 2015 from 6:00 – 11:00 p.m. in the W.E.B. Dubois Library; June 18, 2015 from 6:00 p.m. – 10:00 p.m. on Goodell Lawn; Jennylyn Fontaine, Board Member.

VOTED 4-0, 1 Absent (Brewer) to approve the applications of Top of the Campus, Inc. for special wine and malt liquor licenses for receptions to be held at UMass Amherst on March 5, 2015 from 8:00 p.m. – 10:30 p.m. behind the Bernie Dallas Room; April 2, 2015 from 8:00 p.m. – 10:30 p.m. behind the Bernie Dallas Room; April 16, 2015 from 8:00 p.m. – 10:30 p.m. behind the Bernie Dallas Room; and May 7, 2015 from 4:00 p.m. to 7:00 p.m. in the 2nd Floor Annex/Room 601, Herter Hall; Jennylyn Fontaine, Board Member.

VOTED 4-0, 1 Absent (Brewer) to approve the applications of Top of the Campus, Inc. for special wine and malt liquor licenses for receptions to be held at UMass Amherst on March 12, 2015 from 6:45 p.m. to 8:45 p.m. in the Fine Arts Center; April 2, 2015 from 5:00 p.m. – 7:00 p.m. in the Fine Arts Center/UMAC; Sarah Long, Board Member.

Taxi Driver Licenses

VOTED 4-0, 1 Absent (Brewer) to approve new 2014 taxi driver licenses to Niahlah Hope on behalf of A to Z Transporter, David Cavanaugh on behalf of Celebrity Cab and Hamid Eslamizad and John T. Laselle on behalf of Aarons Transportation.

Parking and Street Closure Requests – Garden Club Plant Sale

VOTED 4-0, 1 Absent (Brewer) to approve the reservation of eighteen (18) metered parking spaces on the south side of the Spring Street parking lot for the Garden Club of Amherst's Annual Plant Sale set-up on Friday, May 15, 2015 beginning at 6:30 a.m. through 6:00 p.m.

Ms. Brewer arrived at 6:40 p.m.

Liquor License – New Officers/Directors American Legion Post 148

VOTED unanimously to approve the petition for transfer of ownership dated December 29, 2014 with new officer/directors as presented by American Legion Post #148, ABCC License #00240001, 96 Amity Street, Amherst; John Janse, Manager.

Seasonal Liquor License Renewal – Cherry Hill Golf Course

VOTED unanimously to renew the Seasonal Wine and Malt Liquor License for Cherry Hill Golf Course, 323 Montague Road for operations from April 1, 2015 through January 15, 2016; Barb Bilz, Manager.

Grant of License – Northeast Utilities Cushman Road, Shutesbury

VOTED unanimously to grant a license to Massachusetts Electric Company for the placement of certain equipment on a portion of the Town-owned property located on the easterly side of Cushman Road in Shutesbury and described in a deed recorded with the Hampshire Registry of Deeds in Book 1300, Page 225.

Common Victualler License

Members had questions on process, specifically the timing of the application's submission for consideration and the business' opening. Members agreed on the need to emphasize review of applications prior to opening of a business.

VOTED unanimously to approve the application of Bread and Butter, LLC d/b/a Bread and Butter, 68 Cows Road, Unit 102 for a Common Victualler License to operate between the hours of 6:00 a.m. to 3:00 p.m. Monday through Sunday and Fridays 5:00 p.m. – 10:00 p.m.; Brian Knox, Owner/Manager.

2015 Paving Plan

Superintendent Mooring reviewed his plan for the upcoming construction season, with the key paving projects to include the completion of the Pine Street project and resurfacing of Highpoint Drive, Overlook Drive, and Juniper Lane in North Amherst. He has contacted the Town of Shutesbury regarding their interest in paying for that portion of Highpoint Drive which crosses Town boundaries. The prioritized pavement condition report of all Town streets presented utilized both the former process and the new scanning process, which are differentiated by color, black and blue, respectively. Mr. Mooring indicated the new method provides much greater details on roadway stresses.

Mr. Mooring reviewed locations identified for new crosswalks on Pine Street. The Select Board requested an ability to review the final plan prior to presentation for approval, which should include all amenities that might be part of the final design including an existing crossing located at the corner of Cushman Common.

Public Works Committee Recommendations

Charles Moran of the Public Works Committee (PWC) outlined the Committee's recommendations, starting with the need for a process for traffic calming requests received. All present agreed on the need for a definitive process, rather than multiple entry points for such requests. The PWC has casually looked at systems in place in other towns, all of which include a mechanism to log, evaluate, prioritize, respond and track. The PWC does not feel creation of such a policy is within their charge. Select Board Members thanked PWC for bringing this forward and look forward to the Transportation Plan which may include such a recommendation.

The PWC's recommendation for Strong Street involves placement of a sign signifying the presence of children and repainting of "School" on the pavement to provide greater awareness for drivers that they are entering a school zone.

Board members noted their approval. The Town Manager indicated no vote was required for the action to take place.

The Public Works Committee voiced their support for the Shumway Street improvements. Mr. Moran noted approval was part of a broader review of ladder streets between Route 9 and Main Street.

Mr. Moran noted the PWC had multiple meetings with neighbors regarding a request for a three way stop on the corner of Pine and Henry Streets. At their December 4, 2014 meeting, neighbors were informed that the request did not meet state standards and would not move forward. The residents then reached out to the Select Board, who forwarded the request back to the PWC for its review and recommendation. Public Works Engineer Jason Skeels did a full review, reporting that the installation was not recommended and why, which prompted the recommendation before the Select Board. This is not to say that the PWC does not believe there is a problem in that area and a need for traffic calming. Mr. Hayden was tasked with drafting a response to the resident indicating traffic calming measures will be further explored after receipt of a transportation plan.

Annual Litigation Status Report

Mr. Musante reviewed the report from Town Counsel on active and closed litigation cases in calendar 2014, highlighting several cases due to dollars, time or level of interest involved.

FY 16 Budget Discussion

Mr. Steinberg asked for an update on effects of Governors Patrick and Baker mid-year state budget "9C cuts" on economic development director position grant funding. Mr. Musante said that funding allocation from economic development legislation passed last summer was zeroed out. He does not believe it will affect the Town's ability to move forward with the position and it is distinctly possible to fund this priority from within the current budget proposal. Mr. Steinberg requested a report from the Town Manager as to what had been accomplished in the first year and what is envisioned for future goals for the Amherst Together project, since a second year of funding was requested in the Human Rights budget. Mr. Musante agreed to provide a report at an upcoming meeting.

Town Manager's Report

Mr. Musante provided an update on preparations for Saturday, March 7 outlining the participants involved in the planning, outreach including a concerted effort to involve students, student leaders and local businesses, and initiatives to be implemented by all parties. A new development involves six downtown bars who have voluntarily agreed to delay opening until 4 p.m. on March 7 including McMurphy's, Stackers, Olde Town Tavern, The Pub, The Spoke and the Monkey Bar. Mr. Musante publicly thanked Mike McLaughlin and his business partners, who are the owners of three of the bars, noting they have a proven track record of working for the common good. Select Board members emphasized that the downtown is open for business, that residents are encouraged to reach out to public safety with any concerns, and commended the level of partnership by all parties.

The Town was awarded a competitive grant from MA Department of Environmental Protection for an electric vehicle charging station and electric vehicle, which is scheduled to be purchased and installed by early May. Mr. Musante noted locating a location for the charging station that is accessible to both handicapped and electric access was challenging, confirming the Town Hall parking lot as the only appropriate space.

Work is continuing on how best to develop non-zoning incentives for affordable housing. A local option bill filed by the City of Boston which authorizes an incentive plan facilitating middle income housing is being explored. Mr. Musante is hoping to have a specific proposal prior to the Select Board's March 23, 2015 meeting.

Mr. Musante noted he had approved expanded capacity at the emergency homeless shelter this past weekend through Wednesday due to extreme cold.

The four-town meeting was held on Saturday, February 28 on the Regional School budget status, which included a report on the status of our Other Post Employment Benefit (OPEB) obligations. Mr. Musante reported he will be attending his first meeting as a member of MMA Board of Directors and the Local Government Advisory

Commission (LGAC) at the State House in Boston tomorrow with Governor Baker and Lt. Governor Polito.

Ms. Brewer asked about a lawsuit that had been filed as a result of last year's so-called "Blarney Blowout." Mr. Musante confirmed that a suit had been filed in Superior Court which alleges civil rights violations by the Amherst Police. He said that the police professionals on duty that day were confronted with behavior that threatened public safety and is confident that our police exercised good judgment in a very difficult and unprecedented situation.

Ms. Brewer requested the Town Manager respond on behalf of the Select Board to the appeal for response to the UMass Chancellor's review. Mr. Musante noted he had been invited to provide input and intended to provide written feedback, including the notion that the Town Gown relationship is important and has improved under this Chancellor.

Mr. Steinberg requested a future report from the Town Manager on the process with Comcast on ascertainment.

Member and Chair's Reports

Ms. Brewer noted a guest column in the Amherst Bulletin by Mr. Steinberg, Katherine Appy and herself from the Regionalization Planning Subcommittee promoting a public forum to be held this coming Tuesday, March 3 on a possible change to the regional agreement.

Mr. Hayden noted he is not able to attend the administrative review of the warrant next Tuesday morning and has asked Ms. Brewer to sit in on his behalf. Mr. Hayden also reminded the Select Board that if the body was to continue providing a written report to Town Meeting, members need to be thinking about which article they wish to present. Mr. Hayden asked if there was anyone interested in serving as the Select Board liaison to the Town Meeting Electronic Voting Study Committee. Mr. Steinberg indicated he was willing to serve in such capacity and reported on their first meeting.

Mr. Hayden noted he would like to take up the final report for the Public Comment on a future agenda, providing a draft for Board members' review prior to.

Mr. Hayden said the Select Board is approaching the busy season with review of articles for Annual Town Meeting. If members have questions in advance of such review, please send them along to the Chair. Members requested any information they intend to distribute in advance of such deliberation.

The Chair reviewed upcoming meetings and events.

ADJOURN - The meeting adjourned at 8:46 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

Draft Motions

DPW Memo on construction schedule

DPW Response to Henry and Pine Streets Traffic Calming Request

Resident's request for Three Way Stop Henry and Pine Street

Annual Litigation Update

Chair's Report – Public Comment

Letter to Bulletin on Regionalization

Liquor License Application for New Officers - American Legion Post 148

2015 Seasonal Liquor License Renewal – Cherry Hill

License to Mass Electric for property on Cushman Road, Shutesbury
Garden Club Parking Request and Map
Taxi Drivers Applications H. Eslamizad, N. Hope, and J. LaSelle
Special All Alcohol licenses for UMass on various dates
Special All Alcohol license for Amherst Hurricane Boosters at Amherst College
Special Wine and Malt Licenses at UMass on various dates
Special Wine and Malt Esselon Coffee Roasting at Eric Carle