

SELECT BOARD MEETING MINUTES

Monday, September 21, 2015 – 6:30 p.m.
Town Room, Town Hall

Select Board Present: Alisa Brewer, Andy Steinberg, Jim Wald, Doug Slaughter

Select Board Absent: Connie Kruger

Staff Present: M. David Ziomek, Assistant Town Manager Director of Conservation and Development; Sandy Pooler, Finance Director; and Deborah Radway, Human Resource Director

Meeting called to order by Ms. Brewer at 6:35 p.m.

Ms. Brewer reported on the untimely death of Town Manager John P. Musante yesterday, Sunday, September 20, 2015. A moment of silence was held in Musante's honor. The press release was read aloud. It was noted funeral arrangements were not available at this time. Mr. Ziomek spoke about the difficult day for Town staff, who were brought together this morning to pause and reflect on our friend, colleague and mentor, and to share our grief. We thank the community for their support and send our condolences to the Musante family.

Adrienne Terrizzi noted her deep sorrow at the loss of Mr. Musante, noting she had come here this evening as the liaison to the Select Board for the Cable Advisory Committee to inform the Select Board and the public of the public hearing on the ascertainment for a new cable contract scheduled for this Thursday, September 24, 2015 at 6:30 p.m. in the Town Room. A second hearing will be held in Room 101 in the Bangs Center the following Wednesday, September 30, 2015 at 11:30 a.m. Ms. Terrizzi urged businesses and residents to come forward to voice complaints regarding broadcast issues and coverage, especially regarding the three local access stations. It was noted the contract does not cover internet, phone, and channels or pricing; it is relative to cable coverage, capital and public access channels. The Town website will accept testimony electronically at www.amherstma.gov/cable.

Claire Bertrand came forward to express her deep sorrow and sympathy to the Town of Amherst and the family, providing thanks to the Select Board and staff to carry the Town forward.

Sarah LaCour, Executive Director of the Amherst Business Improvement District offered her sincere sympathy on behalf of the BID on the loss of an incredible colleague and friend, noting they stand ready to do whatever they can at this incredibly difficult time.

Temporary Town Manager

VOTED 4-0 in Favor, 1 Absent (Kruger) to appoint M. David Ziomek as Interim Town Manager under the Amherst Town Government Act, Section 4.2 Appointment of a Temporary Manager, to perform all duties of the office.

Mr. Steinberg spoke about the difficulty of the past 36 hours, emphasizing the talent and patience with which John managed the Town and the incredible loss of friendship he experienced with the news of John's passing. Mr. Steinberg noted his appreciation and assurance in the capability of Mr. Ziomek serving as Interim Town Manager, bring the same dedication and love of the Town that John possessed.

Annual Town Election Date - 2016

VOTED 4-0 in Favor, 1 Absent (Kruger) to schedule the 2016 Annual Town Election for March 29, 2016 with polls open from 7:00 a.m. to 8:00 p.m.

Members spoke briefly about the examination of combining the Annual Election with the State Primary, however it was noted there were insignificant savings and issues with sufficient poll workers availability.

Kanegasaki 60th Anniversary Proclamation

Mr. Steinberg explained the purpose of the proclamation, noting the value of the twenty-two year history of the relationship with Kanegasaki as a sister-city, offering congratulations on their 60th Anniversary of the reorganization of the New Town of Kanegasaki following the end of World War II. The proclamation will be presented by the delegation traveling from Amherst, which Mr. Steinberg is joining. A dual proclamation in English and Japanese is being prepared by the University of Massachusetts Translation Services.

VOTED 4-0 in Favor, 1 Absent (Kruger) to cause the Official Town Seal to be affixed to a proclamation to congratulate the people of Kanegasaki on the occasion of the 60th Anniversary of the Founding of the New Town of Kanegasaki, and further to affirm our friendship and our commitment to our Sister City relationship that binds us together through educational, cultural, enterprise, economic and other exchanges; strengthens the friendship and mutual understanding between our two Towns; adds to the goodwill between our countries, and strives to contribute to the peace and prosperity of the world.

Town Manager Report

Mr. Ziomek offered brief remarks to acknowledge Town staff who responded to the events of the weekend, in particular police, fire and dispatch and who did an outstanding job supporting the Musante family. Mr. Ziomek recognized staff in attendance this evening, Finance Director Sandy Pooler and Human Resource Director Deb Radway, members of the leadership team bringing us forward through the coming weeks.

Mr. Ziomek noted his investment in moving projects forward that Mr. Musante had begun. He announced Hilltown Community Health Center had been successful in their bid for the federal grant that will bring a community health center to the Bangs Center in Amherst.

Mr. Ziomek announced the reorganization of the Planning Department, a project he had worked with John on over the past month. The plan was to capitalize on the strengths of staff, highlighting the promotion of Christine Brestrup to the position of Interim Planning Director. Jonathan Tucker will step down to assume the role of senior planner of special projects. Jeff Bagg and Nate Malloy will assume greater roles and responsibilities providing opportunities for growth.

A meeting held at the Regional Middle School on September 16th, led by Stephanie Ciccarello was extremely successful with over 60 residents in attendance. Representatives of Sun Edison made a presentation on solar opportunities for various town sites, buildings and land. Sandy Pooler spoke, summarizing the process to date and the steps necessary to move forward with a solar project on the new landfill and the possibility of configuring plans for the old landfill site. Another informational meeting is scheduled for October 27, 2015. Mr. Wald noted that the informational meeting was the last time he saw John, noting his excitement about the process, believing it very fitting to voice our support for his initiative this evening. Mr. Ziomek indicated the Town is committed to reach out to abutters of both landfills before moving forward with a project. Mr. Steinberg offered his regrets at not having attended the forum, but noted his excitement about moving forward, noting it was the right thing for Amherst to do for many reasons. Mr. Slaughter voiced his support, as an abutter to the new (old) landfill, or rather the trail which abuts the new (old) landfill, he appreciates the thoughtfulness and the outreach. The Fall Town Meeting warrant will be signed on Monday October 5, 2015, which will include an article relative to this project.

Ms. Brewer indicated she will postpone discussion on Select Board liaison reorganization, reporting that the Pioneer Valley Transit Authority will also require appointment of a representative, as the Town Manager had served in that capacity on behalf of Amherst. There is an immediate need for representation for an upcoming meeting with important votes.

Committee/Board Appointments

Ms. Brewer read available committee openings.

VOTED 4-0 in Favor, 1 Absent (Kruger) to reappoint Walter Mullin and Kathy Mullin to the La Paz Centro Sister City Committee through June 30, 2018.

VOTED 4-0 in Favor, 1 Absent (Kruger) to confirm the Town Manager's reappointments of Steve Mabee and Lyons Witten to the Water Supply Protection Committee and new appointments of Steve Bloom and Robert Romer to the Historical Commission, all with terms ending June 30, 2018.

Parking and Street Closure Requests

Cultural Survival Center Bazaar 2015

VOTED 4-0 in Favor, 1 Absent (Kruger) to approve the request for reservation of ten (10) metered parking spaces on the west side of Boltwood Avenue originating at the tenth meter, moving south towards College Street for vendor use for Cultural Survival's 10th Annual Bazaar on the South Common from 8 a.m. Friday, October 9, 2015 through Monday, October 12, 2015 at 9 p.m.

Annual Overlook Drive Neighborhood Block Party

VOTED 4 in Favor, 1 Absent (Kruger) to approve a street closing for the Annual Overlook Drive Neighborhood Block Party as shown on the map dated September 18, 2015 on Sunday, October 18, 2015 from 11:00 a.m. to 6:00 p.m.

New Taxi Driver License

VOTED 4 in Favor 1 Absent (Kruger) to approve the applications of Tama Chamber and Cris Carl for a new 2015 taxi license on behalf of Funky Cab.

Special Liquor Licenses

VOTED 4 in Favor 1 Absent (Kruger) to approve the four (4) applications of Top of the Campus Inc. for Special All Alcohol Licenses for service at receptions on the UMass Amherst campus to be held on September 23, 2015 in the Fine Arts Lobby from 5:30 – 8:00 p.m.; September 26, 2015 in the Integrated Learning Center from 5:00 – 8:00 p.m.; September 29, 2015 in the Fine Arts Center Lobby Atrium from 4:00 – 6:00 p.m.; and October 17, 2015 outside of the Engineering Quadrangle under a tent from 11:00 a.m. to 1:00 p.m.; Caroline Nofio, Director.

VOTED 4 in Favor 1 Absent (Kruger) to approve the applications of Top of the Campus Inc. for four (4) Special Wine and Malt Licenses for service at receptions on the UMass Amherst campus to be held on September 24, 2015 at the Chancellor's home from 6:00 – 9:00 p.m.; September 26, 2015 at the FAC Lobby from 6:30 to 11:00 p.m.; October 13, 2015 in the Main Lobby Atrium of the Conte Building from 4:00 – 8:00 p.m., and October 16, 2015 in the 2nd Floor Atrium of the Studio Art Building; Caroline Nofio, Director.

Ms. Brewer indicated they would not review draft minutes this evening.

Ms. Brewer reported on an upcoming hearing scheduled September 28, 2015 on the application of El Comalito Restaurant for an annual restaurant liquor license.

Member Reports

Mr. Steinberg indicated he was not prepared to report on the draft Recycling and Refuse Management Plan this evening. Mr. Steinberg also reported that he had not yet arranged a meeting regarding a request for Amherst to join a coalition in opposition to the proposed pipeline. Ms. Brewer indicated Mr. Perkins who was to speak on the topic this evening was postponed due to the circumstances. Mr. Steinberg reported that the Community Preservation Act Commission has concluded their process for projects to move forward at the Fall Town Meeting, recommending a grant for the North Common and playgrounds at Crocker Farm Elementary.

Ms. Brewer reported there was neither citizen zoning nor general petitions for the Fall Special Town Meeting.

Ms. Brewer reported on a letter included in this evening's packet noting intent to locate a marijuana dispensary in Amherst. Given that no specific site was indicated, there is no action necessary on the part of the Town at this time.

Ms. Brewer indicated that the Select Board 2014 Annual Report also included in the packet this evening was written by former Chair Aaron Hayden. She is hoping a member will step forward to draft the report for the 2015 year.

Also in this evening's packet is the UMass Strategic Partnership Agreement created in 2007 with addendums and an extension through 2013. Ms. Brewer reported she was awaiting an opinion from Town Counsel on how this agreement, which was signed by the Town Manager differs from an Intermunicipal Agreements that requires Select Board authorization. She noted one major change in circumstances is that the Marks Meadow School is no longer in use. Ms. Brewer requested members' review the agreement for items they may want to see incorporated.

Mr. O'Connor provided a public comment indicating it would be helpful to have a written report prepared for the Fall Town Meeting on the situation, believing that the University should provide funding for our schools.

ADJOURN - The meeting adjourned at 8:23 p.m.

Submitted by M. David Ziomek, Interim Town Manager

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

Agenda

Draft Motions

FY 16 Town Manager Goals

Hilltown Health Center Press Release

Board of Health Minutes Regarding Marijuana Dispensary

Notice to Locate Registered Marijuana Dispensary in Amherst

Planning Board Report to Town Meeting on Medical Marijuana Uses

Medical Marijuana Bylaw

Strategic Partnership Agreement 2007 and One Year Extension

Cable Ascertainment Public Hearing Flyer

Solar Presentation SunEdison September 16, 2015

Facts at Proposed Pipeline

Massachusetts Law Gas Demand Analysis Report prepared for the MA Dept of Energy Resources

2014 Select Board Annual Report

Press Release Promotion of Christine Brestrup

Email on Annual Election Date

Walgren vs How Missouri Law Review

Kanegasaki 60th Anniversary Proclamation

Parking Reservation Request & Map Annual Cultural Survival Bazaar

Road Closure Request & Map High Point Drive Block Party

Taxi Driver Application C. Carl and T. Chamberson behalf of Funky Cab

Top of the Campus, UMass Special Licenses: All Alcohol 10/17/2015; 9/23/2015; 9/26/2015; 9/29/2015; and Wine & Malt 10/13/2015; 10/16/2015; 9/24/2015; and 9/26/2015

Draft Minutes 05/11/2015; 5/18/2015; 6/8/2015; 6/15/2015; 6/15/2015; and 7/08/2015