

Minutes

ATTENDANCE

Select Board

Present: Alisa Brewer, Connie Kruger, Doug Slaughter, Andy Steinberg, Jim Wald

Absent: None

Staff: Peter Hechenbleikner, Temporary Town Manager; Library Director Sharon Sharry and Planning Director Chris Brestrup; Human Resource Director Deborah Radway.

Other: Jim Pistrang, Town Moderator; Alan Root; Danny R. Lee; Kelly Brown; Melinda Medwinter; APRS Finance Director Sean Magano and Assistant Superintendent Mike Morris; and Planning Board member Rob Crowner.

Meeting called to order by Ms. Brewer at 5:07 p.m.

On a motion by Kruger, seconded by Wald, the Select Board voted by roll call vote, each member voting in the affirmative to enter into Executive Session, in accordance with Massachusetts General Law (MGL) Chapter 30A, section 21, part a, subset 2, for purposes of conducting strategy sessions in preparation for negotiations with nonunion personnel, Town Manager finalists, noting their intent to reconvene in open session at approximately 6:30 PM.

Select Board members returned to public session at 6:30 p.m.

Public Comment: Alan Root, Town Meeting member spoke about homelessness in Amherst, proposing a citizen committee to deal with issues homeless people experience, noting a willingness to serve on such a committee. Danny R. Kee, a homeless individual spoke about his need for permanent housing and consideration of issues they face. Vladimir Morales, an Amherst resident spoke about need to do better to support homelessness and suggested the addition of a dry shelter in addition to wet shelter. Mr. Morales supported formation of such a citizen committee to address needs of homelessness, also indicating his willingness to serve. Katherine Naughton representing South Amherst residents indicated she was here to speak to Article 37, the Petition Article for traffic calming measures. Ms. Brewer indicated the item was on the agenda and would be taken up accordingly.

Jim Pistrang, Chair of the Town Manager Preliminary Screening Committee read a short statement presenting three finalists for consideration, thanking Committee and the Select Board, Deborah Radway and Bernie Lynch. Finalist resumes and formal letter from the Committee including Paul Bockelman, Maria Capriola and William Fraser.

Voted unanimously to accept the final report of the Town Manager Screening Committee members Jim Pistrang, Richard Morris, Carl Mailler, Julie Marcus, Mindy Domb, Carol Ross, Tony Maroulis and alternate Rosemary Kofler, and discharge the Committee with the Select Board's thanks.

Mr. Lynch reviewed process and schedule, ensuring the Board sufficient dates for finalist interviews of April 25, 26, & 27. Mr. Lynch reported Amherst was an appealing community to apply, however the Charter issue was a concern for several applicants. Ms. Radway provided potential interview questions, both those previously used for preliminary applicants as well as new ones. Mr. Lynch suggested no more than 10 questions, noting they would have time to review writing samples, and

react to various experiences planned for during the day. Ms. Radway reminded the Board the questions should cover a variety of topics. Board reviewed development of interview questions and agreeing on process including soliciting feedback to finalize at the Select Board next regular meeting on April 19, 2016. The Select Board requested Amherst Media publish video of each of the three interview sessions the subsequent day.

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

Melinda Rampersad Medwinter, a representative of the student group, Advocates for Change spoke on Article 34 which seeks to replace Columbus Day with Indigenous Peoples Day in the Town of Amherst, providing an overview of their position. It was clarified that the Town did not have the ability to change the federal holiday.

VOTED unanimously to recommend to the May 2, 2016 Annual Town Meeting, **Article 34 – Petition: Indigenous Peoples’ Day**; Mr. Slaughter to speak to the Article on behalf of the Select Board.

APRS Director of Finance Sean Mangano and Assistant Superintendent Mike Morris explained the compromise being brought forth modifying the assessment method for one year, attempting to address a community’s ability to pay. Mr. Steinberg provided further information on the analysis, noting his full support of the compromise brought forward; Mr. Steinberg to speak to the Article on behalf of the Select board.

VOTED unanimously recommend to the May 2, 2016 Annual Town Meeting, **Article 9 – Amendment to Regional School Agreement Assessment.**

Mr. Mangano provided a brief overview of the budget recommendation voted by the School Committee, a slightly higher percentage than recommended by the Finance Committee that includes funds to restore part-time library paraprofessionals for which the community voiced strong support, higher retiree insurance costs and contracted salaries.

Mr. Slaughter noted he was an employee of the schools and would recuse himself from conversation.

Voted 4-0 with 1 abstention (Slaughter) to recommend to the May 2, 2016 Annual Town Meeting, **Article 10 – FY 2017 Elementary School Operating Budget in the amount of \$22,117,324**; Mr. Steinberg to speak to the Article on behalf of the Select Board.

Mr. Mangano reviewed the budget voted by the School Committee, which meets the recommendation of the Finance Committee, based on the assessment method being brought forward in Article 9. Revenues provide for a reduction in Chapter 70, increase in charter assessments, and use of Excess and Deficiency funds, the School’s free cash is at the lowest level of recent years. A first payment to the OPEB Trust Fund was highlighted, as were capital requests, programmatic and staffing changes.

Voted 4-0 with 1 abstention (Slaughter) to recommend to the May 2, 2016 Annual Town Meeting, **Article 10 – FY 2017 Regional School Operating Budget in the amount approved by the Amherst Pelham Regional School Committee with an assessment to the Town of Amherst of \$15,196,144**; Mr. Steinberg to speak to the Article on behalf of the Select Board.

Mr. Steinberg noted that since his wife is an employee of the library, he will recuse himself from discussion and action on the article. Library Director Sharon Sharry provided an overview of the FY 17 Operating budget, which is a net 2.8% increase overall over the prior fiscal year, increasing the Town’s assessment to 2.5%. Ms. Sharry detailed requested increases and a breakdown of the revenues relied

upon including the Trust, State Aid, Friends' in addition to the Town's portion. A building project update was also provided, square footage costs, expansion needs, grant requirements, and timeline.

VOTED 4-0 with 1 abstention (Steinberg) to recommend to the May 2, 2016 Annual Town Meeting, **Article 10 – the Town's share of the FY 2017 Library Operating Budget in the amount of \$1,879,077**; Ms. Kruger to speak to the Article on behalf of the Select board.

Kinsey Garden petitioner Carol Pope, designer of the garden, read the article. Ms. Pope spoke about the need for preservation of the garden as well as a committee of caregivers for future oversight. Ms. Pope spoke about the current care of the garden. Library Trustee Tamson Ely and Director Sharon Sharry read a statement from the Trustees, noting intention to include green space and their recognition of the value of the garden, which will be safe and accessible to the entire community. Ms., Kruger noted for the record that Ms. Pope assisted in the creation of her home garden, noting hesitation to constrain the library design process at this stage of the planning expansion. Mr. Steinberg noted he would not abstain from discussion as it has no bearing on salaries or operation of the library, agreeing that it was important not to abdicate responsibility. Select Board members spoke about the need for their voting a position on the article, noting various philosophical approaches. There was some consensus that there was a problem with the language that states the garden "in its entirety" implying a rigidity that would tie the process the library trustees are undergoing presently.

VOTED unanimously to recommend dismissal to the May 2, 2016 Annual Town Meeting, **Article 41 Petition – Kinsey Memorial Garden Preservation**; Ms. Kruger to speak to the Article on behalf of the Select Board.

Guilford Mooring Superintendent of Public Works spoke briefly about the need for Article 22, to grant a permanent easement at no cost, by donation, to replace a temporary one that had been granted from the homeowner to allow the sidewalk to be constructed.

VOTED unanimously to recommend to the May 2, 2016 Annual Town Meeting, **Article 22 – Acquisition of Easements - Pine Street Sidewalks**; Mr. Steinberg to speak to the Article on behalf of the Select Board.

Mr. Mooring provided an overhead/diagram of the planned traffic circle at East Pleasant and Triangle Streets to assist in the understanding of need for such an easement for sidewalk relocation outside of the roundabout. Mr. Mooring confirmed that if there was any cost, a money article would come back to Town Meeting at a later date. The sidewalk would not happen during this construction season. Members requested further plans be available for Town Meeting regarding the related roundabout.

VOTED unanimously to recommend to the May 2, 2016 Annual Town Meeting, **Article 23 – Acquisition of Easements Triangle/East Pleasant St Intersection Project**; Ms. Kruger to speak to the Article on behalf of the Select Board.

Mr. Mooring reported on award of the Water Supply Protection grant, \$175,000, matched with water and enterprise money to purchase 141 acres to be known as Romer Woods for water supply protection purposes in Watershed Zone A.

Voted unanimously to accept the drinking water supply protection grant and approve the project agreement to purchase the Romer land in Pelham. Mr. Mooring offered praise to Ellie Kurth who does much of the work on projects such as these and this is her last one, as she's taken a position with DEP.

Mr. Mooring was asked to stay to speak to the Article 37 on the West Bay Road Pedestrian Improvements following the petitioner.

Katherine Naughton, representing residents of South Amherst, asking the Select Board to approve the petition article requesting pedestrian improvements near Atkins Farm on West Bay Road. A map was referenced showing pedestrian improvements to provide safe crossing for students of Hampshire College and visitors to the Eric Carle Museum and includes a permanent bus stop off road.

Mr. Hechenbleikner reviewed a map that shows locations approved by the Planning Board for a walk contiguous to the Hampshire College solar array, a bus stop and a crosswalk in a slightly different location shown in petitioner's handout. Ms. Brestrup, Interim Planning Director indicated that Planning Board members placed condition on site plan approval that Hampshire College clarify with DPW the direction of the walkway on their property and return to the Planning Board with final plans. Mr. Hechenbleikner indicated the intent is to look at the area holistically, suggesting the petitioners work with both the DPW and planning staff to allow input in the final design of the project. Rob Crouner, Planning Board and Transportation Planning Task Force spoke, indicating it was the intent of the Planning Board to support the article at Town Meeting, specifically to state that as a Village Center, a sidewalk is necessary in this location. Members expressed concern with using petition to Town Meeting to determine prioritization for such projects.

VOTED unanimously to recommend referral to the Public Works Committee to the May 2, 2016 Annual Town Meeting, **Article 37 – Petition: West Bay Road Pedestrian Improvements**; Ms. Kruger to speak to the Article on behalf of the Select Board.

Interim Planning Director Chris Brestrup and Rob Crouner, Chair of the Zoning Subcommittee of the Planning Board were present to answer questions related to reports issued by the Planning Board on Articles 27-30.

Mr. Crouner explained Article 27 relates to Table 3 the dimensional table in the zoning bylaws BL and COM zones are in the same column, which requires any changes to one of the zones be applied to the other, which makes it difficult. This article separates the two columns, making no changes in the dimensions for either zone.

Voted 4-0 1 Absent (Kruger) to recommend to the May 2, 2016 Annual Town Meeting, **Article 27 – Zoning: Separate B-L and COM Districts**. Select Board will determine at a later date who will speak to the Article on behalf of the Select Board.

Mr. Crouner indicated Article 28 would rezone one parcel, on the east side of University Drive just south of New Market Center from office park to limited business. The New Market Office Park and the west side of University Drive is already zoned as limited business. The Office Park zone is very limited in use. A potential purchaser approached the Planning Board and requested a zoning change and the Planning Board agreed to put the potential change forward, as it aligns with their vision for that area of Town to increase use. It contains almost all of the same uses, adding multi-family residential and retail and consumer services uses and some motor vehicle uses, either by site plan review or special permit, increasing the potential uses. BL zone does provide greater impact in terms of lot coverage/buildings, however the lot involved is very constrained by wetlands, so the practical effect of the change is not large, primarily increasing the uses. Questions brought forward in a prior attempt to rezone this parcel through Town Meeting related to impact by wetlands and drainage infrastructure that have been addressed by Wetland Delineation and a conversation with the Town Engineer on the drainage issues. It was explained that allowing a larger range of uses consistent with the Master Plan cannot be construed as

spot zoning. It was made clear that the Planning Board was not speaking in favor or against a specific development/use.

Voted unanimously to recommend to the May 2, 2016 Annual Town Meeting, **Article 28 – Zoning: U-Drive Rezoning OP to B-L**; Select Board to determine at a later date who will speak to the Article on behalf of the Select Board.

Ms. Brewer indicated assignment would occur at the conclusion of zoning articles.

Mr. Crowner explained that Article 29 arose from the Planning Board's experience conducting the Retreat public hearing, which exposed shortcomings in bylaw and subdivision regulations, which this Article attempts to address. Mr. Crowner explained further the details of the proposed changes. Members noted it was helpful to have it laid out as proposed.

MOVE to recommend to the May 2, 2016 Annual Town Meeting, **Article 29 – Zoning: Cluster Subdivision Issues**.

Mr. Crowner indicated Article 30 also came out of the Planning Board's experience holding hearings and responding to development applications specifically for mixed use buildings. The proposed bylaw includes a description of what a mixed use building is specifically for the standards and conditions within the use categories. Mr. Crowner and Ms. Brestrup responded to members' questions on possible affects and application to specific categories. Ms. Brestrup noted they also apply to two family dwellings.

VOTED unanimously to recommend to the May 2, 2016 Annual Town Meeting, **Article 30 – Zoning: Mixed Use Building Standards and Conditions**

Board members reviewed articles and assigned speaking assignments on various questions.

Updates to the facilities profile was reviewed. Members agreed that these were the changes that had been requested and no further approval was required.

Members reviewed and chose the name badge to be ordered for members and staff members. Agreed without formal vote to choose the blue with the white letters.

f. Consent Calendar

VOTED unanimously to approve the items listed on the Consent Calendar consisting or 3 items 7f, 8a, and 8b as listed on the April 11, 2016 agenda, as presented which includes:

1. 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 20, 2016 beginning at 6:30 a.m. through 6:00 p.m.
2. the application for a Special Farmer Winery License to sell at the Amherst Farmers Market, a certified agricultural event pursuant to M. G. L. c 138, Section 15F on Saturdays from April 23, 2016 through November 19, 2016 in a 10' x 10' booth on the north side of the Spring Street parking lot between vendors Twin Oak Farm and Bare Roots Farm; Gary and Bobbie Kamen, Mount Warner Vineyards, 85 Mount Warner Road Hadley, Managers of Record.
3. a special wine and malt license for Pratts d/b/a R & P Liquors for the Spring Jam to be held on the library lawn at Hampshire College, 893 West Road, Amherst on April 30, 2016 from 4:00 p.m. to 7:00 p.m.; Nathan Day, Manager

Ms. Brewer provided calendar review, highlighting the Town Meeting Warrant Review scheduled for tomorrow evening.

Town Manager Report

Mr. Hechenbleikner noted the Chief will be transmitting two allegations of violations on a liquor license regarding Panda East, which will be second and third violations if found not in conformance, which will need to be scheduled for a hearing date. Road construction update, paving of Clark Hill road to University Lodge. Amherst meets all the standards, however there are changes forthcoming in water testing rules. State appears to have resolved issue regarding solar installations; will advise further if it is determined to affect the two planned installations.

Discussed the need for a site visit to be arranged for a potential tree hearing to be scheduled for June. Liquor license hearing to be scheduled for next Tuesday, April 19th; Town Manager to contact Town Counsel to see if he is available for 10 p.m.

ADJOURN - The meeting adjourned at 9:44 p.m.

Submitted by Peter Hechenbleikner, Temporary Town Manager

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

Agenda, Draft Motions and Consent Calendar

Town Manager Report 4-11-2016

Amherst Screening Questions Final

Amherst Town Manager Preliminary Screening Committee Charge Approved 2/22/2016

Temporary Town Manager Interview Questions 11/30/2015

Town Manager Finalist Feedback Sheet

Annual Town Meeting Article 10 Library Budget Request 12/11/2015

Annual Town Meeting Article 10 Operating Budget Region 2017

Annual Town Meeting Article 10 Operating Budget Schools 2017

Annual Town Meeting Article 22 Acquisition of Pine Street Easements

Annual Town Meeting Article 23 Acquisition of Easement Triangle East Pleasant

Annual Town Meeting Article 37 West Bay Road Pedestrian Improvements and Maps

Annual Town Meeting Article 41 Petition Kinsey Garden: History from Trustees and Aerial Map

2016 Watershed Purchase Romer Property Memorandum and Site plan

Town Name Badges Samples for Review

Metered Parking Reservation Request Garden Club and Map

Application for License for Winery to Sell at a Farmers Market Mount Warner Vineyards

Special Wine & Malt License Pratts Inc. d/b/a R & P Liquors Hampshire College 4/30//2016

Annual Town Meeting Article 21 Hawthorne Farm Maps for Review April 19 Select Board Meeting

Finalist Resumes Bockelman, Capriola and Fraser

Amherst Sustainability Festival Flyer