

Town of Amherst
Minutes of the Select Board

June 20, 2017 - 6:30 p.m. - Amherst Town Hall, Town Room

Members present: Doug Slaughter, Connie Kruger, Andy Steinberg, Jim Wald & Alisa Brewer

Members Absent: None

Staff present: Town Manager Paul Bockelman; Assistant Town Manager David Ziomek;
Planning Director Christine Brestrup

Others present: Attorney Tom Reidy; Barry Roberts; Chris Crane, Library Technician; and
Seth Gregory, Graphic Artist

Meeting called to order by Mr. Slaughter at 6:32 p.m. Review of the agenda noted the firefighters promotion ceremony was postponed to July 10, 2017.

Public Comment

Chris Crane, one of the twenty-one part-time non-union library technicians at the Jones Library provided a progress report regarding their wages. She noted the non-union techs represent 40% of the Jones library staff and believes that the library would be unable to operate without their support. Several years ago the group pursued benefits and pay adjustments, secured a title change from temporary to part-time technicians, and gained paid sick leave benefits. However, the group believes they are deliberately kept under twenty hours to avoid payment of Union scale and benefits, remaining on a pay scale designed for temporary and seasonal workers. Given their year round employment, she requested a new scale be created, providing comparison research she had collected. Mr. Steinberg noted that his wife serves as a part-time employee at the North Amherst library and therefore, he recused himself from the discussion. Ms. Brewer requested the matter be scheduled for follow up at a future agenda, including implications to the budget so that they have the information prior to budget consideration. Ms. Kruger suggested looking to the Personnel Board for consideration as well.

Limited Release of Restriction – University Drive

Barry Roberts and Attorney Tom Reidy requested that the Board approve a release of a restriction for entrance to designated property from University Drive which the Select Board was authorized to do by Town Meeting. Mr. Roberts noted he had met with the Transportation Advisory Committee and the Public Shade Tree Committee regarding various concerns with the plan. Restitution of \$1,400 will be made for the one tree that needs to be removed. The Conservation Commission had advised they cannot formally respond until a notice of intent is filed. Mr. Roberts noted they returned to the Select Board hoping they would grant the release contingent upon approval of the Conservation Commission and Zoning Board of Appeals, so they could move forward with plans.

Mr. Bockelman noted correspondence received from the Transportation Advisory Committee, Shade Tree Committee, and Mr. Ziomek on behalf of the Conservation Commission was included in the Board's packet. Town Counsel has reviewed the release and proposed revisions which were forwarded to Attorney Riley. Members asked about the nature of the development and if there had been any review of traffic. Mr. Bockelman noted no studies had been done, as there was no formal plan proposed. Mr. Roberts indicated his intent is to design commercial development on the northerly side of the parcel with the southerly portion for residential development, however he is hesitant to go forward with a design until permission for entrance is granted. Mr. Bockelman noted the entrance being discussed would service only the residential portion of the development, the commercial piece would access the site from the shared driveway with the Newmarket Center. Mr. Steinberg urged consideration of traffic safety studies early in the project, citing lessons learned from other large projects on University Drive. Mr. Bockelman noted that he understood there to be an agreement with the Agriculture Commission to compensate the Town for the removal of farmland. Attorney Reidy noted that any discussion of a traffic light would come forward at the time a plan is brought before the Zoning Board of Appeals. Members agreed to revisit the request at a future meeting.

Conservation Restriction Stowes Stosz – East Leverett Road

Assistant Town Manager David Ziomek presented and provided an overview of the request before the Select Board referencing a map in the packet. The three parcels on East Leverett Road were purchased with Community Preservation funds and therefore the Town is required to place a restriction to protect the conservation use in perpetuity. The Conservation Commission and Kestral Trust have accepted the Restriction. Mr. Ziomek noted this land is part of the Cushman Brook corridor that protects Puffers Pond, Cushman Brook and the Mill River and that the purchase was consistent with the Master Plan and the Open Space and Conservation plan.

Mr. Steinberg moved that the Select Board, pursuant to the vote taken under Article 19B of the May 2, 2016 Annual Town Meeting, as continued, and Section 12(a) of the Community Preservation Act, to grant to the Kestrel Land Trust a permanent conservation restriction on property located on East Leverett Road and described in a deed recorded with the Hampshire Registry in Book 12503, Page 268, and to approve said restriction under G.L. c.184, ss. 31-33. Ms. Kruger seconded the motion and it passed unanimously.

Wayfinding Signs

Mr. Bockelman introduced Ms. Brestrup and Seth Gregory from the design firm working on the project. This is the second step in the community wayfinding sign system design process, the first phase of which was funded by a state grant in 2015. The BID and the Town partnered in this phase, working with members of staff, community and local businesses to develop the wayfinding system. The group was looking for the Select Board's general agreement of the concept this evening. The working group will then meet to refine the preferred concept design, a process that will also involve review by other Town boards and committees. A final design, cost estimates and map showing proposed locations would then be submitted to the Select Board at a future date for its final review and approval of specific sign locations. Capital funds will be needed for fabrication and installation of signage. Mr. Gregory provided an overhead presentation and reviewed the components of the proposed concept meant to drive commerce to the Town Center, summarized as simple, durable and authentic. Members noted their appreciation of the coordination and work to date, impressed with the overall concept, and looked forward to the final presentation.

Town Manager Performance Evaluation

Mr. Slaughter noted he had provided an updated timeline for the Board's review, seeking feedback on the forms to be sent out to staff, boards, committees and general public as early as tomorrow. Feedback from staff is due on July 7, 2017 with the committees/board/general public response due on July 14, 2017. It was noted staff feedback is confidential and become part of the Town Manager's personnel file. A meeting on August 17, 2017 needed to be scheduled for the Board to review the composite evaluation from the Chair, requesting pizza be provided given the 5 p.m. start time.

On a motion by Ms. Brewer, seconded by Ms. Kruger, the Board voted unanimously to add the date of Thursday, August 17, 2017 to the Select Board meeting calendar previously voted, to begin at 5:00 p.m.

Committee/Boards, Appointments & Reappointments

Ms. Kruger moved to appoint Rebecca Woodland to the Personnel Board through 6/30/2020; and to Reappoint Doug Slaughter and Greg Stutsman to the Amherst Affordable Housing Trust Fund Board of Trustees and Joan O'Meara and Thomas Simpson as Associate Members to the Zoning Board of Appeals through 6/30/2018. Mr. Wald seconded the motion and it passed unanimously.

Licenses, Public Way, and Metered Parking Reservation

On a motion by Mr. Steinberg, seconded by Mr. Wald, the Board voted unanimously to approve the applications of Top of the Campus Inc. for a Special License to serve: all alcohol beverages at a reception to be held at the Isenberg Atrium on Saturday, June 24, 2017 from 4:00 p.m. – 9:00 p.m.; Kimberly Mcallister, Director.

On a motion by Mr. Steinberg, seconded by Mr. Wald, the Board voted unanimously to approve the application of Top of the Campus Inc. for a Special License to serve wine and malt beverages at the Applied Life Science reception on Friday, June 30, 2017 from 2:00 p.m. – 6:00 p.m.; Caroline Nofio, Director.

On a motion by Mr. Steinberg, seconded by Mr. Wald, the Board voted unanimously to approve the application of Pengyew Chin d/b/a Pengyew Catering LLC for a Special License to serve wine and malt at a wedding reception to be held at the Eric Carle Museum, 125 West Bay Road on Sunday, July 9, 2017 from 5:30 p.m. to 12:00 a.m. the day following; Pengyew Chin, Owner and Manager.

On a motion by Mr. Steinberg, seconded by Mr. Wald, the Board voted unanimously to approve the application of Pengyew Catering LLC for a Special License to serve wine and malt at a wedding reception at the Unitarian Universalist Society, 121 North Pleasant Street on Saturday, July 8 2017 from 5:00 – 10:00 p.m.; Pengyew Chin, Owner.

Town Manager Report

- Mr. Bockelman reported that the recent coffee hour held at the Bread and Butter Restaurant in North Amherst with Chris Brestrup Planning Director had the greatest attendance thus far with a variety of topics including development, potholes and the North Amherst library discussed. The next coffee was planned for downtown with the Public Works Superintendent in attendance.

- Beginning July 1st the Town Hall will be open to the public on Thursday mornings, noting accommodations will have to be made for staff meetings and trainings that traditionally occurred during that time.
- The Town Hall will be closed on Monday, July 3rd due to the limited availability of staff to provide services, however requiring the use of paid time off as compensation.
- The employee picnic is planned for tomorrow afternoon and Town Hall to be closed at noon.
- In addition to the wayfinding project, the Business Improvement District is focused on two major capital projects this year, a public restroom in the downtown and a bandstand on the Town Common. Their summer concert series starts this week, as well.
- Staff, Select Board representatives and the Town Manager met today to begin discussion on the use of the additional social services funds voted by Town Meeting.
- The Audit Committee has received the annual audit, which is available online. There were no problems identified with the Town's financial system and he congratulated the accounting department and interim co-finance directors for such great work.
- Phase one of the Triangle Street roundabout was complete, which included the utility work and Phase Two is now in progress. Temporary traffic lights were installed, widening of the North Pleasant Street entrance has occurred, and Warner Brother is scheduled to begin work next week and will complete by the September 1st deadline. Route 63 paving is complete.
- Pioneer Valley Transit Authority is holding a hearing tomorrow night in the Bangs Community Center to gather public comments on proposed reductions in service.
- Minor construction work has occurred to begin to address the flooding at Pomeroy Court and a meeting has been scheduled with residents to discuss their concerns.
- A \$25,000 grant was awarded to the Town under the Community Compact program to prepare an economic development plan, which will occur under the direction of Geoff Kravitz.
- Amherst Media contract negotiations continue, further extension of the existing contract will be necessary, moving into September.
- The Musante Health Center construction is making great progress with discussion focused on access and signage.
- The Recreational Marijuana group is meeting regularly, attempting to keep pace with the legislature, who is working very quickly.

- A staff review of the homeless shelter indicates it was a very successful year. We are seeking to meet with Board of Directors to plan for next year.
- Dates for upcoming planning meetings to occur the next two Thursdays at the Jones Library were announced.
- Mr. Pistrang was chosen as the Chair of the Dog Park Task Force.
- The firefighter staffing study draft was received and reviewed with all parties with constructive feedback for incorporation.
- There was a meeting with a group interested in turning the downtown fire station into a performance venue upon completion of a new fire station, with the understanding that it was years away.
- Overall details were provided on the application being prepared for the MassWorks grant program, related to the North Amherst village.
- Mike Warner started on June 12 as the Town's new Applications Manager.
- A new social worker, Michelle Chmura, started in the Senior Center.
- He and the Town's finance officers were monitoring the health insurance trust carefully, meeting with the Advisory Board next week, noting some significant strain from large claims.

Ms. Brewer asked if there were additional costs to being opened on Thursday morning. She also noted that more investigation should occur, whether by the Personnel Board or the Select Board, surrounding the requirements for use of personal time when the Town closes the building, in terms of what other large employers do in the area. She requested there be extensive outreach soon on the social services process, ensuring a broader coalition on participation. In response to an inquiry, Mr. Bockelman indicated they were still working on the terms of the Memorandum of Understanding with the Business Improvement District. He also reported he had supported the application for the recycling coordinator enforcement position with the understanding that there would be no impact on the FY 18 budget.

Member Reports

Mr. Steinberg reported on attendance at the audit committee meeting. The financial reports were certified with no qualifications, which is excellent news. The audit committee was satisfied with the responses to items noted in the management report. Mr. Bockelman noted the auditor reported that the Town had taken care of all the items noted in prior management reports, which is a good indicator of responsiveness.

Mr. Steinberg noted the Regional Assessment Method Working Group met with several consultants, funds have been set aside by the Regional District to pay for the work, which will help the group to develop a plan that addresses the concerns of each of the communities.

Mr. Steinberg reminded the Board that the mayor of Kanegasaki had sent a letter to the Select Board proposing a visit in September of this year and a celebration of the anniversary of the Sister City relationship in 2018. The Kanegasaki Sister City Committee is concerned with being able to adequately prepare in the short time frame provided as well as with the uncertainty surrounding Amherst town government at this time. Mr. Steinberg noted he has been in communication with the Mayor through our interpreter and the Mayor will propose putting off the suggested meeting and in its place approved the scheduling of meetings with key people via Skype or something similar.

Mr. Steinberg noted the Recycling Refuse Management Committee is very focused on the report they submitted to the Select Board. They believe the staffing that comes with the grant funds is integral to being able to meet the goals of sustainability in the report. They also realize that education is key to the process and are partnering with the League of Women Voters on forums to serve that purpose. He noted the Committee was discussing the plastic bag regulations, working with the Board of Health to further refine the bylaw with the intent to make it easier to manage for both users and those charged with oversight, in time for the Annual Town Meeting.

Mr. Steinberg asked that remote participation by this Board be put on a future agenda for discussion.

Mr. Kruger reported on the progress of the Downtown Parking Work Group, notably preparing for the public forum on Thursday. She reviewed the group's Phase I recommendations as voted by the DPWG that morning, providing the highlights and urging attendance. The final recommendations will come before the Select board on July 17, 2017. Ms. Kruger also spoke about the planned Downtown Planning Forum scheduled for June 29th.

The municipal strategy subcommittee of the Campus and Community Coalition met, deeming the party registration pilot program a success, and are planning expansion to include any day/time and to involve the entire Town population. She also reported participating in a preliminary conversation with the Town Manager regarding social services, including choosing a date in September and the approach to identify needs.

Mr. Bockelman reported that an agreement has been reached on the suit brought against Beacon Communities and the Zoning Board of Appeals by Village Center North Amherst LLC and they agreed to dismiss the suit with prejudice, with each party bearing its own attorney's fees.

Ms. Brewer noted she had provided an email for Board members related to the development of Recreation Marijuana policies/bylaws and provided the highlights of her testimony at the legislative hearing. She reported briefly on communication with TMCC on improving process at their events.

The Chair reported on work by the Agricultural Commission, displaying a poster that highlights upcoming agricultural events at area farms over the summer and early fall. The Affordable Housing Trust had a presentation by a Northampton group which represents tenancy preservation, identifying those struggling to keep their housing and how best to provide support, suggesting that it would be a good use of the social service funding to support such services.

Mr. Slaughter reported on the upcoming listening sessions being held by the Pioneer Valley Transit Authority regarding possible route reduction/elimination.

He reported on correspondence received from the State Lottery Commission regarding an offer of monitors to Keno to Go agents, providing notice that the Amherst Center Store had requested one and that the Select Board had 21 days to file any objections. Members requested further information on the process, suggesting an extension on the timeline provided.

The meeting adjourned at 9:56 p.m.

Submitted by Paul Bockelman,
Town Manager

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

06-20-2017 Agenda and Draft Motion
2 Comcast Audit Findings for Town of Amherst
2 Comcast Response to Audit Findings
2 Downtown Planning Flyer
2 DPWG Public Forum Flyer
2 DPWG Recommendations Memo-June 22 2017
2 Marijuana Internal Working Group - Recreational Marijuana Talking Points 6-14-17
2 Marijuana Internal Working Group - Update
2 PVTa How to Comment - Public Hearings
2 PVTa Service Cuts Public Hearing Notice 05-25-17 FINAL ver4
6a Art 31 Limited Release of Restriction - University Drive 6-05-2017 Bike Path
6a Art 31 Limited Release of Restriction - University Drive Access
6a Art 31 Limited Release of Restriction - University Drive Existing and Proposed Site Sheet
6a Art 31 Limited Release of Restriction - University Drive Ground Survey 2015
6a Art 31 Limited Release of Restriction - University Drive Release from Attorney Revised
6a Art 31 Limited Release of Restriction - University Drive TAC Review
6a Art 31 Limited Release of Restriction Narrative and Maps
6a Art 31 Limited Release of Restriction Plan Book 143, P 61
6a Art 31 Limited Release of Restriction University Drive Letter
6a Article 31 2017 ATM
6b Wayfinding Sign System
6c Stowes Stosz Conservation Restriction Final Draft
6d Performance Evaluation 2017 Timeline Revised 06-16-17 DWS
6d Performance Evaluation 2015 Committee Chair e-mail text - FINAL 6.19.15
6d Performance Evaluation 2015 eval web notice - FINAL 6.19.15 16
6d Performance Evaluation 2015 Staff Questionnaire - fillable Draft 6.15.15
6d Performance Evaluation 2015 Town Manager Eval Staff Q Cover Memo FINAL 6.19.15
6d Performance Evaluation 2015 Town Manager Eval Town Meeting e-mail text - FINAL 6.19.15
6d Performance Evaluation Town Manager FY17 6 Month Progress Report FINAL
6d Performance Evaluation Town Manager Performance Goals FY17 avb 11-21-16
7a Special All Alc Isenberg School of Managemt UMass 6.24.17
7b Revised Special Wine and Malt App Life Sciences Lab rooms 320 330 340, UMass 6.30.17
7c Special Wine and Malt Eric Carle Museum, Pengyew Catering, 7.9.17
7d MA ABCC Caterer Guidelines 10-23-12
7d MA ABCC Caterers Advisory 8-30-12
7d Notice of Catering Blue Heron at Eric Carle Museum 06.16.17
7e MA Lottery Commission Notice of Intent to Install Keno Monitor