

CALL TO ORDER

Mr. Minear called the meeting to order at 7:35 p.m. in the Town Room of Town Hall.

ATTENDANCE

Minear, Griffith, Torrey, Brooks, Wilkinson

SELECTMEN'S ACTION

English as a Second Language Program. 04-1-08
Cheryl Wilson and Bonnie Isman appeared to discuss the request for funding by the Jones Library for the English as a Second Language Program. Ms. Wilson observed that this is an ongoing program funded by grants which will run out in December, 1987, leaving the program unfunded through FY 88. The Town's money would be used to finish the project. Currently the program has over 60 volunteers who work with 36-40 adult students, primarily Cambodian refugees. This is the only free program offered at times convenient to adults who have other daytime commitments. The funding is used to pay the salary of a part-time professional who administers and coordinates the program. The future of the program is currently under evaluation by a subcommittee. Mr. Torrey asked if this type of program might not be more efficiently sponsored by LSSE. Ms. Wilson stated that LSSE is concerned more with fee-based classes in group settings; the Library's program offers a one-on-one situation. Mr. Minear noted that the LSSE connection should be pursued.

Conveyance of Town Property/Larch Hill Parcel. 04-1-08
Mr. Torrey spoke on behalf of the Conservation Commission, noting that the proposed transfer is needed to enable the Hitchcock Center to obtain title to the property, thus making it grant eligible. He further stated that the Town becomes the remainder and that the property cannot be sold. Questions were raised about the size of the lot for building purposes and whether the property can be transferred without an act of the legislature. VOTED unanimously to support this article pending positive resolution of the two questions.

Petition--Performance of Times-Mirror Cable Television. 04-1-08
Alan Root discussed problems with various channels currently received by Amherst subscribers, noting that reception varies across the Town. Mr. Root made a log tape over a period of several months which provides an indication of the reception problems. In response to Mr. Minear's question about the Board's role in this strategy, Mr. Root replied that the Board had entered into the contract with Dimension Cable Television and was therefore responsible for remedying the situation. He suggested that one method of addressing the situation would be to establish a preventive maintenance agreement with Dimension with the goal of addressing the overall problem. Then, if nothing could be accomplished, the courts should be used. Mr. Minear advised that Town Counsel and Assistant Town Manager Michael Letcher would be consulted about the Board's legal rights. Ms. Wilkinson suggested that someone be available for complaints when the contract is not being administered properly.

Additional Moratorium Funds. 04-1-08
Kathleen Masalski, Chair of the Historical Commission, addressed the Board

about the funds being requested. She stated that \$12,000 is needed to complete the inventory of the Town's historical resources and \$6,000 is needed to fund the multiple resource nomination. The inventory of the Town's resources, i.e., buildings, architectural sites, clusters, or any structure of historical or architectural significance, is needed to meet state requirements. A "windshield survey" has indicated there are some 800 structures in Amherst which should be inventoried. Ms. Masalski stated that the timeframe on the project is about 8 months; she also observed that it is an effective planning tool for the moratorium. Mr. Farmer, the consultant hired by the Historical Commission, commented that once the survey is complete the Town may request National Register status. He further observed, in response to questions about requirements of property owners in such areas, that private homeowners are not impacted by such status. Commercial property owners are eligible for a 20% tax credit for rehabilitation; Town-owned properties are eligible for 50% matching grants for rehabilitating buildings.

Child Care Consortium.

04-1-08

Roy Rosenblatt, Child Care Coordinator, stated that the Town is being asked for funds to purchase (not contribute toward) 10 slots at \$500 each for Town employees to use for day care. By way of further explanation, he noted that other employers in Town could contribute \$500 per slot and that these pooled funds would be used to pay the mortgage of a day care facility. Any employee who used the facility would pay a sliding scale fee for the child's care. Mr. Rosenblatt noted that the Town would have no governing authority over the facility as it would be run independently. Furthermore, he noted that the Finance Committee supports the funding proposal. In response to questions about staffing and number of children supported, Mr. Rosenblatt stated that 50-55 children could be accommodated with a comfortable design, requiring 11-13 teachers, depending on the age range of the children. The starting age would be infant. He also noted that he is exploring the possibility of state funding through EOCD with the Planning Board.

Petition--Fill Regulations.

04-1-08

Vincent O'Connor stated that this petition was actually a Sand Hill Road neighborhood petition in response to a driveway constructed by Ronald Bercume. With alterations to landscapes financially feasible now, the only method of regulating such alterations is through regulating fill. He noted that the Planning Board had endorsed this petition and that regulations regarding earth removal had not been changed.

Petition--Maximum Coverage.

04-1-08

Vincent O'Connor stated that this petition addressed building coverage for business-related activities, noting that buildings and parking take too much space. The Planning Board has also endorsed this petition; the Board will seek input from the Zoning Board of Appeals.

Noise By-Law.

04-1-08

Chief Don Maia provided background on the need for a noise by-law, stating that the raising of the drinking age from 18 to 20 had resulted in more off-campus parties. A great deal of research was conducted on the use of sound measuring techniques which proved not to be useful. Francis Fortino, Town Meeting Member, was credited by Chief Maia as having been the source of this by-law which is based on one from East Lansing, Michigan. He stated that the Police Department's policy was to avoid

arrests; therefore, the fine concept fits well with current policy. In response to Mr. Torrey's question about a "provable" standard, Chief Maia stated that an individual officer's personal opinion is the first level of judgment, i.e., the by-law gives the officer the tool he needs to make a judgment. Furthermore, he observed that the state has enabling legislation which, at some future time, will allow for a non-criminal method of enforcing such a by-law in that fines can be handled like parking tickets.

Open Container By-Law. 04-1-08

As background information, Chief Maia noted that the prohibition of open containers of alcohol had first been proposed by the Chamber of Commerce in response to people drinking outside the Drake. Current long lines outside the Town's regulations would address that issue in addition to providing better control in school and recreation areas. Additionally, the University of Massachusetts may implement similar regulations.

Article Assignments. 04-1-09
Mr. Minear stated he had made tentative article assignments but that they were negotiable.

Positions on Articles. 04-1-10

Article 21: VOTED unanimously to support.

Article 22: VOTED unanimously to support.

Article 23: VOTED unanimously to support.

Article 24: Postponed action until April 21, 1987.

Article 25: VOTED unanimously to support with an amendment to Section 7 that funds which are reimbursed be returned to the Land Acquisition Fund.

Article 26: VOTED unanimously to support, noting that \$20,000 was from currently available funds while \$70,000 is new money. Eighteen APRs are in process.

Article 27: VOTED unanimously to support as proposed by the Town Manager who noted that \$420,000 is for specific items such as Wentworth Farm, \$100,000 is for the War Memorial Pool renovations, and \$480,000 is for unspecified future programs. Mr. Minear noted that the Finance Committee supports the concept but not committing the specific dollar amounts. It was noted that the Board should support this item now in light of the increased tax levy it would create.

Article 28: VOTED unanimously to support.

Article 29: VOTED unanimously to support.

Article 30: VOTED unanimously to support.

LICENSES AND PERMITS

Common Victualler's License for Chen's Inc.
VOTED unanimously to approve said license.

04-2-03

GENERAL BUSINESS

Question Period
There were no questions.

04-3-04

Moratorium Issues.

Mr. Minear stated there were no new moratorium issues since the meeting of April 13th.

Review of Procedures for Use of the Common.

04-3-06

Mr. Minear stated that the Town's Common's (central, north, and east) are public ways and cannot be used by individuals for commercial gain. Specifically, the commons cannot be used for tag sales from which individuals would profit. Applications for events sponsored by non-profit organizations may be filled out in the Town Manager's office.

It was noted that the Board would be meeting at 6:30 p.m. in the Continuing Ed. room across the hall from the Superintendent's Office in the Junior High School on Wednesday, April 22nd, and joining the public hearing being held by the Planning Board on Cherry Hill at 7:30. The starting time for the meeting of April 21st was set ahead to 7:00 p.m.

VOTED unanimously to adjourn at 10:10 p.m

Nancy R. Board
Secretary to the Selectmen