

MINUTES

CALL TO ORDER

Meeting called to order by Mr. Weiss at 6:32 p.m.

ATTENDANCE

Present: Gerry Weiss, Stephanie O’Keeffe, Diana Stein, Anne Awad, Alisa Brewer (7:09)

Absent: (none)

Town Manager Larry Shaffer

Bill Elsasser, Mary Wentworth, Eduardo Suarez, Rob Crowner, Shawn Prak, Margaret Collins, Terry Franklin, Harry Brooks, Ernie Urvater, Jon Nelms, Robert Romer, Edward Cutting, Emily Lewis, Bob Ackermann, Richard Morse, Nancy Foster, Paulette Brooks, Stanley Maron, Carol Rothery

OPENING REMARKS/ANNOUNCEMENTS

It was not stated at the meeting but had been noted in an earlier e-mail that Ms. Brewer would be arriving late because she was meeting with Argentinean scholars through the Civic Initiative program.

Mr. Weiss read a letter of thanks and good wishes to departing Schools Superintendent Dr. Jere Hochman, and Select Board members signed the letter.

Ms. Awad announced that she had submitted a letter to the Town Clerk resigning her Select Board seat as of August 31st. She cited recent pressures including being stalked and threatened by one individual. She said she continues to live in Amherst and will move to South Hadley at some future point, that she has enjoyed serving for eight years, and has appreciated the support she has received.

PUBLIC COMMENT

Bill Elsasser spoke about tending to the downtown flower pots, and suggested that the Town acquire a golf cart with attached flat bed trailer to assist with Town maintenance.

SELECT BOARD’S ACTION

Speed Limit Petition

Mary Wentworth and Eduardo Suarez, representing The Commons Group, discussed the many health and environmental benefits of bicycling, and offered a proposal for encouraging increased bicycle usage. The proposal included reducing speed limits to 25 miles per hour on Town-owned roads, increasing and improving bicycle parking options and consideration of other issues for increasing bicycling safety.

VOTED 4 in favor, 1 absent (Brewer absent) to refer the proposal to the Public Transportation and Bicycling Committee, the Public Works Committee, the Superintendent of Public Works and the Police Chief, for further study and recommendations.

Fourth of July Parade

There was lengthy discussion among the Select Board and almost two dozen members of the public regarding plans for the 2009 Fourth of July Parade. No one from the Amherst Fourth of July Parade Committee was in attendance, and its Chair was reported to have called Ms. O’Keeffe earlier in the day to say that committee members were unavailable or unwilling to attend. Discussion involved different views about free speech and the meaning of the holiday; the rights of exclusion accorded to private parades; opportunities for inclusion via a public or alternative private parade; addressing conflicting

needs with a separate parade or by incorporating a “free-speech zone” in the private parade; use of Town equipment; whether or not an alternative parade would or should require Town organization and resources; use of the word “Amherst” in the current private parade’s name; and issues of Town Manager and Select Board jurisdiction. The sense of the Select Board was that the Parade Committee should be allowed to have a parade; that the Town should not prevent that by blocking out the full day with its own parade permit; and that Town equipment should not be used, but Town personnel should be allowed to participate without pay. Issues of the timing of the private parade, whether the Town or a separate body would create a second parade, or whether an agreement might be reached to incorporate something like a “free speech zone” into the private parade, remain undecided.

VOTED unanimously to express the sense of the Select Board that the Amherst Fourth of July Parade Committee be allowed a permit to hold a parade on July 4th, 2009, at an unspecified time, and that such parade would not include the use of Town equipment.

Select Board Participation in 2008 Parade

Discussion regarding whether Select Board members might march in this year’s parade as individuals or as official Select Board representatives determined that the former was acceptable and the latter was not. A “Town of Amherst Select Board” banner was said to exist though its location is unknown, and its use in this instance would not be sanctioned.

VOTED 4 in favor, 1 opposed (Brewer, Awad, Stein, Weiss in favor; O’Keeffe opposed) that the Select Board is not officially participating in the 2008 Fourth of July parade.

Summer Select Board Agenda

Consideration was given to a compiled list of agenda priorities submitted by Select Board members. Top priorities were identified as addressing the Town Manager’s evaluation; committee liaison coverage; road and sewer issues; compilation of Select Board policies; and discussion of the role and authority of Select Board members, chair and liaisons. Ms. Stein volunteered to work with another member (to be determined) to draft a letter to State legislators from the Select Board expressing support for a meals tax. Other topics, such as road issues, were recommended for a similar two-person approach of study and bringing recommendations to the full Select Board.

No action taken.

Town Manager Evaluation Process

It was suggested that the evaluation form be updated, that staff feedback be sought, and that goals and expectations for the new year be incorporated into the evaluation process. Ms. Awad and Mr. Weiss agreed to consider the issue and bring recommendations to the Select Board. Members were encouraged to send ideas about the form or the process to Mr. Weiss by July 11th.

No action taken.

Committee Reappointments

VOTED unanimously by a single vote to approve the following committee reappointments:

Anne Burton, Amherst Cultural Council, for a term to expire June 30, 2011

Edith Byron, Amherst Cultural Council, for a term to expire June 30, 2011

Ekaterina Ites, Amherst Cultural Council, for a term to expire June 30, 2011

Susan Pynchon, Agricultural Commission, for a term to expire June 30, 2011

Helene Ver Eecke, Public Transportation and Bicycle Committee, for a term to expire June 30, 2010

Chris Hoffman, Housing Partnership/Fair Housing Committee, for a term to expire June 30, 2011

VOTED unanimously to rescind the June 2nd, 2008, reappointment of Frank Wells to the Public Transportation and Bicycle Committee for a term to expire June 30, 2011, and to reappoint Frank Wells to the Public Transportation and Bicycle Committee for a term to expire June 30, 2010.

VOTED unanimously by a single vote to approve the following Town Manager reappointments to the Historical Commission, all for terms expiring June 30, 2011: Gai Carpenter, Lyle Denit and James Wald.

Scheduling Special Election

VOTED 4 in favor, 1 abstaining (Weiss, Brewer, Stein, O’Keeffe in favor; Awad abstaining) to support the following motion, as read by Mr. Weiss:

Whereas, Anne Awad, Select Board member elected in 2000, 2003, and 2006, has on June 20, 2008 submitted to the Town Clerk her resignation from the Select Board effective September 1, 2008, and Whereas, the Amherst Town Government Act, Chapter 216 of the Acts of 2001, as amended by Chapter 263 of the Acts of 2006, requires that a special election be called to fill such vacancy as the vacancy shall occur more than 90 days before the annual election, I move that the Select Board hereby call a special town election for Tuesday September 16, 2008, with polls open from the hours of 7:00 am to 8:00 pm, to fill the vacancy for her unexpired term, such term ending with the Annual Town Election of 2009.

LICENSES AND PERMITS

Lunch Cart License

VOTED unanimously to approve a Lunch Cart License for Shawn Prak, d/b/a Dog Gone Tasty, 720 Riverglade Drive, Apartment C, Amherst, MA.

Change of Manager – Bertucci’s

Deferred until a future meeting when a Bertucci’s representative can be present.

No action taken.

TOWN MANAGER’S REPORT

Legality of Water and Sewer Rate Change Cycle and Billing

Mr. Shaffer reported having spoken to Town Counsel about the legality of charging new water and sewer rates for usage occurring before the official rate change date. He said Town Counsel’s opinion was that it was not problematic because it represents a contractual relationship with the customer, the billing and rate change cycle is long-standing and unchanged, and the option for interested customers to have their meters read on June 30th was provided.

ADJOURNMENT

The meeting adjourned at 9:34 p.m.

Approved at the July 11, 2008 Select Board Meeting