SELECT BOARD MEETING
Monday, March 15 – 6:30 p.m.
Town Room, Town Hall

DRAFT

MINUTES

Call to order:

Meeting was called to order by Ms. O'Keeffe at 6:30 p.m.

Attendance:

Present: Stephanie O'Keeffe (Chair), Alisa Brewer, Aaron Hayden (Clerk pro-tem), Diana Stein, Gerry Weiss, Larry Shaffer (Town Manager), John Musante (Asst. Town Manager)

Others presenting: Bill Alsasser, John Thibbets (Proj. Mgr for Atkins), Brad Schimmel, Awda Thompson, Lee Pratt, Nathan Day, Paul Hodgekins, Scotty Farber, David Ziomek (Dir Conservation and Planning)

Announcements;

Stephanie O'Keefe expressed the Select Board's appreciation for Mr Weiss' work over the last 6 years.
Also she announced that ACTV will be streaming live meetings held in the Town Room.

Diana Stein announced the 2nd Farmer's Breakfast at Kelley's Restaurant 9-9:30 to be followed by a discussion of a winter Farmer's Market.

Gerry Weiss clarified that a statement he made at a Select Board meeting was taken out of context by the anti-override people. The quote that "Amherst had been living beyond its means" didn't include IN THE PAST. We have worked to end the practice and the override is the lynch pin in repairing the budget and going forward.

Public Comment

Bill Alsasser nominated Gerry Weiss for School Superintendant

Liquor license renewal:

Diana Stein moved to renew the Seasonal Wine and Malt Liquor License for Cherry Hill Golf Course, 323 Montague Road (Manager: Barbara Bilz for March 19, 2010 to expire December 31, 2010). Gerry Weiss seconded and the motion carried unanimously.

Committee Appointments:

Diana Stein moved to accept the Town Manager's appointing Sandra Anderson to the Planning Board for the unexpired term of Ludmilla Pavlova-Gillham to begin March 15, 2010 and to expire June 30, 2011. Gerry Weiss seconded and the motion carried unanimously.

Diana Stein moved to appoint;

1. Laura Quinn to the Committee on Homelessness, for a term to expire June 30, 2010
2. Rhonda Nachbar to the Public Arts Commission, for a term to expire June 30, 2013.

Gerry Weiss seconded and the motion carried unanimously.

Taxi License

Diana Stein moved to approve a new Taxi Driver/Chauffeur License for Joshua Chicoine, 185 Earl Street #2, Troy NY. Gerry Weiss seconded and the motion was approved unanimously.

Special Liquor Licenses

Diana Stein moved to approve the Special Wine and Liquor License for the University of Massachusetts for April 10, 2010 from 7:00 pm – 10:00 pm at the Fine Arts Center for concessions. Gerry Weiss seconded and the motion carried unanimously.

Diana Stein moved to approve the Special Wine and Liquor License for the University of Massachusetts for April 14, 2010 from 6:30 pm – 9:30 pm at the Fine Arts Center for concessions. Gerry Weiss seconded and the motion carried unanimously.

Diana Stein moved to approve the Special Wine and Liquor License for the University of Massachusetts for April 30, 2010 from 7:00 pm – 10:00 pm at the Fine Arts Center for concessions. Gerry Weiss seconded and the motion carried unanimously.

Diana Stein moved to approve the Special Wine and Liquor License for the University of Massachusetts for May 8, 2010 from 8:00 pm – 12:00 pm at the Fine Arts Center for a reception. Gerry Weiss seconded and the motion carried unanimously.

New Wine & Malt Package Store Liquor License-Atkins Fruit Bowl, Inc.

Gerry Weiss moved to open the hearing at 7:01, Alisa Brewer seconded that the motion was approved unanimously.

This is an off-premises license for wine and malt not an all alcohol license. Town can grant 7 and only 2 are in use now.

John Thibbets presented the plans for Atkins to sell specialty beers and wine within the existing store.

Aaron Hayden asked how they were going to handle the requirement that only cashiers 18 and older can handle alcohol.

John Thibbets explained that the registers are programmed to stop the sale when alcohol is scanned – they are very concerned that the law is carefully followed.

The floor was then opened to public comment: Those speaking against the approval –
Brad Schimmel, an attorney representing a local interest, expressed concern that the whole store could be turned into a liquor mart much as Table and Vine in Northampton has. He was also concerned that the location of the store would be a "burden" on the APD and that the business is doing well enough and doesn't need to do better.

Scotty Farber a nearby resident feels there are enough liquor stores in South Amherst already.

Awda Thompson a resident and avid shopper at Atkins felt it is convenient enough to stop at one of the existing stores on the way back from Atkins.

Nathan Day (owner of R&P liquors) wanted to stress all the questions that were asked and extra interest since last meeting. Doesn't see "it". Felt there were enough liquor stores nearby already.

Diana Stein wondered what percentage of R&P liquors business is local?

Nathan responded that he doesn't cater to all customers but he does serve the demographic who are headed to Atkins.

Paul Hodgekins partner of Atkins farms described his many years of experience selling alcohol where there was a sizable population of students who were nearly old enough to dringk..

John Thibbets made his closing remarks.

Gerry Weiss moved to close the public hearing at 7:49. Diana Stein seconded and the motion was approved unanimously.

Discussion:

Gerry Weiss noted that the Town's Counsel sent us a memo that described our responsibility and authority of this type of license. There are 4 parts to consider;

1. The application is complete
2. The petitioner is of good character
3. There is a public need or want
4. The premises are suitable

In considering the impact to nearby businesses it seemed that the liquor sales that Atkins makes will come from Whole Foods and so don't exist (in Amherst) yet.
Diana Stein made a motion to approve the new Wine and Malt Package Store Liquor License – Atkins Fruit Bowl, Inc d/b/a Atkins Farms Country Market. Gerry Weiss seconded and the motion was approved unanimously.

<u>Audit Committee's report</u>

John Musante presented the 3 volume set which is the audit of the Town's finances and reported that it went well: "The news this year is that there is no news."

Conservation/Planning/Inpsections report

David Ziomek presented a report on several projects:

Alisa Brewer made the motions: On this 15th day of March, 2010, the Town of Amherst, acting by and through its Select Board pursuant to the vote taken under article 20 of the May 4, 2009 Annual town Meeting, as continued, a certified copy of which is attached hereto, hereby accepts the foregoing deed from Andrew Olendzki and Kathryn Faneli to property located on Station Road, Amherst, which property is to be administered, managed and controlled by the Amherst Conservation Commission under the provisions of GL c 40 section 8C. Gerry Weiss seconded and the deed was accepted unanimously.

Mr. Ziomek reported: on grants that we have received against strong competition and those we have applied for.

On the work of administering the CDBG is being parceled out among planning staff since Mr Rosenblatt is retiring.

On using the MUNIS computer system for tracking applications, permit status, zoning and general issues.

And that Mr. Bagg is developing an on-line document that will help anyone doing working in Town to understand all the processes needed to complete a project.

Town Manager's Report

Mr. Shaffer reported on the ARA progress regarding the Gateway project, on the status of a grant to study a BID for downtown, a winter farmer's market, the Spring St parking lot rebuild, need to standardize minutes for archiving, the report by the LARP on Puffer's Pond, the status of health inspections of restaurants.

Gerry Weiss wanted to know of progress on Mr. O'Connor's concern about the Building Commissioners ban of storage under stairways.

Mr. Shaffer reported that the State Code forbids ANY storage under an egress stair.

Member Reports

Stephanie O'Keefe speaking to a packet of information about State Senate Bill 627 noted the concerns which local landlords expressed in a letter. We may need to consider it for action next month.

Exit Interview Proposal

Gerry Weiss presented his proposal on exit interview policy.
Alisa Brewer wanted to know how the interview might be kept confidential.

Larry Shaffer noted the interview could be part of the personal record and so would be confidential that way – he would check with Town Council to be sure it was enough of a safeguard. He also pointed out the value of the interview for its information. It is possible we would want to make it a By-law requiring Town Meeting approval but might simply add it to the handbook. Mr. Shaffer will work on implementing an exit interview process.

Gerry Weiss moved that the Select Board recommend to the Personal Board implementing an exit interview process similar to proposal. Diana Stein seconded and the motion carried unanimously.

Mr Weiss' liaisonships

Gerry Weiss reported on the groups he has been a liaison to and described their work.

Approve Minutes – no new ones available tonight
Committee Appointments -
Diana Stein moved to appoint Liz Etheridge to the La Paz Centro, Nicaragua Sister City Committee, for a term to expire June 30, 2013. Gerry Weiss seconded and the appointment was accepted unanimously.

Chair's Report Ms. O'Keeffe gave an appreciation for Mr. Weiss' work on the Select Board and service to the Town.

Calendar Preview

3/23 - Annual Town Election
3/27 - Senator Rosenberg's Annual Legislative Breakfast

April SB **Meetings:** 4/5, 4/12, 4/21 (Wednesday), 4/26

Adjournment

Motion to adjourn at 9:35 was unanimously accepted.

Changes and comments encouraged.

Respectfully submitted
Aaron Hayden