

## MINUTES

### CALL TO ORDER

Meeting called to order by Mr. Weiss at 6:30 p.m.

### ATTENDANCE

Present: Gerry Weiss, Diana Stein, Anne Awad, Stephanie O’Keeffe

Absent: Alisa Brewer

Town Manager Larry Shaffer

DPW Superintendent Guilford Mooring

Vincent O’Connor, Denise Barberet

### OPENING REMARKS/ANNOUNCEMENTS

Mr. Weiss thanked volunteers for watering the downtown flowerpots in Bill Elsasser’s absence, and asked that people pick up downtown litter as well. Mr. Shaffer said that the DPW has assisted in the watering efforts.

### PUBLIC COMMENT

Vince O’Connor asked the Select Board to postpone the date of the September 16<sup>th</sup> Special Election, citing concerns that deadlines for nomination papers and voter registration prevent full participation from college students. He spoke of a lawsuit against the Town in the 1970s regarding this issue, and an understanding that it not occur again. Mr. Weiss said the topic would be put on the next agenda for full discussion.

Denise Barberet said that the potholes on North Whitney Street are bad, and talked about a land situation on Henry Street for which the Town has right of first refusal, which she had concerns about when the issue came before the Planning Board. She cited concerns about process, documentation, and skepticism that affordable housing would be built on the property as planned. Mr. Weiss noted that the issue would soon come to the Select Board for consideration, and Mr. Shaffer said that would occur after completion of necessary documentation details by the property owner and review by Town Counsel. The documents were said to contain two deficiencies; one was the lack of purchase price.

### SELECT BOARD’S ACTION

#### **Road Paving Priorities**

Guilford Mooring explained the Town’s system for evaluating road conditions and establishing annual paving priorities. He said that 20% of the roads are walked and re-evaluated each year; that the data on road conditions is entered into a database that uses a formula accounting for each road’s major or minor status along with other factors, and assigns each one a 0-to-100 overall condition index (OCI) rating; and that reports are generated and input from the Public Works Committee is received to determine the annual paving list. He said the list goes to the Town Manager and is presented to the Select Board as part of the Annual Town Meeting’s capital spending article for infrastructure. It was requested that the list come to the Select Board prior to the warrant article being created, and Mr. Mooring agreed to do that. Due to the backlog of paving needs accumulating, Mr. Shaffer said that he has requested that Mr. Mooring and the Public Works Committee create a proposal beyond the scope of the annual \$500,000

paving plan, and that once completed this fall, funding options will be considered and a recommendation will be brought to the Select Board. This proposal is likely to include reconstruction rather than just additional asphalt, as well as widening Pleasant Street for bike lanes.

**No action taken.**

### **North Pleasant Street Sidewalk Design and Construction**

Mr. Mooring presented plans for the downtown sidewalk design and reconstruction on the west side of North Pleasant Street from Amity Street to the CVS block. He said that it would involve the addition of three new street lights to replace one current light in the section between Amity and the D'Angelo's building; widening the sidewalk and adding three trees and planters in front of the D'Angelo's building (tree types being considered by the Public Shade Tree Committee;) no changes in front of the Fire Station; creation of ADA-compliant grading and a new crosswalk from CVS to Starbucks; creation of four flush planters in front of CVS to replace the three raised brick planters, and relocating the current crabapple trees to Groff Park from those planters. Mr. Mooring said that the Public Works Committee, Design Review Board, Disability Access Committee and others were in agreement in recommending these plans. He said that agreement was not yet achieved on a recommendation for the section in front of the Roberts property housing The Souper Bowl and Food for Thought Books, for which diagonal parking is being considered to allow the creation of an on-street handicapped van parking space, and that due to safety concerns, consideration of that area continues. There was some discussion about the underutilization of the nearby parking lot behind CVS, and Mr. Shaffer said there are options for improving the approach and the alleyway entrance, and that he would talk to the property owners. **VOTED** 4 to 0, 1 absent (Brewer) to approve the sidewalk construction plan as presented, for the west side of North Pleasant Street from Amity Street to the north side of the CVS alleyway.

### **Discussion on Role of Select Board Liaisons**

There was lengthy discussion about the role and expectation of Select Board members as liaisons to boards and committees.

Ms. O'Keeffe expressed concern that liaisons not act as members of their assigned committees and influence their work or recommendations; that liaisons not be perceived as expressing views representing the Select Board if such views have not been agreed to; and that liaisons ought to be neutral information conduits and should assist committees by ensuring compliance with basic rules such as posting meetings, keeping and filing minutes, and avoiding e-mail violations of open meeting law.

Mr. Weiss and Ms. Awad talked about the benefits of collaborating with the Zoning Subcommittee through the liaison position; the opportunity to work together to create recommendations the Select Board could support at Town Meeting; and said that questions asked by liaisons are typical of those that would be asked by Town Meeting members or Select Board members, and made the process more efficient by getting answers early. Mr. O'Connor agreed that liaisons to the Zoning Subcommittee had helped create better outcomes for zoning articles at Town Meeting.

Ms. Awad, Ms. Stein and Mr. Weiss expressed that liaisons should be able to actively participate in committee discussions and that opinions expressed should be identified as personal opinions rather than those of the full Select Board. Mr. Weiss emphasized the need for better reporting back of information to the Select Board.

Ms. O'Keeffe volunteered to draft a revised version of an existing liaison policy document to incorporate details about the liaison's role as a resource for information and rule compliance, and that if the Select Board approves the document, that it be distributed to committees for mutual understanding of the subject.

Ms. Stein volunteered to be liaison to the Zoning Subcommittee. Ms. O’Keeffe volunteered to join Mr. Weiss as a representative to the Budget Coordinating Group.

**No action taken.**

### **Scheduling Open Meeting Law Training**

It was agreed that this would be postponed until after consideration of postponing the special election date at the next meeting.

### **Report on the Governor’s Visit**

Ms. O’Keeffe reported on the July 17th Governor’s visit, saying that she, Ms. Awad and Ms. Brewer had attended (Ms. Stein noted that she was present for the end. Mr. Weiss and Mr. Shaffer were on vacation.) Ms. O’Keeffe thanked the Senior Center for providing refreshments and a reception area; praised Mr. Musante’s presentation in the formal meeting regarding Amherst’s partnership efforts and opportunities, and desire for the local option meals tax; and summarized issues raised by officials from other communities, including the repeated concern about the upcoming ballot question to repeal the State income tax. She noted that many expressed appreciation for the Governor’s visit to the region, that he stayed to hear from all who wanted to talk with him, and that it was an honor for Amherst to be chosen as the host community for the event.

Ms. Awad concurred with Ms. O’Keeffe’s summary, praised the excellence of Mr. Musante’s remarks, and expressed a preference for having an elected rather than appointed official speak and represent the Town at such an occasion, noting that Amherst was the only community not to do so at the Governor’s visit. She suggested that the Select Board have a discussion with the Town Manager and Assistant Town Manager about who speaks for the Town at various events.

Mr. Shaffer reiterated appreciation and praise for Mr. Musante’s presentation, and said that Ms. Awad’s point about representing the Town was an important one.

**No action taken.**

### **Appointing Election Workers**

Mr. Weiss talked about a letter from the Town Clerk explaining the Select Board’s right to appoint election workers, or to waive that right and allow the Town Clerk to make the appointments, as has been the traditional practice.

**VOTED** 4 to 0, 1 absent (Brewer,) to waive the right to appoint election workers, pursuant to Massachusetts General Law Chapter 54, Section 12.

### **Committee Reappointments**

**VOTED** 3 in favor (Weiss, Awad, O’Keeffe,) 0 opposed, 1 recusal (Stein,) and 1 absent (Brewer,) to approve the Town Manager’s reappointment of Otto Stein to the Conservation Commission, for a term to begin July 21, 2008 and to expire June 30, 2011. Ms. Stein noted her recusal prior to the vote, and all agreed she did not need to leave the room.

**VOTED** 4 to 0, 1 absent (Brewer) to reappoint Sara Swartz to the Agricultural Commission, for a term to begin July 21, 2008 and to expire June 30, 2011.

## **LICENSES AND PERMITS**

### **Special Wine and Malt Liquor License – R & P Liquors**

**VOTED** 4 to 0, 1 absent (Brewer,) to approve the Special Wine and Malt Liquor License for R & P Liquors for August 4, 2008 from 4:00 p.m. to 8:30 p.m. at Atkins Fruit Bowl for a car show.

## **Special Wine and Malt Liquor License – R & P Liquors**

**VOTED** 4 to 0, 1 absent (Brewer,) to approve the Special Wine and Malt Liquor License for R & P Liquors for August 18, 2008 from 4:30 p.m. to 8:30 p.m. at Atkins Fruit Bowl for a car show.

## **TOWN MANAGER'S REPORT**

### **Hitchcock Center Plans**

Mr. Shaffer reported that he was in discussion with the Hitchcock Center about its plans to renovate or build new at its site on Town-owned land, creating a state-of-the art facility with environmentally-sound construction. He said that many issues must be worked out, but none should impede the project, and that he will keep the Select Board apprised.

**No action taken.**

### **BID Seminar**

Mr. Shaffer reported on the recent Business Improvement District (BID) seminar held at Town Hall, which included representatives from Westfield, Springfield, Hyannis, Northampton and Amherst. He talked about the BID model being a proven and successful means for downtown property owners to collaborate for extra services like security, landscaping, and special event programming to help keep downtowns vibrant. He said the grant for studying BID feasibility for Amherst must be spent by late fall, and that it is going toward consultants' work including sizing the district, collecting voting information and holding public information sessions.

**No action taken.**

### **North Amherst PRP Update**

Mr. Shaffer gave an update on the North Amherst PRP, saying that the property owners had responded and that counter-offers will be made on some elements of their proposal. He addressed concerns about infrastructure costs, saying that grants and other funds are available to help, but that costs can't be known until specific development needs are known. He reiterated explanation of an assignable lease option and a development agreement, and explained protections for the Town against incurring large expenses without adequate return.

**No action taken.**

## **ADJOURNMENT**

The meeting adjourned at 9:05 p.m.

*Approved at the August 11, 2008 Select Board Meeting*

