

**MINUTES**

**Called to order:** Ms. O’Keeffe called the meeting to order at 6:30

**Attendance:** Stephanie O’Keeffe (Chair), Alisa Brewer, Aaron Hayden, Diana Stein, Jim Wald (Clerk, pro tem); Laurence Shaffer (Town Manager); John Musante (Asst. Town Manager and Finance Director)

Public: Hwei-Ling Greeney, Phil Jackson.

**6:30 Ceremony:** Town Clerk Sandra Burgess swore in three promoted Police officers (Lieutenant William Menard, Sergeant Gabe Ting, and Sergeant Jesus "Ricky" Arocho) in a ceremony also attended by colleagues and family

**6:35 Public Comment:**

Hwei-Ling Greeney reiterated complaints and criticisms stated earlier in a lengthy series of e-mails regarding her dissatisfaction with the handling of the Community Development Block Grant (CDBG) process. She charged that there was a lack of public participation in CDBG, including lack of clarity regarding who could apply, and when; lack of transparency and accountability, and lack of Select Board (SB) direct involvement or oversight. Saying that things have “gone from bad to worse” as a result of a “rushed and thoughtless process,” she asked the Select Board to preside over the meeting scheduled on September 28 or to hold a separate meeting to consider her memo. She feels that the Community Development Committee (CDC) is running the process, and SB is abdicating its role. She compared the CDBG process unfavorably with the much longer and more deliberate one of the Community Preservation Act Committee (CPAC). The former has only 4 members and acts in 6 weeks, whereas the latter is much larger, acts over a period of 9 months, and has to bring its decisions to Town Meeting for ratification.

Chair O’Keeffe thanked Ms. Greeney for her good and detailed memo and comments, explaining that Ms. Stein and Ms. Brewer were working on the issue, and that if they determined that we needed to hold such a meeting, we would do so.

**In miscellaneous untimed items:**

- it was determined that postponement of an Oktoberfest event at Atkins due to inclement weather did not require a re-voting of the permit because the original vote had included a rain date.

and the Select Board voted:

- Unanimously to approve the request from the Amherst Family Center to bag 35 parking spaces between College Street and Spring Street on the west side of Boltwood Avenue and the east side of South Pleasant Street (as marked on the attached map), on Friday, September 24, 2010 beginning at 9:00 p.m. through 10:00 a.m. Saturday, September 25, 2010, and to continue

to bag up to five (5) meters to accommodate vendors with handicapped parking permits until 5:00 p.m. Sunday, September 26, 2010 for the annual Apple Harvest Festival.

- Unanimously to approve the closing of Lincoln Avenue and Sunset Avenue on Sunday, October 31, 2010 from 6:30 p.m.- 8:30 p.m. with the agreement that at least one resident will be stationed at each barricade wearing a traffic vest, with a flashlight, and a cell phone, and that the police department be given the names of individuals that can be contacted during the period of the closure should any issues arise.
- Unanimously to approve the minutes of the September 2nd meeting, as amended.
- Unanimously to approve the Special Wine & Malt Liquor License for the Hospice of the Fisher Home on Thursday, September 16, 2010 from 4:00 p.m. - 8:00 p.m. and Sunday, September 19, 2010 from 4:00 p.m. - 8:00 p.m. for an open house.
- Unanimously to approve the taxi driver license for Kevin Okiah of 231 B Amherst Road in Belchertown, to be driving for Safari Transit.

**7:05:** The SB voted unanimously to approve the appointment of John Musante as permanent Town Manager without a search, effective October 1, 2010.

Chair O’Keeffe explained that this had been the overwhelming sentiment of the public input received since we broached the possibility of this plan of action at the September 2 meeting. The SB and outgoing Town Manager offered their heartfelt congratulations and best wishes to Mr. Musante.

**7:45:**

The Select Board continued its discussion of the FY11 Town Manager Performance Goals and the extent to which they might benefit from revision. In earlier meetings, for example, we had extracted and highlighted individual items from paragraphs/clauses that seemed too dense or diverse in content. The SB unanimously voted to adopt the seven FY11 Town Manager performance goals as presented in the memo titled "Draft Town Manager Goals for FY11," dated 8/26/10, and, at the suggestion of Ms. Stein, to add an eighth goal about promoting green initiatives for the community, precise wording to be determined.

**7:55 Town Manager Laurence Shaffer reported:**

- That he and Mr. Musante, along with the Amherst Redevelopment Authority (ARA), would be visiting Storrs, CT on Friday, 9/17, to check out their "Huskie Village" redevelopment efforts, as part of learning how other communities have pursued initiatives similar to the Gateway project.

- That he and Planning Director Jonathan Tucker had visited Portland, ME to meet with a rail advocacy group there, and a Federal Rail Authority representative to learn about their successes and how they might be applied to the Central Corridor initiative.
  
- That three towns have affirmed that they do want to be part of the emergency dispatch regionalization effort (Wilbraham, Ludlow, and East Long Meadow) and that Hadley, Belchertown, South Hadley and UMass are still uncertain. The logical assumption is that these latter will indeed join, but he explained that the economic and other benefits would make the initiative worth pursuing even with the existing complement. In any case, it is not necessary that the region be composed of contiguous communities.
  
- That one of the highest priorities in Town Hall right now is the coordination of information and efforts regarding code enforcement in rental housing; rather than having the health, zoning and public safety inspection and violation information exist separately, resources will be pooled for improved enforcement and to help prevent the gradual deterioration of our housing stock. More info will be provided on this effort as it progresses.
  
- That the Bangs Center sidewalk reconstruction plans are being brought to all the various relevant committees for input and recommendations. Many senior citizens had complained of actual and probably injuries caused by the uneven pavement. Because tree roots are said to be a factor in the problem, an initial proposed solution might require removal of the current plantings in order to resurface the plaza. Other citizens and the Tree Warden would prefer a less aggressive approach. This all remained to be negotiated. Given the safety concerns and work season, plans are nonetheless to complete the task before winter.
  
- That Chabad House will erect a Sukkah on Kendrick Park again this year as part of that holiday observance. Residents are invited to visit and share hospitality.

**8:15 Summer Project Plan Update:**

- Master Plan Implementation Committee: Mr. Wald reported that he has been engaging in discussions with former CPC members and Planning Dept. staff regarding the goals and structure of such a committee, with the intent that it be focused on reporting information, and creating a multi-faceted grid that allows implementation information to be easily accessed. The aim is not to create a new actor, and instead, effective gathering and sharing of information and oversight that may be applied to the Town departments, boards, and committees under consideration. He explained that conversation with the Planning Board would be the next step.
  
- Safe Routes to School: Ms. Stein said the State contact person was being kept in the loop regarding Amherst's process and progress on this effort and that Mr. Mooring indicated that the Public Works Committee had requested more time to deal with the issue.
  
- Committee Handbook Update: Ms. Stein spoke briefly about the revisions incorporated in the first five pages; she suggested that we start on the next two pages (through the section on

Officers) and maintain the ability to still revise the first section if necessary; we should send suggested revisions of language or policy to Ms. Stein.

**Member Reports:**

- Joint Capital Planning Committee (JCPC) Update: Ms. Stein and Mr. Wald reported on a new governance structure or approach. Historically, in recent years, the Finance Director—i.e. an employee of Town Hall rather than a citizen volunteer—has chaired the Committee, which is thus something of an anomaly in our Town government, but a system that makes sense given the unique knowledge of the Finance Director and his role in the budget process. Given, however, that the current Finance Director appeared likely to assume the role of Town Manager, the Committee voted to elect one of its members Chair, and selected Finance Committee representative Kay Moran. The remaining discussions focused similarly on procedural matters.
- Kanegasaki Sister City Committee: Mr. Hayden said that an invitation letter to the Kanegasaki Mayor is being carefully crafted; that plans are being made for him to address Town Meeting, and that among the events for his visit will be a gala dinner on Sunday, November 7th (put it on your SB calendars), which will also be a fundraising event; more details to follow in the coming weeks
- Board of Health: Ms. Stein reported that they are considering the issues of electric smoking and urban farming.
- Zoning Subcommittee: Ms. Stein reported that they are also considering urban farming as well as a small revision to the medical offices zoning to clarify numbers; additionally, a consultant will help to consider zoning change options in North Amherst employing form-based code.
- Leisure Services (LSSE) Commission: Ms. Brewer reported on the analysis of the War Memorial Pool, which was found to be in much better structural condition than had been expected (the metal tank itself is sound—despite non-use—with modest repairs evidently needed mainly around the surface perimeter; also that LSSE and the Schools are in discussions to potentially have LSSE run all the after-school programs.
- Community Development Committee: Ms. Brewer reported on their small current membership, noting that there are Citizen Activity Forms (CAFs) from two Committee on Homelessness members. She further discussed the Committee's tasks and successes. She acknowledged that there are issues with their committee charge and how the CDBG process is occurring, but recommended not making any rushed changes now in advance of the 9/28 hearing, noting that the existing process does yield good results.
- Committee on Homelessness: Ms. Brewer reported that the Committee recommended issuing a new RFP for the winter shelter because they weren't satisfied with the results of the first one (yielding CHD, whose work they were not happy with last year, and Vita Nova, whose proposal was incomplete.) Mr. Shaffer noted that reissuing the RFP could yield zero

respondents, and risk the ability to have a shelter at all this winter. He explained that there is only \$75,000 to pay for this -- \$25,000 from CDBG, and \$50,000 that is the remainder of the Waxman funds.

- **Committee Merger Recommendation:** Ms. Brewer reported on the history of the recommendation to consider merging the Committee on Homelessness, Housing Partnership/Fair Housing Committee and Community Development Committee: that it was partly aimed at improving communication among those groups, which has occurred; and to be more efficient with charges, staff time, etc. She said the recommendation is not actively being considered at this time, and that committee charges across the board will continue to be reviewed.
- **Open Meeting Law Update:** Ms. Stein reported that public comment on the Ethics Law and on remote participation in meetings is being sought. There isn't time for the SB to weigh in as a group, but we or others interested in those issues could give comment via the Mass.gov web site
- **PVPC Alternate Commissioner:** Ms. O'Keeffe noted a letter in our packets from Pioneer Valley Planning Commission seeking an alternate commissioner from Amherst, to be appointed by the SB. Mr. Hayden volunteered to fill that role.
- **Town Flag Contest:** Ms. Stein noted that no submissions had been received for the Town Flag Design contest, and that the deadline is the end of September. She encouraged people to submit designs, threatening otherwise to submit one herself.

**Chair's Report.** Ms. O'Keeffe reported:

- On a recent meeting with ACTV to discuss their need to move to a new location by next August and their desire to be downtown and more accessible to the community;
- On a recent meeting with the Chamber to discuss plans for a downtown block party with students and residents; she said it has since been decided to postpone this event to next year.
- On a recent interview with WBUR radio from Boston, for a story on issues related to Amherst being home to the UMass flagship campus; she noted that many from the community were interviewed for the piece which will likely run locally on WFCR at some point.
- On a letter to the *Boston Globe* she wrote in response to their 9/5 negative article about UMass; the letter was published 9/12.
- On the "Have a Heart" initiative by UMass, UMPD, APD, a fraternity, community members and others last Friday night in the Fearing Street area, to help make students aware of the fact that they are in a neighborhood and need to respect the quality of life of its residents; and that the WBUR reporter covered this.
- That the \$300 fines for violating the Town's open container, noise and keg registration bylaws, as voted by Town Meeting in the spring, were approved by the Attorney General and are in effect, as evidenced by police log activity in the newspaper.

**8:58**

SB agreed, unanimously by roll call vote, to go into Executive Session per Massachusetts General Law Chapter 30A, section 21, part a, subset 2: in order to engage in contract negotiations with non-union personnel—viz., retiring Town Manager Laurence Shaffer and incoming Town Manager John Musante—noting that the open session would not reconvene. Prior to the motion, it was explained that the session would first deal with finalizing details of Mr. Shaffer's retirement package, after which he would depart and Mr. Musante would enter, in order to begin discussion of his new contract.