

## MINUTES

SELECT BOARD MEETING  
Monday, June 13, 2016 – 6:00 p.m.  
Town Room, Town Hall

### ATTENDANCE

Select Board

Present: Alisa Brewer, Connie Kruger, Doug Slaughter, Andy Steinberg, Jim Wald

Staff: Peter Hechenbleikner, Temporary Town Manager, Deborah Radway, HR Director

Other: Tony Butterfield, Personnel Board Chair; Police Chief Scott Livingstone, Sara LaCour, BID Director, Vira Douangmany Cage, Vince O'Connor, Aisha Hiza, Muriel Canta?,

The meeting was called to order by Ms. Brewer at 6:03 p.m.

Ms. Kruger led a moment of silence in recognition of the horrible shooting in Orlando FLA last weekend.

Ms. Kruger reported to the Select Board that she would have letters to volunteers regarding appointment, reappointment, and or thanks for service completed next week.

### 2a) Public Comment

Renee Moss, Director of CHD/Big Brothers Big Sisters of Hampshire County spoke about the upcoming “Crafts on the Common” fundraiser event for the Big Brothers/Big Sisters program and noted that they appreciated the Select Board consideration of reservation of parking spaces for this event.

HR Director Deborah Radway presented information on the Amherst Human Rights Commission Recipients of 12th Annual HUMAN RIGHTS HEROES AWARDS. For the 12th straight year, the Commission asked the community to nominate Amherst area youth who have shown an ability to love and care for one another through demonstrated acts of kindness, unselfishness, social courage and/or community service within their families, their schools, or the community. 2016 individual winners accomplished many achievements to inspire their nominations, including advocating for change in the manner Amherst recognizes Indigenous Peoples, speaking up against individual and institutional racism, promoting community service through mentorship initiatives, displaying empathy and caring to other students, participate in panels on race, serving as mentors throughout the school system, becoming Minority Student Achievement Network (MSAN) scholars, and demonstrating general leadership attributes.

The 2016 individual recipients are Wildwood Elementary 6th grade students: Keidy Cardoso, Phoenix Ferreira Ford, Bryson Raines and Zayd Sadiq; Amherst Regional Middle School 8th grade students: Lucy Anderson, Hillary Atkinson, Jesse Barker-Plotkin, Kelly Brown, Sophia Cable, Innis Gallagher, Henry Geffert, Hannah Hartman, Sophia Jodka, Aarti Lamberg, Amelia McMahan, Melinda Rampersad-Medwinter, Mohan Setty-Charity, Anupama Sitaraman, Seth Thayumanavan, Christina Wehrli, Nor Young, and Xiaoping Yu and Amherst Regional High School graduating senior Lanre Thomas. A special Hero award is being given to Commissioner Gregory Bascomb in recognition of his six years of leadership on the Human Rights Commission. Nominators included teachers, advisors, students and community members. The Commission is presenting awards to this year’s recipients at its annual Human Rights Heroes luncheon on Saturday, June 18 at Valentine Hall, on the Campus of Amherst College.

Ms. Radway further reported that the Town’s 2<sup>nd</sup> celebration of Race Amity Day took place yesterday, and the US Senate passed a resolution recognizing Race Amity Day.

Resident Vince O’Connor asked that the Select Board follow up on Article 44 from the Annual Town Meeting. He further asked that if the proposed Beacon project in North Amherst was going to request a “Friendly 40b”

that the Select Board schedule a public hearing on the application. He gave the Town Manager a chart linking his analysis of the proposed number of housing units to the projected number of residents.

## **2b. and 2c. Town Manager and Select Board report**

The Town Manager distributed his report to the Select Board.

Ms. Brewer noted that letters to volunteers inquiring as to their interest in being reappointed to their committee will be going out next week, as will letters of appreciation for those who have served 2 or more 3 year terms.

Ms. Brewer asked that the Select Board be posted for the Charter Commission meeting on July 7, 2016 in case a majority of the Select Board was present and any business needed to be conducted.

Ms. Brewer asked that the information on electioneering be included in the Town Manager's weekly notes.

Ms. Brewer reminded the Town Manager that a memo from him needs to be added to the Solid Waste Master Plan material before it is included on a Select Board meeting agenda.

## **6) Action and Discussion Items**

### **a. Non Union Cost of Living Increase**

Tony Butterfield, Personnel Board Chair; and HR Director Deborah Radway presented information on the proposed COLA increase for non-union personnel for FY 2017. The Personnel Board has also recommended that the Town Manager develop recommendations on professional development to make practices standardized and consistent.

On motion by Kruger, seconded by Slaughter, the Select Board unanimously voted to authorize a 2% Cost of Living increase ("COLA") for the fiscal year beginning July 1, 2016 for eligible non-union employees, and further, to approve a one-time cash payment of up to 2%, not added to the base salary, for any non-union employee whose FY 16 current salary is greater than the top step or their same level on the FY 17 Non-Union Salary Schedule, so that all non-union employees receive the dollar value of 2% increase in regular wages in FY 17 over what they received in regular wages in FY 16.

### **b. Watershed Land Acquisition – Romer Woods**

The Town Manager reviewed the documents relating to the acquisition of the Romer land in Pelham for water supply protection purposes. The State has given the Town a grant for ½ of the cost of the project, and the Town approved its share of the cost at November 4, 2015 session of the fall Town Meeting. The transfer of this property must be made by June 30, 2016.

On motion by Steinberg, seconded by Slaughter, the Select Board unanimously voted, in its capacity as the Board of Water Commissioners, to accept the deed to the property located on Amherst Road and North Valley Road, Pelham, known as Romer Woods, for water supply protection and land conservation purposes under the provisions of G.L. c. 40, §§39B and 41 and the vote taken under Article 15 of the November 2, 2015 Special Town Meeting, as continued.

### **c. Hawthorne Farm Transfer to Habitat for Humanity**

The Town Manager noted that this transfer is to deed the portions of the Hawthorne Farm property for the Habitat for Humanity to build two attached affordable homes on the site. This action was approved at the May 11, 2016 session of the 2016 Annual Town Meeting.

On motion by Kruger, seconded by Slaughter, the Select Board voted unanimously, acting pursuant to the vote taken under Article 21 of the May 2, 2016 Town Meeting, as continued, to convey to Pioneer Valley Habitat for Humanity, Inc., for affordable housing purposes, the parcel of land located at 235 East Pleasant Street, Amherst.

#### **d. Response to Vira Douangmany Cage Correspondence**

Select Board Chair Brewer noted that this matter was whether and how to respond to an email received from School Committee member Vira Cage. Ms. Brewer asked the Town Manager for his recommendation. Mr. Hechenbleikner indicated that he had a conversation on Thursday morning with Ms. Gage and felt that the best course of action is to acknowledge the email, and to begin a conversation to consider what further steps the community can make towards improving relations between Town government and the minority community, and among citizens of the community.

Chief Livingstone indicated that he was present to observe and to answer any questions that the Select Board might have. Select Board member Kruger read a draft letter that she had prepared, expressing her thoughts on an appropriate response. Select Board members thanked Ms. Kruger for preparing the draft. Residents Vince O'Connor, and Aisha Hiza spoke. Ms. Gage was not present for the discussion. HR Director Radway spoke and clarified the role of the Human Relations Committee in issues like this.

On motion by Kruger, seconded by Steinberg, the Select Board voted unanimously to send the letter as drafted (with the removal of "DRAFT" from the letter).

#### **e. Registered Marijuana Dispensaries**

The Town Manager reviewed the general draft terms for Host Community Agreements with the Registered Marijuana Dispensaries that are proposed in Amherst. In response to an inquiry from the Select Board as to who signs such an agreement, the Town Manager indicated that it would be the Town Manager. The Select Board talked about whether it would be a good idea to also license MMD's as Brookline does. The Select Board asked that the Town Manager consider including periodic reporting in the Agreements, and that the Town Manager report back to the Select Board next week on feedback from the MMD's.

Select Board member Andy Steinberg reviewed the information that he had collected on how the community determines the location and number of dispensaries that would be appropriate in the community. The initial regulations had a limit of five per county, and no more than one per community. However the Baker Administration modified the regulatory scheme and process and those limits were eliminated. Some communities have done Requests for Proposals, and had competitively selected MMD(s) for the community. Amherst appears to be the only community in the Commonwealth to date to have more than one application –and Amherst currently has three Select Board supported applications and another one pending. There was discussion among Select Board members on limiting the number to the three already supported, giving the ZBA some guidance as to what standards the Select Board would recommend for considering sites, and whether or not to consider the pending application of Happy Valley Ventures.

On motion by Kruger, seconded by Slaughter, the Select Board voted 4-1-0 with Steinberg opposed, to authorize the scheduling of the Happy Valley Ventures application for a letter of support/non-opposition as soon as possible, and that the Select Board would not be amenable to considering any additional applications until the Select Board has considered siting criteria. It is anticipated that the Happy Valley Ventures application will be heard on June 20, 2016.

#### **f. Policy - Remote Participation Request for Review**

Mandy Jo Hanneke, a member of the Charter Commission asked the Select Board to reconsider its position and to allow remote participation. The Charter Commission has had perfect attendance at all of its meetings to date, but the summer will present challenges in making sure that all members are able to attend and participate. The Select Board has in their packet a great deal of information on the subject. Under the newest regulations from the Attorney General's office, the Select Board would be responsible for establishment of any local regulations surrounding the use of remote participation. After discussion, the Select Board agreed to have staff do some research and report back to the Select Board at the July 18 meeting. Topics requested include:

- What other communities have adopted remote participation (MMA, or AG's office?);
- Consultation with the Committees of the Town to get input;
- How would this work considering the Mullins decision;

- What would be the costs for IT to implement;
- Would there be constraints on what Committees could use this based on where they meet and the availability of Wi-Fi; and
- Who does this apply to – Town Manager to get confirmation from Town Counsel as to his opinion.

### **Consent Calendar**

The Select Board asked to remove the Common Victualler's license for Fratelli's as there appears to be an inconsistency in the proposed managers in this application in comparison to the alcohol license.

It was noted that there is a conflict between the "Crafts on the Common" event and the Farmers Market. This was worked out last year and the Town Manager's office will work it out again.

The Town Manager noted that there were two "pocketed" liquor licenses and the licensees were to report to the Select Board by mid-June of their intentions. The Town Manager will make copies of the letter for the Select Board for their next meeting.

On motion by Slaughter, seconded by Wald, the Select Board voted unanimously to approve the following items on the Consent Agenda as amended.

- Crafts on the Common – June 25, 2016 – parking and public way reservation;
- Blue Hills Road block party – July 23-24, 2016 – public way closure;
- Common Victualler license – Taste of Persian Kabab LLC DBA Top Kabab, 31 Boltwood Walk; and
- All Alcohol Special Licenses – Top of the Campus Inc.
  - Campus Pond lawn/Worcester Dining Commons: July 31, August 1, and August 3, 2016
  - Fine Arts Center Atrium, August 1, 2016
  - Independent Learning Center, August 1, 2016
  - Worcester Dining Common, August 3, 2016

### **ADJOURN**

On motion by Steinberg, seconded by Kruger, the Select Board voted unanimously to adjourn at 10:50 PM.

Submitted by

Peter Hechenbleikner  
Temporary Town Manager