

## MINUTES

### ATTENDANCE

Select Board

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

Absent: None

Staff: Peter Hechenbleikner, Temporary Town Manager; Kevin Hollenbach, Joey Becker

Other: Gazette Report Scott Merzbach and Amherst Media staff

Meeting called to order by Ms. Brewer at 6:02 p.m.

On motion by Slaughter, seconded by Wald, the Select Board voted unanimously to confirm the Temporary Town Manager's appointment of Jack Jemsek and Michael Birtwistle to the Planning Board with terms effective immediately through June 30, 2017. In response to a question from Mr. Steinberg, the Temporary Town Manager and Ms. Kruger indicated that both candidates had been thoroughly vetted, including confirmation about their ability to work collaboratively with a group.

On motion by Slaughter, seconded by Wald, the Select Board voted unanimously to appoint the following members to the Downtown Parking Working Group with terms ending June 30, 2018:

- Wendy Boisseay-Jones (downtown property owner)
- Matt Yee (downtown business manager)
- Rabib Rafiq (downtown resident)
- Sandra Anderson (at large member)
- Richard Roznoy (Planning Board representative)
- Christine Gray-Mullen (Public Works Committee representative)
- Connie Kruger (Select Board member)

The Select Board discussed the application of application by Joseph (Joey) Becker to operate an "on sidewalk" food cart. The application was clarified to show that the hours of operation would be Monday through Wednesday, 11:00 a.m. to 7:00 p.m., and Thursday through Sunday, 11:00 a.m. to 1:00 a.m. the following day. The locations requested are all but in front of the Jones Library. The Select Board discussed whether or not there was room for 2 carts on the sidewalk in front of the Unitarian Meetinghouse.

On motion by Steinberg, seconded by Slaughter, the Select Board unanimously approved a lunch cart "on sidewalk" license which will expire 12-31-16 for Joseph Becker to operate Monday through Wednesday, 11 am to 7 PM, and Thursday through Sunday, 11 am to 1 am the following day at the following locations:

- West side of the Town Common south of Spring Street
- North and east sides of Sweetser Park
- In front of St. Brigid's Church
- Re-Alignment Park at the corner of North Pleasant and Hallock (south of Kendrick Park)
- In front of the South Pleasant Street section of Bank of America (south of the crosswalk by the benches)

The applicant understands that he will need to secure all required licensing from the Health Department. The Town Manager's office will supply maps to the applicant to show the specific locations where the lunch carts are permitted. In addition, the Town Manager's office will prepare a map for the Select Board showing the plaza area in front of the Unitarian Meetinghouse, to determine whether this locating can accommodate more than one food cart.

On motion by Slaughter, seconded by Wald, the Select Board unanimously approved the remainder of the Consent Agenda as amended. The Town Manager's office will have a discussion with Artifact LLC as to the Select Board expectations in preventing access to their product by under-age participants and visitors to the farmers market.

The Select Board discussed outstanding warrant articles where the Select Board did not take a position.

Article 43 The Select Board had the revised language of the motion in their packet and took no further action, but agreed to review it further on 5-11-16.

Article 26 – The Select Board had the revised language of the motion in their packet and took no further action.

Article 36 This is the petitioned article banning the use of plastic bags. The petitioner Kevin Hollenbach appeared before the Select Board and explained the changes that are shown in a marked up version of the motion. Major changes are:

- 5.1 – further define establishments
- 6.5 – provide for non-criminal disposition for violations
- Eliminate 6.7 which would have allowed the Board of Health to close a business that failed to pay penalties under the bylaw.

On motion by Wald, seconded by Slaughter, the Select Board voted 3 in favor, one (Brewer) opposed, and one (Kruger) abstaining to recommend Article 36, with Wald to speak on the article on behalf of the Select Board.

On motion by Wald seconded by Brewer, the Select Board voted unanimously at 6:58 PM to recess until the end of the 5-9-16 session of the Annual Town Meeting.

The Select Board reconvened at 10:16 PM.

On motion by Brewer, seconded by Steinberg, the Select Board voted by unanimous roll call vote to enter into Executive Session in accordance with MGL Chapter 30A section 21, part a subset 2 to conduct a strategy session in preparation for negotiations with non-union personnel (Town Manager finalist), with the intent not to return to public session.

Respectfully submitted.

Peter Hechenbleikner, Temporary Town Manager