



**Town of Amherst
Town Council Meeting
Monday, April 1, 2019 6:30 p.m.
Town Hall, Town Room
4 Boltwood Avenue**

Minutes

Complete video is available online: <https://amherstmedia.org/content/amherst-town-council-4119>

1. Call to order and declaration of a quorum

President Griesemer declared the presence of a quorum and called the meeting to order at 6:30 p.m.

Councilors present: Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg, and Swartz.

Councilors absent: None

Councilors participating remotely: None

Others present: Town Manager Paul Bockelman, Clerk of the Council Margaret Nartowicz

President Griesemer announced audio and video recording by Amherst Media.

2. Announcements – Special Meetings of the Town Council:

a. Public Hearing of the Finance Committee April 4, 2019, 6:30 p.m., Town Room

There will be a forum on smart growth at the same time; Councilors are asked to come to the Public Hearing first, and then the forum.

b. Finance Committee vote to recommend Regional School Budget to Town Council April 9, 2019, 2:00 p.m., Town Room

The Finance Committee will vote on the proposed Regional School Budget on April 9; the Town Council will then vote on the proposed budget on April 22 or 29.

There was a request made to Councilors to clarify the difference between a public hearing and a public forum; the Rules of Procedure Committee will bring a definition to the full Council. The Charter specifies

that half the meeting time must be dedicated to public comment and public asking questions during a public forum.

As was done on March 18th, the agenda was taken out of order to accommodate parents and teachers present to participate during public comment.

3. Hearings – None

4. General Public Comments – None

5. Proclamations and Commemorations

a. Proclamation in Recognition of the 25th Anniversary of the Amherst Education Foundation

President Griesemer read the proclamation.

Jennifer Page and Becky Michaels, Co-Presidents of Amherst Education Foundation, provided background about the organization, spoke about past grant-funded projects and classroom equipment, commented that they are seeking additional volunteers, and asked Councilors and the public to attend the anniversary celebration at the Marriot Center at UMass on May 30th.

MOTION: Councilor Hanneke moved, second by Councilor De Angelis to adopt the Proclamation in Recognition of the 25th Anniversary of the Amherst Education Foundation, as presented.

VOTED Unanimously to adopt the Proclamation in Recognition of the 25th Anniversary of the Amherst Education Foundation, as presented.

Agenda item 7. b. (1) Action Items: MSBA Statement of Interest (SOI)

Jean Fay, President of the Amherst Pelham Education Association, read a letter by Terry Magner, an art teacher who taught at Fort River for 37 years, and a parent of former Amherst students, Ms. Magner wrote about health and safety issues at Fort River School, and urged the Town Council to vote yes on the SOI.

Julian, a young Amherst resident, spoke in opposition to the SOI, and expressed concerns regarding student safety issues with a bus loop and balcony.

Councilor Pam commented that the feasibility study will examine the issues raised during the previous proposal, and that this proposal is not identical to the previous proposal. The details of the new proposal are not yet set.

Councilor Hanneke thanked everyone who came to meetings, wrote letters, and sent emails regarding the SOI; she also noted that every piece of feedback she has received has been in support of the SOI.

Councilor Bahl-Milne thanked everyone who wrote in support of the project, commented that while there were concerns about the loss of a “neighborhood” school, the proposed cohort size is consistent with current sizes in Amherst schools, and that the proposed option is fiscally responsible.

Councilor Schoen also commented that she has received many comments in favor of the SOI, and noted that she received comments from residents who had voted no on the previous proposal who are now in support of the SOIs.

MOTION: Councilor Hanneke moved, second by Councilor Pam, Resolved: Having convened in an open meeting on April 1, 2019, prior to the SOI submission closing date, the Town Council of Amherst, Massachusetts, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated March 26, 2019, for the Fort River School located at 70 South East Street, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future: Priority 1: Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists. Priority 5: Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility. Priority 7: Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements. and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Amherst Public School District to filing an application for funding with the Massachusetts School Building Authority.

VOTED Unanimously, Resolved: Having convened in an open meeting on April 1, 2019, prior to the SOI submission closing date, the Town Council of Amherst, Massachusetts, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated March 26, 2019, for the Fort River School located at 70 South East Street, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future: Priority 1: Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists. Priority 5: Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility. Priority 7: Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements. and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Amherst Public School District to filing an application for funding with the Massachusetts School Building Authority.

MOTION: Councilor Schoen moved, second by Councilor De Angelis Resolved: Having convened in an open meeting on April 1, 2019, prior to the SOI submission closing date, the Town Council of Amherst, Massachusetts, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated March 26, 2019, for the Wildwood School located at 71 Strong Street, which describes and explains the

following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future: Priority 1: Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists. Priority 5: Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility. Priority 7: Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements. and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Amherst Public School District to filing an application for funding with the Massachusetts School Building Authority.

VOTED Unanimously Resolved: Having convened in an open meeting on April 1, 2019, prior to the SOI submission closing date, the Town Council of Amherst, Massachusetts, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated March 26, 2019, for the Wildwood School located at 71 Strong Street, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future: Priority 1: Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists. Priority 5: Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility. Priority 7: Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements. and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Amherst Public School District to filing an application for funding with the Massachusetts School Building Authority.

Agenda item 7. b. (3) Action Items: MSBA Statement of Interest, Town Council Letters in Support of the MSBA Statements of Interest

President Griesemer read the letters in support of the SOIs.

MOTION: Councilor Ryan moved, second by Councilor Bahl-Milne, to submit the letters of support for the Statements of Interest to the MSBA.

VOTED Unanimously to submit the letters of support for the Statements of Interest to the MSBA.

Mr. Morris and Ms. Ordonez thanked the Town Council for their engagement and support.

Agenda item 6.a. Presentations and Discussion: Recycling Update – Mimi Kaplan, Waste Reduction Enforcement Coordinator

President Griesemer stated that the Town Council had previously requested an update on recycling due to issues in the news related to global recycling.

Ms. Kaplan gave a brief snapshot of the waste disposal and recycling process in Amherst:

- Residents can use a private hauling service or bring waste to the transfer station
- Two main haulers: Amherst Trucking and USA
- Most apartment complexes use Republic Services
- The average annual cost for trash and recycling service in Amherst is \$400
- Amherst has one of the best recycling programs in western Massachusetts, accepting a wide variety of recycling products
- Dual stream recycling is taken to the Springfield MRF; single stream usually goes to east Asia
- China stopped taking recycling from US due to contamination
- There is demand for clean recycling material; domestic markets have begun to increase
- Contamination has been improving; single stream is typically more contaminated than dual stream
- Currently, Amherst pays to recycle because prices are low

Councilor Schoen asked why contract with companies who use single stream if dual stream produces cleaner recycling product. Ms. Kaplan responded that it is up to individual residents to contract with private haulers. Mr. Bockelman stated that the initial benefit of single stream was to encourage recycling; the Town licenses haulers, but individual households contract with haulers.

Councilor Bahl-Milne asked about promoting curbside composting, and the Town's waste reduction goal. Ms. Kaplan responded that curbside composting is available through private haulers; it is cost effective and helps households produce less trash.

Councilor DuMont commented that she uses curbside composting, and that it would be great to encourage USA to switch to dual stream.

Councilor Pam commented that due to multiple hauling companies operating in town, there is excess noise from trucks moving through neighborhoods. Ms. Kaplan responded that the Recycling and Refuse Management Committee (RRMC) has considered that issue.

Councilor Steinberg commented that he has served as liaison to the RRMC, and asked if any progress has been made with apartment complexes. Ms. Kaplan responded that recycling is available at every apartment complex in town, however there are persistent issues with the cleanliness of recycling in large dumpsters, which are single stream, and tend to be more contaminated.

Councilor Hanneke commented that other municipalities mandate that private haulers provide curbside composting, and asked if Amherst might consider a similar mandate; she also commented that not all businesses in the downtown area who sell consumables packaged in recyclable containers offer recycling to customers. Ms. Kaplan responded that her grant-funded position was geared specifically to reduce household waste, but that there is a bylaw that requires businesses to recycle.

Councilors DuMont and Brewer made comments about the limited duration of Ms. Kaplan's position, and that, if waste reduction in Amherst is a shared goal, a longer-term solution is needed.

Councilors thanked Ms. Kaplan for her work and presentation.

7.a. Request of Use of Public Ways

(1) Taste of Amherst

Sarah LaCour, Executive Director of the Amherst Business Improvement District (BID), and Claudia Pazmany, Executive Director of the Amherst Area Chamber of Commerce, spoke about The Taste, and the use of public ways request. The Taste will be in the same location as the previous year, it will run 3 days rather than 4, as it had in previous years, from the evening of Thursday, June 13th through the evening of Saturday, June 15th, and they are requesting closure of the Spring Street lot, Boltwood Avenue, reservation of all parking spaces surrounding the common, and the suspension of on-street food truck vendors on the South Common. There will be between 20-22 restaurants participating, activities for children and families, and the goal of the event is to bring people downtown.

Councilor Hanneke asked if the whole Spring Street lot is closed, for an explanation of the process for reserving metered parking spaces, and spoke in opposition of the Town's policy not to charge a fee for the reservation of metered parking spaces. Ms. LaCour responded that yes, they are requesting the closure of the Spring Street lot; proceeds from this year's event will be donated to two charities, Reader to Reader and Not Bread Alone. Mr. Bockelman responded that to reserve metered parking spaces, parking enforcement officers bag and un-bag parking meters each day during the event.

Councilor Schoen and Ms. LaCour spoke about the availability of off-site parking at Amherst Regional High School, the Bank of America parking lot and an Amherst College parking lot; Ms. LaCour stated that they plan to have a more detailed parking map available for the event.

Councilor Brewer commented about the safety of pedestrian traffic crossing Boltwood Avenue to and from the beer and wine tent at Amherst College.

MOTION: Councilor Pam moved, second by Councilor Bahl-Milne to approve the closure of Boltwood Avenue between Spring Street and Route 9 from 5:00 p.m. to 9:30 p.m. on Thursday, June 13, 2019; from 5:00 p.m. to 9:30 p.m. on Friday, June 14, 2019; and from 2:00 p.m. to 9:30 p.m. on Saturday, June 15, 2019; to approve the reservation of all metered parking spaces, using "No Parking" bags, along the perimeter of the Town Common from 12:00 p.m. to 10:00 p.m. on Thursday, June 13, 2019; from 5:00 p.m. to 10:00 p.m. on Friday, June 14, 2019, and from 2:00 p.m. to 10:00 p.m. on Saturday, June 15, 2019; and further, to approve the suspension on-street food truck vendors on the South Common from 5:00 p.m. on Thursday, June 13, 2019 through 10:00 p.m. on Saturday, June 15, 2019.

VOTED 12-1 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg and Swartz voted Yes; Councilor Hanneke voted No) to approve the closure of Boltwood Avenue between Spring Street and Route 9 from 5:00 p.m. to 9:30 p.m. on Thursday, June 13, 2019; from 5:00 p.m. to 9:30 p.m. on Friday, June 14, 2019; and from 2:00 p.m. to 9:30 p.m. on Saturday, June 15, 2019; to approve the reservation of all metered parking spaces, using "No Parking" bags, along the perimeter of the Town Common from 12:00 p.m. to 10:00 p.m. on Thursday, June 13,

2019; from 5:00 p.m. to 10:00 p.m. on Friday, June 14, 2019, and from 2:00 p.m. to 10:00 p.m. on Saturday, June 15, 2019; and further, to approve the suspension on-street food truck vendors on the South Common from 5:00 p.m. on Thursday, June 13, 2019 through 10:00 p.m. on Saturday, June 15, 2019.

(2) Amherst Sustainability Festival

Sustainability Coordinator Stephanie Ciccarello spoke about the Sustainability Festival which will be held on Saturday, April 27th from 10:00 a.m. to 4:00 p.m., and the parking request.

Ms. Ciccarello explained that in past years, the request has been for only the west side of Boltwood Avenue, but with a large number of vendors this year, some with mobility issues, large items to unload, and horses, she is requesting the reservation of more spaces on Boltwood Avenue. The reservation will ease congestion that usually forms as vendors for the festival and vendor for the Farmer's market are attempting to set up at the same time. The festival and the farmers market support each other, and all parties consider their co-occurrence a benefit.

Councilor Brewer commented that without paper packets, it is difficult to compare maps for parking requests. Councilor Brewer spoke in opposition to the request, that the number of spaces requested on Boltwood was too high, and that when there are other events on common with vendors with mobility issues, vendors park off site or make other arrangements.

Councilor Bahl-Milne asked if other events are as large as the sustainability festival.

Councilor Pam asked about the horses. Ms. Ciccarello responded that three spaces are for horse trailers; the horses are available as a demonstration of sustainable agricultural practices.

MOTION: Councilor DuMont moved, second by Councilor Ryan to approve the reservation of 19 metered parking spaces, using "No Parking" bags, on the west side of Boltwood Avenue adjacent to the common (except the two reserved for the Farmer's Market nearest Spring Street), 14 metered spaces on the east side of Boltwood Avenue between Spring Street and College Street, and 13 metered spaces adjacent to the west side of the common along South Pleasant Street from 8:00 p.m. on Friday, April 26, 2019 to 5:00 p.m. Saturday April 27, 2019.

VOTED 10-3 (Councilors Bahl-Milne, De Angelis, DuMont, Griesemer, Pam, Ryan, Schoen, Schreiber, and Steinberg voted Yes; Councilors Brewer, Hanneke, and Swartz voted No) to approve the reservation of 19 metered parking spaces, using "No Parking" bags, on the west side of Boltwood Avenue adjacent to the common (except the two reserved for the Farmer's Market nearest Spring Street), 14 metered spaces on the east side of Boltwood Avenue between Spring Street and College Street, and 13 metered spaces adjacent to the west side of the common along South Pleasant Street from 8:00 p.m. on Friday, April 26, 2019 to 5:00 p.m. Saturday April 27, 2019.

(3) May Day Celebration

President Griesemer introduced the item.

MOTION: Councilor Steinberg moved, second by Councilor Swartz, to approve the closure of Henry Street between Market Hill Road and Pine Street from 9:00 a.m. to 12:00 p.m. on Saturday, May 4, 2019.

VOTED Unanimously to approve the closure of Henry Street between Market Hill Road and Pine Street from 9:00 a.m. to 12:00 p.m. on Saturday, May 4, 2019.

(4) Art Week/Arts Night Plus BID Trolley Parking

Sara LaCour, Executive Director of the Amherst BID, spoke about the request for two parking spaces in front of the BID storefront on May 2nd for Art Week and Art Night Plus. The BID is displaying their trolley, which features Pakistani truck art from two artists who had visited the Donahue Institute last summer. Ken LaBon will provide some materials about the art to visitors, and orange safety cones will surround the trolley to ensure safety to visitors viewing all sides.

Councilor Hanneke asked for clarification about fees charged for metered parking reservations for these type of events versus other events, like a moving van, for a similar amount of time. Mr. Bockelman responded that the request is for the Town Council not to charge; the Town considers the BID and the Chamber of Commerce civic organizations and would like to support their mission.

Councilor Bahl-Milne, commented that this is a good opportunity for community to experience this type of art, and asked if there is a better place to display the trolley that would allow a better visitor experience. Ms. LaCour responded that they did consider other locations, but determined this was the best place.

Councilor Steinberg spoke in support of the event, and stated that he appreciates that the BID is bringing the trolley back. Councilor Steinberg asked if 4:30 p.m. allows sufficient time to clear the spaces if people are parked there. Mr. Bockelman responded that notices would be placed on meters to let people know that the spaces will be reserved after 4:30.

President Griesemer disclosed that the UMass Donahue Institute has employed her, while she is no longer executive director, she continues her work with them as a senior advisor, and she was not involved with painting the trolley.

MOTION: Councilor Bahl-Milne moved, second by Councilor De Angelis to approve the reservation of two parking spaces in front of the Visitor Information Center, 35 South Pleasant Street, from 4:30 p.m. to 8:30 p.m. on May 2, 2019.

VOTED 12-1 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Pam, Ross, Ryan, Schoen, Schrieber, Steinberg, and Swartz voted Yes; Councilor Hanneke voted No) to approve the reservation of two parking spaces in front of the Visitor Information Center, 35 South Pleasant Street, from 4:30 p.m. to 8:30 p.m. on May 2, 2019.

7.c. Action Items: East Street School

Councilor Steinberg commented that Finance Committee had a discussion about the property, specifically about the assessment of the property; Mr. Malloy's comments about assessment were in line with information gathered from Mr. Burgess, the Principal Assessor.

Councilor Pam commented about the Surplus Real Property Disposition Policy, noting the section that states that town property can be sold at its highest price, non-price issues may be factors, and the Town may select a buyer based on the buyer's experience and financial resources, among other factors.

Councilor Hanneke commented that the Surplus Real Property Disposition Policy was written at about the same time the East Street property was discussed, and asked if the Town must issue an RFP because the value is greater than \$35,000, and if the RFP must be issued before it is declared surplus or after. Mr. Bockelman responded that the Town must comply with chapter 30b; the Town Manager and administration would take all steps to comply with any state and local laws, and legal requirements. Mr. Malloy stated that the Town's attorney advised that an RFP can be issued before or after the property is declared surplus, but typically vote to declare it surplus first, and then issue the RFP.

Councilor De Angelis thanked Mr. Malloy for providing the fact sheet, and spoke in support for mixed income development & reaching out for diversity among potential tenants.

Councilor Bahl-Milne, a member of the Finance Committee, mentioned that in the future she would like to see a process for assessment of properties.

MOTION: Councilor De Angelis moved, second by Councilor Ross to amend the vote taken under Article 27 of the April 30, 2018 Annual Town Meeting, as continued, which transferred the property identified by the Assessor's as Parcel 15A-20, located at 31 South East Street and known as the East Street School property to the Select Board and authorized the Select Board to dispose of such property, to declare that said property is surplus to the needs of the Town and available for disposition, and to authorize the Town Manager to dispose of said property for affordable and mixed-income housing purposes on such terms and conditions and for such consideration, which may be nominal consideration, as the Town Manager deems in the best interests of the Town.

VOTED Unanimously to amend the vote taken under Article 27 of the April 30, 2018 Annual Town Meeting, as continued, which transferred the property identified by the Assessor's as Parcel 15A-20, located at 31 South East Street and known as the East Street School property to the Select Board and authorized the Select Board to dispose of such property, to declare that said property is surplus to the needs of the Town and available for disposition, and to authorize the Town Manager to dispose of said property for affordable and mixed-income housing purposes on such terms and conditions and for such consideration, which may be nominal consideration, as the Town Manager deems in the best interests of the Town.

7.d. Action Items: Town Meeting Advisory Committee (TMAC) Proposal

Meg Gage, previously a member of the TMAC, spoke about the TMAC proposal to create a Council Advisory Board (CAB). Ms. Gage stated that the policy making process is dominated by vocal advocates, and that the purpose of the proposed CAB would be to research policy proposals in order to examine their impact on community groups. She also spoke about a proposed Community Impact Report Framework (CIRF) tool that the CAB or Town Council might use in the future. Ms. Gage responded to points made by Doug Slaughter in his letter on behalf of the Select Board in opposition to forming the CAB. She also suggested alternatives to a forming an additional committee, such as including this research work in the

Community Resources Committee, or using the proposed CIRF tool when considering new policy as a framework for asking questions about community needs and impact.

Councilors discussed how to include some of the ideas from the TMAC proposal into the CRC's work, and the option of adding residents to the CRC.

Councilor Schoen spoke in favor of the ideas behind the TMAC proposal, and added that a working group may be formed to bring in non-council experts or residents to analyze specific issues.

Councilor Schreiber commented that the CRC task force worked to come up with the right mix of councilors and residents, and spoke about concerns with the number of existing committees of the town.

Councilors DuMont, Bahl-Milne and Hanneke spoke in favor of using the CIRF, and utilizing members of the community in supporting the Town Council's decision-making process.

Councilor Hanneke thanked the TMAC for their work, and compared the relationship between the TMAC and Town Meeting to the CAB and Town Council. Ms. Gage stated that the CAB was not proposed to be a TMAC for the Town Council, rather, as a way to incorporate new perspectives and help with some of the Town Council's research.

Councilors spoke in favor of the TMAC ideas, and discussed how those ideas might be incorporated into a committee's work, or potentially referring the proposal to a committee to consider. Councilors debated referring the proposal to the soon to be formed CRC or to GOL, or possibly back to the presenters. Councilors spoke in opposition to forming a new standing committee.

Councilors discussed the way the proposal was brought to the Town Council and the appropriateness of the Town Council addressing this item. Councilor Hanneke stated that the presenters did utilize an appropriate method of making a proposal to the Town Council; section 8.2(a) allows a resident petition signed by one or more residents, the Town Council's action is discretionary at that point.

Hilda Greenbaum of 298 Montague Road, and a previous member of the TMAC, commented that the TMAC was created because Town Meeting members felt the need for a committee parallel to the Finance Committee; she stated that planning articles presented at Town Meeting were not thoroughly vetted, and there is a need for the CAB.

John Hornik of 59 Carriage Lane, commented that TMAC generated this idea about a year ago, and felt that as a Town Meeting member, not enough pros and cons were presented with articles. Mr. Hornik stated that a CAB standing committee could create a smoother process.

Krista Oesterling Rising, a former TMAC member but not a town meeting member, thanked George Ryan for making himself accessible and thanked other councilors who have made their phone numbers available. Ms. Oesterling Rising stated that everybody has expertise of their own, the people who are affected by policy are those whose opinion who should be heard. Ms. Oesterling Rising encouraged the listing of all councilors' phone numbers.

MOTION: Councilor Brewer moved, second by Councilor De Angelis to refer the content of the TMAC report to the Community Resources Committee to consider the content of all pieces of the proposal, and to incorporate it into their future work.

Councilor Brewer spoke in favor of the motion, stating that the CRC was created to do some of what was proposed in the CRC, so it would be the best committee to refer to.

Councilors Schreiber and Swartz spoke in opposition to the motion, that the CRC has not had time to create its own culture yet, and that the referral seems redundant as the CRC is already charged with some of the proposed work.

Councilors debated referring to CRC, back to the petitioners, or to GOL.

Councilor Hanneke spoke in opposition to the motion, and commented that GOL could look at the proposal with a broader lens to figure out how to adopt the content in a constructive way; GOL has been tasked with constructing policy, and can create a policy around this proposal.

VOTED 3-10 (Councilors Brewer, De Angelis, and DuMont voted Yes; Councilors Bahl-Milne, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg and Swartz voted No) to refer the proposed Council Advisory Board to the Governance, Organization and Legislation Committee. The motion failed.

MOTION: Councilor Ryan moved, second by Councilor Steinberg, to refer the content of the TMAC report to GOL to consider all pieces of the proposal to incorporate into the Town Council's future work.

VOTED 7-6 (Councilors Bahl-Milne, Brewer, De Angelis, Griesemer, Hanneke, Ryan, and Steinberg voted Yes; Councilors DuMont, Pam, Ross, Schoen, Schreiber, and Swartz voted No) to refer the content of the TMAC report to GOL to consider all pieces of the proposal to incorporate into the Town Council's future work.

7.e. Finance Committee Charge Amendment

Councilor Schoen stated that the amendment to the charge makes two changes, the number of residents from four to three, and expanding terms to two years to have more continuity. The charge does not discuss the appointment process.

Councilor Brewer commented that ROP did not agree with longer term lengths for residents than councilors.

MOTION: Councilor Griesemer moved, second by Councilor Bahl-Milne, to approve the revised Finance Committee charge, as presented.

Councilors discussed formatting edits to the charge, the appropriate process for referral to GOL, and the inclusion of SME status in the charge to be added by GOL.

MOTION: Councilor Griesemer moved, second by Councilor Ryan to approve the revised Finance Committee charge, as presented, subject to review by GOL.

VOTED 12-1 (Councilors Bahl-Milne, Brewer, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg, and Swartz voted Yes; Councilor De Angelis voted No) to approve the revised Finance Committee charge, as presented, subject to review by GOL.

7.f. GOL Recommendation for Town Committee Charge Updates

Councilor Hanneke stated that per GOL's last report on March 12, GOL voted unanimously to recommend that the town council request town committees created more than 5 years ago review their charge to make sure they are consistent with current form and purpose. The subsequent review by GOL would be to make sure the charge was adequately conforming to the template. This does create work for committees, but it is a task that they might not take on without prompting. GOL could be a resource for committees to update templates if they need guidance. The motion includes no due date, so it would be up to committees to determine what works for them. This recommendation also does not force committees to make changes.

Councilors discussed the purpose of the recommendation, and the clarity of the request to committees.

William Kaizen of 32 Goldenrod Circle, and a member of the Public Art Commission, commented that in anticipation of the Town Council's action, the Public Art Commission revisited their charge and found it does need to be updated, and spoke in favor of the recommendation.

Councilor Ryan commented that he would prefer that it be an order and not a request.

Councilors debated the appropriateness of the request by the Town Council to committees, with some councilors expressing that they do not believe it is within the Town Council's purview to request anything of Town committees, and other councilors in favor of the recommendation.

Councilor Hanneke commented that GOL was tasked to come up with a committee charge template for charges, now that GOL has created the template, it would be beneficial if committees used it. There is no other mechanism for moving committees to the template. The motion could be re-worded that the Town Council request that the Town Manager request that committees review charges.

Councilors Ross, De Angelis and Bahl-Milne spoke in favor of the recommendation.

Councilor Brewer commented that the Town Council does not have the right to compel committees to do anything, but the Town Council could ask the Town Manager to offer help to committees in order to update their charges.

MOTION: Councilor Steinberg moved, second by President Griesemer to approve the recommendation to request all Town committees that were created at least 5 years ago review their charge, and if changes are sought, reformat the charge into the new GOL template when requesting changes, and submit the proposed revised charge to the appointing authority.

Councilor Steinberg spoke to the motion, that avoiding the "submit the proposed charge to Town Council..." makes it entirely a request, and allows committees to act or not as they wish.

Councilors added reference to appointing authority and GOL to the motion.

VOTED 12-1 (Councilors Bahl-Milne, Brewer, De Angelis, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg and Swartz voted Yes; Councilor DuMont voted No) to approve the recommendation to request all Town committees that were created at least 5 years ago review their charge, and if changes are sought, reformat the charge into the new GOL template when requesting changes, and submit the proposed revised charge to the appointing authority.

7.g. Middle School Roof Funding

MOTION: President Griesemer moved, second by Councilor Swartz to refer the authorization to the Finance Committee.

Councilor Hanneke asked if Finance Committee would return within 60 days with a recommendation. Councilor Steinberg responded that yes, Finance Committee will present a recommendation to the Town Council and as a group, we need to figure out how to deal with these requests in the future.

Councilors DuMont and Schoen asked about studying the roof for solar readiness, and skylight. Mr. Bockelman stated that Superintendent of Schools Dr. Morris will be here Thursday and can speak to that.

Councilors discussed making an automatic referral in the rules, so the Town Council will not need to refer to the Finance Committee each time.

VOTED Unanimously to refer the authorization to the Finance Committee.

8. Appointments – President’s appointments to Community Resources Committee and Audit Committee

President Griesemer pointed out the councilors’ eagerness to serve on CRC, stated that she has asked the committee to discuss expansion, and that she has included a document with councilors’ status on committees.

President Griesemer appointed Councilors Schreiber, Swartz, De Angelis, Pam, and Schreiber to the Community Resources Committee.

President Griesemer appointed Councilors Hanneke, De Angelis and Pam to the Audit Committee.

9. Committee Reports

a. Finance Committee – no further report

b. Rules of Procedure Ad Hoc Committee

Councilor Brewer presented the Rules of Procedure Ad Hoc Committee report, and spoke about non-voting members of Finance Committee, which OCA will discuss, and Town Council liaisons to committees. Liaisons will serve as conduits between the Town Council and committees, not as an extra member. ROP will create a chart of liaisons and evaluate priorities in appointments. ROP voted on a process to recommend appointees of residents to Finance Committee, attempting to balance transparency and privacy.

Councilors discussed the proposed process, including at what point candidates’ names will be made public, and how the Town Council will debate and approve appointments. Once candidates are brought to Town Council, their names would be made public.

Councilors discussed Finance Committee’s involvement in selecting their own members. There may not be two councilors at an interview without posting an open meeting and disclosing names, therefore the

process that OCA will use to conduct interviews will not be possible for Finance Committee because all Finance Committee members are councilors.

MOTION: Councilor Brewer moved, second by Councilor Hanneke, to refer the Rules of Procedure Ad Hoc Committee 03-05-19 recommendation under the Amherst Home Rule Charter section 5.5(b) on Town Council rules addressing the appointment of Finance Committee members of the public, who shall have a voice but no vote in the Finance Committee's deliberations, to the Town Council Outreach, Communications, and Appointments (OCA) Committee to consider and for OCA to make their recommendation to the full Town Council.

VOTED 12-0-1 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schreiber, Steinberg, and Swartz voted Yes; Councilor Schoen Abstained) to refer the Rules of Procedure Ad Hoc Committee 03-05-19 recommendation under the Amherst Home Rule Charter section 5.5(b) on Town Council rules addressing the appointment of Finance Committee members of the public, who shall have a voice but no vote in the Finance Committee's deliberations, to the Town Council Outreach, Communications, and Appointments (OCA) Committee to consider and for OCA to make their recommendation to the full Town Council.

c. Outreach, Communications and Appointments Committee

Councilor Swartz gave an update regarding OCA's ongoing deliberations in establishing an appointment process of resident member to the Finance Committee, OCA voted not to seek approval by the Town Council of its process. Councilor Swartz explained that OCA voted not to revise its charge regarding appointments to Finance Committee, and that appointments to Finance Committee would follow the same process that OCA has developed for all committee appointments.

Councilor Steinberg commented that Finance Committee did not have a robust conversation regarding the appointment of resident members. It is a unique situation because other boards are not committees of the Town Council. The Finance Committee would like appointments made by July 1 to begin work as a full group on the new budget year.

Councilor Hanneke stated she would like to hear how OCA concluded that Finance Committee is not different from other committees; any process other than the President appointing members to a committee of the Council is an anomaly of the charter's default.

MOTION: Councilor De Angelis moved, second by Councilor Bahl-Milne, to end the discussion now and resume the conversation at the next Town Council meeting.

VOTED 11-0-2 (Councilors Bahl-Milne, Brewer, De Angelis, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Steinberg voted Yes; Councilors DuMont and Swartz abstained) to end the discussion now and resume the conversation at the next Town Council meeting.

Councilor Brewer asked for clarification that the discussion will be on the agenda for April 22, as well as the list of committees for liaisons and will report on May 6th which councilors would like to be liaisons.

Councilor DuMont stated that she included a minority opinion in the OCA report regarding approving the process for making appointments to multiple-member bodies by the Town Council.

Councilor Brewer stated that OCA is working with the Town attorney in creating their appointment process. If the Town council agrees they need to see and approve of the process first, then we need to stop before continuing on to interviews.

MOTION: Councilor Pam moved, second by Councilor DuMont, that the OCA process for appointments be brought forward to the Town Council for discussion and approval.

Councilors Hanneke and Ross spoke in opposition to the motion, stating that the Town Council must allow the committee authority to create its process and the full Town Council will then approve appointments. The Town Council must trust their committees to create their own processes.

Councilors expressed that they would like information about how OCA arrives at recommendations, and Councilor Brewer explained that when OCA makes recommendations, OCA will present a packet detailing how the committee arrived at the specific candidates, with visuals, information about the total number of applicants and demographics.

Councilor DuMont stated that she feels this is a major policy decision, and that committees do not have the authority to make major policy decisions independently of the Town Council.

Councilor Schoen stated that she would like better understanding of how OCA came up with the process, as we will be living with it in the future. Councilor Ross responded that OCA will adopt this process and see if it works, but it may be modified in the future.

VOTED 1-9-3 (Councilor DuMont voted Yes; Councilors Bahl-Milne, Brewer, De Angelis, Hanneke, Ross, Ryan, Schreiber, Steinberg, and Swartz voted No; Councilors Griesemer, Pam, and Schoen Abstained) that the OCA process for appointments be brought forward to the Town Council for discussion and approval. The motion failed.

- d. **Governance, Organization and Legislation Committee** - No report at this time.
- e. **Bylaw Review Committee** - Will discuss their report at the next Town Council meeting.
- f. **Council Goals and Values Statement Ad Hoc Committee** - Goals Committee has two upcoming meetings and will report afterwards.

10. Approval of Minutes

- a. **March 14, 2019**
- b. **March 18, 2019**

MOTION: Councilor Griesemer moved, second by Councilor Swartz to approve the March 14, 2019, and March 18, 2019 Town Council minutes, as amended.

VOTED 10-0-3 (Councilors De Angelis, DuMont, Griesemer, Hanneke, Pam, Ryan, Schoen, Schreiber, Steinberg, and Swartz voted Yes; Councilors Bahl-Milne, Brewer and Ross Abstained) to approve the March 14, 2019 and March 18, 2019 Town Council minutes, as amended.

11. Town Manager Report

Town Manager Paul Bockelman briefly highlighted the volunteer spotlight, a neighborhood clean-up day on Saturday May 4th, a public meeting at 6 p.m. on April 10th at Formosa restaurant regarding a proposal for cultivation of marijuana establishment at 555 Belchertown Road. Mr. Bockelman also spoke about a meeting with Hampshire College President, Town Council President, a representative from the Town of Hadley, State Representative, State Senator and himself, to gauge the community impact of changes to Hampshire College. They are looking to assess the impact to Town operations, residents employed at the college, and local businesses.

12. Town Council Comments

a. President reports

- (1) Memo to Town Manager regarding all Town Councilor interest in membership on the Energy and Climate Action Committee**

b. Future Agenda Items

- (1) April 22, 2019: Town Council Goals – Draft, GOL proposal for addressing requests for use of public ways, Marijuana primer, and Council Liaisons**

c. Councilor comments - none

13. Topics Not Reasonably Anticipated by the President 48 Hours in Advance – None

14. Executive Session – None

15. Adjourn

MOVED: President Griesemer moved, second by Councilor De Angelis, to adjourn.

VOTED Unanimously to adjourn at 11:34 p.m. on April 1, 2019.

Respectfully submitted,



Athena O'Keefe

Approved April 22, 2019



Margaret Z. Nartowicz

Clerk of the Council

Record of Agenda Packet Materials and Documents Presented

Agenda 04-01-2019 FINAL 3-28-19 rev 3-29-19
10-a 03-14-2019 DRAFT Town Council Minutes - OML, Public Records and COI
10-a 03-14-2019 DRAFT Town Council Minutes - OML, Public Records and COI
10-b 03-18-2019 DRAFT Town Council Minutes
10-b 03-18-2019 DRAFT Town Council Minutes
11 Town Manager Report 04-01-2019
12-a-1 Memo to Town Manager regarding Councilors interested in Appointment to ECAC 4-1-19.docx
5-a Amherst Education Foundation Proclamation
6-a Recycling Update
6-a Recycling Update PowerPoint
7-a-1 2019 Taste Road Closure and Parking Request
7-a-1 Map for Taste of Amherst 2019
7-a-2 TC Pkg request 3-26-19 REV FINAL.docx
7-a-3 MAP of Henry street closure for May Day 2019
7-a-3 Request for Henry Street in Cushman Village for MAY DAY 2019
7-a-3 Right of Way Permit APPL FORM for May Day 2019abm2
7-a-4 Parking Reservation Map ABID 5-2-19
7-a-4 Parking Reservation Request for BID Trolley May 2 2019
7-b SOI Closed Schools (final revised)
7-b SOI Fort River (final revised)
7-b SOI Wildwood (final revised)
7-b-2 Motion Language for MSBA Amherst Town Council Vote
7-b-3 Council SOI Letters of Support for counted vote 4-1-19
7-b-3 Council SOI Letters of Support for unanimous vote 4-1-19
7-c East Street School Property
7-c NMalloy Memo to TC re East Street School
7-c Surplus Property Disposition Policy Final
7-d Community Impact summary powerpoint slide
7-d Community Impact summary powerpoint slide
7-d Support for a Council Advisory Board - Hoch
7-d TMAC - Community Impact summary powerpoint slide
7-d TMAC - Community Impact summary powerpoint slide
7-d TMAC - Final Proposal To The Amherst Town Manager and Town Council - 12-01-18
7-d TMAC Proposal - 11-6-17 STM Results -SEE ARTICLE THIRTEEN HIGHLIGHTED

7-d TMAC Proposal - Select Board Letter to Town Council
7-d TMAC Proposal - Town bylaws pages 24-26 SEE HIGHLIGHTED SECTION
7-e Finance Committee Charge Revised DRAFT 3.29.19 clean
7-e Finance Committee Charge Revised DRAFT 3.29.19 markup
7-f DRAFT Template - Committee Charge
7-g Vote for Member Selectboards - unsigned
7-g Vote for member Town Council signed rev. 3-29-19
8 Memo - Town Council Appointments to Audit Committee 4-1-19 with Attachment A Councilor Assignments
8 Memo - Town Council Appointments to Community Resources Committee 4-1-19 with Attachment A
9-c OCA Report 04.01.19
9-e BRC Council Update - 3-27-19
Draft Motions for Town Council 04-01-2019
Memo - 8 Town Council Appointments to Community Resources Committee 4-1-19 with Attachment A
Memo to Town Manager regarding Councilors interested in Appointment to ECAC 4-1-19.docx
Motion Language REV for MSBA Amherst Town Council Vote 04-01-2019
Report to Town Council 2019-04-01 Rules
REVISED AND UPDATED Draft Motions for Town Council 04-01-2019
TC Rules of Procedure ROP ad hoc 04-01-10 TC 04-01-19 action items - Google Docs
Vote for Member Selectboards-Town Council (002)