



**Town of Amherst
Town Council Meeting
April 22, 2019 6:30 p.m.
Town Room, Town Hall
4 Boltwood Avenue**

Minutes

Complete video is available online: <https://amherstmedia.org/content/amherst-town-council-42219>

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, DeAngelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, and Swartz. Councilor Schreiber arrived at 7:07 p.m.

Councilors absent: Steinberg

Councilors participating remotely: None

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

President Griesemer announced audio and video recording by Amherst Media.

2. Announcements

President Griesemer explained the proposed timing for the meeting.

Amherst Clean-Up Day will be May 4th with CPOs and Councilors.

Finance Committee Public Hearing on the Fiscal Year 2020 Budget will be May 21st at 6:30 p.m., and the Public Forum on the Capital Improvement Program will be June 10th at 6:30 p.m.

Agenda item 7-a-1: Crocker Farm 3rd Grade Class read around town presentation

Ms. Kate Perkins, a 3rd grade teacher at Crocker Farm Elementary School, and a resident of Station Road, presented her 3rd grade class, who spoke about the many benefits of installing Free Little Libraries at bus stops in Amherst. The class is selling “Great Changer” cards to fund the project, and has accepted donations of funds and materials to be used to build the little libraries.

Councilor De Angelis spoke in favor of the item, and asked how one can donate books to the libraries. Books may be donated at the school.

Councilor Pam asked about the reading level range of books in the little libraries. The little libraries will contain books for all reading levels.

MOTION: President Griesemer moved, second by Councilor De Angelis, to approve the request of the Crocker Farm Elementary School 3rd Grade class to install three (3) Free Little Libraries on Amherst public ways: one adjacent to Bus ID#0221 at the corner of Potwine Lane and West Street (Route 116), one adjacent to Bus ID#0179 at West Street and Pomeroy Lane, and one adjacent to Bud ID#0166 on West Street at the bottom of the Crocker Farm driveway.

VOTED 11-0-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, and Swartz voted Yes; Councilors Schreiber and Steinberg were absent) to approve the request of the Crocker Farm Elementary School 3rd Grade class to install three (3) Free Little Libraries on Amherst public ways: one adjacent to Bus ID#0221 at the corner of Potwine Lane and West Street (Route 116), one adjacent to Bus ID#0179 at West Street and Pomeroy Lane, and one adjacent to Bud ID#0166 on West Street at the bottom of the Crocker Farm driveway.

3. Hearings - None

4. General Public Comments

John Griffin, a Greenfield resident who works in Amherst, spoke about the death of a pedestrian in a crosswalk at UMass, and urged the Town Council to adopt MGL90-17C, which would allow the Town Council to reduce the speed limit to 25 MPH in thickly settled areas in Amherst.

5. Proclamations and Commemorations

a. Arbor Month Proclamation

Amherst Tree Warden Alan Snow thanked the Town Council for taking time for the Arbor Month Proclamation.

Councilor Hanneke commented that some corrections should be made before the proclamation is signed.

MOTION: Councilor Pam moved, second by Councilor Hanneke, to adopt the Arbor Month Proclamation as presented.

VOTED 11-0-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, and Swartz voted Yes; Councilors Schreiber and Steinberg were absent) to adopt the Arbor Month Proclamation as presented.

b. Art Week Proclamation

President Griesemer thanked Sarah LaCour for her work with the Business Improvement District, the Chamber of Commerce and the Visitors' Center.

Sarah LaCour, Executive Director of the Amherst BID and President of the Amherst Center Cultural District spoke about the grant from the Massachusetts Cultural Council that will be used for Amherst Art Week, April 26-May 5, 2019.

MOTION: Councilor De Angelis moved, second by Councilor Swartz, to adopt the Art Week Proclamation as presented.

VOTED 11-0-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, and Swartz voted Yes; Councilors Schreiber and Steinberg were absent) to adopt the Art Week Proclamation as presented.

c. Veterans of Foreign Wars (VFW) Citation

Councilor Brewer asked about proclamations in general, and how it is determined which proclamations are added to the agenda. President Griesemer suggested that Rules of Procedure take it up.

MOTION: Councilor Hanneke moved, second by Councilor Pam, to approve the award of the Veterans of Foreign Wars (VFW) Citation as presented.

VOTED 11-0-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, and Swartz voted Yes; Councilors Schreiber and Steinberg were absent) to approve the award of the Veterans of Foreign Wars (VFW) Citation as presented.

6. Presentations and Discussion

a. Community Preservation Act Orientation – Anthony Delaney presentation

President Griesemer noted that the Town Council has received the Community Preservation Act Committee (CPAC) recommendation and will be referring it to Finance Committee and Community Resources Committee tonight.

Procurement Officer Anthony Delaney stated that he has been staffing CPAC meetings, and gave an overview of the Community Preservation Act process. MGL chapter 44B, once adopted, allows cities & towns to reserve funds for community housing, historic preservation, open space and recreation. Mr. Delaney spoke about eligible projects and what funds may be used, committee members, and outlined a typical approval process from proposal to approval. The CPA proposes use of funds to the Council, who approves or disapproves. Funds are then reimbursed to awardees. Mr. Delaney spoke briefly about past projects funded by CPAC.

Councilor Brewer asked about the appointing authority for at-large members of CPAC. Mr. Bockelman responded that the bylaw has not been changed to update the appointing authority, but the proposed change would make the Town Manager the appointing authority for at-large CPAC members.

Councilors Schoen and Ross asked about unused funds, and borrowing versus dispersing funds. Mr. Delaney stated that if there are unused funds, funds will rollover to next year; bonding is based on the decision of the committee, which is the case for the current proposal. If the committee has substantial leftover funds, those funds can be set aside for general use or may be designated for a specific use. Mr. Bockelman stated that there is no deadline for the council to act; funds could also be used in the fall,

CPAC may make recommendations more than once per year. In the future, the Town will plan to have the budget approval process take place over a period of time, rather than all at once.

Councilor Hanneke asked if the Valley CDC project is recommended for borrowing, and if the CPAC is meeting the state requirements of 10% for historic preservation. Mr. Delaney responded that yes, the Valley CDC project is recommended for borrowing, and that the statute requires that 10% of new revenues must be used for historic preservation; the Town is meeting that requirement.

Councilor Bahl-Milne asked how projects are selected, and what support means. Mr. Delaney responded that projects are vetted for eligibility and statutory compliance, then the committee asks how valuable the project is, what the benefit will be to the public, and if there will be an affordable restriction. Eventually the committee took a straw poll to weigh projects.

Councilor De Angelis commented that there is a general call for projects early in the process, and anyone can submit a proposal for consideration.

Councilor Hanneke asked if the CPAC report will discuss which projects are not recommended. Mr. Delaney responded that CPAC will provide that information in their report.

Councilor Ross asked if CPAC proposals are to be voted individually or as a package. President Griesemer stated that the Town Council will refer the proposal to Finance Committee and Community Resource Committee, who will make recommendations, and then the full Town Council will decide to accept individual pieces or the whole proposal.

Councilor Schoen had additional questions that she will send to Finance Committee and CRC.

b. Recommendation on Requests for Use of Public Ways – Governance, Organization, and Legislation Committee

Councilor Hanneke presented the GOL recommendation for requests for use of public ways.

Councilors asked about banner events, which are approved by the Town Manager.

Councilor Brewer commented on the Select Board's work on regulating lunch carts, and construction vehicles parking in metered spaces without a permit.

President Griesemer suggested that at a future meeting, possibly as early as May 6, the Town Council vote on the GOL recommendation. Next, the Town Council would consider construction, food trucks and banners. Speed limits would be dealt with separately, as would fees for reservations.

c. Council Liaisons to Committees – Rules of Procedure Ad Hoc Committee

Councilor Brewer explained the role of liaisons, and the list of multiple-member bodies the Rules of Procedure Committee ranked according to priority.

President Griesemer asked for comments from councilors who have attended meetings of other multiple-member bodies.

Councilors Ryan, Schoen, De Angelis, and Griesemer spoke about their attendance during, and interaction with other multiple-member bodies outside the Town Council.

Councilors Hanneke and Pam commented about councilors' work load and schedule restraints.

Councilor Schreiber commented about liaisons' relationship to CRC.

Councilors discussed their interest in working with committees; Councilor Brewer requested that councilors who have feedback regarding the proposed liaisons, who are interested in serving as a liaison to a specific group, or feel that a specific group ought to have a liaison should send feedback.

d. Council Goals - Town Council Goals Ad Hoc Committee

President Griesemer presented the recommended set of council goals. Each goal is referred to a committee, and will fill in a work plan as they see fit. Council committees should look at draft worksheet of suggested activities.

Councilor Brewer commented that worksheet is very useful. Councilors Ryan and Hanneke provided suggestions for items or tasks to include in the worksheet.

President Griesemer asked councilors to send feedback.

7. Action Items

a. Requests for Use of Public Ways

(2) Inn on Boltwood – Reservation of Metered Parking

Councilor Hanneke disclosed that her husband in an Amherst College employee, but that there is not a conflict of interest in this item and she is able to act without bias.

Mr. Bockelman explained that the request is to reserve a large number of parking spaces on Boltwood Avenue over a two-day period for an event.

MOTION: Councilor Ryan moved, second by Councilor Swartz, to approve the application of the Inn on Boltwood to reserve forty metered parking spaces on the east and west sides of Boltwood Avenue between the intersections of Spring Street and College Street on May 7, 2019 between the hours of 6:30 a.m. to 7:00 p.m., and on May 8, 2019 between the hours of 6:30 am to 2:00 p.m. at a cost of \$10.00 per space per day, for a total cost of \$800.00.

VOTED 12-0-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilor Steinberg was absent) to approve the application of the Inn on Boltwood to reserve forty metered parking spaces on the east and west sides of Boltwood Avenue between the intersections of Spring Street and College Street on May 7, 2019 between the hours of 6:30 a.m. to 7:00 p.m., and on May 8, 2019 between the hours of 6:30 am to 2:00 p.m. at a cost of \$10.00 per space per day, for a total cost of \$800.00.

(3) Amherst Rotary Club Community Fair – Reservation of Metered Parking

Councilor Pam spoke in praise of the fair.

MOTION: Councilor Pam moved, second by Councilor Ryan, to approve the application of the Rotary Club of Amherst to place No Parking signs at 4 meter locations on the easterly side of South Pleasant Street south of the taxi stand from 8:00 a.m. to 11:00 p.m. on Thursday May 23, Friday May 24, Saturday May 25, and Sunday May 26, 2019, and from 8:00 a.m. to 5:00 p.m. on Monday May 27, 2019; and to reserve 21 metered parking spaces on the westerly side of Boltwood Avenue starting at College Street moving northerly to Spring Street from 12:00 p.m. Monday, May 20, to 5:00 p.m. Monday May 27, 2019.

Councilors Brewer, Hanneke, Griesemer, and Swartz commented about spaces near the taxi stand, exploring the use of off-site parking for the equipment trucks in the future, and the safety of pedestrian traffic around the fair.

VOTED 11-1-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilor Hanneke voted No; Councilor Steinberg was absent) to approve the application of the Rotary Club of Amherst to place No Parking signs at 4 meter locations on the easterly side of South Pleasant Street south of the taxi stand from 8:00 a.m. to 11:00 p.m. on Thursday May 23, Friday May 24, Saturday May 25, and Sunday May 26, 2019, and from 8:00 a.m. to 5:00 p.m. on Monday May 27, 2019; and to reserve 21 metered parking spaces on the westerly side of Boltwood Avenue starting at College Street moving northerly to Spring Street from 12:00 p.m. Monday, May 20, to 5:00 p.m. Monday May 27, 2019.

b. Fiscal Year 2020 Regional School Budget Adoption and Regional Assessment Formula [Charter Sec. 5.5(c)]

President Griesemer explained how the four towns came to the proposed assessment method, and stated that the alternative method would not be favorable to Amherst.

Councilor Schoen commented about the Finance Committee's process in recommending the assessment method, and that the hope is that the method will hold for two years. The final cost of the middle school roof will be determined once it is known how much a grant will cover.

MOTION: Councilor Pam moved, second by Councilor Schoen, that the Town Council approve the Amherst-Pelham Regional School District operating and capital budget of \$32,167,342 and that the Town raise and appropriate \$16,444,279 as its share of that budget.

VOTED 12-0-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilor Steinberg was absent) that the Town Council approve the Amherst-Pelham Regional School District operating and capital budget of \$32,167,342 and that the Town raise and appropriate \$16,444,279 as its share of that budget.

MOTION: Councilor De Angelis moved, second by Councilor Swartz, that, for Fiscal Year 2020 only, the alternative operating budget assessment shall be calculated as 30% of a five-year average of minimum contributions with the remainder of the assessment allocated to the member towns in accordance with the per-pupil method found in Section VI e) of the Amherst Pelham Regional School District Agreement. The five-year average of minimum contributions will include the five most recent years.

VOTED 12-0-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilor Steinberg was absent) that, for Fiscal Year 2020 only, the alternative operating budget assessment shall be calculated as 30% of a five-year average of minimum contributions with the remainder of the assessment allocated to the member towns in accordance with the per-pupil method found in Section VI e) of the Amherst Pelham Regional School District Agreement. The five-year average of minimum contributions will include the five most recent years.

c. School District Debt Authorization Notice – Middle School Roof Repair

Councilors Hanneke, Ross, Schoen and Griesemer had questions and comments about the bonding capacity, capital funds, bonding authority, and the grant.

MOTION: Councilor De Angelis moved, second by Councilor Bahl-Milne, to approve the \$3,000,000 aggregate principal amount of debt authorized by vote of the Amherst-Pelham Regional School Committee on March 12, 2019 for the purpose of the Middle School roof repair.

VOTED 12-0-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilor Steinberg was absent) to approve the \$3,000,000 aggregate principal amount of debt authorized by vote of the Amherst-Pelham Regional School Committee on March 12, 2019 for the purpose of the Middle School roof repair.

d. Engagement of Auditor for Audit of FY 2019 [Charter Sec. 5.8]

Councilor De Angelis stated that the Audit Committee is meeting on April 26 at 9:30 a.m.; Melanson Heath will present this year's audit at that time.

Councilor DuMont asked about the scope of the audit. Mr. Bockelman responded that the auditors will look at finances, but does not advise regarding the use of funds.

MOTION: Councilor De Angelis moved, second by Councilor Swartz, to authorize the Town Council President to execute the Audit Engagement Letter, indicating acknowledgement of, and agreement with, the arrangements for Melanson Heath's audit of the Town's financial statements and compliance over major federal award programs for FY 2019, as recommended by the Council Audit Committee.

VOTED 12-0-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilor Steinberg was absent) to authorize the Town Council President to execute the Audit Engagement Letter, indicating acknowledgement of, and agreement with, the arrangements for Melanson Heath's audit of the Town's financial statements and compliance over major federal award programs for FY 2019, as recommended by the Council Audit Committee.

e. Community Preservation Act Committee (CPAC) Proposal

Councilors Schoen, Ross, and Griesemer had questions and comments about expectations for recommendations from Finance Committee and CRC.

MOTION: Councilor Hanneke moved, second by Councilor De Angelis, to refer the Community Preservation Act Committee (CPAC) Proposal to the Finance Committee and the Community Resources Committee.

VOTED 12-0-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilor Steinberg was absent) to refer the Community Preservation Act Committee (CPAC) Proposal to the Finance Committee and the Community Resources Committee.

f. Finance Committee Charge – Governance, Organization and Legislation Committee

(2) Revision of Charge

(3) Special Municipal Employee Status

Councilor Hanneke explained the recommendation from GOL, and that the Town Council may either move to pass the charge with language indicating that the first non-voting members would have a three-year term, or the Town Council can specify a three-year term when making the appointments.

Councilor Brewer commented that there are some format/language/grammar edits to be made.

MOTION: Councilor Hanneke moved, second by Councilor Ryan, to approve the revisions to the Finance Committee charge as recommended by the Governance, Organization and Legislation Committee.

VOTED 12-0-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilor Steinberg was absent) to approve the revisions to the Finance Committee charge as recommended by the Governance, Organization and Legislation Committee.

MOTION: Councilor Hanneke moved, second by Councilor Swartz, to designate the Finance Committee as a Special Municipal Employee committee, as recommended by the Governance, Organization and Legislation Committee.

VOTED 12-0-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilor Steinberg was absent) to approve the designation of the Finance Committee as a Special Municipal Employee committee, as recommended by the Governance, Organization and Legislation Committee.

g. Energy and Climate Action Committee Charge

(2) Revision of Charge

(3) Special Municipal Employee Status

MOTION: Councilor Ross moved, second by Councilor Hanneke, to approve the revisions to the Energy and Climate Action Committee charge as recommended by the Governance, Organization and Legislation Committee.

VOTED 12-0-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilor Steinberg was absent) to approve the revisions to the Energy and Climate Action Committee charge as recommended by the Governance, Organization and Legislation Committee.

MOTION: Councilor Hanneke moved, second by Councilor Ryan, to designate of the Energy and Climate Action Committee as a Special Municipal Employee committee as recommended by the Governance, Organization & Legislation Committee.

VOTED 12-0-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilor Steinberg was absent) to approve designation of the Energy and Climate Action Committee as Special Municipal Employees as recommended by the Governance, Organization & Legislation Committee.

h. Drinking Water Supply Protection Grant Approval and Land Acquisition – Kruczek Property in Pelham and Shutesbury

Assistant Town Manager and Director of Conservation and Development David Ziomek gave an explanation about the acquisition; there is a closing deadline of June 30 to receive a matching 50% grant from the state. The more land we can protect around the tributaries, the more likely we are to be able to protect the surface water into the future.

Councilors Ross, Pam, and Griesemer asked questions about the history and location of the property, and pilot payments to other towns.

Member of the public Amy Zukerman asked about the location of the parcel.

MOTION: Councilor Pam moved, second by Councilor Ross, (a) To acquire, as the Board of Water Commissioners, by purchase, gift, and/or eminent domain, for drinking water supply protection and land conservation purposes under the provisions of G.L. Ch. 40, Sections 39B and 41, two parcels of vacant land, one located in Pelham, containing 14.5 acres, more or less, and another located in Shutesbury, containing 0.5 acres, more or less, both described more particularly in a deed recorded with the Hampshire Registry of Deeds in Book 7621, Page 224; (b) to appropriate and transfer the sum of \$82,600 for the acquisition of such land and costs related thereto from the Water Fund Surplus; (c) to file, and authorize the Town Manager and/or such boards or other officers as they deem appropriate to file, on behalf of the Town, any and all applications for funds, gifts, grants, including grants of reimbursement under the Massachusetts Energy and Environmental Affairs' Drinking Water Supply Protection Grant Program and any federal and/or other state program in any way connected with the scope of this acquisition, which grants and/or funds so received shall be used to repay all or a portion of the sum transferred from the Water Fund Surplus hereunder; and (d) to enter, and to authorize the Town Manager to enter, into any and all agreements and execute any and all instruments to effectuate the foregoing acquisition, provided that such funds shall be expended only if, prior to acquisition, the Town has received a commitment for funds under the Drinking Water Supply Protection Grant Program or any other federal and/or state program in an amount equal to at least fifty percent (50%) of the amount appropriated under this article, which may be in the form of a reimbursement grant.

VOTED 12-0-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilor Steinberg was absent) (a) To acquire, as the Board of Water Commissioners, by purchase, gift, and/or eminent domain, for drinking water supply protection and land conservation purposes under the provisions of G.L. Ch. 40, Sections 39B and 41, two parcels of vacant land, one located in Pelham, containing 14.5 acres, more or less, and another located in Shutesbury, containing 0.5 acres, more or less, both described more particularly in a deed recorded with the Hampshire Registry of Deeds in Book 7621, Page 224; (b) to appropriate and transfer the sum of \$82,600 for the acquisition of such land and costs related thereto from the Water Fund Surplus; (c) to file, and authorize the Town Manager and/or such boards or other officers as they deem appropriate to file, on behalf of the Town, any and all applications for funds, gifts, grants, including grants of reimbursement under the Massachusetts Energy and Environmental Affairs' Drinking Water Supply Protection Grant Program and any federal and/or other state program in any way connected with the scope of this acquisition, which grants and/or funds so received shall be used to repay all or a portion of the sum transferred from the Water Fund Surplus hereunder; and (d) to enter, and to authorize the Town Manager to enter, into any and all agreements and execute any and all instruments to effectuate the foregoing acquisition, provided that such funds shall be expended only if, prior to acquisition, the Town has received a commitment for funds under the Drinking Water Supply Protection Grant Program or any other federal and/or state program in an amount equal to at least fifty percent (50%) of the amount appropriated under this article, which may be in the form of a reimbursement grant.

i. Appointment Process for Non-Resident Finance Committee Members

Councilor Ryan, second by Councilor Bahl-Milne, moved to defer the item to May 6, 2019.

8. Appointments - None

9. Committee Reports

a. Bylaw Review Committee

Councilor De Angelis stated that Bylaw Review Committee has compiled a list of bylaw changes for KP Law to review. Some necessary bylaw changes will be coming to the Town Council.

b. Council Goals Ad Hoc Committee

c. Finance Committee

d. Governance, Organization and Legislation Committee

e. Rules of Procedure Ad Hoc Committee

f. Outreach, Communications and Appointments Committee

Councilor Swartz stated that OCA would take action at their next meeting to recommend a process for Town Manager appointments. OCA has received CAFs for Planning and Zoning Board.

Councilor Schoen asked for an explanation of OCA's process in making recommendations for appointments to Planning Board and Zoning Board of Appeals, and asked if all councilors will receive the full list of applicants to those bodies.

Councilor Swartz responded that the process OCA is using to make recommendations will be explained thoroughly in their report, narrative, and decision tree that will be in their final recommendation packet; the full Town Council will not see the entire list of applicants or CAFs.

Councilor Schoen asked why the council will not see the full list and stated that because the Charter designates the Town Council as the appointing authority for Planning and Zoning Boards, she did not believe that the council was delegating so much authority to OCA; Northampton application states that this document will be a public record; she would like a longer discussion about the process.

Councilor Brewer reiterated that the full council will not see all of the CAFs, and that the narrative included in the report will provide an explanation about why the council will not receive CAFs. Amherst CAFs do not include a disclaimer that the document will be a public record.

Councilor DuMont stated that the Town Council has not decided that this is the process they want; and that she feels that the public ought to have access to CAFs, as is done in other towns.

Councilor Swartz stated that the Town Council did vote to go forward with the process OCA has developed; OCA will provide plenty of information in their report; OCA endeavored to balance transparency with protecting the privacy and feelings of applicants.

Councilor Pam stated that she thought the Town Council would be voting on the policy at some point.

Councilor Swartz stated that the Town Council voted to allow OCA to continue with the process that has been adopted; OCA's process is not set in stone and OCA has agreed to review and update the process if necessary after completing recommendations.

Councilor Schoen stated that she believed that councilors were asked to wait until tonight to consider OCA's process; regarding Planning and Zoning, she thought the full council would be more involved in the appointment process.

Councilor Schreiber stated that he understands the need for urgency, and that he imagined a public process for Planning and Zoning, essentially an election by the Town Council of Planning and Zoning board members.

Councilor Ross stated that OCA's charge is to make recommendations to the Town Council for appointments, and that it is up to the committee to come up with a process to make recommendations; if councilors have feedback at this or any point, they are welcome to attend OCA meetings.

Councilor Pam stated that she wants to be able to explain the appointment process to constituents.

Councilor Swartz responded that the process has been detailed in OCA's reports, meeting minutes, and during her interview on Byline with Stan Rosenberg. In order for the Town Council to have time to deliberate, OCA must present recommendations by May 20th; if the Town Council intends to take

possession of the recommendation and appointment process, action should be taken immediately as interviews are scheduled.

Councilor Schreiber commented that he does not know how the process will play out, and that a meeting of the Town Council is the appropriate place for this conversation.

Councilors Bahl-Milne and Griesemer summarized the current OCA process.

Councilor De Angelis commented that it appears that OCA is following the Select Board process, who reviewed the CAFs but did not deliberate about them; and that the council should have faith in OCA's process and see how it goes.

Councilor Hanneke asked about the appointment process for Ranked-Choice Voting, and Participatory Budgeting Commission. Councilor Swartz responded that OCA is working to create a consistent process for all appointing authorities.

g. Audit Committee

Councilor De Angelis stated that the Audit Committee met on April 11 and elected officers. The committee will be developing a process to use to hire auditors in the fall. The Town has used Melanson Heath for the last 15 years; Melanson Heath will complete this year's audit, but the committee will go through the RFP process in the fall.

h. Community Resources Committee

Councilor Schreiber stated that CRC met on April 11 and elected officers, and set meeting dates. Their first few meetings will focus on the master plan, CPAC recommendations, and CRC work plan and goals.

10. Approval of Minutes

a. April 1, 2019

b. April 4, 2019

c. April 13, 2019

MOTION: Councilor De Angelis moved, second by Councilor Ryan, to approve the April 1, 2019, April 4, 2019, and April 13, 2019 Town Council minutes as presented.

VOTED 10-0-2 (Councilors Bahl-Milne, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, and Schreiber voted Yes; Councilors Brewer and Swartz Abstained; Councilor Steinberg was absent) to approve the April 1, 2019, April 4, 2019, and April 13, 2019 Town Council minutes as presented.

11. Town Manager Report

Mr. Bockelman provided his list of recommended appointments to ECAC, spoke about the Amherst clean-up day, gave updates on Groff Park and the Mill Street Bridge, the budget will be delivered to the Town Council by May 1 per the Town Charter, Porta restaurant's alcohol license has been suspended and

there is a hearing scheduled for April 24 at 1:00 p.m., an actuary and bond advisor will attend the next Finance Committee meeting scheduled for tomorrow, April 23 at 1:00 p.m.

Councilors asked about video recordings for committee meetings. Mr. Bockelman responded that the Town is in discussion with Amherst Media about taping meetings.

Councilor Schoen commented that it would be great to have clean-up days on a regular basis, which could involve the schools and encourage the community to participate.

Councilor Bahl-Milne requested an update on the Station Road Bridge. Mr. Bockelman responded that he would provide the Town Council with information once he has an update from the DPW Superintendent.

12. Town Council Comments

a. President reports

(1) Recommended ECAC appointments referred to OCA

b. Future agenda items

c. Councilor comments

Councilor Brewer commented that she would like to make sure that the Town Manager ECAC recommendations are in the packet and on the website; add speed limits and November 4 Town Council meeting date to future Town Council agenda. Councilor Brewer added that she has heard criticism that meetings are held during the day, and that video recordings of the meetings should be made available to the public.

Councilor Ross commented that it would be useful to know what was going to happen at each of the upcoming Finance Committee meetings.

Councilor Schreiber commented that he will lead an architectural tour of Amherst on Saturday, May 4th.

13. Topics Not Reasonably Anticipated by the President 48 Hours in Advance of the meeting

14. Executive Session

- a. To consider the purchase, exchange, lease or value of real property if the Council President declares that an open meeting may have a detrimental effect on the negotiating position of the public body. [MGL c.30A, s.21(a)6]**
- b. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements. [MGL c.30A, s.21(a)7]**
- c. Approval of Executive Session minutes [MGL c.30A, s.21(a)7]**

MOTION: Councilor Schoen moved, second by Councilor Hanneke, that the Town Council meet in executive session pursuant to the provisions of G.L. c. 30A, sec. 21(a)(6) to discuss the purchase, exchange, lease or value of real property if an open meeting will have a detrimental effect on the

negotiating position of this public body, and further move that the Town Council meet in executive session pursuant to the provisions of G.L. c. 30A, sec. 21(a)(7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements.

President Griesemer stated, "I hereby declare than an open meeting on the purchase, exchange, lease or value of real property would have a detrimental impact on the Council's negotiating position. The Town Council will dissolve after the executive session. A roll call vote is required to enter into executive session."

VOTED 12-0-0 by roll call (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilor Steinberg was absent) that the Town Council meet in executive session pursuant to the provisions of G.L. c. 30A, sec. 21(a)(6) to discuss the purchase, exchange, lease or value of real property if an open meeting will have a detrimental effect on the negotiating position of this public body, and further move that the Town Council meet in executive session pursuant to the provisions of G.L. c. 30A, sec. 21(a)(7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements.

The Town Council entered into executive session at 10:04 p.m.

Respectfully submitted,



Athena O'Keeffe

Approved May 6, 2019



Margaret Z. Nartowicz

Clerk of the Council

Record of Agenda Packet Materials and Documents Presented

04-01-2019 DRAFT Town Council Minutes

04-04-2019 DRAFT Special Town Council - Fin Com Hearing - ARPS Proposed Budget Minutes

04-13-2019 DRAFT Town Council Minutes - Two Towns Meeting

- 1 Agenda 04-22-2019 FINAL 04-18-19
- 1 Agenda FINAL 04-22-19 rev. 04-19-19
- 1 Draft Motions for Town Council 04-22-2019
- 10-a 04-01-2019 FINAL DRAFT Town Council Minutes
- 10-a 04-01-2019 Second FINAL DRAFT Town Council Minutes
- 10-b 04-04-2019 FINAL DRAFT Special Town Council - Fin Com Hearing - ARPS Proposed Budget Minutes
- 10-c 04-13-2019 FINAL DRAFT Town Council Minutes - Two Towns Meeting
- 11 Town Manager Report 04-22-2019
- 5-a Arbor Month Proclamation 2019 FINAL
- 5-b ArtWeek Proclamation 2019 FINAL
- 5-c Final VFW citation 2019
- 5-c REVISED VFW citation 2019FINAL2
- 6-a Community Preservation Act Presentation 2019-04-22
- 6-a REVISED Community Preservation Act Presentation for Town Council 2019-04-22
- 6-a REVISED Community Preservation Act Presentation for Town Council 2019-04-22
- 6-b Public Ways Policy - GOL DRAFT - For Town Council
- 6-b Slides Town Council Policy Regarding the Control and Regulation of the Public Ways -MJH
- 6-c 9-e ROP 04-22-2019 Report to Town Council FINAL
- 6-c ROP Council Liaisons to Committees 04-22-19
- 6-c Select Board Committee Appointments Packet 11-26-2018
- 7-a-1 Crocker Farm Elementary 3rd grade READ AROUND TOWN
- 7-a-2 Inn on Boltwood Parking Reservation Request May 7 and 8 2019
- 7-a-2 Inn on Boltwood Reservations of town way for 4.22.2019 mtg of TC signed by CHIEF and P. Bockelman_Redacted
- 7-a-3 Rotary Club request form 2019_Redacted
- 7-a-3 Rotary Club request letter 2019_Redacted
- 7-a-3 Rotary Club request map 2019
- 7-b 7-c FinCom ARPSD Cover Memo and Recommendation 04-22-2019
- 7-b ARPSD Assessment Method 3.25.19
- 7-b ARPSD Budget

7-c Middle School Roof Debt Authorization Notice Town Council vote rev. 3-29-19

7-d Audit Engagement Letter - FY2019 for Town Council 04-22-2019

7-e CPA FY20 Recommended by Category for TM Report

7-f Finance Committee Charge proposed GOL Revisions - Non-redlined

7-f Finance Committee Charge proposed GOL Revisions - Redlined

7-g ECAC Proposed GOL Revisions - non-redlined

7-g ECAC Proposed GOL Revisions - Redlined

7-h Drinking Water Supply Protection Grant Award Letter_Amherst

7-h Drinking Water Supply Protection Grant Cover Memo and Motion

7-h Drinking Water Supply Protection Grant MAP 1 - Kruczek Property WSP Areas Map

7-h Drinking Water Supply Protection Grant MAP 2 - Kruczek Property Topo Map

7-h Drinking Water Supply Protection Grant Project Agreement_Amherst

7-h Drinking Water Supply Protection Grant Town Meeting Vote

9-a BRC 04-22-2019 Report to Town Council 03-27-19 FINAL

9-d GOL 04-22-2019 Report to Town Council 04-16-19 FINAL

READ AROUND TOWN.FINALVersionsubmitted 4.22.2019

Rules Liaisons