

Town of Amherst
UNOFFICIAL RECORD OF VOTES

Monday, May 20, 2019

6:30 p.m.

Town Room, Town Hall

Members Present: Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg, Swartz

Members Absent: None

Members Participating Remotely: None

Staff Present: Margaret Nartowicz, Clerk of Council; Paul Bockelman, Town Manager

President Griesemer called the meeting to order at 6:30 p.m.

7. Action Items

a. Proposed Permanent Town Council Rules of Procedure

MOVED: To amend the Town Council Rules of Procedure by adding item 6.2(d): “Those present shall not engage in audible demonstrations of approval or disapproval.”

Motion by: Ross

Seconded by:

VOTED: 8-4

No Bahl-Milne, Yes Brewer, Yes De Angelis, No DuMont, Yes Griesemer, Yes Hanneke, No Pam, Yes Ross, Yes Ryan, No Schoen, Yes Schreiber, Yes Steinberg, Absent Swartz

MOVED: To adopt the proposed Town Council Rules of Procedure entitled “Amherst Town Council Rules of Procedure, Draft May 14, 2019”, as recommended by the Rules of Procedure Ad Hoc Committee, as amended to include “6.2d. Those present shall not engage in audible demonstrations of approval or disapproval.”

Motion by: Schreiber

Seconded by: Hanneke

VOTED: 12-0

Yes Bahl-Milne, Yes Brewer, Yes De Angelis, Yes DuMont, Yes Griesemer, Yes Hanneke, Yes Pam, Yes Ross, Yes Ryan, Yes Schoen, Yes Schreiber, Yes Steinberg, Absent Swartz

MOVED: To refer the “Amherst Town Council Rules of Procedure, Draft May 14, 2019”, adopted by the Town Council on May 20, 2019, to the Governance, Organization and Legislation Committee for review of form, content and organization, with a report back to the Council.

Motion by: Schoen

Seconded by: Ross

The motion was withdrawn.

MOVED: To refer to the Governance, Organization and Legislation Committee, the eleven items as amended, by addressing the word “creative” in the sentence in item 10.6j., listed in the May 20, 2019 Town Council agenda packet document entitled “Rules Recommendations for GOL Hanneke em 05-08-

19 revised avb 05-16-19” for consideration and a report back to the Council within 45 days.

Motion by: Schoen

Seconded by: Ryan

VOTED: 12-0

Yes Bahl-Milne, Yes Brewer, Yes De Angelis, Yes DuMont, Yes Griesemer, Yes Hanneke, Yes Pam, Yes Ross, Yes Ryan, Yes Schoen, Yes Schreiber, Yes Steinberg, Absent Swartz

MOVED: To dissolve the Rules of Procedure Ad Hoc Committee, with deep gratitude, after their meeting of May 21, 2019.

Motion by: De Angelis

Seconded by: Bahl-Milne

VOTED: 12-0

Yes Bahl-Milne, Yes Brewer, Yes De Angelis, Yes DuMont, Yes Griesemer, Yes Hanneke, Yes Pam, Yes Ross, Yes Ryan, Yes Schoen, Yes Schreiber, Yes Steinberg, Absent Swartz

b. Local Option Community Impact Fee – Short-Term Rentals

MOVED: To accept the provisions of MGL Chapter 64G, Section 3D to impose a local option community impact fee at the rate of 3%, effective July 1, 2019 and applying to transfers of occupancy of:

- a. “Professionally-managed units” (one of two or more short-term rental units in the same city/town operated by the same operator (owner) and not located within a single- or two- or three-family dwelling that includes the operator’s primary residence.

Motion by: Pam

Seconded by: Schoen

VOTED: Unanimously

MOVED: To accept the provisions of MGL Chapter 64G, Section 3D to impose a local option community impact fee at the rate of 3%, effective July 1, 2019 and applying to transfers of occupancy of:

- b. Short-term rental units located in a two- or three-family dwelling that includes the operator’s primary residence.

Motion by: Pam

Seconded by: Hanneke

VOTED: Unanimously

MOVED: That 35% of the community impact fee collected under MGL Chapter 64G, Section 3D be dedicated to affordable housing or local infrastructure projects and the balance of the funds be a general fund revenue of the Town of Amherst that may be appropriated for any municipal purpose.

Motion by: Schoen

Seconded by: Pam

VOTED: 11-1-1

Yes Bahl-Milne, Yes Brewer, Yes De Angelis, Abstain DuMont, Yes Griesemer, Yes Hanneke, Yes Pam, Yes Ross, Yes Ryan, Yes Schoen, Yes Schreiber, Yes Steinberg, Yes Swartz

c. Introduction of proposed Limitations on Campaign Contributions Bylaw

MOVED: To refer the Limitations on Campaign Contributions Bylaw introduced by Councilors Hanneke and Ross on May 20, 2019, to the GOL Committee, with a report back to the Town Council on June 3, 2019. (*automatic referral to GOL pursuant to Council Rule 8.2.e.*)

Motion by: Schoen
Seconded by: Ryan

VOTED: 10-0-2

Yes Bahl-Milne, Yes Brewer, Yes De Angelis, Abstain DuMont, Yes Griesemer, Yes Hanneke, Abstain Pam, Yes Ross, Yes Ryan, Yes Schoen, Yes Schreiber, Yes Steinberg, Absent Swartz

8. Appointments

a. Zoning Board of Appeals

MOVED: To appoint to the Zoning Board of Appeals under the Amherst Home Rule Charter section 2.9(c) for terms commencing July 1, 2019: Mark Parent whose term shall expire on June 30, 2020, Thomas Simpson and Matthew Wilk whose terms shall expire on June 30, 2021, Steve Judge and Joan O'Meara whose terms shall expire on June 30, 2022, and associate members Aaron Arcello, Sharon Waldman, and Tammy Parks, whose terms shall expire on June 30, 2020, as recommended by the Outreach, Communications and Appointments Committee.

Motion by: Ross
Seconded by: Hanneke

VOTED: Unanimously

b. Planning Board

MOVED: To appoint to the Planning Board under the Amherst Home Rule Charter section 2.9(c), for terms commencing July 1, 2019: Maria Chao and Jack Jemsek whose terms shall expire June 30, 2022, and Pari Riahi and Janet McGowan whose terms shall expire June 30, 2021, as recommended by the Outreach, Communications and Appointments Committee.

Motion by: De Angelis
Seconded by: Pam

VOTED: 8-2-3

Yes Bahl-Milne, Yes Brewer, Yes De Angelis, Yes DuMont, Abstain Griesemer, Yes Hanneke, Yes Pam, No Ross, No Ryan, Yes Schoen, Abstain Schreiber, Abstain Steinberg, Yes Swartz

MOVED: To refer Planning Board appointments back to the OCA Committee.

Motion by: Steinberg
Seconded by: Hanneke

VOTED: 5-7-1 Failed

Yes Bahl-Milne, Yes Brewer, Yes De Angelis, Yes DuMont, Abstain Griesemer, Yes Hanneke, Yes Pam, No Ross, No Ryan, Yes Schoen, Abstain Schreiber, Abstain Steinberg, Yes Swartz

MOVED: To amend the motion to refer #2 back to OCA but to approve #1, 3, and 4.

Motion by: Schreiber
Seconded by: None

VOTED: No vote taken

MOVED: To refer the discussion regarding associate members as stated in the current Planning Board charge to the OCA Committee.

Motion by: Hanneke

Seconded by: Bahl-Milne

The motion was withdrawn.

MOVED: To amend the motion to refer the discussion regarding associate members as stated in the current Planning Board charge to GOL Committee.

Motion by: Pam

Seconded by: Schoen

The motion was withdrawn.

MOVED: To refer to GOL to define associates to Planning Board to define roles, terms and purpose, and ultimately report back to the Town Council for referral to OCA for appointments.

Motion by: Griesemer

Seconded by: De Angelis

VOTED: 0-9-4 Failed

Abstain Bahl-Milne, No Brewer, Abstain De Angelis, No DuMont, Abstain Griesemer, No Hanneke, No Pam, No Ross, No Ryan, Abstain Schoen, No Schreiber, No Steinberg, No Swartz

10. Approval of Minutes

a.&b. May 6, 2019 & May 8, 2019

MOVED: To approve the May 6, 2019 Town Council meeting minutes and May 8, 2019 Special Town Council meeting minutes as presented.

Motion by: Griesemer

Seconded by: Steinberg

VOTED: 11-0-1

Yes Bahl-Milne, Abstain Brewer, Yes De Angelis, Yes DuMont, Yes Griesemer, Yes Hanneke, Yes Pam, Yes Ross, Yes Ryan, Yes Schoen, Yes Schreiber, Yes Steinberg, Absent Swartz

Adjourn

MOVED: To adjourn the May 20, 2019 meeting of the Town Council.

Motion by: Pam

Seconded by: Bahl-Milne

VOTED: 12-0

Yes Bahl-Milne, Yes Brewer, Yes De Angelis, Yes DuMont, Yes Griesemer, Yes Hanneke, Yes Pam, Yes Ross, Yes Ryan, Yes Schoen, Yes Schreiber, Yes Steinberg, Absent Swartz

The meeting adjourned at 10:50 p.m.