

Town of Amherst
UNOFFICIAL RECORD OF VOTES

Monday, June 17, 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: Councilor Swartz

Members Participating Remotely: None

Staff Present: Town Manager Paul Bockelman, Clerk of the Council Margaret Z. Nartowicz, Assistant Town Manager David Ziomek, Interim Finance Director Sonia Aldrich, Procurement Officer Anthony Delaney, Planning Director Christine Brestrup, Bylaw Review Committee Rep Bob Ritchie, CPAC Rep Jim Oldham

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

5. Proclamation and Commemorations

a. Juneteenth Proclamation

MOVED: To adopt the Juneteenth Proclamation as presented/amended.

Motion by: Griesemer

Seconded by: Pam

VOTED: 12-0-0; Councilor Swartz was absent.

7. Action Items

b. FY20 Capital Improvement Program [Charter Sec. 5.7(e)]

MOVED: To adopt Appropriation and Transfer Order FY20-05, “**An Order Appropriating Funds for a Portion of the Town of Amherst Capital Program – Equipment, Buildings and Facilities**”, as recommended by the Finance Committee and shown on pages 12 and 13 of the document entitled “Town Council Finance Committee Recommendation on Fiscal Year 2020 Budget”

Motion by: Hanneke

Seconded by: Pam

ROLL CALL VOTE: 12-0-0; 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

c. CPAC Proposals

(1) MOVED: To adopt Appropriation and Transfer Order FY20-07, “**An Order Appropriating the FY2020 Community Preservation Act Budget**”, as recommended by the Finance Committee and shown on pages 15 and 16 of the document entitled “Town Council Finance Committee Recommendation on Fiscal Year 2020 Budget”

Motion by: De Angelis

Seconded by: Hanneke

ROLL CALL VOTE: 12-0-0; 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

(2) MOVED: To adopt Appropriation and Transfer Order FY20-08, “**AN ORDER AUTHORIZING THE ACQUISITION OF SZALA PROPERTY FOR OPEN SPACE PURPOSES**”, as recommended by the Finance Committee and shown on page 17 of the document entitled “Town Council Finance Committee Recommendation on Fiscal Year 2020 Budget”

Motion by: Ryan
Seconded by: Pam

2/3 VOTE (9 to pass): 12-0-0; Councilor Swartz was absent

(3) MOVED: To adopt Appropriation and Transfer Order FY20-09, “**AN ORDER AUTHORIZING THE ACQUISITION OF THE KEET HASKINS PROPERTY**”, as recommended by the Finance Committee and shown on pages 18 and 19 of the document entitled “Town Council Finance Committee Recommendation on Fiscal Year 2020 Budget”

Motion by: Pam
Seconded by: Ryan

2/3 VOTE (9 to pass): 12-0-0; Councilor Swartz was absent

d. FY20 Water and Sewer Rates

MOVED: That the Town Council, serving as the Water Commission and the Sewer Commission as prescribed by Section 7.6 of the Amherst Home Rule Charter, hereby increases the water rate from \$3.80/100 cubic feet to \$3.90/100 cubic feet, and increases the sewer rate from \$3.90/100 cubic feet to \$4.00/100 cubic feet, effective July 1, 2019, as recommended by the Town Manager in his memorandum to the Town Council dated May 31, 2019.

Motion by: Hanneke
Seconded by: De Angelis

VOTED: 12-0-0; Councilor Swartz was absent

e. FY19 Budget Amendments

(1) MOVED: To adopt Appropriation and Transfer Order FY19-82, “**An Order Amending the FY 2019 Budget**”, as recommended by the Finance Committee.

Motion by: Hanneke
Seconded by: De Angelis

ROLL CALL VOTE: 12-0-0; 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

f. Limitations on Campaign Contributions Bylaw

MOVED: To adopt the **Limitations on Campaign Contributions Bylaw** in accordance with Amherst Home Rule Charter Section 2.10(a) as presented by the GOL Committee and amended as follows: Section C to be amended to strike the words “local charity” in the second to last sentence and replace with the words “public charity subject to MGL Ch. 12 Sec. 8”. /amended; said adoption to become effective July 2, 2019.

Motion by: Hanneke

Seconded by: Ross

VOTED: 6-6-0; Yes Bahl-Milne, No Brewer, No De Angelis, No DuMont, Yes Griesemer, Yes Hanneke, No Pam, Yes Ross, Yes Ryan, Yes Schoen, No Schreiber, No Steinberg, absent Swartz

AMENDMENT TO THE MOTION: To amend sections A1, A.2, and B. to strike the decimal 0.25 in each of those sections and replace them with the decimal 0.50.

Motion by: Ross

Seconded by: Hanneke

VOTED: 4-8-0 Yes Bahl-Milne, No Brewer, No De Angelis, No DuMont, No Griesemer, Yes Hanneke, No Pam, Yes Ross, No Ryan, No Schoen, No Schreiber, Yes Steinberg, absent Swartz

- h. Roll Call Votes on Prior FY20 Budget Approvals** [*Charter Sec 5.5(c)*] requires that the vote to approve the budget be by roll call. All of the motions under this agenda item were previously voted unanimously, but not by roll call, among Councilors present.

(1) Regional School District

Motion #1 was voted 12-0 with one member absent (Steinberg) on April 22, 2019.

MOTION #1: "I move 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 by: De Angelis

Seconded by: Hanneke

ROLL CALL VOTE: 12-0-0; 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

Motion #2 was voted 12-0 with one member absent (Steinberg) on April 22, 2019, and was amended as shown below, by unanimous vote on May 6, 2019.

MOTION #2: "I move that the Town vote to amend Section VI of the Amherst Pelham Regional School District Agreement by adding subsection j) as follows: "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."

Motion by: Pam

Seconded by: Ryan

ROLL CALL VOTE: 12-0-0; 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

(2) Municipal Budget

The following motion was voted 12-0 with one member absent (Swartz) on June 3, 2019.

MOVED: To adopt Appropriation and Transfer Order FY20-04, “An Order Appropriating the Town of Amherst FY2020 Operating Budget”, as recommended by the Finance Committee and shown on pages 10 and 11 of the document entitled “Town Council Finance Committee Recommendation on Fiscal Year 2020 Budget”.

Motion by: Hanneke

Seconded by: Pam

ROLL CALL VOTE: 12-0-0; 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

i. Acceptance of Deed to Kruczek Property in Pelham and Shutesbury for Water Supply Protection

The motion language to accept the deed is as it appears in the ACCEPTANCE OF DEED on the last page of the Quitclaim Deed granting and conveying land from Kruczek to the Town of Amherst.

MOVE, on this 17th day of June, 2019, that the Town of Amherst, acting by and through its Town Council as the Board of Water Commissioners, hereby accepts the foregoing deed to property located on Shutesbury Road in Pelham and partly in Shutesbury for water supply protection pursuant to G.L. c 40 ss38, 39b and 41 and Article 97 of the Amendments to the Massachusetts Constitution, and authorizes the Town Council President to execute the Town Council’s acceptance of the deed on behalf of the Town.

Motion by: Hanneke

Seconded by: Ross

VOTED: 12-0-0; Councilor Swartz was absent

8. Appointments

a. Confirmation of Town Manager Appointments [Charter Sec. 2.11 (b)]

Conservation Commission

MOVED: To confirm the Town Manager’s appointments to the Conservation Commission, as recommended by the Outreach, Communications and Appointments Committee:

- For a three-year term to expire June 30, 2022, effective immediately:
 - Ana Devlin Gauthier
 - Laura Pagliarulo
- For a three-year term to expire June 30, 2022, effective July 1, 2019:
 - Casey Jo Dufresne
- For a two-year term to expire June 30, 2021, effective July 1, 2019:
 - Lawrence Ambs
- For a two-year reappointment to expire June 30, 2021, effective July 1, 2019:
 - Brett Butler

Motion by: Ross

Seconded by: Ryan

VOTED: 12-0-0; Councilor Swartz was absent

10. Approval of Minutes

a. May 28, 2019, June 3, 2019, June 10, 2019

MOVED: To approve the May 28, 2019, June 3, 2019, June 10, 2019 Town Council meeting minutes, and June 10, 2019 Capital Improvement Program forum minutes as presented/amended.

Motion by: Ryan

Seconded by: Pam

VOTED: 10-0-2; Yes Bahl-Milne, Abstain Brewer, Abstain De Angelis, Yes DuMont, Yes Griesemer, Yes Hanneke, Yes Pam, Yes Ross, Yes Ryan, Yes Schoen, Yes Schreiber, Yes Steinberg, absent Swartz

14. Executive Session

MOVED: That the Town Council meet in executive session pursuant to the provisions of MGL c. 30A, sec. 21(a)(6) to discuss the purchase, exchange, lease or value of real property if **the chair declares** that an open meeting will have a detrimental effect on the negotiating position of the public body, and MGL 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 (Executive Session minutes).

Motion by: Hanneke

Seconded by: De Angelis

ROLL CALL VOTE: 12-0-0; 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 Town Council entered into executive session at 9:54 p.m.

15. Adjourn

The meeting adjourned in executive session.