

Town of Amherst
UNOFFICIAL RECORD OF VOTES OF THE TOWN COUNCIL

Monday, June 7, 2021

6:30 p.m.

Virtual Meeting

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

Members Absent: None

Others Participating Remotely: Town Manager Paul Bockelman, Clerk of the Council Athena O’Keeffe, Finance Director Sean Mangano, Senior Services Director Mary Beth Ogulewicz, Minute taker Lindsey McConnell

Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, this meeting of the Town Council is being conducted via remote participation.

All votes will be taken by roll call.

Per MGL Chapter 30A Section 20(f), this meeting is being recorded and broadcast by Amherst Media.

President Griesemer called the special meeting to order at 5:02 pm; the special meeting adjourned at 6:19 pm.

President Griesemer called the Capital Improvement Program Public Forum to order at 6:32 pm; the Public Forum adjourned at 6:46 pm.

President Griesemer called the regular Town Council meeting to order at 6:47 pm; the regular meeting adjourned at 10:24 pm

Special Meeting

2. Executive Session

- a. MOVED:** to convene in executive session under MGL c.30A§21(a) 3, to discuss strategy with respect to litigation: case number SJ-2021-0187: Terry Y. Allen, et al. v. Board of Registrars of the Town of Amherst; as an open meeting may have a detrimental effect on the litigating position of the body.; I declare that an open meeting may have a detrimental effect on the litigating position of the body; the Town Council will not reconvene in open session following the executive session.

Motion by: Griesemer

Seconded by: Steinberg

ROLL CALL VOTE: Unanimous

Regular Meeting

5. Consent Agenda

Consent Agenda: The following items were selected because they were considered to be routine and it was reasonable to expect they would pass with no controversy. To remove an item from the consent agenda for discussion later in the meeting, ask that it be removed when the President lists the consent agenda items. The request to remove an

item from the consent agenda does not require a second.

MOVED: To move the following items, and the printed motions thereunder and approve those items as a single unit:

- Waiver of Town Council Rules of Procedure rule 8.6 for agenda item 6.a. Juneteenth Proclamation
- 6.a. Adoption of Juneteenth Proclamation
- ~~6.b. Adoption of Resolution in support of HR40/S40 Bills in Congress, Commission to Study and Develop Reparation Proposals for African Americans Act~~ Removed by Councilor Brewer
- ~~6.c. Adoption of Resolution in support of H. 912 An Act Relative to Forest Protection and H. 1002 An Act to Increase Protection of Wildlife Management Areas~~ Removed by Councilor Schoen
- Suspension of Town Council Rules of Procedure rule 8.4 for agenda items 8.c.(1-2) Requests for Permanent Changes to the Public Way
- 8.e. Referral of Optional Tax Exemption to Finance Committee
- 11.a. Approval of May 24, 2021 Regular Town Council Meeting minutes

Motion by: Griesemer

Seconded by: Steinberg

ROLL CALL VOTE: Unanimous

6. Resolutions and Proclamations

a. Juneteenth Proclamation

VOTED VIA CONSENT AGENDA

MOVED: To waive Town Council Rules of Procedure rule 8.6 for the current item.

VOTED VIA CONSENT AGENDA

MOVED: To adopt the Juneteenth Proclamation, as presented.

b. Resolution in support of HR40/S40 Bills in Congress, Commission to Study and Develop Reparation Proposals for African Americans Act

MOVED: To adopt the Resolution in support of HR40/S40 Bills in Congress, Commission to Study and Develop Reparation Proposals for African Americans Act, as amended by adding the words “Commission to Study and Develop Reparation Proposals for African Americans Act” and removing the word “American” so that the Community Sponsor name reads Amherst African Heritage Residents for Reparations.

Motion by: Griesemer

Seconded by: Hanneke

ROLL CALL VOTE: Unanimous

MOTION: To amend the proclamation by removing the paragraph that reads “NOW THEREFORE BE IT RESOLVED, that the Town Council of Amherst hereby recognizes the date of February 25th of each year as National Reparations Awareness Day; and” And removing the words “be it further resolved” from the following paragraph and

replacing it with “Now therefore be it resolved.”

Motion by: Brewer

Seconded by: Swartz

ROLL CALL VOTE: 11-1-1 (Councilors Bahl-Milne, Brewer, De Angelis, Griesemer, Hanneke, Ross, Ryan, Schoen, Schreiber, Steinberg, and Swartz; Councilor DuMont voted No; Councilor Pam Abstained)

c. Resolution in support of H. 912 An Act Relative to Forest Protection and H. 1002 An Act to Increase Protection of Wildlife Management Areas

MOVED: To adopt the Resolution in support of H. 912 An Act Relative to Forest Protection and H. 1002 An Act to Increase Protection of Wildlife Management Areas, as presented.

Motion by: Griesemer

Seconded by: De Angelis

ROLL CALL VOTE: Unanimous

8. Action Items

a. Proposed Amendment to Zoning Bylaw Section 5.011 – Accessory Dwelling Units

MOVED: To refer the proposed amendments to Zoning Bylaw Section 5.011, Accessory Dwelling Units, to the Planning Board and the Community Resources for hearings held no later than August 11, 2021, and for a written recommendation and an explanation as to whether the proposed bylaw is not inconsistent with the Master Plan from the Planning Board to the Town Council and to the Community Resources Committee no later than 21 days after the Planning Board hearing, and for the Community Resources Committee to send a written recommendation to the Town Council and to submit all materials to the Governance, Organization, and Legislation Committee for review of clarity, consistency, and actionability within 60 days of the hearing held by the Community Resources Committee.

Motion by: Griesemer

Seconded by: Ross

ROLL CALL VOTE: 12-0, 1 absent (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Steinberg was Absent)

b. Proposed changes to Zoning Bylaw Section 3.3241 and Article 12 – Converted Dwelling

No action taken.

c. Requests for Permanent Changes to the Public Way

VOTED VIA CONSENT AGENDA

MOVED: To suspend Town Council Rules of Procedure rule 8.4 for agenda items 8.c.(1-2).

- (1) **North Pleasant Street and McClellan Street Intersection Crosswalks**
MOVED: To approve the conceptual plan titled “North Pleasant Street and McClellan Street Intersection Improvement Project” dated May 3, 2021 showing improvements to the North Pleasant Street and McClellan Street intersection to include raising the intersection and installing two new crosswalks on North Pleasant Street at the intersection.

Motion by: Griesemer

Seconded by: Ryan

ROLL CALL VOTE: 12-0, 1 absent (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Steinberg was Absent)

- (2) **South Pleasant Street/West Street/Mill Lane Intersection Improvements and Mill Lane Multi-use Path**

MOVED: To approve the conceptual plan title “South Pleasant Street, West Street, and Mill Lane Multi-use Path” dated February 16, 2021 and consisting of 3 pages showing improvements to the South Pleasant Street, West Street, and Mill Lane intersection and the multi-use path along Mill Lane from West Street to Groff Park.

Motion by: Griesemer

Seconded by: Pam

ROLL CALL VOTE: 12-0, 1 absent (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Steinberg was Absent)

- d. **FY22 Budget**

No action, first discussion

- e. **Optional Tax Exemption**

VOTED VIA CONSENT AGENDA

MOVED: To refer the Recommendation for Council Order FY22-11 Acceptance of Optional Tax Exemptions to the Finance Committee, for review and recommendation to the Town Council by June 21, 2021.

11. **Approval of Minutes**

VOTED VIA CONSENT AGENDA

MOVED: To adopt the May 24, 2021 Regular Town Council Meeting minutes, as presented.