

Town of Amherst
UNOFFICIAL RECORD OF VOTES OF THE TOWN COUNCIL

Monday, March 7, 2022

6:30 p.m.

Virtual Meeting

Councilors in attendance: Devlin Gauthier, Griesemer, Hanneke, Miller, Rooney

Councilors participating remotely: De Angelis, Lopes, Pam, Schoen, Steinberg, Taub, Walker

Councilors Absent: Bahl-Milne

Staff in attendance: Town Manager Bockelman, Clerk of the Council O’Keeffe, and IT Director Hannon

Others Participating Remotely: Energy and Climate Action Committee Chair Laura Draucker, Sustainability Coordinator Stephanie Ciccarello, AHRA members Hala Lord, Alexis Reed, Amilcar Shabazz, and Jennifer Moyston

When remote participation is used, 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 Town Council meeting to order at 6:30 pm

President Griesemer declared the meeting adjourned at 9:24 pm

5. 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:

- **Suspension** of Town Council Rules of Procedure rule 8.4 for the following agenda items:
 - 8.f. Authorization for Town Council President to Submit Testimony on Behalf of the Town Council for the following items:
 - 1) Massachusetts Department of Energy Resources: Public Hearings on New Stretch Building Energy Code Proposal
 - 2) Regarding an Act Relative to Payment in Lieu of Taxation by Organizations Exempt from Property Tax, Bills S.1874 and H.3080
- **Waiver** of Town Council Rules of Procedure rule 8.6 for agenda item 9.a.1) Approval of Town Manager Appointment Community Responders for Equity, Safety, and Service (CRESS) Director
- ~~6.a. Adoption of Resolution Calling on President Joe Biden to Immediately Cancel All Student Debt~~ removed by De Angelis
- **6.b. Adoption** of Proclamation of Congratulations to the Amherst Regional High School Girls Swimming and Diving Team

- 8.b. **Referral** to Town Services and Outreach Committee for conversation and possible recommendation on the topic of economic development and use of public space
- 8.f.1) **Authorization** of Town Council President to submit testimony on behalf of the Town Council regarding the New Stretch Building Energy Code Proposal
- ~~8.f.2) **Authorization** of Town Council President to submit testimony on behalf of the Town Council regarding Act Relative to Payment in Lieu of Taxation by Organizations Exempt from Property Tax, Bills S.1874 and H.3080 removed by Steinberg~~
- 9.a.1) **Approval** of Town Manager appointment of Director of Community Responders for Equity, Safety, and Service (CRESS)

Motion by: Griesemer

Seconded by: Hanneke

ROLL CALL VOTE: 12-0, with 1 absent (Bahl-Milne)

6. Resolutions and Proclamations

a. Resolution Calling on President Joe Biden to Immediately Cancel All Student Debt

MOVED: To adopt the Resolution Calling on President Joe Biden to Immediately Cancel All Student Debt, as presented.

No action was taken; the resolution was withdrawn and will be re-presented at a future meeting.

b. Proclamation of Congratulations to the Amherst Regional High School Girls Swimming and Diving Team

VOTED VIA CONSENT AGENDA

MOVED: To adopt the Proclamation of Congratulations to the Amherst Regional High School Girls Swimming and Diving Team, as presented.

8. Action Items

a. Motion Postponed under Charter Sec. 2.10(c) on February 28, 2022

MOTION ON THE FLOOR: To task the Town Manager to create a Solar Bylaw Working Group to design and oversee a solar siting study and draft a solar bylaw. The charge of this committee should be brought before the Council for comments on March 7, 2022, and should include a provision that the draft solar bylaw be referred to the Town Council on or before March 6, 2023.

Motion by: Devlin Gauthier

Seconded by: Schoen

No action was taken; Devlin Gauthier and Schoen withdrew their motion.

b. Use of Public Space/Streets, Including Outdoor Summer Dining

VOTED VIA CONSENT AGENDA

MOVED: To refer to Town Services and Outreach Committee for conversation and possible recommendation on the topic of economic development and use of public space,

including the possibility of closing North Pleasant Street in summers on the weekends, and the continuation of outdoor dining, with a report to the Town Council by May 2, 2022.

c. African Heritage Reparation Assembly: Request for Proposed Legislation

MOVED: To ask the Town Manager to begin the process of seeking special legislation to define reparations as a public purpose as described in the K.P. Law memo dated September 28, 2021 and included in the March 7, 2022 Town Council meeting packet. The Town Manager will seek guidance, as needed, from the African Heritage Reparation Assembly (AHRA) while drafting the petition and will provide a copy of the proposed petition to the AHRA for review prior to submitting it to the Town Council for approval to file with the State Legislature.

Motion by: Griesemer

Seconded by: Miller

ROLL CALL VOTE: 12-0, with 1 absent (Bahl Milne)

d. Proposed Residential Rental Bylaw Registration, Permit, and Inspection Fees

MOVED: To refer the proposed Revision of Fees under General Bylaw 3.50 – Residential Rental Property to Town Services and Outreach Committee, with input from Finance Committee, for a report to the Town Council by April 4, 2022.

Motion by: Griesemer

Seconded by: Devlin Gauthier

ROLL CALL VOTE: 12-0, with 1 absent (Bahl-Milne)

e. Town Council Meeting Format

MOVED: To suspend Town Council Rules of Procedure rule 8.4 for the current agenda item.

Motion by: Griesemer

Seconded by: Devlin Gauthier

ROLL CALL VOTE: 10-1-1, with 1 absent (De Angelis, Devlin Gauthier, Griesemer, Lopes, Miller, Pam, Rooney, Schoen, Taub, Walker voted Yes; Hanneke voted No; Steinberg Abstained; Bahl-Milne was absent)

MOVED: Effective immediately, to hold all Town Council meetings in the in-person meeting format until July 15, 2022, with the option of virtual meetings if the President declares 24 hours in advance of a meeting that there will be fewer than 5 Councilors physically present, and with virtual public access until July 15, 2022.

Motion by: Griesemer

Seconded by: Schoen

MOVED: to postpone the motion until the regular Council meeting on March 21, 2022.

Motion by: Hanneke

Seconded by: Devlin Gauthier

ROLL CALL VOTE: 9-0-3, with 1 absent (De Angelis, Devlin Gauthier, Griesemer, Hanneke, Lopes, Miller, Rooney, Taub, Walker voted Yes; Pam, Schoen, and Steinberg Abstained; Bahl-Milne was absent)

f. Authorization for the Town Council President to Submit Testimony on Behalf of the Town Council

1) Massachusetts Department of Energy Resources: Public Hearings on New Stretch Building Energy Code Proposal

VOTED VIA CONSENT AGENDA

MOVED: To suspend Town Council Rules of Procedure rule 8.4 for the current agenda item.

VOTED VIA CONSENT AGENDA

MOVED: To authorize the Town Council President to submit testimony on behalf of the Town Council regarding the New Stretch Building Energy Code Proposal.

2) Regarding an Act Relative to Payment in Lieu of Taxation by Organizations Exempt from Property Tax, Bills S.1874 and H.3080

IF NOT VOTED EARLIER VIA CONSENT AGENDA

MOVED: To suspend Town Council Rules of Procedure rule 8.4 for the current agenda item.

MOVED: To authorize the Town Council President, after receiving suggested changes from Councilors though 5 pm on March 8, 2022, to submit testimony on behalf of the Town Council regarding Act Relative to Payment in Lieu of Taxation by Organizations Exempt from Property Tax, Bills S.1874 and H.3080.

Motion by: Griesemer

Seconded by: Hanneke

ROLL CALL VOTE: 12-0, with 1 absent (Bahl-Milne)

9. Appointments

a. Town Manager Appointments – Charter Sec. 2.11(a)

1) Community Responders for Equity, Safety, and Service (CRESS) Director

VOTED VIA CONSENT

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

VOTED VIA CONSENT AGENDA

MOVED: In accordance with Charter section 2.11(a), to approve the Town Manager appointment of Earl Miller as Director of Community Responders for Equity, Safety, and Service (CRESS), as filed with the Town Clerk on March 3, 2022.