

**Town of Amherst**  
**UNOFFICIAL RECORD OF VOTES OF THE TOWN COUNCIL**

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Monday, January 27, 2020

6:30 p.m.

Town Room, Town Hall

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

Members Absent: None

Members Participating Remotely: None

Staff Present: Town Manager Paul Bockelman, Assistant Town Manager David Ziomek, Economic Development Director Geoff Kravitz, Clerk of the Council Athena O’Keeffe

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

**5. Proclamations and Commemorations**

**a. Resolution in Support of H.2810: An Act to Promote Green Infrastructure and Reduce Carbon Emissions**

**MOVED:** To adopt the Resolution in Support of H.2810: An Act to Promote Green Infrastructure and Reduce Carbon Emissions, as presented.

Motion by: De Angelis

Seconded by: DuMont

**VOTED:** Unanimously

**b. Black History Month Proclamation**

**MOVED:** To proclaim February 2020 Black History Month and adopt the Black History Month Proclamation, as amended by replacing the word “noon” with the words “one o’clock p.m.”

Motion by: De Angelis

Seconded by: Pam

**VOTED:** Unanimously

**7. Action Items**

**b. General Bylaws**

**MOVED:** To repeal and replace the General Bylaws with the document “Recommended General Bylaws of the Town of Amherst” dated 12-06-19.

Motion by: Ross

Seconded by: Hanneke

**VOTED:** 11-0-2 (Councilors Bahl-Milne, Brewer, De Angelis, Griesemer, Hanneke, Pam, Ross, Ryan, Schreiber, Steinberg, Swartz; Councilors DuMont and Schoen Abstained)

**MOVED:** To dissolve the Bylaw Review Committee.

Motion by: Ryan

Seconded by: Schoen

**VOTED:** Unanimously

**MOVED:** To add:

- Condominium and Cooperative Conversion, a General Bylaw recommended for deletion, to the document Bylaws Identified for Future Consideration last edited 12-05-19
- Proposed General Bylaw 3.34 – Regulation of Signs

to the document “Bylaws Identified for Future Consideration last edited 12-05-19” and to refer the document to the Town Council Governance, Organization & Legislation Committee (GOL) to report a recommended timeline for developing a work plan to Town Council on March 9, 2020.

Motion by: Hanneke

Seconded by: Steinberg

**VOTED:** Unanimously

**MOVED:** To refer Section 3.4 Responsible Employer for Public Construction Projects to the Government, Organization, and Legislation Committee to make a recommendation whether wording deleted from the bylaw in three instances should be added back to avoid the risk of weakening the bylaw. Specifically, add back: 1) the requirement that bidders "agree in writing that they shall comply" to referenced labor laws; 2) Requirement that contractors/subcontractors shall "certify under oath and in writing on a weekly basis that they are in compliance with such obligations"; and 3. The penalty of "liquidated damages payable to the Town in the amount of 5% of the dollar value of the contract." that was deleted from possible actions in the event of noncompliance.

Motion by: Schoen

Seconded by: Hanneke

**VOTED:** Unanimously

**MOVED:** To refer section 3.28 of the General Bylaw, the Single Use Plastic Bag Prohibition, and the document titled “single use plastic bag bylaw D3 dd 01-23-2020” to the Governance, Organization, and Legislation Committee, to make a recommendation on changes to the bylaw, with a report back to the Town Council on March 9, 2020.

Motion by: DuMont

Seconded by: Hanneke

**VOTED:** Unanimously

**MOVED:** To refer to the Governance, Organization, and Legislation Committee Section 3.24 - Unlawful Noise of the General Bylaws to make a recommendation on whether to remove lawn mowers, leaf blowers, snow blowers, and other similar mechanical devices to the items included as "Loud, disturbing, injurious, or unnecessary noise," with a report back to the Town Council on March 9, 2020.

Motion by: Hanneke

Seconded by: Ross

**VOTED:** Unanimously

**c. Authorization of Public Hearing regarding Changes to Public Ways Regulations on Lincoln Avenue – February 24, 2020**

**MOVED:** To schedule a public hearing regarding changes to the public way on Lincoln Avenue on a date to be determined by the Council President.

Motion by: Griesemer

Seconded by: Pam

**VOTED:** the motion was withdrawn.

**MOVED:** That the Town present its proposal and residents present their plan, with a report from the Transportation Advisory Committee at the next council meeting for Council discussion and to schedule a public hearing.

Motion by: Pam

Seconded by: Schreiber

**VOTED:** 8-5 (Councilors Bahl-Milne, Brewer, DuMont, Griesemer, Pam, Ross, Schreiber, and Swartz voted Yes; Councilors De Angelis, Hanneke, Ryan, Schoen, and Steinberg voted No)

**d. Town Manager Goals – Second Reading**

**MOVED:** to amend section 1.b.3 by adding the words: "...and the needs of the workers."

Motion by: Pam

Seconded by: Steinberg

**VOTED:** the motion was withdrawn

**MOVED:** Ross, Hanneke to amend 6f. to add the words "and village centers."

...work with the bid and others to enliven downtown and village centers.

Motion by: Ross

Seconded by: Hanneke

**VOTED:** 10-1-2 (Swartz voted No; Councilors Schoen and Steinberg Abstained)

**MOVED:** To adopt the document titled "TM Goals DRAFT as of 1-22-20 clean" as the FY21 Town Manager goals as amended.

Motion by: Schoen

Seconded by: Bahl-Milne

**VOTED:** Unanimously

**MOVED:** To dissolve the Town Manager Goals Ad Hoc Committee  
Schoen, Hanneke

**VOTED:** 13-0

**MOVED:** To dissolve the Town Council Goals Ad Hoc Committee

Ross, De Angels

**VOTED:** 13-0

**e. Reorganization of Standing Committees – Governance, Organization, and Legislation Committee**

**MOVED:** To dissolve the Audit Committee and assign all duties listed under the section "Charge" in the Audit Committee Charge adopted by the Council on March 18, 2019 to the Finance Committee.

Motion by: De Angelis

Seconded by: Hanneke

**VOTED:** Unanimously

**8. Appointments**

**a. Planning Board**

**MOVED:** To appoint Douglas Marshall to the Planning Board, effective immediately, for a term expiring June 30, 2021 as recommended by the Outreach, Communications, and Appointments committee.

Motion by: Ross

Seconded by: De Angelis

**VOTED:** 11-0-2 (Councilors Bahl-Milne, Brewer, De Angelis, Griesemer, Hanneke, Pam, Ross, Ryan,

Schreiber, Steinberg, Swartz voted Yes; Councilors DuMont and Schoen Abstained)

**10. Approval of Minutes**

**a. January 6, 2020 Special Council Meeting – Swearing-in Ceremony**

**b. January 6, 2020 Town Council Meeting**

**MOVED:** To approve the minutes of the January 6, 2020 Special Council Meeting – Swearing-in Ceremony, and January 6, 2020 Town Council Meeting, as presented.

Motion by: Hanneke

Seconded by: Ryan

**VOTED:** 10-0-3 (Councilors De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg voted Yes; Councilors Bahl-Milne, Brewer, and Swartz Abstained)

**15. Adjourn**

**MOVED:** To adjourn the January 27, 2020 meeting of the Town Council.

Motion by: De Angelis

Seconded by: Schoen

**VOTED:** Unanimously

The Council adjourned at 11:25 p.m.