

Town of Amherst

UNOFFICIAL RECORD OF VOTES OF THE TOWN COUNCIL

Monday, March 9, 2020

6:00 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: Town Manager Paul Bockelman, Police Chief Scott Livingstone, Fire Captain Jeff Olmstead, Superintendent of Public Works Guilford Mooring, Clerk of the Council Athena O’Keeffe

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

5. Proclamations and Commemorations

a. Tibet Day Proclamation & Flag Raising

MOTION: To adopt the “2020 Amherst Tibet Day Proclamation – As Voted at GOL 2020-02-26 – clean” as presented/amended.

Motion by: De Angelis

Seconded by: Bahl-Milne

VOTED: Unanimously 12-0 (Councilor Schreiber was absent)

7. Action Items

a. 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.

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

- 7.e. To suspend Town Council Rules of Procedure rule 8.4 for agenda item 7.e. Audit Engagement Letter
- 7.e. To authorize the Town Council President to execute the Audit Engagement Letter, indicating acknowledgement of, and agreement with, the arrangements for Melanson Heath’s audit of the Town’s financial statements and compliance over major federal award programs for FY 2020, as recommended by the Finance Committee
- 10.a. Approval of February 24, 2020 Town Council Meeting minutes, as presented

Motion by: Griesemer

Seconded by: Hanneke

VOTED: Unanimously 12-0 (Councilor Schreiber was absent)

c. Open Containers Bylaw Amendment – Second Read, Charter Sec. 2.10(a)

MOTION: To amend General Bylaw 3.17: Open Containers of Alcohol, by adding the words “unless a permit therefor has previously been secured from the Board of License Commissioners” so that the bylaw reads:

No person shall consume any alcoholic beverage nor possess or transport any open can, bottle, or other container containing any alcoholic beverage, outdoors on any town street, sidewalk, way, or public property including parking lots, parks, school playgrounds, recreation areas, and conservation areas, unless a permit therefor has previously been secured from the Board of

License Commissioners.

Motion by: Ryan

Seconded by: Hanneke

VOTED: 10-1-2 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Ross, Ryan, Steinberg, and Swartz voted Yes; Councilor Schoen voted No; Councilors Pam and Schreiber Abstained)

3. Hearings

a. Public Hearing on Proposed Parking Regulation Changes to Lincoln Avenue

MOTION: To close the public hearing.

Motion by: De Angelis

Seconded by: Bahl-Milne

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

Action Items Continued

b. Proposed Parking Regulation Changes to Lincoln Avenue – First Discussion, Council Rules of Procedure rule 8.4

MOTION: To refer the following proposed parking regulation changes to the Town Services and Outreach Committee, with a report back to the Council within 90 days:

4. Parking prohibited as a tow zone Monday through Friday from 8:00 am to 5:00 pm, on the east side of Lincoln Avenue, from a distance of 200 feet north of Amity Street to 60 feet south of McClellan Street.

5. Parking prohibited as a tow zone Monday through Friday from 8:00 am to 5:00 pm, on the east side of Lincoln Avenue, from a distance of 60 feet north of McClellan Street to 30 feet south of Fearing St.

6. Parking prohibited as a tow zone, on the east side of Lincoln Avenue, from Fearing Street to North Hadley Road.

Motion by: Hanneke

Seconded by: Steinberg

VOTED: 9-4 (Councilors Bahl-Milne, Brewer, Griesemer, Hanneke, Ross, Ryan, Schoen, Steinberg and Swartz voted Yes; Councilors De Angelis, DuMont, Pam, and Schreiber voted No)

d. Finance Committee Charge – Second Discussion, Council Rules of Procedure rule 8.4

MOTION: to add a new bullet to the Finance Committee charge under the budget and finances section that reads: “Review and make recommendations to the Town Council on matters related to the financial health of the Town of Amherst.”

Motion by: Schoen

Seconded by: Pam

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

MOTION: To rescind the current Finance Committee charge and adopt the proposed Finance Committee charge, “Finance Charge – GOL Voted 2020-02-26 - Clean,” as amended, effective immediately.

Motion by: Hanneke

Seconded by: De Angelis

VOTED: Unanimously

f. Mullin Rule – Zoning Board of Appeals and Local Historic District Commission – *First Discussion, Council Rules of Procedure rule 8.4*

IF NOT DONE EARLIER VIA CONSENT CALENDAR:

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

Motion by: Ross

Seconded by: Ryan

VOTED: Unanimously

MOTION: to accept, for the following boards, committees, or commissions holding adjudicatory hearing in the Town, the provisions of M.G.L. Ch.39, §23D, which provide that a member of a board, committee, or commission holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to the member's absence from one session of such hearing, provided that certain conditions as established by said statute are met:

- Zoning Board of Appeals
- Local Historic District Commission

Motion by: Griesemer

Seconded by: Hanneke

VOTED: Unanimously

8. Appointments

Town Manager Appointments – none

a. President Appointments – no Council action required

b. Town Council Appointments

(2) Budget Coordinating Group

MOTION: To approve the following Town Council appointments to the Budget Coordinating Group under Rules of Procedure Rule 10.6 Councilors Appointed to Committees Named in the Charter, effective immediately:

For a term to expire January 6, 2021:

- Lynn Griesemer
- Cathy Schoen

Motion by: Hanneke

Seconded by: Ryan

VOTED: 12-0-1 (Councilors Bahl-Milne, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg, and Swartz voted Yes; Councilor Brewer Abstained)

(1) Council Liaisons to Town Committees

MOTION: To approve the following Town Council appointments of liaisons to Town Committees, under Rules of Procedure Rule 10.8 Councilors as Non-voting Liaisons, effective immediately:

For a term to expire on January 6, 2021:

- Affordable Housing Trust: Dorothy Pam
- Board of Health: George Ryan
- Board of License Commissioners: Alisa Brewer
- Community Preservation Act Committee: Cathy Schoen
- Council on Aging: Sarah Swartz
- Disabilities Access Committee: Pat DeAngelis

- LSSE Commission: Sarah Swartz
- Transportation Advisory Committee: Darcy DuMont

Motion by: Griesemer

Seconded by: Hanneke

VOTED: Unanimously

15. Adjourn

MOTION: To adjourn the March 9, 2020 meeting of the Town Council.

Motion by: Hanneke

Seconded by: De Angelis

VOTED: Unanimously

The Council adjourned at 10:24 p.m. on March 9, 2020.

DRAFT