

**Town of Amherst**  
**DRAFT MOTIONS OF THE TOWN COUNCIL**

Monday, May 18, 2020

6:30 p.m.

Virtual Meeting

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

Others Participating Remotely: Town Manager Paul Bockelman, Bui Sean Hannon, Julie Federman, Rob Morra, Christine Brestrup

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.

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

**All Votes were taken by roll call**

**13. Items not anticipated 48 hours before the meeting**

**MOVED:** to suspend Town Council Rules of Procedure rule 8.6 for the current item.

Motion by: Griesemer

Seconded by: Hanneke

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

**MOVED:** to adopt the "Memorial Day Proclamation 2020" as presented.

Motion by: Hanneke

Seconded by: Steinberg

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

**6. Presentations and Discussion**

**b. Reopening the Local Economy**

**(1) Proposal to Expedite Permitting of Local Business Requests**

**MOVED:** To refer the Town Manager's Memo of 05-15-20 "Requested Town Council to Approve Steps to Expedite the Reopening of Businesses" to the following public bodies:

- Community Resources Committee, for a report, recommendation, and to hold any required hearings on the request to adopt a temporary Zoning Bylaw, to the Council by June 8 or June 15, 2020;
- Planning Board, for a report, recommendation, and to hold any required hearings on the request to adopt a temporary Zoning Bylaw, to the Council by June 8 or June 15, 2020;
- Governance, Organization, and Legislation Committee, for a determination of clarity, consistency, and actionability on the request to adopt a temporary Zoning Bylaw, to the Council by June 8 or June 15, 2020;
- Governance, Organization, and Legislation Committee, for a report and recommendation on the request to revise the Town Council Policy Regarding the Control and Regulation of the Public Ways Section 3(b) to the Council by June 1, 2020;

- Town Services and Outreach Committee, for a report and recommendation on the request to revise the Town Council Policy Regarding the Control and Regulation of the Public Ways Section 3(b) to the Council by June 1, 2020; and
- Board of License Commissioners, to encourage expedited local approval of the expansion of premises for alcohol service outdoors, and to encourage consideration of new licenses for the consumption of alcohol on public ways, in response to the COVID-19 State of Emergency;

Motion by: Griesemer

Seconded by: De Angelis

**ROLL CALL VOTE:** 12-0 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Steinberg, and Swartz voted Yes; 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.

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:
  - 7.b. Long-Term Reservation of Public Ways: Town Commons, Parking, Roads and Sidewalks – Amherst Farmer’s Market
  - Fiscal Year 2021 Budget Policy Guidelines
- ~~7.g. Referral of proposed revision to the General Bylaw Unlawful Noise Bylaw 3.24 to the Community Resources Committee Removed by Councilor Pam~~
- ~~10.a b. Approval of Minutes: May 4, 2020 Regular Town Council Meeting, and May 11, 2020 Special Joint Town Council, School Committee, and Library Trustees Meeting Removed by Councilor Pam~~

Motion by: Griesemer

Seconded by: Hanneke

**ROLL CALL VOTE:** Unanimous

- b. **Long-Term Reservations of Public Ways: Town Commons, Parking, Roads and Sidewalks**  
(1) **Amherst Farmer’s Market**

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

**ROLL CALL VOTE:** VIA CONSENT

**MOVED:** To approve the Long-Term Event Use reservation of the Town Common (South portion) under Town Council Policy Regarding the Control and Regulation of the Public Ways, and, further, to approve the reservation at no charge of the first fifteen metered parking spaces on the east side of South Pleasant Street originating at Spring Street moving south towards College Street, and further to approve the reservation at no charge of the first 21 metered parking spaces on the west side of Boltwood Avenue originating at Spring Street moving south towards College Street, and further to approve the reservation at no charge of the first ten parking spaces on the southwest portion of the Spring Street parking lot to be clearly marked for customer curbside pick-up only, to accommodate the Amherst Farmers Market each Saturday beginning May 23, 2020 through November 21, 2020 from 6:00 a.m. to 2:30 p.m., and further to require that the Amherst Farmer’s Market, John Spinetti, Market Manager, sign a written agreement to

comply with all Operational Guidelines set forth in the Town Manager Memo April 30, 2020 “Amherst Farmers Market Application” updated May 14, 2020 as further updated with recommendations by the Town Services and Outreach Committee and the Town Council on May 18, 2020, and further to authorize the Town Manager to continue to modify these Operational Guidelines in response to the continuing COVID-19 State of Emergency and continuing through November 21, 2020.

Motion by: Griesemer

Seconded by: DuMont

**ROLL CALL VOTE:** 12-1 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Steinberg voted Yes; Councilor Swartz voted No)

**MOTION:** To amend by inserting the language in **bold** and deleting the language in ~~strike through~~ as follows:

To approve the Long-Term Event Use reservation of the Town Common (South portion) **and Boltwood Avenue from Spring Street to College Street** under Town Council Policy Regarding the Control and Regulation of the Public Ways, and, further, to approve the reservation at no charge of the first fifteen metered parking spaces on the east side of South Pleasant Street originating at Spring Street moving south towards College Street, and further to approve the reservation at no charge of ~~the first 21~~ **all** metered parking spaces on ~~both the west sides~~ of Boltwood Avenue originating at Spring Street moving south towards College Street, and further to approve the reservation at no charge of the first ten parking spaces on the southwest portion of the Spring Street parking lot to be clearly marked for customer curbside pick up only, to accommodate the Amherst Farmers Market each Saturday beginning May 23, 2020 through November 21, 2020 from 6:00 a.m. to 2:30 p.m., and further to require that the Amherst Farmer’s Market, John Spinetti, Market Manager, sign a written agreement to comply with all Operational Guidelines set forth in the Town Manager Memo April 30, 2020 “Amherst Farmers Market Application” updated May 14, 2020 as further updated with recommendations by the Town Services and Outreach Committee and the Town Council on May 18, 2020, and further to authorize the Town Manager to continue to modify these Operational Guidelines in response to the continuing COVID-19 State of Emergency and continuing through November 21, 2020.

Motion by: Griesemer

Seconded by: ---

The motion was withdrawn.

**c. Fiscal Year 2021 Budget Policy Guidelines**

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

**ROLL CALL VOTE:** VIA CONSENT

**MOVED:** To adopt the Council FY21 Budget Guidelines in the document “Revised Budget Guidelines for FY21” as presented

Motion by: Griesemer

Seconded by: Steinberg

**ROLL CALL VOTE:** 12-1 (Councilors Bahl-Milne, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg, and Swartz voted Yes; Councilor Brewer voted No)

**d. Permanent Change to Public Ways: Roads and Sidewalks**

**(1) One University Drive South**

No action taken

e. **Amendment to Town Council Rules of Procedure rule 4.2, proposed rule 4.6 regarding use of Consent agendas – First Reading, Town Council Rules of Procedure rule 1.6**

f. **Community Activity Forms - Second Discussion, Town Council Rules of Procedure rule 8.4**

**MOVED:** To amend the current Community Activity Form for Town Council-appointed bodies to reflect the amendments shown at the end of OCA Committee Report dated 4-29-2020, for 5-04-2020 Town Council meeting referenced as “Community Activity Form Proposed Revision 4-27.”

Motion by: Ross

Seconded by: Steinberg

**ROLL CALL VOTE:** 11-2 (Councilors Bahl-Milne, Brewer, De Angelis, Griesemer, Hanneke, Pam, Ross, Ryan, Schreiber, Steinberg and Swartz voted Yes; Councilors DuMont and Schoen voted No)

**MOVED:** to amend the motion to add to the current Community Activity Form the following language: “Once this form is submitted it becomes a public document, if there is information you do not want released to the public please do not include it on this form.”

Motion by: DuMont

Seconded by: Pam

The motion was withdrawn.

**MOVED:** to amend the Community Activity Form by adding the following language: “Once this form is submitted it becomes a public document, if there is information you do not want released to the public please do not include it on this form.”

Motion by: Pam

Seconded by: DuMont

**ROLL CALL VOTE:** 3-10 (Councilors DuMont, Pam, and Schoen voted Yes; Councilors Bahl-Milne, Brewer, De Angelis, Griesemer, Hanneke, Ross, Ryan, Schreiber, Steinberg, and Swartz voted No)

The motion failed.

g. **Noise Violation Bylaw**

**MOVED:** To refer the documents titled “Unlawful Noise Bylaw 3.24” and the “2020-05-18 GOL Report to Town Council” for a proposed revision to the General Bylaws to the Community Resources Committee, with a report back to the Town Council in 90 days.

Motion by: Griesemer

Seconded by: Hanneke

**ROLL CALL VOTE:** Unanimous

10. **Approval of Minutes**

a-b. **Approval of minutes – Consent Agenda**

No action taken.

The Council adjourned at 11:15 p.m.