

**Town of Amherst**  
**Unofficial Record of Votes of the Town Council**

Monday, June 1, 2020

6:30 p.m.

Virtual Meeting

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

Members Absent: Councilor Swartz

Others Participating Remotely: Town Manager Paul Bockelman, Assistant Town Manager David Ziomek, Chief of Police Scott Livingstone, Town Engineer Jason Skeels, IT Director Sean Hannon, Clerk of the Council Athena O'Keeffe

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.

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

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President Griesemer called the meeting to order at 6:32 p.m.

**All Votes to be taken by Roll Call**

**13. Items Not Anticipated 48**

**a. Resolution in the Aftermath of the Death of Mr. George Floyd**

**MOVED:** to suspend Town Council Rules of Procedure rule 8.6 for the Resolution in the Aftermath of the Death of Mr. George Floyd.

Motion by: Griesemer

Seconded by: Hanneke

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

**MOVED:** to adopt the "Resolution in the Aftermath of the Death of Mr. George Floyd" as presented/as amended.

Motion by: De Angelis

Seconded by: Bahl-Milne

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

**b. Letter to DESE re 1/12th Budget for Regional Schools**

**MOVED:** to authorize the President to sign the "FY21 Letter Of Support for Regional Schools - Amherst Town Council - June 1, 2020," to support the alternative assessment method as proposed by the regional school committee.

Motion by: Hanneke

Seconded by: De Angelis

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

**5. Proclamations and Commemorations**

**a. LGBTQ Pride Month Proclamation**

**VOTED VIA CONSENT AGENDA:**

**MOVED:** to adopt the “LGBTQ Proclamation 2020” as presented.

**b. Race Amity Day Proclamation**

**VOTED VIA CONSENT AGENDA:**

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

**VOTED VIA CONSENT AGENDA:**

**MOVED:** to adopt the “Race Amity Day 2020 Proclamation” as presented.

**6. Presentations and Discussions**

**b. Memo Regarding Options for Handling Permanent Public Way Request**

No action taken.

**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:

- Suspend Town Council Rules of Procedure rule 8.6 for the following agenda item:
  - 5.b. Race Amity Day Proclamation
- ~~Suspend Town Council Rules of Procedure rule 8.4 for the following agenda items:~~
  - ~~7.b.(1) Permanent Change of Public Way: 133 & 143 South East Street~~
  - ~~7.d. Town Council Policy Regarding the Control and Regulation of the Public Ways Section 3(b)~~  
Removed by Councilor DuMont
- 5.a. Adoption of LGBTQ Pride Month Proclamation
- 5.b. Adoption of Race Amity Day Proclamation
- ~~7.c. Referral of Amendment to Zoning Bylaw 11.250 regarding the votes required for Planning Board decisions to Community Resources Committee and Planning Board~~ Removed by Councilor Schoen
- 7.e. Referral of 1-month Budget to Finance Committee
- 7.f. Referral of Regional School Budget to Finance Committee
- 7.g. Referral of Community Preservation Act Committee Recommendations to the Community Resources Committee & Finance Committee
- ~~Approval of Amendment to Town Council Rules of Procedure rule 4.2, Proposed rule 4.6 regarding use of Consent Agenda~~ Removed by Councilor DuMont
- 10.a-b. Approval of Minutes:
  - April 21, 2020 Special Joint Town Council/Community Resources Committee Meeting minutes
  - April 21, 2020 Special Joint Town Council/Town Services and Outreach Committee Meeting minutes
  - May 1, 2020 Special Town Council Meeting Water/Sewer Rates minutes
  - May 4, 2020 Regular Town Council Meeting minutes
  - May 11, 2020 Special Joint Town Council, School Committee, and Library Trustees Meeting minutes

- May 18, 2020 Regular Town Council Meeting minutes

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, Schreiber, and Steinberg, voted Yes; Councilor Swartz was absent

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

**(1) 133 & 143 South East Street**

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

Motion by: Griesemer

Seconded by: Hanneke

**ROLL CALL VOTE:** 9-1-2 Councilors Bahl-Milne, Brewer, De Angelis, Griesemer, Hanneke, Ross, Ryan, Schreiber, and Steinberg voted Yes; Councilor DuMont voted No; Councilors Pam and Schoen abstained; Councilor Swartz was absent

**MOVED:** To approve permanent improvements to the Public Way from the curb line to the property line in front of 133 and 143 South East Street, as detailed on the document titled “SE Commons – CD Set 2020.03.05.pdf”, to be made by the applicant, as indicated in SPR2019-07, and to be maintained by said applicant or future owner for the life of the building, from the curb line to the property line, including repair and replacement of paving and site furnishings as needed. A maintenance plan for this area shall be submitted to the Planning Department and the Department of Public Works and shall be drafted in accordance with the email from Jason Skeels, Town Engineer, to Christine Brestrup, Planning Director, dated October 16, 2019. The area shall be maintained in accordance with the maintenance plan.

Motion by: DuMont

Seconded by: Hanneke

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

**MOTION:** To amend the motion by striking the words “including those recommended by the Design Review Board.”

Motion by: Ross

Seconded by: Hanneke

**ROLL CALL VOTE:** 10-2 Bahl-Milne, Brewer, De Angelis, Griesemer, Hanneke, Ross, Ryan, Schoen, Schreiber, and Steinberg voted Yes; Councilors DuMont and Pam voted No; Councilor Swartz was absent

**(2) One University Drive South**

**MOVED:** To hold a hearing pursuant to General Bylaw 3.14 on June 29, 2020 at 6:30 pm regarding the regulations governing the location, time, and duration of parking on University Drive South, pursuant to the approved plans referred to in ZBA 2020-26 Special Permit Decision.

Motion by: Hanneke

Seconded by: Ryan

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

**c. Amendment to Zoning Bylaw 11.250 regarding the votes required for Planning Board Decisions**

**MOVED:** To refer the proposed amendment to Zoning Bylaw 11.250 to the Planning Board and the Community Resources Committee to hold joint hearings and provide a recommendation to the Town Council within 90 days.

Motion by: Griesemer

Seconded by: Hanneke

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

**d. Town Council Policy Regarding the Control and Regulation of the Public Ways Section 3(b)**

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

Motion by: Griesemer

Seconded by: Ryan

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

**MOVED:** To amend the Town Council Policy Regarding the Control and Regulation of the Public Ways by adding a new Section 4. Zoning Bylaw Article 14: Temporary Zoning Related Requests and renumbering the current Section 4. Miscellaneous to Section 5.

Motion by: Griesemer

Seconded by: Ryan

**ROLL CALL VOTE:** 11-1 Councilors Bahl-Milne, Brewer, De Angelis, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg voted Yes; Councilor DuMont voted No; Councilor Swartz was absent

**e. One-Month Budget**

**VOTED VIA CONSENT AGENDA:**

**MOVED:** In accordance with Section 5.5(a) of the Amherst Home Rule Charter, to refer the one-month budget for July 2020 submitted by the Town Manager to the Finance Committee.

**f. Regional School Budget**

**VOTED VIA CONSENT AGENDA:**

**MOVED:** In accordance with Section 5.5(a) of the Amherst Home Rule Charter, to refer the budget submitted by the Town Manager and recommended by the Amherst-Pelham Regional School District Committee for Fiscal Year 2021 to the Finance Committee.

**g. Separate Consideration of the Regional School Budget**

**MOVED:** In accordance with Section 5.5(c) of the Amherst Home Rule Charter and in compliance with Sections 5.5(a) and 5.5(b) of the Amherst Home Rule Charter, to separately consider and act on the Amherst-Pelham Regional School District budget for Fiscal Year 2021 due to the agreement with the three other towns in the Regional School District.

Motion by: Griesemer

Seconded by: Steinberg

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

**h. Community Preservation Act Committee Recommendations**

**VOTED VIA CONSENT AGENDA:**

**MOVED:** To refer the Community Preservation Act Committee recommendations for Fiscal Year 2021 to the Finance Committee & the Community Resources Committee, for report and recommendation to the Town Council by June 15, 2020.

**i. Amendment to Town Council Rules of Procedure rule 4.2, Proposed rule 4.6 regarding use of Consent Agenda**

**MOVED:** To amend the Town Council Rules of Procedure Rule 4.2 and add new Rule 4.6 as shown in the document titled “ROP – Consent Agenda Revisions – 2020-05-06 as recommended by GOL.”

Motion by: Griesemer

Seconded by: Ryan

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

**8. Appointments**

**b. Town Council Appointments**

**Finance Committee, Non-Voting Resident**

**MOVED:** To extend the term of Marylou Theilman, a non-voting resident member of the Town Council Finance Committee, to August 1, 2020.

Motion by: Ryan

Seconded by: DuMont

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

**10. Approval of Minutes**

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

**VOTED VIA CONSENT CALENDAR:**

**MOVED:** To approve the following Town Council Meeting minutes as presented:

- April 21, 2020 Special Joint Town Council/Community Resources Committee Meeting minutes
- April 21, 2020 Special Joint Town Council/Town Services and Outreach Committee Meeting minutes
- May 1, 2020 Special Town Council Meeting Water/Sewer Rates minutes
- May 4, 2020 Regular Town Council Meeting minutes
- May 11, 2020 Special Joint Town Council, School Committee, and Library Trustees Meeting minutes
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The Council adjourned at 9:45 p.m.