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**Town of Amherst  
Town Council Meeting  
Monday, December 7, 2020  
6:30 p.m.  
Virtual Meeting  
Minutes**

Complete video is available online: <https://amherstmedia.org/content/amherst-town-council-december-7-2020>

**1. Call to Order**

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

Councilors Absent: None

Others Participating Remotely: Town Manager Paul Bockelman, Finance Director Sean Mangano, Library Director Sharon Sharry, Planning Director Christine Brestrup, IT Director Sean Hannon, Acting Town Clerk Susan Audette, Ranked Choice Voting Commission Chair Tanya Leise, Superintendent of Schools Michael Morris, President of the Jones Library Trustees Austin Sarat, School Committee Chair Allison McDonald, and Clerk of the Council Athena O’Keeffe

After confirming all participants could hear and be heard, President Griesemer declared the presence of a quorum, called the meeting to order at 6:33 p.m. and announced audio and video recording by Amherst Media.

Note: 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 was conducted via remote participation.

**Agenda item 7.a. Presentations and Discussion: State of the Town Address – Charter Sec. 2.2(c)**

Complete video is available online: <https://amherstmedia.org/content/amherst-town-council-state-town-december-7-2020>

Town Council President Lynn Griesemer, Town Manager Paul Bockelman, School Committee Chair Allison McDonald, Library Trustees President Austin Sarat gave remarks regarding the bodies’ work over the year, challenges, and accomplishments.

**Agenda item 7.b. Presentations and Discussion: Annual Charter Requirements**

President Griesemer announced the following annual reports are available in the Council meeting materials folder online: <https://www.amherstma.gov/DocumentCenter/Index/4025>

School Committee – Charter Sec. 4.2(d)

Library Board of Trustees – Charter Sec. 4.3(d)

Housing Authority – Charter Sec. 4.4(d)

Oliver Smith Will Elector – Charter Sec. 4.5

## 2. Announcements

Upcoming Town Council Meetings:

- December 21, 2020, 6:30 p.m. – Regular Town Council Meeting
- January 4, 2021, 6:30 p.m. – Regular Town Council Meeting

Upcoming Council Committee Meetings:

- Community Resources Committee: December 15, 2020 2:00 p.m.
- Finance Committee: December 8, 2020 2:00 p.m.
- Governance, Organization, and Legislation Committee: December 16, 2020 10:30 a.m. and 7:00 p.m.
- Town Services and Outreach Committee: December 17, 2020 6:30 p.m.

All meeting agendas and details are posted at [www.AmherstMA.gov/Calendar](http://www.AmherstMA.gov/Calendar)

COVID-19 Call-in Number and Email:

The COVID-19 Concern Line (413) 259-2425 and email address [covidconcerns@amherstma.gov](mailto:covidconcerns@amherstma.gov) are now available for residents to communicate their concerns about masks, social distancing, gatherings, etc.

## 3. Hearings - *None*

## 4. General Public Comment

Hosea Shabazz, Amherst resident, spoke on behalf of Demetria Shabazz regarding the Resolution to End Structural Racism in Amherst. Shabazz commented that the Governance, Organization, and Legislation meeting time does not allow working people to attend, and urged the committee to reach out and involve residents and create a more consultative practice.

Amilcar Shabazz, Amherst resident, commented about the Resolution to End Structural Racism, and suggested changes to the resolution.

Jennifer Page, Amherst resident, commented on the process that was used to bring the Resolution to End Structural Racism to the Council, stated that there has not been time for members of the community to give input, and asked the Council not to vote on the resolution at this meeting to allow more time for feedback.

Kathleen Anderson, Amherst resident, spoke in support of the changes to the resolution proposed by Dr. Shabazz, and asked the Council to consider actions recommended by Dr. Shabazz and Jennifer Page.

Bill Kaizen, Amherst resident, commented about the continued closure of schools, commented that despite rising cases all neighboring towns returned to in-person learning and spoke about the memorandum of agreement between the union and the school committee that is in effect for the entire school year, stating that the Town cannot get kids back to in-school learning even when the weather improves in the spring. Kaizen expressed concerns about returning to in-person learning in the fall, about enrollment if there is not a strong commitment to return to in-person learning in the fall if not next spring, and asked that the memorandum of agreement be renegotiated for the spring.

Janet Keller, Amherst resident, commented on the Community Resources Committee rezoning proposal, asked for more background information so that residents can understand where the zones are that are being discussed, and for more details about what the suggested changes would do. Keller stated that

zoning issues can be complex and would appreciate more explanation as there will be long-lasting changes.

## 5. Consent Agenda

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.

Councilor Schoen requested removal of 8.b.(2) Approval of the permanent use of the public way for Soofa Solar Information and Communication Signs Project.

**MOTION:** President Griesemer moved, second by Councilor Ryan, to move the following items, and the printed motions thereunder and approve those items as a single unit:

- 6.a. Adoption of Annual Human Rights Day Proclamation
- 6.c. Adoption of Official Citation in Honor of Marilyn V. Patton
- 8.b.(1) Amendment to section 4 of the Town Council Policy Regarding the Control and Regulation of the Public Ways
- 9.a.(1) Approval of Town Manager Appointments to the following multiple-member bodies:
  - Community Development Block Grant (CDBG) Advisory Committee
- 11. Approval of Minutes:
  - a. November 9, 2020 Special Town Council Meeting minutes - Financial Indicators
  - b. November 9, 2020 Regular Town Council Meeting minutes
  - c. November 14, 2020 Special Town Council Meeting minutes
  - d. November 16, 2020 Special Town Council Meeting minutes – Public Forum on Ambulance Appropriation
  - e. November 16, 2020 Regular Town Council Meeting minutes
  - f. November 19, 2020 Special Town Council Meeting minutes – Budget

**VOTED** unanimously, 13-0 by roll call, to move the following items, and the printed motions thereunder and approve those items as a single unit:

- 6.a. Adoption of Annual Human Rights Day Proclamation
- 6.c. Adoption of Official Citation in Honor of Marilyn V. Patton
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  - c. November 14, 2020 Special Town Council Meeting minutes
  - d. November 16, 2020 Special Town Council Meeting minutes – Public Forum on Ambulance Appropriation

- e. November 16, 2020 Regular Town Council Meeting minutes
- f. November 19, 2020 Special Town Council Meeting minutes – Budget

## **6. Resolutions and Proclamations**

### **a. Human Rights Day Proclamation**

**VOTED** 13-0 via consent agenda to adopt the “Annual Human Rights Day Proclamation,” as presented.

### **b. Resolution Affirming the Town of Amherst’s Commitment to End Structural Racism and Achieve Racial Equity for Black Residents**

Michele Miller, Amherst resident, spoke about the resolution, outreach and feedback efforts, and Governance, Organization, and Legislation Committee (GOL) review.

Matthew Andrews, Amherst resident, spoke about the intent of the resolution in the spirit of healing, about the racial equity gap, the need for an acknowledgement and apology for wrongs inflicted on people of color, and about the need for broad community support and collaboration.

Councilor Ryan reported that after review of the resolution the GOL committee declared the resolution clear, consistent, and actionable.

Councilor Bahl-Milne spoke about Black Americans as the target of systemic racism, a plan for reparations and community involvement in the plan, the need to prioritize anti-racism, and about committing to correcting wrongs that have been perpetrated against Black Americans.

Councilor Brewer spoke about implementation and in support of taking action on the resolution in order to keep the momentum going.

Councilor De Angelis spoke about the inclusion of a partial history of Amherst, supplemented by a larger document that is under way.

**MOTION:** Councilor De Angelis moved, second by Councilor Bahl-Milne, to adopt the “Resolution Affirming the Town of Amherst’s Commitment to End Structural Racism and Achieve Racial Equity for Black Residents,” as presented.

Councilor Pam spoke in favor of the resolution, thanked the people who worked on it and in praise of Michele Miller and Matthew Andrews.

Councilor DuMont commented about emails to the Council being archived, asked about the referral process, and spoke in support of amending the resolution with Dr. Shabazz’s suggestions.

**MOTION:** Councilor DuMont moved, second by Councilor Bahl-Milne, to amend the resolution by adding:

BE IT FURTHER RESOLVED that the Amherst Town Council supports the proclamation of the General Assembly of the United Nations of the International Decade of People of African Descent, 2015-2024, promote the study of its theme of recognition, justice and development, and align future town activities for racial justice with the advancement of human rights for all.

Councilors Brewer and Steinberg spoke in opposition to the motion, stating that there has not been time for the Council to consider the language in the amendment.

Councilors Ross and Schoen spoke in opposition to the motion.

**VOTED** 2-11 by roll call (Councilors Bahl-Milne, and DuMont voted Yes; Councilors Brewer, De Angelis, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg, and Swartz voted No) to amend the resolution by adding:

BE IT FURTHER RESOLVED that the Amherst Town Council supports the proclamation of the General Assembly of the United Nations of the International Decade of People of African Descent, 2015-2024, promote the study of its theme of recognition, justice and development, and align future town activities for racial justice with the advancement of human rights for all.

The amendment failed.

Councilor Ross thanked the sponsors and the people who worked on the timeline document.

Councilor Schoen praised the appendix.

Councilor Steinberg commented that he enthusiastically supports the resolution, and spoke about the word “reparative” in the final clause, which has several definitions and may be cause for a future dispute, and that the Council must think carefully about what the law allows in Massachusetts. Miller and Andrew’s stated during the GOL meeting that the intent was for the word to mean “something done or money paid to make amends or compensate for a wrong.”

**VOTED** unanimously, 13-0 by roll call, to adopt the “Resolution Affirming the Town of Amherst’s Commitment to End Structural Racism and Achieve Racial Equity for Black Residents,” as presented.

**c. Official Citation in Honor of Marilyn V. Patton**

**VOTED** 13-0 via consent agenda to adopt the “Official Citation in Honor of Marilyn V. Patton,” as presented.

**8. Action Items**

**a. Ranked Choice Voting – Charter Sec. 10.10 – First Discussion**

President Griesemer thanked the commission members and Acting Town Clerk Susan Audette for their work on the report and recommendation.

Ranked Choice Voting Commission Chair Tanya Leise presented the commission’s report, recommendation, and Council actions that must be taken in order to enact ranked choice voting in the next local election.

Councilor Schoen asked about how surplus votes are counted for multiple winners, suggested a trial election, expressed concern about vote suppression due to voter confusion, and asked if the Charter requires the Council to adopt some form of ranked choice voting.

Leise responded that during outreach efforts, people were able to learn the new voting method quickly, and explained how surplus votes are counted, stating that no one vote is counted as more than one total vote.

Councilor Hanneke stated that the intent of the Charter was for the Council to adopt a method of ranked choice voting.

Leise added that there is potential leeway in terms of timing of the enactment.

Councilor Hanneke stated that Article 7 of the Charter provides for a preliminary election for the first transitional election only.

Councilor Hanneke asked if there is time to implement ranked choice voting in time for the November 2021 election, asked about the purchase of new tabulators, and asked about the number of write-in spaces shown on the sample ballot in the report.

Acting Town Clerk Sue Audette responded that the number of write in spaced are dictated by MGL, and that the Town is required to have an equal number of write in spaces as there are seats to be voted on the ballot.

Leise added the sample ballot was provided by ES&S as an example.

Audette stated that if all the steps needed to implement ranked choice voting are completed perfectly, there will be time, but there are many unknowns and it is unclear if everything can be completed in time for the next local election.

Commission member Jesse Crafts-Finch commented that both tabulator machines recommended by the commission support ranked choice and plurality voting.

Councilor Brewer commented that the timing is questionable, the Town needs to conduct outreach to reach people who have not encountered outreach efforts yet, state law restricts what materials may be distributed at the polling places, and expressed concerns regarding resolving duplicate rankings and disenfranchisement.

Commission member Peggy Shannon stated the tabulators have settings to recognize incorrectly voted ballots, but that with mail-in ballots there may not be an opportunity for a voter to correct their ballot, and expressed concern regarding the Charter requirement that “a voter's lower ranked choice does not impact the likelihood of a higher ranked choice being elected.”

Councilor Ryan thanked the commission, and expressed concerns regarding timing, cost of new machines, software, educational materials, and training.

Leise responded that the cost of staff time would be a speculation.

Audette and Crafts-Finch spoke about costs of new tabulators and software options. Federal funds may be available for the purchase of new tabulators.

Councilor Pam commented that at a time when people are questioning the validity of elections, adopting a new voting method creates an aura of confusion. Explaining surplus votes to constituents is complicated, and outreach during the pandemic will be difficult.

Councilor Steinberg asked about the timing of the special legislation and coordination with Representative Domb and Senator Comerford, noted that when Amherst requested special legislation in the past, it has not been a simple process, and asked about amendments to a bill after they are filed.

Town Manager Paul Bockelman stated that he has begun coordination with Rep. Domb and Senator Comerford.

Councilor Schoen spoke about the confusion that occurred when districts were formed, and spoke in favor of enacting ranked choice voting in 2023 rather than 2021.

Crafts-Finch responded that both recommended tabulators export results into a generic format and software can read it. One option is software that is paired with the tabulator, but other software can be used in the future. The recommended tabulators are used all over the state and the country for plurality elections.

Councilor Schreiber asked about the inability to prevent mistakes on a paper ballot and asked about touch screen voting machines. Councilor Schreiber asked if there is a method of exempting the Town from the Charter requirement to adopt ranked choice voting.

Crafts-Finch responded that state law requires paper ballots, so touch screen voting machines would not be an option available to the Town.

Councilor Hanneke reiterated the Charter requirements in section 10.10, and added that the Council must act within 90 days but that the enactment timing may be modified.

President Griesemer reviewed the options for Council action.

Councilor De Angelis stated she would like more time to take in the contents of the report.

Councilor Brewer stated the Council must move forward, and requested information about amending legislation once it is filed.

Councilor Schoen spoke in opposition to referral to a committee.

Councilor Ross stated the new voting method will be a radical change, that an article in the press to gain exposure would be helpful, and spoke in favor of a second reading on the 21<sup>st</sup> or referral to consider timing, options, and outreach.

Crafts-Finch stated the Council does not need to make choices in the special act, the act is vague in implementation, the commission purposefully did not include specific machines, wanted to leave it up to the Town to do what works.

Councilor Hanneke spoke in support of referral to Town Services and Outreach Committee (TSO), and Governance, Organization, and Legislation Committee (GOL). The special act needs added an implementation date, and the report recommends a letter be sent with the special act. The act has better chances of enactment if those decisions are made and if the Town coordinates with the State Elections Division.

Councilor Ryan spoke in opposition to a referral, and suggested an implementation group or working group to consider outreach and implementation.

Councilor Brewer clarified that outreach at this point is limited to education, the Council should not ask residents if they are in favor of ranked choice voting.

Councilor Hanneke spoke in opposition to waiving Town Council Rules of Procedure rule 8.4, and asked about who will draft the letter.

President Griesemer stated the Council will continue the discussion on December 21, and that she will draft the letter in consultation with others.

**b. Use of the Public Way**

**(1) Revision to Section 4 of the Policy Regarding Control and Regulation of the Public Ways –Second Discussion**

**VOTED** 13-0 via consent agenda to amend, as recommended by the Town Council Town Services and Outreach Committee (TSO) report of December 4, 2020, and the Governance, Organization, and Legislation Committee (GOL) report of December 7, 2020: section 4 of the Town Council Policy Regarding the Control and Regulation of the Public Ways by adding the words shown in **bold** and deleting the words in ~~strikeout~~:

**Massachusetts State or Emergency** and Zoning Bylaw Article 14: Temporary Zoning Related Requests

- a. Notwithstanding the above limitations in Sections 2.a, 2.b, 3.b, and 3.c, all temporary short-term and long-term parking requests, sidewalk closures, road closures, or temporary uses (such as display of signage) requested in conjunction with requests to expand sidewalk café, food and drink, and other retail areas under **any order of the Governor of Massachusetts in response to a declared State of Emergency pursuant to Chapter 639 of the Acts of 1950**, Zoning Bylaw Article 14: Temporary Zoning, or other requests to facilitate the reopening of retail business and encourage public activity in local business districts.
  - i. Town Council delegates the review and action authority to the Town Manager, with approvals not to extend past 180 days ~~past the effective date~~ **after the end of the pertinent State of Emergency or the termination date** of Zoning Bylaw Article 14, with a monthly report of all requests and approvals provided to the Town Council.

**(2) Public Information and Emergency Communication Signs – Second Discussion**

**MOTION:** President Griesemer moved, second by Councilor Schoen, to approve the use of the public way for one year to install public information and emergency communication signs and solar charging stations, known as the Soofa Solar Information and Communication Signs Project, at the following locations, as recommended by the Town Council Town Services and Outreach Committee (TSO) report of December 4, 2020: These locations are subject to adjustments in the field by the Town Engineer, as necessary.

- One (1) Information Sign on North Pleasant St. by the crosswalk (across from Central Fire Station/in front of former Starbucks location)
- One (1) Information Sign at the northwest corner of Amity St. and North Pleasant St.
- One (1) Information Sign at the sidewalk of South Pleasant Street and Spring Street (in front of the Town Common by the Spring St. Parking Lot)
- One (1) Solar Charging Station near intersection of North Pleasant Street and Cowles Lane (at the benches in front of St Brigid’s Parish);
- One (1) Solar Charging Station in front of the Jones Library at 43 Amity St. (by the existing bench and crosswalk)
- One (1) Solar Charging Station on North Pleasant St. sidewalk (by the benches outside of 103 N. Pleasant St)

Councilor Schoen asked about using the phrase “permanent use” for a one year pilot program.

Councilor Hanneke commented that the motion needs an end date, and asked if the Town will own the solar chargers.



Councilor DuMont reported that the Town Services and Outreach Committee voted to recommend the use of the public way, and that they are considered permanent structures that can be removed.

Communications Manager Brianna Sunryd responded that the Town will evaluate the signs at the end of the year, and the charging stations would be owned by the Town but are removable and moveable.

The motion was withdrawn.

**MOTION:** Councilor Brewer moved, second by Councilor Hanneke, to approve the permanent use of the public way at the following locations to install solar charging stations at the following locations, as recommended by the Town Council Town Services and Outreach Committee (TSO) report of December 4, 2020: These locations are subject to adjustments in the field by the Town Engineer, as necessary:

- One (1) Solar Charging Station near intersection of North Pleasant Street and Cowles Lane (at the benches in front of St Brigid’s Parish);
- One (1) Solar Charging Station in front of the Jones Library at 43 Amity St. (by the existing bench and crosswalk);
- One (1) Solar Charging Station on North Pleasant St. sidewalk (by the benches outside of 103 N. Pleasant St)

**ROLL CALL VOTE:** 13-0 Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg, Swartz

**MOTION:** Councilor Brewer moved, second by Councilor De Angelis, to approve the temporary use of the public way to install public information and emergency communication signs, known as the Soofa Solar Information and Communication Signs Project, for one year from installation, at the following locations, as recommended by the Town Council Town Services and Outreach Committee (TSO) report of December 4, 2020; these locations are subject to adjustments in the field by the Town Engineer, as necessary:

- One (1) Information Sign on North Pleasant St. by the crosswalk (across from Central Fire Station/in front of former Starbucks location)
- One (1) Information Sign at the northwest corner of Amity St. and North Pleasant St.
- One (1) Information Sign at the sidewalk of South Pleasant Street and Spring Street (in front of the Town Common by the Spring St. Parking Lot)

**ROLL CALL VOTE:** unanimous, 13-0 by roll call, to approve the temporary use of the public way to install public information and emergency communication signs, known as the Soofa Solar Information and Communication Signs Project, for one year from installation, at the following locations, as recommended by the Town Council Town Services and Outreach Committee (TSO) report of December 4, 2020; these locations are subject to adjustments in the field by the Town Engineer, as necessary:

- One (1) Information Sign on North Pleasant St. by the crosswalk (across from Central Fire Station/in front of former Starbucks location)
- One (1) Information Sign at the northwest corner of Amity St. and North Pleasant St.
- One (1) Information Sign at the sidewalk of South Pleasant Street and Spring Street (in front of the Town Common by the Spring St. Parking Lot)

**c. Budget Guidelines** – *this item was moved to the December 21, 2020 Town Council meeting*

**d. Retreat Follow-Up**

President Griesemer requested feedback on the memos and will bring them back to the Council on December 21.

Councilors briefly discussed how to send feedback for revisions with regards to Open Meeting Law.

#### **e. Zoning Priorities – First Discussion**

Councilor Hanneke reported the Community Resources Committee recommended a list of zoning priorities to the Council, in accordance with Town Council policy goal to achieve zoning priorities. The recommended priorities aim to improve downtown zoning and unlock housing development.

Councilor Schoen asked about the overarching vision or goal of the recommendation, and what problems it seeks to solve. Councilor Schoen spoke about inclusionary zoning, and that there seems to be a sense to free things up and cover more pieces of land in order to generate additional revenue.

Councilor Pam stated the report was confusing and spoke about the comprehensive housing policy and the need for more diverse moderately-priced housing.

Councilor DuMont agreed with Councilor Schoen’s comments.

Councilor Brewer commented that the timeline is ambitious but lacks inclusionary zoning, the list is long and technical, and stated that the overarching vision is the Master Plan.

Councilor Ryan stated the Council is entering their third year and is finally talking about real zoning changes, commented that the list could be narrowed, and spoke in favor of moving forward.

Councilor Schreiber commented that the Town has a zoning bylaw that works, and that the purpose of these changes are to tune up the zoning bylaw. The last major change to the zoning bylaw was inclusionary zoning by Town Meeting, and that the footnotes allow special permits in some cases that may not specifically state inclusionary zoning but are based on inclusionary zoning.

Planning Director Christine Brestrup commented that if the Council wants a specific vision for downtown, the Town will need to hire a consultant. The Town may choose to do that in the future, but for now planners have a pretty good idea of what people want in the downtown. As each item on the list comes up, we will talk about impacts of each change and would come up with an analysis in each instance with examples. The Town does care about inclusionary zoning and needs it to work better, but the Town may need a consultant to figure out how to make it work better.

Councilor Bahl-Milne spoke about the Town positioning to come out of a post-COVID recession.

Councilor Ross spoke about the urgency of action, the vulnerability of our local economy and local housing.

### **9. Appointments**

#### **a. Town Manager Appointments**

##### **(1) Community Development Block Grant Advisory Committee**

**VOTED** 13-0 via consent agenda to approve the following Town Manager appointment to the Community Development Block Grant Advisory Committee (CDBG), effective immediately, as filed with the Town Clerk on November 18, 2020, and recommended by the Town Services and Outreach Committee report of December 4, 2020:

- For a term to expire June 30, 2021:
  - Rika Clement

## (2) Personnel Board

Councilor DuMont reported the Town Services and Outreach Committee (TSO) recommended approval of the appointments, and noted her dissenting vote was due to term length. DuMont expressed concern over vacancies being advertised, diversity in committee membership, the outdated board and committee handbook, and spoke in favor of advertising positions that have been held for 6 years or longer.

**MOTION:** President Griesemer moved, second by Councilor Ryan, to approve the following Town Manager appointments to the Personnel Board, effective immediately, as filed with the Town Clerk on November 17, 2020, and recommended by the Town Services and Outreach Committee report of December 4, 2020:

- For terms to expire June 30, 2023:
  - Tony Butterfield (reappointment)
  - Rebecca Woodland (reappointment)
- For a term to expire June 30, 2022:
  - Catharine Porter (reappointment)
- For terms to expire June 30, 2021:
  - Christopher Hoffman, Jones Library Trustee designee (reappointment)
  - Charles Scherpa, employee designee (reappointment)

Councilor De Angelis expressed concern about the reappointments; in the past the Council has not reappointed members due to a longer length of service while others are reappointed for many consecutive terms.

Councilor Hanneke asked why one member who had served for many years was reappointed, if the vacancies were advertised and about the interview process, how employee representatives are chosen, why all five positions are up for reappointment at the same time, and how to reconcile the appointed committee handbook that states after a second term there is not a preference for a third.

Town Manager Paul Bockelman responded that the Library Trustees and employees make a recommendation to the Town Manager with their preferred appointee. Tony Butterfield has served for a very long time but that there is no policy regarding term limits. Bockelman stated he treated the appointments as reappointments, so did not advertise or interview applicants.

Councilor Ryan reiterated the TSO recommendation.

Councilor Pam commented that she has some concerns with the appointment but is uncomfortable discussing the process around people who are being appointed.

Councilor Schreiber spoke in support of the Town Manager's ability to field the best possible team, and agreed with those who have said that when a term ends it should be advertised as a vacancy.

**MOTION:** Councilor Hanneke moved, second by Councilor DuMont, to amend the motion to change Catharine Porter's term to expire June 30, 2023, change Charles Scherpa's term to expire June 30, 2022, and change Tony Butterfield's term to expire June 30, 2021.

Councilor Hanneke spoke to the motion, stating there is no opportunity for outside people to apply for positions, and the term lengths do not make sense.

Councilor Ross stated the motion is not appropriate; the Charter states the Council approves or rejects Town Manager appointments, and may not modify term lengths.

Councilor Brewer stated that TSO did not vote to agree that not advertising the vacancies was ok but given the totality of the information provided the committee agreed with the reappointments. Councilor Brewer recalled instances that the previous Outreach, Communications, and Appointments Committee and TSO discussed rejecting reappointments if guidelines were not followed. There have been things that OCA and TSO said if not following guidelines we will reject reappointments, but that the employee and Library Trustee appointments should not be rejected.

The motion was withdrawn.

**MOTION:** Councilor Hanneke moved, second by Councilor DuMont, to reject the reappointment of Tony Butterfield, and to approve the following Town Manager appointments to the Personnel Board, effective immediately, as filed with the Town Clerk on November 17, 2020, and recommended by the Town Services and Outreach Committee report of December 4, 2020:

- For terms to expire June 30, 2023:
  - Rebecca Woodland (reappointment)
- For a term to expire June 30, 2022:
  - Catharine Porter (reappointment)
- For terms to expire June 30, 2021:
  - Christopher Hoffman, Jones Library Trustee designee (reappointment)
  - Charles Scherpa, employee designee (reappointment)

Councilor Hanneke spoke to the motion, stating the Personnel Board appointments were not advertised.

Councilor Schoen stated she will recuse herself from the vote as she knows Mr. Butterfield personally.

Councilor Hanneke stated that if the Council does not approve or reject the appointments at this meeting they will be pocket approved per the Charter. If the Council rejects all five, the Personnel Board will not be able to form a quorum.

Councilor Schreiber agreed with comments that the vacancies should have been advertised, but that he trusts the Town Manager to appoint people he feels would form the best team.

Councilor Bahl-Milne spoke in favor of a more amicable solution to the issue, such as changing the term lengths rather than rejecting an appointment.

Councilor De Angelis spoke in opposition to the motion, but added that she does not appreciate that one set of rules apply to some people and not others. Councilor De Angelis added that the Town Manager should decide on a criteria and apply it consistently.

Councilor Swartz left the meeting at 11:01 pm.

Bockelman spoke about his relationship with Mr. Butterfield.

**VOTED 2-9-2** by roll call (Councilors DuMont and Hanneke voted Yes; Councilors Bahl-Milne, Brewer, De Angelis, Griesemer, Pam, Ross, Ryan, Schreiber, and Steinberg voted No; Councilor Schoen Abstained; Councilor Swartz was absent) to reject the reappointment of Tony Butterfield, and to approve the following Town Manager appointments to the Personnel Board, effective immediately, as filed with the Town Clerk on November 17, 2020, and recommended by the Town Services and Outreach Committee report of December 4, 2020:

- For terms to expire June 30, 2023:
  - Rebecca Woodland (reappointment)
- For a term to expire June 30, 2022:

- Catharine Porter (reappointment)
- For terms to expire June 30, 2021:
  - Christopher Hoffman, Jones Library Trustee designee (reappointment)
  - Charles Scherpa, employee designee (reappointment)

The motion failed.

**VOTED** 10-2-1 by roll call (Councilors Bahl-Milne, Brewer, De Angelis, Griesemer, Pam, Ross, Ryan, Schoen, Schreiber, and Steinberg voted Yes; Councilors DuMont and Hanneke voted No; Councilor Swartz was absent) to approve the following Town Manager appointments to the Personnel Board, effective immediately, as filed with the Town Clerk on November 17, 2020, and recommended by the Town Services and Outreach Committee report of December 4, 2020:

- For terms to expire June 30, 2023:
  - Tony Butterfield (reappointment)
  - Rebecca Woodland (reappointment)
- For a term to expire June 30, 2022:
  - Catharine Porter (reappointment)
- For terms to expire June 30, 2021:
  - Christopher Hoffman, Jones Library Trustee designee (reappointment)
  - Charles Scherpa, employee designee (reappointment)

**b. Town Council Appointments – None**

**10. Committee and Liaison Reports**

- a. Community Resources Committee** – Councilor Hanneke reported the committee is working on a comprehensive housing policy draft, and spoke about collecting feedback on the draft from Councilors, residents, Planning Board, Zoning Board of Appeals, Energy and Climate Action Committee, and others.
- b. Finance Committee** – Councilor Steinberg reported the committee will meet at 2:00 tomorrow to continue work on the draft budget guidelines for the Council and discussion of a proposal on capital inventory.
- c. Governance, Organization, and Legislation Committee** – Councilor Ryan reported the committee will interview to fill the resident member vacancy on Finance Committee on December 16, with the hope that the committee will have a recommendation for the Council by December 21. The committee continues to work on the Town Manager evaluation and goals, and bylaws. Councilor Schoen asked about resident members’ term lengths.
- d. Joint Capital Planning Committee**
- e. Town Services and Outreach Committee**
- f. Liaison Reports: Affordable Housing Trust, Board of Health, Board of License Commissioners, Community Preservation Act Committee, Council on Aging, Disability Access Advisory Committee, LSSE Commission, Transportation Advisory Committee**

**11. Approval of Minutes**

- a. November 9, 2020 Special Town Council Meeting minutes - Financial Indicators**
- b. November 9, 2020 Regular Town Council Meeting minutes**
- c. November 14, 2020 Special Town Council Meeting minutes**

- d. **November 16, 2020 Special Town Council Meeting minutes – Public Forum on Ambulance Appropriation**
- e. **November 16, 2020 Regular Town Council Meeting minutes**
- f. **November 19, 2020 Special Town Council Meeting minutes – Budget Forum**

**VOTED 13-0 via consent agenda to approve the following Town Council minutes, as presented:**

- November 9, 2020 Special Town Council Meeting minutes - Financial Indicators
- November 9, 2020 Regular Town Council Meeting minutes
- November 14, 2020 Special Town Council Meeting minutes
- November 16, 2020 Special Town Council Meeting minutes – Public Forum on Ambulance Appropriation
- November 16, 2020 Regular Town Council Meeting minutes
- November 19, 2020 Special Town Council Meeting minutes – Budget Forum

**12. Town Manager Report** – Town Manager Paul Bockelman briefly spoke about asymptomatic community testing for Amherst area residents at UMass.

**13. Town Council Comments**

- a. **President Report**
- b. **Future Agenda Items**
- c. **Councilor Comments**

President Griesemer noted automatic referral of a Black History Month Proclamation and Dr. Martin Luther King, Jr. Day Proclamation to the Governance, Organization, and Legislation Committee.

Councilor DuMont asked the Councilor comments on the North Common project be sent by the end of the day Friday, and asked that the President copy the full Council on automatic referrals.

Councilor Brewer asked for a discussion on marijuana host community agreements fees and excise taxes at a future Council meeting.

**14. Topics Not Reasonably Anticipated by the President 48 Hours in Advance of the Meeting -**  
*None*

**15. Executive Session -** *None*

**16. Adjourn**

President Griesemer declared the meeting adjourned at 11:44 p.m.

Respectfully submitted,



Athena O'Keeffe

Clerk of the Council

## **Record of Agenda Packet Materials and Documents Presented**

- 00. 12-07-2020 Draft Motions for Town Council - as of 12-4-20
- 00. 12-07-2020 FINAL Town Council Agenda
  - 6.a. Human Rights Day Proclamation 2020 - as declared at GOL and modified 2020-12-04
  - 6.b. Historic Timeline - Structural Racism in Amherst
  - 6.b. Structural Racism Draft Resolution 12-2-2020 - Final
  - 6.c. Official Citation in Honor of Marilyn V Patton 12-2-2020 Final
  - 7.a. State of the Town with Schools
    - 7.b.1.a. School Committee Annual Report 2020 Final
    - 7.b.1.b. Library FY20 Annual Report 12-03-20
    - 7.b.1.c. Amherst Housing Authority Annual Report FY2020
    - 7.b.1.d. Annual Oliver Smith Elector report (2020)
    - 7.b.1.d. Small grants available for Amherst Residents
    - 7.b.1.e. Board of License Commissioners Annual Report 2020
  - 8.a. Ranked Choice Voting Commission Report 2020-12-01
    - 8.b.1. Public Way Policy - Town Manager Revisions Memo 11-12-2020 UPDATED 11-18-2020
  - 8.d. DRAFT Memo to Town Manager re. Update of Financial Model for Capital Projects 12-5-2020
    - 8.d.1. DRAFT Memo to Jones Library regarding Renovation Expansion vs. Repair as of 12-5-2020
    - 8.d.2. DRAFT Memo to Town Manager regarding DPW and Fire-EMS-Headquarters as of 12-5-2020
    - 8.d.3. DRAFT Memo to Town Council re the Disposition or Referral of Future Agenda Items as of 12-5-2020
  - 9.a.1. CDBG Advisory Committee Appointments - 11-18-2020
  - 9.a.2. Personnel Board Appointments - 11-18-2020
  - 11.a. 11-09-2020 DRAFT Special Town Council Minutes - Financial Indicators - Budget Coordinating Group
  - 11.b. 11-09-2020 DRAFT Town Council Minutes
  - 11.c. 11-14-2020 DRAFT Special Town Council Minutes - Retreat
  - 11.d. 11-16-2020 DRAFT Special Town Council Minutes - Public Forum on Ambulance Appropriation
  - 11.e. 11-16-2020 DRAFT Town Council Minutes
  - 11.f. 11-19-2020 DRAFT Special Town Council Minutes - Budget Forum
- 12. Town Manager Report 12-07-2020 with Appendix
  - 2020-12-05 CRC Report to Town Council
  - 2020-12-07 GOL Report to Town Council with TM Goal and Eval Timeline
  - 2020-12-07 CRC Zoning Recommendation Presentation
  - 2020-12-07 TSO Report to Town Council
  - RCVC\_2020-12-07