

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

Monday, February 22, 2021

6:30 p.m.

Virtual Meeting

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

Members Absent: None

Library Trustees Participating Remotely: Lee Edwards, Tamson Ely, Alex Lefebvre, Austin Sarat, Robert Pam, and Chris Hoffman

Others Participating Remotely: Town Manager Paul Bockelman, Library Director Sharon Sharry, Finance Director Sean Mangano, Building Commissioner Rob Morra, Planning Director Christine Brestrup, Head of Reference Information Matthew Berube, Minute-Taker Lindsey McConnell, Clerk of the Council Athena O’Keeffe, Finegold Alexander Architects Representatives Jim Alexander and Tony Hsiao,

George Barnes, Ken Guyette, Aelan Tierney, Doug Kelleher, Kent Faerber, Matthew Blumenfeld

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.

**All votes will be taken by roll call.**

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 special meeting to order at 6:32 p.m.

Library Trustees call to order at 6:58 p.m.

Library Trustees motion and vote by roll call to adjourn at 8:53 p.m.

**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.

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

- 8.a.(1) Adoption of amendments to Town Council Rules of Procedure rules 2.1, 4.3, 5.7, 8.1, 9.5. and addition of Appendix B
- 9.a. Approval of Town Manager Appointments:
  - Town Clerk
- 11.a-c. Approval of Minutes:
  - January 20, 2021 Special Town Council Meeting minutes – Joint meeting with Planning Board
  - January 25, 2021 Regular Town Council Meeting minutes
  - February 8, 2021 Regular Town Council Meeting minutes

Motion by: Griesemer

Seconded by: Ryan

**ROLL CALL VOTE:** Unanimous

- 7a. **MOTION:** To refer the Jones Library Presentation and all other accompanying documents and referenced documents to the Finance Committee to review the financial elements of each option and

provide that review to the Town Council for consideration at their meeting on Monday, April 5, 2021.

Motion by: Griesemer

Seconded by: Hanneke

**ROLL CALL VOTE:** Unanimous

**8. Action Items**

**a. Amendments to Town Council Rules of Procedure**

**(1) Rules 2.1, 4.3, 5.7, 8.1, 9.5, and addition of Appendix B – Consent Agenda**

**Rule 2.1**

**VOTED VIA CONSENT AGENDA:**

**MOVED:** To amend Town Council Rule of Procedure 2.1 by deleting subsections b. and c., adding the sentence “The President shall preside over the election of the Vice President.” as subsection b., renaming subsection d. as subsection c., and adding the following as subsection d.:

d. The Elections shall be run as follows:

1. The Presiding Officer will ask Councilors for nominations.
  - i. Nominations are limited to a name, not an explanation or discussion.
  - ii. Councilors may nominate themselves.
  - iii. Nominations do not require a second.
2. After each nomination, the Presiding Officer will ask the Councilor nominated if they accept the nomination.
  - i. Acceptance is limited to a yes or no, not an explanation or discussion.
3. When there are no further nominations, the Presiding Officer will ask each nominee, in alphabetical order by last name, if they would like to make a brief statement, up to 2 minutes long.
4. The Presiding Officer will open the floor to Councilors, excluding nominees, to make one brief statement, if they wish, on the election of the office, up to 2 minutes.
5. The Clerk of the Council will then ask Councilors to vote by written ballot.
  - i. Ballots will list the name of the Councilor voting and the name of the nominee the Councilor wishes to vote for, or “abstain”.
  - ii. The Clerk of the Council will collect the ballots and, after all ballots are submitted, read each one out loud as follows: “Councilor XX votes for Councilor YY.”
  - iii. After reading each Councilors’ vote, the Clerk of the Council will announce the results.
    1. The nominee who receives a majority of votes of the full Town Council, at least 7 yes votes, will be deemed elected to office. If no nominee receives a majority of votes of the full Town Council, the Presiding Officer will repeat the process beginning with Section d.1.
  - iv. The Clerk of the Council will swear in the officer after the election.

**Rule 4.3**

**VOTED VIA CONSENT AGENDA:**

**MOVED:** To amend Town Council Rule of Procedure 4.3 by replacing the word “shall” with the word “may”.

**Rule 5.7 and Appendix B**

**VOTED VIA CONSENT AGENDA:**

**MOVED:** To amend Town Council Rule of Procedure 5.7 by adding the following to the end of the Rule:

- Open Meeting requests under Charter Sec. 8.1 shall comply with the following procedures:
- The request shall be made in writing by at least 200 residents 18 years or older, including names and addresses. (Charter Sec. 8.1)
  - The residents making the request shall provide, through a paper or electronic document, a legible name, legible address, confirmation that they are 18 years or older, and at least one of the following for verification purposes: phone number, email address, or signature. A sample form for use that meets these requirements can be found in Appendix B.
  - The request shall be submitted to the Town Council either in person through the Clerk of the Council or by email at [towncouncil@amherstma.gov](mailto:towncouncil@amherstma.gov).
  - Once the Council President determines the request meets the requirements of Charter Sec. 8.1 and sets the date, time, and location for the meeting, the Clerk of the Council shall publish notification of the Open Meeting on the Town Bulletin Board and as a special Council meeting on the Town Calendar, and notify the first 10 residents who made the request. Notification shall be published at least 10 days in advance of the Open Meeting.

and to add Appendix B, as follows, to the Rules of Procedure:

Appendix B: Charter Sec. 8.1 Proposed Request Format (for paper or electronic use)

Town of Amherst, Massachusetts  
Request for an Opening Meeting of Residents  
*Amherst Home Rule Charter, Section 8.1*

(For the Council to call a meeting, 200 Amherst residents, 18 years or older, must be listed)

Date: \_\_\_\_\_

The following residents of the Town of Amherst submit this request under Amherst Home Rule Charter Section 8.1 to the Amherst Town Council for an Open Meeting of Residents of the Town stating the following specific issues or concerns related to matters upon which the requested body may act (include purpose(s) of the meeting):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

	<b>Legible Name (Required)</b>	<b>Legible Address (Required)</b>	<b>Check if 18 or older</b>	<b>Phone Number OR Email Address OR Signature (for verification purposes) (Must include one)</b>
<b>1</b>				
<b>2</b>				
<b>3</b>				
<b>4</b>				
<b>Etc.</b>				

**Rule 8.1**

**VOTED VIA CONSENT AGENDA:**

**MOVED:** To amend Town Council Rule of Procedure 8.1.a. by adding the following after the paragraph “Each proposed bylaw shall include a statement of authority for the Council to act with the appropriate section of the Charter or MGL clearly cited.” :

Proposed general bylaws shall be initiated and introduced by submission to the Council in one of the following manners:

1. By a Councilor Sponsor;
2. By the Town Manager or their designee;
3. By a Town Committee; or
4. By a Group Petition or by Initiative as described in [Charter Sec. 8.2\(b\), 8.3, and 8.5](#).

Proposed zoning bylaws shall be initiated and introduced by submission to the Council in one of the following manners, in accordance with M.G.L. Ch. 40A Sec. 5:

1. By a Councilor Sponsor;
2. By the Zoning Board of Appeals;
3. By the Planning Board;
4. By the Pioneer Valley Planning Commission;
5. By the Town Manager or their designee;
6. By a Town Committee;
7. By an individual owning land to be affected by the change or adoption;
8. By the request of ten (10) registered voters; or
9. By a Group Petition or by Initiative as described in [Charter Sec. 8.2\(b\), 8.3, and 8.5](#).

#### **Rule 9.5**

##### **VOTED VIA CONSENT AGENDA:**

**MOVED:** To amend Town Council Rule of Procedure 9.5 by deleting the line “A properly protested zoning bylaw change. Charter Sec. 2.10(a) and MGL Ch. 40A Sec. 5.” from the section “Items requiring at least 10 votes in favor for passage:” and inserting it in the section “Items requiring at least 9 votes in favor for passage:”, adding the line “Certain zoning bylaw changes in accordance with Charter Sec. 2.10(a) and MGL Ch. 40A Sec. 5.” to the section “Items requiring at least 7 votes in favor for passage:”, and revising the line “A zoning bylaw change. Charter Sec. 2.10(a) and MGL Ch. 40A Sec. 5” to read “Certain zoning bylaw changes in accordance with Charter Sec. 2.10(a) and MGL Ch. 40A Sec. 5.” in the section “Items requiring at least 9 votes in favor for passage:”.

#### **b. Amendments to the Town Council Policy Regarding the Control and Regulation of the Public Ways – First Discussion, no action.**

#### **9. Appointments**

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

##### **(1) Town Clerk**

##### **VOTED VIA CONSENT AGENDA:**

**MOTION:** In accordance with Charter Section 2.11(a), to approve the Town Manager’s appointment of Susan Audette as Town Clerk, as filed with the Town Clerk on February 10, 2021, and recommended by the Town Services and Outreach Committee report of February 22, 2021, effective immediately.

#### **11. Approval of Minutes**

##### **VOTED VIA CONSENT AGENDA:**

**MOTION:** To adopt the following Town Council meeting minutes, as presented:

- January 20, 2021 Special Town Council Meeting minutes – Joint meeting with Planning Board
- January 25, 2021 Regular Town Council Meeting minutes
- February 8, 2021 Regular Town Council Meeting minutes

The Council adjourned at 10:40 p.m.