

Town of Amherst
UNOFFICIAL RECORD OF VOTES OF THE TOWN COUNCIL

Monday, October 17, 2022

5:30 p.m.

Virtual Meeting

Councilors in attendance: Griesemer, Devlin Gauthier

Councilors participating remotely: Bahl-Milne, De Angelis, Hanneke, Pam, Steinberg, Miller, Rooney, Taub, Lopes, Walker (joined at 5:40 p.m.)

Councilors Absent: Schoen

Staff in attendance: Town Manager Bockelman, Clerk of the Council O’Keeffe

Others Participating Remotely: Assistant Town Manager Ziomek, Building Commissioner Morra, Finance Director Mangano, Principal Assessor Mew, Police Chief Livingstone, DEI Director Young

Community Safety and Social Justice Committee members participating remotely: Philip Avila, Allegra Clark, Freke Ete, Debora Ferreira, Pat Ononibaku, Demetria Shabazz

When remote participation is used, 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.

President Griesemer called the Council Work Session to order at 5:30 p.m.; adjourned at 6:30 p.m.

President Griesemer called the Council Public Forum to order at 6:30 p.m.; adjourned at 6:48 p.m.

President Griesemer called the Regular Town Council meeting to order at 6:48 p.m.; adjourned at 9:12 p.m.

5. 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:

- 8.a. Approval of the following Financial Orders:
 - FY23-04B Supplemental Operating Budget
 - FY23-05B Capital Improvement Program – Roads and Sidewalks
 - ~~FY23-05C Capital Improvement Program – School Track and Field~~ Removed by Pam
 - FY23-12A Free Cash to Stabilization Fund
 - FY23-14C Stabilization to Capital Stabilization Fund
 - FY23-15 Establish a Stabilization Fund for the Purpose of Capital
- 8.b. Authorization of the November 8, 2022 Election Warrant

- 8.c. Referral of Proposed Changes to Recently Adopted Bylaw 3.39: Street Numbering of Buildings to Governance, Organization, and Legislation Committee
- 8.d. Authorization for Town Council President to Sign the Letter to the UMass Amherst Chancellor Search Committee on Behalf of the Town Council
- 11.a. Approval of the following Town Council Meeting Minutes
 - October 3, 2022 Regular Town Council Meeting Minutes

Motion by: Griesemer

Seconded by: Walker

ROLL CALL VOTE: Unanimous, 12-0, with 1 absent (Schoen)

6. Resolutions and Proclamations – *None*

7. Presentation and Discussion

MOTION: To refer the matter of the incident occurring on July 5th involving two police officers and 9 youths to the CSSJC, HRC, and the AHRA to collaboratively review the incident with the input of the DEI department and other appropriate staff, and in consultation with the town attorney, for the purposes of making a recommendation to the Town Council to repair the harm and reconcile the incident by November 21, 2022.

Motion by: Miller

Seconded by: Walker

No vote taken. Hanneke utilized Charter sec. 2.10(c) right to postpone to next Council meeting.

8. Action Items

a. Transfer and Appropriation Orders and Creation of a Stabilization Fund for the Purpose of Capital

1) FY23-04B Supplemental Operating Budget

VOTED VIA CONSENT AGENDA: To adopt appropriation and transfer order FY23-04B: An Order Appropriating a supplemental increase to the Town of Amherst Operating Budget for Fiscal Year 2023, recommended by Finance Committee on October 17, 2022, and shown on page 7 of the Draft Motions sheet.

2) FY23-05B Capital Improvement Program – Roads and Sidewalks

VOTED VIA CONSENT AGENDA: To adopt appropriation and transfer order FY23-05B: An Order Appropriating Funds for a Portion of the Town of Amherst Capital Program – Road and Sidewalk Repairs, recommended by Finance Committee on October 17, 2022, and shown on page 8 of the Draft Motions sheet.

3) FY23-05C Capital Improvement Program – School Track and Field

MOVED: To adopt appropriation and transfer order FY23-05C: An Order Appropriating Funds for a Portion of the Town of Amherst Capital Program – School Track and Field Rehabilitation, recommended by Finance Committee on October 17, 2022, and shown on page 9 of the Draft Motions sheet.

(Majority vote)

Motion by: Griesemer

Seconded by: Devlin Gauthier

No vote taken. De Angelis utilized Charter sec. 2.10(c) right to postpone to next Council meeting.

- 4) **FY23-15 Establish a Stabilization Fund for the Purpose of Capital**
VOTED VIA CONSENT AGENDA: To adopt Approval Order FY23-15: An Order Creating a Special Purpose Stabilization Fund for Capital Projects, as shown on page 10 of the Draft Motions sheet.

- 5) **FY23-12A Free Cash to Capital and Repairs Stabilization Funds**
VOTED VIA CONSENT AGENDA: To adopt appropriation and transfer order FY23-12A: An Order Appropriating from Free Cash to the Stabilization funds, recommended by Finance Committee on October 17, 2022, and shown on page 11 of the Draft Motions sheet.

- 6) **FY23-14C Stabilization to Capital Stabilization**
VOTED VIA CONSENT AGENDA: To adopt appropriation and transfer order FY23-14C: An Order Appropriating from the General Stabilization Fund to the Capital Stabilization Fund, recommended by Finance Committee on October 17, 2022, and shown on page 12 of the Draft Motions sheet.

- b. **November 8, 2022 Election Warrant**
VOTED VIA CONSENT AGENDA: To approve the warrant for the November 8, 2022 State Election for posting.

- c. **Proposed Amendments to General Bylaw 3.39: Street Numbering of Buildings**
VOTED VIA CONSENT AGENDA: To refer the proposed changes to the Governance, Organization, and Legislation Committee, for substantive review, review of clarity, consistency, and actionability, and recommendation by December 1, 2022.

- d. **Authorization for Town Council President to Sign Letter to UMass Amherst Chancellor Search Committee on Behalf of the Town Council**
VOTED VIA CONSENT AGENDA: To authorize the Town Council President to submit the letter to UMass Amherst Chancellor Search Committee on behalf of the Town Council, as presented.

9. **Appointments - None**

11. **Approval of Minutes**
 - a. **October 3, 2022 Regular Town Council Meeting Minutes**
VOTED VIA CONSENT AGENDA: To approve the following Town Council meeting minutes, as presented:
 - October 3, 2022 Regular Town Council Meeting Minutes

MOTION: To adjourn the meeting.

Motion by: Miller

Seconded by: De Angelis

ROLL CALL VOTE: 7-5 with 1 absent (De Angelis, Lopes, Miller, Pam, Rooney, Taub, Walker; Bahl-Milne, Devlin Gauthier, Griesemer, Hanneke, and Steinberg voted No; Schoen was absent)

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OPERATING BUDGET APPROPRIATIONS:

APPROPRIATION and TRANSFER ORDER FY23-04B

An Order Appropriating a supplemental increase to the Town of Amherst Operating Budget for Fiscal Year 2023. (majority vote)

BE IT ORDERED by the Town Council of the Town of Amherst that:

The sum of **\$351,938** be appropriated to increase the Town of Amherst operating budget for the fiscal year beginning July 1, 2022, and to meet such appropriation, raise and appropriate **\$351,938**, as set forth for each operating budget category in the table entitled: Appropriation Order FY23-04B Supplemental Town of Amherst Operating Budget,

Appropriation Order FY23-04B – Town of Supplemental Amherst Operating Budget

FY23 SUPPLEMENTAL	
MUNICIPAL OPERATING BUDGET	130,139
ELEMENTARY SCHOOLS	125,262
REGIONAL SCHOOL GIFT	85,845
LIBRARY SERVICES - (TAX SUPPORT)	10,692
	351,938

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above Order was adopted by a vote of ____ for, ____ against and ____ present on _____, 2022.

Athena O’Keeffe, Town Council Clerk

J. Lynn Griesemer, Council President

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CAPITAL IMPROVEMENT PROGRAM
APPROPRIATIONS:

APPROPRIATION and TRANSFER ORDER - FY23 – 05B

An Order Appropriating Funds for a Portion of the Town of Amherst Capital Program – Road and Sidewalk Repairs (*majority vote*)

BE IT ORDERED by the Town Council of the Town of Amherst that:

The Town appropriate the **sum total \$1,000,000** for road and sidewalk repairs, and to meet such appropriation, transfer, \$1,000,000, Free Cash for appropriation, and further to authorize the application for and acceptance of any gifts, bequests, or grants.

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above Order was adopted by a vote of _____ for, _____ against and _____ present on , 2022.

Athena O’Keeffe, Town Council Clerk

J. Lynn Griesemer, Council President

CAPITAL IMPROVEMENT PROGRAM
APPROPRIATIONS:

APPROPRIATION and TRANSFER ORDER - FY23 – 05C

An Order Appropriating Funds for a Portion of the Town of Amherst Capital Program – School Track and Field Rehabilitation. (*majority vote*)

BE IT ORDERED by the Town Council of the Town of Amherst that:

The Town appropriate the **sum total \$900,000** for School Track and Field Rehabilitation (Option 3 in Weston and Sampson Report dated February 11, 2022), and to meet such appropriation, transfer, \$900,000, from Free Cash for appropriation, and further to authorize the application for and acceptance of any gifts, bequests, or grants.

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above Order was adopted by a vote of _____ for, _____ against and _____ present on _____, 2022.

Athena O’Keeffe, Town Council Clerk

J. Lynn Griesemer, Council President

OTHER FINANCIAL
ORDERS

APPROVAL ORDER #: FY23-15

An Order Creating a Special Purpose Stabilization Fund for Capital Projects (*2/3 majority vote required*)

BE IT ORDERED by the Town Council of Amherst that: The Town votes, pursuant to G.L. c.40, §5B to establish a new special purpose stabilization fund, to be known as the Capital Stabilization Fund, from which appropriations may be made by a 2/3 vote of the Town Council for lawful Capital purposes.

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above Order was adopted by a vote of _____ for, _____ against and _____ present on _____, 2022.

Athena O’Keeffe, Town Council Clerk

J. Lynn Griesemer, Council President

OTHER FINANCIAL
ORDERS

**APPROPRIATION and TRANSFER ORDER FY23-12A
Town of Amherst Free Cash and Stabilization Fund**

An Order Appropriating from Free Cash to the Stabilization funds (*Majority Vote*)

The Policy on reserves states that if Free Cash exceeds 5% of operating revenue, the excess may be appropriated and transferred to a Stabilization Fund; the State has certified the Town's Free Cash for the fiscal year ending June 30, 2022, at \$8,207,716,

BE IT ORDERED by the Town Council of the Town of Amherst that: The Town appropriate and Transfer the sum of \$1,812,450 from Free Cash in the Undesignated Fund Balance of the General Fund to the Stabilization Funds as follows;

\$1,678,120 to be transferred to the Capital Stabilization Fund
\$134,330 to be transferred to the Reparatons Stabilization Fund

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above Order was adopted by a vote of _____ for, _____ against and _____ present on _____, 2022.

Athena O'Keeffe, Town Council Clerk

J. Lynn Griesemer, Council President

OTHER FINANCIAL
ORDERS

APPROPRIATION and TRANSFER ORDER FY23-14C

Town of Amherst Stabilization Fund Transfer to Capital Stabilization Fund

An Order Appropriating from the General Stabilization Fund to the Capital Stabilization Fund

(2/3 vote required)

BE IT ORDERED by the Town Council of the Town of Amherst that: The Town appropriate and Transfer the sum of \$7,609,345 from the General Stabilization Fund to the Capital Stabilization Fund.

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above Order was adopted by a vote of _____ for, _____ against and _____
_____ present on _____, 2022.

Athena O’Keeffe, Town Council Clerk

J. Lynn Gieseemer, Council President