

Town of Amherst
UNOFFICIAL RECORD OF VOTES OF THE TOWN COUNCIL

Monday, November 21, 2022

6:00 p.m.

Councilors in attendance: Bahl-Milne, Devlin Gauthier, Griesemer, Hanneke, Lopes, Rooney, Steinberg, Taub

Councilors participating remotely: Miller, Pam, Schoen, Walker

Councilors Absent: De Angelis

Finance Committee members in attendance: None

Finance Committee members attending remotely: Hegner, Holloway

Finance Committee members absent: Kubiak

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

Staff and others Participating Remotely: Assistant Town Manager Ziomek, Finance Director Mangano, Comptroller Aldrich, Superintendent Morris, Ziomek, Ben Herrington, Allison McDonald, Sarahbess Kenney

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 Special Town Council Meeting: Public Forum on the Budget to order at 6:06 p.m. p.m.; adjourned at 7:25 p.m.

Steinberg called the special Finance Committee meeting: Public Forum on the Budget to order at 6:07 p.m.; adjourned at 7:25 p.m.

President Griesemer called the Regular Town Council meeting to order at 7:25 p.m.; adjourned at 12:13 a.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:

- 6.a. Human Rights Day Proclamation 2022
- 6.b. Proclamation in Support of Small Business Saturday® and Merry Days
- 6.c. Citation in Honor of Monte’s March for the Food Bank
- 8.a. Approval of Eversource Request for Pole Placement at 142 High Street

- 8.b. Authorization for Town Manager to Negotiate Acceptance of Kestrel Lane and Hop Brook Road as Public Ways

Motion by: Griesemer

Seconded by: Devlin Gauthier

ROLL CALL VOTE: 12-0, with 1 absent

Bahl-Milne, Devlin Gauthier, Griesemer, Hanneke, Lopes, Miller, Pam, Rooney, Schoen, Steinberg, Taub, Walker; De Angelis absent

3. Hearings

a. Eversource Request for Pole Placement at 142 High Street

MOVED: To close the public hearing on Eversource’s Request for Pole Placement at 142 High Street.

Motion by: Griesemer

Seconded by: Hanneke

ROLL CALL VOTE: 11-0, 1 abstention, 1 absent

Bahl-Milne, Devlin Gauthier, Griesemer, Hanneke, Lopes, Miller, Rooney, Schoen, Steinberg, Taub, Walker; Pam Abstained; De Angelis is absent

6. Resolutions and Proclamations

a. Human Rights Day Proclamation 2022

VOTED VIA CONSENT AGENDA: To adopt the Human Rights Day Proclamation 2022, as presented.

b. Proclamation in Support of Small Business Saturday® and Merry Days

VOTED VIA CONSENT AGENDA: To adopt the Proclamation in Support of Small Business Saturday® and Merry Days, as presented.

c. Citation in Honor of Monte’s March for the Food Bank

VOTED VIA CONSENT AGENDA: To adopt the Citation in Honor of Monte’s March for the Food Bank, as presented.

8. Action Items

a. Eversource Request for Pole Placement at 142 High Street

VOTED VIA CONSENT AGENDA: To approve the order for pole location on High Street titled “ORDER FOR POLE LOCATIONS” dated September 9, 2022, at 142 High Street as indicated on the plan marked 80310485.

b. Authorization for Town Manager to Negotiate Acceptance of Kestrel Lane and Hop Brook Road as Public Ways

VOTED VIA CONSENT AGENDA: To authorize the Town Manager to negotiate with Tofino Associates, with the homeowners on Kestrel Lane and Hop Brook Road participating as appropriate, to reach a resolution regarding acceptance of Kestrel Lane and Hop Brook Road as public ways, with final approval of the negotiated resolution and acceptance of Kestrel Lane and Hop Brook Road as public ways by the Town Council at

a future date.

c. 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

POSTPONED on October 18: 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 6 of the Draft Motions sheet.

(Majority vote)

Motion by: Griesemer

Seconded by: Devlin Gauthier

ROLL CALL VOTE: 6-6, with 1 absent

Yea: Bahl-Milne, Devlin Gauthier, Griesemer, Hanneke, Lopes, Steinberg

Nay: Miller, Pam, Rooney, Schoen, Taub, Walker

Present (abstain): - - -

Absent: De Angelis

The motion fails.

MOTION: To amend 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 shown on page 6 of the Draft Motions sheet by adding the following:

Provided that the Regional SC votes to establish a public advisory group including residents, students, municipal government officials, and public health officials from member towns; to evaluate and make formal recommendations on the selection of material options, testing requirements and environmental impact; allow for public input, and solicit advice from experts in the applicable areas; And specifically, to ensure that materials are validated by independent third-party testing to contain zero or near-zero levels of PFAS, in accordance with the guidelines established from the advisory group's recommendations."

After the phrase February 11, 2022

Motion by: Hanneke

Seconded by: Bahl-Milne

ROLL CALL VOTE: 6-6 with 1 absent

Yea: Bahl-Milne, Devlin Gauthier, Griesemer, Hanneke, Lopes, Steinberg

Nay: Miller, Pam, Rooney, Schoen, Taub, Walker

Present (abstain): - - -

Absent: De Angelis

The motion fails.

MOTION: Call the question

Motion by: Schoen

Seconded by: Miller

ROLL CALL VOTE: 11-1, with 1 absent

Yea: Bahl-Milne, Devlin Gauthier, Griesemer, Hanneke, Lopes, Miller, Pam, Rooney, Schoen, Taub, Walker

Nay: Steinberg

Present (abstain): - - -

Absent: De Angelis

d. Proposed Amendments to General Bylaw 3.22: Discharging of Firearms – First Reading – no action

9. Appointments - *None*

11. Approval of Minutes – *None*

15. Executive Session - *Postponed*

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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