

Town of Amherst
UNOFFICIAL RECORD OF VOTES OF THE TOWN COUNCIL

Monday, December 5, 2022

5:30 p.m.

Councilors in attendance: Bahl-Milne, De Angelis, Devlin Gauthier, Griesemer, Hanneke, Lopes, Schoen, Steinberg, Taub

Councilors participating remotely: Miller, Pam, Rooney, Walker (joined at 5:38 p.m.)

Councilors Absent:

Staff and others in attendance: Town Manager Bockelman, Assistant Town Manager Ziomek, Clerk of the Council O'Keefe

Staff and others Participating Remotely: Finance Director Mangano, DPW Superintendent Mooring, Amherst Schools Superintendent Morris, Amherst Schools Athletic Director Dawson, Building Commissioner Morra

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 Town Council meeting to order at 5:32 p.m.; adjourned at 12:02 a.m. from executive session.

Town Council entered executive session at 5:35 p.m.; returned to open session at 6:38 p.m.

The Town Council entered executive session at 11:40 p.m. and adjourned at 12:02 a.m. in executive session.

1. Call to Order

Executive Session

MOVED: To convene in executive session in accordance with MGL c.30A, s.21(a)6, to consider the purchase, exchange, lease, or value of real property; the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body; the Town Council will reconvene in open session.

Motion by: Griesemer

Seconded by: Devlin Gauthier

ROLL CALL VOTE: 12-0, 1 absent

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

Nay: None

Present (abstain): None

Absent: Walker

3. Hearings – None

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.d. Referral to Finance Committee: Proposed Purchase of Real Property: 457 Main Street
- 8.i. Authorization for Town Council President and Finance Committee Chair to speak on behalf of the Town Council at the December 17, 2022 Four Towns Meeting

Motion by: Griesemer

Seconded by: Devlin Gauthier

ROLL CALL VOTE: Unanimous in favor

6. Resolutions and Proclamations – None

8. Action Items

a. Reconsideration of November 21, 2022 Town Council vote: 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

MOTION: Based on the submission of new information, I move as a member of the non-prevailing side to reconsider the Town Council’s vote of November 21, 2022 on the 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

Motion by: Griesemer

Seconded by: Devlin Gauthier

ROLL CALL VOTE: 9-3, 1 abstention

Yea: Bahl-Milne, De Angelis, Devlin Gauthier, Griesemer, Hanneke, Lopes, Miller, Steinberg, Taub

Nay: Pam, Rooney, Walker

Present (abstain): Schoen

Absent: None

MOTION ON THE FLOOR IF RECONSIDERATION PASSES: 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 November 21, 2022 Draft Motions sheet, as amended.

ROLL CALL VOTE: Unanimous in favor

MOTION: To amend the motion by adding the words “2 or”

Motion by: Miller

Seconded by: Schoen

ROLL CALL VOTE: Unanimous in favor

MOTION: To call the previous question.

Motion by: De Angelis

Seconded by: Hanneke

ROLL CALL VOTE: 12-1

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

Nay: Rooney

Present (abstain): None

Absent: None

MOTION To adopt the RESOLUTION CONCERNING THE SAFETY OF THE AMHERST PELHAM REGIONAL HIGH SCHOOL ATHLETIC COMPLEX, as presented.

Motion by: Griesemer

Seconded by: Miller

Postponed by Bahl-Milne via Charter sec. 2.10(c) to the next regular or special Town Council meeting.

MOTION: To waive Town Council Rules of Procedure rule 8.6 for the current agenda item.

Motion by: Hanneke

Seconded by: De Angelis

ROLL CALL VOTE: 11-2

Yea: De Angelis, Devlin Gauthier, Griesemer, Hanneke, Lopes, Miller, Pam, Schoen, Steinberg, Taub, Walker

Nay: Bahl-Milne, Rooney

Present (abstain): None

Absent: None

MOTION:

1. That the Town issue a statement to the SC and students indicating our commitment to addressing the entire athletic complex.
2. Refer this motion immediately to the finance committee to determine:
 - a). A phased approach to ensure the repair and maintenance of all fields located at the middle and high school
 - b). Allocate/identify funding within the FY24 budget to commence the repair of at least one of the athletic fields located at the high school
 - c). Funding required for the town to hire someone to oversee the ongoing maintenance of these and all town (owned) fields. This person would coordinate with key stakeholders including but not limited to DPW workers, the Athletic Director and the Rec department.

Motion by: Walker

Seconded by: Pam

ROLL CALL VOTE: 4-7, 2 abstain

Yea: Miller, Pam, Taub, Walker

Nay: De Angelis, Devlin Gauthier, Griesemer, Hanneke, Rooney, Schoen, Steinberg

Present (abstain): Bahl-Milne, Lopes

Absent: None

MOTION: To call the previous question.

Motion by: Hanneke

Seconded by: De Angelis

ROLL CALL VOTE: 9-4

Yea: De Angelis, Devlin Gauthier, Griesemer, Hanneke, Lopes, Rooney, Schoen, Steinberg, Taub

Nay: Bahl-Milne, Miller, Pam, Walker

Present (abstain): None

Absent: None

MOTION: Move to postpone items 8.b., 8.c., 8.e., and 8.f. to Monday, December 12, 2022 at 6:30 pm

Motion by: Hanneke

Seconded by: Taub

ROLL CALL VOTE: Unanimous in favor

- b. **Proposed Amendments to Zoning Bylaw Article 3, Use Regulations, Article 5, Accessory Uses, Article 11, Administration and Enforcement, and Article 12, Definitions – First Reading**
Postponed to December 12, 2022
- c. **Proposed Revisions to Zoning Bylaws Article 2, Zoning Districts, Article 3, Use Regulations, and Article 16, FEMA Floodplain Overlay District; Zoning Bylaw: Official Zoning Map – FEMA Floodplain Overlay District; Flood Insurance Rate Maps (FIRM); Flood Insurance Study dated February 9, 2023 – First Reading**
Postponed to December 12, 2022
- d. **Proposed Purchase of Real Property: 457 Main Street – Consent Agenda**
VOTED VIA CONSENT AGENDA: To refer the proposed order FY23-20B: VFW Purchase – An Order Authorizing the Acquisition of Property for Sheltering, Affordable Housing, Supportive/Transitional Housing and/or Supportive Services Purposes to the Finance Committee, with a report to the Town Council by January 23, 2023.
- e. **Proposed Amendments to General Bylaw 3.22: Discharging of Firearms – First Reading**
Postponed to December 12, 2022

f. Town Manager Goals – First Discussion

Postponed to December 12, 2022

g. Financial Guidelines – First Discussion

h. Final Draft of the Town Manager Evaluation

MOTION: To adopt the 2023 Town Manager Performance Evaluation, as presented.

Motion by: Griesemer

Seconded by: Hanneke

ROLL CALL VOTE: Unanimous in favor

i. Authorization for Town Council President and Finance Committee Chair to speak on behalf of the Town Council at the December 17, 2022 Four Towns Meeting – Consent Agenda

VOTED VIA CONSENT AGENDA: To designate the Town Council President and Finance Committee Chair to speak on behalf of the Town Council at all Four Towns Meetings on December 17, 2022.

9. Appointments - None

11. Approval of Minutes - None

15. Executive Session

MOVED: To convene in executive session for the following purposes:

- In accordance with MGL c.30A, §21(a)2, to conduct strategy sessions in preparation for negotiations with nonunion personnel, Town Manager Paul Bockelman
- In accordance with MGL c.30A, §21(a)2, to conduct contract negotiations with nonunion personnel, Town Manager Paul Bockelman
- In accordance with MGL c.30A, s.21(a)7, to approve the executive session minutes of May 16, 2022

The Town Council will not reconvene in open session.

Motion by: Griesemer

Seconded by: Hanneke

ROLL CALL VOTE: Unanimous in favor

The Town Council entered executive session at 11:40 p.m. and adjourned at 12:02 a.m. in executive session.