



Town of Amherst
Town Council Meeting
Monday, December 3, 2018 8:00 p.m.
Town Room, Town Hall
4 Boltwood Avenue

Minutes

Complete video is available online: <https://amherstmedia.org/content/amherst-town-council-december-3-2018>

Roll call votes are included on RECORD OF ROLL CALL VOTES attached to these minutes.

1. Call to Order and Declaration of a Quorum

Councilor Pam declared the presence of a quorum and called the first regular Amherst Town Council meeting to order at 8:00 pm.

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

Councilors absent: none

Councilors participating remotely: none

Others present: Town Manager Paul Bockelman, Town Clerk Margaret Nartowicz, Town Attorney Joel Bard.

Councilor Pam announced audio and video recording by Amherst Media.

2. Council Comments

Brief remarks by Councilors Steinberg, Brewer, Schoen, Swartz, De Angelis, Pam, Ryan, Ross, Schreiber, Bahl-Milne, and DuMont.

3. Public Comment

Andra Rose of District 3 spoke about the importance of the council working as a team, rather than in factions, the role of the Vice President of the Council, and about the need for fresh faces in leadership.

Julian, a young Amherst resident, had a question about who was running for President and Vice President of the Council.

Kitty Axelson-Berry of District 2, expressed the need for the Council to overcome divisiveness, the importance of the roles of President and Vice President, and the desire to have Town Council meeting minutes posted quickly.

Nancy Bair of District 1, and a member of the District 1 neighborhood association, commented that she was unhappy with divisiveness of the election, and hopes that the council can move past that.

Jeff Blaustein of District 2 commented that he would like the council to move past PAC councilors vs. independent councilors and work together.

4. Election of Officers

a. President

Councilor Pam opened the floor for Council President nominations. Councilor Hanneke nominated Councilor Griesemer, who accepted the nomination. With no other nominations, Councilor Pam declared nominations closed and invited Councilor Griesemer to make a brief statement.

VOTED 12-0-1 by roll call, with Councilor Pam abstaining, to elect Councilor Griesemer as Council President.

Once sworn in as Council President by the Town Clerk, President Griesemer took the seated position at the head of the Council chamber and made a brief statement on her election.

Douglas Slaughter presented Council President Griesemer with the Town Meeting Moderator's gavel.

b. Vice President

President Griesemer opened the floor for nominations. Councilor Schoen nominated Councilor Swartz, who accepted the nomination. Councilor Ross nominated Councilor Hanneke, who accepted the nomination. With no other nominations, President Griesemer declared nominations closed and invited Councilors Hanneke and Swartz to make brief statements. The Town Clerk called the roll and all subsequent rolls alphabetically beginning with the next name in order, with each Councilor stating the name of the person they chose to serve as President. After 4 rounds of roll call votes, each resulting in a vote of 6-6 with President Griesemer abstaining, President Griesemer called for a 2nd round of nominations. Councilor Ross nominated Councilor Hanneke, who accepted the nomination. Councilor Schoen nominated Councilor Swartz, who accepted the nomination. Councilor Brewer self-nominated. With no other nominations, President Griesemer declared nominations closed and invited Councilors Hanneke, Swartz and Brewer to make brief statements.

VOTED 7-6 by roll call, with Councilors Brewer, De Angelis, DuMont, Pam, Schoen and Swartz voting against, to elect Councilor Hanneke as Vice President.

Vice President Hanneke was sworn in by the Town Clerk.

5. Appointment of Clerk of the Council

MOTION: Councilor Steinberg moved to appoint Town Clerk Margaret Nartowicz as Clerk of the Council, second by Councilor Pam. Councilor Brewer requested clarification on the duties of the position. The Town Manager stated that the Council is free to appoint whomever they choose as Clerk.

VOTED unanimously to appoint Margaret Nartowicz as Clerk of the Council.

Margaret Nartowicz was sworn in as Clerk of the Council by President Griesemer.

6. Resolutions and Proclamations

Resolution Regarding Past Contributors to the Town of Amherst

President Griesemer read a Resolution Regarding Past Contributors to the Town of Amherst into the record.

MOTION: President Griesemer moved, second by Councilor De Angelis to adopt the resolution as read.

VOTED unanimously to adopt the Resolution Regarding Past Contributors to the Town of Amherst.

7. Action and discussion items

- a. Bylaw Review Committee Report
 - i. Adoption of Rules of Procedure

Rules and Procedures prepared by the Bylaw Review Committee were presented to the Council in draft form by Robert Ritchie and Bernard Kubiak.

MOTION: President Griesemer moved to adopt the Rules and Procedures as presented.

Discussion to determine which rules needed to be adopted immediately and which can be sent to committee for further review.

MOTION: Councilor Hanneke moved, second by Councilor De Angelis to amend the motion to adopt only the following sections of the rules as presented:

- Parliamentary Procedure
- Conduct of Meetings, Preservation of Order & Appeals from Decision of President
- Public Comment
- Hearings
- Debate Decorum
- Spectator Decorum

MOTION: Councilor Brewer moved, second by Councilor Hanneke to amend the amendment with following changes:

- Hearings section, item 3, add: “a. Public asking questions,” and re-letter existing items a-c.
- Public comments section, item 1: strike out “regardless of whether it was listed on the Council agenda.”
- Public comments section, item 2: strike out “Where more than 20 persons have registered for public comment, comment time shall be limited to 2 minutes. Comments offered shall be a respectful manner.”

VOTED 11-2 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilors Steinberg and Ryan voted No) to amend the amendment with Councilor Brewer’s edits.

MOTION: Councilor Pam moved, second by Councilor Steinberg to amend the amendment to include the Conflict of Interest section.

VOTED 12-1 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ryan, Schoen, Schreiber, Steinberg, and Swartz voted Yes; Councilor Ryan voted No) to amend the amendment with the addition of the Conflict of Interest section.

Discussion about adoption of provisional rules.

VOTED 11-1-1 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilor Ross voted No; Councilor Steinberg abstained) to adopt the following rules:

- Parliamentary Procedure
- Conduct of Meetings, Preservation of Order & Appeals from Decision of President
- Public Comment, with deletions
- Hearings, with additions
- Debate Decorum
- Spectator Decorum
- Conflict of Interest

MOTION: Councilor Pam moved, second by Councilor Steinberg to create an ad hoc committee to establish Town Council Rules and Procedures.

VOTED unanimously to create an Ad Hoc Committee to Establish Town Council Rules and Procedures.

Discussion of committee's charge: within 2 months, establish a set of temporary rules, and permanent rules must be brought to Town Council within 6 months.

President Griesemer appointed Councilors Dumont, Brewer, Schoen, and Hanneke to the Ad Hoc Committee to Establish Town Council Rules and Procedures.

ii. Repeal and Replace Existing General Bylaws

Bylaw Review Committee members Robert Ritchie and Bernard Kubiak presented the Committee's Report and recommendations.

Discussion of changes to bylaws, the reassignment of responsibilities from Town Meeting and Select Board to Town Council, Town Manager, and Licensing Commission, the reorganization of the bylaws format, the urgency of adoption of bylaws, and whether a delay would create a potential liability for the Town.

MOTION: Councilor Brewer moved, second by Councilor Pam to establish a bylaw review committee of the council in accordance with 10.7 (v) of the Charter.

VOTED unanimously to establish a Bylaw Review Committee of the Council, in accordance with the Town Charter, section 10.7 (v).

Discussion regarding appointing authority, charge, and membership of Bylaw Review Committee.

b. Memo from Select Board on Multiple-Member Bodies

No action taken

c. Next meeting date and time

December 8th at 9:00 am, Amherst Regional Middle School - Four Towns' Meeting.

MOTION: Councilor Brewer moved, second by President Griesemer to allow Councilor Steinberg to speak on behalf of the Council at Four Towns' Meeting.

Discussion of Town Council's role at Four Towns' Meeting.

VOTED unanimously to allow Councilor Steinberg to speak on behalf of the Council at the Four Towns' Meeting on December 8th, 2018.

MOTION: Councilor Pam moved, second by President Griesemer, to meet on the first and third Mondays of the month, unless a Monday falls on a holiday, in which case the council will schedule an alternate date.

Discussion about meeting dates.

VOTED 12-0-1 (Councilors Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, and Swartz voted Yes; Councilor Steinberg abstained) to meet on the 1st and 3rd Monday of each month.

Discussion about meeting start and end times.

MOTION: Councilor Pam moved, second by Councilor Hanneke, to begin meetings at 7:00 pm with an end time of 10:00 pm.

VOTED unanimously to meet at 7:00 pm, and adjourn by 10:00 pm, unless there is an extraordinary or emergency circumstance.

MOTION: Councilor De Angelis moved to reconvene on December 10th.

Discussion of potential agenda topics and timelines for packet delivery to Council members.

VOTED informally to reconvene on December 10th at 7:00 pm.

2. Public Comment

Barbara Pearson of District 3 commented that the public comment period would be at the end of Council meetings, that the end of meetings may be late at night, and that if the public wished to comment on agenda items before the Council votes, they would not hear comments prior to a vote.

Krista Oesterling Rising of District 5 commented that the vote for Vice President of the Council did not heal the town, as some councilors remarked they must do after a contentious election, and that the Council elected the favorite candidate.

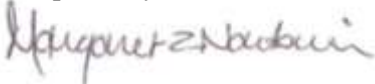
3. Topics not reasonably anticipated by the President 48 hours in advance

None

4. Adjourn

VOTED unanimously to adjourn at 12:04 a.m. on December 4, 2018.

Respectfully submitted:



Margaret Z. Nartowicz
Town Clerk and Clerk of the Council

Attachments: Record of Roll Call Vote
Record of Agenda Packet Materials and Documents Presented

**AMHERST TOWN COUNCIL
RECORD OF ROLL CALL VOTES**

Monday, December 3, 2018

AGENDA ITEM # Vote #	4. a.	4. b.	4. b.	4. b.	4. b.	4. b.
	1	1	2	3	4	5
BAHL-MILNE SHALINI	Griesemer	Hanneke	Hanneke	Hanneke	Hanneke	Hanneke
BREWER, ALISA	Griesemer	Swartz	Swartz	Swartz	Swartz	Swartz
DEANGELIS, PATRICIA	Griesemer	Swartz	Swartz	Swartz	Swartz	Swartz
DUMONT, DARCY	Griesemer	Swartz	Swartz	Swartz	Swartz	Swartz
GRIESEMER, LYNN	Griesemer	Abstain	Abstain	Abstain	Abstain	Hanneke
HANNEKE, MANDI JO	Griesemer	Hanneke	Hanneke	Hanneke	Hanneke	Hanneke
PAM, DOROTHY	Abstain	Swartz	Swartz	Swartz	Swartz	Swartz
ROSS, EVAN	Griesemer	Hanneke	Hanneke	Hanneke	Hanneke	Hanneke
RYAN, GEORGE	Griesemer	Hanneke	Hanneke	Hanneke	Hanneke	Hanneke
SCHOEN, CATHY	Griesemer	Swartz	Swartz	Swartz	Swartz	Swartz
SCHREIBER, STEPHEN	Griesemer	Hanneke	Hanneke	Hanneke	Hanneke	Hanneke
STEINBERG, ANDREW	Griesemer	Hanneke	Hanneke	Hanneke	Hanneke	Hanneke
SWARTZ, SARAH	Griesemer	Swartz	Swartz	Swartz	Swartz	Swartz
TOTALS	Griesemer (12) Abstention (1)	Hanneke (6) Swartz (6) Abstain (1)	Hanneke (6) Swartz (6) Abstain (1)	Hanneke (6) Swartz (6) Abstain (1)	Hanneke (6) Swartz (6) Abstain (1)	Hanneke (7) Swartz (6)

Majority Vote: 7

Record of Agenda Packet Materials and Documents Presented

- 6. a. Resolution Regarding Past Contributors to the Town of Amherst
- 7. a. Bylaw Review Committee Report
 - i. MEMORANDUM 12/3/18 – REVISED Town Council Rules and Procedures
DRAFT Town of Amherst Council Rules and Procedures – Revised 11/30/18
 - ii. DRAFT Revised General Bylaws 11/29/18
- b. Memo from Select Board on Multiple-Member Bodies