



**Town of Amherst  
Special Town Council Meeting  
Monday, March 30, 2020  
6:30 p.m.  
Virtual Meeting**

**Minutes**

Complete video is available online: <https://amherstmedia.org/content/amherst-town-council-march-30-2020>

**1. Call to Order**

President Griesemer declared that a quorum is connected and called the meeting to order at 6:37 p.m.

**2. Announcements**

President Griesemer made the following announcements:

Upcoming Town Council Meetings:

Monday, April 6, 2020 6:30 pm

Monday, April 13, 2020 6:30 pm

Upcoming standing committee meetings

- Monday, April 6, 2020, 9:30 AM – Town Services and Outreach (TSO) Organizing Meeting
- Tuesday, April 7, 2020, 2:30 PM – Finance Committee
- Wednesday, April 8, 2020, 8:30 AM – Community Resources Committee (CRC)
- Wednesday, April 8, 2020, 10:30 AM – Governance, Organization, and Legislation Committee (GOL)

Joint meetings of Town Council and School Committee to fill School Committee Vacancy, Town Room, Town Hall:

- Tuesday, April 14, 6:00 p.m. – Candidate interviews and possible joint Council and School Committee vote to select a candidate
- Thursday, April 16, 6:00 p.m. – Continued candidate interviews, if needed, and joint Council and School Committee vote to select a candidate

Volunteers are needed at the Amherst Senior Center; please contact the Senior Center if interested in volunteering.

**3. Hearings - None**

**4. General Public Comment – None**

**5. Proclamations and Commemorations – None**

**6. Presentations and Discussion**

**b. Town of Amherst COVID-19 Status Update**

Town Manager Paul Bockelman spoke about the following:

- Census Day – April 1
- Coronavirus cases and deaths in the state
- Town Employees working remotely
- Playgrounds are closed
- New website: [www.AmherstCovid19.org](http://www.AmherstCovid19.org)
- Live Q&A events with the Town Manager, Health Director, and Superintendent of Schools on Thursday April 2 at 12 noon and 5:00 pm
- Virtual Cuppa joe on Friday April 10 8-9:30 am
- Ongoing Town operations
- Committee meetings will begin April 6

Health Director Julie Federman was present to answer questions.

Councilor DuMont asked about local COVID-19 testing availability.

Councilor Schreiber commented about students moving back to Amherst, expressed concern about parties, and asked about local restrictions on gatherings. P. Bockelman responded that residents can report gatherings of 10 or more people and officers will try to speak to and educate residents.

Councilor Bahl-Milne asked about recommendations regarding face masks. J. Federman responded that the Town is following CDC and DPH guidelines, right now people are not instructed to wear masks unless directed to do so by a health care provider. Councilor Bahl-Milne asked about cashiers at grocery stores wearing masks. J. Federman responded that there is a possibility that asymptomatic people could be transmitting the virus, but there is no current guidance that store clerks should wear masks.

Councilor Pam commented that she received a call that a doctor's office is requiring patients to wear masks even if the visit is not coronavirus related visit. J. Federman responded that people may choose to wear masks, but the recommendation now is that surgical masks be reserved for healthcare providers.

**a. Update from Cooley Dickinson Hospital – Joanne Marqusee, President & CEO and Jeff Harness, Director of Community Health and Government Relations**

Cooley Dickinson President and CEO Joanne Marqusee spoke about the following:

- Staff working in extremely difficult situations, and rising to the challenge
- Community support
- Increased testing capacity over the coming weeks
- Hold on elective care
- Expected surge in cases, plan to increase capacity
- 8 weeks of wage security for Cooley Dickinson staff
- Emotional and mental health support for staff
- Social distancing guidelines, clean surfaces, wash hands

Cooley Dickinson Director of Community Health and Government Relations Jeffrey Harness spoke about social services and working with municipal organizations and community partners to inform, connect, and identify problems. A community call center (888) 554-4234 is available to individuals with questions about COVID-19.

Councilor Bahl-Milne asked about who is being tested and the percentage of positive tests. J. Marqusee responded that people with symptoms should call their primary care provider.

An attendee asked if meth addicts are at higher risk of the coronavirus. J. Federman responded that addicts are at risk of more severe disease should they contract coronavirus.

President Griesemer asked about instructions for individuals who test positive. J. Federman responded that the person would be in contact with the Health Department, and reviewed guidelines for people who have contracted the virus.

Councilor Hanneke commented that Hampshire County has lower numbers of positive cases than other counties in the state, and expressed concern that the number is giving a false sense of security. J. Marqusee responded that we will likely see increased numbers over the next week. There may be many people who have the virus and have not been tested because they do not meet the criteria. We should assume that many people have the virus.

Councilor Pam asked about a test to see if someone has recovered from the virus. J. Marqusee responded that researchers are working on that.

P. Bockelman asked how the community can support the hospital. J. Harness responded that financial donations and blood donations are extremely valuable to the hospital right now. J. Marqusee added that medical grade supply donations are also appreciated.

Councilor DuMont asked about testing. J. Marqusee responded that we have to test highest priority individuals first.

Councilor Schoen asked about payments for visits that are over the phone or online. J. Marqusee responded that they believe the hospital can bill for telemedicine visits.

J. Harness gave the phone number for the community resource line for people with questions about the virus: (888) 554-4234

President Griesemer asked about treating people without health insurance. J. Marqusee responded that the hospital will not refuse service based on health insurance.

J. Federman stated that contraction of the virus does not vary based on race or ethnicity.

J. Federman gave the Amherst Health Department phone number 259-3077 for people with questions.

Councilor Brewer reminded Councilors not to use the chat window to respond to questions.

J. Federman spoke about contact tracing.

President Griesemer thanked the Cooley Dickinson representatives.

#### **b. Standing Committee Agendas**

Council Committee chairs provided information about committee agenda items that are time sensitive.

Community Resources Committee: Councilor Hanneke spoke about upcoming items and timing information. Next meeting is scheduled for April 8.

Town Services and Outreach Committee: President Griesemer spoke about upcoming committee agenda items and time sensitivity.

Finance Committee: Councilor Steinberg spoke about the committee's work, time constraints, and several unknown factors that will have an impact on the coming year's budget, including regional schools budget, capital and enterprise funds.

Governance, Organization, and Legislation Committee: Councilor Ryan reported that the committee has voted on the percent for art bylaw and amendment to rule 10.8k and are ready for council action.

Joint Capital Planning Committee: Councilor Schoen spoke about the uncertainty of the current year budget and projections for next year. The next meeting date will likely be April 15.

Outreach, Communications, and Appointments Committee: Councilor Ross spoke about the status of the Zoning Board of Appeals (ZBA) appointment process. The committee may not fill all the ZBA vacancies. Planning Board and ZBA associates also up for reappointment. The committee sunsets at the end of June.

Councilor Schoen asked why the committee deleted some of the interview questions, and about the applicant pool.

Councilor Ross spoke about the committee's deliberation and the applicant pool.

Councilor Hanneke asked if ZBA associate members could be appointed as full members. Ross responded that he is waiting on information about the current associate members' experience and interest in becoming full members, and added that associate members are not being brought in to be interviewed.

## **7. Action Items**

### **a. Consent Agenda**

DuMont asked to remove the first item, General Bylaw 2.2

**MOTION:** President Griesemer moved, second by Councilor Steinberg, to move the following items, and the printed motions thereunder and approve those items as a single unit:

- 7.c. To suspend Town Council Rules of Procedure rule 8.4 for agenda item 7.c. Extension of Capital Improvement Plan Deadline, Charter Sec. 5.7c
- 7.c. Extension of Capital Improvement Plan Deadline, Charter Sec. 5.7c
- 10.a. Approval of March 23, 2020 Special Council Meeting minutes, as presented

**VOTED** 12-0 by roll call (Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg voted Yes; Councilor Swartz was absent) to move the following items, and the printed motions thereunder and approve those items as a single unit:

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### **b. General Bylaw 2.2 – Noncriminal Disposition**

Councilor Hanneke stated that the Board of License Commissioners asked to change the bylaw so that regulations passed by regulatory boards subject to penalty do not have to wait for Council approval before noncriminal enforcement can begin.

Councilor Ryan reported that Governance, Organization, and Legislation Committee declared the bylaw clear, consistent, and actionable and voted to recommend the council approve the bylaw amendment.

Councilor Pam asked for clarification. Councilor Hanneke responded that a regulatory board has every right to enact a regulation, this is a way of enforcing regulation without requiring the Council approve.

**MOTION:** Councilor Hanneke moved, second by Councilor Ryan, to amend general bylaw 2.2 – VIOLATIONS – CRIMINAL COMPLAINT & NONCRIMINAL DISPOSITION by inserting the language underlined and deleting the language shown with strikethrough:

B. Noncriminal Disposition

Whoever violates any provisions of Article 3 of the bylaws, the violation of which is subject to a specific penalty, may be penalized by a noncriminal disposition as provided in M.G.L. c. 40, § 21D, for those provisions which the Town Council has determined are subject to noncriminal disposition, as indicated in the data block. If a government agency, including a board, committee, or department, is named as the enforcing agent it shall mean that agency's designee. The noncriminal method ~~for~~ of disposition as provided in M.G.L. c. 40, § 21D may also be used ~~pursuant to this article~~ for violations of any rule or regulation of any municipal officer, board, or department which is subject to a specific penalty ~~provided that the Town Council shall first approve, by majority vote, each rule or regulation to be enforced by this procedure.~~

C. Penalties & Enforcing Person(s)

The penalties for bylaw violations shall be as set forth in the data block that precedes all bylaw provisions for which penalties may be assessed. For noncriminal disposition, and as required by M.G.L. c. 40, § 21D, the bylaw data block, rule, or regulation shall identify the person taking cognizance of a violation of a specific bylaw, rule, or regulation (the "enforcing person") that the enforcing person is empowered to enforce.

**VOTED** 12-0 by roll call (Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg voted Yes; Councilor Swartz was absent) to amend general bylaw 2.2 – VIOLATIONS – CRIMINAL COMPLAINT & NONCRIMINAL DISPOSITION by inserting the language underlined and deleting the language shown with strikethrough:

B. Noncriminal Disposition

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**c. Suggested School Committee Vacancy Process and Proposed Interview Questions**

Councilor Brewer asked about the April 16 meeting date. President Griesemer responded that if we have technological difficulties, the meeting will continue on April 16.

**MOTION:** Councilor Pam moved, second by Councilor Ryan, to authorize the Town Council President to work with the Amherst School Committee Chair to continue to revise the verbal and/or written interview questions as amended to be used to fill the School Committee vacancy under Amherst Home Rule Charter Section 4.1(c).

**VOTED** 12-0 by roll call (Bahl-Milne, Brewer, De Angelis, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg voted Yes; Councilor Swartz was absent) to authorize the Town

Council President to work with the Amherst School Committee Chair to continue to revise the verbal and/or written interview questions as amended to be used to fill the School Committee vacancy under Amherst Home Rule Charter Section 4.1(c).

**8. Appointments - None**

**9. Committee Reports – No further reports were given.**

- a. Community Resources Committee
- b. Finance Committee
- c. Governance, Organization and Legislation Committee
- d. Joint Capital Planning Committee
- e. Outreach, Communications, and Appointments Ad Hoc Committee
- f. Town Services and Outreach Committee

**10. Approval of Minutes – Approved via consent agenda**

**11. Town Manager Report – No further report was given.**

**12. Town Council Comments**

Councilor Ross commented that public comment was not workable, and requested that the Council not schedule public comment until there is an alternate protocol for Councilors.

Councilor Brewer asked that liaison work be delayed, and that when committees reorganize, leave time for committees to have a discussion about chair and vice chair roles before elections.

Councilor Schoen asked for additional training for Councilors with Zoom, and asked about agenda setting meetings.

Councilor Schreiber asked about disabling the chat function.

Councilor Hanneke echoed Councilors Schreiber and Ross, and commented that meetings should be run as if we were meeting in person.

Councilor DuMont commented that she prefers Zoom and suggested having public comment at both the beginning and end of the meeting.

Councilor Pam stated that people make statements in public comment, but that some people were asking questions in the chat.

**13. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting – None**

**14. Executive Session – None**

**15. Adjourn**

President Griesemer adjourned the meeting at 8:53 pm.

Respectfully submitted,



Athena O'Keefe

Clerk of the Council

**Record of Agenda Packet Materials and Documents Presented**

0. 03-30-2020 Draft Motions for Town Council

00. 03-30-2020 FINAL Special Town Council Agenda

6.c. Committee Assignment Analysis as of 03-29-2020

7.b. Bulletin Board Notice Bylaw Amendment 2.2 Violations Criminal Complaint and Noncriminal Disposition

7.b. Proposed Bylaw Revision - 2.2.B Noncriminal Disposition - 2020-02-26

7.c. Town Manager COVID-19 Memo to Town Council Extension of Capital Timeline - 03-27-2020

7.d. Suggested Questions for School Committee Candidates 3-26-2020

Charter Section 5

10.a. 03-23-2020 DRAFT Special Town Council Minutes

2020-03-30 OCA Report to Town Council

COVID-19 Town Council Presentation 03-30-2020 FINAL