



**Town of Amherst  
Town Council Meeting  
Monday, February 8, 2021  
5:30 p.m.  
Virtual Meeting  
Minutes**

*Complete video is available online: <https://youtu.be/KlxVrm3QMzo>*

**1. Call to Order**

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

Councilors Absent: None

Others Participating Remotely: Town Manager Paul Bockelman, Assistant Town Manager Dave Ziomek, State Senator Jo Comerford, Representative Mindy Domb, Health Director Emma Dragon, Planning Director Christine Brestrup, Comptroller Sonia Aldrich, Planner Ben Breger, Senior Services Director Mary Beth Ogulewicz, Procurement Officer Anthony Delany, Fire Chief Tim Nelson, Community Preservation Act Committee Chair Sarah Marshall, Energy & Climate Action Committee Vice Chair Andra Rose and member Ashwin Ravikumar, Clerk of the Council Athena O’Keeffe, and Minute Taker Lindsey McConnell

University of Massachusetts Representatives participating remotely: Vice Chancellor for University Relations John Kennedy, Associate Vice Chancellor for University Relations Nancy Buffone, Deputy Chancellor and Chief Planning Officer Steven Goodwin, Director for Well-Being, Access and Prevention Elizabeth Cracco, Dean of Student Evelyn Ashley, Associate Dean of Students Sally Linowski, Clinical Associate Professor Ann Becker , and University Emergency Management and Business Continuity Jeffrey Hescoek

After confirming all participants could hear and be heard, President Griesemer declared the presence of a quorum, called the meeting to order at 6:30 p.m. and announced audio and video recording by Amherst Media.

Note: Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, this meeting of the Town Council was conducted via remote participation.

President Griesemer announced changes to several meeting schedules:

- Town Services and Outreach committee is now Thursday February 11, 2021 at 5pm
- JCPC Thursday February 11, 2021 at 7pm
- Several district meetings are coming up including District 5 for a rescheduled meeting

Griesemer announced Senator Jo Comerford, Representative Mindy Domb, UMass representatives and several members of Town Staff have joined the Council for presentations and discussion regarding COVID-19 testing, response and vaccinations. Griesemer announced several questions from the public were advanced to UMass.

## 2. Announcements

Upcoming Town Council Meetings:

- February 22, 2021, 6:30 p.m. – Regular Town Council Meeting, Presentation by Jones Library Trustees
- March 3, 2021, 6:00 PM – Public Forum, Jones Library Options
- March 6, 2021, 2:00 PM – Public Forum, Jones Library Options
- March 8, 2021, 6:30 p.m. – Regular Town Council Meeting

Upcoming Council Committee Meetings:

- Community Resources Committee: February 9, 2021, 2:00 p.m.
- Finance Committee and Committee of the Whole: February 16, 2021, 2:00 p.m.
- Governance, Organization, and Legislation Committee: February 17, 2021, 10:30 a.m.
- Town Services and Outreach Committee: February 11, 2021, 6:30 p.m.
- Joint Capital Planning Committee: February – Date TBD

Upcoming District Meetings:

- District 1: February 16, 2021, 6:30 p.m.
- District 2: February 11, 2021, 7:00 p.m.
- District 3: February 18, 2021, 6:30 p.m.

All meeting agendas and details are posted at [www.AmherstMA.gov/Calendar](http://www.AmherstMA.gov/Calendar)

### COVID-19 Call-in Number and Email:

The COVID-19 Concern Line (413) 259-2425 and email address [covidconcerns@amherstma.gov](mailto:covidconcerns@amherstma.gov) are now available for residents to communicate their concerns about masks, social distancing, gatherings, etc.

### Agenda item 7.a. Presentations and Discussion: UMass and COVID-19 Testing and Vaccinations Update

John Kennedy spoke about the University's goal to serve their mission safely, provided updated statistics on the number of students attending in-person classes and explained safety procedures including testing, quarantining, and retesting. Kennedy stated the University moved to Elevated risk level on Friday February 5<sup>th</sup> to due an increase in positivity, met with state and town partners on Saturday and moved to High risk level on Sunday. Kennedy stated the measures implemented will be in effect a minimum of 14 days and include transitioning to an all remote format for classes, self-sequestering for all students on and off campus, cancelling all athletic competitions and communicating consequences of violations to these measures.

Steve Goodwin spoke about the University's public health response team, risk level and increased collaboration with the Town and state Department of Public Health (DPH).

Jeff Hescoek spoke in more detail about campus testing for students returning to campus, contact tracing efforts and isolation/quarantine. Hescoek stated from February 1<sup>st</sup> to 7<sup>th</sup> 16,923 tests were administered with a 2.46 % positivity. Hescoek stated 399 students and 7 staff have tested positive, the University is investigating positive cases, is conducting contact tracing on campus and working with DPH to conduct contact tracing for off campus cases. Hescoek stated the University offers free space on campus for students to quarantine.

Ann Becker spoke about community testing and vaccinations including that over 14,000 tests have been administered since the center opened to the community in December 2020. Becker stated approximately 4,000 vaccinations have been given since the vaccination clinics began in January 2021.

Sally Linowski spoke about continuing of campus outreach efforts in partnership with Amherst Police, Fire, Inspection Services, and Town hall. Linowski provided examples of outreach including the Team Positive Presence and Peer Health Ambassador Network, direct emails to all off campus students, Monday meetings with first responders of nearby towns, weekly Greek House Directors meetings, tenant/neighborhood/landlord Zoom meetings, Walk and Talks with Winston the Amherst Police Department comfort dog and public health messaging at apartment complexes.

Evelyn Ashley spoke about student directives and expectations regarding the pandemic. Ashley stated in 2021 354 students have been referred to the conduct office due to violations related to pandemic safety and 332 of those students reside on campus. Ashley stated repeat violations lead to sanctions suspension, possible removal from on-campus housing, probation, and reprimand and that there have been very few repeats.

Emma Dragon presented on the Town's positivity status and response. Dragon stated the current rate reflects the significant increase from campus, and explained additional action taken to assure public health. Dragon spoke about the current phase of vaccinations and sharing the joy of getting out of their home to get vaccinated for Phase 2 step 1. Dragon spoke about vaccination distribution so far and stated more information can be obtained from the Town's website including a hotline number.

Bockelman stated Amherst has also been coordinating with Hadley and Sunderland to respond as a region.

Griesemer read public questions that were provided in advance:

Question 1) Will people continue to be able to get vaccinated on campus and if so, where?

Hescoek responded both community testing and vaccination services are open, services are located in the basement of Campus Center Auditorium, and visitor can park in the garage and get voucher.

Question 2) If you read The Collegiate you would feel there is one fraternity that caused the outbreak. Can you speak to that?

Kennedy responded The Collegiate story was alarming, spoke about the challenges of investigating the information since sources in the story were anonymous sources and stated other evidence collected indicates current increase is many smaller interactions and not a super spreader event.

Ashley added a process is underway to investigate the claims and if they are found responsible sanctions will be issued.

Goodwin spoke about the need to give the process time and not react to rumors.

Becker added a huge amount of time has been spent working with Greek life including providing education and communicating with the national level of local Greek chapters for additional support and enforcement.

Griesemer invited the Council to ask questions.

Ryan asked about the World Health Organizations recommendation to test a positive twice and about how to remedy problem of students congregating at health clubs off campus.

Kennedy responded the University encourages concerned community members to report student misconduct. Kennedy spoke about the limit of off campus enforcement and the need for concrete information.

Goodwin responded the University is more concerned with false negatives than positives and spoke the aim to use energy efficiently.

Hanneke asked if the explosion in cases is related to new variants and about the difference in response than the fall semester including if contract tracing positive student cases is uncovering close contacts involving non-students or non-University affiliated individuals.

Goodwin responded DPH will be helping with analysis to identify possible variants.

Becker stated this positive cluster is overwhelmingly in undergraduate students transmitted student to student and they are not seeing evidence of transmission to faculty, staff or community.

Pam asked how about possible flaws in the University protocol to explain this increase in positivity.

Goodwin responded the University has more to learn, they knew there would be some false negatives and maybe fell through net than anticipated and modeling.

Hescock stated the University's plan exceeded the Governor's travel guidance. Hescock also spoke about their communication with other Universities about best practices.

Schreiber asked about the potential for the University to totally close down and about a point person to direct questions to.

Kennedy responded Nancy Buffone is a point person and spoke to the many factors involved reaching a closing scenario. Kennedy stated as long as the University has sufficient isolation facilities, the situation can continue to be managed.

Goodwin added all of the state and federal guidance encourages the University to maintain students on campus to avoid taking infections home and a serious decision will need to be made if the positivity rate does not decrease soon.

Schoen asked about student allowance to go out in the community during isolation, constituents' reports of students not maintaining social distance at the grocery store and how to enforce the expectations.

Kennedy responded and spoke about the need to set clear expectations and consequences. Kennedy stated there is more enforcement with on campus students and specific evidence is needed to enforce rules.

Evelyn Ashley added if the University receives information they can action, they will and added it is hard to do something with a picture or without names.

Sally Linowski added complaints to the University about a specific properties will be followed up on and neighborhood strolls are also being conducted to reinforce messaging.

Bahl-Milne asked Senator Comerford and Representative Domb if anything can be done to prioritize vaccination for K-12 teachers and professors.

Comerford responded they have repeatedly raised the issue of reprioritizing teachers of all levels as an essential work force. Comerford also spoke about focusing on scale and equity needed to meet the unique challenges of our community.

Representative Domb stated they have continued to press the Governor's office to reprioritize public facing essential workers. Domb stated they do not think the Governor will change the reprioritization. Domb also spoke about the need to reach vaccine equity both regionally, as well as throughout the populations and communities in the Commonwealth and stated they recently introduced legislation to promote this.

Brewer asked a question from a constituent about why the University no longer publishes details about symptomatic and asymptomatic cases on the dashboard.

Goodwin responded doing so was extremely labor intensive and time is better spent on contact tracing. Hescocock stated they are willing to try and add things the public wants but they can not do everything the State is doing.

Griesemer thanked the University and Town staff for joining the Council at a critical time in Town's health and stated the public can continue to send questions that will be advanced to the University.

### **3. Hearings - None**

### **4. General Public Comment**

Amy Zuckerman, Sunderland resident, asked if the University vaccine center will stay open and requested they let people who have appointments know if they'll be cancelled.

Felicia Mednick, Amherst resident, spoke on behalf of the League of Women Voters in support of the Resolution Opposing the Palmer/Springfield Biomass Power Plant. Mednick stated the resolution is only directed toward biomass use in large-scale facilities and will have no bearing on facilities that use biomass on a smaller scaling heating like Cooley Dickenson hospital.

Ian Rhodewalt, Amherst resident, spoke against the University's reopening plan and their response to the pandemic including use of funds, furloughing staff, requiring graduate students to teach in-person, and press reporting students have been quarantined in condemned buildings and fraternities have parties.

Isolda Ortega-Bustamonte asked about the University's response to the needs of dining and custodial workers including family access to testing and quarantine conditions.

Anne Widner asked the Town if there are any arrangements for people who are physically disabled to get the vaccine.

Dragon responded the Town has a team trying to identify individuals in this situation and problem solve logistical challenges regarding keeping the vaccine cold.

### **5. Consent Agenda**

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.

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

- Suspension of Town Council Rules of Procedure Rule 8.4 for the following agenda items:
  - 8.b. Authorization of Council President to sign letter to Community Safety Working Group
  - 8.d. Approval of Extension of Temporary Appointment of Town Clerk
- 6.a. Adoption of the Resolution Opposing the Palmer/Springfield Biomass Power Plant
- 6.b. Adoption of the Lunar New Year/Spring Festival Celebration Proclamation
- 8.d. Approval of Extension of Temporary Appointment of Town Clerk
- 8.f. Withdrawal of Measure – Proposed Prohibition on the Municipal Use of Face Recognition Technology Bylaw
- 9.a.1-3. Approval of Town Manager Appointments:
  - Affordable Housing Trust Board of Trustees
  - License Commissioners
  - Public Shade Tree Committee
- 11.a-d. Approval of Minutes:
  - January 4, 2021 Special Town Council Meeting
  - January 4, 2021 Town Council Public Forum
  - January 4, 2021 Regular Town Council Meeting

Ryan asked to have 6.a. Adoption of the Resolution Opposing the Palmer/Springfield Biomass Power Plant removed from the Consent Agenda.

**VOTED:** unanimously, 13-0 by roll call, to move the following items, and the printed motions thereunder and approve those items as a single unit:

- Suspension of Town Council Rules of Procedure Rule 8.4 for the following agenda items:
  - 8.b. Authorization of Council President to sign letter to Community Safety Working Group
  - 8.d. Approval of Extension of Temporary Appointment of Town Clerk
- 6.b. Adoption of the Lunar New Year/Spring Festival Celebration Proclamation
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  - Affordable Housing Trust Board of Trustees
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## **6. Resolutions and Proclamations- Consent Agenda**

### **a. Resolution Opposing the Palmer/Springfield Biomass Power Plant**

Ryan asked if the supply to Cooley Dickenson hospital apply to this resolution.

DuMont requested to bring the League of Women Voters sponsor Martha Hanner in to the meeting to speak to that.

Hanner was invited to join the meeting.

Hanner spoke in favor of the resolution, which speaks specifically to large wood burning power plants that are notoriously low efficiency and high pollution. Hanner stated biomass use on smaller scale like modern stoves, furnaces and cogeneration such as at Cooley Dickenson are covered in a separate category of regulations and are not relevant to the hospital.

DuMont stated this resolution is sponsored by the League of Women Voters, and is supported by local Mothers Out-Front and the Energy Climate Action Committee. DuMont stated it goes to support our neighbors in the Pioneer Valley that are most likely to be impacted by air pollution and strongly urged council to show support.

**MOTION:** President Griesemer moved, second by Councilor De Angelis, to adopt the Resolution Opposing the Palmer/Springfield Biomass Power Plant, as presented.

**VOTED** unanimously, 13-0 by roll call, to adopt the Resolution Opposing the Palmer/Springfield Biomass Power Plant, as presented.

## **7. Presentations and Discussion**

### **a. Energy and Climate Action Committee Update**

Vice Chair Andra Rose and Ashwin Ravikumar presented highlights from the Energy Climate Action Committee's annual report.

Ravikumar spoke about the opportunity and responsibility to meet emission reduction targets and the need for all committees and agencies to center climate change in their work. Ravikumar spoke about how the recent federal executive order on Tackling the Climate Crisis at Home and Abroad may support efforts.

Rose spoke about positive developments including the Community Choice Aggregation program, installation of new charging stations, sustainable food distribution with the mobile market, and the landfill solar array progress through permitting process.

Ravikumar spoke about the use of a grant to invest in community engagement focused on equity and inclusion and recommendations they have received from the community. Ravikumar stated short term capital expenses will be needed to make long term savings.

Rose spoke about specific funding recommendations including capitol funds to support a solar siting study on school parking lots, and operating funds to support an intern for the Sustainability Coordinator and plan for future staffing needs across departments.

De Angelis spoke in appreciation of ECAC's community outreach efforts and lessons learned from the process about providing childcare, stipends and translation services.

DuMont spoke about the need to constantly think about prioritizing community resiliency and emission reduction efforts. Du Mont also stated credit to the Finance Committee for recognizing this in the budget guidelines document.

Ross spoke in appreciation of ECAC's report, asked for clarification on connecting renters with opportunities for renewable energy and energy efficiency and requested an update on the status of conversations about electrifying the municipal fleet.

Rose responded electrifying the fleet has been temporarily shelved due to budget constraints. Rose spoke about the challenges related to renters' access to clean energy and stated the Community Choice Aggregation program will allow for everyone to use renewable energy. Ravikumar added complicated utility programs also pose barriers for renters and education from the Town could facilitate access.

Steinberg spoke about the differences between efficiency for single unit homes and dense apartment buildings and the lack of control renters have. Steinberg also spoke from his role as Chair of the Finance Committee and stated the FY 22 budget process is very far along, and spoke about difficult task of balancing competing interests.

Hanneke spoke about the climate lens for building recommended in the report and the applicability of the net zero bylaw. Hanneke asked if the committee would be providing guidance on evaluating repairing systems that would continue using fossil fuels.

Rose responded more conversation on this would be welcome and stated the committee has discussed procurements, planning ahead for large expenditures and how ECAC can be resource for Town staff when making those decisions. Ravikumar stated this issue is an example prioritizing climate goals in all areas of government.

Schoen asked ECAC about the possibility of using Community Preservation Act (CPA) funds in certain situations to improve efficiency of homes. Schoen also spoke about past conversations with the Town Manger and JCPC about finding alternate funding sources for the Solar Panels for School Parking lots. Schoen spoke in favor of the project and completing the study sooner so the Town is poised to capitalize on possible upcoming federal funding sources.

Rose responded about existing energy efficiency services available for renters and homeowners who are low income and the type of retrofits they typically cover.

Bockelman stated CBDG money has been used for energy efficiency retrofits, the schools are seeking outside funds for this study and most parking lots are owned by Region so efforts would need to be in conjunction with them.

Bahl-Milne asked about data on emissions from different sources and about working with the University on these efforts.

Ravikumar stated ECAC is happy to have more conversations and more information will be coming in the action plan report

Griesemer stated the Council will see this again in May and individual councilors can give their ideas directly to ECAC.

## **8. Action Items**

### **a. Community Preservation Act Committee Recommendations**

Griesemer stated this item is an automatic referral to the Finance Committee. A motion will need to be made if other committees feel they need to review the recommendations.

Community Preservation Act Committee Chair Marshall presented on proposals the committee recommends the Council support.

Marshall stated the CPA proposed to put \$388,148 to debt service and \$25,000 to administrative fees including CPA signage for projects in progress.

Marshall presented the following projects:

- Amherst Community Connections – Supportive Housing, Phase III: \$226,710.0
- Jones Library – Special Collections Facility: \$1,000,000.00 (contingent on larger project receiving approval from Council).
- Goodwin Church – Restoration: \$21,412
- Town of Amherst – North Library Wall Repair: \$40,000.00
- Town of Amherst – Town Hall Front and Side Steps: \$265,000.
- Town of Amherst – Roof Restoration at Town Hall and Munson Library: \$83,500.00
- Town of Amherst – North Common Project: \$500,000.00
- Town of Amherst – Groff Park Lower Pavilion: \$45,000.00
- Town of Amherst – Mill River Pool Repair: \$65,000.00

Griesemer stated the Council would not discuss the Jones Library project in full.

Brewer asked about past funds that have been appropriated and not spent and the CPA's view of its role in terms of keeping track of past projects.

Marshall stated the CPA has been discussing this issue, has added that statement and general policy about using the money by a certain date or requesting an extension. Marshall stated the Town Finance Department has been helping close outstanding projects.

Delaney stated most projects older than 2017 have been dealt with and the CPA will be working on process of obtaining progress reports.

Schoen requested when the CPA include information about outstanding monies and an idea about monies that will incur debt in the future in the report to the Finance Committee.

Aldrich stated the CPA report shows the balance including debt schedule.

Griesemer thanked the committee and requested they also be prepared to talk about reimbursements and the kind of evidence people have to provide to be reimbursed.

#### **b. Letter to Community Safety Working Group**

Griesemer referred to packet item 8.b. Letter to CSWG DRAFT as of 2-6-2021(b). Griesemer also stated emails and past public comment about interactions with the police are being assembled to send to the working group.

**VOTED** via consent agenda to suspend Town Council Rules of Procedure rule 8.4 for the current agenda item.

**MOTION:** President Griesemer moved, second by Councilor Ross, to authorize the Town Council President to send the letter as presented.

Councilor Ross called the question.

Griesemer stated the motion requires a 2/3 vote, and this vote is on whether or not the Council will proceed immediately to a vote.

**VOTED 9-2-2** by roll call (Councilors Bahl-Milne, De Angelis, Griesemer, Hanneke, Pam, Ross, Ryan, Schreiber, and Swartz voted Yes; Councilors Steinberg and DuMont voted No; Councilors Brewer and Schoen Abstained) to move the previous question.

Griesemer stated 2/3 was achieved and the Council will move immediately to the question.

DuMont asked for a point of order and stated she has never seen that done.

Griesemer stated a Councilor can call the question anytime.

Hanneke stated the opinion there is nothing in the Council rules that prevents seconding the motion and calling the question.

De Angles asked Ross why Ross called the question

Ross stated the desire to move the Council along on the agenda and now it has been voted on so the Council needs to move on.

**VOTED 8-1-4** (Councilors Bahl-Milne, De Angelis, Griesemer, Hanneke, Ross, Ryan, Schreiber, and Swartz voted Yes; Councilor Steinberg voted No; Councilors Brewer, DuMont, Pam, and Schoen Abstained) to authorize the Town Council President to send the letter as presented.

**c. Use of the Public Ways**  
**(1) Wayfinding Signs**

Planner Breger presented on the Wayfinding signs project. Breger stated goals include economic development, economic recovery, place-making, directional and brand identification. Breger reviewed the history of the project including a grant in 2015 to create a working group the included the University, BID, Chamber, Dickinson Museum, Select Board, Town Staff and an appropriation on \$90,000 at the 2018 Annual Town Meeting. Breger reviewed the proposed design standards for three types of signs: Welcome signs, Directional post signs, and Informational kiosks. Breger reviewed proposed locations of the signs, and stated most are in the Public Way. Breger reviewed the proposed timeline for the project including installation in August or September 2021.

Schoen spoke about the locations people typically ask directions to and the benefit of signs for Village Centers as well. Schoen asked about how many cultural and recreational sites besides downtown will go on a sign and if all the decisions need to be made at the same time.

Breger responded it is an evolving discussion spoke about the challenge of charting a path if there are too many signs.

Bockelman stated the decision now is if the Council likes the signs and a more nuanced conversation can happen at a later point. Bockelman also spoke about the signs mitigating the issue of common GPS routes that avoid downtown.

Bahl-Milne spoke about using a racial equity lens with this project to make downtown more welcoming and asked if bilingual signs and sign pointing to South Amherst are being considered.

Pam spoke about the need for signs to be easily readable to drivers and agreed with Bahl-Milne that South Amherst needs to be included.

Ziomek spoke about the need to be cognizant of over signage and stated the first phase of the project is to focus on downtown. Ziomek spoke about the intention to expand this effort in the future and the benefits a consistent style will have for place making.

Brewer spoke about the long history of the project and spoke against the idea the current vote is only about if signs can go in the Public Way. Brewer stated if a Councilor doesn't like the designs and location, they won't approve it so the question is also if these are the kinds of signs the Council wants.

Griesemer agree with Brewer.

Brestrup stated the colors are more contrasting than the sign the BID has already put in the roundabout.

Schreiber spoke about the branding value of the signs and the positive expectation they will give visitors.

Ryan stated the signs would be a common element and a nice way to knit community together.

Brewer asked what TSO will do with this and suggested an alternative is not to refer it and instead bring it back to the Council for vote.

De Angelis agreed it does not need to go to a committee.

**MOTION:** President Griesemer moved, second by Councilor Ryan, to refer the Wayfinding recommendations to the Town Services and Outreach Committee, for review and recommendation to the Council by May 3, 2021.

Bahl-Milne asked if community feedback was desired, spoke about the importance of the signs being helpful for all cultures, people who are colorblind and people with disabilities.

Hanneke asked if this is not referred to a committee, will the Council ever see it again. Hanneke echoed Bahl-Milne's questions about languages, cultural diversity and the places the signs will point to.

Pam also raised the point about color blindness and emphasized the need for legibility.

Schoen seconded the raised questions and asked if parking will be on the signs or if that is a separate issue. Schoen spoke about trying out different welcoming messages in different languages on temporary signs.

Griesemer stated reasons to refer to matter to TSO are being raised and doing so will give opportunity for public comment and for Councilors to advance ideas that have been stated.

**VOTED 10-3** (Councilors Bahl-Milne, DuMont, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg, and Swartz voted Yes; Councilors Brewer, De Angelis, and Griesemer voted No) to refer the Wayfinding recommendations to the Town Services and Outreach Committee, for review and recommendation to the Council by May 3, 2021.

**d. Extension of 150 Day Appointment of Temporary Town Clerk – Charter Sec. 3.3(b)**

**VOTED** via consent agenda to suspend Town Council Rules of Procedure rule 8.4 for the current agenda item.

VOTED via consent agenda in accordance with Charter Section 3.3(b), to approve the Town Manager's request dated February 4, 2021 for extension of appointment of temporary Town Clerk until the earlier of the appointment, approval, and start date of a Town Clerk pursuant to Charter Sections 3.3(a) and 2.11 or March 1, 2021.

**e. Amendments to Town Council Rules of Procedure rules 2.1, 4.3, 5.7, 6.3, 8.1, 9.5, and adding Appendix B – *First Discussion***

Ryan reviewed several proposed changes to the rules and procedures that came out of the Governance, Organization and Legislation (GOL) committee's discussion. Changes can be seen in packet item 8.e. Council Rules of Procedure-revised 2020-06-01 - proposed revisions - 2.1-4.3-5.7-6.3-8.1-9.5-Appendix B- as voted at GOL. The changes Ryan reviewed include:

- Rule 2.1 section d4 stating Councilors can make a brief statement if they wish and d5 and the vote will be written.
- Rule 4.3 presiding officer may instead of shall include additional public comment
- Rule 5.7 and appendix B clarifying the process for requesting open meetings by 200 residents, 18 years or older via paper or email.
- Rule 6.3 changes councilor speaking time from 3 to 2 minutes
- Rule 8.1 clarifies how zoning bylaws can be initiated
- Rule 9.5 reflects recent changes to state law regarding number of votes required to pass certain votes.

Brewer spoke about changes to rule 2.1 and clarified the written ballot would not be a secret.

No comments were made on changes to Rule 4.3

In reference to rule 5.7, Brewer spoke about the difference between the Town calendar and the Town bulletin board and requested the committee clarify that open meetings attended by residents will be posted as a meeting.

Griesemer stated these are Council rules and the school and library committees can make their own rules. Griesemer stated it has been the Council's practice to always post it as a meeting and spoke in support of continuing that practice.

Du Mont stated decreasing Councilors' speech to two minutes would disadvantage the minority opinion and suggested other ways found shorten meeting without limiting Councilors' speech. Schoen also spoke against the ability to interrupt to call to question.

Brewer also spoke against decreasing speaking time to 2 minutes and spoke about cutting agendas and the length of presentations to shorten meetings instead.

Steinberg stated interrupting a colleague to call a previous question would be inviting another level of rudeness.

Schoen agreed with the points made about interruptions. Schoen spoke about the need for Councilors to be able to debate and discuss. Schoen also stated running around to different committees to give input is not a good use of time.

Schreiber stated Robert's Rules spell out when there can be an interruption and calling the question is not one of them.

Pam spoke about the need for discussion and cross talk in an open meeting.

Hanneke stated very few times speakers have exceeded two minutes in the meeting thus far and the changes to do not prohibit councilors from speaking more than once. Hanneke spoke the GOL's process regarding section d and stated if a councilor has to wait for their turn to call the question with 12

councilors they may be waiting 30 minutes. Hanneke suggested the ability to call the question can happen in between speakers without interrupting or being recognized.

Schreiber stated if all 12 people want to speak it is likely an important topic to be discussed and calling the question may also delay the meeting by taking to vote twice.

No comments on changes to Rule 8.1

Schoen requested an asterisk or footnote be added to clarify which types of zoning changes and circumstances require a certain number of votes.

Ryan stated the KP law memo shows an asterisk will not be enough and the intention is to alert people there may be special circumstances.

Schoen spoke about saying 9 votes are generally required and adding an asterisk.

Ryan stated it is very complicated based on recent legal changes at the state level.

Hanneke stated the details of number of votes under certain circumstances is only found in a lengthy document because it is a new law and stated she law changes all the time. Hanneke spoke about the complexity of the law and need for assistance from an attorney will be needed frequently.

Griesemer summarized the areas the Council has asked GOL to review and asked the committee to let the Council know when they are ready to come back with revisions.

**f. Withdrawal of Measure – Proposed Prohibition on the Municipal Use of Face Recognition Technology Bylaw**

Via consent agenda: In accordance with Council Rule of Procedure 8.8, Councilor-sponsors De Angelis and Hanneke submitted a written request on January 29, 2021 to withdraw their Proposed Prohibition on the Municipal Use of Face Recognition Technology Bylaw from consideration by the Council and all Council Committee to which it was referred, and this request is now placed on the Council agenda for notice purposes. Rule 8.8 does not require a vote.

**9. Appointments**

**a. Town Manager Appointments**

**(1) Affordable Housing Trust Board of Trustees**

**VOTED** via consent agenda to approve the following Town Manager appointment to the Affordable Housing Trust Board of Trustees, as filed with the Town Clerk on January 26, 2021, and recommended by the Town Services and Outreach Committee report of February 8, 2021, effective immediately:

- For a term to expire on June 30, 2022:
  - Allegra Clark
  - John Hornik (reappointment)

**(2) License Commissioners**

**VOTED** via consent agenda to approve the following Town Manager appointment to the Board of License Commissioners, as filed with the Town Clerk on January 26, 2021, and recommended by the Town Services and Outreach Committee report of February 8, 2021, effective immediately:

- For a term to expire on June 30, 2024:

- Gaston de los Reyes (reappointment)
- Marian Walker (reappointment)

**(3) Public Shade Tree Committee**

**VOTED** via consent agenda to approve the following Town Manager appointment to the Public Shade Tree Committee as filed with the Town Clerk on January 26, 2021, and recommended by the Town Services and Outreach Committee report of February 8, 2021, effective immediately:

- For a term to expire on June 30, 2022:
  - Julian Hynes
- For a term to expire on June 30, 2023
  - Ellen Keiter

**10. Committee and Liaison Reports**

**a. Community Resources Committee**

Hanneke stated a joint meeting was recently held with the Planning Board, the committee will be getting an update from Town Staff on zoning priorities, and discussing housing policy strategies related to climate. Hanneke stated the committee plans to bring a rough draft of the Housing Policy to the Council on March 8 so the committee can consider that feedback in further refinement.

**b. Finance Committee**

Steinberg stated the Committee is expecting an update from Sean Mangano on the budget model and they will be taking up extension discussion on wastewater provisions and questions raised at the last meeting.

Griesemer stated the intention to call the February 16<sup>th</sup> committee meeting as a full Council meeting and the Clerk of the Council will send a poll for Councilors' attendance.

**c. Governance, Organization, and Legislation Committee**

No more updates were given beyond the previous report.

**d. Joint Capital Planning Committee**

Schoen stated the committee will have their first meeting on Thursday.

**e. Town Services and Outreach Committee**

DuMont reported a chair will be elected on Thursday, and the committee will be discuss West Pomeroy Village, public wayfinding, permanent shelter issues and the proposed surveillance bylaw.

**f. Liaison Reports: Affordable Housing Trust, Board of Health, Board of License Commissioners, Community Preservation Act Committee, Council on Aging, Disabilities Access Advisory Committee, LSSE Commission, Transportation Advisory Committee**

**11. Approval of Minutes**

- a. January 4, 2021 Special Town Council Meeting**
- b. January 4, 2021 Town Council Public Forum**
- c. January 4, 2021 Regular Town Council Meeting**

**VOTED** via consent agenda to adopt the following Town Council meeting minutes, as presented:

- January 4, 2021 Special Town Council Meeting
- January 4, 2021 Town Council Public Forum
- January 4, 2021 Regular Town Council Meeting

## **12. Town Manager Report**

Bockelman spoke about the success of the Town's vaccination hotline and stated the Town does not recommend the state hotline because it will take much longer to receive a response. Bockelman stated the upcoming community chats on Thursdays at noon will be about Wayfinding signs and then libraries.

Griesemer asked if the community chats are recorded. Bockelman responded they are recorded and they are popular because they are only thirty minutes long.

## **13. Town Council Comments**

### **a. President Report**

#### **(1) Update on 2021 Calendar and Agenda Items**

Griesemer stated the Jones library will be making a presentation at the next meeting and Griesemer has suggested times for each item in their outline to keep the presentation to less than an hour. Griesemer noted the same was done for the University and the Town for their presentations.

### **b. Future Agenda Items**

### **c. Councilor Comments**

#### **(1) Update on Anti-Racism Training**

## **14. Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting**

Griesemer referred to packet item 14. DRAFT\_ARPS\_Resolution\_Vaccines (003) adapted for Amherst Town Council - MJH CS resolution.

Schoen spoke about how the resolution came about based on emotional and significant public comment at the recent school committee meeting from parents and pediatricians about the impact of keeping schools closed. Schoen stated the original intention to send a letter as an individual and spoke about the process of drafting a resolution to support the School Committee draft resolution to move teachers back up to Phase 2 group 2 of the vaccination process.

Brewer spoke against the resolution and the vaccination roll out plan in general. Brewer stated the belief teachers should be vaccinated before 65 year but teachers should not be moved ahead of other front facing workers like grocery store and food pantry staff.

Ryan referenced Representative Domb's earlier statement that the governor's mind will not be changed and asked if the Council's efforts would best spent in a different way.

Hanneke spoke in agreement with Brewer and Ryan and questioned prioritizing teachers over people who have been working in person for the past 11 months. Hanneke spoke against moving educators up and leaving other essential workers behind.

Schreiber spoke in support of the resolution and stated the first thing a community has to do after a disaster is get schools open so parents can handle things.

Bahl-Milne spoke in support of the resolution even though it is challenging to consider to prioritizing teachers over others. Balh-Milne spoke about adults having more capacity to deal with challenges and the unique need unique needs of children and possible long-term damage.

Pam spoke in favor of the resolution and about the great emotional intellectual damage that is happening to children. Pam stated she not in support of the resolution because is teachers versus workers but because something terrible has been done to children.

Du Mont asked if the resolution scan be amended so the Council is supporting moving the third group above the 65year olds so teachers have the same benefit.

Griesemer stated it could be referred to GOL and spoke about the time sensitivity of the issue in terms of the school committee's impending vote.

Schoen stated if the Council does not support this resolution the Council should instead advocate for speeding up access to the vaccine. Schoen stated if the Council waits until the end of March or April it will only be symbolic statement.

Ryan asked about passing a resolution that will have an impact such as calling the teachers' union back to the table to bargain in good faith.

Ross spoke about the preference for supporting all step 3 persons and stated passing this this doesn't mean the Council can not also do what Ryan and Brewer are speaking about. Ross spoke about the impact of pairing with the school committee's resolution.

Bahl-Milne agreed with Ross and stated the Council should act just on this. Bahl-Milne spoke about not giving up on this opportunity even if it doesn't have an effect.

De Angelis spoke against the resolution because it singles out teachers and does not speak to all workers in group 3.

Hanneke spoke about their experience as a parent with a child in Amherst public schools and about the Teachers Union stance that they will not return until 100% of staff and students have been vaccinated. Hanneke expressed doubt this resolution will convince the teachers to go back in person and spoke about the need to get the union and committee at the table again.

Steinberg spoke in favor of the resolutions stating it is about the children, another board has asked for the Council's support and Senator Comerford encouraged the Council to speak out

Griesemer stated regret this resolution does not include the other front line workers and encouraged Councilors to bring other resolutions forward to be considered as well.

**MOTION:** President Griesemer moved, second by Councilor Ross, to waive Town Council Rules of Procedure rule 8.6 for the current item.

**VOTED** 12-1 by roll call (Councilors Bahl-Milne, Brewer, DuMont, Griesemer, Hanneke, Pam, Ross, Ryan, Schoen, Schreiber, Steinberg, and Swartz voted Yes; Councilor De Angelis voted No) to waive Town Council Rules of Procedure rule 8.6 for the current item.

**MOTION:** President Griesemer moved, second by Councilor Schoen, to adopt the Resolution in Support of Expedited COVID-19 Vaccinations for Educators, as presented.

**VOTED** 9-4 by roll call (Councilors Bahl-Milne, DuMont, Griesemer, Pam, Ross, Schoen, Schreiber, Steinberg, and Swartz voted Yes; Councilors Brewer, De Angelis, Hanneke, and Ryan voted No) to adopt the Resolution in Support of Expedited COVID-19 Vaccinations for Educators, as presented.

**15. Executive Session- None**

**16. Adjourn**

President Griesemer declared the meeting of the Town Council adjourned at 10:21 p.m.

Respectfully submitted,

Lindsey McConnell

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

- 00. 02-08-2021 Draft Motions for Town Council as of 2-5-21
- 00. 02-08-2021 FINAL Town Council Agenda
- 6.a. Biomass Resolution Sponsor - Background Article
- 6.a. Biomass Resolution Sponsors - Review of Manomet Biomass Policy Study
- 6.a. BiomassResolutionLWV- 2021-02-03 GOL - as voted at GOL
- 6.b. Lunar New Year Proclamation 2021- as voted at GOL
- 7.a. COVID-19 Town Council Presentation 02-08-2021
- 7.b. ECAC 2020 Annual Report to Town Council Presentation
- 7.b. ECAC Annual Report and FY 22 Funding Request 2021.01.08
- 8.a. CPAC Annual Report FY22 - Final
- 8.a. CPAC Recommendations - Town Council Presentation
- 8.b. Letter to CSWG DRAFT as of 2-6-2021(b)
- 8.c.1. Wayfinding\_Signs\_TownCouncil\_8Feb2021
- 8.d. Appointment of Temporary Town Clerk Extension - 02-04-2021
- 8.e. Council Rules of Procedure-revised 2020-06-01 - proposed revisions - 2.1-4.3-5.7-6.3-8.1-9.5-Appendix B- as voted at GOL
- 8.f. Memo to TC - Withdrawal of Facial Recognition Bylaw
- 9.a.1. Affordable Housing Trust Board of Trustees Appointments - 01-26-2021
- 9.a.2. License Commissioners- Appointments - 01-26-2021
- 9.a.3. Public Shade Tree Committee Appointments - 01-26-2021
- 11.a. 01-04-2021 DRAFT Special Town Council Minutes
- 11.b. 01-04-2021 DRAFT Special Town Council Minutes - Public Forum Appropriation Belchertown Rd Acquisition
- 11.c. 01-04-2021 DRAFT Town Council Minutes
- 12. Town Manager Report 02-08-2021
- 13.c. Advancing Reparations In Amherst email to the Town Manager\_Redacted
- 14. DRAFT ARPS Resolution Vaccines adapted for Amherst Town Council
- 14. DRAFT\_ARPS\_Resolution\_Vaccines (003) adapted for Amherst Town Council - MJH CS
- 2021-02-08 GOL Report to Town Council with ROP changes and KP Law update on Housing
- 2021-02-08 TSO Report to Town Council
- Amherst Town Council 2-8-21 presentation