



To: Town Council
Fr: Paul Bockelman
Town Manager
Dt: April 1, 2021
Re: Town Manager Report for April 5, 2021

Town Manager Reports are available on the Town's website here: [Town Manager Reports](#)

Town Manager Update:

- COVID-19:
 - Testing: Many people will be traveling this weekend and, with the weather warming, in weeks to come. If not fully vaccinated, we encourage everyone to get tested at least once per week. Testing is free and easy to access at the University of Massachusetts asymptomatic testing center at the Mullins Center. Schedule a time NOW to get a test next week. Here is the link: <https://uma.force.com/covidtesting/s/>
 - Variants: We have all heard of the different COVID-19 variants that are showing up throughout the country and state. We are working under the assumption that these variants will make their way to the Town, which reinforces the need to continue to follow basic public health protocols such as wearing masks, maintaining social distance, and being vaccinated – or tested regularly if not vaccinated. There are no additional public health recommendations to follow.
 - Vaccination:
 - The Governor has announced the eligibility schedule for all residents of Massachusetts to obtain the vaccine.
 - The Town continues to operate our vaccination clinics. We offered three clinics this week – one exclusively for educators and child care workers – and provided over 400 doses of vaccine. We continue to operate out of the Bangs Community Center.
 - I have urged Town employees, if they are in any of the eligible groups, to seek out and get vaccinated. It is the surest way to protect themselves, their families, and co-workers.
 - We also continue to encourage our employees to be tested regularly.
 - We continue to advocate for additional vaccine for our clinics. This week we were only sent a total of 492 doses of Pfizer vaccine and 100 Moderna. We had requested 1,570 doses of Pfizer and 200 doses of Moderna.

- Hot Line:
 - We continue to dedicate significant resources to answer the Hot Line which is staffed during the normal business hours and on weekends.
 - We have utilized the facilities of the Police Department to handle telephone calls on weekends with the phones being answered by trained Ambassadors during the busiest times of day.
- Covid Outreach:
 - The Town has been coordinating efforts to reach homebound individuals in a commitment to ensure they have access to a vaccine. Amherst Public Health Director, Fire Chief, Assistant Fire Chief, and Senior Center Director have been planning and organizing for a number of weeks to identify and serve homebound individuals in Amherst and eight other Eastern Hampshire County communities. It is expected to take several weeks to complete the plan to vaccinate the over 100 homebound individuals that have been identified.
- Ambassadors:
 - The Ambassadors have been crucial in staffing the Hot Line, patrolling the streets, and serving as helpers all day at the vaccination site. We will be expanding their work to cover other areas of Town including staffing Puffers Pond, Groff Park, Mill River Park, and other duties in coordination with the Conservation and Development and Public Works Departments.
- Racial Equity:
 - Community Safety Working Group:
 - The Working Group continues to meet weekly and move forward on its work.
 - Based on the advice of the Community Safety Working Group, I awarded the contract for outreach and research and report writing to 7 Generations Collective (<https://7gencollective.com/>) We now have a signed contract and work has begun. There will be regular reports to the Community Safety Working Group.
 - The Town's FY21 budget commits \$80,000 to "explore, plan, and implement strategies to confront systemic racism." Specifically, the funds were intended to explore, identify, and implement strategies to move toward racial and social justice. I have earmarked these funds to support the initiatives of the Working Group, which is a Town public body that is comprised of a majority of members of the BIPOC community. I have committed \$67,347 to this work. I identified options for the remaining \$12,653 in a memo to the Town Council at its last meeting.
 - Reparation: I have requested a written opinion on a possible legal path forward with regard to reparations in the Town of Amherst. I am not aware of any other community in Massachusetts that has taken action along these lines, the Town Attorney is exploring the best option for the Town to move forward, should it decide to do so. It is a complicated issue that touches on numerous areas of law, so the opinion is taking longer than anticipated. I've asked that the initial analysis be as simple and straightforward as possible.
- Outreach:
 - Coffee with Town Manager:

- The last Cuppa Joe with Paul included special guest Hampshire College President Ed Wingenbach. All of our Cuppa Joe events can be watched here: [Cuppa Joe with Paul](#)
 - Community Chats:
 - The Communications Manager and I continue to host our weekly Community Chats. Previous guests included Kat Newman and other Ambassadors on the development of their program over the months since it began; Town Engineer Jason Skeels and Public Works Superintendent Guilford Mooring to discuss the Pomeroy Village MassWorks project; Police Captain Gabe Ting and Officer Bill Laramee who spoke on the violence against Asian Americans and the outreach the Town does during the St. Patrick’s Day time; Planning Director Chris Brestrup and Building Commissioner Rob Morra discussing zoning; Planner Ben Breger to discuss the Wayfinding Signs; Superintendent of Public Works Guilford Mooring and the architects from Kuhn-Riddle on the North Amherst Library; Jones Library Project with Library Director Sharon Sharry, Library Trustee Alex Lefebvre, and fund-raising lead Kent Farber; and the Core Equity Team’s work with Jennifer Moyston.
 - The next Community Chat will be April 8th and feature guests Health Director Emma Dragon and Fire Captain Steve Gaughan who are running the home-bound vaccination program.
 - All recordings of our Community Chats can be found here: [Community Chats](#)
 - Office Hours: I have established monthly virtual office hours via Zoom. This will allow individuals who would like to meet one-on-one with the Town Manager the opportunity to schedule a time during established office hours. We have had increasing interest in scheduling these times.
 - Engage Amherst: There is much interest in our community engagement platform, “Bang the Table”, that we will utilize to engage members of the public as an additional way for the public to learn about and comment on specific projects. We have released the platform for the Pomeroy Village, North Amherst Library, and the Four Capital Projects which can be found here: <https://engageamherst.org>.
- Town-Gown:
 - University of Massachusetts:
 - Commencement: Updates can be found on the University’s [Commencement website](#)
 - The Town and University reopening working group continues to meet bi-weekly with members of the State Department of Health and Human Services, Department of Public Health, and State Epidemiologist’s office participating during the increase in cases at the University.
 - March 17th and the weekends before and after passed with few large parties and limited need for interaction from Town staff including the Police Department and Fire Department.

Departments:

- Public Works:
 - Congratulations to the DPW staff for obtaining a \$98,415 grant from the Massachusetts Department of Fish and Game (DFG) In-Lieu Fee Program (ILFP) for replacement of the culvert crossing of Potwine Lane over Plum Brook.

- Town Clerk:
 - The Town Clerk reminds Town employees – and elected and appointed officials – that they must complete the [Ethics Commission’s Online Training Program](#) within 30 days of becoming an employee, and every two (2) years thereafter within the Commission’s compliance cycle from December of every even-numbered year to the first week of the following April. **Amherst employees are required to take the online training and submit Certificates of Completion of online training to the Town Clerk no later than April 5, 2021.**
- Public Safety:
 - Police: The Police Department will take into account the fact that people are unable to renew their automobile registrations due to the inability of the State Registry of Motor Vehicles to process inspections.
 - Fire:
 - The Fire Department is in line to receive a grant to support its communication efforts.
 - Fire Captain Steve Gaughan has taken on the leadership of the home-bound vaccination program under the guidance of the Health Director.
- Human Resources:
 - Human Resources will be recruiting for Recreation Director and Economic Development Director positions.
 - Human Resources is recruiting, hiring, and onboarding numerous positions, mostly seasonal or associated with our COVID response.
- Finance:
 - Residential Exemption: The Town’s Principal Assessor is working with the Board of Assessors to complete the Residential Exemption study and to provide information to the Council this fall. As a refresher, the Residential Exemption is a local option “*that shifts the tax burden within the residential class from owners of moderately valued residential properties to the owners of vacation homes, higher valued homes and residential properties not occupied by the owner, including apartments and vacant lands*” according to the Division of Local Services. This option would result in a significant structural change in the way property taxes are assessed so it is important to understand all of the implications. The team working on this project has requested clarification of the Council’s goals for this study so they can ensure the proper data is gathered.
 - Property Assessed Clean Energy (PACE): The Assessor’s Office is exploring another local option called PACE. This option helps finance energy improvements for Commercial, Industrial, Not for Profit, and Multifamily properties through the Town’s property tax assessment system. This program will be presented in greater detail to the Town Council at an upcoming meeting.
 - Four Capital Projects: The Town has released a dedicated community engagement website which can be found here: <https://engageamherst.org/financing-the-future>.
 - Budget: Finance staff have been working with individual departments in developing budgets that fit within the constraints of available resources. There are, of course, many more needs and requests than there are resources. We are nearing completion of our second round of budget meetings which includes the Town Manager, finance staff, and individual departments. There is significant work to complete the budget to meet the Charter requirement of a budget presented to the Town Council by May 1st.

- Capital Plan: The Finance Director finalized the review the Capital Plan with the Joint Capital Planning Committee, which will make its recommendation to the Town Manager.
- Sustainability:
 - The Town has received delivery of its roll-off container truck which was funded by the V.W. settlement grant. \$140,438. Total vehicle cost was \$180,500. The grant helped replace a large vehicle that is used daily with a more efficient vehicle.
 - The Sustainability Coordinator is moving toward the final draft of the Climate Action Adaptation and Resiliency Plan that was funded by the MVP grant program. Key members of the Town leadership team met with the consultants at a two-hour session this week.
 - We have received two proposals to provide municipal aggregation consulting services for the Town of Amherst, City of Northampton, and Town of Pelham. I am reviewing the two proposals and expect to award the contract within the next two weeks.
- Community Services:
 - Health: The Board of Health is reviewing regulations intended to protect the health of employees in their workplaces from exposure to secondhand smoke and to protect the health of the general public from extended exposure to secondhand smoke in places where they congregate.
 - In addition to the prohibitions contained in M.G.L, Ch. 270, §22, M.G.L, Ch. 111, §31 and M.G.L. Ch. 270, §22(j) smoking will also be prohibited:
 - in nursing homes as defined in M.G.L. Ch, 111, §71;
 - in vehicles controlled by an employer or used in furtherance of an employer's business;
 - in all Inn, Bed & Breakfast, Hotel and Motel Rooms.
 - in any enclosed workplace which employs only the owner and no other employee if: (1) the workplace is used to meet with or receive customers or clients, or (2) the workplace shares a ventilation system with any other workplace or public place;
 - in Adult-Only Retail Tobacco Stores;
 - in all outdoor areas where food and/or beverages are served to the public by employees of restaurants, bars and taverns;
 - in the area within twenty feet of any Municipal Building entranceway accessible to the public, except that this shall not apply to a smoker transiting through such twenty-foot area;
 - on Town-owned playgrounds, parks, recreation areas, athletic fields and swimming areas;
 - in designated waiting areas for public transportation services;
 - in vehicles of ride-sharing services while they are engaged in providing rides to the public.
 - Smoking Bars would be prohibited in the Town of Amherst.
 - The Board of Health voted to permit Tapestry to operate a new mobile harm reduction location (operated out of their van) here in Amherst.
 - Senior Center: The Senior Center is dedicating itself to answering questions about the availability of vaccinations. The Senior Center staff have been core members in helping to develop, staff, and promote the vaccination programs. The Senior Center is collecting names of seniors who want to be contacted when for seniors to sign when the vaccine is available. Seniors can call (413) 259-3038 to have their names added to the list.

- Unhoused Population:
 - Staff are working to develop alternatives for meeting the needs of the unhoused. The Director of Senior Services has been the lead for the Town on all matters involving homelessness.
 - We are looking at this in three phases:
 - The immediate need for a congregate shelter well before the scheduled reopening of the shelter in November.
 - The short-term need for a permanent location for a shelter and resources for those without housing.
 - The long-term discussion about the role of the Town, other communities, and the State in addressing the chronic issues of homelessness.
 - We intend to take on all three of these challenges understanding the highest priority is the need for housing in the Fall.
 - These discussion will require a broader policy-level conversation with the Town Council and the community.
- Recreation:
 - Amherst Recreation's Recess Van has been very popular, visiting free-lunch delivery sites providing outdoor recreational activities and the opportunity to socialize safely with their K-6 peers. Many thanks to the Amherst Booster Club for its support of this program.
 - The Recreation Department is planning to open the Mill River Pool a week earlier than usual, targeting June 19th.
 - I met individually with each member of the Recreation Commission, every Recreation Department staff member, the School athletic director, and DPW Tree and Grounds division director to understand the needs, values, and goals sought in a new Recreation Director.
- Economic Development:
 - The Town of Amherst, in conjunction with the Amherst Downtown Business Improvement District (BID), has received a Local Rapid Recovery Program grant from the Massachusetts Downtown Initiative (MDI) under the Massachusetts Department of Housing and Community Development. Under the terms of the \$60,000 grant, the Town will engage a firm to advise the Town on its reopening plans.
 - I will be advertising for the Economic Development Director position in the very near future.
- Conservation and Development:
 - Planning:
 - Housing Choice Grant: The Governor announce the award of a FY21 Housing Choice capital grant for \$174,300 to complete the multi-use path along Mill Lane from Route 116 to Groff Park
 - Supportive Studio Apartments: The State Department of Housing and Community Development announced that it will provide the project with 10 Massachusetts Rental Voucher Program vouchers to assist in the effort to house ten homeless individuals. Sponsored by the non-profit Valley CDC, this project consists of the creation of 28 enhanced single-room occupancy (SRO) units. The building, which will achieve Passive House certification, will include one office for onsite property management and a separate office for a Resident Services Coordinator. The

location is highly walkable, less than 1/2 mile to the Town Center and numerous service providers. These rental subsidies enable tenants with extremely low incomes to pay approximately 1/3 of their income for rent and utilities (housing cost); the balance of each tenant's housing cost will be paid by the State through the MRVP program.

▪ Flood Plain Maps:

- The (second) 90 day appeal period ended on February 25, 2021, with no appeals.
- The Town's consultant will work with FEMA to prepare the maps for the Town Council to adopt. You may recall that Town staff met with Town Council for a preliminary meeting on February 10, 2020.
- The Town Council will need to act during the "Compliance Period" – six months which ends on or about August 25, 2021.
- The Town Council will be asked to adopt the new Flood Maps, the Flood Insurance Study and the text of the Zoning Bylaw amendment relating to the 100-year Flood Zone (this is being drafted) before August 25, 2021.

○ Licensing:

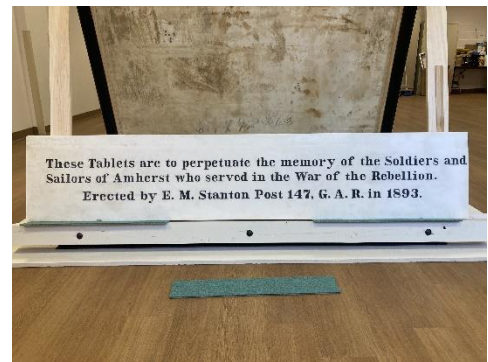
- The Board of License Commissioners has been continuing to work on a variety of projects aimed at simplifying and clarifying the licensing process and preparing for the resurgence of social and economic activity after the COVID-19 pandemic. They are very close to adopting regulations for alcohol service on the Town Commons and public property, as well as guidelines for liquor license applicants.
- Staff are also anticipating three applications for new liquor licenses to come in shortly, all All Alcohol On-Premises - one for Garcia's in the former Porta space; one for Mexcalito in the former Rao's Coffee space on Kellogg Ave; and one for Vic's in the empty space in 1 East Pleasant Street.
- Alcohol Service on Town Commons & Public Property. After the Town Council amended the General Bylaws in May of 2020 to allow for open containers of alcohol on public property at events licensed by the Board of License Commissioners, the Board has been considering what additional criteria they will use to evaluate the suitability of an application for a Special Short-Term (One-Day) Liquor License compared to a typical application on private property. Draft regulations will be reviewed at the Commission's meeting on April 1st.
- Private Club Regulations: After a complaint from a former employee of one of the Veterans' Clubs was received by the Board of License Commissioners last year, the Board set out to adopt regulations relating to establishments with Club-type On-Premises Liquor Licenses that are clearer than the sometimes ambiguous M.G.L. c. 138; this was not due to a perception of wrongdoing on the part of the Veterans' Clubs, but to make sure that expectations are clear to all. After feedback from community members and the Commanders of the VFW and American Legion, the Board ended up adopting regulations in October 2020 relating to Veterans' Clubs, but these regulations do not cover private clubs not affiliated with a veterans' organization.
- The Commission is looking into researching private clubs that allow marijuana smoking. Before any regulations are drafted, if the Commission feels the idea is worth exploring, the Commission will reach out to Town stakeholders to see what

attitudes are towards a private club that would allow marijuana smoking inside; if there is support, a wider public process to solicit feedback from residents would begin.

- **Adult Use Marijuana Licensing:** While Adult Use Marijuana establishments are heavily regulated on both the state and local level, the regulatory tools that municipalities have generally available – Host Community Agreements and Zoning Special Permits – do not have direct, immediate enforcement mechanisms that liquor licenses do. While all of the marijuana establishments that have opened in Amherst so far have been cooperative with Town officials and abided by all relevant laws, the Board is keen to have an enforcement mechanism available to the Town should a problem develop with one of the marijuana establishments. Adopting regulations to establish a local Marijuana License would provide the Town with those enforcement mechanisms. This project is not a priority at the moment.
- **Short-Term Rentals & Rental Registration:** The Residential Rental Property Bylaw, passed in 2013, has been useful in helping Inspection Services staff to oversee problem & nuisance rental properties. However, after eight years, the Bylaw is starting to show its age. Certain parts of the bylaw have proven insufficient for Inspection Services’ needs, and the Bylaw does not touch upon Internet short-term rental services such as Airbnb that have upended the residential rental market nationwide. The Commission has prepared an amended draft of the bylaw that includes a number of changes to address weaknesses in the bylaw; among these changes are adopting gender neutral language, reworking the formatting to be clearer and more user-friendly, clarifying that short-term rentals (Airbnb’s) must be registered, and updating definitions to reflect the existence & applicability of short-term rentals. There will likely be a few more revisions of the draft.
- **Adopt Guidelines for Liquor License Decisions:** The Board adopt a clear set of criteria that they use to evaluate liquor license applications. This would allow the Board to set clearer expectations for applicants and to avoid claims of being arbitrary or capricious if they feel they need to deny an application. The Commission has prepared a draft set of guidelines for the Commissioners and applicants to use; the Commission was pleased with them after reviewing the draft at a public meeting. The Commission will make some final tweaks to the guidelines and they are expected to be formally adopted in April.
- **Regulations on Lunch Carts:** The existing, unclear regulations on Lunch Carts have been a thorn in the side of the Board of License Commissioners and the Select Board before them for a long time. They are not dispositive in the event of a conflict, with multiple lunch cart licensees wishing to use the same spot; they are also unclear on what regulatory oversight could or should be exercised if a Lunch Cart licensee would like to serve food in an area not listed on the application page. Goals for the rewrite this project before hopefully having regulations adopted in Summer 2021.

○ Civil War Tablets:

- As I have been reporting, our Town staff has been working to relocate the Town's historic Civil War tablets from the storage facility at the Ruxton DPW Yard to the Bangs Community Center.



- Dave Ziomek led up a team that includes Facilities Manager Jeremiah Laplante, Planner Ben Breger, and Jennifer Moyston. They contracted with a special team of movers who are experienced with transporting heavy, but fragile pieces of stone.

- The Civil War tablets have been relocated to the Pole Room in the Bangs Community Center; placed securely on specially fabricated metal A-frame stands (thank you, Amherst Welding); and were assessed and cleaned by a professional conservator.
- This week we welcomed the informal advisory/advocacy group to view these incredible historical artifacts. They were thrilled, moved, and inspired by seeing them in person – as was I.
- I wanted to share some pictures from the visit and give you a glimpse into what they look like. There is so much more to share with you...but, at this point, this is



simply to let you know that the tablets have been safely relocated; are in a safe, locked, climate-controlled environment; and look spectacular...just pristine condition!

- We are planning for a large community gathering on our new Juneteenth holiday that will include the ability for the public to view these important artifacts in a monitored, socially distanced way.



- **Information Technology (I.T.):**
 - I.T. staff has secured a Cybersecurity Awareness Grant to provide end-user cyber-security training plus assessment and simulation tools. The purpose is to bolster the Town’s cyber-security by educating staff to the most likely dangers and threats.
 - Under the Town’s contract with Amherst Community Television (ACTV) d/b/a Amherst Media, ACTV is contracted to provide coverage of municipal the following municipal meetings:
 - Amherst Town Council – ALL
 - Amherst Planning Board – ALL
 - Amherst School Committee – ALL
 - Amherst Regional School Committee – ALL
 - Amherst Finance Committee Meetings – ALL
 - Charter Required Meetings: - ALL
 - State of the Town Address (Charter 2.2(c));
 - School Public Forum (Charter 4.2(e));
 - Budget Public Forum (Charter 5.3);
 - Finance Committee Public Hearing (Charter 5.5(a));
 - Capital Improvement Program Public Forum (Charter 5.7(d));
 - Open Meetings of the Residents (Charter 8.1); and
 - Free Petition Public Hearings (Charter 8.2(b))
 - Due to the pandemic, and the change in how the Town has conducted its meetings, Town and school staff have stepped in to modify the delivery of these meetings to the public. Significant Town I.T. staff time has been devoted to researching, producing, and staffing these and other public meetings. Instead of sending staff to various locations to set up microphones and cameras and producing meetings for delivery to cable television customers, ACTV is able to accept the Town’s Zoom feeds and which it can then cablecast live to its cable subscribers.
 - In addition, dozens of other municipal boards and committees are now having their meetings recorded and broadcast – live – and archived for future viewing under the leadership of our I.T. crew. These are archived on the Town’s website and YouTube channel. This is a significant expansion of our ability to provide real-time access to the public to public meetings of the Town.

Delegated Authority (March 2021):

- Short-Term Event Uses of Town Commons: None
- Short-Term Parking Requests: None
- Short-Term Road or Sidewalk Closures: None

Major Capital Projects:

- DPW Building/Fire Building: I am establishing a building committee to oversee the review of sites and bidding and design of these two buildings.
- Schools: The Committee has submitted the Owner’s Project Manager (OPM) Request for Services (RFS) for review by the MSBA which was approved. The goal is to have the MSBA OPM Panel review the RFS at its June 7th meeting.
- Library: On the Town Council’s agenda for April 5th.

Project Update:

- Kendrick Park Playground: The contractor has returned to work and is moving quickly with construction. We anticipate their work will be completed by June 1st after which there will be a period of time to allow the grass to grow and final fixes before it is opened officially.
- Dog Park: The contractor is continuing work on this project.
- Performing Arts Shell on the Town Common: No developments.
- Parking Structure on Town Land at North Pleasant Street Parking Lot: No developments.
- North Common Restoration/Main Street Parking Lot: Town Council approved the plan for the North Common. Work will now begin on the schematic drawings.
- Hickory Ridge: No new developments.
- North Amherst Library:
 - The project page is now up and available for public comment. It can be found here: <https://engageamherst.org/north-amherst-library-project>
 - The Town initiated the permitting process – which will take 2-3 months.
- Pomeroy Village MassWorks Grant:
 - Public forums were held March 25th at 6:00 p.m. (1-hour) and March 27th at 2:00 p.m. (2-hours). These forums were convened by the Town Services and Outreach Committee, begin with a brief presentation by Town staff, provided prompts to the public for structured feedback, and included the opportunity for questions and answers.
 - EngageAmherst project page to consolidate information for the public and offer ways for the public to ask questions, and offer suggestions and opinions.
- Solar on the Landfill: In the coming months, crews will be working on the Northern Landfill to mow, set the access road, and set preliminary sediment control. The “real” construction work is scheduled for August, along with the fence around the Southern Landfill.

Upcoming Meetings and Events:

- April 12th – Town Council meeting
- April 19th – Patriots Day holiday
- May 3rd – Town Council meeting
- May 17th – Town Council meeting
- May 24th – Town Council meeting
- May 31st – Memorial Day holiday