Minutes
Amherst Charter Commission meeting of March 2, 2017, Bangs Center, Room 101

Members present: Andy Churchill, Meg Gage, Nick Grabbe, Tom Fricke, Mandi Jo Hanneke, Irv Rhodes (connected via remote audio at 5:43pm), Julia Rueschemeyer, Diana Stein. Members absent: Gerry Weiss. Collin Center: Michael Ward. In attendance: Ted Parker.

Agenda
1. Call to order, approve agenda, approve minutes (5 minutes)
2. Debrief Feb 28 listening workshop (15 minutes)
3. Public comment (10 minutes)
4. Continue deliberating & deciding on language for articles of draft charter (3 hours, 15 minutes)
5. Scheduling/other member updates (10 minutes)
6. Public comment (5 minutes)
7. Topics not reasonably anticipated by the Chair 48 hours prior to the meeting
8. Adjourn

CALL TO ORDER, APPROVE AGENDA, APPROVE MINUTES

The meeting was called to order at 5:39 pm.

Churchill briefly reviews agenda. Grabbe reads aloud passage from Gazette article he wrote ten years ago about issues in Amherst becoming contentious. Included in this article is a quote from Churchill. Churchill solicits additional comment regarding minutes, and Stein moves to approve minutes. All members present approve, except for Grabbe, who abstains. At 5:43pm Rhodes connects in via remote audio. It is established that everyone in the room in can hear Rhodes, and he is remotely participating for reason of geographic distance.

DEBRIEF FEB 28 LISTENING WORKSHOP

Churchill: At least 20 people showed up to the event. Churchill, Grabbe, Hanneke, and Stein were there. Handed out multiple documents to the event attendees: "Introduction" document, "Charter commission feedback session comment form," "Town government range of roles." Walked attendees through introduction and summary of proposal. Grabbe and Stein put together a "summary" document of feedback session for commissioners.

Churchill: There was confusion from one town meeting member over the name of the event. Need to figure out what they are being called. **Gage:** Thought events were called listening workshops. **Grabbe:** "Feedback" is a more accurate descriptor. **Hanneke:** Everything has now been changed to "feedback sessions" at this point.

Rueschemeyer: Whatever you call it, idea is to present information and then to listen. Understands the individual's confusion to stem from lack of time for discussion. **Churchill:** Description of 80 minutes of presentation was exaggerated. **Stein:** It was long, and we need to make it shorter. **Grabbe:** Need to give more time for public to comment at next event.

Churchill: Could streamline document's description to make it cleaner. The way in which people are invited are to participate, it's hard to solicit feedback on everything. Someone suggested having pieces of paper with topic names on the wall. People have dots they can use to vote on which topics are most important. **Stein:** One positive thing was changing plan from small groups to all commissioners present in one group.

Gage: Is there a role for the working group? The working group could do the nitty-gritty details. If we're going to put out this many materials, we should put on website for access in advance. Bringing everything to feedback sessions takes preparation. **Churchill:** We did walk attendees through information on documents, but people did say we could streamline the information.

Gage: Isn't very concerned with working group meeting again, but someone needs to be in charge of making sure planning details are in place for feedback sessions. **Hanneke:** The documents are now currently available on website, even though they weren't there in advance of the feedback session.

Rueschemeyer: What is the document listing the 14 problems in Amherst government? **Grabbe:** I compiled that before the workshop, and sent it to Churchill and Hanneke**.** Didn't present with initial materials passed out, but kept it in case someone asked what was the problem Commission was trying to solve. Churchill made it clear it was just my opinion.

Rueschemeyer (to Churchill): You specifically told me we couldn't present a minority report. **Grabbe:** I could have answered the attendee's question by reading off notes but thought it more convenient to have in writing. **Rueschemeyer:** Thought events were about presenting Commission's proposal as opposed to individual opinions.

Gage: I said all along I think we need a clear problem statement. I think we all agree. **Grabbe:** I tried to be inclusive on the list. **Churchill:** You said you wanted to present your list of problems. And I said I think you have to make it clear its your perspective. **Gage:** I'd be happy to have disagreement on problem statement.

Churchill: It is a good point that Rueschemeyer is raising. Need to be clear on what can and can't be handed out. Other thing that we ran into was the challenge between describing what proposal is, and debating decisions made as group by a divided margin. Several people suggested just focusing on current proposal and taking questions on that. We went into this session knowing it was a pilot.

Rueschemeyer: Are the filled out comments sheets available? **Hanneke:** Need to scan, will get it to this weekend. They will also be posted on website. **Churchill:** Qualitative feedback will be more useful than quantitative.

Rueschemeyer: Sees from many comments thus far that they mirror the basic discussion Commission has been having for a while. **Grabbe:** Didn't think so. **Churchill:** There were comments on size of Council, term limits, public campaign support. **Stein:** Diversity came up.

There is discussion about whether attendees commented seeking a Commission compromise. There is clarification of a comment made by Alice Swift, which is concluded to be about not wanting the mayor to chair the Council.

Fricke: What do we collectively think of the dots idea? I like it. Democratic and forward. **Grabbe:** I like it. Would like to present questions we have and get specific about people's reactions. Like term limits or Planning Board. **Gage:** Agreed. Volunteers to work with Grabbe to come up with those questions.

Gage: Different colored sticky notes give more information than dots. **Stein:** Don't stick as well as dots. **Churchill:** It's more to vote than comment. **Gage:** Big sheets with multicolored dots? Seeks more nuanced information. **Stein:** Dots work better. Can quickly gauge opinion. Point is what to discuss and then immerse in details during discussion. **Fricke:** Essentially "what do you want to discuss" not whether you like it or not. **Gage:** Understood. Dots are fine.

Churchill: Should we use the comment form as basis for what dots will be put on? **Kevin Parker (audience):** What about the other 37,000 people who can't fill one out? **Churchill:** It's not a survey, it's qualitative feedback.

Hanneke: Did people have chance to review the online feedback form I created? Do people want to send proposed changes? I attempted to do the same thing the comment form does, but through the website. Runs through document. It hits current topics and upcoming topics as well. It's not live yet, and doesn't have names required right now.

Stein: We should require names. Don't want multiple votes. **Rueschemeyer:** Think it looks great. But it's not a formal survey, it's just an impression and you don't need names. **Grabbe:** This is really good, but in "election options," the words "partisan or nonpartisan elections" are confusing. **Ward:** I think there may be one town that allows you to include party affiliation on ballot. **Hanneke:** Happy to cut ~~part in~~that question out.

Stein: Has some editorial comments she will email to Hanneke**.** Commission thanks Hanneke**.** It is established that the goal is to get the online feedback form active by the end of the weekend, and it can be edited even after it goes live.

CONTINUE DELIBERATING & DECIDING ON LANGUAGE FOR ARTICLES OF DRAFT CHARTER

Ward: Many commissioners have been working with Stepasiuk through conference calls in working groups. We want to tackle those articles you have worked on. There are a couple new things on legislative and executive articles as well. Preference for what article to start with? **Gage:** What about undiscussed citizen participation mechanisms?

Ward: We will be dropping them into articles as we go. Once document is complete we can see if any are missed. Participatory budgeting, for example, is in the finance section. Now, for the administrative organization article. It can be very short or quite lengthy depending on whether you are interested in building new boards and committees. The two sections are fairly standard.

The first provides a mechanism to reorganize town government, which requires mayor and Council. The second has come up before, called merit principles, which are an anchor to emphasize positions are merit-based. The third section is more distinctive because it concerns the community engagement officer. Framingham Charter is only other in the state that has one.

Churchill: Grabbe and I were on the administrative organization call. Rueschemeyer also in subgroup. **Rueschemeyer:** Currently Looking at Framingham Charter. Community engagement officer is in executive section.

There is discussion among the Commission about how to address Section 1. The Framingham language is lengthy, while Northampton's is short. How explicit should the Charter be, and how much should be left up to the new government to have discretion over. In meeting with Narkewicz, he said they left nitty-gritty of departments and committees to discretion of current government.

Ward: There are a spectrum of ways to address structural issues.

1. Put existence of government body explicitly in Charter.
2. In Transition Provisions, say you will temporarily have government body.
3. Recommend government study of government body.
4. Remain silent.

Many smaller communities created for the first time previously nonexistent major departments. Many Charters are fairly concise here.

Stein: Planning Board is a disputed issue thus far. Giving it to the mayor to deal with precludes Commission from attempting to improve it. **Churchill:** Is there another section regarding boards or committees? **Ward:** An appointed board goes here or in transition provisions. This would be the spot for a comprehensive land use department, for example. Weymouth has a licensing and inspections department. Chelsea just creates a licensing board.

Stein: Why don't we just say "with the exception of ___," and move on for now. **Ward:** Puts in placeholder for Planning Board. **Gage:** We have used different terms for neighborhood meetings. When will we decide on the term? **Ward:** Stepasiuk added that section to latest iteration of legislative. **Gage:** Wants a word that implies they are grassroots and not instructed by Council. Wants to ensure it will be discussed but doesn't want to discuss now.

Rueschemeyer: Clarifying question: this section says all boards in town will be appointed by mayor? **Ward:** Yes, that returns to executive decisions. **Churchill:** If we want Council to appoint, we need to specify that.

There is brief discussion on this point, and it is established that the mayor has authority to appoint boards, as decided upon earlier in the Charter.

Rueschemeyer: Community engagement officer belongs in executive section since it is very specific. **Ward:** It's okay either way.

There is involved discussion over whether Newton language is the clearest choice for Section 1. Stein, Churchill, Rueschemeyer, and Hanneke like the Newton language overall. Rueschemeyer and Hanneke seek to delete part C, however. Fricke inquires about public notice and public hearing requirements. Hanneke like Northampton timeline of 60 days. Rhodes inquires as to how reorganization can be presented to town council without a financial impact statement also being presented. Churchill agrees and seeks to add a clause saying financial impact document needs to be included.

Ward: Understands Commission to seek Newton language of Section 1: parts a) and b), but not c). Commission will use Northampton timeline, change "council" to "subcommittee," and add summary of financial impact as third clause of what memo has to have.

Hanneke: It might be weird for merit principle to cover boards and committees, but if mayor is appointing them, is there a way to prevent cronyism without requiring a merit principle? **Ward:** Could find or create language requiring merit principle.

Gage: When mayor appoints someone, it is not a political appointment that ends when mayor term ends. Is that explicit in charter? **Grabbe:** There is the question of whether they have contracts or not. **Ward:** You need reason to be terminated. Imagines it would quickly be litigated if it was political.

Hanneke: Some Charters require any termination by the mayor to require council approval. **Gage:** The more political it is, the more the people appointed by the mayor have to support him/her personally. **Stein:** Thinking about something Stephanie O'Keefe said. If new mayor wants to terminate someone and Council has to approve it, is that considered executive session? **Ward:** You can protect the privacy of the person terminated by not making it a public affair.

Gage: Wants to ensure people who are doing a good job don't have to personally support mayors. **Rhodes:** As mayor you have the right to construct your administrative team. If you are mayor, how can you achieve goals if you don't have ability to affect management team? **Gage:** You need balance.

Churchill: It is prerogative of mayor to remove someone if they so chose. **Hanneke:** Even if mayor removes someone, they have to abide by the merit principle. **Gage:** Why can't mayor come in and fire whoever he wants?

Commissioners establish that the mayor has hire/fire authority, and Charter is intentionally designed that way.

Rhodes: Are some department heads going to have contracts? **Churchill:** Where does the contract piece come in? **Ward:** There is state law mandating contracts for particular department heads. **Grabbe:** If mayor replaced competent person with political appointee, that would contradict merit principle.

Stein: If we drop "officer" from first sentence, it might be clearer, because this should apply to town employees. **Ward:** We will address the definition of officer in definition section. This section focuses on all employees. Not just appointed by mayor.

Rueschemeyer: Why don't we want same standards for boards and committees? **Stein:** Gage is worried about favoritism with employed position, whereas on committee it is less apt to be a problem. **Grabbe:** Might be too high of a bar for someone appointed to a committee.

Hanneke: I don't think officer indicates committee member. I was told I was technically a town employee when I was on a committee. **Stein:** I think it's better to just say town employee.

There is discussion concerning the word "officer" and if it needs to be in definitions section or in document at all.

Ward: Reads off definition of officer, which doesn't specify whether they are paid or not, but implies being high up in town hierarchy. **Churchill:** "Employees" seems to be enough. **Rueschemeyer:** "Officer" covers more people. You want high standards.

Hanneke: Makes clear that those with most authority are also compelled by same standards. **Grabbe:** But it's not all committee members. **Rueschemeyer:** What are you worried about? **Stein:** What about the rest of the people on committees? **Rueschemeyer:** I thought it was all members of committees. **Ward:** Reads definition again. For example, the Board of Assessors might have officers but not employees. Will look into it.

Churchill: What did Framingham do with community engagement officer? **Ward:** They had it in the executive section. **Rueschemeyer:** It is on page 25 of their Charter. Citizen participation officer, appointed by mayor. Can process complaints, develop strategies for engagement, analyze data on citizen engagement, and regularly submit reports as directed by mayor. **Stein:** Likes that title better.

There is discussion over the title. Civic participation officer is proposed as an alternative to community engagement officer.

Ward: Reads Framingham's citizen participation officer section. Regarding the municipal notification list: this person would be point person for notification systems for citizens.

Gage: Participatory budgeting won't work if there isn't staff. Wants to say that participation officer assists with neighborhood meetings, participatory budgeting, leadership development, and recruiting and training.

There is discussion over the function of the participation officer.

Hanneke: The only thing that we had in our draft that matched the Framingham language was the communication between town government and residents. We have to add more to the Framingham if we want to include what we had in draft. Wants to change language to specify helping anyone become part of government, whether individuals are elected or appointed.

Fricke: Do we need to include outreach in the diversity language? **Rueschemeyer:** It is legally vague. **Fricke:** What exactly is the goal of this language? **Hanneke:** If we don't have broader language, then that's all the officer can do.

Ward: Framingham text and this language is flexible. This doesn't say there is a position created. It says there needs to be someone appointed. Should this be a specific position created? Title given to someone? Up to mayor? **Churchill:** I don't know if this is a full-time job. **Gage:** Participatory budgeting is at least half the year. **Grabbe:** What happens in ~~Framingham~~Cambridge? **Gage:** Two people do participatory budgeting. **Churchill:** Worried about swelling ranks of employees.

The Commission agrees to move the participation officer to executive section.

Grabbe: How much specificity do we want? **Gage:** People don't have enough understanding of participatory budgeting. To be successful, people have to nominate projects. **Hanneke:** Let's deal with it in the finance section. **Gage:** We shouldn't say we want participatory budgeting in finance section if we don't have anyone to do it.

Grabbe: We agreed the participation officer should be in charge of participatory budgeting. **Fricke:** Some of you have advantage of this language in front of you. What does language say in terms of annual reports? **Ward:** Shall regularly submit reports as directed by mayor. **Fricke:** At some point there should be a regular channel of communication. Does the report end at mayor's desk?

Grabbe: Why would people complain to participation officer and not to district councilor? **Gage:** The community participation office might notice trends. **Fricke:** Can you read the complaint phrasing? **Ward:** Reads it. It includes process for "citizen complaints and inquiries" and responsibility to "analyze data on citizen engagement, complaints and inquires." **Rueschemeyer:** If you complain to district councilor, that person isn't part of executive branch.

Fricke: This is drifting from my conception of position. Not enthused about participation officer being complaint collector. **Grabbe:** What type of complaint would citizen bring to this person? **Rueschemeyer:** Councilor can't address complaints with DPW for example. **Hanneke:** Councilor can't go directly to DPW. **Grabbe:** If you had problem with pothole on street, you would call councilor. **Rueschemeyer:** You call DPW, but if they don't do anything, you have no recourse.

Gage: Participation officer can notice trends instead of specific complaints. **Churchill:** Is emphasis on recruiting, participation, or complaints? **Fricke:** Mayor should be managing complaint collection without that being defined in Charter. Seeks to include language about attending to who is participating and who isn't, and how we can broaden participation. Delete complaints section?

Ward: Understands Commission seeks Framingham base language with major modifications. First of all, what is the title?

There is discussion over the title, and the conclusion is "community engagement officer."

Ward: Understands what Commission wants as follows: Use Framingham base language, include neighborhood associations language, include providing resources for citizens interested in getting elected or appointed, change reporting from mayor to mayor and council, remove anything about complaints and inquiries, fix Oxford comma problem. Move whole section to executive section.

Grabbe: Officer should be assisting neighborhood associations not the councilors.

Hanneke: Why did Board of Health get deleted?

Ward: You're not making changes to it, so no reason to include. Now, for finance and fiscal procedures, here is a quick bit of context. There is a fiscal year section, a joint meeting section explaining how initial budget discussions commence, a public forum on budget, then a couple sections detailing budget process, supplementary budget process, capital program section, (some towns have nothing on capital), and 7-C in capital planning is the participatory budgeting, then the extremely common section of the independent audit. The last section is a brand new Framingham creation, which is a new committee. Hanneke, Stein, **and** Rhodes are the commissioners in the finance working group.

Hanneke: I handed out a 1.5-page document that is color-coded. Red text is only what you have to include. Black text is stuff that happens unrequired by Charter. Spent significant time looking this over from initial draft to what you have in front of you.

Stein: Became concerned about timeline because there is a big budget impact on Amherst when the regional school committee meets to decide on funding. If 3 towns make decisions before us, we can get stuck being responsible for largest amount of money to contribute to regional fund. Amherst needs to be in on those negotiations. **Churchill:** Doesn't matter when they occur because Amherst can get stuck anyways. **Hanneke:** If our decision is no, and theirs is yes, it doesn't matter. **Stein:** We don't want to have no say because the other 3 towns have voted already.

Hanneke: Already, the timing doesn't seem to work out with other towns, but it might be good to have Amherst budget established before Leverett, Pelham, Shutesbury budgets. We were told that Council can't increase bottom line number once mayor has presented a budget. We can't have the ~~council~~ mayor submitting the budget in January. **Rhodes:** Questions will come in exploring the language. **Ward:** Section 1: The fiscal year starts in July. No need to change that. Section 2 concerns the preliminary joint budget meeting.

Hanneke: Budget coordinating group exists right now and includes many of top positions in town. We attempted to define it in similar manner. **Rueschemeyer:** Do we have to define how many members come from each government body? **Hanneke:** We can set guidelines if we want. **Churchill:** I was on that committee. We negotiated understandings of what financial picture would look like. Up to schools and library to produce their budgets.

Grabbe: Would school committee appoint own representatives to this group, or would the mayor appoint? **Rueschemeyer:** This seems like it takes away from mayor's authority to create budget. **Ward:** The mayor brings group together. Members provide context to budget. Mayor still lays out guidelines and calendar at end of day. **Churchill:** Schools always prepare budgets and submit to mayor.

There is clarification on who is submitting budgets, and what the superintendent's role in shaping the budget is. There is discussion over who is named specifically as part of budget coordinating group, and how explicitly to define who is included in this committee. There is discussion over what this group has been like in the past and if/how it should change in the future. It is established that the mayor can invite others to the committee, in addition to those specified in the Charter.

Stein: We should spell it out more. School finance director for example may not be invited. The key people are library director, superintendent, and school finance director. School finance director is most knowledgeable. **Rueschemeyer:** We can add that position. The bigger issue is budget priorities. **Grabbe:** School finance director can provide information budget group could want. **Rueschemeyer:** Superintendent can bring that person.

Fricke: As a broad philosophical approach, we should trust the people in these offices to do their jobs correctly. We are trying to prevent stupidity from occurring by overwriting the Charter. **Ward:** Northampton and Everett have similar language which is even simpler. Reads off their language. **Hanneke:** Reads off original wording of budget coordinating group. The concern of a joint meeting of committees is inflating the budget group roster to an obscene number. **Fricke:** Seeks a budget coordinating group over a joint meeting.

There is further discussion over who should be explicitly included in the budget coordinating group. There is involved discussion over how the nuances of language affect who is required or encouraged to attend these meetings, and about ensuring enough people come, without having too many attend.

Stein: Can you amend the Charter with a bylaw? **Ward:** You can make it more specific with a bylaw.

The Commission decides to include in the budget coordinating group the town council, library, elementary and regional schools, and any other persons the mayor deems necessary. Commission seeks to revisit in the future. **Gage:** Wants to revisit punctuation/grammar in future.

Ward: Mayor must hold public forum before submitting budget. **Hanneke:** What currently occurs is that when manager submits budget proposal, he must provide current fiscal year and 2-year fiscal year history as context. **Stein:** That provides trends. **Rueschemeyer:** A lot of what happens in Amherst is simply doing it the same way as the previous year.

There is discussion over how budget increases work.

Rueschemeyer: Seeks public forums include an additional element of context besides previous budgets and current budget. **Hanneke:** Section 4b explains what budget message is. Could include budget message in public forum. **Rueschemeyer:** I want public forum to be about mayor's priorities. **Ward:** Is this public forum intended to be one of the 3 mandated annual public forums? Commission affirms. **Fricke:** Can we just leave the content of the forum up to the mayor?

There is further discussion over the timing of the forum and the content, and ensuring the forum serves a purpose instead of being a formality.

Stein: What would the mayor discuss if budget hasn't yet been drafted?

There is a language change to "at least one public forum" so there can be more than one per year. Forums are intended to provide public with context based on prior years' budgets and mayor's priorities, as well as to solicit feedback from public.

Ward: The forum is most valuable when it doesn't get bogged down into line item elements, but instead has the mayor explaining priorities and means of achievement. **Gage:** Cambridge budget report is excellent. **Ward:** Agrees, same with Somerville. Communicates strengths, weaknesses, goals, and challenges of municipalities.

Commission takes break at 7:59pm. Commission resumes at 8:06pm.

It is established that Section 4 discusses the budget, and in particular the budget submission and budget message. **Stein:** Problem with "bulletin board," wants to change it to "message board." **Ward:** Changes to "message board in accordance with Massachusetts public posting requirements." Section 4, part b) there are no changes.

Part c): **Hanneke:** 60 days falls early May. Which would put 21 days in early April. In the past, regional school committee and school committee voted budget in March, Library Trustees voted in January. If we want longer time for mayor to add changes into budget, we have to be concerned about where their typical calendars are.

There is discussion over providing mayor sufficient time to make decisions. **Ward:** As it stands, you have pushed one forum within that 21-day window. There is discussion about how the timeline works with everything, where forum falls on that, and about extending "21 days" to "28 days."

Gage: The involvement the mayor has with the school committee makes a difference. There is a leaning to put mayor on school committee.

There is discussion on part d) being too prescriptive and potentially meaningless. There is a decision to delete language regarding modern procedures.

Section 5: **Churchill:** Finance subcommittee is similar to what we currently have now with finance committee?

It is established that the finance subcommittee is comprised of Council members. **Churchill:** Is there interest in having finance committee separate from council? **Gage:** Why not have volunteers on a committee? **Ward:** A couple places retain advisory and finance committee. Think Franklin had one. Easton had one, but in order to help Charter pass, not for long-term view.

Grabbe: Would it make sense to allow finance subcommittee of Council to bring in citizen experts to help evaluate part of the proposed budget? **Fricke:** Don't need to say that. As long as it's not prohibited, it's permitted. **Gage:** Committee members appointed by Council? **Ward:** Franklin has finance committee appointed by council. **Rueschemeyer:** 2 choices. Subcommittee with volunteers, or finance committee appointed by council.

There is further discussion on which is the superior option. **Fricke:** What do we expect this body to contribute to at this stage? The mayor has crafted a budget in consultation with finance professionals. Now here we are, and the council will hold a public hearing, and acquire feedback. **Rueschemeyer:** Subcommittee would hold hearing. **Fricke:** What do we want from this? Rational skepticism? Highly qualified individuals to vet the budget? **Grabbe:** Finance committee right now provides rational skepticism. **Fricke:** What can these other people provide? **Churchill:** Finance committee currently hears budget presentations as they are developed.

Rueschemeyer: Finance committee always goes 7-0 in favor of budget. Not a deliberative process. I like the idea of checks and balances. Council members won't necessarily have level of expertise people on finance committee have. **Hanneke:** You develop that expertise over time, on council or on committee. **Rhodes:** That's the way school committee operates, with a subcommittee on finance and budget.

Grabbe: What is the power of the council regarding the budget? **Hanneke:** Approve or deny. **Grabbe:** If council doesn't have much power over budget, what is the point of public having a say in regard to them. Does rejection create problem for scheduling? **Rhodes:** Does the mayor have the ability to change the budget the school committee creates? That's by far one of the largest parts of the budget. **Hanneke:** In theory the mayor can take approved budget of school committee, and change in his budget. **Rhodes:** Should be publicized.

There is brief clarification over mayor's role on school committee. It is established that it is yet undecided. **Churchill:** Clarifying council power regarding budget: council can decrease but not increase budget. **Rueschemeyer:** Town council has less power than town meeting.

There is discussion over how council can manipulate the budget, and differences between town meeting power and town council power. It is established that one power town council has is deleting programs in the budget. There is discussion on whether finance subcommittee can include members of public. There is discussion on whether it will be burdensome or effective to include members of public on subcommittee. There is a decision to include and to explicitly include provision for including members of public of finance subcommittee. There is discussion over the specific language of who can be invited.

Section 6: There is language change to ensure public posting for a minimum of 10 days. There is clarification on meaning of language but no further changes. Section 7, part a). **Hanneke:** Based on Framingham. Once inventory is created, updating annually is less labor-intensive than it sounds. **Stein:** It is a way to follow it.

Section 7, b). **Stein:** Capital assets under a certain amount should be left out. **Churchill:** The council can establish those standards. **Stein:** You don't want them telling you the cost of a nail or each computer. **Rueschemeyer:** Do we want the same language saying "representatives from school committee." **Hanneke:** Current special act Charter language says representatives from school committee.

Section 7, part c). **Gage:** The number I'm proposing for participatory budgeting is half of one percent: $400,000. It applies to projects that don't incur any ongoing costs. **Hanneke:** That's capital projects. **Gage:** $400,000 is a good number. **Stein:** Current goal for capital projects is 6.2% to 10% of budget.

Fricke: Would like advice from someone with familiarity with budget in regards to participatory budgeting funding allocation. **Rueschemeyer:** People on Commission have familiarity. **Grabbe:** I think $400,000 is way too much to burden the town with. I support the concept but finding room for another $400,000 would probably involve cutting other positions. **Rhodes:** Capital has to come from somewhere. Operating budget and capital budget are synchronized.

There is discussion about comparing Amherst's budget to Cambridge in regards to budgets, and in particular the allocation for participatory budgeting. There is discussion about how to arrive at the allocation amount. There is discussion about whether Commission is qualified to decide percentage allocation without external input. Calculations are done to try to find what Amherst's participatory budgeting fraction should be using Cambridge's ratio. Fricke is strongly against using a number from Cambridge. Hanneke says it's important to look specifically at Cambridge's capital budget as opposed to operating budget. Hanneke cautions against making participatory budgeting too much of a percentage of Amherst capital budget. Gage will talk to Chris and Paul from Cambridge, but feels Commission isn't currently prepared to have discussion. Hanneke seeks tying participatory budget allocation to capital budget. Grabbe stresses that seeking caution and restraint don't mean the Commission doesn't still support the idea. Churchill asks if the Charter needs a percentage number. Stein says Hanneke's point about the capital budget is important. Stein seeks advice from more people, and learning more before plugging number in. There is discussion over whether the broad language is sufficient thus far, and if it's just the number/percentage that needs to be put in. Grabbe cites Ward's previous point that Cambridge may not be a good comparison for Amherst since they have a broader tax base. Stein, Gage, and Grabbe will work to obtain opinion from inside Amherst. Gage will seek opinion from Cambridge as well. Rueschemeyer thinks it's important to talk to people outside of town about why it is important and how it works in actuality. Ward doesn't think participatory budgeting has been done in Charter before. Suggests creating new section for it, calling it Section 8.

Section 7, part d). **Churchill:** Is 120 days normal? **Hanneke:** Originally proposed as 6 months, cut it down to 4. It puts it in January. Capital improvement program is not same as capital budget.

There is discussion over where the capital improvement program fits into the budget timeline. **Fricke:** Assumed you could stagger it off the budget process. **Churchill:** 6 months might be good, get it out of clutter of budget process. **Fricke:** Seeks "at least" language preceding "120 days."

Section 7, part e). There is discussion on the public hearing: content, frequency, and how it compares to public hearings in Amherst now. It is clarified that the new Charter mandates more opportunities for public comment than currently exist in Amherst Charter. There is a decision to maintain language.

Section 7, part f). There is discussion on the wording of the language specifying when the council adopts the capital improvements program.

Section 8. Ward says you can change who picks the audit firm. Typically the council, but could be the mayor. Gage suggests putting in stipulation stopping town from hiring same firm more than 5 years in a row to prevent there being too "cozy" of a relationship between town and firm. There is discussion over whether that is a feasible idea and if the Commission should implement it. There is a decision to maintain language.

Section 9. Ward says SIFOC is a Framingham invention. Stein says it hasn't been worked over but it's intriguing and worth discussing. Hanneke says it may be duplicating other committees, but may be worthwhile. Ward explains the idea allows for people in community to help deal with long-term town issues. There is discussion that it may be too concerned with financial planning, which is already covered by other bodies. However, SIFOC members hold no other elected or appointed offices so may be good for long-term future of town. Who the members are is discussed, and if there are qualifications or not. There is discussion of whether or not there are long-term issues that wouldn't be addressed by the rest of town government, that would necessitate the involvement of SIFOC. There is discussion of moving SIFOC to transition provisions. There is discussion of removing the financial elements of SIFOC. There is concern they will create unnecessary bureaucracy. There is consensus to change the acronym, and to move it to transition provisions.

SCHEDULING/OTHER MEMBER UPDATES

Churchill: Are we getting close to being on track? **Ward:** We are close to being caught up. We need to take pieces we have gone through and compile into a master document. There will still be temporary punctuation and capitalization errors. **Churchill:** We are close to being through the first draft of the Charter? **Ward:** Except for elections and transitions and a piece of general provisions and school committee and elected officials. **Churchill:** Planning Board? **Ward:** Not sure when we will address that, but will be part of revisiting zoning as a whole.

Gage: Is that the version for which it would be helpful to have us edit for verb choice and grammar? **Ward:** Once we're through everything once, then we can do that. **Gage:** It is appropriate to revisit previously explored sections at this point though, correct? **Ward:** Yes. **Gage:** Some things were brought up tonight that made me want to revisit things we had done in the past. What else do we need to do to get caught up? **Ward:** There are also some things Stepasiuk highlighted and sent over.

Churchill: We need to talk scheduling. **Hanneke:** School committee is not available next Wednesday. Churchill and I recommend cancelling next meeting, on March 8. Katherine Appy is considering March 16, 22, and the 23 as possible dates committee can come. **Stein:** Requests not March 16th. **Churchill:** Requests not March 22nd. **Fricke:** March 16th is candidates' night.

Rueschemeyer: What is the information to obtain from school committee? **Hanneke:** Thoughts on committee size, mayoral involvement.

Stein would rather sacrifice her Monday conflict than miss meeting with the school committee. Ward wanted Commission to reschedule March 29th meeting because Collins Center is unavailable. There is discussion of rescheduling the March 29th meeting to March 27th. Rueschemeyer suggests inviting the school committee for the first hour of the March 29th meeting. March 29th is rescheduled to March 27th from 5:30 to 9:30pm. Hanneke will invite the school committee and superintendent for the first hour of that meeting. It is established Rhodes will be back for all April meetings. Hanneke will invite the school committee for earlier than 5:30pm on March 27th if that would allow them to be present. There is consensus not to seek a separate meeting for the school committee. March 27th and March 6th are the two days the Commission seeks to potentially meet with the school committee. There is discussion of pushing the school committee meeting to April, but concern that by then it will have taken too long to address the school committee section of Charter.

Churchill adjourns meeting at 9:42pm.

Documents presented:

Introduction to Government and Current Draft Charter Summary
Administrative organization article
Finance and fiscal procedures article
Comment sheet
Summary from feedback session
Hanneke's Online Feedback Form Draft