



To: Paul Bockelman, Town Manager

From: Lynn Griesemer, Town Council President

CC: Amherst Town Councilors

Date: August 27, 2020 (DRAFT)

Re: FY20 Town Manager Performance Evaluation

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The Town Council has completed its review of your job performance for your fourth year of service as Town Manager, and we are pleased to present these results to you.

This Memo and the attached composite ratings summary serve as your official performance evaluation for FY20. These documents summarize all the ratings from the individual evaluation forms submitted by all 13 current Town Council members, with comments reflecting majority and general sentiments reflected on those forms or agreed upon during discussion at the August 17, 2020 and August 31, 2020 Town Council meetings. While each Town Councilor's individual evaluation form is important, and therefore included for your information, since our authority as the Town's chief elected officials is vested in the full body, only this Memo and the composite ratings grid represent the Town Council's position.

In general, a composite evaluation is more art than science, as each of us brings our own interpretation to the expectations and goals as described, as well as to the definition of each rating. This shapes our evaluation of your current performance and our aspirations for your future with the Town. As a result, you will see ratings, which often vary considerably from one Councilor to the next; however, even with that variability the comments each member wrote often align or draw attention to similar themes. We have reviewed your self-evaluation (FY20 Town Manager Performance Goals – Annual Report) and input from the community and Town staff along with our own reflections on your performance as we have created this evaluation. We thank you for your assistance in this process.

We have tried to note and appreciate the parts of your work where you have excelled and to identify areas where our expectations of performance will require more of your attention. The goal, as always, is continual improvement in your management of our Town.

Finally, we recognize that the last 3½ months of this year are like no other time in the history of Amherst, nor in your experience as a seasoned manager. The COVID-19 pandemic, which began in earnest in Massachusetts in early March, has made it even more difficult to evaluate your performance of goals that were agreed upon only on January 27, 2020.

You received strong marks across five (5) of the seven (7) evaluation categories (indicated in **BOLD** letters):

- I. **Strong Fiscal Management: Ensure the Town budget allocates resources responsibly and responsively.**
- II. Climate Action: Using a lens of Climate Action, prioritize and begin to implement regulatory, fiscal, and other actions to meet energy, sustainability, and resilience goals.
- III. Long-term Planning: Develop Plans Consistent with Town’s Long-Term Vision.
- IV. **Personnel Management: Manage staff, emphasizing the responsiveness and effectiveness in delivering services to our community.**
- V. **Expand Community Engagement and Strengthen Intergovernmental Relations, Volunteer Committees, Boards, and Commissions.**
- VI. **Economic Development: Identify opportunities to improve the cultural and economic vitality of Amherst.**
- VII. **Relationship to the Town Council.**

Every member of the Town Council appreciates working with you and admires your excellent service to our community. We look forward to your continued success in the many critical areas of Town management, and we look forward to the progress and new successes you will achieve. The Town Council thanks you for your fourth year of service to the Town and especially for your leadership during this period of unprecedented challenges due to the COVID-19 pandemic.

Percentage and Number of Councilor Ratings for each goal category are shown below:

*(Notes: The percentages and Number of Councilors appear in the text as \_\_% or \_C. 4C = 4 Councilors. The following is noted in the text and creates confusion regarding the percentages. Some Councilors provided 2 different ratings for the same item; some Councilors did not provide any rating for an item. Percentages are rounded up or down to whole numbers, or where evident, presented as a percentage to the first decimal point.)*

(1) **bold** identifies areas of particular strength (rated as “Commendable” 30+ % or 4+C). 30% and above means that 4 or more Councilors rated this as “Commendable”;

(2) neither bold nor italics identifies areas of satisfactory performance (rated as “Satisfactory”); and

(3) *italics* identifies areas requiring more attention (rated as either “Needs Improvement” or “Unsatisfactory” with a combined total of 30+ %). 30% and above means that 4 or more Councilors rated this as “Needs Improvement” or “Unsatisfactory”.

Several times Councilors felt they were unable to evaluate you on the achievement of a particular goal (rated as “Unable to Judge”). This rating could signify any of the following: (1) the issue has not been brought before the Council at this time; (2) Councilors require evidence and/or more information about an issue – thus it is an issue of communication; or (3) the COVID-19 pandemic made it especially difficult to rate your performance on this goal. The decision to **bold** or utilize *italics* was based upon those ratings where Councilors were able to judge.

The following documents are attached:

- FY20 Town Managers Self-Evaluation for FY20
  - FY20 Composite Evaluation ratings by the Town Council
  - FY20 Questions 6, 13, 20, 27, 32, 40, 45, 46, 47 Summary Data. Note: These include individual suggestions and issues raised by only one or two Councilors but not discussed as a Council.
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- I. Strong Fiscal Management: Ensure the Town budget allocates resources responsibly and responsibly. (Q2): 67% or 8C Commendable, 33% or 4C Satisfactory, 0%Needs Improvement, 0% Unsatisfactory, 0% Unable to judge. Note: 1 Councilor did not respond.**
- A. Maintain and strengthen strategies for long-term fiscal health (Q3): 31% or 4CCommendable, 61.5% or 8C Satisfactory, 8% or 1C Needs Improvement, 0% Unsatisfactory, 0% Unable to judge.**
- B. Determine financially sustainable strategies to meet core service needs in all departments (Q4): 46% or 6C Commendable, 46% or 6C Satisfactory, 8% or 1 Needs Improvement, 0% Unsatisfactory, 0% Unable to judge.**
- C. Prepare and Administer Annual budget (Q5): 85% or 11C Commendable, 15% or 2C Satisfactory, 0% Needs Improvement, 0% Unsatisfactory, 0% Unable to judge.**

Fiscal management for cities and towns is always a challenge. Due to the COVID-19 pandemic, FY20 posed a greater challenge than in most years or anticipated as the year began. It affected the time you had for fiscal management, FY 20 expenses and revenues, and projections for expenses and revenues in FY 21. Fortunately, there were some **new revenue sources** to address unplanned expenses resulting from the pandemic, such as the CARES Act. You had to monitor what resources might be available and the process to secure those funds. Moreover, you had to oversee ongoing financial management of the Town. Fortunately, you had a strong staff in the Finance Department and realized that this was a time and opportunity to fill the Finance Director position, which had been vacant for several years. You worked with the Council and its Finance Committee to develop and implement a revised FY21 budget process that resulted in adoption of a one-month budget for July and an FY21 budget before the end of that month. Your overall management of Town Finances are strongly appreciated by the Council.

Regarding strategies for maintaining and strengthening the Town's **long-term fiscal health**, you were taking steps to facilitate growth that would enlarge the Town's tax base in cooperation with the Business Improvement District and the Chamber of Commerce and generate additional revenue from the University, and then were confronted with the COVID-19 pandemic. We look forward to continued efforts to work with UMass on a new Partnership Agreement and for establishing a more formal agreement with Amherst College and Hampshire College, including

connecting with other college towns to find out how they have obtained support from their colleges. The Council looks forward to receiving reports about revenue from the marijuana industry, the strategy for increasing that revenue, and a plan for allocating the revenue. One area that remains a challenge is the long-term capital needs and how the Town will pay for them. That includes funding plans for the four major projects. Several Councilors noted that the Town will need to re-assess what is affordable given the changed economic reality – which likely will mean a less optimistic view of what will be possible over the next several years given Town and residents budget constraints. You will need to work with the Council to develop a revised strategy, presumably based upon the modeling provided by the Finance Director that may include a longer time horizon.

You are clearly committed to the provision of core service by all departments. We are not clear about the **financially sustainable strategies** to continue to meet those needs. Issues remain about the adequacy of staffing for certain departments. The Council focus has been on the two Public Safety departments. Since Hadley discontinued its contract with Amherst to provide EMS response, we need to reassess EMS/Fire staffing needs. This is not a new issue. A consultant studied the service demands and staffing at approximately the same time that Hadley was making this decision. This is going to be difficult as the University and Colleges adjust to temporary changes due to COVID-19 pandemic and possible long-term changes in higher education. The

National attention on the murder of Black men, women, and children by police in other states led to a Council resolution asking you to postpone filling two police positions so that you can evaluate our community’s public safety needs and staffing requirements to meet those needs. This was not in the goals set last fall but will likely be a new goal for FY21, with exploration of what could be financially possible.

There is great appreciation for your work with the Council to **prepare the annual budget and the administration of the budget**. The Council commends you for working with us as we develop Budget Guidelines and that this guidance is reflected in the budgets that you submit to the Council. As previously noted, this was a difficult year to develop a budget for the next year, FY21. You were working on a budget process with dates established by the Charter and Massachusetts General Laws and then had to restart the process, but with less certain revenue projections and at a time of uncertainty about needed services and expenses. You proceeded in a thoughtful manner and kept the Council and the community informed.

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**II. Climate Action: Using a lens of Climate Action, prioritize and begin to implement regulatory, fiscal, and other actions to meet energy, sustainability, and resilience goals.** Overall Goal (Q7): 15% or 2C Commendable, 69% or 9C Satisfactory, 0% Needs Improvement, 0% Unsatisfactory, 15% or 2 Unable to Judge.

A. Educate staff on goals and opportunities within each department (Q8): 23% or 3C Commendable, 31% or 4C Satisfactory, 0% Needs Improvement, 0% Unsatisfactory, 46% or 6C Unable to Judge.

- B. Assess options for energy efficient buildings, vehicles, and other purchases in operating and capital budgets (Q9): 23% or 3C Commendable, 46% or 6C Satisfactory, 15% or 2C Needs Improvement, 0% Unsatisfactory, 15% or 2C Unable to Judge.
- C. *Explore internal systems to track energy savings based upon investments (e.g., investments in energy efficient buildings, vehicles, etc.) (Q10): 0% Commendable, 15% or 2C Satisfactory, 15% or 2C Needs Improvement, 15% or 2C Unsatisfactory, 54% or 7 Unable to Judge.*
- D. Gather Climate Action plans from three higher education institutions to inform future areas for possible cooperation (Q11): 8% or 1C Commendable, 46% or 6C Satisfactory, 0% Needs Improvement, 0% Unsatisfactory, 46% or 6C Unable to Judge.
- E. **Start to implement projects or initiatives that the Town Council identifies as actionable in the short term, including building regional alliances and securing grants (Q12): 31% or 4C Commendable, 46% or 6C Satisfactory, 0% Needs Improvement, 0% Unsatisfactory, 23% or 3C Unable to Judge.**

Rating this goal was difficult for some Councilors, perhaps reflecting the difficulty of implementing steps toward Climate Action Goals once we entered into the COVID-19 pandemic mode. However, we recognize the significant attention you have given to the Energy and Climate Action Committee (ECAC); the progress with regard to the Inter-municipal Community Choice Aggregation with Northampton and Pelham; the efforts to obtain the MVP Action Grant; the addition of three Valley BikeShare locations; additional EV Charging Stations; and planting of over 2000 trees. All of these represent your efforts to **implement projects or initiatives that the Town Council identifies as actionable in the short term, including building regional alliances and securing grants**. You provided a link to the **three higher education institutional plans** for climate action. What is not as evident is specific efforts to **educate staff** and there has been no progress made toward the development of a **system to track energy savings** and should continue as a goal for the coming year.

You hired a Building Facilities Manager toward the later part of this fiscal year, who is tasked with **conducting energy and efficiency assessments** of all municipal buildings to identify carbon reduction option – retrofitting lighting, alternative heating and cooling systems, and exploring which town buildings may be appropriate for solar. Accepting the financial challenges of the coming year, we hope to see progress in these and other **energy savings projects** including continued efforts to obtain federal and state grants.

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### III. **Long-term Planning: Develop Plans Consistent with Town’s Long-Term Vision.**

Overall Goal (Q14): 23% or 3C Commendable, 69% or 9C Satisfactory, 8% or 1C Needs Improvement, 0% Unsatisfactory, 0% Unable to Judge.

- A. Facilitate the review and revision of the Master Plan and Zoning bylaws, as needed (Q15): 8% or 1C Commendable, 77% or 10C Satisfactory, 8% or 1C Needs Improvement, 0% Unsatisfactory, 8% or 1C Unable to Judge.
- B. Develop a 5-Year Capital Improvement Program (Q16): 23% or 3C Commendable, 54% or 7C Satisfactory, 8% or 1C Needs Improvement, 0% Unsatisfactory, 15% or 2C Unable to Judge.
- C. Develop a plan and report on 6- month progress for the use of Hickory Ridge land (Q17): 8% or 1C Commendable, 31% or 4C Satisfactory, 23% or 3C Needs Improvement, 0% Unsatisfactory, 38% or 5C Unable to Judge.
- D. *Identify short and longer-term actions to make it easier and safer to walk, bike, or travel around in Amherst, especially sustainable modes of transportation (Q18): 8% or 1C Commendable, 46% or 6C Satisfactory, 31% or 4C Needs Improvement, 0% Unsatisfactory, 15% or 2C Unable to Judge.*
- E. **Assess efforts and potential actions to provide access to safe, affordable housing for low- and moderate-income residents (Q19): 38.5% or 5C Commendable, 54% or 7C Satisfactory, 15% or 2C Needs Improvement, 0% Unsatisfactory, 0% Unable to Judge. Note: 1 Councilor provided 2 different ratings.**

You began this year with multiple efforts toward this goal, only to be significantly slowed by the COVID-19 pandemic. The model developed to look at the 4 large capital investments was on track to aid us in developing a plan for how to move forward; the Destination Amherst plan you and your staff developed with the BID and Chamber as presented to the Council reflected a vision for downtown; and our continued ability to exceed the State’s **affordable housing** (at 12.59% SHI) was helped by your efforts. In a rapid turn-around, your response to the COVID-19 pandemic with the Temporary Zoning to assist businesses to recover from the upheaval was met with resounding and rapid support from the Town Council.

Despite the pandemic, we celebrated the reward of being invited by MSBA into the process to build/renovate an elementary school, the completion of Groff Park, and significant progress on the Dog Park, North Amherst Library, and the new high-speed, fiber-optic intranet. Maintaining a healthy homeless shelter through the pandemic was a credit to many. Although you continue to make progress on **maintaining streets, sidewalks, bike paths, and infrastructure**, these will always present challenges and needs to remain a priority for you and your staff. Many of these projects have been augmented by grants and gifts.

The coming year provides the opportunity to re-assess and develop a **5-Year Capital Improvement Program** that adjusts for potentially slow and painful economic recovery, review rental housing regulations, and focus on **major Zoning Bylaw** review and revision. We also hope to see progress on the **Hickory Ridge** acquisition and plan in the coming year. All are part of establishing a sound basis for future long-range planning.

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**IV. Personnel Management: Manage staff, emphasizing the responsiveness and effectiveness in delivering services to our community (Q21): 33% or 4C Commendable,**

**58% or 7C Satisfactory, 0% Needs Improvement, 0% Unsatisfactory, 17% or 2C Unable to Judge. Note: 1 Councilor provided 2 different ratings; and 1 Councilor did not respond.**

- A. Retain and recruit highly qualified, diverse staff (Q22): 50% or 6C Commendable, 42% or 5C Satisfactory, 8% or 1C Needs Improvement, 0% Unsatisfactory, 0% Unable to Judge. Note: 1 Councilor did not respond.**
- B. Improve customer services to residents and businesses (Q23): 31% or 4C Commendable, 46% or 6C Satisfactory, 15% or 2C Needs Improvement, 0% Unsatisfactory, 8% or 1 Unable to Judge.**
- C. Provide opportunities for professional development (Q24): 38.5% or 5C Commendable, 38.5% or 5 Satisfactory, 0% Needs Improvement, 0% Unsatisfactory, 23% or 3C Unable to Judge.**
- D. Encourage communication and create cross-departmental teams to improve cooperation and coordination of services (Q25): 54% or 7C Commendable, 15% or 2C Satisfactory, 0% Needs Improvement, 0% Unsatisfactory, 38.5% or 5C Unable to Judge. Note: 1 Councilor provided 2 different ratings.**
- E. Report a plan to address the role of permanent Finance Director (Q26): 77% or 10C Commendable, 15% or 2C Satisfactory, 0% Needs Improvement, 0% Unsatisfactory, 8% or 1C Unable to Judge.**

Generally, you have implemented practices that **attract excellent and diverse staff** but sometimes have issues retaining them. Councilors are pleased with the **filling of the Finance Director** position and other recent Department hires. Councilors speak positively of the consideration of vision for a department, as well as qualifications, during the hiring process.

You continue to foster attitude of helpfulness and courtesy to the public and to **improve customer service**. This includes friendlier face-to-face interactions, improvements to website, social media, and electronic communications, and expanding our language capabilities. Despite your work, this area can be improved.

Councilors are concerned that residents do not receive follow-up communications regarding requests for services (they can “click” but they never know if it was “fixed”). Further, Councilors do not believe there is transparency regarding decisions and plans about road and sidewalk projects – residents are not able to get accurate answers to basic questions, items funded in budgets are not started within the budget year (e.g., East Pleasant Street sidewalk study), and questions regarding start dates of those projects are responded to with silence. It appears the streamlining of permitting continues, but still has challenges.

You **meet regularly with all directors and department heads** to discuss issues facing their department and their performance, including their communications. You also hold **meetings across departments** during which it is assumed directors and department heads are encouraged

to communicate with each other. You have provided and supported significant opportunities for **professional development** for the staff.

Maintaining positive staff morale is critical to the success of the Town of Amherst government operations. While an organization with hundreds of employees will have some who are not satisfied, you are accessible to all staff and your efforts to **encourage communication with staff at all levels** is commendable. In addition to normal, everyday interactions with members of the staff, you continue to work with department heads and leadership teams to develop more effective relationships with all staff in the Town. Based on those surveys returned by staff, Councilors would like to determine additional ways to assess this goal.

Finally, Councilors are pleased with your **response to the COVID-19 pandemic** in this area. While there were reports of some staff unhappiness, it appears to Councilors that you handled the building shutdown, communication with staff, and return to in-person work with openness and professionalism.

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- V. **Expand Community Engagement and Strengthen Intergovernmental Relations, Volunteer Committees, Boards, and Commissions (Q28): 54% or 7C Commendable, 38.5% or 5C Satisfactory, 8% or 1C Needs Improvement, 0% Unsatisfactory, 0% Unable to Judge.**
- A. **Continue to improve and report on communication and outreach efforts to engage residents regarding Town activities (e.g., town activities, CPO's, Census, etc.) (Q29): 61.5% or 8C Commendable, 31% or 4C Satisfactory, 15% or 2C Needs Improvement, 0% Unsatisfactory, 0% Unable to Judge. Note: 1 Councilor provided 2 different ratings.**
- B. Continue to Develop Relationships with Higher Education Institutions (Q30): 38.5% or 5C Commendable, 23% or 3C Satisfactory, 31% or 4C Needs Improvement, 8% or 1C Unsatisfactory, 0% Unable to Judge. Note: By the rating system this goal could be both **BOLD** and *italics*.
- C. Maximize Contributions of Town Committees (Q31): 15% or 2C Commendable, 54% or 7C Satisfactory, 23% or 3C Needs Improvement, 0% Unsatisfactory, 8% or 1C Unable to Judge.

Most Councilors gave you strong marks in this area and were particularly pleased at your **continued efforts to improve and report on communications and outreach efforts in order to engage residents**. Weekly Community Chats and Cuppa Joe gatherings are appreciated and evidence of your commitment to outreach and communication with residents, referred to by one Councilor as “the gold standard.”

It was acknowledged that diversity remains an elusive goal on Town committees and boards. In the written feedback and during meetings, some Councilors expressed concern about the webinar format currently in use for Zoom meetings and a belief that this discourages the public from participating fully in Council Meetings and other Committee Meetings. Your oversight of the Town multiple-member bodies brought forth some concern. However, this period of virtual meetings has meant a significant increase in the engagement of IT staff.



In the area of the **Town’s relationship with the Institutions of Higher Learning**, Councilors were split on their evaluation, with about equal numbers rating you commendable and needs improvement/unsatisfactory. The new UMass and Town joint committee was seen as “critical” and a possible model for future collaborations. Relationships with Higher Education Institutions often require significant time with specific initiatives requiring a level of confidentiality. This often leaves the Council as a whole having no clear sense of the state of relations between the Town and the Institutions. In your self-evaluation, you note as a definitely positive development the decision by UMass to offer funds to help support the Amherst public schools but you also acknowledge that negotiations on the Strategic Partnership Agreement have been sidelined due to the pandemic and the resulting economic uncertainties. While the COVID-19 pandemic may exacerbate the inability of UMass to offer future support, the failure to secure a full agreement remains a concern for the Council.

A majority of Councilors gave you good marks for **maximizing the contributions of Town Committees**, yet others felt this too was an area that needed improvement and/or was unsatisfactory. In your self-evaluation, you acknowledge the continued challenge of diversifying membership on Town committees and boards and state that you have not requested annual reports from Town committees appointed by you.

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**VI. Economic Development: Identify opportunities to improve the cultural and economic vitality of Amherst (Q33): 31% or 4C Commendable, 54% or 7C Satisfactory, 0% Needs Improvement, 8% or 1C Unsatisfactory, 8% or 1C Unable to Judge.**

- A. Explore strategies that build on the Pioneer Valley Planning Commission’s Economic Development 2018 report, including opportunities to collaborate with higher education institutions (Q34): 8% or 1C Commendable, 38.5% or 5C Satisfactory, 8% or 1C Needs Improvement, 8% or 1C Unsatisfactory, 38.5% or 5C Unable to Judge.
- B. *Explore the need for an Economic Development Committee (Q35): 0% Commendable, 15% or 2C Satisfactory, 8% or 1C Needs Improvement, 23% or 3C Unsatisfactory, 54% or 7C Unable to Judge.*
- C. Begin to develop a vision of Amherst assets and unique attributes that could guide branding and a marketing plan (Q36): 8% or 1C Commendable, 42% or 5C Satisfactory, 17% or 2C Needs Improvement, 0% Unsatisfactory, 33% or 4C Unable to Judge. **Note: 1 Councilor did not respond.**
- D. Explore with UMass and other stakeholders potential barriers and opportunities encouraging spin-offs and start-ups in Amherst (Q37): 15.5% or 2C Commendable, 23% or 3C Satisfactory, 15.5% or 2C Needs Improvement, 8% or 1C Unsatisfactory, 38.5% or 5C Unable to Judge.
- E. *Propose a plan to implement the three actions proposed by the Downtown Parking Work Group as modified by CRC, as adopted by the Town Council: dedicated (designated?) staff person regarding all transportation policy, (including sustainability?); improved and consistent signage, including update of the parking*

*webpage to be more user friendly; and earmark a percentage of the Transportation Enterprise Fund revenues for downtown parking (Q38): 8% or 1C Commendable, 31% or 4C Satisfactory, 15% or 2C Needs Improvement, 15% or 2C Unsatisfactory, 31% or 4C Unable to Judge.*

- F. **Work with BID and others on efforts to enliven Downtown and village centers (Q39): 54% or 7C Commendable, 46% or 6C Satisfactory, 0% Needs Improvement, 0% Unsatisfactory, 0% Unable to Judge.**

In the area of Economic Development, marks were considerably mixed. Overall, the Council gave you positive ratings in this category and are thankful for your **efforts to work with the BID and others to enliven the Downtown and village centers**. This began with the Destination Amherst proposal although there was no time for discussion because of the COVID-19 pandemic; and then the proposal of the temporary zoning bylaw to support Amherst businesses. It should be noted that in five of the six sub-categories (the exception being working to improve the Downtown and Village Centers) a sizeable number of Councilors checked “unable to judge”. In your self-evaluation, you admit that the departure of the Economic Development Director did not allow progress in this area. That position remains unfilled.

You highlight the dynamic and collaborative partnership you have with the BID and the Chamber but in most of the sub-categories (exploring the need for an Economic Development Committee, working with UMass and other stakeholders to explore spin-offs and start-ups, implementing the recommendations of the Downtown Parking Work Group). Councilors in their written comments recognized that lack of progress in these areas were in large part the result of the COVID-19 pandemic and the disruptions it has created. This likely explains the large number of ratings in the “unable to judge” category. A number of Councilors expressed the hope that these unmet goals will be carried over into FY21. No one suggested a lack of commitment or effort on your part as a factor.

In their written comments, Councilors were of one mind praising your proactive leadership in the face of the pandemic and your efforts and the efforts of staff in helping businesses reopen and making the shift to outdoor dining a success. This included the effort to assist small businesses through CDBG Cares Act funding and the emergency zoning allowing for outside dining. Your commitment and leadership were real but the pandemic prevented you from realizing many of these goals.

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**VII. Relationship to the Town Council. Overall Goal: Relationship to the Town Council (Q41): 85% or 11C Commendable, 8% or 1C Satisfactory, 8% or 1C Needs Improvement, 0% Unsatisfactory, 0% Unable to Judge**

- A. **Ensure that the Council and/or Council Committees receive relevant information in advance of their meetings to inform their decisions (Q42): 61.5% or 8C Commendable, 38.5% or 5C Satisfactory, 8% or 1C Needs Improvement, 0% Unsatisfactory, 0% Unable to Judge.**

- B. **Provide regular communications to the Council about matters relevant to its responsibilities, including significant issues before they appear in the media (Q43): 77% or 10C Commendable, 23% or 3C Satisfactory, 0% Needs Improvement, 0% Unsatisfactory, 0% Unable to Judge.**
- C. **Respond to communications from Councilors in a timely manner (Q44): 69% or 9C Commendable, 31% or 4C Satisfactory, 8% or 1C Needs Improvement, 0% Unsatisfactory, 0% Unable to Judge. Note: 1 Councilor provided 2 different ratings.**

The Council commends you on this goal. You **respond to our communications** in a timely manner. You generally **ensure that we receive relevant information** in advance of our meetings, although there is still some concern that some Council meeting materials are not provided far enough in advance, especially for new topics and issues. Your Manager reports to Council are excellent and informative, so much so that many Councilors have started providing them to the public as updates.

You keep the Council **informed appropriately of matters relevant to our responsibilities**. You have excelled in this area during the COVID-19 pandemic.

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### Evaluation Process Information

Charter Section 3.9 – Annual Review of the Town Manager - states:

*The Town Council shall conduct an annual review for assessing the Town Manager’s performance.*

That description does not fully reflect direction from the AGO interpreting Open Meeting Law, who have indicated that the annual review:

- Must be conducted in a public meeting,
- Individual Town Councilor evaluation forms cannot be distributed in advance of a public meeting, per the definition of “Deliberation” in MGL Chapter 30A Section 18 (emphasis added): “Deliberation”, an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction; provided, however, that “deliberation” shall not include the distribution of a meeting agenda, scheduling information or distribution of other procedural meeting or the distribution of reports or documents that may be discussed at a meeting, *provided that no opinion of a member is expressed.*
- Individual Town Council member evaluation forms are public records subject to disclosure
- A composite of staff questionnaires and individual evaluations from Town Committee members and public comments were read by every Town Council member and the Town Manager. These are considered personnel documents and thereby exempt from public disclosure

This practice is also reflected in the Contract/Employment Agreement between the Town of Amherst, Massachusetts and the Town Manager:

#### 4. TOWN MANAGER EVALUATION

*4.1. Annually, the Council shall review and evaluate the Town Manager based on the goals and objectives developed jointly by the Council and the Town Manager. The evaluation process shall be conducted according to a schedule determined by mutual agreement by the Council and the Town Manager and in accordance with Section 3.9 of the Charter. The Council shall provide an adequate opportunity for the Town Manager to discuss his evaluation with the Council.*

*4.3. Annually, the Council and the Town Manager shall define and generally prioritize in writing the goals and objectives, which they determine, necessary for the proper operation of the Town and the attainment of the Council's policy objectives. The goals and performance objectives shall be such as are reasonably attainable between the date set and the end of the fiscal year and within the annual operating and capital budgets and appropriations provided by the Town and the events that have occurred during the year.*

Town Council individual evaluation forms are informed by a variety of documents, including:

- The Town Manager's July 10, 2020 memo "FY20 Town Manager Performance Review" <https://www.amherstma.gov/DocumentCenter/View/52054/Town-Manager-FY20-Annual-Performance-Review-FINAL?bidId=>
- Town Council's January 22, 2020 memo "Town Manager's Performance Goals FY2020 as of 1/22/2020" <https://www.amherstma.gov/DocumentCenter/View/51953/FY20-Town-Manager-Goals-Approved-as-of-1-27-2020>
- Town Council's December 16, 2019 memo "FY21 Budget Policy Guidelines" <https://www.amherstma.gov/DocumentCenter/View/51201/FY21-Budget-Guidelines>
- Town Council's May 18, 2020 memo "FY21 Revised Budget Policy Guidelines" <https://www.amherstma.gov/DocumentCenter/View/51418/Town-Council-Revised-Budget-Policy-Guidelines-05-18-2020>

As well as our personal observations, impressions and interactions throughout the year; feedback received informally during the year from staff members, committee members, and members of the public; and feedback received through formal solicitation during the annual evaluation process.

This year, Staff Questionnaires were sent electronically and as hard copies to the **400 current staff members (full and regular part-time) with Town emails** [employees were encouraged to respond by email or print out their response and submit the paper version to the Director of Human Resources], and 55 total were returned to Human Resources and a composite was provided to all Councilors. While the Staff Questionnaire submission rate had dropped in past years, there was a significant increase this year, which may be due to the increase in forms available through email and regular town mail, as well as new efforts made to encourage responses. This increase in the rate of return is reflected here:

FY11: 43/256 = 17%

FY12: 30/237 = 13%

FY13: 28/220 = 13%

FY14: 20/243 = 8% (or 24/243 = 10% if FY14 late counted in FY14)

FY15: 24/312 = 8% (or 28/312 = 9% if FY14 late counted in FY15)

FY16: (only temporary Town Manager, not this process)

FY17: 18/389 = 4.6% (library staff included beginning FY17)  
FY18: 20/318 = 6.3% response rate. Library staff not included - they do not report to town manager.  
FY17 inclusion was inadvertent  
FY19: 30/324 = 9.3%  
FY20: 55/400 = 13.75%

Details for FY20: there were **400 people via email distribution** to town staff (including a return to including Jones Library staff) regarding Town Manager Evaluation that attached the Staff Questionnaire fillable evaluation form as a .pdf document and offered a link to on-line survey. The distribution was as follows:

(53) at Town Hall  
(96) at Fire (career, call, student forces)  
(70) at DPW  
(83) at Police, Dispatch, and Parking  
(11) at Bangs  
(16) at LSSE  
(14) Other – Facilities, and IT  
(57) Library

In response to soliciting comment from committees, boards, and commissions via email to all committee members, we received 23 submissions:

FY11 to FY18: Not available at this time  
FY19: 10  
FY20: 23

In response to soliciting comments from the public through notices to the public via the Town website, including subscribers to Town News alerts, we received 9 submissions:

FY11: 14  
FY12: 34  
FY13: 9  
FY14: 6  
FY15: 23  
FY16: only acting, interim, and temporary Town Manager, not this process  
FY17: 8  
FY18: 4  
FY19: 3  
FY20: 9