

TOWN MANAGER EVALUATION FY2021

Town Council Member:

For the purposes of this document, the evaluation terms shall be defined as:

Commendable = Performance surpassing reasonable expectations

Satisfactory = Performance meeting reasonable expectations

Needs improvement = Performance below reasonable expectations; improvement likely

Unsatisfactory = Performance below reasonable expectations; improvement unlikely

Unable to judge = Insufficient information available for evaluation (Please explain)

AREAS OF RESPONSIBILITY	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	Unable to Judge
Policy Goals					
I. Climate Action	7	5	0	0	0

Objective: To prioritize and implement regulatory, fiscal, and other actions to meet the Climate Action Goals adopted by the Council on November 18, 2019 by (1) implementing Community Choice Aggregation and the creation of a Climate Action and Resilience Plan, (2) ensuring that budgeting, purchasing, construction, repair, hiring, and other decisions involve considerations of energy, sustainability, and resilience in order to determine impacts of energy use and move Amherst towards meeting the Climate Action Goals, and (3) educating Town multiple-member bodies and staff on the Climate Action Goals

Comment:

Bahl-Milne: Positive actions were taken to reach the climate action goals with success in several areas as noted by the Town Manager. To continue to grow and reach our highest potential as a town with respect to these goals, I would love to have heard from the Town Manager about areas of growth and improvement and perhaps get an evaluation of this goal performance from the ECAC.

I am not sure what was the purpose of \$10,000 for sustainability staffing and what we hope to achieve with this minimal amount.

Brewer: The Town Manager has provided details in his self-evaluation found in the Town Council 11-08-21 packet:

<https://www.amherstma.gov/DocumentCenter/View/58826/8e-Town-Manager-FY21-Annual-Performance-Review---Self-Evaluation---FINAL> and

<https://www.amherstma.gov/DocumentCenter/View/58855/8e-Town-Manager---FY21-Report>

De Angelis: No Comment

Dumont: No rating; No Comment

Griesemer: No Comment. *After serious consideration regarding the Town Manager's evaluation and the role that the President plays in creating the first draft of the evaluation memo, I have decided to only provide ratings for each of the 6 policy goals and 5 management goals. This does not mean I do not have thoughts I could write down. What it does is create an opportunity where I more fully utilize all Councilors words in crafting the memo. I will be interested in my colleagues' reactions to this decision as a very small part of the discussion regarding the draft memo.*

Hanneke: Over the evaluation period, there were substantial improvements in prioritizing actions to meeting the Town's Climate Action Goals. The Manager, through the Finance Department, implemented capital budgeting methods that began documenting requests and purchases will reduce the Town's carbon footprint. The Manager proposed several carbon-reducing projects and purchases in the capital budget, including HVAC replacement at Munson, anti-idling technology in ambulances, and hybrid vehicle purchases. The Manager also proposed, and was successful in getting Council support for, a capital line item to support sustainability initiatives, in order to be able to add more flexibility to capital purchases if it is shown at the time of purchasing that a more climate-friendly option exists but costs slightly more.

The Manager continues to move Community Choice Aggregation forward and successfully supported the creation of a Climate Action, Adaptation, and Resiliency Plan. In the next years, the Manager will need to determine which steps in the CAARP are prioritized for implementation.

Pam: The Town Manager needs to acknowledge the importance of the "urban canopy" provided by residential neighborhoods next to the downtown. As the downtown area becomes progressively more stone and hard pavement with the plethora of new multi story buldings, the need for climate mitigation nearby is increased. It is essential that backyards not be overloaded with student parking lots of 7—10 cars, or that trees be cut down to make room for too many 1000' ADU's. Great trees take hundreds of years to develop their canopies, and developers planting a few token street trees in no way make up for them. The move to all electric vehicles and solar must be accelerated.

Ross: The Town Manager has incorporated the Town Council's commitment to climate action into his work and made climate action a priority. Beyond the continued staff support of ECAC, including staff time spent working with ECAC to develop the CAARP, the following actions by the Town Manager support my assessment that the Town Manager's work on climate action is commendable:

- Proposal in the FY22 capital plan for a \$100k sustainability fund to help fund sustainability and energy efficiency initiatives
- 5% of ARPA funds proposed to be dedicated towards sustainability, including funding a sustainability intern who can provide needed assistance to staff. Additional discussion of using ARPA funds for weatherization, especially around affordable housing.
- Commitment to moving forward solar projects, specifically solar on the landfill and support for Hickory Ridge solar.
- After the Council showed interest in de-carbonizing the municipal fleet, made sure to highlight anti-idling technology in new ambulance purchase. Shows Town Manager is responsive to Council and anticipates Council priorities when it comes to climate action.
- Directed staff to investigate PACE and recommended Council adoption

The Town Manager's willingness to commit significant funds to this priority area weighs strongly in my assessment.

Ryan: I think Paul has set the tone here and communicated our Climate Action goals clearly and consistently to staff and Department heads. This is a long term project and one that will require constant monitoring and reinforcement. But the first steps have been clear and decisive.

Schoen: Paul and staff have done an admirable job, especially considering the limits of our budget and competing demands of the pandemic. They completed an extensive Climate Action and Resiliency Plan, finally moved forward on the solar on the landfill and, with a consultant, did the legal work to enable a joint powers authority to establish multi-municipal Community Choice Aggregation. To support Town investments in equipment (vehicles plus other) to meet climate action goals in Town services, they have successfully applied for grants and during capital project review proposed a new sustainability fund. The TM was amenable to increasing the amount when JCPC recommended doubling the pool. The Town Facility manager also came prepared to discuss energy/sustainable alternatives to HVAC. Similarly, there was a willingness and emphasis on purchasing hybrid vehicles.

Given the frequency staff discuss and address sustainability, this appears to have become embedded across staff teams. It is notable, that the goal is part for our job posting.

The one area for improvement is that responses were at times slow and we did not spend from the capital reserve fund in a timely manner for areas identified last year. This includes a study for solar canopies for school parking lots and finalizing the agreement on community choice purchasing. From what I can see, this is likely a staff workload issue. Staff are juggling multiple competing goals. Thus, some of slowness may reflect constraints on the TM and staff time and difficulty prioritizing

among “high” priority goals. The report on potential actions was expansive and well done. The question is what we will be able to implement.

Schreiber: Given the multiple pressures on his time, his work was satisfactory, most obviously in keeping the Jones library on track. There also was important work regarding the solar farm, LED lighting, other projects.

Steinberg: Paul was asked to make progress on six ambitious policy goals. None of them could be achieved by one person. Each is a team effort involving Council and Town committees, staff, outside experts, and legislative and executive leadership and staff in state and other local governments. In reviewing success on each policy goal, I looked for leadership at establishing appropriate collaborative relationships, finding support (e.g., financial resources, information and expert assistance), and achieving results. Comments in this evaluation are in that context.

Three specific action goals were emphasized for progress in 2021. (1) With the City of Northampton and Town of Pelham, Paul hired a special attorney to conduct the legal review of Joint Powers Authority that would establish inter-municipal Community Choice Aggregation. While this was discussed before the election of the current Council, this requires persistence to establish the envisioned program. I would like to see more progress in the next year including a specific plan for the implementation of Community Choice Aggregation and steps taken in accordance with that plan. Paul worked effectively, with staff support, to assist the Energy and Climate Action Committee to develop the Climate Action, Adaptation and Resiliency Plan (CAARP). (2) Even with the unique challenges of the pandemic, the Town obtained grants and used funds in the Capital Improvement Plan to acquire equipment and make building improvements that are consistent with climate action goals and meet Town needs. (3) The importance of the Climate Action Goal was communicated consistently to Town staff and committees.

Swartz: No Comment

AREAS OF RESPONSIBILITY	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	Unable to Judge
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II. Community Health and Safety	7.5	2.5	2	0	0
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Objective: To ensure the health and safety of the residents of Amherst by (1) continuing to take all steps necessary to ensure the health of the community in the presence of the COVID-19 pandemic and (2) in accordance with the Council’s vote on July 27, 2020, and in consultation with the Council and residents of Amherst, fully exploring alternative options of providing services to respond to issues of homelessness, mental health, and other non-criminal calls to emergency dispatch and present the results to the Council no later than May 15, 2021, 2021.

Comment:

Bahl-Milne: This was a particularly challenging year. The Town Manager’s efforts to keep the COVID rates under control and making testing accessible along with vaccinating homebound patients is commendable. It is also inspiring to see his strong partnership with local community partners like the Survival Center and Family Outreach.

The creation of the different committees like the CSWG and CSSJC followed by the creation of a new department for CRESS and a DEI office and securing the DPH funding is also commendable.

Some of the accomplishments included like contract tracing indicate the hiring of contact tracers but it’s not clear how effective these initiatives were.

The reason for my evaluation as needing improvement is the fact that the Town Manager’s self-evaluation report doesn’t speak to the lack of safety for the fire staff. Even though it mentions a temporary hire of four staff using ARPA funds, the complaints of the fire department regarding their safety and mental wellbeing were not addressed in his report.

The creation of the CRESS program was a challenging process and highlighted the need for an experienced DEI officer with systems thinking to support the Town Manager do a better job of creating a safe space for diverse voices to be included and heard including those of the diverse BIPOC groups, the police, non BIPOC residents, businesses, and other staff.

Brewer: No comment.

De Angelis: The Town Manager's work on issues related to the pandemic has been outstanding. His coordination with members of the Health Department addressing issues of access and communication with the community have facilitated our response to COVID. I am concerned, in many ways across the board, that inadequate staffing is an issue in the Health Department and in other departments as well.

Dumont: No rating; No Comment

Griesemer: No Comment.

Hanneke: The Manager's performance under this Policy Goal has been truly mixed. In some areas, the Manager has performed commendably, in others, satisfactorily, and in others unsatisfactorily.

First, the Manager should be regarded highly for fully exploring alternative options of providing services to respond to issues of homelessness, mental health, and other non-criminal calls to emergency dispatch. While there have been some concerns throughout the process regarding the Manager's service, overall, the Manager created a working group to look at the issue, supported that working group with funds and staff time, proposed an FY22 operating budget that included funding the creation of both a new community safety response program and a new DEI position, and formed another working group to make implementation of the response program a reality.

Second, the Manager's continued response to the COVID-19 pandemic has generally been very good, if somewhat too conservative at times, and therefore receives a satisfactory rating. To name a few exemplary items, the Manager fully supported the outstanding work of the Public Health Department to stand up vaccination clinics and community testing, while gaining the support of personnel in other departments to staff the clinics. Yet, at the same time, the Manager did not appear to have any plan to emerge from the pandemic – re-opening of Town Hall, the Library, the schools, and other public buildings was extremely slow and behind many other towns in the area and around the state. There were never any statements about what the ultimate goal was for the Town before emerging from the pandemic would happen, including plans for returning to in-person meetings of boards and committees, while maintaining remote access for the public. These missing plans should have been prioritized the same way the plans to close buildings and move staff to remote working were. It further felt that the Manager moved from a "follow the science" mantra at the beginning of the pandemic to a "respond to the loudest public voices, even if the science says something different" stance later in the pandemic, without any public rationales stated for no longer following the science.

An example of this is the Public Health indoor mask mandate (which the Manager has said he supports): at this time, transmission rates in Amherst are low (as reported by the Town) and in Hampshire County are moderate (as reported by the state), both levels that the CDC's guidance indicates allow for no indoor mask mandates, but the Manager has not publicly indicated any desire to urge removal of the mandate, thereby continuing a perception that Amherst residents have a COVID-19 risk much higher than they actually do. The lack of plans to emerge from the pandemic and a change from following the science has negatively affected the work of some boards and committees in Town, worsened the morale of volunteers and staff, and contributed to residents believing the pandemic is worse than it is in Amherst.

Third, a big part of ensuring the health and safety of residents in Amherst is to ensure that our Fire and EMS services are appropriately staffed and that they have the necessary equipment to do their job. In this area, the Manager's performance has been unsatisfactory. Fire staffing levels have been inadequate for some time, yet the Manager does not appear to have a plan to rectify this. Further, recent decisions to delay purchasing certain safety equipment has resulted in the Fire Department needing to borrow an ambulance from Northampton in order to have the minimum number of staffed ambulances on duty and has led to the need for the Council to do mid-year appropriations for necessary equipment that was not replaced on an appropriate cycle. These issues put the health and safety of our residents at risk.

Pam: The Town Manager's actions were appropriate and reflected the seriousness of the situation. At times, his desire to have agreement and buy in from relevant groups had him delay action a few days, but his effort to bring about a unified response is commendable and the town has been very safe during the pandemic.

Ross: The Town Manager has continued to manage the Town through the COVID-19 pandemic and has done a truly commendable job through the changing Health Directors to ensure widely available testing and vaccination. I have been especially impressed by the mobile testing clinics, the Bangs Center vaccination clinic, the mobile/pop-up vaccination clinics, the homebound vaccination program, and the vaccine clinics hosted by the school. The Town has done a truly incredible job in making sure all residents have the ability to get vaccinated and the Town Manager and staff should be commended for these efforts. At the same time, I have been frustrated by the lack of a vaccine mandate for Town staff and the uneven vaccination rates across departments, by the continued indoor mask mandate despite low case numbers and high vaccination rates, and the resistance to proof of vaccine requirements for entry to certain public/private spaces.

On providing alternatives to police response, the Town Manager has done a satisfactory job of taking on a complex challenge that forces him to balance the demands of the Council and the community for an alternative to police response with support for his staff in his role as a manager, including the police force. The Town Manager supported the CSWG throughout their development of Part A and B

recommendations and has worked to implement their first substantial recommendation: the CRESS program. The Town Manager has showed he is committed to implementing that recommendation and I am impressed with the incredibly fast timeline he established to get the program up and running in the FY22 fiscal year. That shows a true dedication to making the program happen and positioning it for success. At the same time, while I understand the budgetary challenges, the initial FY22 budget did not reflect the same commitment to the program that the timeline did. And I remain concerned about the reliance on short-term funds (state grants, ARPA) to fund the initial phase of the program. I understand the challenge, and believe in the Town Manager's commitment, but am concerned that sustainable funding for full implementation has not been identified prior to starting the program.

Ryan: (1) There is no question in my mind that Paul's leadership skills and willingness to think outside the box were best demonstrated in response to the pandemic. We are all, the Council and the community as a whole, in his debt. His willingness to confront the University on their approach to the off-campus student population I think played an important role in keeping the pandemic manageable. The greatest at-risk population was the off-campus student population and Paul saw that and insisted the University address it. (2) Paul has followed through on this objective largely through the work of the CSWG. My criticism is that there seems to have been very little check on this group and on its ambitions to radically remake policing in Amherst. What began (as I understood it) as a request to rethink some of the ways of delivering certain services traditionally provided by the APD has morphed into something very different and something I do not think is shared by a majority of residents. I think responsibility for that falls on the Council as well as on the Town Manager but this is a TM created body that provided recommendations to the TM. I have yet to hear of any recommendation that has been challenged or dismissed.

Schoen: I gave a dual rating: Commendable for COVID and efforts to set up a new community responder workforce. But just satisfactory for the Fire/EMS and a long term staffing plan

Commendable:

COVID: Paul and the staff team did an outstanding job of putting in place safeguards against the spread of COVIC, setting up a vaccine clinic including a mobile van, instituting a new outreach team, and juggling the UMass peaks and spikes. The teams also responded to residents community concerns, Yuggling and pushing UMass to take a more active, preventive roles was time consuming. It will be important in the future to highlight the time involved and demands/requests the Town has made of UMass to avoid the optics that the Town is too deferential to UMass.

Alternative to Traditional Police. During an already intense year, Paul helped staff and responded to the CWSG group as they developed and proposed an alternative

to traditional policing that, in theory, will bring new capacity to address health, including mental health, and safety concerns. The response could likely have been more empathetic. Although there were clearly some “growing pains” in the process, we have proceeded from an idea in June 2019 – when we froze 2 police positions to provide budget resources for starting up a possible alternative or co-responder work, to setting up CWSG and then devising a path forward. Since the presentation in May/June 2020 when the Council and TM committed to creation of a new community responder group, Paul and Staff have been able to secure over \$500,000 in grants to support the program and reworked the budget for FY22 to enable a planned start up early next year. This is a very rapid, ambitious time-line for setting up a complex new service – with multiple details still to be worked out Not to mention job descriptions and hiring in an ever tougher job market. We are asking a lot of Paul and staff with this roll-out

Room to Improve

Fire/EMS Needs work: Assessing and acting to address Fire/EMS staff is an area that appears to have been neglected amid COVID and the focus on CRESS. Although demands for EMS services – ambulance trips to the hospital – were down with UMass not in session and seniors less willing to go to the hospital, based on reports from staff there is a need to focus on Fire/EMS staffing. The Council had asked two years ago for an internal staffing study. To my knowledge this has not been done. It would also have been difficult with COVID. Details on calls once Hadley left and options would be useful for staffing decisions.

During COVID the Fire/EMS and police also staffed clinics and other efforts. Thus, staff were fully employed due to the extra hours for these expanded service demands.

This task of assessing staffing needs remains for the coming year. Although ARPA funds will help, these are not a long-term solution. There is a need for analysis and plan on how to meet staffing needs over multiple years.

The Council and Town also need an assessment of how we will finance the emerging Public Health, CRESS, Police, and Fire/EMS services in the future without CARES and ARPA supplemental funds.

Schreiber: His work in this area has been extraordinary. His self evaluation says it all. Particular kudos for his work keeping us safe during the pandemic, and for his work with CRESS

Steinberg: The first paragraph of Goal I applies to all goals and is not repeated. This goal became a most significant priority for 2021 and required significant attention. Paul and therefore the Town made significant progress.

(1) The challenge to ensure public health during the continuing pandemic was significant. The University and college returned to in person teaching and students

returned to the community. Vaccine became available, offered hope, and need to be made available. There were unexpected difficulties, such as how the state measured certain metrics needed to assess success and modify strategies. Paul, the internal team he established, and the Board of Health worked together and with the higher education institutions to meet these challenges.

(2) Exploring how to modify the manner in which services are provided to people who are homeless or have mental health problems and how the Town responds to non-criminal calls to emergency dispatch was a major initiative in 2021. This was largely driven by the recognition that there is a long-term national disparity on how these programs serve and affect the BIPOC community. Members of that community rightfully expected to take a lead role. Paul appointed members to the Community Safety Working Group to address that expectation. This is still a work in progress. Success cannot be fully measured until new programs and procedures are initiated.

I have two concerns about communication and support, but rated this category as commendable because it was extraordinary and unprecedented. While it is essential to this goal that the Town provides response when possible without law enforcement, law enforcement response is often necessary. It was not evident that there was adequate discussion in the entire Amherst community about the need for both types of response and assessment of the needs for each one. Nor did it seem that there was adequate discussion of the budget process and constraints with the CSWG and the entire community. Paul's efforts to find grants and other one-time or time-limited funding were exemplary. However, that creates uncertainty about the long-term plan to continue these new service models if they succeed as we hope.

Swartz: No Comment

AREAS OF RESPONSIBILITY

Commendable	Satisfactory	Needs Improvement	Unsatisfactory	Unable to Judge
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III. Economic Vitality	1.5	6.5	4	0	0
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Objective: To ensure the present and future economic health and well-being of the Town by (1) working closely with local institutions and business entities, including the BID and Chamber of Commerce, to provide support and assistance to the local business community in the face of the economic challenges encountered as a result of the COVID-19 pandemic, (2) facilitating the review and revision of the Zoning bylaws to promote diverse neighborhoods, affordable 2 Adopted by the Town Council on September 14, 2020; amended January 25, 2021 housing, and new growth in downtown and village centers, and (3) continuing to develop a plan to implement actions proposed by the Downtown Parking Working Group as modified by CRC and adopted by the Town Council.

Comment:

Bahl-Milne: This was a challenging time for small businesses and impacted town’s revenue as well. I commend the Town Manager and his staff for their extraordinary work to pivot and provide support for outdoor dining and all the grants to improve streets and pedestrian safety, emergency relief programs, and promote arts and culture.

I appreciate all the work done to move forward the “Destination: Amherst” vision, including Kendrick park, the performance shell, North Common, new crosswalks, and exploring a parking structure in the CVS parking lot.

Yet, we need someone dedicated to revitalizing our downtown and village centers, especially after the pandemic. I am glad that the Town Manager is hiring an economic empowerment director to help focus on our economy and generate new sources of revenue for the town.

Brewer: The Town Manager made a mistake in not filling the Economic Development Director position. We’ve only had one, and he was excellent, and it’s a difficult position to fill, but removing it from the budget after he left for another opportunity in January 2020 signaled that we gave up on the concept, which is not something we can actually afford to give up on. The Town Manager works well with the Chamber and the BID, and is on the board of the BID, but we cannot expect those two small

(and excellent) organizations staffs to make up for the loss of a full-time Economic Development Director who works for all our residents.

Although TSO has made some minor progress on parking issues, there is no plan as described here.

De Angelis: Paul has collaborated with stakeholders in each of these areas, putting in time and effort that is often not noticed.

Dumont: No rating; No Comment

Griesemer: No Comment.

Hanneke: The Manager generally met this Policy Goal. Through the Planning Department, the Manager facilitated the review and revision of the Zoning bylaws. That work is ongoing and must continue to happen into the future.

The Manager worked to provide support to local businesses in a large variety of ways in order to better emerge from the pandemic without decimating our local business economy. Yet, the Manager's performance in this area was held back by the failure to hire an Economic Development Director to the vacant position, then removing the position from the budget completely in FY22. At this time, there is nobody in Town Hall dedicated to improving the economic vitality of the Town, which means the job falls to the Manager or Assistant Manager, neither of whom has the time to devote to this important area. One result of this is seen by the need for two Councilors to take up the mantle of proposing modifications to the Town Zoning bylaw to enable the building of a parking garage, a proposal first brought to the Council by the Manager as one of the main components of the Destination Amherst presentation in 2020.

As for parking, the Manager does not seem to have prioritized implementing actions proposed by the Downtown Parking Working Group. It does not appear that any of the three immediate actions proposed by the Downtown Parking Working Group and modified and adopted by the Council have been implemented. These were: (1) Create a dedicated parking management position in charge of all transportation policy, planning and implementation (Strategy 1A); (2) Create a dedicated funding source to pay for downtown parking and transportation improvements; and (3) Implement high visibility and consistent signage in key locations (Strategy 7A) and update the Town's parking webpage to be more user-friendly (see Key Action 1.B.5).

Pam: The Town Manager has supported the BID and Chamber's efforts to keep small business alive during Covid 19. I worry that some people equate culture with bars, loud music, and murals. They have their place, but it should be a small one. We need a wider variety of music; some of the concerts on the green show the desire for classical music, strings and brass. It was especially pleasing to see music teachers integrating their students into the programs.

More effort is needed to come up with a program to have developers charge lower rents for small business in new buildings so one could walk to a pilates classes, dance & fitness classes downtown, go to a fabric crafts shop where groups work on their projects—quilting, rugmaking, crocheting, knitting, and other fabric art. Being able to see into store windows and seeing people at work inspires people to enter and join and create community.

I have serious reservations about many of the zoning changes recently adopted whose purported aim is to increase the supply of affordable and family housing. So far I see a growing number of expensive apartments aimed at undergraduates at UMass right in the heart of downtown and now in some of our most iconic and historic neighborhoods. New affordable housing in is the works on town owned land, but no serious effort is being made to increase the supply of affordable home ownership opportunities. I see families losing out, school enrollments going down, and neighborhoods being busted by developers. UMass is an asset to the town, but it would be the death of the town/city to let itself become absorbed into the campus—which by the way, is not on any list of beautiful campuses. It's no University of Chicago and does not stand up to comparison to any college/University I've attended—certainly not Swarthmore or Cornell or even Queens College (CUNY) or NYU! UMass needs Amherst to remain a charming New England town as a balance to its brutalist campus.

Ross: With Town Manager support, Planning Department staff have worked incredibly hard on the review and revision of our Zoning Bylaw with a focus on housing affordability and economic vitality. I really can't offer enough praise of the work the staff have put into the work on zoning, in addition to all their other responsibilities. I have also been very impressed with the grant funding staff has brought in to support economic vitality, including the competitive MassWorks grant to support economic vitality in Pomeroy Village. I am also encouraged by continued staff support for and application of Article 14 to facilitate the reopening/recovery of existing businesses and the opening of new businesses. I have also been encouraged that the Town has continued to move the Destination Amherst plan forward, including staff support for the rezoning to create the opportunity for a new parking structure, the staff work on the North Common renovation, and work with the BID to bring the outdoor performing arts venue forward.

There is much to commend with regard to staff work on economic vitality. But I also remain concerned that economic development has taken a backseat in the eyes of the Town Manager. The position of Economic Development Director has been vacant since January 2020, despite the economic crisis the town faced in the time since. In the FY22 budget the position was eliminated. The resistance to filling a high-level position focused on our Town's economic wellbeing suggests that economic vitality is not a priority. The Town has relied on the BID and Chamber to do the work of the Town on economic development, which is neither a sensible or

sustainable approach. I am discouraged that only 5% of ARPA funds were initially proposed for explicit economic revitalization work (even as I acknowledge that housing, climate, and equity are all tied to economic vitality), and I am unclear on whether and how all CARES act money was spent. With regard to economic vitality. While there has been good work done on this priority, I believe there is needed improvement to show clearly that this is a priority for the Town on par with the others listed in these policy goals.

Ryan: (1) Paul is in regular communication with the BID and Chamber which is to the good. Paul demonstrated leadership and a collaborative spirit in seeing that Town staff worked hard to assist local business in the face of COVID. I would prefer to see more ARPA funds directed to economic recovery going forward but Paul's performance in the face of COVID was exemplary. The lack of an Economic Development Director continues to be an issue and it looks very likely that that will be a permanent state of affairs. That is unfortunate. (2) Planning Staff under Paul's direction have given strong support to those on the Council trying to move on zoning changes that could promote more housing opportunity, address the issue of affordability through greater housing production, and encourage new growth in the downtown and village centers. It will be interesting to see if planning staff will have anything to do over the next two years. But clearly they are there to assist if the Council calls upon them. (3) Paul has promised action on the parking front and I believe that that will happen, perhaps by the start of the new year.

Schoen: COVID placed extra-ordinary pressure on our Town residents and businesses. The Town's effort to work with the BID and Chamber to help support businesses able to stay open by allowing tables in public areas and faster approval was admirable. I rate this performance commendable. Staff were and continue to be nimble in securing CARES act funds and identifying areas where the additional resources can support the economic vitality of the town and our residents.

Other areas described below need improvement.

Zoning: The package of "zoning priorities" from the Council put extreme pressure on Staff and the Planning Board and Town residents. I had hoped that staff would have presented the Council with a coherent package with a timeline that allowed time for thought. And pushed back – honestly – on an overloaded schedule. We could have had a more rational, thoughtful approach.

Parking: To my knowledge there has been little or no plan or actions to implement the Parking group recommendations. Not even the simple recommendation of better signage to show where public parking exists.

Town staff could have, and in my opinion, should have weighed in more on the essential role of the North Commons parking lot for downtown businesses and for enable visitors to come to town for short periods of time to attend a meeting, go to

church, eat, go to the Jones Library, or to movies. We received the revenue information late and were not alerted that we needed to hold a hearing. And the decision to remove the lot likely accelerated the pressure for a garage. A garage may be needed long term, but removing parking BEFORE we have this in place simply does not make sense. At time, staff needs to speak up. The Council should be able to rely on honest appraisals and assessment of impact from staff – including an appraisal of back in/slanted spaces on Main street near a bus stop and crossing bike lanes at an already busy traffic street.

In the case of the removal of the North Commons parking lot, the Town was relatively silent on the fact that 2/3 or more businesses said no and remarked how vital that lot is to them and their customers. Grace Church, Amherst Cinema. We received the revenue on the lot only after I requested this information. It should have been offered early.

The optics of this are that there was a business interest in a Parking Garage, including long-term leases for spaces for apartment buildings. The removal of the lot would help build pressure to cede another public lot to a private developer for a garage. The Garage may be needed and should be planned carefully. But removing parking before we have an alternative does not make sense. As one business noted, the Garage should come first and only if a reality should the Town consider whether the lot continues to be needed.

This would have been supportive of downtown businesses. Plan and assess before we act to remove parking.

UMass/Colleges: The Council has heard little about negotiations with UMass or Amherst College to pay more to the Town. Or provide in kind services. Amid COVID this would have been difficult. But also highlight the need for the State legislature to consider the impact of the tax-exempt status and lack of housing on the UMass campus. Plus, UMass food services have started to sell to residents – in competition with town businesses, including catering services. And car rental services.

COVID made all of this difficult. Thus my rating is satisfactory.

Schreiber: His collaboration with the Chamber, BID, etc. has been commendable. Work on zoning has continued. There were many important projects—Kendrick playground, writers walk, etc etc.

Regarding zoning, removing Footnote M from further review was a bold and correct move, and it needs to stay off the table.

Steinberg: The first paragraph of Goal I applies to all goals and is not repeated.

There are three elements to this goal. My only disappointment is that there was not more progress to develop an action plan regarding recommendations of the Downtown Parking Working Group. (1) Paul worked effectively with our partners to support local businesses. He obtained funds from grants and used ARPA and other

one-time resources to help our business community to survive the consequences of the pandemic and the shutdown of major institutions that are vital to our economy. The grants and investments in particular helped downtown and the Pomeroy Village center and area to its west with the almost-completed acquisition of the former Hickory Ridge Golf Course. (2) Paul and the staff provided the support needed for CRC and the Planning Board to consider revisions to zoning bylaws so that they can be presented to the Council. (3) While staff creatively proposed an overlay district that would enable a future Council to proceed with a garage on the municipal lot behind CVS, it will need to assure that it is the best alternative. That will depend on community agreement that the Downtown Parking Working Group's recommendations won't address the needs of businesses, arts groups, and the Jones Library.

Swartz: No Comment

AREAS OF RESPONSIBILITY	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	Unable to Judge
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IV. Four Major Capital Investments	7	3	1	1	0
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Objective: To provide the Council with a plan for the funding of the renovation/expansion or replacement of an elementary school in accordance with Fort River MSBA Grant application, the repair or renovation/expansion of the Jones Library, the replacement of the Central Fire Station, and the replacement of the Department of Public Works headquarters, consistent with the October 21, 2019 Council vote that it is the sense of the Council that the Council is committed to a plan that will address all four buildings in some fashion.

Comment:

Bahl-Milne: The Town Manager faced several challenges in this area including a pandemic and difficult economic times along with multiple legal challenges to overturn or delay the Town Council vote for the library but he has managed to secure a AA+ bond rating for Amherst and refined the capital investment plan to stay on track to invest in all four projects.

Brewer: The Town Manager did not adequately supervise the staff responsible for the ESBC work on the MSBA elementary school project and a missed deadline cost us six weeks. We have heard no plan to ensure that won't continue to happen with this project or with the other capital projects.

The Town Manager – and his predecessor – has been unable to find a site suitable for DPW headquarters to move to for well over five years. It is unclear how we can move forward with the essential replacement of Central Fire Station under these circumstances.

De Angelis: Paul, and Sean Mangano, have done an excellent job planning and addressing the potential impact of the four Capital Projects. A long-term concern I have is the Town's history of not maintain buildings, roads and sidewalks, a problem the TM has inherited. With new and important financial demands placed on our budget by a new department, the CRESS program, purchasing land potentially for affordable housing and the ongoing need for staffing in most departments, the TM and the Finance Department will need to be agile and adept and finding and using revenue over the next few years.

Dumont: No rating; No Comment

Griesemer: No Comment.

Hanneke: The Manager completed the technical requirement of this Goal, which was to provide the Council with a plan for funding all four projects. While technically not written into this Goal, evaluation of this goal includes the progress the Manager made on each of the projects. The Jones Library project is successfully moving forward and the Manager continues to work to uphold both the vote of the Council and the vote of the Town to fully fund the project and begin moving towards a groundbreaking. The Manager has been involved in moving the elementary school building project forward by serving on and supporting the work of the School Building Committee.

However, there is growing frustration regarding both the DPW building project and the move of the Central Fire Station and Headquarters to south of downtown. While the Manager attempted to move the DPW project forward by putting out an RFP, all responses to that RFP were rejected and no potential sites have been identified. The Manager maintains that a new Fire Station cannot be built until the DPW building project is complete. While that position is somewhat understandable, given the planned location of the Fire Station, it is becoming harder and harder to tolerate such a position. A new plan needs made that will allow the Fire Station project to move forward, even if no permanent location for the DPW building has been located. Because of the lack of movement on the DPW site location, nor the identification of an alternative plan that would allow the Fire Station project to move forward before a permanent DPW location is identified, the Manager's performance on this Goal is satisfactory instead of commendable.

Pam: It's happening and he keeps it on track.

Ross: The Town staff have worked hard to move forward the Jones Library building project and to move the schools project through the MSBA process. I am frustrated, as I know many are, that we continue to have such trouble finding a suitable location for DPW so that we can moved forward with the DPW and fire station building projects. However, I am encouraged that the Town Manager has continue to pursue options for a site and I know that this has remained a consistent priority for him. I commend the Town Manager for taking several creative approaches to identifying a site and for considering many different options. I do not believe the inability to find a site reflects lack of effort or prioritization, but merely underscores the challenge of moving those projects forward.

Ryan: We have a financial plan to pay for this but we remain stymied by the lack of a site for DPW. While the Library seems like it will finally be able to get started, the school project remains “in process” with a contentious debt exclusion vote looming should we be fortunate enough to gain approval from the MSBA. THE major goal for many of us at the start of our terms 3 years ago remains unfulfilled. I can’t imagine a more important goal for the long term well being and flourishing of our Town than these four major investments. Yet how much of our Council time and how much of the TM’s time was focused on this over the past 3 years?

Schoen: I gave this a satisfactory rating because I am concerned that the “plan” is overly optimistic and down-plays the tough choices we face

As requested Paul and staff provided a “plan”. However, the presentation downplayed the pressure on operating budgets of moving forward on all 4 in a five-year period. The wording was simply too optimistic. Yes, we received a plan, but it did not come with caveats and strong warnings.

We may benefit from ARPA funds taking some of the pressure off of operating budgets – but I worry we are over-promising. Residents and the Council need an honest and critical presentation. I also have no idea why the search for DPW site continues to stipulate an 8 -acre parcel to house all of DPW. At different meetings, we have asked to reconsider to split housing of vehicles. To me, the time put into the RFP appears to have been wasted.

Some of this likely reflects staffing shortage. This year was so intense with the Jones library forums and multiple meetings plus legal challenge. And next year, with the School Building Committee work ramping up will be

I continue to be worried about an overly optimistic set of estimates the Library in terms of the impact on operating and other capital budgets. And an underestimate of what we need to allocate to ensure a robust feasibility study for the School. I realize that a message from the TM that emphasizes “tough” choices would be difficult. But this is also essential. Having advocates of the building assure residents that “Town staff say it is affordable” without caveats does not serve us well.

With CRESS now absorbing operating dollars, it will be even more important to a careful, honest appraisal of the 4 building projects. We have a very able, high energy Finance Director. As needed, he could be the messenger about the trade-offs as we look at the impact on operating budgets if we try to do all 4 in a short time period

Looking forward to next year, having the TM serve on multiple building committees (Jones and the School) may spread one person too thin.

Schreiber: He has been very good at keeping the Jones at track, despite the circus. The Ft. River school project has missed deadlines due to improper advertising, which is unfortunate. The scenario where the fire station must go on the DPW site is faulty logic, which is holding up the process. Please just renovate/expand the fire station (on to the parking area*) on the same site and rebuild the DPW on the same site. Look into getting thinner fire trucks and ambulances.

*firefighters can park in new garage

Steinberg: The first paragraph of Goal I applies to all goals and is not repeated.

Paul, his Finance Director and staff, the Library Trustees and its staff and consultants, and community volunteers worked together to provide all information the Council needed about funding for the four projects and alternatives for the Jones Library to enable the Council to make a responsible decision on how to proceed with the first of the four projects. He provided all information requested by the MBLC and worked with MBLC staff to keep the project on track. When challenged by opponents of the option chosen by the Council and supported by the Trustees, Paul coordinated the response. He appointed the School Building Committee, participated as a member, and assured that the Town meets MSBA expectations. And he has continued the search for a location for DPW's new facility to keep the other two projects moving forward.

Swartz: No Comment

AREAS OF RESPONSIBILITY

Commendable	Satisfactory	Needs Improvement	Unsatisfactory	Unable to Judge
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V. Housing Affordability	7	3	2		
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Objective: To provide access to safe, affordable housing for low- and moderate-income residents by (1) implementing the Resolution Adopting an Interim Affordable Housing Policy vote by Town Council on April 4, 2020 that called for identifying and aggressively exploring opportunities to preserve and increase affordable housing at all income levels, (2) assisting the Council in developing a Comprehensive Housing Policy, (3) ensuring the operation of a seasonal shelter, and (4) exploring the possibility of creating a permanent seasonal or year round shelter in Amherst either through the repurposing of surplus Town buildings or land and/or through working in partnership with concerned community groups or individuals to realize this goal.

Comment:

Bahl-Milne: Given that there was a lot going on this year, the Town Manager did ok although there were many delays in procuring suitable showers for Craigs Doors' guests and we still don't have a permanent space for a year-round shelter.

We need concerted effort towards attracting housing developers who specialize in moderate income housing for families and young professionals to create more diversity of housing types.

Brewer: No comment.

De Angelis: Again, kudos for strong, intelligent, and collaborative work with stakeholders regarding affordable housing development in Amherst. My ongoing concern is the lack of progress on creating a permanent shelter and the boondoggle creating by purchasing a shower that could not be used by Craig's Doors because it was not accessible.

Dumont: No rating; No Comment

Griesemer: No Comment.

Hanneke: This is one area of Goals that the Manager has performed commendably in all subsets. Town staff assisted the Community Resources Committee in developing a Comprehensive Housing Policy. The Manager and Town staff worked diligently to secure the operation of a seasonal shelter and have continued that diligent work to

identify locations and explore the possibility of creating a permanent seasonal or year-round shelter. The Manager brought to the Council funding requests for purchasing land to increase affordable housing in Amherst, as well as issued RFPs for the development of affordable housing on Town-owned land. Excellent work all around on meeting and exceeding expectations on this Goal.

Pam: See answer above economic development/zoning.

The Town manager is working hard to come to a solution for the unhoused population. It is such a challenge to “take care of our own” and yet not be an unaffordable draw bringing in more and more homeless from outside the town. I agree with the new emphasis on Housing First. I am not a fan of the shelters only approach because that does not get at root causes. Supportive permanent housing is the answer, so now let’s see if we, the State, and the US can come up with a solution. However, I am a realist and insist that necessary support services be on site as well as orderly access to other services nearby.

Ross: The Town Manager and staff have made Affordable housing a priority, specifically evidenced through the following actions:

- Staff initiative to revise the inclusionary zoning bylaw and work with the Council to pass it.
- Work to identify and purchase land on Belchertown Rd for affordable housing development
- Staff work on ADU bylaw to streamline permitting of ADUs
- Staff support for CRC work on Comprehensive Housing Policy
- 21% of ARPA funds proposed as dedicated to housing and homelessness
- Work of staff to locate and permit a location for Craig’s Doors for the 2021-2022 season

I believe the work of staff on Affordable housing is commendable. I do also believe that there is need for greater work on the Zoning Bylaw to focus on housing affordability and hope staff will continue their work on revision to zoning with a focus on housing. I am frustrated that staff seems to have abandoned one tool for providing greater affordable housing: 40R. The significant time and money spent to develop a 40R proposal now seems wasted given staff no longer seem to support it, even as an option to address the problems of BL zoning. I also remain frustrated that nearly 3 years after the Council vote on the East Street School there has not yet been a successful RFP process.

Ryan: (1,2) The current system is designed through the availability of state subsidies to promote housing for those 80% or below AMI. And Amherst has taken advantage of such subsidies and I am sure will continue to do so. We actually do a pretty good job of providing affordable housing compared to many other communities (just don’t tell John Hornik that). The problem is with those who remain at the mercy of the

market and have no access to subsidies— so-called workforce housing (80-120% AMI). Some of us believe that if you build more multi-unit housing (hint: new growth in downtown and village centers) and combine that with stricter regulation of rental properties (hint: strengthen the rental registration bylaw) and combine that with stricter enforcement of the rental registration bylaw (hint: hire a few more inspectors) and combine that with a systematic look over time at the phenomenon of rental conversions, i.e. the flipping one and two family homes to student rentals by housing speculators (hint: we need DATA), we might (just might) begin to make a dent in the real problem of housing in Amherst: the lack of affordable housing for those in the middle. And I am sure there are far better ideas (could we talk to Hampshire or UMass or Amherst College about creating home ownership opportunities for their hourly employees? For life-long learners/retirees?). But the affordable housing system doesn't reward that and so the challenge of "moderate" income or workforce housing will likely remain unmet. And the consequences of that, in my humble opinion, are far more dire than whether we have 11% or 12% or 15% of our housing stock classified by the State as "affordable".

(3) as a rule takes up a great deal of Town staff time and attention, particularly given the small size of the population being served. This year seems no exception as the shelter has moved now to new quarters at the Lutheran church. Hence the importance of (4). But it has its own unique challenges of which Paul is quite aware. To his credit he did create a working group to address (4) and it has made some headway despite the loss of a key staff person. It does not appear that a repurposed Town building is an option (which was my hope) but there are other possible permanent sites under consideration. While the Town could in theory purchase a building it does not want nor have the capacity to run a shelter – so the larger challenge of who could be consistently relied on to run the program, provide supportive services, and how it would fit into a larger regional response to homelessness remain. But there are some reasons for optimism here and Paul is to be commended for moving this along. It is not a problem that has a simple solution. Just securing a space is only one piece of the puzzle.

Schoen: Paul and staff efforts have been commendable. The Belchertown road project, earmarking CPA funds for emergency assistance, and efforts to secure and seasonal shelter amidst COVID took hours and an intense effort. ARPA funds will also be source of support. And the Staff have proposed a substantial allocation to housing.

As yet, however, we have not seen thoughts on repurposing "surplus" Town buildings or land. This should be a goal for next year. And include a broad set of possible uses – in addition to housing. Youth and senior center; daycare center and more. This is part of affordability and quality of life in addition to housing.

For next year: With the elementary school likely to consolidate two into one, we will have an additional building. We need to start soon to consider and assess alternatives. Housing and other services.

Schreiber: Good job keeping this on track

Steinberg: The first paragraph of Goal I applies to all goals and is not repeated.

Paul participates in meetings of the Amherst Municipal Affordable Housing Trust and has supported its work and assisted it to move forward with the 132 Northampton Road project, the acquisition of the Belchertown Road site, and initial work on that and the East Street School projects. All were during the period of the Interim Affordable Housing Policy. Paul and under his direction, Town staff, assisted the CRC and the Council to develop and adopt the Comprehensive Housing Policy. Paul worked effectively with Craig's Doors to secure shelter sites for the last season and the one that has just begun. He is working with a coalition of Western Massachusetts municipal leaders and advocates to secure State funding to address the broad range of needs for the homeless communities in Western Massachusetts, the most reasonable way to create a permanent seasonal or year round shelter.

Swartz: No Comment

AREAS OF RESPONSIBILITY

Commendable

Satisfactory

Needs Improvement

Unsatisfactory

Unable to Judge

VI. Racial Equity and Social Justice	4.5	6.5	1	0	0
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Objective: To explore, recommend, and implement policies and procedures that address racial equity and social justice consistent with the Town Council Resolution in the Aftermath of the Death of Mr. George Floyd adopted on June 1, 2020, and the Town Council Resolution Affirming the Town of Amherst’s Commitment to End Structural Racism and Achieve Racial Equity for Black Residents adopted on December 7, 2020, and the Town Council Resolution Condemning the January 6, 2021 Insurrection and Violence at the U.S. Capitol adopted on January 25, 2021 that (1) ensure all community members feel and are a part of Amherst and feel and are protected, listened to, and served by their public servants, (2) foster a community free of fear, intimidation, and violence, and (3) incorporate significant involvement of BIPOC residents in shaping these policies and procedures.

Comment:

Bahl-Milne: There were some good steps taken this year like the setting up of the CSWG and funding for AHRA and appreciated the Town Manager’s wholehearted participation in the 2.5-day anti-racism training with the Town Council. But we clearly need a DEI office to oversee the implementation of this critical goal.

I don’t believe we’ve reached our goal of fostering a community free of fear and intimidation. Even though the Town Manager and staff were there for most of the CSWG meetings, the guidance for them could have been clearer and there was insufficient time for consultants to do a good job.

While it’s good to know that we’re offering programs like GARE to the staff, a more accurate indicator of success would be reporting on the number of people who are accessing this resource, their frequency of use and the kinds of modules they’re engaging with, and how, if at all, were they transformed by engaging with this resource.

Brewer: The Town Manager takes too long to interview and recommend appointments to new multiple-member bodies after the Charge is finalized. Having been an appointing authority during my almost 12 years of Select Board service, I am well aware of how complex it is to form a new multiple-member body when filling vacancies on existing bodies remains a challenge, but with new focus on BIPOC-majority multiple-member bodies, coupled with our Charter-required CPO and RAC,

it looks to the public like stalling and insufficient attention. The Town Council 06-21-21 approved the AHRA Charge but the Town Manager did not have the vacancies noticed on the Town Bulletin Board until 07-12-21, despite Charter Section 9.12(e) instruction for “immediately”

The Town Manager has worked to execute the ideas of the Town Council for what became the CSWG and AHRA, and worked with the CSWG and the Town Council on what has become CSSJC. These are new bodies with a focus that is both new to many residents even in our liberal community, and unprecedented in Amherst municipal government.

De Angelis: Like everyone on the council, the TM has made mistakes as he has worked to help rebuild Amherst by addressing systemic racism, fear and lack of safety on the part of BIPOC residents, and worked to incorporate involvement of BIPOC residents in shaping policies addressing policing, reparations, and other equity issues. What I have also seen is a man looking at himself with honesty, acknowledging his mistakes, and allowing new learning to lead his actions. The results of his work have not and will not satisfy everyone, but we need to acknowledge the progress he has helped us make as a council and as a community.

Dumont: No rating; No Comment

Griesemer: No Comment.

Hanneke: The Manager explored, recommended, and began implementing policies and procedures that address racial equity and social justice. He did so by significantly involving BIPOC residents and in a manner aimed to foster a community free of fear, intimidation, and violence and to ensure all community members feel and are protected and listened to. While there is always room for improvement, the strides made this year on this Policy Goal are admirable.

Pam: I commend the Town Manager on walking the fine line down the middle between two different philosophies and working toward increased and improved social justice without the complete demolition of the status quo. Change is necessary, change is happening, most people are unhappy about it being too fast or too slow, but it is happening.

Ross: While my previous comments on the CRESS program in II are relevant here, I believe more broadly on racial equity and social justice the Town Manager has done a commendable job. He has shown clearly that this is a priority for him, especially through:

- Moving forward the creation of a DEI department and using both operating budget funds and grant funding to fund personnel for the new department. Creation of an entirely new Town department is a big deal, especially when it

involves personnel costs, and this should appropriately be seen as prioritizing DEI in Town government.

- Directing Town staff to identify a revenue stream for reparations
- Supporting the work of the CSWG and the AHRA, including developing new appointment processes for these bodies to better incorporate BIPOC voices in the composition of the bodies.
- Devoting operating and grant funds, including ARPA funds, towards racial equity
- Working universal access/accessibility into planning, especially with regard to the MassWorks grant at Pomeroy Village.

There will always be more work needed and areas for improvement, but I believe the Town Manager has done a commendable job making racial equity and social justice a priority and putting staff effort and town funds behind it.

Ryan: The challenge I feel is how to actually measure either (1) or (2). Both are subjective and depending on whom you are talking to (irrespective of race) you are likely to get very different answers. (3) at least can be objectively measured and Paul has to his credit worked hard to address it.

Schoen: The efforts on this goal are just beginning with a commitment to do more. At times, the beginning was “rocky” in terms of interactions with community members who seek rapid changes and inclusion. Amherst is asking a lot of staff and the Town Manager. Attendance at multiple meetings, sensitivity to nuances, and at the same time manage staff and an array of pressing issues.

But by the end of the fiscal year, we committed to a beginning. We will learn this year and the coming year whether or changes in a non-police responder staff can begin to address concerns and fears. There has also been a willingness and effort to involve BIPOC residents in participating in shaping and suggesting policies.

I thus rate this area as satisfactory – rather than needs improvement because of the enormity of the goal and uncertainty on how best to build trust, and expand inclusion of diverse voices

As we implement CRESS and continue work with the new Committee, the actions hopefully will foster a climate where all feel heard, listened to, and feel a welcome, valued member of the Amherst community. And this occurs in any and all interactions with our public servants .

This extends to our farmers and low-income residents, whether or not BIPOC. Social justice and equity are a big tent and an important aspiration.

My rating of satisfactory is that we began to implement new programs and committees a and provide a platform for voices we have not often heard from in the past. Implementation of change remains the challenge. We will need to assess and adjust as needed.

Staff turnover makes this even more difficult. We are competing with other towns for diverse leaders.

Schreiber: I think he has been exceptional in this area. See self evaluation.

Steinberg: The first paragraph of Goal I applies to all goals and is not repeated. There is some duplication between this goal and the second part of Goal II. I will not repeat those comments.

Paul found funds in the budget to support the work of the Community Safety Working Group and is doing what he can to implement its recommendations. He has found initial funds to begin implementation and created a Working Group to develop an Implementation Plan. He proposed an administrative reorganization plan to the Council. The CSWG and its recommendations implement the goal to ensure all community members feel that they are a part of Amherst and feel and are protected, listened to, and served by their public servants. This will help to foster a community free of fear. The CSWG and its recommendations involve significant BIPOC representation.

Swartz: No Comment

AREAS OF RESPONSIBILITY

Commendable	Satisfactory	Needs Improvement	Unsatisfactory	Unable to Judge
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Management Goals

I. Administration, Leadership, and Personnel	2.5	7	2.5	0	0
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Objective: To effectively and appropriately administer the operations of Town affairs pursuant to the Home Rule Charter, specifically, but not exclusively, the duties outlined in Section 3.2 (Executive and Administrative Powers and Duties), 3.3 (Powers of Appointment), 5.3 (Public Forum), and 5.4 (Submission of Budget; Budget Message). Further, to provide leadership by ~~3-Adopted by the Town Council on September 14, 2020; amended January 25, 2021 (1)~~ (ABrewer) anticipating future needs and positioning the Town to meet those needs, (2) devising appropriate courses of action to achieve the policy goals of the Town Council, (3) improving the delivery of services to residents and businesses, and (4) developing and implementing decision making and plans regarding road and sidewalk repairs that are transparent to the residents. Further, to effectively supervise and manage the Town’s workforce through (1) retaining, recruiting, and developing a highly qualified, diverse, and effective staff, (2) improving cooperation and coordination of services across departments, and (3) inspiring attitudes of respect, helpfulness, courtesy, and sensitivity toward and among all employees, residents, and visitors in Amherst.

Comment:

Bahl-Milne: The Town Manager has ensured that the town is fiscally sound despite the pandemic and systemic shifts to be a sustainable and racially just community.

With respect to service delivery, I am thrilled to see developments to improve our community engagement through the engage website and updating our website to include ADA assistive technology. What needs improvement is a better process to handle the DPW services and their communication with the public. As has been discussed earlier, the click fix website is good for collecting residents’ complaints but doesn’t go far enough to handle and communicate back with the residents, who’re left in the dark about their complaints. Also, it’s not clear how decisions are made and priorities set with regards to which streets, sidewalks, and septic systems get upgraded. We need a better system to process and prioritize the work done by the DPW. We also heard about the inadequate fire department personnel again this

year. The community cannot be served well if the fire department staff doesn't feel safe and are leaving because it's not safe to work for our town.

We lost really good people last year and while we know there were exit interviews done, it's not clear what was learned from them about the reasons for town employees leaving. I have heard from several current and past employees that Amherst is a demanding and hard town to work for. While the Town Manager is protective about his staff, it's not been balanced and consistent. What I mean is that there have been situations in which the Town Manager defended the staff when they were opportunities for self-reflection and growth and in other situations staff have not felt like they were protected from being unfairly targeted or accused. We also need to see that people are mentored so they can grow into their full potential and have opportunities for growth within our town.

Brewer: The Town Manager has not developed or implemented decision making and plans regarding road and sidewalk repairs that are transparent to the residents, and there is no apparent plan to do so.

There is clearly something wrong with the number of recent women department heads who have left after less than two years with us, even in a global pandemic, and we have been given no reason to believe this is being effectively addressed with either new hires or retention efforts.

Having been on the Select Board for almost twelve years prior to Town Council, I am well aware of our AFDs long standing frustration with fire/EMS staffing levels (<https://www.amherstma.gov/2227/Reports-Presentations>), and with equipment, and I still don't see any plan to address this beyond temporary funding. We are also in a strange place where the Town Council apparently cannot effectively hear from department personnel about their very significant needs except through social media and individual one on one meetings – and this evaluation process. Despite my years of elected office, I really don't know what we need to do less of in order to do more in this area, but something has really got to change in our deployment of resources.

We also have longstanding difficulties retaining experienced police officers and DPW workers as they can often attain better promotion opportunities and/or higher pay elsewhere.

The Town Manager appears to be unable to manage the appearance of staff at Town Council meetings – he does not expect them to be fully prepared by providing written information ahead of meetings for part-time elected to digest, he does not expect them to provide the kind of parking maps and charts that have been easily available for over ten years, and based on the presentations they often provide, he has zero conversation with them in advance about the length and content of their presentation. On at least one occasion a Director felt entirely comfortable providing a personal opinion that was not only unsolicited but also clearly not anything we had ever done before by insisting the President recognize an abutter with a vested

financial interest in an outcome aligned with the Director's personal opinion. Most presenting staff seem to be under the impression that they should plan to give a presentation to Town Council and answer almost no questions because the action item is going to be referred to a Town Council (sub)committee, and they plan to give the identical presentation there again, strangely with zero update associated with the questions just asked at the full Town Council meeting, which they also could have seen in the Town Council Minutes had they bothered to check them. I appreciate that he is apparently not micromanaging presenting staff, but there are clear deficiencies that are not being addressed.

De Angelis: The TM has done excellent work addressing the present and future needs of the Town's various communities and has worked to make decisions transparent and his process available to residents. I am concerned about retaining and recruiting people, particularly BIPOC people, as members of the Town staff. His exploration of the issues that are affecting retention and recruiting is an important step and the results of his findings need to be shared as openly as possible. His emphasis on creating a staff that is open to and respectful of all people is heartfelt. I am concerned that we hear from many departments about inadequate staffing and very much want to know how now and in the future, we will deal with this.

Dumont: No rating; No Comment

Griesemer: No Comment.

Hanneke: There are three parts to this Goal. In general, the Manager effectively and appropriately administered the operations of Town affairs pursuant to the Home Rule Charter.

The Manager has adequately provided leadership regarding service delivery and devising appropriate courses of actions to achieve the Council policy goals, although there is room for improvement, specifically in developing and implementing decision making and plans regarding road and sidewalk repairs that are transparent to the residents and anticipating the future needs of the Town and positioning the Town to meet them. There is still no transparency in road and sidewalk repair processes, specifically in where roads and sidewalks are in the queue or where projects that have been funded are in the process of implementing that funding. While the Manager may be adequately anticipating the future needs of the Town, there is need for improvement in positioning the Town to meet those needs. For example, the Fire Department has been understaffed for a very long time and it does not appear the Manager has a plan to address it. Another example is the initial ARPA proposal that included hiring a number of staff for various positions but did not include any statements or plans on how those positions would be incorporated into the budget in future years when grant funds run out.

The Manager could improve on third part, effectively supervising and managing the Town's workforce. During the evaluation period, the Town has seen several key positions turn over more frequently than desired. This appears to reflect some issues in effective supervision of these positions. I appreciate that the Manager has recognized this and is working to correct this issue. The staff evaluations demonstrate that there is a need to improve staff morale in certain departments. This need demonstrates that even in the face of tough circumstances, the Manager must do better to support the personnel in Town.

Pam: I know it has been a hard year with disappointments in keeping some new personnel, but I do not fault him for aiming high. How much of staff unhappiness and turnover is a result of his strong executive leadership, or of salaries that are too low, or of increased demand during Covid is hard to say. But word is that everywhere people are unhappy with their jobs, their lives, and are in the process of serious personal introspection about them and are leaving jobs due to the scare of Covid. Perhaps people are moving away from the all-work culture. This is hard on the Town Manager, but good for the individual people. Let's admit it; some of us work much too hard and we should reallocate our time.

I appreciate the fact that the words "sidewalks" and "road" are at least getting mentioned as part of service delivery, but the "walking wounded" are restless and tired of promises; they want to know how many sidewalks will be repaired and which ones. They want action NOW.

Ross: I believe the Town Manager has done a satisfactory job administering our Town government, leading the departments, and ensuring continued high-quality Town services. I remain concerned about staff retention, and especially retention of BIPOC staff. The past year has again seen higher-than-expected (my opinion) staff turnover. While the Town Manager provides leadership, staff turnover means departments do not have consistent leadership. I know the Town Manager has discussed this with the Personnel Board and hope actions are taken to better support staff and understand the culture that has resulted in retention issues.

Ryan: I am going to focus on the amended goals of January 25, 2021 since I think Paul overall is a highly competent and professional manager who has commendably addressed objectives (1)-(4). Though I still hear persistent and often bitter complaints about overly zealous inspections staff, particularly in the Health Department, who seem to see the public as not someone they work for but rather against. Paul has heard these complaints and the hope is that the message can be communicated that you can still do your job and also work with rather than against the public whom we all serve. My particular issue or concern is with amended item (1) the retaining and recruiting and developing of a highly qualified staff. Paul addressed this in his own self-assessment and what he says there are all the right things. And it may be that the recent string of staff defections, retirements, false

starts, and short tenures are not the fault of the Manager but a function of a host of other factors that are hardly unique to Amherst –nonetheless it is troubling and needs addressing.

Schoen: Given the economy and array of top priorities. Paul and staff have done a commendable job of keeping the Town running. Our budgets and care fiscal management let us avoid layoffs and redeploy staff to COVID response teams. The Finance Director and entire staff have been exemplary.

That said, transparency on roads and sidewalks has not happened. Indeed, even when targeted in a capital budget – such as the East Pleasant Sideway study – there is no action and no explanation of why not.

Staff turnover is clearly a concern. We have lost multiple people – some clearly to better opportunities, and people used Amherst as a stepping stone. But this undermines continuity and likely coordination across teams. Paul has implemented a plan to assess and provide improved mentoring for new hires. I hope this works!

One concern is whether there is too much on the TM plate and a need to delegate more. I This is a question not a statement since I am not sure how the leadership team works. I do know that going through Paul to department heads is not always efficient, much less successful in getting a response.

There may also be a need to delegate more authority with accountability. To the extent a staff member in a key position is performing poorly, there needs to be preventive action. Hopefully by department heads at the outset so that not all has to flow onto the TM desk. I am aware of one incident that unfortunately resulted in a delay in the School building project that was preventable.

I have no insider knowledge. And I know that Paul devotes full attention and endless hours to Amherst. He works round the clock for Amherst – including weekends and early mornings. His commitment and love of the Town is clear.

It might help if he at times pushed back against Council demands before commitments of staff time and resources are formulated. Providing an honest assessment of the time, staffing, and budget needed to respond thoughtfully might help ease staff stress and workloads and benefit the Town.

This year was unusual in that Jones library occupied substantial staff and TM time. But next year is always shaping up to be “unusual”. Paul TM is on the Jones building Committee and School building committee which is likely to have an intense timeline and workload, meeting and decisions. This is a symptom of spreading thin.

Schreiber: This area seems commendable to me. However, I rate this as satisfactory in part because of the high turnover of key staff. I think there needs to be a Town Council oversight board.

Steinberg: This is a significant objective, essentially an expectation that Paul will implement the Charter and fulfill all expectations for the Town Manager set forth in the Charter. He consistently recognizes the duties required by the Charter and meets the challenge every day. I have two concerns. First is in regards to hiring and retention of senior staff. I am not criticizing his decision on any specific hiring decision and observe that he has high standards for qualification and expectations for performance. I have wondered whether he has occasionally chosen the best person from an insufficient group of applicants, which led to frustration and quick turnover. That may not have happened often, if at all. But there have been several people hired as Department Heads who left after a fairly brief period. That leads to my second concern. The administrative structure needs to be reviewed to assure that Paul is not directly supervising too many people. He may either spend too much time as a supervisor or not enough time, given the number of people he is supervising. This may affect training for new staff and the support they receive as they adjust to a new job and a new community. He has taken a commendable step in setting up a team to work with the new Recreation Director. And, as a general matter I am concerned that he is trying to do more than should reasonably be expected for any one person.

Swartz: No Comment

AREAS OF RESPONSIBILITY	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	Unable to Judge
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II. Finance	8	4	0	0	0
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Objective: To ensure the Town’s strong financial and fiscal health by (1) effectively administering the adopted FY21 Budget, (2) preparing and proposing a balanced FY22 Budget in accordance with the Town Council Budget Policy Guidelines and Charter Section 5.4, (3) increasing, utilizing, and maximizing revenue and shared regional resources to meet the Town Council’s Policy Goals and Budget Policy Guidelines, (4) implementing Town Financial Management Policies and Objectives and other sound financial management policies and practices, and (5) studying, recommending, and implementing structures for user fees, water fees, sewer fees, and permit fees that consider the cost of providing services

Comment:

Bahl-Milne: No Comment

Brewer: We are still waiting for any study or recommendation on user fees and permit fees that consider the cost of providing services, e.g., the promised review of the Rental Registration program charging one fee per property rather than one fee per unit, the justification for staff deciding to issue residential parking permits for residents who signed leases in new buildings in the Municipal Parking District, whether the number of and cost of lower level garage permits is still appropriate, and the residential and employment based parking permit costs that have not increased since the permit program was developed years ago. Study of Residential Discount for owner-occupied homes in a college-rental town with few second homes or tourist rentals and the known desire to not pass costs along to lower income tenant residents or force elderly residents to sell their highly assessed residences has still only scratched the surface despite repeated requests to do so thoroughly well in advance of annual tax rate setting cycles.

In 2020 I wrote: Report the quarterly and annual revenues from medical and adult use Marijuana and Airbnb/short term rentals (if able to be differentiate) and the recommended application of those funds to costs and to short term or long term goals: the limited reporting has been nearly invisible, and zero conversations have taken place with Town Council about our goals for the revenue from either bucket, despite neighboring communities having already discussed this in detail before the

*pandemic and despite the Select Board asking for this information on both medical and adult-use/recreational marijuana/cannabis on both taxes and on HCA payments since day one of their existence, and there has been no accounting of the HCA payments *at all* , ever, in any report in the history of HCA existence, nor any indication that either the medical or adult-use HCA payments have been made in a timely fashion or in fact made at all, while the Town Manager continued to negotiate HCA without benefit of the Town Council having any idea how the current HCA are being enforced; similarly Airbnb/short term rentals has had zero public discussion about our goals for this revenue. Obviously we support not counting on these funds for the operating budget until the revenue stream becomes clearer, but not talking about them at all leaves both the Town Council and the public completely in the dark. Brief mentions of some, but not all, of these revenues in quarterly reports is not sufficient, nor is it adequate to have had some of these conversations at only Finance Committee, and there's no indication the conversations took place there, either. There is no apparent reason for this secrecy, and there is no acceptable reason to wait for it to be treated as a revenue source by a Town Manager proposal to discuss what is being paid, when, and how we might treat in the future. and lo and behold my concern came true – suddenly the marijuana excise tax was being included in the operating budget without any discussion with the Town Council. The Town Manager has since been willing to shift focus of those funds to a new stabilization fund for Reparations for Black Residents, and knowing how much this Town staff dislikes earmarks and set asides and separate funds, that is a large step forward.*

We are hearing more concerns that departments need far more items than are showing up in the budget proposals that Town Council receives from the Town Manager, and since the Town Council is unaware of these operating and capital items, we have less context for budget proposals than seems helpful for us to know if we are living our community's values.

De Angelis: No Comment

Dumont: No rating; No Comment

Griesemer: No Comment.

Hanneke: The Manager has met the basics of this Goal by effectively administering the adopted FY21 budget, proposing a balanced FY22 budget, using shared resources where appropriate, and implementing Financial Management Policies. The Manager has begun a study of user fees, water fees, sewer fees, and permit fees, but has not made any recommendations regarding changes nor begun implementing them, despite having at least 17 months to do so. This delay may be resulting in lower revenues for the Town and delays in lowering user fees for certain water and sewer customers. (The Manager has recommended water and sewer rates, but has not returned to making a recommendation on whether the Town should restructure how it charges for water and sewer service.)

It is concerning to read that the Manager has directed the Fire Department to not apply for grants that would allow it to increase staffing over a number of years, which would allow the Town to gradually devote new revenues to the additional staffers over time, thereby limiting stress on the budget. As mentioned before, there appears to be a lack of planning in how to increase staffing levels in certain departments over time.

Finally, while the Manager has done a great job at ensuring that the Town does not need to use reserves to balance the operating budget, overly conservative revenue estimations may be hampering the Town's ability to provide high quality services to the residents. Year-end revenue surpluses appear to be increasing, which, if over the industry standard, represent lost opportunity for adding staffing or programs, or funding more capital improvements.

Pam: Great job. It seems that we have received more grants this year, which I assume means great grant seeking.

Ross: The Town Manager has done a commendable job administering the budget, developing a budget in the context of limited revenue and increased budgetary demands, and working with staff to explore and identify new revenue sources and different approaches to revenue. I do worry that reliance on grant funds and federal funds is setting up a situation where new positions and initiatives cannot be sustained long term and folks will see the elimination of positions/programs as "budget cuts". But I am also impressed by the number of grants staff have brought in and the size of many of those grants. I am encouraged by the relentless pursuit of grants by staff to supplement town funds, as long as we don't come to rely on those grants. I appreciate continued work to maintain a high bond rating and continue to build up reserves

Ryan: I worry about how the Town will pay for the proposed new Department and CRESS program and what impacts this will have on the Town's fiscal soundness in the coming years. Perhaps this will become more clear as the FY22 budget process unfolds and during the Public Forum on the proposed reorganization. But Paul's performance to date in this area deserves the highest marks.

Schoen: The entire area of Finance is Commendable. We have a great team, that devotes hours to sound advice and ensuring the Town is in a strong financial position. Our "fiscal" health during the pandemic was remarkable.

With Paul's leadership, staff also responded to the request that a 5-year capital plan look more like a plan – not just the first year balanced and all the rest a wish list. Staff also produce an inventory and a list of surplus properties with a plan to update annually.

We addressed user fees for water and sewer – with information in advance alerting us to the revenue short-fall due the closure of UMass and colleges.

As yet, however, we have not yet received a report with options to update our parking permit and fee structures. This is needed for long-term planning

The Town's strong financial and fiscal health are a tribute to Paul and his team. Amidst a very difficult economy, we have been able to build up reserves for the anticipated new buildings and at the same time also fund a maintenance fund for buildings and maintain operating budgets without layoffs.

Paul's self-evaluation highlights the multiple activities and staff efforts that have contributed to the town's budgets strong fiscal health. It is a commendable list and excellent performance

The one area that could be improved going forward is to provide an honest appraisal of tough choices ahead and tradeoffs with large capital needs is sorely needed. We may be in luck with ARPA and the Biden infrastructure funds. But this is an area where frank discussions will be good for residents to understand and hear.

Schreiber: Commendable. See his self evaluation.

Steinberg: From the time Sandy Pooler left Amherst as Finance Director until he hired Sean Mangano, Paul was in effect the Finance Director. He had tremendous help and support from Sonia Aldrich. But she was also the Comptroller and continues to perform those duties, also a full-time job. Because he had that role until Sean joined our Finance Department, Paul remains involved in managing town finances. This is appropriate for the Town Manager.

Paul considers Council input from the Budget Guidelines and Performance goals. He also is cognizant of the limitations of town resources and the need to maintain ongoing municipal school, and library services. The annual budgets that he proposes address all of these needs as they can best be achieved with available funds. The proposed budgets are balanced and the budget is managed appropriately so that no Fiscal Year has ended in deficit, even though the pandemic crisis.

The Capital Improvement Plan is developed with input from the Joint Capital Planning Committee. As with the operating budgets, Paul has to make difficult choices and does so in a thoughtful and open manner.

The annual Audit Report and the Standard and Poors rating reflect the sound financial management of Town resources. As noted in the section for Policy Goal II, my only financial concern is a decision to create a new department with one-time funds. I am concerned about the long-term funding plan, which will likely be discussed in the FY 23 budget process. Generally, financial planning is multi-year as demonstrated in the annual Financial Trends and Projections report and the Capital Improvement Plan. This is evident in the planning and allocation of funds to the Other Post Employment Benefits (OPEB) Trust and the balance in Stabilization Funds and Free Cash.

Swartz: No Comment

AREAS OF RESPONSIBILITY	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	Unable to Judge
III. Long-Term Vision	3	9	0	0	0

Objective: To maintain and manage the Town’s capital and public assets consistent with the Council’s long-term vision by (1) ensuring that the Town’s facilities and infrastructure are wellmaintained, attractive, and safe, (2) developing a 5-Year Capital Improvement Program in accordance with Charter Sec. 5.7(b) that is logical, transparent, balances competing capital needs, and able to be implemented, and (3) planning for long-term improvements to public infrastructure, parks, conservation land, recreation land, and public ways that ensure public accessibility, safe use, and sustainability.

Comment:

Bahl-Milne: We often hear people complaining that we build things but don’t have the money to maintain them. It’s good to see that there’s a new Facilities Maintenance Manager who is working on updating the buildings in town and looking at energy reduction.

Brewer: The Town Manager has been unable to overcome a culture of “no maintenance” when it comes to the thoroughly rotted rusting railing by East Hadley Road/former Grist Mill and seriously deteriorated downtown crosswalks. Finally several crosswalks were done very recently but they were far more decayed than we should have allowed to happen. The Mill River basketball court was originally promised to Town Meeting for December 2018, and was finally mostly completed in October 2021, after being not just deteriorated but in fact completely torn up and then just left to sit for many many months. We do not have pride of place here.

De Angelis: No Comment

Dumont: No rating; No Comment

Griesemer: No Comment.

Hanneke: The Manager and the Finance Director worked extremely hard to modify the capital planning process and plan itself in order to develop a 5-year Capital Improvement Program. In reflecting back on this process, one item that may end up being lost in the meeting of this goal is the more transparent nature of the requests from previous years. While the Manager did exactly as JCPC requested by bringing to JCPC in the first instance a Capital Improvement Plan that is balanced, the public will

lose the transparency that the unbalanced plans of previous years provided – i.e. knowing all of the capital requests and what purchases were being forgone. However, the benefit of the new system is that it is also allowing for better long-term planning for improvements to public infrastructure.

Pam: The Town Manager is working with his excellent team to accomplish these goals. My one reservation is that he is not realizing or acknowledging the serious threat to residential communities in Amherst if the increased income is seen to come purely from student focused housing. More must be done to recognize the important role our residential neighborhoods play in drawing and retaining the broad mix of people that make Amherst a great place to live and work. If unsupervised all student houses replace family housing in local neighborhoods, the future of the town is seriously threatened. This is reflected in the failure of planning to be logical, transparent, integrated, and long-term focused.

Ross: No Comment

Ryan: consistent with my remarks above I worry about our ability to keep our eyes on the longer term challenges when under pressure from some within the community to address what they see as more immediate issues. I hope we can find a way to do both in a fiscally responsible manner and in a way that does not sacrifice public safety or our long-term vision as it relates to important capital needs including public infrastructure, recreation land, and public ways.

Schoen: As mentioned above in Finance, this past year we took big steps forward to have at least a 5-year plan for operating and capital budgets the offers a balanced approach to meeting multiple Town goals We have also invested in improvements to public infrastructure and recreation/conservation areas to support town residents. See my comments above on Finance.

The implementation of Engage Amherst and outreach efforts around the Pomeroy Intersection have contributed to seeking resident input into how their tax dollars are spent and input into planning.

Planning for the future will need to take a broad look at town-owned resources, including building that are not currently in use or will become available for alternative uses in the next several years. This includes one of our elementary schools.

Planning for services such as a youth cultural center or improved senior center need include looking over at least a 5-year period on what might be possible and affordable.

This will require envision a path forward and avoiding a short term response to voices calling for rapid action on multiple fronts ARPA funds, in particular, may need

to be invested in existing infrastructure to catch up rather than embarking on new commitments for space or programs.

There are competing demands. A longer than “next year” timeframe is essential to illustrating how Amherst might address multiple, competing needs while continuing to support our schools, public services, and library and building maintenance.

We made progress this year on a balanced 5 -year capital plan – but the list of what is delayed is also sobering. The Council could, and should, help in conveying this message to residents.

Schreiber: Commendable. See his self evaluation

Steinberg: Some elements of long-term planning have been discussed in previous sections, including planning to continue ongoing expenditures initially supported with grants and other one-time funds and the Capital Improvement Plan (CIP). The CIP should include funding for building maintenance, including new buildings to that they are adequately maintained. These expenses are now better anticipated than in prior years. Improvements to parks are frequently supported by grants and the Community Preservation Act and Paul deserves credit for working with Dave Ziomek and other staff to obtain funds, develop plans, and implement plans for Groff Park, Kendrick Park, Hickory Ridge, and the Mill River basketball courts. The public engagement in these efforts is commendable.

Another form of long-term planning that is not included as an example in the Objective but should be recognized is the vision for our downtown and village centers. Growth is essential to reduce the property tax burden on residential property and generate increases in property tax revenue. This is presently most evident in downtown and the Pomeroy Village center. In addition to the zoning developed to encourage downtown property development, the vision developed with the Business Improvement District and the Chamber of Commerce to focus downtown on arts and entertainment, develop a band shell to be funded by the BID and the Downtown Amherst Foundation, and a possible parking structure to make Amherst downtown more friendly to visitors is exciting.

Swartz: No Comment

AREAS OF RESPONSIBILITY	Comm	Satisfa	Needs	Unsati	Unabl
IV. Community Engagement	2	6	4	0	0

Objective: To maintain, develop, and increase positive relationships and communication with residents, institutions of higher education, and local and state governmental entities by (1) facilitating the flow of information to and between the various constituencies, (2) encouraging and supporting new ideas and methods for expanding resident involvement in Town government and awareness of Town matters, (3) developing and implementing strategies and agreements to mitigate the financial and social impacts of the higher education institutions on the Town and neighborhoods, demand for public safety resources, parking and traffic, and other municipal services, and (4) maximizing the contributions of Town multiple-member bodies to the municipality.

Comment:

Bahl-Milne: This is a challenging issue. The Town Manager and staff have made improvements and their work with UMass is hopeful. But currently we still have wide swaths of people whose needs are not reflected in our capital investments and important decisions. It will require a new way of thinking and innovative approaches like human centered design to ensure that we have an inclusive and engaged community. Maybe the addition of the DEI and economic development directors will help and we need better coordinating and collaboration among the existing committees and boards in community outreach.

Brewer: The Town Manager does encourage and support new ideas and methods for expanding resident involvement in Town government and awareness of Town matters – Satisfactory. He does Cuppa Joe with residents and guest staff members, encourages pop-up outreach activities by the three CPO, supported the development of Engage Amherst (albeit with no engagement of the Town Council) and improvements to the Town website (again with no engagement of the Town Council) but too many residents still don't understand how they can subscribe to multiple meeting notices and can find many multiple-member body meeting packet materials online; despite what some candidates said during the recent campaign, it is not actually very difficult for anyone who uses websites and email to follow projects and ideas on the Town website if one subscribes to various notices and follows several available project webpages – especially when compared to Representative Town Meeting, which had only the warrant for the public until at

least two weeks before multiple sessions of meetings with no known timing of upcoming articles at any given session.

The Town Manager is not maximizing the contributions of Town multiple-member bodies (committees, boards, commissions, working groups, assemblies) to the municipality – Needs Improvement (it actually feels unsatisfactory, but I do have hope improvement is likely given public attention to events of the past year). He remains disinterested in soliciting input from multiple-member bodies related to Department Head/Director job descriptions when new hires are in going to be made, and only sometimes includes the Chair – without any membership discussion – in the interview team (BOH, COA, Recreation, HRC). He needs to ensure bodies have adequate support in terms of Open Meeting Law (OML) and public records, largely around training staff to make it clear to members that the body work cannot be done via email – even through the staff – between posted meetings, that posted meetings via Zoom need to have the attendance opened to the public BEFORE the meeting is called to order (rather than barring the meeting door until at least a quorum appears), that the multiple-member body Charge document needs to be referenced by the body regularly and updates requested if it does not appear to be current, that a failure to plan effectively to achieve quorum does not constitute a valid “emergency” meeting, that legal meeting postings are not the same as Agendas, and that meeting postings require specificity of topics per the AGO, and that Minutes must be created in a timely fashion; oddly the worst offenders on lack of Minutes are typically those bodies that are intensely staffed, rather than those whose Minutes are taken by volunteers. More bodies should receive support for taking Minutes, rather than expecting members to actively participate as they take Minutes – multiple-member bodies are not just a club of enthusiastic hobbyists, they are supposed to be doing professional part-time appointed municipal work. I do appreciate that he acted on my suggestion at Town Council 09-13-21 for onboarding orientation for the new AHRA given the experiences of members of ECAC and CSWG. He also needs to make it clear to multiple-member bodies what they can expect in terms of his active participation, other staff participation, and in potential interface with Town Council actions. Despite attending so many CSWG meetings, he did not appear to have shared all the Defund413 and Racial Equity Task Force material presented over multiple meetings to the Town Council with the CSWG, so the Town Council President had to share it with CSWG. Perhaps out of an abundance of caution not to offend the CSWG by appearing to be the white man in control, he did the majority BIPOC CSWG members – and the entire community – a severe disservice by not making the process of committee recommendations and Town Council actions at all clear. Despite the Charter Section 3.3(d) Community Participation Officer and 3.3(c) Residents’ Advisory Committee, and the fact that the Town Manager now appoints the vast majority of multiple-member bodies vs the previous split with the Select Board, the Town Manager has not yet established policies and practices to actively encourage a diverse pool of applicants for multiple-member bodies, and there is still an insufficient applicant pool overall of BIPOC and of renters and of people under age 65. It is encouraging that he has overcome his

initial reluctance to provide – not offer, but provide – stipends to new majority BIPOC bodies.

De Angelis: No Comment

Dumont: No rating; No Comment

Griesemer: No Comment.

Hanneke: The Manager has generally done well in this area. He has supported Councilor initiatives to work with UMass on testing various community engagement tools to expand resident involvement in Town government, has improved the flow of information between various entities, and has worked to maximize the contributions of Town multiple-member bodies. Yet, the Manager has not prioritized negotiating strategic partnership agreements with UMass, or Amherst College to mitigate the financial and staffing impacts of the institutions on the Town and demand for municipal services. The Manager has worked well with UMass to mitigate the social impacts of UMass on the neighborhoods, although, as in any college town, this work will never be complete.

Pam: The Town Manager is a strong person and needs to use his powers to engage the colleges and University to sit down at the table and deal fairly with the town. Let's take up a land offer from Amherst College for affordable owner occupied and rental housing, and seek to expand the current DPW site for our facility needs. UMass currently offers student help on social mitigation, but needs to offer institutional and financial support – why do we repeatedly say we would need to hire consultants or lack staffing to find answers to basic questions, often then proceeding without this information? The views of multiple-member bodies are not always considered.

Ross: I have been impressed with the many community engagement efforts made by staff over the past year, including:

- The Hickory Ridge tours
- Town Manager Community Chats
- Engage Amherst
- Public forums and in-person event around Pomeroy Village MassWorks grant

I believe Town staff have worked hard to engage the community both in-person and online to improve public input in Town affairs and to identify the priorities of town residents. I have, however, heard complaints (although infrequent) about lack of response to emails to the Town Manager from some residents. I understand that the Town Manager is flooded with emails and it is easy to miss an email, but hope action can be taken to ensure every resident gets a timely response, even if from a staff member in lieu of the Town Manager.

Ryan: I think the Council plays an important role in (1) and (2) insofar as in keeping residents informed and engaged and that includes encouraging and supporting new ideas and methods for expanding resident involvement (would the new Council support translation services for Council meetings? Holding a Council meeting and/or Council Committee meeting in or near large apartment complexes and/or in neighborhoods where an issue that concerns them is being addressed?). As for (3) I would like the TM to be more aggressive/assertive/creative in his relationship(s) with the University and the two colleges. It seems almost baked into the Town's DNA that each institution is in its own silo and the Town is in its silo and except for transactional matters (water, sewer, public ways, public safety) cooperation and dialog are in short supply. It takes two to tango, I know, but I dream of a time when there is a more robust and collaborative relationship between the Town and its three major employers.

Schoen: As Paul's report illustrates, there have been multiple new efforts seeking to improve communication and engagement. This includes Engage Amherst and the COVID standalone website with regular updates, new down-town kiosks, and more. At some point, it will be useful to assess how well these are working. Including the See-Click-Fix tool.

Paul also makes a committed effort to be out in the community with coffee or chats (zoom) and staff supports multiple Committees. He devotes extensive hours and handles multiple communications from resident personally.

The list of staff activities, including support of committees, is long. And staff support of the Planning Board and ZBA have clearly been on over-drive over the past year. Our 3- person outreach (CPO) team does admirable, including support of District meetings.

In other areas, the Council has little information. Including what is happening to strategic agreements with UMass in terms of mitigating the "financial and social" impacts - including on police, traffic, parking, neighborhoods or housing for students. The goal also "mitigating financial and social impact" What has happened toward this goal?

This goal encompasses multiple activities – not clear how we are to evaluate the set other than to note that substantial staff hours and Paul hours are devoted to communicating and supporting committees and public events

I rated satisfactory rather than needs improvement because it is not clear to me what efforts are working well, or what metrics one would use to assess.

The UMass strategic agreement clearly needs work but some of this likely needs to be at the State budget level.

Schreiber: Visibility in the town is commendable. The opaqueness of the relationship to UMass, Amherst, Hampshire is unacceptable. Its completely unclear whether or not citizens concerns about the lack of on campus housing has been communicated to UMass. What happened to the agreements with each of the colleges?

Steinberg: I have worked with four Town Managers, not including Interim Managers during periods when the position was vacant. Paul has made greater efforts to be available to the public than his predecessors. He used regular programs, such as Community Chats and the monthly “Cuppa’ Joe with Paul” sessions when he and another member of the staff would be available for informal discussions with residents at locations that rotated around town. Since the Covid endemic, he has made these meetings virtual and increased public access. During this Covid period, Paul has taken advantage of the temporary changes to the Open Meeting Law to make Council meetings as well as meetings of board and committees accessible. He has encouraged the Community Participation Officers to increase Town government accessibility to the public. These efforts included improvements to the website and the addition of new sites, such as Engage Amherst. I look forward to the outcome of the project with the University of Massachusetts on collaborative research project to expand community engagement and broaden our outreach to communities less likely to connect with Town government.

The Charter makes the Town Manager responsible for appointment of most multi-member bodies. The process he has used to encourage applications, meet with applicants, and make appointments has led to broad inclusion. Boards and committees are getting support from staff. These bodies don’t have the support they formerly had from Select Board liaisons.

Swartz: No Comment

AREAS OF RESPONSIBILITY	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	Unable to Judge
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V. Relationship with the Town Council	9	2	0	1	0
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Objective: To maintain, develop, and increase positive relationships and communication with the Town Council to ensure the Council’s effectiveness by (1) effectively assisting and supporting the Council in providing policy leadership and establishing and implementing long-range goals, 4 Adopted by the Town Council on September 14, 2020; amended January 25, 2021 (2) providing support for Council Committees, (3) responding to communications from the Councilors in a timely manner, (4) resolving issues at the administrative level to avoid unnecessary action at the Council level, and (5) providing regular communications to the Council to ensure the Council receives relevant information, including analysis and supporting documents as appropriate, in advance of meetings or media coverage.

Comment:

Bahl-Milne: I have found the Town Manager accessible, thoughtful, and patient in all my interactions with him and in his work with the Town Council.

Brewer: The Town Manager Needs Improvement in effectively assisting and supporting the Town Council in providing policy leadership and in verifying timely execution of that leadership.

The Town Manager has improved his responsiveness to communication from Town Councilors – Satisfactory.

The Town Manager has not resolved multiple issues at the administrative level to avoid unnecessary action at the Council level, which is Unsatisfactory and unlikely to improve:

1-he never created a Charter transition plan, despite the Select Board asking him repeatedly to do so in 2018, which resulted in (among other things) this first three-year Town Council being unable to address Town Council compensation under Charter Section 2.4, which we would have examined for equity and accessibility for future Town Councilors, and also in the Town being forced to seek special legislation for Charter Section 10.10 Ranked-Choice Voting, which he should have known from our legal counsel back in 2018 was going to need special legislation in order to utilize it in 2021, so it was not possible to get it done in time for 2021 due to his delay, and

also the new-under-the-Charter Board of License Commissioners (BLC) was unaware until 04-01-21 that unlike the Select Board, which had served as both the Local Licensing Authority and the Keepers of the Public Way, the BLC in fact had no control over the public way for use by lunch carts/food trucks, and any change in those Select Board era regulations would need to ask the Town Council to delegate this public way authority, similar to the Town Council previously delegating some authority to the Town Manager.

2-he expected part time elected officials to write a report about polling places that the full-time Town Clerk should be expected to write when the law is silent on who is responsible for the writing vs the adoption of such plans (yes this was specifically an issue at the time of the 2020 evaluation, but would also have recurred this year had such a report been required by MGL)

3-he did not intercede when the Planning Department told the Town Council they didn't have time to work on the Town Council priority of improving the Inclusionary Zoning Bylaw, despite our frequent discussions of affordable housing, yet he said nothing in defense of the Town Council when suddenly the Planning Department said they indeed had time and it was now *their* priority.

4-we knew about the mosquito spraying opt-out process from our Senator Comerford 03-19-21 email but the Town Manager did not either acknowledge it or address it with the Board of Health and other staff until he was reminded by individual Town Councilors and residents, and we did not act until the last minute almost two months later.

5-during the North Common Restoration/Main Street parking, it became obvious our legal counsel KP Law was unaware that we had both General Bylaws and Rules of Procedure requiring a public hearing; we also had not received plans sufficiently ahead to share with our constituents despite requesting such plans weeks in advance of the project vote

6-resident litigation over the Jones Library project was poorly communicated to Town Council in that our longstanding legal counsel KP Law was apparently not aware of various court filings until after the press knew about them from public courthouse records, and KP Law's various attorneys appearance time at Town Council Executive Sessions was repetitive and not especially informative or productive on multiple occasions.

7-CSWG provided multiple recommendations to him and to the Town Council in writing, but rather than listing them in a chart or matrix with potential actions immediately after they made them, and rather than seeking legal counsel for the new-to-Amherst desires for the Resident Oversight Board to have subpoena power and the ability to hold Executive Session for complaints, he heard the Town Council 10-25-21 say we wanted his recommendations of potential actions on each item --

and then did nothing for two weeks, other than support the part-time Town Councilor who finally had to take the lead to develop such a chart or matrix.

8-he did not effectively manage the transition in the Assessors Office so that the Town Council had to repeat a set of actions, and when asked about this at a Town Council meeting, refused to answer and said instead he would explain it when the time came.

The Town Manager Needs Improvement in providing relevant information to the Town Council in advance of meetings or media coverage, and still has numerous challenges in this area. He not infrequently still tells newspaper reporters information before he tells the Town Council, despite the ease with which he could email us without any difficulty since he is not subject to OML. Even though the Town Council heard repeated calls to extend the CSWG timeline, he told the Gazette he did the extension before he told the Town Council. His regular written Town Manager Reports are long and unwieldy, with cut and pastes that do not always agree from one page to the next, and he rarely speaks of their quite important content at Town Council meetings. He just days ago provided, then withdrew, information on annual Financial Indicators that the Town Council – and School Committee and Library Trustees – would have used to make our time at Town Council 11-15-21 Financial Indicators more productive, as well as been informative to the public, but he chose to withhold the information instead out of some misplaced “tradition” that apparently values staff time more than it values the time of the part-time Town Councilor and other elected officials and the public.

De Angelis: No Comment

Dumont: No rating. The Town Council’s relationship with the Town Manager is too close.

I rate the process to evaluate the town manager as unsatisfactory for the following reasons:

1. The Council President manages the process. She is a good manager, but biased by the fact that she works with the town Manager virtually daily and is too close. The President also self appoints to write the cover letter accompanying the evaluation, which is really all the public and media will look at. The process should be managed by a neutral third party.
2. There has not been an honest attempt to get input from the community, as evidenced by the fact that there were only two evaluations done by community members. Had the community received a form and the ability to rate the town manager in all the relevant areas, you would have seen much more participation. Asking for narrative evaluations is not helpful.

3. There has not been an honest attempt to get input from staff. Although a few more staff replied this year, there are ways to encourage much more staff response. Also, the council did not see the result of the Manager's survey regarding high staff turnover so it is impossible to know what happened there. The category of Town Manager relationship with staff was dropped from the evaluation form after year one, apparently as not important - a mistake in my opinion.
4. The Council has given over its power to the Town Manager by reducing the number of specific town manager goals and evaluation criteria each year over the first three years of the Council. That is a very bad precedent to set. In our first evaluation, we rated the town manager in about 100 areas. This was probably too many, and many questions councilors were unable to weigh in on. However, it did allow us to get a much better look at how many areas were commendable, satisfactory, need improvement and unsatisfactory. Our second year, we rated the town manager in 47 areas. This was very manageable and allowed us to rate the manager in about 5 subcategories of each overarching category. This, our third year, our goals and evaluation criteria are so general that we have only one rating for each overarching area - only 11 ratings. Councilors - already overworked councilors, I might add - are asked to write a narrative to address the 22 single spaced pages of items listed by the Town Manager in his self evaluation. No one will ever read these narratives and both praise and constructive criticism will be lost to history. In addition, the opportunity to make a general comment such as this one, which was provided the first two years, was removed.

Griesemer: No Comment.

Hanneke: There are many positives and a few negatives about the Manager's performance under this Goal. The Manager has been good at providing regular communications to the Council in advance of meetings or media coverage. The Manager is also very good at responding to Councilor communications in a timely manner. And, the Manager, through the Town Planning Department, did a wonderful job of providing the necessary support to the Community Resources Committee regarding zoning revisions for the Council's consideration.

Over the evaluation period, however, there were issues with providing the Council, and particularly GOL, timely legal reviews in order to facilitate the work of the committee and the Council. This led to the need to schedule extra meetings in some instances, and much stress about whether statutory deadlines would be met.

Generic support for Council committees could be better. For example, neither the Community Resources Committee nor its chair received any guidance from the Assistant Town Manager or Town Clerk regarding the necessary steps needed to respond to an Open Meeting Law complaint or what a response should look like

until it was too late to schedule a meeting before the statutory deadline to respond (and only after advice was sought due to confusion after the complainant indicated the deadline to respond had passed), thereby requiring the scheduling of an extra meeting and the requesting of an extension from the Commonwealth. Chairs and committees should receive more support from staff on these uncommon and rarely seen matters. Basically, there could be more support to the chairs regarding the administrative functions of each committee.

Another area of improvement is the effective assistance and support to the Council in providing policy leadership and establishing and implementing long-range goals. The Council regularly struggles with what its role is when receiving recommendations on policy implementation or changes vis a vis the Manager's role. Two examples are the CAARP and Community Safety Working Group (CSWG) reports that were presented to the Council without much guidance as to the Council's role regarding the recommendations contained within them. This concern also reflects the Council's desire to have the Manager resolve issues at the administrative level to avoid unnecessary action at the Council level. The Council mostly has a blunt tool to deal with issues – bylaws. But the Council should not need to enact bylaws to deal with items that the Manager has the authority to address. Receiving more information from the Manager on the Manager's intentions relating to recommendations in reports from ECAC or CSWG would allow the Council to better instruct the Manager on whether that intended action is supported (through conversation or a resolution), which would then allow both the Manager to proceed with knowledge that the Council either supports the action or not and the Council to know whether the Council will need to take separate action or just monitor the matter through Town Manager reports.

Pam: The Town Manager does a great job dealing with the Town Council. But there is a problem that the workload of the Town Council keeps growing and since we have no staff and can't deal directly with Town Staff (I understand why) the job is rapidly becoming beyond the capacity of most ordinary people who have families, jobs, and lives.

Ross: No Comment

Ryan: I am not sure who is to blame for the fact that this job often seems unmanageable. A resident asked me recently who did all this work that we are all now doing on the Council before there was a Council. And I did not know how to answer that. I certainly don't think this is the TM's fault. I do think there is a lot of "dog and pony" show at Council meetings where staff takes us through a presentation that is already in the packet. Unless it is something that is late-breaking or hasn't been put in the packet in a timely manner staff perhaps can assume that we have read it and after a very brief overview go right to taking questions? Just a thought.

Paul is good at responding to our questions but inevitably things fall through the cracks – there are 13 of us and only 1 of him. That creates frustration at times because I am sure I am not the only one of us who thinks that their particular question is extremely important and needs answering ASAP. My inability to reach out to staff and/or department heads in a timely manner is a constant frustration of the job and seems unavoidable given the 13:1 ration noted above. There are workarounds (hint: attend every public event you can where staff may be present) but that was not very helpful over the past year and a half of COVID. But Paul is approachable, makes time if you ask for it, and treats us all with respect. He works very hard to maintain, develop, and foster a positive relationship with the Council.

Schoen: Efforts to support the Council and Council Committee have been commendable. Staff endure long meetings patiently. Paul typically responds quickly to my own requests to meet or emails on an array of issues seeks to respond to concerns or issues. His regular reports to the Council are informative for the Council and residents. We also receive alerts in advance of developments we are likely to see in the news.

Responsiveness is also notable Paul and staff. They follow up on questions raised before or during Council Committee meetings. The staff of Finance has been superb – now that we have a developed a way to ask for information in advance or follow up.

The gatekeeper role between Councilors and Staff has been frustrating, especially when the request can only be handled by key staff. However, it is understandable that with 13 Councilors this needs to be managed. And the responsiveness has generally been adequate Council Committee requests for access or information.

My concern in this area is the time and extra work demands the Council are placing on Paul and staff. I believe the Council could be more efficient and mitigate excessive hours spent at meeting especially Council and some of the Committees.

Schreiber: Commendable. See his self evaluation

Steinberg: The Code of Ethics of the International City/County Management Association (ICMA) begins with 12 Tenets including:

- Tenet 5 - Submit policy proposals to elected officials; provide them with facts, and technical and professional advice about policy options; and collaborate with them in setting goals for the community and organization.
- Tenet 6 - Recognize that elected representatives are accountable to their community for the decisions they make; members are responsible for implementing those decisions.
- Tenet 7 - Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.

Paul is guided in his work with the Council by these Tenets. His regular reports to the Council, willingness to answer questions, accessibility to the Council and its committees address this objective. As Chair of the Finance Committee, I observe his support for the committee and commitment to consider the Council Budget Guidelines as he develops the annual budget. Resources are finite, the needs seem infinite. As the Council adopts new initiatives, Paul creatively seeks ways that they can be implemented.

This Council and the Town are fortunate to have Paul as our Town Manager.

Swartz: No Comment

OTHER COMMENTS NOT SPECIFIC TO ONE GOAL:

Brewer: Overall thoughts:

The Town Manager is overall doing a Satisfactory job. I am very happy he is here and hope he stays for several more years as I believe he has both the right professional skills and the right attitude for our community. I remain concerned that this new form of government provides our residents with very little ability to influence many of the things they find most important, as the Town Council has zero executive authority – unlike the elected Select Board prior to 2019 – and the Town Council’s ability to provide policy direction is extremely limited in both opportunity and in follow up to execution of that direction. The Town Manager could choose to involve the Town Council more often and earlier, clearly asking for insight rather than for permission as he certainly has the power under the Charter. We are elected and he is not, and we have District Meetings and all of our other formal and informal activities, but instead he treats us more as twice a year Representative Town Meeting members than he does as Town Councilors given both legislative powers AND policy leadership by the Charter, and often appears to weigh our opinions no differently than he does the opinions of individuals who appear at one of his Cuppa Joe or Engage Amherst events. Yet the public – and some staff based on those inputs – assumes everything that goes wrong is because either the Town Council had a bad idea we somehow made him execute, or because the Town Council simply didn’t ask the Town Manager to do something, when in fact we – as a Town Council, not as individual Town Councilors, who have no authority whatsoever – often do ask the Town Manager to do things that simply never get addressed by him, and yet we choose to remain professional and avoid public criticism. The Town Council possibly needs to vote more things as the unfamiliar-to-Amherst concept of “orders” to provide clarity. Perhaps the new Town Council can bring fresh eyes to this challenge. We have to do better.

The Town Manager still (I was a Select Board member from 2007-2018 and am not actually averse to cut and paste of still useful information): regularly publicly credits staff with accomplishments, although some Staff Questionnaires indicate staff wants to hear ? see? more of this, or feels Department Heads are not sharing this information with them. Listens carefully & is open to differing views & new information. Clearly enjoys being part of the Amherst community. Has made himself available to the public in a variety of settings & attends a large number of committee & board meetings as well as many community events.

The Town Manager has dealt with an unprecedented year – including (in no particular order) COVID-19, scores of multiple-member bodies meeting via Zoom, the delight and challenge of ARPA funding, departures of department heads, retirements of long time staff, resident litigation over the Jones Library capital project, significant effort to move four major capital projects forward, complex climate action goals, complex equity goals – with grace and good humor throughout. None of the “regular” tasks have gone away, the number of staff available to perform the increased workload has

not increased, and we are short an Economic Development Director position since January 2020.

Process deficiencies:

The Employee input form “Town of Amherst Staff Questionnaire for FY21 Town Manager Evaluation” is still a disaster. I feel bad both for the staff that used the form and for those who don’t feel their concerns were heard. It was not online originally for reasons. I understand that more staff across all departments now have computer access during working hours than did when the original instrument was developed years ago by the Select Board, so the desire to use electronic forms is strong, but it’s proven to be not viable and neither the Select Board nor the Town Council ever agreed to be stuck with these instruments. Town Councilors received a 157 page(!!) PDF that is supposed to be informative, along with some “fun” word clouds. Given there were only (49) responses [note the one marked (50) was received on Monday 11-01-21 despite being provided two weeks on the paid clock to complete it by the end of the day Friday 10-29-21, and the Town Council did not discuss accepting late entries] and given at least one of the (49) appears to be a test entry that no one seems to have removed from the analysis, as that one is marked with the name Test and only took (1) minute 16 seconds to complete, and multiple staff forms are marked as taking less than three minutes each for the user to complete, it would have been MUCH easier for Town Councilors to read both sides of one piece of paper (47?) times than to scroll through a 157 page PDF. The 27 page PDF helps some, even though the graphs are relatively meaningless for the reasons described here. It is also clear that HR on its own has been unable to set up an effective instrument that both says “Answer if you work closely with the Town Manager” AND makes clear the employee is NOT supposed to mark “Unable to Judge” in those answers – as we’ve been saying for years, those questions (currently 15-18) as written should only apply to those who work closely with the Town Manager, so responding Unable to Judge – rather than skipping as would be appropriate if one doesn’t work closely with the Town Manager – skews the “data” for those questions. In the completion of this form I used only the comments, not any of the rankings, for the reasons described here. As I’ve said some variation of for years: 2020 *“We still need a better staff 360 instrument but that isn't going to happen during a global pandemic.”* And 2018 *“based on the low number of responses we received, I can repeat the text I’ve used in past years: Is the low rate of submission due to an increase in satisfaction, no compelling need to complain, or disengagement because participation seems futile? As usual, many Staff Questionnaire responders did not provide comments to explain their less than Satisfactory ratings. A few responders are clearly disappointed and/or frustrated. One of my earliest suggestions after I was elected to the Select Board in 2007 was to include some sort of staff 360 component in the Town Manager’s evaluation, as we’d begun to do while I was on the Amherst & Amherst Regional School Committees. We did in fact then adopt an instrument, which we have continued to tweak. Yet this FY18 evaluation is now my sixth to say: The wide variation in responses - - among a very limited number of responses -- causes me to wonder if a departmental rather than “at*

large” response might be solicited. I am uncomfortable with emphasizing this evaluation process challenge without providing a clear solution, yet continuing down this same variation of the 360 feedback path without some significant change in process does not seem particularly fruitful in either improving the Town Manager’s performance or in improving our assessment of that performance. The Town Council – not limited to the Town Council President -- needs to be empowered to discuss with HR how to develop a useful instrument that gives staff a real voice.

The Town Council also never agreed to accept anonymous comments from the public via email or via Engage Amherst, or from Committees. Over the years we have refined the language making it clear these inputs from the public are personnel documents not subject to disclosure, so there is zero reason for anyone to be writing anonymous Town Manager Evaluation comments. Staff is obviously not supposed to be identifiable due to fear of reprisal, but this is not an issue for members of the public or appointed Committee members, any of whom can and do speak to individual Town Councilors about their concerns, and when they ask not to be named, of course we honor that. You can’t make an anonymous Public Comment during a posted meeting, and it’s not appropriate for the Town Council to have considered any written anonymous Town Manager Evaluation comments given the personnel records disclaimer – so I didn’t read anonymous or include them here. That does not mean I did not consider comments made to me personally under promise of anonymity, but that is very different than expecting the full Town Council to read anonymous comments. I also considered the comments from Engage Amherst that did have names in the body of their comment.

Unfortunately for the third year of the Town Council we were once again provided an evaluation instrument that is less useful than the instrument provided to the Select Board for over ten years: we once again did not receive an instrument that allows us to rank each goal within a section, but rather we are forced to average multiple statements into one goal. The Town Council did not agree to this, we were just told it was how it was going to be. There is still zero rationale for doing this, and it clearly results in some artificially high and artificially low ranks when one or more items within a goal was not met at all, others were acceptable, and others were commendable. If the future Town Council ever gets to discuss this instrument in advance, as the Select Board always did, the Town Council may well decide to go with a numeric rank rather than the adjectives we’ve always used, because bluntly, there’s no good way to reflect the unevenness of the performance within each goal with one adjective, so why not just go ahead and continue the Town Council theme of oversimplification and use a one to five scale? Maybe just a thumbs up or thumbs down? Doing so would certainly save everyone some time – it just wouldn’t provide useful feedback to the Town Manager. As I said 2020: *“In other practical terms, having this print as a giant text block for the other Town Councilors to read -- rather than 1 or 2 sentences per subsection -- is not likely to produce any positive contribution to the Town Council deliberation.”*

Moving the annual Evaluation process from the traditional June-July-August to September-October-November was clearly not a wise choice, and was not in fact ever discussed with the full Town Council – we were just told it was going to be that way. It's especially frustrating to be doing this during or just after the biennial election, which obviously deeply impacts the kinds of things Town Councilors are focused on during the completion of this process. I fear the result is going to be the future Town Council throwing up its hands in frustration and delegating this critically important, Charter Section 3.9 noted, task of every Town Councilor to the President or a subcommittee, which will not permit the full range of input each of the (13) Town Councilor now receives. We can do better.