

Appendix A – Excerpted from Amherst Human Rights Director Report dated 7/24/06

Conclusion

It is the informed opinion of the Human Rights Director for the Town of Amherst, based on documents, constancy of accusations, interviews with staff, consumers, volunteers, and the Amherst Survival Center Board of Directors, that the allegations of misconduct brought forth by consumers toward the Amherst Survival Center, warrants the intervention of the Town of Amherst Community Development Committee.

The purpose of this investigation was to address the complaints made by consumers regarding the conduct of the Survival Center staff. And to examine some of the issues affecting the center, such as: food and clothing distribution, lack of policies and procedures, staff morale, staff performance, leadership, and consumer and staff confidence and other issues.

My investigation has led me to conclude that the Amherst Survival Center in its present form needs to be restructured. The general relation between the board of directors, Director, and staff does not lend itself to good communication, accountability, or a free flow of ideas. In fact, this particular relationship inhibits learning and creates an environment that promotes, rather than reduce the stress inherent in working with the population that is served through the Amherst Survival Center.

The Amherst Survival Center, Board of Directors, and the leadership appear to have no concise plan of action for addressing the issues confronting the center. They appear to have developed organizational objectives that are vague and reduce the standards of the center.

In essence, the relationship between the board of directors and the leadership is based more on personal affiliation, than on sound organizational principles. It is a relationship with foreseeable negative consequences, and does little to promote the overall quality of the program.

Leadership

My impression of the Director is that she is in denial, stagnant, and appears overwhelmed by the inherent responsibilities of the position. Her managerial style seems lax and does not reinforce the necessary attitude, skills, and learning, needed for working with the population currently being serviced, and does little to increase motivation of staff or develop initiative. It is a management style more appropriate for a program where there is a high degree of structure and a skilled labor force.

The Board of Directors needs to evaluate her situation, and decide, after 29 years as the Center Director, whether it is in the best interest of the Center for her to continue in a position that requires a great deal of energy and commitment. A position that has become even more stressful and demanding, considering the current situation at the ASC regarding staff morale and performance, and mistrust between staff and consumers.

If Ms Westcott is to remain as the Director of the Amherst survival Center, it is incumbent upon her to take a more positive and proactive role by seeking the services of a consultant. Someone who can provide direction, and assist her in strategizing to develop goals and objectives that addresses the short and long terms needs and problems confronting her, and the Amherst Survival Center. She needs a consultant that can assist her in restructuring and reorganizing the center, skilled in program management, and perhaps clinical skills, to provide training to the staff.

The use of a consultant will be of great benefit to Ms. Westcott, staff and consumers. It will also give a greater insight into the population presently attending the Amherst Survival Center.

As the director of the ASC for the past 29 years, Ms. Westcott has demonstrated her commitment to the citizens of Amherst, and the participants of the center. Therefore, it is obvious that she has an understanding of what the position entails. But, in order to do her job effectively; she will have to radically modify her managerial style.

Appendix B – Excerpted from William Marcello and John Manning’s report to Amherst Town Manager, dated 9/7/06

Summary

It was absolutely apparent to us that the board members and staff that we interviewed were deeply committed to giving their best effort to enable the Survival Center to continue its operations. Clearly they are caring individuals who have all given a tremendous amount of time and effort to the Center and to its consumers.

The bottom line is that we feel the organization cannot continue operating as it currently does, in its existing format and in its current space. This needs to begin at the top, with a complete restructuring of the board. Current board members stated that they felt many of the documented issues were not valid, and were just the complaints of a few “who did not fit in”. Without a change in that attitude, the required changes to the operations and staffing will not be able to occur. As a result, the Center’s funding sources may need to be directly involved in mandating these changes, from the top down.

The Amherst Survival Center has a large number of supporters, involving staff and volunteers who care strongly about others, and are willing to work hard to help them. You do not want to lose their support. However, non profit organizations today are accountable to many groups, including their funding sources, consumers, and the community at large. Because of this, they must operate within a structure that provides guidance, supervision and accountability for what they do. In addition, in these days of limited funds and staffing availability, organizations must look at prioritizing what they want to accomplish, and recognize that they must look to other non profits for both services to their clients, as well as organizational support for themselves.

Appendix C – Excerpted from the “Assessment and Two-Year Plan for the Amherst Survival Center,” July 11, 2002

D. Drop-In Center/Human Services

Goal/Premise The Center provides a place for people who are in need of socializing and hanging out to spend some time. It serves as a place where people can seek and receive the help and information they need and to participate as an active member of the ASC community.

Assessment/Description. The program contains three main elements. First, individuals who are recipients of other area agency services are encouraged to attend all group outings and holidays. Many of these individuals are socially isolated and these activities offer them social opportunities that they look forward to and appreciate. Examples of group outings include picnics, boat trips, hayrides, bike trips and a visit to Mass MOCA. Holiday gatherings are held in November and December. Secondly, various classes and workshops are held periodically at the Center. Examples of these include nutrition programs, classes on stress reduction and assistance to victims of crime. Finally, volunteer meetings are held monthly and offer an opportunity for those individuals who volunteer to give feedback and suggestions about the direction of the Center and also to feel empowered by their work at the Center.

Much of the human service work that is done at the Amherst Survival Center is day to day and involves work on a case-by-case basis. What often happens is that a client will approach either Dennis or Vangie and ask for a referral (which may or may not include making the phone calls to negotiate the human services maze), emergency counseling or assistance with applications for things such as housing or insurance. Often times a client does not know what he or she needs and will receive assistance with clarifying goals. Other clients are recognized to be in need by staff or others and are approached usually by Dennis or Vangie.

The Drop-In Center functions as a supportive community where members assist each other with things such as finding good clothing, transportation, shared experiences and so on. Furthermore, volunteering provides the opportunity for all people to contribute to the Center in a meaningful way.

* **CONSIDER:** The Drop-In center functions informally. It provides a place for people to gather. There is no formal program (except for trips during the year). The question arises as to what responsibility the Center takes or should take for individuals who come through other agencies to meet their individual needs. With restricted space, there is limited space for socializing and limited privacy for meeting with people to make referrals.

Appendix D – Excerpted from the “Assessment and Two-Year Plan for the Amherst Survival Center,” July 11, 2002

► WHAT ARE THE NEEDS WE ADDRESS?

A. Response to Hunger

Regional and National Level

A comprehensive study of Hunger in the U.S. was released in November 2001 by America’s Second Harvest. The Food Bank of Western Mass. has provided an Executive Summary for Western Massachusetts. Data for the study was collected from 138 non-profit agencies (including the ASC) in Western Massachusetts. The major finding was that “despite an economic boom of unprecedented proportions in the overall U.S., the numbers of those seeking emergency food assistance in western Massachusetts have grown dramatically over the last four years.” Approximately 21% of the region’s population sought food assistance at least once in 2001. Of those served, 43% were children.

The report provides a complete overview of hunger in our area. See Appendix for more detail. A few excerpts follow:

The results suggest that those being served by area food pantries are: “elders on limited incomes, children in poor families and working adults trying to get by on low salaries, little housing assistance and no welfare support.” The federal safety net “is a thing of the past.”

41% of pantries have no paid staff while another 24% have only one paid staff member. 52% of kitchens have either one or no paid staff members. Virtually all of the pantries, kitchens and shelters offer more than food (e.g. clothing, information referrals).

A USDA publication in 1999 reports that 9.4% of residents and 11.3% of children in Hampshire County are living below the poverty level. In Franklin County, 10.5% of the adult residents and 16.5% of the children are living below the poverty level. A press release from the Food Research and Action Center states that four out of ten eligible for Food Stamps are not receiving them. The participation rate has fallen between 1994 and 1999 from 74% to 57%. Most non-participants were not aware that they were eligible.

Local

As we address the question of how well we are meeting the needs of the people in our service area, we look to the available data. Specifically, the 2000 Census data provides us with information on age, ethnicity and households but only preliminary information on income and poverty has been released.

We have gathered information for: Amherst, Belchertown, Hadley, Pelham, Sunderland, and the homeless. Information on housing subsidies comes from the local Housing Authorities and through the State's Department of Housing and Community Development as of 1999. It represents the number of Public Housing Units (Conventional State and Federal) and of Rental Assistance Units (State MRVP and Federal Section 8). Not all subsidies are necessarily reflected. In summary:

In **Amherst**, there are 9,174 households. Amherst has 456 subsidized housing units. The ASC Pantry, in FY01, served 350 households (981 people). Of these, 133 had subsidies (representing 29% of the households with subsidies).

In **Belchertown**, there are 4,886 households and 106 subsidized units. The ASC Pantry served 50 households, eight of which had a subsidy (representing 8% of those with subsidies).

In **Hadley**, there are 1,895 households and 52 subsidized units. The ASC Pantry served 28 households, of which 6 had subsidies (or 21% of those with subsidies).

In **Pelham**, there are 1,403 households and none with subsidies. The ASC Pantry served 9 households and one with a reported subsidy.

In **Sunderland**, there are 3,777 households and none with subsidies. The ASC Pantry served 37 households and 14 with reported subsidies.

The preliminary 2000 Census data as reported in the Gazette (5/21/2002) regarding poverty in the area shows that Hampshire County shows a rate of 5.1% of families (1,712) living below poverty and, in Franklin County, 6.5% (1,202) families below the poverty level.

The figures showing the percent and number of families below the poverty level for the selected towns the ASC serves are as follows:

Amherst	7.2%	329 families
Belchertown	5.1%	181 families
Hadley	4.8%	59 families
Pelham	2.6%	10 families
Sunderland	4.2%	33 families

The poverty level was set at an income of \$17,603 or less for a family of four. Clearly, many of the families in the area who are in need of the Center's services are those who are in the ranges which include: the homeless, those living below poverty and those in the low income ranges. With the high price of housing in the area, those attempting to live with incomes below that of median will need to stretch their budgets and may, as the Second Harvest study shows, require assistance from area food banks and pantries.

Appendix E

Amherst Survival Center Appeal of Disciplinary Action Procedures (Final Draft 1/10/07)

There are times when the staff at the Amherst Survival Center decide to suspend or legally trespass someone from going to the Survival Center. An individual subject to suspension and trespass who does not feel that the Center action is fair has means of contesting that action. Any suspension of one month or less will not fall under the formal appeals process (below) as the formal appeals process is likely to take longer than one month. An individual who has been suspended or trespassed may arrange with the Amherst Survival Center to find an associate who can obtain food or clothing for this individual as needed.

- 1) An informal approach would be for the person affected to discuss the situation with one of the Center's Human Rights Stewards or have a discussion with the Executive Director of the Amherst Survival Center. The Stewards, whose names are posted in the Center, are available for the purpose of informal dialog that might result in an informal cancellation or moderation of the original Center action.
- 2) If an informal approach to the Human Rights Stewards does not result in satisfaction for the person affected, or if the person affected wishes to begin with a formal appeal, a formal appeal of suspension or trespass can be made as outlined in the next section.

Formal appeals process

- 3) The formal appeals process begins with a written request to the Human Rights Steward asking for a written statement detailing why the individual was trespassed or suspended. Upon receiving this written statement, the individual should then submit a written response to those reasons to an Amherst Survival Center Human Rights Steward. These two documents will form the basis of an appeal that will then be transmitted to the Amherst Survival Center Ombud by the Human Rights Steward. These statements should be provided in a timely manner.
- 4) The Amherst Survival Center Appeals Ombud will be a person of known integrity and impartiality not associated in any other way with the Amherst Survival Center. The Ombud is appointed by the Board of the Amherst Survival Center. The name and address of the Ombud will be available at the Amherst Survival Center.
- 5) The Ombud will then schedule a meeting with a representative chosen by the Center and a representative chosen by the grievant, both chosen with the agreement of the Ombud. After the meeting has taken place, the Ombud will then write a letter to the grievant explaining a decision as to whether the original Center action will stand, or whether it will be moderated or canceled. The Center and the grievant will abide by the Chair's decision. There is no appeal of the Ombud's decision within the policies of the Center. A Center suspension or trespass can only be appealed one time within the framework of this document.
The grievant has the right, of course, to pursue his or her case through such avenues as the Massachusetts Commission Against Discrimination, the Human Rights Director (where present) of any town in the area served by the Amherst Survival Center, or by whatever other means they see fit to pursue.

Appendix F

JAN 27 2007 10:55 TOWN OF AMHERST 413 256 4030 (413) 256-4030 FAX 413 256 4076

TOWN OF AMHERST
INSPECTION SERVICES

(413) 256-4030 Telephone (413) 256-4076 Fax

Richard -
F.Y.I.

FEE _____ OCCUPANCY LOAD (A)
 BUILDING COMPLEX Survival Center INSPECTION DATE 8/1/06
 ADDRESS 1200 North Pleasant St BUILDING NUMBER _____
 OWNER _____ PHONE NUMBER _____
 MANAGER _____ PHONE NUMBER _____

COPY

	SECT	PASS	FAIL		SECT	PASS	FAIL
1. MAINTENANCE	103.0			9. EXIT ACCESS CORRIDORS	1011.0		
2. FIRE WALLS	701.0			10. MEANS OF EGRESS DOORWAYS	1017.0		
3. FIRE RESISTANCE FLOOR/ROOF	713.0			11. INTERIOR EXIT WAY	1020.0		
4. FIRE DOOR FIRE RESISTANCE RATING	716.0			12. EMERGENCY EGRESS WINDOWS	1010.4		
5. FIRE SEPARATION WALLS	709.0			13. EXIT SIGNS	1023.0		
6. DOOR CLOSURES	716.5			14. MEANS OF EGRESS LIGHTING	1024.0		
7. OPENING PROTECTIVES	706.0			15. STAIRWAY	1014.0		
8. FIRE STOPPING	720.0			16. INTERIOR FINISH AND TRIM	803.0		
				17. FIRE ESCAPES	1025.0		

Repair handrail on north side ramp

- Kitchen stove hood needs cleaning
 - Remove storage from in front of hot water heater
 - Kitchen hood suppression system must be inspected 4/years
 - Bathroom Exhaust fan in bathroom near kitchen is not working properly
 - Emergency lights in bathroom near kitchen and bathroom are not working
 - Repair ceiling in food closet
 - Seal holes in ceiling throughout as needed
 - Illuminated Exit Sign at Exit door from the shop does not work - AC made

30 Days to correct - call when done for re-inspection

PLEASE CALL FOR INSPECTION WHEN CORRECTIONS HAVE BEEN COMPLETED. ACCEPTANCE AND APPROVAL BY AN INSPECTOR OF THIS DEPARTMENT IS REQUIRED BY _____

OWNER/MANAGER Ray L... DATE _____
 INSPECTOR Mark J. Snow

Appendix G

Site Visit Report

Northampton Survival Center

Date of visit: Dec. 13, 2006, 10:15 AM - 11:15 AM

Attendance: Aron Goldman, Greg Kline

The visit was inspiring. The space is small but clean and organized. The procedures were pretty involved, but everything flowed smoothly. NSC's data was complete and detailed, and yet the methods of obtaining it did not seem to be intrusive. NSC has over 200 volunteers, managed with a database by NSC's excellent admin person. The woman who coordinates the food and clothing distribution area has been there for sixteen years. The NSC truck is a large "box truck."

But the most impressive part of NSC is its Executive Director, Heidi Nortonsmith. She has been at NSC for only 2.5 years, but she seems to have a total command of the place, great relations with everyone, and a striking combination of compassion and professionalism (she is also realistic, and sees the need for clear boundaries, and enforcing those boundaries). She is striking because she possesses the sophistication of someone who might run a larger nonprofit organization, or an organization that does not deal directly with poor people. In fact, Heidi is an attorney and has worked in Washington on policy issues.

This "mismatch," I believe, is NSC's biggest asset. I believe NSC runs as well as it does because of Heidi's uncommon qualifications. To do the work she does, Heidi does not require any additional status or a big office (she has an open-sided cubicle), but she is paid more than twice what ASC's former ED's salary. The lesson here is that you get what you pay for. Greg and I tried to get a sense of whether Heidi would be willing to assist ASC with the ED search (or in any other way). She pointed out that helping ASC succeed is so relevant to NSC's mission, that she would like to be able to help.

She was very clear however that if the salary level was not set "appropriately," the process would be doomed to fail and thus not a good use of her time. Heidi defined "appropriately" as \$55-60K, based on her assumption that the ED would also assume budget and fund-raising duties, and less if these duties were carried out by other staff or board. I realize the organizational shift that \$55K would represent for ASC. Even among similarly-sized area nonprofits this is a lot. The reality is that there are not many senior nonprofit jobs in Western Mass, and there are many overqualified people who make a financial sacrifice to do good work, and for the regional quality-of-life benefits. So ASC could possibly exploit these market conditions to recruit an ED for \$35-40K who is somewhat overqualified, but there are many people in the Valley like Heidi who would not even apply. And setting aside what ASC might be able to afford (see below), paying people what their worth may also be "the right thing to do."

The ASC Board and Search Committee should be careful not to make assumptions about what ASC can (or cannot) afford to pay an ED. This decision should be based on a better financial assessment than any that exist right now. And as Heidi pointed out, she "paid" for her higher salary in the form of increased fundraising after only one year. A one-year payback period for buying anything is unheard of.

The similarities between NSC and ASC are many. The organizational budgets are almost identical. Their space is similar in size (cramped) and owned by the City (though no cash transaction between NSC and City). NSC is a big Food Bank patron, gets lots of local fresh bread donations, and lots of fresh farm produce in the summer. Neither NSC nor ASC are in the heart of town, though both are very busy. NSC and ASC share many funders, and have a similar mission and name.

The biggest difference between NSC and ASC is that NSC does not provide meals (and has no kitchen). NSC is open for 3 hours per day every weekday. While this is an important difference, it does not entirely prevent NSC from providing the drop-in social element. There are plenty of seats where clients wait to be served or for their brief intake procedure. The atmosphere is warm and welcoming, though admittedly, this difference does reduce the "hang-out effect" and increased potential for conflict among consumers and other trouble.

I'd like to offer one more thing to think about. This is not a recommendation, simply something to consider. Please try not to react strongly to this (either for or against) until you have had some time to sit with the idea and perhaps discuss it with your colleagues. NSC recently took over the Goshen food pantry when HCAC dissolved and could not longer run it. This change happened smoothly, and the folks in Goshen are apparently very pleased to have the support and stability. While many people have suggested that ASC should merge with a larger organization, I have not heard anyone suggest NSC. While ASC is certainly different from NSC, there are also many striking similarities (discussed above), especially compared to larger organizations like CHD and ServiceNet. In addition, sharing Heidi (and her salary) is certainly appealing. All this said, please be assured that no one is currently negotiating with Heidi or NSC about anything like this. This is once again purely a "thought experiment." It could be damaging if this concept was construed by anyone to be anything more serious than that.

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413 218 7865 Cell

Appendix H

Documents Reviewed

Organizing documents

Bylaws, amended Feb. 2002
Articles of Organization (August 15, 1978)

Policies, procedures, and manuals

Employee Handbook updated Oct. 2002
Fiscal Procedures Manual – updated Aug. 2004
Payroll Instructions
"Role of the Board" Document. – July 2003
Grievance and appeal policies and procedures
Disciplinary Action Procedures
Statistics Procedure
Interview questions
ASC FAQ (December 2004)
Student Volunteers Procedures
Volunteer Procedures
Orientation for new student volunteers (2002)
Free Store Procedures
Free Store Donations List
Sorting Room Procedures
Gift Certificate Program Manual
Kitchen Coordinator Procedures – April 2004
Veggie Distribution Procedures
Fiscal Manager Procedures
Thanksgiving shopping list
Interfaith Council's Supply box Instructions
Trash to Treasures Manual
Events Mailing Procedures
Toy Drive Manual
Truck Procedures - 2005
Telephone instructions
Storage area directions
Refrigeration and kitchen equipment up keep procedures
Closing Down Procedure
Bad Weather Policy

Audits and financial statements

FY06 and FY05 Audit
FY06 Management letter
FY07 Operating Budget and Actuals
2004 and 2004 990

Payroll FY06
Grants history (July 2004)
Grant reporting schedule (2004-2005)
Grant proposals (2001-2006)
Project budgets (2002-2006)

Contracts

Town of Amherst contract
Policy Development, Inc. (October 2006)

Job descriptions

Asst. Dir./Volunteer Coord.– March 2003
Veggie Distribution / Pantry assistant – Aug. 2002
Director – Jan. 2003
Fiscal Manager – March 2003
Maintenance person
Free Store Coord. – March 2003
Kitchen Coordinator
Pantry Coordinator
Telephone Receptionist (work experience position)
Part time Truck Driver Feb. 2004
Asst. Dir. Tasks – Revised April 2002

Internal memos and reports

Interim Co-Director's monthly report
Interim Assistant Director's monthly report
IT network plan
Welcome Info (English and Spanish)
ASC Facts – July 1998
Amherst Area Food Programs Directory
Contact lists
Completed accident, incident, warning, and disciplinary action forms (2001, 2005)
Mailing lists
Vendor correspondence
Free Store Two-Year Plan Implementation Report (May 2003)
Social Services Two-Year Plan Implementation Report (March 2003)
Assistant Directors' reports to the Board (2002-2006)
Director's report to the Board (2001-2006)
Retreat notes (2000)
Clothing distribution statistics (2004)
Performance evaluations (2002-2005)
Discretionary Funds report (2003)

Minutes

Board minutes (2003-2006)
Fundraising Committee (2003, 2005)
Finance Committee minutes (2003-2005)
Investment Committee minutes (2003)
Personnel Committee minutes (2003)
Physical Plant Committee minutes (2003, 2005)
Staff Meeting minutes (2001-2003)

Previous organizational assessments

Assessment/Two Year Plan, Review of Reports from Sub-Committees June 2003
Assessment and Two Year Plan (July, 2002)

ASC web site

Newsletters and other public correspondence

Newsletters (2005-2006)
Community Survey (March 2005)
Appeal letters (2001, 2005, 2006)
Annual reports (2004, 2005, 2006)

Forms

Monthly Kitchen & All Refrigeration Maintenance Form
Daily Bathroom Maintenance Chart
Truck Mileage Log
Personal car mileage form
Hiring Checklist
Non-Discrimination Certification Form
Daily contacts form
Housewares sign out form
Volunteer Sign In Forms
Volunteer applications (2003)
Employee Profile form
“Self Performance Evaluation” form
“Performance Evaluation” form
Photo release form
Information release form
Referral form
Volunteer Application Form (English and Spanish)
Inventory and Capital equipment forms
Consumer re-admittance contract
Pantry Food list
Thank you letters

Appendix I – Excerpted from Town of Amherst Contract signed 11/06

In addition, the Amherst Survival Center will comply with the following terms:

1. Within one (1) month of the signing of this contract the Amherst Survival Center Board of Directors must appoint at least five new members to the Board of Directors. These new members will represent a broad range of community interests that will include, at the very least, the Amherst community, the local business community, the educational community and the low- and moderate-income community. The Amherst Town Manager shall designate one individual to serve on the Amherst Survival Center Board of Directors as a non-voting liaison to represent the interest's f the Town.
2. Within two (2) months of the signing of this contract the Amherst Survival Center Board of Directors must hire a new Executive Director and other staff as necessary. The Director and other staff shall not be appointed until after new Board members have been appointed.
3. Within three (3) the Amherst Survival Center Board of Directors must establish day-to-day management procedures including a restructuring of job descriptions, qualifications, staffing patterns, including specific requirements for clinical supervision and support that will ensure that the operation meets the needs of existing and future clientele.
4. Within three (3) months the Amherst Survival Center Board of Directors must structure the physical environment of the center to address the concerns of the health and safety of clients and that will comply with all local and state regulations.
5. Within six (6) months the Amherst Survival Center Board of Directors must submit evidence to the Town that it has developed policies and procedures that meet all state and federal laws that are essential for the operation of the Survival Center that shall include personnel policies, program policies including behavioral expectations of staff, volunteers and clients, a grievance procedure, updated job descriptions and policies for the trespass and reinstatement of individuals.
6. Within six (6) months the Amherst Survival Center Board of Directors must develop a plan for communicating these policies to staff, volunteers and clients as necessary.
7. Within six (6) months the Amherst Survival Center Board of Directors must develop a training program for staff and volunteers.