

### **Call to Order**

Committee Chair Mr. Stumpf called the meeting to order at 4:02 p.m. TGSC members all participated remotely via WebEx, able to see and hear each other and share documents for all to see. A feed from the WebEx was broadcast live on Andover TV, by which members of the public could observe the meeting.

### **Participants**

The following were online on WebEx for the meeting: Town Clerk & Chief Strategy Officer Austin Simko (ex-officio); Sheila Doherty (ex-officio); TGSC Committee members Paula Colby-Clements, David Floreen, Richard Fox, Andrew McBrien, Dara Obbard, Gail Ralston, Sandy Stapczynski and Jon Stumpf; and Bernie Lynch and John Petrin of Community Paradigm Associates.

### **1. Approval of Committee and Sub-committee Minutes**

Ms. Doherty moved that the committee accept the minutes of the October 27<sup>th</sup> meeting of the full committee, Ms. Colby-Clements seconded. The TGSC voted by roll call 10 in favor, none against to accept the minutes. Ms. Ralston abstained as she was not present at that meeting.

Ms. Colby-Clements moved that the committee accept the minutes of the December 10<sup>th</sup> public forum, Mr. Simko seconded. The TGSC voted by roll call 8 in favor, none against to accept the minutes. Ms. Doherty and Ms. Obbard abstained as they were not present at that public forum.

Ms. Colby-Clements moved that the committee accept the minutes of the January 9<sup>th</sup> public forum, Mr. Simko seconded. The TGSC voted by roll call 10 in favor, none against to accept the minutes, with no abstentions.

Ms. Colby-Clements moved that the committee accept the minutes of the January 12<sup>th</sup> public forum, Mr. Simko seconded. The TGSC voted by roll call 10 in favor, none against to accept the minutes, with no abstentions.

Mr. Simko moved that the committee accept the minutes of the November 13<sup>th</sup> meeting of the Public Forum sub-committee. Ms. Ralston seconded. Ms. Floreen, Mr. McBrien, Ms. Ralston and Mr. Simko were present at that meeting and voted unanimously by roll call to accept the minutes. Other members of the TGSC who were not present at the sub-committee meeting abstained.

Mr. Simko moved that the committee accept the minutes of the November 20<sup>th</sup> meeting of the Public Forum sub-committee. Ms. Ralston seconded. Ms. Floreen, Mr. McBrien, Ms. Ralston and Mr. Simko were present at that meeting and voted unanimously by roll call to accept the minutes. Other members of the TGSC who were not present at the sub-committee meeting abstained.

Mr. Simko moved that the committee accept the minutes of the December 1<sup>st</sup> meeting of the Public Forum sub-committee. Ms. Ralston seconded. Ms. Floreen, Mr. McBrien, Ms. Ralston and Mr. Simko were present at that meeting and voted unanimously by roll call to accept the minutes. Other members of the TGSC who were not present at the sub-committee meeting abstained.

## **2. Review of Committee's Outreach Since Fall 2020**

Mr. Stumpf outlined the TGSC's principal outreach since its inception as follows.

- The first TGSC meeting took place on September 25<sup>th</sup>, 2019. There have been 17 other TGSC meetings since.
- The committee has held 7 public forums
  - a. In person forums were held at the Old Town Hall, Public Safety Center, the Library, and the Town Offices.
  - b. Virtual forums were held in December 2020 and January 2021.
  - c. A press release was sent to the Andover Townsman, Lawrence Eagle-Tribune and The Patch. Additional articles were also written in the Patch.
  - d. All forums were advertised and agendas were posted on the Town's website and social media accounts.
- At the committee's June 2020 meeting, each committee member went around the table and shared his/her view on the data collected so far. The sense was that OTM, once improved by constructive reforms, would be the preferable course of action. But the committee paused and created 5 subcommittees to do further outreach and research. The subcommittees were:
  - a. Engaging Voters to Increase Town Meeting Participation
  - b. Electronic Voting
  - c. Improving Efficiency
  - d. Meeting Time and Location
  - e. Other Miscellaneous Open Town Meeting Reforms
- The subcommittees have held 19 subcommittee meetings
- Social media platforms have provided multiple updates and requests for public input
- The committee provided updates at 2 Select Board meetings (Feb 2020 and Oct 2020)
- The committee advertised its effort and asked for input through the Town-wide PTO
- The committee website is the most robust, informative, and accessible website for any committee in Andover. The amount of written feedback submitted through this website dwarfs written input on any other project
- Other communication was made to the Rotary Club, Elder Services newsletter, and the library's email blast to 13,000 email subscribers

Ms. Obbard added that all meetings of the full committee prior to the COVID-19 emergency were held face-to-face and were open to the public; that members of the public were able to provide input face-to-face (while face-to-face meetings were being held), then subsequently by email, via the TGSC web site or by phone; that all forums held during COVID-19 were held via WebEx with members of the public able to speak; and that all meetings of the full committee either before or during COVID-19 were televised in real time with recordings also available for subsequent viewing via the TGSC web site.

### 3. Explanation of Capstone Advocacy Exercise

Mr. Stumpf explained the Capstone Advocacy Exercise that would comprise the majority of this meeting as follows.

- Mr. Floreen will advocate for the Council Manager form of Government and Ms. Colby-Clements will advocate for the Open Town Meeting form of Government. Mr. Floreen and Ms. Colby-Clements will each have 10 minutes for opening remarks, followed by 5 minutes for clarifications.
- Then there will be 50 minutes for dialogue with committee members. During this portion of the meeting, the objective is to focus on questions and answers about the two forms of government and how each form of government would benefit the Town of Andover. It is not intended to be a debate. Detailed question/answering, and sharing of positions will be the purview of our February 22<sup>nd</sup> meeting.
- Advocates may rebut something that has been said. They may also reach out to other committee members, if they so choose, for clarification on a specific item.
- Finally, the public should not consider anything said (or not said) during the Advocacy Exercise to represent the committee's agreed position on any matter.

### 4. Capstone Advocacy Exercise

Ms. Colby-Clements won a coin toss and elected to speak first. The Advocacy Exercise was then conducted following the procedure previously explained by Mr. Stumpf.

It is not practical to capture the richness of the discussion in anything significantly less than a full verbatim transcript, and no written record can capture the nuances and “body language” adequately. Thus, general categories of topics that were covered will be listed here, and readers who seek further detail are referred to the recording of the meeting [here](#).

Discussion included the following:

- That Andover is generally considered to be well-run, with high quality of life, good services, capable board members, and low crime rate
- Whether residents want to engage in government (and to what level), or whether they would be satisfied with any government that continues to provide good services at realistic cost
- Whether Open Town Meeting is viable given the current population of Andover, whether it would be viable if Andover were to continue to grow, and whether it is realistic to expect Andover to substantially grow further
- Whether comparisons of Andover with other within Massachusetts, New England and throughout the country suggest any form of government to be preferable, and whether/which comparisons might be valid
- Whether Open Town Meeting or Council/Manager would be more or less representative, whether each form would promote diversity, and what criteria might be applied to judge “representativeness”

- Whether Open Town Meeting and Council/Manager intrinsically lead to decisions are likely to be made in the interest of the town as a whole
- Whether Open Town Meeting or Council/Manager would be more or less prone to influence by special interest groups, and whether the ability of special interests to organize and influence outcomes is a right or a problem
- Whether Open Town Meeting and Council/Manager make government more or less accessible to residents, and to what degree would residents be able to influence outcomes under each form of government
- Whether public officials and town employees would be more or less accountable under Open Town Meeting and Council/Manager
- Whether, and to what level, can Open Town Meeting and Council/Manager impede or accelerate projects and impede or promote agility, whether Andover has suffered because of lack of agility in its government, and whether accelerated decision-making is necessarily beneficial
- Whether a Council-Manager government would be more agile than an Open Town Meeting government given the possibility that councils may be hindered by indecision or political stalemate
- Whether and where would change be required to Andover's functional structure (e.g., the School Committee and Finance Committee) if Andover were to adopt Council/Manager, and would these changes be disruptive
- Whether engagement in government is limited by specific factors or whether it is a symptom of general voter apathy, and whether engagement would increase or decrease if Andover were to change to Council/Manager
- Whether Open Town Meeting causes barriers to participation in government, whether these could be alleviated by reforms, and whether Council/Manager would obviate these barriers
- Whether, and to what extent, Open Town Meeting enables the collective wisdom of Andover's voters to benefit the town
- Whether a council would be politically independent and non-partisan
- Whether sufficient candidates, of a sufficiently representative range, would stand for council seats so that voters would have sufficient choice to feel properly represented
- Whether a public groundswell for changing the form of government has manifested itself and whether the typical inducements to a change in form of government (e.g., rapid population growth, economic stagnation, political infighting) exist in Andover today

## 5. Next Steps

The next meeting of the TGSC will be held on February 22<sup>nd</sup>, 2021. During this meeting, the committee will deliberate of Form of Government. In preparation for this meeting, Mr. Stumpf asked committee members to reflect on the Advocacy Exercise and continue to review TGSC research and public feedback.

## Adjournment

Ms. Doherty moved that the meeting adjourn, Mr. Simko seconded. The committee voted by roll call unanimously in favor and the meeting was adjourned at 6:12 pm

Respectfully submitted,

Andrew McBrien, Clerk

Appendix 1: Slide Deck Presented by Mr. Lynch and Mr. Petrin

# Massachusetts Forms of Government

Presentation to Town Government  
Study Committee  
October 27, 2020

# Presentation Overview

- Recap Forms of Government in Massachusetts
  - Four Current Forms
- Recap Forms of Government in US
- Review Reasons for Changing Government
- Town Meeting to Council
- Discussion

# The Four Basic Forms

- Open Town Meeting with Board of Selectmen and some Professional Management
- Representative Town Meeting with Board of Selectmen and some Professional Management
- Elected Council with Professional Management
- Elected Council with Elected Mayor

## Data Regarding Forms of Government

- United States
  - 49% Council-Manager
  - 44% Council-Mayor
- Massachusetts
  - 292 Towns
    - 254 w/ Professional Manager
    - 33 RTM
    - 259 OTM - 18 OTM with population > 20K -
  - 59 Cities
    - 15 Council - Manager
    - 44 Council- Mayor

# Why a Change of Government is Considered

- **Operations**
  - Sense that people are not getting bang for the dollar
  - Lack of responsiveness or accountability
  - Greater oversight needed
  - Lack of strategic plan
  - Lack of communications
- **Political Infighting or Lack of Interest**
  - Infighting inhibits decision-making process
  - Not enough citizens interested to make it work
  - Parochial issues divide community
- **Legal Suits**
  - Suits amongst internal groups lead to anarchy

## Why a Change of Government is Considered

- Rapid Growth
  - Managing services
  - Has become too complex
- Stagnation
  - Need for tax revenue
- Town Meeting Ineffectiveness
  - Attendance issues
  - Representation
  - Stacking on certain vote
- Other
  - Retirement of key personnel
  - An inability to attract candidates to serve in either elected or appointed office

# Why a Change of Government is Considered

## **MAJOR POINT**

*Most changes occur when there is a groundswell pushing for change.*

# Massachusetts' Councils

12	Town Council	Adopted	Pop.	CEO Title	#	Income
	Amherst	2018	37,819	Town Manager	13	17,524
	Barnstable	1989	45,193	Town Manager	13	36,477
	Bridgewater	2011	26,563	Town Manager	9	29,107
	Chelsea	1994	35,177	City Manager	11	16,561
	East Longmeadow	2016	15,720	Town Manager	7	39,110
	Franklin	1978	31,634	Town Administrator	9	46,631
	North Attleborough	2019	28,712	Town Manager	9	38,742
	Palmer	2004	12,140	Town Manager	7	24,470
	Randolph	2009	32,112	Town Manager	9	25,741
	Southbridge	1974	16,719	Town Manager	9	18,883
	Watertown	1980	31,915	Town Manager	9	42,032
	Winthrop	2005	17,497	Town Manager	9	31,120
3	City Council	Adopted	Pop.	CEO Title	#	Income
	Cambridge	1942	105,162	City Manager	9	58,985
	Lowell	1944	106,519	City Manager	9	19,777
	Worcester	1950	181,045	City Manager	11	20,416

# Town Meeting to Council Legislative Differences

- Budget adopted through Council controlled process
  - Manager proposes and presents to Council
  - Council reviews and adopts budget
    - A. Full Council reviews as an entire body
    - B. Council sub-committee reviews and recommends to full Council
    - C. A citizens' advisory committee could be adopted to recommend to full Council
- Zoning is approved by the Council
  - A separate ZBA and Planning Board continues but recommend zoning changes to the Council
- The Council combines the authority of the Select Board and Town Meeting in setting policy.
  - The Charter or the Council could still call for citizen advisory committees to provide recommendations or oversight

# Questions and Discussion