

Call to Order

Committee Chair Mr. Stumpf called the meeting to order at 4:03 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.

Mr. Stumpf reviewed the agenda for this meeting. While doing so, he clarified that the reforms under discussion are those that relate specifically to Open Town Meeting because that was the form of government that the committee had previously voted unanimously to recommend, and that the list was not exclusive but that members were free to raise other potential reforms for discussion during this 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 and Jon Stumpf; and Bernie Lynch and John Petrin of Community Paradigm Associates. Committee member Sandy Stapczynski apologized in advance for her absence.

1. Approval of Subcommittee Minutes

Mr. Simko moved that the committee accept the minutes of the February 25th meeting of the Public Engagement Subcommittee, Mr. Floreen seconded. Ms. Colby-Clements, Ms. Doherty, Mr. Floreen, Mr. McBrien, Ms. Obbard and Mr. Simko were present at the subcommittee meeting and all voted by roll call in favor of acceptance. All other TGSC members were not present at the subcommittee meeting and abstained.

2. Public Comment

Mr. Simko informed the committee that email comment had been received from one resident.

Steve Cotton, of 19, Pomeroy Road, Andover, submitted comments on seven of the reforms to be discussed in this meeting. Mr. Simko asked that the committee permit him to read each comment at the time the specific reform was being discussed, rather than read Mr. Cotton's email in its entirety at this time. The committee concurred. Mr. Cotton's email is attached as Appendix 1.

3. Review of Committee's Process

Mr. Stumpf summarized the TGSC's process as follows:

- The TGSC had previously identified two forms of government to consider as final candidates for consideration, those being Open Town Meeting with reforms and Council/Manager.

- The committee held three public forums on December 10th 2020, January 9th 2021 and January 12th 2021. Thereafter, ongoing residents' input was solicited.
- The TGSC undertook a Capstone Advocacy Exercise on February 8th to initiate the final selection process.
- The TGSC voted unanimously to move forward with Open Town Meeting at the meeting on February 22nd.

4. **Deliberation on Open Town Meeting Reforms**

Mr. Stumpf explained that the bulk of this meeting would be devoted to discussing fifteen potential reforms to Open Town Meeting. He reiterated that the list of fifteen reforms was not exclusive but that members were free to raise other potential reforms for discussion during this meeting.

Mr. Simko noted that the TGSCC had been looking at reforms to Open Town Meeting in parallel to the overall process of determining which form of government to recommend. Five subcommittees were formed over the summer of 2020 and had been meeting since July 2020, so that, should the committee decide that Open Town Meeting with reforms was an attractive option, the committee would have some idea of what those reforms might be. These subcommittees comprised:

- Town Meeting Public Engagement
- Electronic Voting at Town Meeting
- Town Meeting Time and Location
- Town Meeting Efficiency
- Miscellaneous Town Meeting Reforms

Almost all of the ideas under discussion during this meeting flowed from these subcommittees, and were presented to the full committee at its meetings in August and September 2020. It should be noted that each subcommittee also discussed other reforms but decided that these should not be referred to the full committee to be pursued further. Thereafter, the full committee discussed these reforms during the fall of 2020, and also presented them during the three public forums in December 2020/January 2021.

1. Prohibit events on Town/School property during Town Meeting nights

Ms. Doherty spoke on behalf of the Town Meeting Time and Location subcommittee. The goal would be to eliminate conflicts for voters' time. All members of the TGSC were in support in principle, with the following practical caveats noted:

- Town Meeting would need to be scheduled well in advance to allow sports teams to include this in their schedule for their season. It is unlikely that this measure could be implemented before 2023 for this reason.
- A Bylaw would be difficult to apply. The Select Board and School Committee should be encouraged to adopt this as policy, with a non-binding warrant article put before Town Meeting to add weight to this recommendation.

The committee did not formally vote on this reform to allow for further reflection on the best path forward.

2. **Hold one-day Town Meetings on the weekend *and***
3. **Hold Town Meeting in multiple locations around town**

The committee agreed that both of these reforms should be covered together. Mr. Floreen spoke on behalf of the Town Meeting Time and Location subcommittee, which recommended against both of these reforms.

Mr. Simko read a comment from Mr. Cotton's email in which he suggested that the committee might consider trying these measures for one or two meetings, before finalizing a decision.

Weekend days are more likely to conflict with personal plans, especially during the summer. Further, each weekend day is a day of worship for certain faiths and this alone was considered to categorically rule out this reform. While there might be beneficial logistical side-effects to meeting on a weekend day, these should be addressed directly.

The subcommittee was concerned that procedure would become very complex if Town Meeting were to be held multiple locations around town, and also that debate would be impeded. Some logistical benefits were perceived, such as increased parking spaces. The committee was undecided whether more, smaller locations might actually enhance the "community feel". Notwithstanding, it was not thought that these benefits were sufficient to outweigh the disadvantages, particularly given that other reforms can also deliver the same benefits.

Motion: Mr. Simko moved that the TGSC do not support either holding one-day Town Meetings on the weekend or holding Town Meeting in multiple locations around town. Ms. Obbard seconded the motion. The committee voted by roll-call unanimously in favor of the motion.

By way of clarification, it was noted that in certain circumstances, it might be necessary to hold Town Meeting on a weekend day or in multiple locations. This motion should not be interpreted as a ruling that either practice should be prohibited; rather, that the committee do not recommend that either practice is adopted as a matter of course.

4. Adopt in-person Electronic Voting

Mr. McBrien spoke on behalf of the Electronic Voting subcommittee. He clarified that in this context, the committee is referring to electronic voting on the floor of Town Meeting and not remote voting. He also responded to email feedback via the TGSC web site in which a resident expressed concern that the TGSC was considering a non-secure, "audience participation" technology. Mr. McBrien clarified that while such a technology was used for the demonstration at 2019 Town Meeting, this was simple because it was available at no cost. The Electronic Voting subcommittee clearly expressed that only high-security voting systems should be considered when the subcommittee reported back to the full committee.

This matter has been discussed in depth previously by the full committee and agreement was reached that the TGSC should support Electronic Voting

Motion: Ms. Colby-Clements moved that the TGSC support adoption of Electronic Voting on the floor of Town Meeting. Ms. Doherty seconded the motion. The committee voted by roll-call unanimously in favor of the motion.

5. Consolidate discussion of related articles even if separate votes are required.

Mr. Fox spoke on behalf of the Town Meeting Efficiency subcommittee. This reform proposes that discussion of related articles should be consolidated to shorten Town Meeting and make the context of discussion more understandable. Separate votes might be required if each article in the set had different thresholds for passing, some require standing votes, or where state law requires that a matter must be voted on in isolation.

It is critical that there is only one article on the floor of Town Meeting at any time to allow the Moderator to limit scope of discussion to the matter at hand. Thus, if articles are consolidated, they should be numbered as a single article but each with a separate sub-heading for voting purposes.

Mr. Simko read a comment from Mr. Cotton in which he expressed concern that consolidation of related articles as a matter of course might be too rigid. The committee agreed that consolidation should occur after case-by-case consideration when the Select Board assemble the warrant.

Motion: Mr. Simko moved that the TGSC support consolidated discussion of related articles even if separate votes are required, provided that the Select Board determine on a case-by-case basis that this is legislatively viable and appropriate for the articles under consideration. Ms. Obbard seconded the motion. The committee voted by roll-call unanimously in favor of the motion.

The committee also recorded their support for continuing use of consent agenda, even though this is a separate concept, given that Andover is already following this practice.

6. Require submission of amendments for public review prior to Town Meeting *and*

7. Allow for a vote on an article before consideration is given to any amendments

The committee agreed that both of these reforms should be covered together. Mr. Fox spoke on behalf of the Efficiency subcommittee. After protracted discussion, the committee referred both matters back to the Efficiency subcommittee to further consideration.

8. Adopt Town Meeting Code of Conduct

Ms. Ralston spoke on behalf of the Miscellaneous Town Meeting Reforms subcommittee. It was agreed that the most serious transgressions are already prevented even without a Code of Conduct, that it would be very difficult to differentiate unambiguously between acceptable and unacceptable less serious transgressions, and that a Code of Conduct that lists behaviors that are precluded might also limit positive passion and even legitimate anger. Thus, the committee agreed that the Code of Conduct should list the values that we would want to promote rather than behaviors that should be expected or prohibited.

Motion: Mr. McBrien moved that the TGSC support a Code of Conduct that lists values that we would want to promote, rather than behaviors that should be expected or prohibited, but that the specific values to list should be determined if and when the Code of Conduct is actually implemented. Mr. Simko seconded the motion. The committee voted by roll-call unanimously in favor of the motion.

5. Next Steps

1. The reforms that were not discussed during this meeting will be discussed at the subsequent full meeting of the TGSC
2. The Efficiency subcommittee shall reconvene to discuss further reforms 6 and 7. Mr. Simko will circulate a Doodle poll to select the date
3. The TGSC will turn its attention to the secondary and tertiary study topics once the discussion of Town Meeting reforms has been completed.
4. There are articles on the warrant for the 2021 Annual Town Meeting that pertain to governance. It is to be expected that that TGSC will be required officially to express a position on each of these. Thus, the committee should discuss our position on each at a future meeting

Adjournment

Ms. Doherty moved that the meeting adjourn, Ms. Colby-Clements seconded. The committee voted by roll call unanimously in favor and the meeting was adjourned at 6:10 pm

Respectfully submitted,

Andrew McBrien, Clerk

Appendix 1: Email Submitted by Mr. Cotton

Hi Austin,

I offer the following comments and suggestions relating to some of the proposals on the "non-exclusive list" of reforms under consideration.

3 - I would suggest a one- or two-meeting experiment, using different satellite venues, to ascertain their popularity and to test procedures.

5 - This proposal, to its credit, would have precluded the Moderator's much-disputed decision to disallow a consolidated discussion of two related articles on the Dascomb Road development. However, the proposed solution may be too rigid. An automatic consolidation of discussion might not always be the best way to proceed; a sequential discussion of complicated articles might at times be more orderly and understandable. Instead of automatic consolidation, apparently related articles should be subject to consolidated discussion (a) when requested by the proponents; (b) at the discretion of the Moderator; or (c) when, on a motion from the floor, Town Meeting so votes.

6 - Advance submission of amendments is not always practicable, and if made a rule would at times be counterproductive. Proponents of an amendment should be encouraged to provide them in advance if possible and/or bring them to the meeting typed out or on a thumb drive. But sometimes, the most pertinent amendment is one prompted by debate at the meeting. It would serve no compelling legislative purpose to preclude amendments which, for example, clarify the article's intent, limit the reach of an article, or offer a compromise. The need for such amendments, and others, may only become clear as debate proceeds.

7 - This suggestion makes no procedural sense. Who is to judge, in the absence of a vote on the amendment, that it is a "non-starter"? It has happened not infrequently that the original article, without the amendment, is the non-starter but it passes with the amendment. And, on the flip side, it should never be presumed that the proponent of an article - whether the Town, a developer, or any other private interest - should have a pathway to jamming the article through without even the consideration of amendments.

12 - One of the pillars of Open Town Meeting is the participation by citizen-legislators in the making of Town policy decisions. That participation - in the most democratic process afforded by any type of government in the country - is open to every registered voter. But that participation likewise demands a minimum level of commitment - in essence, showing up for the debate. That has worked well in Andover. By contrast, I have seen in a neighboring community a Town Meeting culture in which developers "pack" the meeting by speed-dialing relatives, employees, and subcontractors just in time to vote on a particular zoning article, after which they depart en masse. Fortunately, we don't have that culture in Andover. But bifurcating Town meeting, with all votes compressed to a single, relatively brief session, seems prone to enhance the likelihood that the turnout for deliberative sessions will be dwarfed by attendance at the votathon, populated by a surge of one-nighters who have invested little or no time hearing the merits. A major feature of the civic culture in Andover is that so many citizens come together, in person, to hear, debate, and vote on the future of the Town. That feature would be undercut if the hearing-and-debate component were to be overshadowed by a session consisting of little more than sitting in silence, clicker in hand, to vote in rapid-fire succession on each article.

14 - It seems much too mechanistic to require the convening of a study committee like this one on some arbitrary cycle. Without amending the Town charter or enacting a bylaw, any resident can seek to persuade the Select Board to set up another governance study committee. And if the Select Board declines, ten residents can bring to the floor of Town Meeting an article for another governance study whenever they perceive the need.

Cheers,

Steve Cotton
19 Pomeroy Rd.