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### Some Suggestions and Comments

Thank you for the opportunity to provide further comments on the work of the Study Committee.

I want to commend the Committee for its work - and in particular the arduous labor of compiling and analyzing data on attendance at Town Meeting over a multi-year period. These data, and your analyses, shed light on the geographic diversity, tenacity, demographics, and numerosity of Town Meeting attendees, puncturing a number of myths and suppositions in so doing.

I have comments/suggestions in four areas:

#### I. More data, please, if you can manage

As thorough and helpful as this work has been, I would like to echo and amplify a suggestion I noted in the January 10 letter to you from Ed Anson: that you examine occasions on which Town Meeting has rejected the recommendation of the Selectboard.

In seconding this suggestion, I would point out that the data you have compiled so far effectively debunk a good many unfounded allegations to the effect that Town Meeting is unrepresentative of the Town or skewed to special interests. In other words, the data you have presented tend to disprove a number of negative perceptions. However, these data do not address what is perhaps the most important question: Is Open Town Meeting as we have experienced it in Andover conducive - or a barrier - to sound legislative decision-making?

While different people may arrive at opposing answers to this question (depending on whether they agree with the outcomes of particular votes), it would seem at least possible, and desirable, to compile data from which rational arguments can be made.

Specifically, I would like to see the following data pertaining to the 34 Town Meetings you have put under the microscope:

1. How many articles were voted on? What is the breakdown (separately accounting for Town-sponsored and private articles) of (a) articles supported by the Selectboard and approved by TM; (b) articles opposed by the Selectboard and disapproved by TM; (c) articles supported by the Selectboard but disapproved by TM; and (d) articles opposed by the Selectboard but approved by TM.
2. With respect to (c) and (d), above, some sort of categorization of the nature of the articles would be helpful: zoning bylaw/rezoning a parcel; zoning bylaw/adding or amending restrictions; sidewalk extension; appropriation; procedural change, misc., etc.
3. Short annotation of significant votes tallied in (2), above, using your judgment as to the significance of the vote. For example, 2017 TM disapproved Article 35, recommended by the Selectboard, to dispose of Town Yard with no prescribed parameters; 2020 TM approved Articles 15 -17, recommended by the Selectboard, incorporating a detailed RFP. Annotations of particular votes could also include very brief summaries of private articles approved by TM (and, where possible, disapproved at one TM but followed at a subsequent TM with a Town-sponsored article on the same subject). To be sure, you may

not have ready access to some history. For example, TM amended the Selectboard's article authorizing a 100-year water contract with North Reading, only to approve the original article at a subsequent special TM; you would have to listen carefully to the Selectboard's oral report at the special TM to pick up the revelation that, in the interim, the Selectboard had committed to renegotiating the agreement with North Reading to close a glaring loophole.

The aim is to provide, in a systematic way, data from which to argue for or against the proposition that Town Meeting contributes significantly to the Town's legislative decision-making. You may well devise a better way to develop and present the data.

## II. More information, please, about school system governance

The question arose at your last public forum regarding the governance of the school system under a Council/Manager form of government. A more thoroughgoing exposition of the School Committee's role in a Council//Manager system should be part of your presentations. For example, if Town Meeting is replaced by a Town Council, who has the final say on the school budget?

## III. Changes to Town Meeting Procedures

I recommend that sooner rather than later you invite comment on possible changes in Town Meeting procedures that you are seriously considering. Some people who have a negative view of Open Town Meeting may have their concerns addressed by specific adjustments short of abandonment. But some proposed changes on your current list may inhibit the effective functioning of Town Meeting. Public comment on possible changes may assist you in refining proposed changes or identifying those that are problematic.

For example, one potential change mentioned at your last public forum was, if I heard correctly, a requirement that proposed amendments to articles be submitted ahead of the meeting so that they could be put up promptly on the closed-circuit TV screen, without the delays attendant on walking down to the Ombudsman's table and writing them out by hand on a form.

But any such requirement would obviate what is, I think, one of the signal virtues of the legislative debate in Town Meeting - the opportunity to learn, change one's mind, and propose a compromise or an improvement as a direct consequence of hearing the arguments.

## IV. A Comment on Changing to a Representative Town Meeting or Council/Manager Form of Government

One of the more frequent arguments I have heard for abandoning Open Town Meeting is that too few people attend. Your data indicate that Town Meetings in Andover are routinely attended by 500 to well more than 1000 residents. Some Town Meeting critics point to these numbers and suggest that we replace Open Town Meeting with either a Representative Town Meeting or a Town Council to legislate for the Town. But if the "problem" is that having 500 - 1000 voters directly participate in legislating for the Town is "too few," I cannot fathom why drastically reducing the number of legislators is the solution.

I have tried to do the math. Assume X residents would vote in a municipal election to choose Y councilors. The minimum number of residents who participate in Open Town Meeting is Z. It is a given that Z (the number of Town Meeting attendees) is much larger than Y (the number of councilors). The proponents of a Town Council form of government hypothesize that if X (the number of voters) is larger

than Z (the number of Town Meeting participants), then democracy (with a small d) is inexorably better served. Although this is at times asserted as axiomatic, I haven't seen much evidence, let alone the proof.

Even more confounding to me are the arguments that Open Town Meeting should be jettisoned because it is inconvenient to attend. The impediments include, for example, having to devote two or three evenings each year, arranging childcare, reading the FinCom report, unease with public speaking, annoyance with procedures, and boredom. Those barriers, I suggest are hardly insurmountable for most who have the interest to serve as citizen legislators. What I don't understand is how Town democracy is better served by replacing these nominal barriers with ones that are far more formidable. Would-be legislators in a Representative Town Meeting or a Town Council must first collect signatures on nomination papers, finance a campaign, subject themselves to the stress and potential disappointment of competing for votes, fill out questionnaires, engage in far more public speaking, win their election, and (assuming they do their job, which is not always the case with Representative Town Meeting) devote many more hours throughout the year to service as elected officials. Those who thrive on electoral politics have the opportunity to do so now by running for one of ten seats - five on the Select Board and five on the School Committee. Residents who are inhibited from or have no interest in directly participating in the legislative function of Open Town Meeting can cast votes for those ten elected officials and rely on them to speak from the stage at Town Meeting. Meanwhile, the hundreds of residents who do wish to participate directly as citizen legislators can - and year after year do - bring to bear their experience, expertise, insight, and energy on the legislative process.