



SUMMARY OF FINDINGS

TOWN GOVERNANCE STUDY COMMITTEE

September 12, 2022

TOPICS

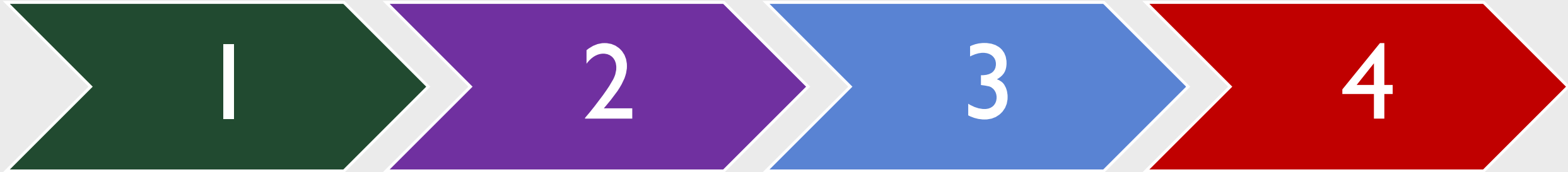
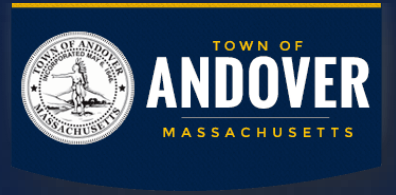


1. Committee's Approach & Process
2. Committee's Form of Government Recommendation
3. Committees Recommendations on Secondary Issues
4. Questions & Discussion

THE COMMITTEE'S APPROACH & PROCESS



FOUR PHASES OF COMMITTEE'S WORK



Identify Issues to Explore and Sequence for Exploration

Explore Issues with Public Engagement:
1. Form of Gov. Topics
2. Additional Topics

Make Recommendations

Advise Select Board on Recommendations

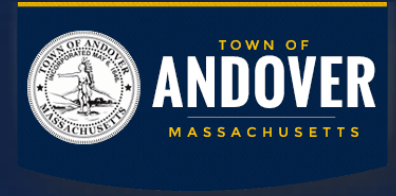
September '19 – January '20

January '20 – Summer '21

Winter '21

Summer-Fall '22

SOURCES OF INFORMATION



Milestone	Input
7 Public Forums	4 in-person, 3 virtual
Online written feedback portal	46 written submissions received
Interviewed governance stakeholders	Chairs and members of 18 committees and boards
UMASS Lowell Resident Survey	Scientifically designed random survey with 1004 responses
Qualitative guidance from 3 rd parties	Paradigm Associates, Wayland Electronic Voting Study Committee, Moderators, etc.
Quantitative comparison with every community in MA	Explored effect of population, demographics, financials with form of government
Quantitative study of Andover voter behavior	Detailed voter-by-voter analysis of every local election and town meeting since 1998
Committee and subcommittee meetings	32 committee meetings (in addition to forums) and 34 subcommittee meetings

FORM OF GOVERNMENT RECOMMENDATION



ABSENCE OF TYPICAL REASONS FOR CHANGE



“Most changes to forms of government occur when there is a groundswell pushing for change.”

Problem	Consequences
Political infighting	A divided community cannot make decisions
Rapid growth & other changes	Opportunities lost due to slow decision-making
Sub-optimal services	People not getting their money's worth. Lack of responsiveness.
Economic stagnation	Lack of tax revenue
Legal suits between internal groups	Government at conflict with itself
Inability to attract candidates/appointees to public office	No voter choice, no real voter control
Town Meeting defects	Low attendance, uneven representation, bad decisions

FORM OF GOVERNMENT RECOMMENDATION



Open Town Meeting

Unanimously
recommend
retention

Recommend
enhancements

Representative Town Meeting

Not favored

Council-Manager

Less Preferred

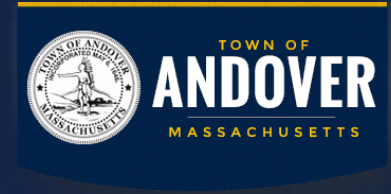
Council-Mayor

Not favored

FORM OF GOVERNMENT ALTERNATIVES

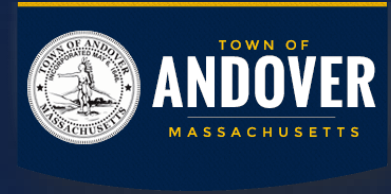


REPRESENTATIVE TOWN MEETING (RTM)



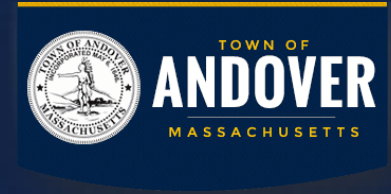
Arguments We Heard	Concern
RTM is widely participatory	RTM excludes hundreds of Open Town Meeting attendees – i.e., 500-2500 Open Town Meeting attendees vs. 250 RTM attendees
RTM is more efficient and agile than Open Town Meeting	RTM meetings tend to last longer than Open Town Meetings Convening/administering an RTM not materially quicker than convening an Open Town Meeting
RTM representative races provide residents with a choice of their representation	RTM representative elections are usually uncontested, and seats are sometimes unfilled. RTM representative low attendance is a problem in some communities

REPRESENTATIVE TOWN MEETING (RTM)



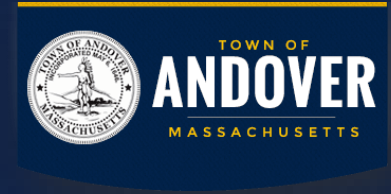
Arguments We Heard	Concern
Residents can rely on their elected representatives to speak for them	Relying on an elected RTM representative to speak for you is similar to relying on a friend or neighbor at Open Town Meeting.
Andover is too big for Open Town Meeting	Among the communities of Andover's size (i.e., 30-36k), all three forms of government are used.
Transitioning to RTM is the next logical evolution of our government	No Open Town Meeting community has adopted RTM since 1989. The "next logical evolution" is what's best for Andover.

COUNCIL-MANAGER



Arguments We Heard	Concern
Andover is too big for Open Town Meeting	<p>Among the communities of Andover's size (i.e., 30-36k), all three forms of government are used.</p> <p>Andover is substantially built-out.</p>
Not enough residents attend Open Town Meeting	<p>In any year, more than 25% of residents who vote in local elections attend Annual Town Meeting. In some years, twice as many residents attend Annual Town Meeting than vote in local elections.</p> <p>500 residents attend at least one night of Annual Town Meeting in almost every year. Why is a 13-person council better than a 500-person Town Meeting?</p>
A council form of government would be more agile and efficient	<p>Council indecision, gridlock, or infighting is inefficient.</p> <p>Agility doesn't always lead to better decisions.</p>
While Town Meeting participation would be eliminated, election turnout would increase	<p>Not borne out by local election turnout rates in council communities with spring elections.</p>

COUNCIL-MANAGER



Arguments We Heard	Concern
Residents would be able to participate in council meetings	Public comment is not equivalent to the direct legislative participation offered by Town Meeting
Residents would still be able to attend board/commission/committee meetings	Residents already have this right
Town Meeting gives influence to special interests (e.g., “stacking”)	Special interests might have more influence in elective council races.
A council would be more “representative” than Open Town Meeting	Town Meeting attendees are geographically representative. Town Meeting attendees and the local election electorate are similarly representative re other demographics.
We need to change our form of government now because it won't work for Andover in the future	We recommend OTM because it is best option for current and reasonably foreseeable future conditions. The community can reassess its form of government at any time in the future.

THE BENEFITS OF OPEN TOWN MEETING



Andover's Identity:

Decisions are made as a community
Residents have ownership in our direction
Town Meeting attendees are "ambassadors" to neighbors
Residents are ultimate check & balance on government

Direct Legislative Participation

Unique right to sponsor, debate, vote

Collective Wisdom

Decisions draw on talented population

Maximum Transparency

Admin. & boards "lobby" the community as a whole

Representation

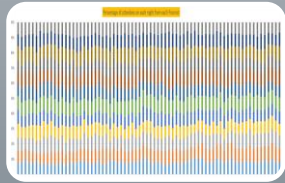
You are represented best whether you attend TM or not

Diversity, Equity & Inclusion

All communities can speak for themselves

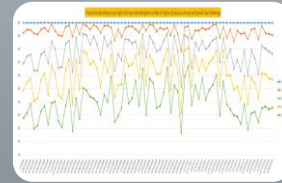
WE'VE LOOKED INTO MAIN OTM CONCERNS

Town Meeting is not representative of Andover



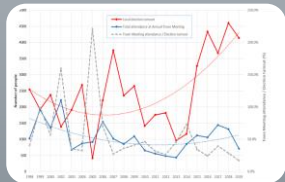
- It is geographically representative
- No form of government perfectly represents all residents

Votes are 'stacked' by one-time voters



- Around 70% have attended 5 or more previous nights
- Around 60% have attended 10 or more previous nights
- Selective participation is a right, not a "problem"

Town Meeting attendance is too low, falling



- Town Meeting attendance exceeds 25% of local election turnout any year
- Town Meeting attendance is twice local election turnout in some years
- 500 residents attend at least one night of Annual Town Meeting almost every year

Big decisions made by a fraction of the community



- "Big ticket" articles drive higher voter attendance
- Up to 2500 have attended for the biggest issues

COMMITTEE RECOMMENDATIONS

- OPEN TOWN MEETING REFORMS
- SECONDARY ISSUE RECOMMENDATIONS

Complex – 4

Moderately Complex – 5

Not Complex – 9

OPEN TOWN MEETING REFORMS

TOWN MEETING REFORMS



Reform	Benefit
Adopt in-person electronic voting using high-integrity system developed for legislatures	Shortens meeting, allows confidential voting
Consolidate discussion of related articles even if separate votes are required	Shortens meeting, makes the context of articles more understandable
Support Town Meeting endorsement of conduct that is civil, honest, respectful of the time of others, and respectful of the right of others to speak	Encourages efficient, inclusive, civil, and honest debate
Prohibit events on Town/School property during Town Meeting nights. School Committee and Select Board make decisions and phase-in with notice to residents.	Eliminates conflicting demands for voters' time
Encourage submission of amendments for public review prior to Town Meeting and give priority in consideration to those amendments that are pre-filed.	Shortens meeting, eliminates cause of voter confusion, enables legal review and public vetting

TOWN MEETING REFORMS

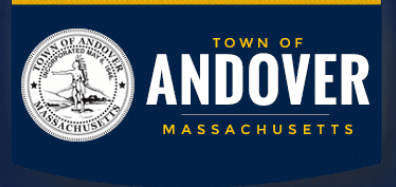


Reform	Benefit
Provide pre-Town Meeting discussion of articles: virtual & in-person, streamed & recorded	Facilitates remote participation, increased public participation, and enhanced vetting of articles
Provide online Town Meeting training videos re process, the budget, zoning, etc.	Makes process less daunting and encourages attendance, and smoother debate of complex articles
Provide “welcome packet” orienting new residents on Town Meeting.	Makes process less daunting to and encourages attendance among new residents
Recommend that <u>remote electronic</u> voting be actively explored by the Town as technological and legal dimensions are better understood over time	Provides clear statement of interest and allows for continued consideration as new facts emerge

RECOMMENDATIONS ON SECONDARY ISSUES



COMMUNICATIONS



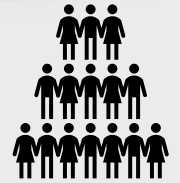
A major theme underlying public input.



- Dedicated staff person to coordinate communication initiatives
- Regular digest for residents conveying information about the administration and public bodies
- Website videos of public body meetings should be “tagged” to allow residents to quickly skip to portions of meetings that interest them
- “Citizens Academy” providing in-depth information to residents about Andover’s government
- Civics information shared with residents through inserts included in excise tax bills
- Aggressively advertise the News Flash service
- Committees should live-stream/broadcast meetings, and take public comment from remote participants
- Outside stakeholder explore the facilitation of a non-governmental news gathering operation

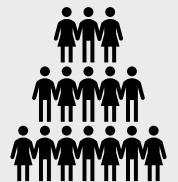


APPOINTMENTS

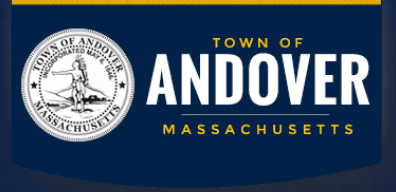


Note: Includes changes to status quo, not affirmations of current practices

- Candidates for re-appointment should provide statement, and incumbents should then be evaluated in comparison to other applicants.
- Communication function should aggressively highlight opportunities to serve.
- The Board of Health be expanded from three to five members.
- Currently, all Town employees, with exception of the Town Accountant, are appointed by the Town Manager and subject to confirmation by the Select Board. We recommend that the Select Board only confirm the Town Manager's appointments to: Deputy Town Manager, Police Chief, Fire Rescue Chief, and Finance Director.



LONG-TERM FINANCIAL PLANNING



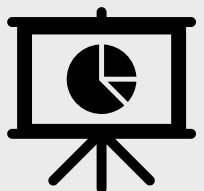
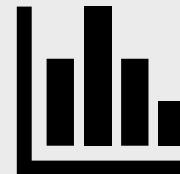
The focus here is process, not substantive outcomes

Big Picture: Long-term, financially sustainable fiscal planning and forecasting are imperative. We recommend a long-term plan and forecast of revenues and expenditures

Actors: Proposed by Town Manager, with input from Revenue & Expenditure Task Force, to Select Board

Timing: 10-year time horizon, updated every five years

Purpose: Inform Capital Improvement Program, budget plan, and other fiscally-relevant matters (e.g., land acquisitions)



GOVERNMENT BUSINESS PROCESS



Improve How Government Helps Businesses

- Enhance communication with and education of businesses about the municipal regulatory framework
- Town Manager should periodically report to the Select Board, not less than once every two years, on the state of and improvements to the Town's business processes
- To expedite the issuance of permits, special permits, variances, and licenses, Town bodies with respective jurisdictions (e.g., Planning Board, Design Review Board) should coordinate their reviews to allow an efficient process that does not sacrifice the protection of the community's interests

ANNUAL TOWN ELECTIONS & ANNUAL TOWN MEETING



Problematic Status Quo

- Annual Town Elections occur in March and Town Meeting occurs in early May
- New officials have little time before Town Meeting to learn complex budget, zoning, and bylaw articles to be decided at Town Meeting
- The decision-makers who prepare the Town Meeting are different than the decision-makers appearing at Town Meeting

Proposed Solution

- Annual Town Election remain at its current time of year
- Annual Town Meeting remain at its current time of year
- Effective-date for office-taking occur after Annual Town Meeting

RESIDENCY REQUIREMENT FOR TOWN MANAGER



Remove requirement that Town Manager be a resident of Andover

- Residency requirements were common 20 or more years ago, but no longer are
- Communication technology allows a non-resident Town Manager to lead in an emergency
- Residency requirement limits Andover's manager candidates because of high housing costs and the contemporary reality that candidates likely have working spouses to consider
- *While the benefit and allure of a resident manager was not lost on the Committee, the Committee felt that no consideration is more important than attracting the best and most capable candidates to lead the Town government*

RECALL OF LOCAL ELECTED OFFICIALS



Adopt Recall Mechanism

- Andover currently has no formal mechanism to remove an elected official for egregious infractions, such as criminal offenses.
 - State and federal governments, and many Massachusetts communities, provide a recall methods.
- Andover voters should not be absolutely deprived of the ability to remove an official elected by voters.
- At local level, one person has enormous power; we should prepare remedy before we ever need it.

Must Have High-Threshold

- 30% of registered voters (appx. 7800)
- Vote to recall; and vote on replacement

Committee Reservations

- Abuse for political purposes to overturn difficult decisions made in good faith.
 - Discourage talented residents from seeking elected office.
 - Chilling effect on decision-making.



TOWN GOVERNANCE STUDY COMMITTEE

Questions