

### **Call to Order**

Committee Chair Mr. Stumpf called the meeting to order at 7:00 p.m. in the Second Floor School Committee Conference Room in the School Administration building. The meeting was not live cablecast.

### **Participants**

Present were: Town Clerk & Chief Strategy Officer Austin Simko (ex-officio); Sheila Doherty (ex-officio); TGSC Committee members Gail Ralston, David Floreen, Paula Colby-Clements, Paul Cavicchi, Andrew McBrien, Dara Obbard, and Jon Stumpf; and Bernie Lynch of Community Paradigm Associates.

TGSC Committee members Paul Cavicchi, Richard Fox and Sandy Stapczynski sent apologies for their absence in advance. There were no remote participants.

### **1. Approval of Minutes of Meeting of 10/22/19**

Ms. Colby-Clements asked for confirmation that the use of the word “collaborate” in the minute of Item 2.2 is a correct record of the discussion. Mr. McBrien confirmed this. In light of this, Ms. Colby-Clements reminded the committee that Board and Committee Chairs must give 48 hours’ notice before discussing the questions within their board or committee, so must receive the questions more than 48 hours before their meeting with the TGSC.

The date of the third Listening Session was recorded in the minutes of the previous meeting as 11/11/19. Mr. McBrien will correct this to read 12/11/19. Ms. Doherty moved that the minutes of the previous meeting be approved as amended, Ms. Colby-Clements seconded. The committee voted unanimously to approve the minutes as amended.

### **2. Discussion of Committee Web Page**

Mr. McBrien reported that the design of the improved TGSC web site is substantially complete and that Mr. Simko has assigned a member of the team in the Town Clerk’s office to start construction. He summarized the key design goals as: (1) make the site easily navigable and discoverable, (2) ensure key information is very visible, and (3) to encourage input. Mr. McBrien then asked for input on the remaining outstanding issues, as follows.

2.1 Mr. McBrien requested permission from each member for him to include their photos on the web site. He stressed that he was asking for personal permission from each member, not for a consensus view of the committee as a whole. Each member present granted permission.

2.2 Mr. McBrien asked whether every item of input that is received electronically should be individually visible to the public, and whether the web site should be used by the committee as a repository of input for the committee’s own reference. Ms. Colby-Clements suggested that all input given through the web form should be public, whereas email input would remain private unless subject to a public records request. The input page include a clearly-worded

statement of this. The committee agreed unanimously with this, with a specific note that the statement must be included.

2.3 Mr. McBrien asked whether the web site should be used as a repository for working documents, which might comprise informational documents circulated before a meeting or drafts in an edit/review cycle. Members agreed that they would much prefer to receive informational documents by email. Ms. Colby-Clements pointed out that collaboration on document drafts via a web site would contravene Open Meeting law. The committee agreed that the web site will not be used to share working documents of either form.

Mr. Stumpf asked how offensive or otherwise unacceptable input shall be controlled. Mr. McBrien said that, as TGSC Clerk, he planned to act as moderator, with power to remove such documents if needed.

Mr. Hamm, of 92 Wildwood Road, Andover, requested recognition to speak and this was granted. Mr. Hamm stated that in his opinion, the input form should ask whether an individual giving input is a registered voter, or at least ask if they are. He recommends the former because it shows that the individual is actively engaged in the government process. He also expressed a personal preference that input should only be taken from registered voters, but noted that this is a matter for the committee's discretion. Ms. Obbard responded that people under 18 should be able to have their voices heard, as the committee's work affects their future. Ms. Colby-Clements argued that electronic input is intended as a source of potential ideas and input might stimulate important discussion no matter from who it is received, and that the input is not binding on the committee in any case.

### **3. Sub-Committee Reports and Discussion**

Both the Sub-Committee for Community Engagement and Town Boards and the Sub-Committee for Town Boards and Committees Outreach reported to the committee and their input was discussed.

#### **3.1 Community Engagement Listening Sessions**

The Sub-Committee for Community Engagement met in the period between the previous meeting of the full committee and this meeting, and developed a detailed plan and the content for the forthcoming Listening Sessions. Mr. Simko confirmed that the dates are finalized, the locations are booked, and the program is finalized and laid out in a document circulated before the meeting. This document is attached to these minutes.

During discussion, the following points were raised

- Mr. Simko will speak to the Director of Communications and have publicity materials distributed via the MHL infrastructure as a further channel.
- All publicity for these sessions will be in English. The sessions themselves will be conducted in English, and publicizing them in other languages will set counter-productive false expectations. If there are requests for sessions to be held in other languages, the committee will explore how to accommodate this.

- Three sessions are considered sufficient. These sessions are intended to be a first pass to capture ideas for major topics to explore in later phases. Three sessions will be entirely sufficient to accommodate the small number of people that repeated experience suggests will engage with the committee as we first start to collect information. In later phases, when the committee digs deeply into these topics, it is expected that numbers will grow and interaction with the public will be much more intensive.
- Mr. Hamm requested recognition to speak and this was granted. He suggested that the top priority of these sessions should be to educate people on the major guidelines and constraints from State legislation within which the committee must find solutions. Mr. Simko responded that the intention is to keep the introductory slides to a minimum to allow unconstrained discussion. Mr. Hamm's comment will be very valid in later phases, and will be taken on board. Mr. Stumpf thanked Mr. Hamm for his valuable contribution.

The committee reviewed the draft of a press release authored by Ms. Ralston and approved it as amended with a few minor typographical edits. Ms. Ralston informed the committee that she had reached out to the Townsman to inform them that this was in preparation and to request that they reserve space. Mr. Simko agreed to amend the draft, then submit it to the Townsman and Tribune and post it on the Town Web site

### **3.2 Town Board and Committees**

The Sub-Committee for Town Boards and Committees Outreach met in the period between the previous meeting of the full committee and this meeting. The sub-committee had fundamentally changed the script to accommodate the feedback from the full committee. Mr. Floreen talked the committee through the updated script, which is attached and provides sufficient record of their presentation.

Ms. Doherty observed that the script focused heavily on Town Meeting, whereas the committee's charter is much broader than this. Ms. Obbard pointed out that this focus also implies that the committee has already decided on Town Meeting as one of the topics to investigate, which is not the case as no decisions have been made. Ms. Doherty suggested that the top three bullets of the "Town Governance" section of the script should be retained, but the remaining six should be struck and replaced with the broader questions from the script for the Listening Sessions. This proposal was accepted unanimously, and Mr. Floreen agreed to update the script accordingly.

The committee discussed how many members of the committee should be present for each interview. Mr. McBrien recommended that there should be a strict maximum of two to ensure that the interviewee would not feel over-whelmed. Ms. Colby-Clements suggested that allowing two interviewers might make scheduling more difficult. Mr. Simko suggested that he should assign one TGSC member to each interviewee randomly and circulate the assignments. The members would then be responsible for completing the interviews within the allotted time scale. This was accepted unanimously.

Mr. Hamm requested recognition to speak and this was granted. He requested that the committee investigate the process by which the Town decides how money is to be spent, and deliver a clear statement of how money flows and how this is controlled. He stressed that he was referring to the

process, not discussion of any specific expenditures. Mr. Simko responded that he is keeping a list of all feedback received and will add this valuable contribution to the list.

#### **4. Input From Community**

Ms. Colby-Clements proposed that further discussion and resulting action on this topic be deferred until January. The committee is already fully-committed with the Listening Sessions and Board and Committee Outreach activities. Nonetheless, when the committee returns to this, it should be treated as a continuation of Phase 1 of our activities. The committee accepted this proposal unanimously.

#### **5. Top-Level Changes within Existing Government Structures**

Mr. Stumpf reminded the committee had agreed during its previous meeting that each member should review the Town Bylaws that relate to governance.

Mr. McBrien said that he had started this process and had observed that, while the Bylaws lay out a frame work within which Andover's government operates, they provide little detail on how. His conclusion was that governance is directed heavily by custom and practice. Ms. Obbard pointed out that MGL does provide some additional structure, and Mr. Simko noted that the Charters for each Town Board and Committee do provide more of the operating principles. Even so, the committee agreed that Mr. McBrien's assessment is generally correct. Mr. Simko further said that the Charter for the TGSC was deliberately written to include the practices of governance. It was agreed unanimously that the committee affirm that Board and Committee Charters, plus unwritten custom and practice, are within the scope of our remit.

Mr. Hamm requested recognition to speak and this was granted. Mr. Hamm asked that the committee consider what would be the most appropriate metrics to measure the "size" of the town and how this has changed over the last 40 years. Well-chosen metrics will inform the conversation about whether a change in "size" has occurred and whether this might affect the recommendation for form of government. Mr. Stumpf replied that the committee has received similar input from another resident, and CPA will be asked to gather data.

#### **6. Next Steps**

Apologies for absence, and written submissions from members unable to attend a meeting, should be sent to Mr. Simko. Mr. Simko will forward apologies to Mr. McBrien so they can be recorded in the minutes.

#### **Audience Participation**

Input from the audience has been recorded within the minutes at the points in the meeting at which the input was offered.

#### **Next Meeting**

The next meeting of the committee will be held on December 3rd, 2019 at 7.00pm in the School Committee Conference Room. The forum with Chairs of Boards and Committees will take place immediately before this at 5:30pm, in the Select Board Conference Room.

**Adjournment**

Meeting adjourned at 8:35 pm

Respectfully submitted,

Andrew McBrien, Clerk

*Attachments:*

Subcommittee Proposal for Listening Sessions

Subcommittee Proposal for Engagement of Town Boards and Committees

Draft of Ms. Ralston's Article to Be Submitted to Andover Townsman

## **Subcommittee's Proposal: Community Listening Sessions**

**Mission:** In support of the TGSC's phase 1 work identifying issues for future investigation, the committee will plan three community listening sessions to better understand residents' views on Town governance.

### **Listening Sessions**

1. Saturday, November 16<sup>th</sup> – Old Town Hall from 9:30-11:00am
2. Wednesday, November 20<sup>th</sup> – Public Safety Center from 7:00-8:30pm
3. Wednesday, December 11<sup>th</sup> – Memorial Hall Library from 9:00-10:30am

### **Substantive Program**

Tutorial/primer to educate residents:

- Provide committee charge
- Describe four phases of the committee's work
- Provide brief summary of Andover's form of government: Open Town Meeting, Town Manager, Select Board, organization chart, etc.
- Governance is about how decisions are made, not what decisions are made.

Questions and topics for discussion –

- What is working well with Andover's governance?
- What is not working well with Andover's governance?
- Is Andover's government:
  - Transparent? Why and how?
  - Accessible? Why and how?
  - Representative? Why and how?
  - Effective? Why and how?
  - Efficient? Why and how?
  - Accountable? Why and how?
- Do you vote at Town Meeting and in local elections? Why?

Logistics:

- Jon will chair the listening session
- Austin and/or others can provide the tutorial
- Andy will take notes of discussion topics on a large flip chart
- All committee members will listen and take notes on community input

**Publicity Efforts**

Press release to, and article in, the Andover Townsman – issue release November 7<sup>th</sup> for article November 14<sup>th</sup>

Post flyer on Town website and social media accounts

Share flyer with League of Women Voters and School Department Director of Communications

## **Subcommittee's Proposal:**

### **Engagement of Town Boards/Committees**

**Mission:** In support of the TGSC's phase 1 work identifying issues for future investigation, the committee will engage with representatives from the Town's boards and committees to better understand impediments to optimal governance.

#### **I. Which Boards/Committees to Contact and Method:**

- a. For the Select Board, each member will be personally interviewed. Also, the Town Manager and Superintendent will be personally interviewed.
- b. For the following boards/committees, a member(s) of the TGSC will personally interview the chair/chair's designee(s):
  - Board of Assessors
  - Board of Health
  - Conservation Commission
  - Council on Aging
  - Planning Board
  - Finance Committee
  - School Committee
  - Zoning Board of Appeals
  - Audit Committee
  - Permanent Town Building Advisory Committee
  - Preservation Commission
- c. For the following boards/committees, a member(s) of the TGSC will invite the chair/chair's designee(s) to a "chair's forum" for a group interview/discussion/focus group:
  - Andover Cultural Council
  - Andover Housing Authority
  - Board of Registrars
  - Commission on Disability
  - Economic Development Council
  - Spring Grove Cemetery Trustees
  - Andover High School Facility Study Committee
  - Andover Green Advisory Board
  - Andover Housing Partnership Committee
  - Andover Retirement Board

- Ballardvale Historic District Commission
- Housing Partnership
- Housing Trust Fund Board of Trustees
- Patriotic Holiday Committee
- Design Review Board
- Andover Historic Mill District Task Force
- Poet Laureate Committee
- Revenue and Expenditure Task Force
- Scholarship Committee
- TRIAD Council
- Trustees of Cornell Fund
- Trustees of Punchard Free School
- West Elementary School Building Committee
- Memorial Hall Library Trustees

## **II. Timing of Outreach:**

a./b. Individual interviews with Select Board Members, Town Manager, Superintendent, and identified board/committee chairs:

- November 8 – Afternoon
- November 12 – All day
- November 13 – Before 4:00
- November 18 – After 2:00
- November 19 – Morning
- November 25 – All day
- December 2 – Afternoon
- December 5 – 1:00-4:00

c. Forum with board/committee chairs: December 3<sup>rd</sup> 5:30-6:45pm

## **III. Outreach Script:**

*[The following will be sent to interviewees before the interviews.]*

The 11-member Town Government Study Committee (TGSC) has been charged with studying, and proposing beneficial amendments to, the town's charter, bylaws, and governing practices as they relate to Andover's form of government and governance. In particular, the committee shall:

- Study the town's form of government and governance.
- Examine models of government in comparable communities.

- Identify strengths and weaknesses in Andover's current government, and recommend any amendments to the charter, bylaws, and governing practices so as to improve the town's form of government and governance.
- Facilitate public engagement on, and the public's discussion of, the committee's work.

In beginning its work, the committee has decided to solicit input from community stakeholders to identify the topics deserving of further investigation in 2020. To that end, the committee wishes to hear from you based on your position in, and knowledge of, Andover's government.

The following questions are meant to prompt dialogue but not to constrain the conversation. We ask that you review the following questions with the members of your board prior to our conversation. We would prefer to discuss these questions in person at a convenient time but would be happy to arrange a conversation by phone. You may also elect to provide your feedback in writing.

a. General

- Name of Board
- Mode of Appointment
- Statutory (Y/N)

b. Areas of Inquiry

- Board purpose:
  - Could you describe your board's relationship to the mission of the Town of Andover?
  - How does your board relate to other boards in performing your tasks?
  - What about your board's work makes you proud?
- Communication:
  - How does communication work within the board, through the Town hierarchy, and in the community at-large?
  - Are there areas where communication is particularly smooth or particularly frustrating? If either, why?
  - Are there ways you think that communication could be improved? If so, how?
- Town Governance:
  - Is the Town government representative of the citizens of Andover?
  - What is working well with the current structure of the Town government?
  - What is not working well with the current structure of the Town government?
  - Do your board members understand the process and deadlines for getting needed action from Town Meeting?
  - Is the article review process prior to Town Meeting sufficient to provide education to and engagement of community stakeholders? Or are additional steps needed? Or is the current process too onerous?
  - Do you have suggestions to improve the process leading to Town Meeting?
  - Do you have suggestions to improve the conduct of Town Meeting and its deliberation of articles?
  - Is Town Meeting sensitive to the needs of your board and is it timely in taking action?

- Is Town Meeting reasonably and appropriately functioning as the Town's legislative body?
- Are there provisions of the charter or bylaws that should be reviewed or reformed?
- The Future:
  - What emerging patterns or issues do you see in your work that you believe are important?
  - What are barriers to the success of your board?
  - What single change or action would you take to make Andover a better place to live?

To: Andover Townsman  
Lawrence Eagle-Tribune

Date: November 7, 2019

FOR IMMEDIATE RELEASE: *Town Governance Study Committee Seeks Community Input*

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The newly-formed Andover Town Governance Study Committee has announced three public listening sessions to gather community input regarding Andover's government. All Andover residents are encouraged to attend these listening sessions and help inform the Study Committee's investigation of the town's charter, bylaws, and governing practices.

Three listening sessions will be held on Saturday, November 16, 9:30-11:00 a.m. at the Old Town Hall, second floor; Wednesday, November 20, 7:00-8:30 p.m. at the Public Safety Center Auditorium; and Wednesday, December 11, 9:00-10:30 a.m. in Memorial Hall Library, second floor hall.

In hosting these sessions, the Study Committee will pose questions and listen to the experiences and perspectives of residents. No definitive decisions will be made during these conversations. Instead, the community input will help the Study Committee decide the particular governance issues deserving of study in 2020.

The Study Committee wants to know what is working well, and not working well, with Andover's government. The committee wants to know whether, and why, Andover's government is transparent, accessible, representative, effective, efficient, and accountable.

For residents unable to attend these sessions, video recordings will be made available at <https://andoverma.gov/792/Town-Governance-Study-Committee>.

Formed by the Andover Select Board and the Town Manager, the Study Committee has been charged with studying and proposing over the next two years beneficial amendments to the town's charter, bylaws, and governing practices as they relate to Andover's form of government and governance.

Members of the Committee include Jon Stumpf, chair; Dara Obbard, vice-chair; Andrew McBrien, clerk; Aleksandra Stapczynski; Gail Ralston; Richard Fox; David Floreen; Paula Colby-Clements; Paul Cavicchi; Austin Simko, Town Clerk & Chief Strategy Officer; and Sheila Doherty, Town moderator.

The Study Committee welcomes, and will rely on, energetic public input.

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