

Sharon Governance Study Committee Subcommittee on Town Meeting

Minutes of meeting held December 22, 2021, at 7:30 p.m.

Attendance

Present:

- Robert Carver
- Keevin Geller
- Matthew Keenan
- Ganesh Rangarajan
- Maureen Silverleib

Absent:

- Peg Arguimbau

Discussion of forms of governance

Michael Dutton, town manager of Bridgewater and chair of the form of governance committee of the Massachusetts Municipal Management Association, appeared as a guest speaker.

In his opening remarks, Mr. Dutton said that one of the key developments in local government in the last 10 years, regardless of the form of governance, has been an effort to manage risk more effectively (especially in the area of labor/human resources). One way of doing that has been giving some central authority to town managers/administrators, operating alongside select boards or councils.

Regarding the strengths and weaknesses of the forms of government being studied by the committee, Mr. Dutton said:

The open town meeting (OTM) form, dating back more than 300 years in Massachusetts, is the most direct form of democracy. "We don't do a whole lot of things the way we did in 1650, but town meeting might be one of these," he said. The involvement of community who sometimes aren't well-informed about complex issues can create a cumbersome decision-making process.

Many towns have difficulty meeting the relatively low levels of attendance required to reach a quorum. (He used a hypothetical example of a town of 20,000 people failing to hit the 50-participant minimum.)

The voters who are motivated to attend an OTM one year – because they are interested in a particular topic – may not attend the next year if the issues aren't as compelling to them. "There's no consistency year to year, meeting to meeting," he said. From his perspective, having essentially different legislatures year to year, makes it difficult to follow through on policy strategies, such as master plans.

The representative town meeting (RTM) involves smaller numbers of elected citizens who may be better informed and more inclined to study issues, policies and strategies.

Bridgewater has used a council-manager system for more than a decade, switching from an open town meeting. Acting as CEO of the town government, he prefers this system, saying it offers clarity and

efficiency (while acknowledging efficiency is “not always good”). Town councilors tend to have more expertise than town meeting participants. He also said it enables the town to follow long-term strategies on financial matters and infrastructure, for example.

The biggest downside to replacing the OTM system is some “people miss attending town meeting,” he said. For them, town meeting represents “tradition and mom and apple pies.”

Regarding ways to improve town meetings, or increase attendance at them, Mr. Dutton said:

He hopes that, after the pandemic lifts, more residents will be drawn to town meetings, and that some form of virtual participation will be considered (at the state level).

It is a “challenge,” he added, to convince voters to give up a night to attend OTM. The easiest way “to increase participation is to put something controversial” on every town warrant.

Questions and answers

In response to questions by Mr. Geller, Mr. Dutton said Bridgewater’s nine-person council is made up of a majority of members from individual precincts, with two at-large. Mr. Geller said local elections can be marked by low turnout and voter apathy that could leave an “open door to special interests.” He asked whether Bridgewater’s elections had been characterized by aggressive politicking. Mr. Dutton said the town’s elections, when contested, have been focused on issues, a contrast to what he said existed before the change in systems there.

Responding to Mr. Rangarajan, Mr. Dutton said most towns that adopted a council-manager (or administrator) form of government previously had representative town meetings (for example, Amherst three years ago).

Ms. Silverleib asked Mr. Dutton if the state allows virtual town meetings, what the road map would be to implementing them. He said the meetings would likely be more structured and planned than they are in their current form. So, there might be a set number of speakers chosen in advance for certain topics, perhaps chosen at random. “There has to be a structure or that’s a recipe for disaster,” he said. It “would be incredible” if virtual participation were expanded, he said, since it could raise interest and participation (like among parents of school-age children.) “Doing the same thing you did 300 years ago” doesn’t work, he said.

Mr. Dutton said in a discussion with Mr. Carver that some issues are complex for town meetings. Using the example of a \$42 million sewer upgrade in Bridgewater, Mr. Dutton said the council had to get up to speed on timelines, permits and other topics: “It would be even harder at a town meeting.”

Answering Mr. Rangarajan, Mr. Dutton described the council-manager system this way: The council sets policy, the manager executes it. In an OTM system, the Select Board is the executive branch, while the town meeting itself is the legislative branch. Under the council-manager form, the council is the legislature, the manager is the chief executive.

Mr. Dutton said his advice to the Governance Study Committee, as it makes recommendations in about a Select Board or council, is not to base its judgments on the people who occupy those seats now.

Mr. Keenan asked Mr. Dutton about the independence of boards and committees under a council-manager for. In Bridgewater, Mr. Dutton appoints board members on the recommendation of a citizen's advisory committee. The council has a check on board appointments.

There are exceptions: He names three members to the nine-person Financial Committee, as do the Town Council and the elected town clerk. (The Financial Committee advises the manager on annual budgets and long-range capital improvement plans, and it reports its recommendations to the council.)

Mr. Dutton said that giving the manager the authority to make appointments, for example on the Planning Board, helps the town's ability to meet its objectives.

On the issue of a manager appointing board members, Mr. Geller said, "To me, that sends up a big red flag," as it may exclude some unrepresented voices from town government.

Mr. Dutton said his example of the Planning Board may have been stated too strongly. He stated that his governing goals aren't ones he sets himself; the council sets his goals and it's his job to implement them. He also said that, if a town had a \$20 million grant to make downtown improvements and its long-range plan included such a project, it wouldn't make sense for a manager to appoint a person opposed to the project to a board overseeing it.

Minutes

The subcommittee unanimously approved the minutes of the November 29 meeting.