

# MetroWest Governance Review Summary Report

*July 13, 2016*

Funding provided by the District Local Technical Assistance program and MetroWest Regional Collaborative. This Review was conducted on behalf of the MetroWest Regional Collaborative (MWRC) and the nine communities within the MWRC sub-region: Ashland, Holliston, Framingham, Marlborough, Natick, Southborough, Wayland, Wellesley, and Weston.

MAPC would like to acknowledge the members of the MWRC Executive Board for commissioning this Review and co-sponsoring the project and Forum. They are:

- Jay Marsden (MWRC Chair), Holliston Board of Selectmen
- Preston Crow (MWRC Vice Chair), Ashland Planning Board
- Ellen Gibbs (MWRC Clerk), Wellesley Board of Selectman
- Yolanda Greaves, Ashland Board of Selectmen
- Lew Colten, Framingham Planning Board

MAPC staff that conducted the Review and contributed to the project include: Greg Miao, Joseph Sacchi, Karen Adelman, Hannah Casey, Hayley Oleksiak and Mark Fine.

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## Background

At the request of the MetroWest Regional Collaborative (MWRC), MAPC undertook a comprehensive review of the civic participation levels and governance structures of the nine MWRC communities. The Review consisted of a research and analysis phase, followed by a Forum attended by representatives from all MWRC cities and towns. The goal of the Forum was to compare civic engagement and governance levels and practices across the sub-region and identify areas for further collaboration and research on those subjects.

The Review did not seek to identify, nor did it find, a preferred governance model for all MWRC communities. There are many reasons (e.g., demographic and historic reasons) why participation levels and governance structures differ across these cities and towns in both significant and subtle ways. Nevertheless, regardless of these differences, these communities face common challenges in providing and sustaining efficient, effective and democratic forms of local governance, and each can learn from their neighbors' experiences.

Below, and attached in the associated Appendices, are summaries of the data gathered and the comments and results from the Governance Forum, which was held on June 10, 2016.

## Data Gathering and Analysis

The research into civic and electoral participation indicators and the governance structures of the nine MWRC communities included: interviews with the municipalities' Chief Administrative Officers; the collection of municipal election results and Town Meeting participation numbers for the past six years; a review of each municipality's governance Charter and/or General Bylaws; and an online review of each municipality's Board and Committee membership. The data collected by MAPC is described below (and is provided in full at Appendices A, B, and C):

- 1. Electoral Participation:** To examine civic participation levels in the MWRC communities, MAPC used a combination of municipal election results and American Community Survey (ACS) population estimates to calculate voter turnout and registration percentages. Voter turnout data reflects the percent of registered voters who cast ballots in municipal elections compared to the each municipality's total registered voter population. As a proxy for determining voter registration rates, MAPC compared each municipality's population over the age of 18 to the number of registered voters in that community.
- 2. Governance structure:** Civic participation is also is shaped by a municipality's charter and/or bylaws, which define Town Meeting structures, executive management structures, and elected and volunteer Board and Committee structures. As such, MAPC developed governance structure profiles for each municipality detailing a set of variable governance factors: 1) charter status, 2) executive management, 3) Town Meeting form, and 4) elected and volunteer boards and commissions. Additionally, as property taxes play an essential role in funding municipal operations, MAPC also examined municipal tax structure (i.e., split vs. single rate for commercial and residential properties) throughout the MWRC region.

## Governance Forum

After research concluded, MAPC and MWRC hosted "Getting Governance Right(er)," a cross-municipal forum on civic participation and local governance in MetroWest on June 10, 2016 at the Wellesley Public Library. Below is a summary of the major components of the Forum.

### Electoral & Government Participation Presentation

After the introduction and welcome, MAPC staff presented an overview of electoral and participation data for the communities in the MWRC region. As noted above, this presentation captured the results of the last six Annual Town Elections (Citywide elections for Marlborough) and Annual Town Meetings and focused on three participation indicators:

#### 1) Voter Turnout

Average voter turnout, i.e., the percent of registered voters that voted in Annual Town or City elections over the past six municipal elections, varied from a low of 10.24% in Framingham to a high of 28.72% in Wayland. The average MWRC community's voter turnout percentage (an equally weighted average of all turnout rates between the communities) was 18.04%, while the

average turnout rate for the entire MWRC region (an average of the total region-wide votes cast out of the region-wide registered voter population) was 16.48%. More information is available in Appendix A at pages 2 - 6.

## 2) Registered Voter Population

Registered voter populations, i.e., the percent of eligible voters registered to vote, in the MWRC region ranged from 64.57% in Marlborough to 97.93% in Weston. The average MWRC community's voter registration percentage (an equally weighted average of all registered voter populations between the communities) was 84.07%, while the average registered voter percentage for the entire MWRC region (an average of the total registered voter population out of the region-wide eligible voting population) was 76.56%. One limitation on this data is that a municipality's population over the age of 18 is not a direct proxy for eligible voters as the real eligible voter population includes restrictions based upon citizenship, and thus some percentages may be a bit lower than the actual eligible voter population. More information is available in Appendix A at pages 3, 7-9.

## 3) Town Meeting Participation

Town Meeting participation, i.e., the number of citizens actively participating in Town Meetings, in the MWRC region differs between the communities that operate with Open Town Meetings (Ashland, Holliston, Southborough, Wayland, and Weston) and those that operate with Representative Town Meetings (Framingham, Natick, and Wellesley). As Marlborough is incorporated as a City and operates with a City Council as its legislative body, it was excluded from this portion of data processing.

For Towns with Open Town Meetings, attendance ranged from an average of 150 (1.51% of the registered voter population) in Holliston to 306 in both Southborough and Wayland (4.42% and 3.38% of the registered voter populations respectively). The lowest reported attendance for an Open Town Meeting over the six year period was 100 (where 0.96% of the registered voter population attended) in Ashland and the highest reported attendance was 467 in Wayland (where 5.16% of the registered voter population attended). The average Annual Town Meeting participation rate for communities with Open Town Meetings (an equally weighted average of all ATM participation rates between the communities) was 3.00%, while the average Annual Town Meeting participation rate for the entire MWRC region (an average of the total ATM attendees across the region to the region-wide registered voter population) was 2.87%. More information is available in Appendix A at pages 10 - 15.

For Towns with Representative Town Meetings, attendance was gauged based on the percentage of Town Meeting Members that attended Town Meetings. As a percentage, attendance ranged from an average of 68.98% in Framingham to 88.75% in Wellesley. The average attendance rate for the three communities with Representative Town Meetings (an equally weighted average of Town Meeting participation rates between the communities) was 76.84%, while the while the average Town Meeting participation rate for the three communities combined (an average of the total TM attendees across the communities to the total Town Meeting Members) was 77.52%. More information is available in Appendix A at pages 10-15.

## Civic Participation Panel

To provide further context for civic participation within the MWRC region, MAPC invited officials from four demographically distinct MWRC communities, each of whom plays a different yet essential role in their community, to participate in a short panel discussion. These officials included Mayor Arthur Vigeant of Marlborough, Manager Bob Halpin of Framingham, Town Clerk Kathleen Nagle of Wellesley, and Moderator Dennis Berry of Wayland. Below is a brief summary of the issues raised by the participating panelists:

Arthur Vigeant (Mayor, City of Marlborough) stressed the importance of building governmental capacity through purposeful development of officials and board members. Citing the need for municipalities to employ qualified citizens in certain official positions, such as tax assessors, Mayor Vigeant described their use of professional licensing organizations (such as for certified public accounts) as a means of identifying potential candidates for these roles. Mayor Vigeant further noted that many of those candidates identified were more than happy to participate in municipal government, but had not previously known of the City's needs or open positions.

Bob Halpin (Town Manager, Town of Framingham) noted that particular issues drive varying kinds of civic engagement, which he described as falling three main decision-making models: (1) Corporate, (2) Collaborative, and (3) Commonwealth. Corporate municipal decisions are predominant when the municipality has identified or defined a problem that has clear solutions or answers. These decisions are between defined choices and are often transactional, such as whether to grant a building permit or not, or expend more or less funds on a particular service or department. In Corporate decisions the community can be expected to have an informed opinion about the issue from the start. Manager Halpin noted that, while these decisions may be contentious between affected parties, they are a bit easier from a civic engagement perspective as affected parties generally know about the options and are often eager to participate in the decision-making process.

Collaborative municipal decisions arise when the municipality has identified or defined a problem, but has not yet determined a solution to that problem. Manager Halpin noted that these decisions, such as addressing childhood obesity, require a greater amount of effort on behalf of the municipality: engaging its citizens to identify potential solutions; gathering community feedback on proposed solutions; and collaborating with citizens and local stakeholder groups to successfully implement them.

Finally, Manager Halpin described the Commonwealth model for decision-making. This model exists where there is no real defined problem and no real identified solution. Manager Halpin noted that this decision-making model requires the most work on behalf of a municipality to promote civic engagement as they are the most open ended and often have long term impacts. Examples of such decisions include master planning and the chartering processes.

Kathleen Nagle (Town Clerk, Town of Wellesley) highlighted that there are a myriad of impediments to not only increasing citizen participation in municipal government, but even in getting citizens to participate in the first place. With regards to elections, such impediments include a perceived general aversion amongst candidates for elected positions to run against

friends, neighbors, and acquaintances. Additional impediments include lengthy and burdensome election filing requirements and fears of violating election laws. Ms. Nagle further noted that these impediments, combined with ever growing personal and work demands on citizens eligible to participate in municipal government, leads to a general lack of electoral choice in municipal elections and a skewing of municipal participation to people of retirement age. In turn, Ms. Nagle noted that when people feel they don't have an important choice to make in municipal elections, they don't feel a need to vote.

Dennis Berry (Moderator, Town of Wayland) suggested that there may be techniques to smooth the process of Town Meeting that could positively affect engagement. Citing the efforts Wayland has made in this area, Mr. Berry talked about using e-voting technology, for example, rather than relying on a voice roll call. Wayland has found this innovation has improved the efficiency of Town Meetings by eliminating the need for recounts and providing immediate voter feedback on the relative success of Town Meeting votes. Building on this, Mr. Berry discussed the need to identify other mechanisms to make Town Meetings and Town Elections less burdensome on citizens, discussing the possibility of changing the manner in which Town Meetings and Town Elections are run and exploring the concept of electronic and remote voting.

Additionally Mr. Berry discussed the need for municipalities to moderate the interactions between their various governing boards, which may have differing opinions on whether a recommended course of action is a good one. He cited the unique role some Moderators play within their Towns as appointing authorities for certain Boards and Committees. He further indicated that while such a structure may allow for more impartiality by making appointments to those Boards and Committees the role of the Moderator and not the role of the Board of Selectmen, it can also create some problems, such as when Boards and Committees adopt recommendations contrary to those of the Board of Selectmen. Mr. Berry went on to note that Moderator appointed Board and Committee members may not feel a need to report to the Board of Selectmen or may lack direction because they are not overseen by the Selectmen.

### **Governance Organization Poster Session**

After the panel discussion, attendees were invited to leave their seats and participate in a 30 minute poster session comparing municipal governance organization across the nine communities. During this session attendees were invited to visit five posters displaying information about various aspects of governance structures within the MWRC region, including: (1) Charter Status, (2) Executive Management Form, (3) Town Meeting Form, (4) Municipal Boards and Committees, and (5) Property Tax Structures in the MWRC region. These topics were identified by MAPC and MWRC as a starting point for discussion among attendees about their experiences with, and opinions about, the ways in which municipal governments are structured and administered. As such, attendees were invited to speak with MAPC staff at each poster and provide individual feedback, both positive and negative, relating to each of the topics.

### **Poster Session Feedback**

At the end of the Governance Organization Poster Session, MAPC compiled a summary of their discussions with and the comments left by the attendees. The descriptions below summarize the comments collected during the poster session.

#### Charter Status (Appendix B, page 3)

In general, representatives from those Towns with a charter thought that the chartering process worked well and helped define and streamline the Town's governance arrangements. Such representatives did acknowledge that the charter review process does require regular, cyclical attention and effort. Ashland attendees noted that their Charter Review Committee is currently dealing with the issue of how detailed the review needs to be, while Natick attendees noted that the Town is currently finalizing its review with only a few recommended updates and amendments.

In Towns currently lacking a charter, attendees noted that charter adoption faces significant political hurdles. The presence of even a single negatively received provision in a proposed charter or governance amendment document can ruin its chances of passage. Attendees further noted that, as chartering and governance review processes are long and often highly contentious, unless a community is broadly unhappy with how things are being run, they may prefer the more conservative choice of remaining unchartered or holding off on governance reforms.

#### Executive Management (Appendix B, page 4)

On the whole, respondents placed a high degree of value on the professionalism and managerial efficiency of a powerful chief executive. Provided the executive's skills match the requirements of her position – good communication ability, big picture thinking, and knowledge of the community she serves – the notes indicate little downside to the arrangement. The only real downside to a strong chief executive cited was that with a more centralized power structure, “active citizens may feel less engaged,” although the commenter also included the disclaimer that less engagement may “not always be a bad thing.”

#### Town Meeting Form (Appendix B, page 5)

Although one respondent argued that Open and Representative Town Meetings are too different for direct comparisons, each form has distinct advantages and face similar obstacles. In defense of Open TM, some remarked that it is a form of “pure representation,” without the threat of campaign financing or other electoral intrigue influencing its members. Representative TM was praised for developing practiced, active participants in town government who can shine lights on particular issues and sometimes overrule the town executive and Board of Selectmen. Both forms have a proud history and are “uniquely New England.”

More critical comments about TM indicated that its promise of true representation is not always met; often the same cadre of members show up each year, including some who speak and act on an uninformed basis “with no concept of responsibility.” Additionally, getting members or

residents to attend can be challenging, enabling small groups mobilized around a single issue to exert an outsized influence.

#### Boards and Committees (Appendix B, pages 9-13)

Of the various topics on which feedback was invited, the *Boards and Committees* poster attracted the most attention. Although the benefits of boards were acknowledged – they often perform valuable work, generally without expense to the municipality – many challenges related to their performance were also included. Specifically, in terms of management, it can be hard to coordinate and keep track of the responsibilities of all the various Boards and Committees in a Town, which can result in duplicative effort. The most successful committees are generally those with a clear charge who report back to the appropriate Town department. Interpersonal challenges can arise when an individual member is a disruptive influence in the group. Therefore, Boards may benefit from having a Chair who is sure to orient members on what it's like to be on a committee, e.g., members won't always get their way.

#### Tax Rate Structure (Appendix B, pages 6-8)

Most respondents agreed that the best tax rate structure is contextual to the community, particularly as MWRC communities differ greatly in their proportions of land zoned for residential, commercial, and industrial uses. Some communities (including Framingham and Marlborough), have chosen to adopt a split tax rate structure, which allows property tax burdens to be shifted between residential, commercial, and industrial properties and is sometimes done in order to lessen the tax burden on residents. Other communities (including the remaining MWRC communities) have chosen to keep a single tax rate for all properties. Leaders from Framingham noted that shifting too much of the tax burden onto commercial and industrial property directly affects a Town's competitiveness as a location for commercial tenants; i.e., commercial space in Framingham costs roughly 4x more than in neighboring Natick. Another risk noted included issues surrounding the difficulties in accurately assessing commercial and industrial property values, which can complicate a Town's cost/benefit analysis of different tax rate splits.

### **General Discussion & Areas of Future Interest**

After the poster session, attendees were invited to participate in a final general discussion on all of the information presented throughout the event and to identify topics that they would like to explore further. Topics discussed included: the issues the communities face in filling open Board positions; the reasons why citizens choose not to participate in municipal government; the issues that arise when municipal boards have differing opinions about the same topic; the issue of communities potentially having too many Boards and Committees; Board and Committee direction, oversight, and reporting; and how to improve Town Meetings.

At the conclusion of this discussion, attendees were invited to vote for eight topics identified by MAPC and MWRC for potential future research and work. These topics are listed below in the order of those receiving the most votes for future research to those receiving the least:

- 1) Benefits of elected/appointed positions: 8 votes

- 2) Improving Town Meetings: 8
- 3) E-democracy & e-voting: 6
- 4) Better election dates / times: 3
- 5) Budgeting processes: 2
- 6) Property tax structure for development and revenue: 1
- 7) Other:
  - Beyond Buzzwords: What does it mean to have a committee that is not “getting along”: 1
  - In democracy, does working “as a team player” work contrary to a collaborative effort?: 1
  - Better government needs better leadership: 1
  - Educating the public on town government and how they can get involved: 1
  - Increasing citizen participation: 1
- 8) Benefits of having a mayor: 0

## Next Steps

As a result of this forum, MAPC will meet with the MWRC Board to discuss potential future projects surrounding further exploration of elected and appointed positions and boards, improving town meetings and e-voting/e-democracy. For elected and appointed positions and boards, this could include: research into the potential benefits of elected and appointed positions, peer review of other communities that have transitioned from elected to appointed positions, exploring the skill sets various elected and appointed positions may require, and determining the feasibility of filling those positions with citizens. For improving town meetings, this could mean research into Town Meeting best practices across New England, alternative manners in which to administer and arrange Town Meetings, the potential of using technology to improve Town Meetings, and legal limitations to changing how Town Meetings are run. For e-voting/e-democracy, this could mean research into examples where such practices are used, their feasibility and pros and cons. It is anticipated that any such follow up projects will be discussed in the fall of 2016.

## Appendices

The underlying data collected by MAPC can be found in the attached Appendices, which include:

### Appendix A – MetroWest Electoral Data

- a) Electoral participation maps: The “Voter Turnout” and “Registered Voters” maps visualize differences among communities’ turnout and registration rates by using a color ramp to group communities by number ranges. Calculated percentages are also provided.
- b) Electoral participation spreadsheets and calculations: A community-by community summary of Annual Municipal Election results published by Town/City Clerk from the past six election cycles detailing the competitiveness of all elected positions and overall rates of voter registration and turnout.
- c) Electoral participation charts: A summary of voter turnout and registration rates between communities. Voter turnout is defined by comparing average number of votes cast against the average number of registered voters; registration rates are calculated by dividing the

average number of registered voters by American Community Survey 2014 5-year estimates of the 18+ population.

- d) Town Meeting participation map: A comparison of average reported Town Meeting attendance for the years 2010-2015. Towns with Open Town Meeting are color coded by range of attendance numbers, while towns' with Representative Town Meeting numbers are reported but colored separately. In addition to the average attendance, reported high and low attendance numbers are also indicated.
- e) Town Meeting stats spreadsheets: A summary of Town Meeting attendance for the years 2010-2015. These numbers were drawn from Town Meeting minutes and Annual Town reports. Most towns report the number of members present when quorum is established, but some others report the number in attendance at the close of each session.

## Appendix B – MetroWest Governance Organization

- a) Municipal organization chart: An overview of the data collected and provided in the appendices.
- b) Charter status map: Indicates which municipalities have adopted Home Rule charters, as well as dates of incorporation. Towns that have amended their structures and governance processes through “Special Acts” of the legislature are considered unchartered.
- c) Executive management map: Details the title of each community’s Chief Administrative Officer and offers a brief summary of the main differences between them.
- d) Town Meeting form map: Identifies whether communities use Open or Representative Town meeting, or neither. The map also notes quorum requirements for Town Meeting, the number of members needed to be present in order to conduct business.
- e) Property Tax rate map: Lists the average property tax rate per \$1,000 of assessed value from 2010- 2015. Also identifies whether communities use a single or split property tax rates.
- f) Municipal tax info spreadsheet: Provide property tax rates for each MWRC community from 2010- 2015, as well as the calculated average rates for that time period.
- g) Boards & committees map: Groups municipalities by their total number of elected and appointed boards and committees, and highlights those unique to particular communities.
- h) Boards & committees spreadsheet: A listing of the various elected and appointed boards and committees instituted by each municipality, pulled from the municipalities’ bylaws and websites.

## Appendix C – MetroWest Governance Forum

- a) Poster Comments: A full listing of comments provided by attendees of the MWRC Governance Forum during the poster session.