

Amherst Charter Commission Public Hearing
Aug. 31, 2017
Town Room, Town Hall.

Members Present: Andy Churchill, Tom Fricke, Meg Gage, Nick Grabbe, Mandi Jo Hanneke, Irv Rhodes, Julia Rueschemeyer, Diana Stein, Gerry Weiss. Members Absent: None.

Churchill convened the public hearing at 7:03 p.m. He said the commission has modeled civil disagreement, and went over the overarching themes the commission came up with, saying that “none of us got all that we wanted, but all of us contributed to the end result.” He called the charter a compromise and a middle ground, and explained its major points. He then opened up the floor for comments.

Johanna Neumann: I have a job and two small children, so time is valuable, and so it's hard to call 24 Town Meeting members from my precinct. I tried, but the majority I never heard back from. That doesn't happen with state government officials I contact. The concept of constituency is totally absent from Town Meeting, and that won't change. A council voted by the public will expect voters to hold them accountable, and November elections will improve turnout, which is the core of democracy. It will be easier for busy citizens to engage with government.

Bernie Kubiak: I've been a selectman and a town administrator, and I think this is a fine document, though no political system is perfect. One change: I favor reducing the council size from 13 to 9, because a 13-member council is an outlier in comparable communities, and 9 members would create a better dynamic and a more functional council. I like some of the innovative approaches in the charter.

Ed Wilfert: I like that the commission fine-tuned the charter to make it legal, but it was set up by those who want to change the form of government. I question the exclusion of the minority report. (Churchill says it will be part of the final report.) This is a step away from democracy to oligarchy, and we should instead ask Town Meeting to be more responsible and hold more precinct meetings. “Amherst would turn into UMass City.”

John Fox: Preserve Town Meeting. Amherst is in good financial health. In a 13-member council, zoning could be changed by nine people, and “powerful interests” want rezoning, for more developments like 1 East Pleasant. Town Meeting is “messy democracy,” but I prefer it to a small group making decisions.

Karla Raiche: I grew up in a town with an open Town Meeting. Our representative Town Meeting shares very little with open Town Meeting. Here, the average voter doesn't have much say. With 240 members, they're not responsive, not focused on their constituency. Opponents say the charter reduces participation – actually it empowers all 16-17,000 voters, so it increases participation by 7,000% (240 to 16,000).

Brendan Gavin: I don't like the phrase “or similar method” in the part about Ranked Choice Voting, because it opens the door to a lot of other options, rather than something that has been proven to work. Amend that section by specifying the voting method must (1) include voters ranking candidates in order of preference and (2) a lower ranking doesn't reduce the probability of winning.

Maurianne Adams: The executive and legislative functions are different, and I'm “appalled” they are being collapsed into a single body which may work as a business model, but doesn't translate well to government. The charter can't achieve the level of citizen participation we have now and is a “charade” in that respect. “Participation without decision-making power is meaningless.” Also complimented the role the Town's IT department has played in modernizing Town Meeting.

Joan Burgess: What are the financial implications of the new charter? They should be included in the final report.

Winifred Manning: Not a Town Meeting member; 45-year resident. I'm upset that Town Meeting members have been described as unaccountable, self-interested, privileged, old and retired. In Precinct 10, mine are dedicated; they hold meetings with residents and invite the community to speak out. In a newspaper letter, someone said we should have representatives who are expert, disciplined and informed, and that's what Town Meeting is, and reflects a broad spectrum of the town. "Those affected by decisions must be counted as the experts."

Kay Moran: I was unopposed in five Town Meeting elections, and was contacted by residents four times in 12 years. Don't feel very representative as a TM member. You have produced a good proposal. I prefer a 9-member council, but it's not a deal-breaker. The ban on councilors giving orders to employees in 2-3b seems to conflict with the part about the council investigating performance of town agencies in 2-8a. The section on public forums in 5-3 needs clarification. Isn't it the manager who submits the budget? I question combining Precincts 4 and 10, because they have low turnout. Better to combine Precincts 10 and 9 and Precincts 4 and 5.

Nancy Eddy: I'm a former Massachusetts Municipal Association president and 12-year Select Board member. I wanted a mayor but support the charter, though I have concerns. Three-year terms would be better because of the steep learning curve. Staggered terms would provide more continuity. The council should be 9 members, not 13. The commission worked well; if it had had 13 members, it would have been too big.

Joyce Berkman: I don't like the word "ward." Why not reform Town Meeting? Town Meeting is an education – informing people about government, resolving differences. The commission hasn't addressed a vision for Amherst in terms of population size, becoming more family-friendly, and mandating precinct meetings.

Alisa Brewer: People talk about various concerns, but... We already have a de facto party system – pro and anti-development. We already have a minority of our residents making decisions. We already have money in the system; I spent \$5,000 running for Select Board. The Select Board has accountability but no power. A 13-member council would make it difficult to evaluate the town manager, and 10 Ward Councilors would promote more parochial perspectives, while nine members with four At-Large would encourage a community-wide approach, not pitting one ward against another in little fiefdoms. While it should be challenging to change zoning, it should not be easier to block good ideas than it is to champion changes benefiting the whole town.

Amy Mittleman: What's the problem you're trying to solve? The charter doesn't address planning/zoning or making citizen participation better. I got a lot of emails as a Town Meeting member. When Amherst went from open Town Meeting to representative Town Meeting, we got less representation, which equals less democracy. Now we're going to even less. Given the crisis of democracy on the national level, I hate to think what could happen here.

Alan Root: Will we have a government of the people or of the few, favoring the wealthy? Combining two precincts in South Amherst will make it necessary to spend a lot of money, and who can afford running for the whole town. It will prevent people of modest means from participating.

Kitty Axelson-Berry: Been in Town Meeting for 1.5 years. I got a lot of emails, mostly the day of the vote. Condescension to Town Meeting supporters. There was no consideration of keeping Town Meeting. The power of the Planning Board/ZBA/Finance Committee will revert to the council, which will be

composed of “professional politicians.” It will privilege those with money, as was the case in the Charter Commission election.

Toni Cunningham: Likes public forums, more frequent meetings, and community participation officer. Doesn't like consolidation of power, combining executive and legislative, shortening of School Committee terms (because there could be an entirely new committee, losing institutional knowledge and forcing members to campaign in their second year, while they're still learning the job). It will result in a decline in participation and lose the benefit of Town Meeting providing incubation of citizen engagement.

Andy Anderson: Ranked Choice Voting is an important reform but is not defined. Add to definitions (1) voters rank candidates and (2) lower ranking by a voter will not affect candidate's electability. “Other similar methods” should be removed because it would delay implementation. Just adopt it, and have the commission figure out the details.

Adjourned at 8:30.

Respectfully submitted,
Nick Grabbe

Documents: Preliminary Charter, Proposed Ward Map