

# LEAGUE OF WOMEN VOTERS OFFERS EVALUATIVE CRITERIA

The League of Women Voters of Amherst, following several months of study and meetings on local government in 2003, adopted its current position on the concepts, principles and practices that make for effective local government. Using these criteria in the order of importance provided by League members we have provided similarities and differences between the proposed Charter and our current form of government to enable citizens to evaluate the Charter. This is not an exhaustive list, but an attempt to look at both forms of government. **The League has NOT taken a position on the Charter but encourages each voter to read the Charter carefully and to cast an informed vote on March 27.**

## LWV POSITION STATEMENT APPLIED TO CURRENT TOWN GOV'T & PROPOSED CHARTER

**The Amherst League of Women Voters supports the following concepts, principles, and practices that make for effective local government. We believe local government should maximize:**

LEAGUE POSITION	CURRENTLY	PROPOSED CHARTER
<b>A. Widespread and inclusive participation</b>		
<b>1. Hearing of diverse points of view encourages involvement.</b>	Town Meeting of 240 elected and 14 ex-officio members; Select Board of 5.	13 Town Council Members
<b>2. Being part of the process creates understanding and ownership of decisions.</b>	Currently, over 35 town committees provide opportunities for over 250 citizens to participate.	Town Council will determine its own standing or ad hoc committees. At least some of the existing committees will continue as required by state law or town bylaws.
<b>3. Expression of various opinions promotes a sense of inclusion.</b>	Citizens have the opportunity to speak during Town Meeting and at other meetings.	Public forums to be held at least twice a year. A citizen petition brought by 200 or more citizens will initiate a public meeting. Most other meetings, including Town Council, have public comment periods.
<b>B. Diversity of the community reflected in government</b>		
<b>1. Accessibility fosters commitment, vitality, and fairness.</b>	Town meeting members are elected from 10 precincts. 10 registered voters may submit Warrant Articles that must be acted upon at Annual Town Meeting, 100 signatures are needed for Special Town Meeting.	Town Council has 10 members elected from five districts and three at large. Provisions in charter allow citizens to present concerns and issues through various kinds of petitions. Different kinds of petitions require different numbers of signatures, ranging from 150 to 5% of voters (that is, over 1,000).
<b>2. Diversity of opinion is more important than striving for demographic quotas.</b>	Large numbers of citizens participating in committees and Town Meeting allow for diverse opinions.	Encouraging a diverse pool of applicants for membership on committees, boards, commissions, etc. is specifically assigned to the Town Manager and a new staff member, the Community Participation Officer.
<b>C. Openness and full disclosure: Adherence to Massachusetts Open Meeting Law must be maintained.</b>		
<b>1. Citizens have a right to expect an open process in local government.</b>	Sessions of Town Meeting, Select Board, Finance Committee and Planning Board are televised. Many Town Meeting votes are taken electronically and recorded. Citizens may attend meetings.	Meetings of Town Council and other meetings may be televised. Town Council minutes include a record of each member's votes. If requested, any board or committee may take and record any vote. Citizens may attend meetings.
<b>2. Openness early in the decision process allows citizens to be part of the process.</b>	Budgets are prepared by the Town Manager, School Superintendent and Library Director, and are discussed at open meetings of the Select Board, School Committee, Library Trustees and Finance Committee. Budgets are voted at Town Meeting.	At least two public forums are held by Town Council, one on the budget, the other on the master plan, to inform citizens and collect feedback. The School Committee also must hold a public forum on school issues. The budget is prepared later by Town Manager and then given to the Council's Finance Committee, which holds a public hearing, reviews and makes a recommendation to Town Council. Council adopts a budget by June 30.
<b>3. Agendas and decisions should be publicized in a timely fashion.</b>	Select Board meeting agendas are posted 48 hours before meeting. Warrant (agenda) for Town Meeting available more than a month prior to meeting. Decisions available immediately.	Town Council shall provide agendas at least 48 hours before meetings. Decisions can be found in minutes which are posted "in a timely manner," in accordance with state law.
<b>4. Citizens have a right to expect full disclosure of the facts pertinent to the decision process.</b>	Minutes and decisions are recorded and made available after each meeting of Select Board, Town Meeting and other bodies in accordance with state law.	Minutes of the Town Council are recorded and made available after each meeting.
<b>D. Checks and balance of power among the executive, legislative, and administrative branches of government and the electorate</b>		
<b>1. Shared responsibility among the various branches of government creates balance.</b>	Select Board is responsible for the general governance of the town; makes policy proposals and decisions; sets the agenda for Town Meeting (the warrant). Town Meeting passes legislation, which is implemented by Select Board and Manager. Town Manager is the chief administrative and fiscal officer of the town. School Committee and Library Trustees, independently elected bodies, are responsible for the general governance of Schools and Libraries, respectively.	All powers of the Town are vested in Town Council. Town Council exercises the policy leadership and legislative powers of the Town. The budgets of the School Committee and Library Trustees are submitted to the Town Manager and then to the Town Council, which adopts the budgets with or without amendments.
<b>2. Not all appointments should be made by any one branch of government.</b>	Select Board appoints Town Manager, Zoning Board of Appeals, Personnel Board, Election officers and other town committees. Town Manager appoints Planning Board, Conservation Commission, Historical Commission and the Board of Health with approval of Select Board and independently appoints other Boards and Committees. Town Manager exclusively appoints department heads and other employees. Moderator appoints Finance Committee.	Town Council appoints Town Manager. Town Council appoints Planning Board and Zoning Board of Appeals. Town Council President appoints the Finance Committee, a committee of the Council. Its members are Councilors; in addition, members of the public may be non-voting members of the Finance Committee. The Council President also appoints members of standing or ad hoc committees of the Council. Town Manager appoints all other boards, commissions, etc. subject to approval of the Council. Town Manager appoints department heads with approval of the Town Council.
<b>3. Referenda opportunities make the electorate part of the process.</b>	Provision for referendum, that is, placing a measure approved or rejected by Town Meeting on the ballot.	Four different kinds of petitions: to reject a measure approved by Town Council; to submit a petition for a public hearing; to present an initiative before Council; to request an open meeting of the citizens about one or more specific concerns.
<b>4. Referendum process should not be too easy or too difficult.</b>	Process requires signatures of 5% of the voters within 5 days after the dissolution of Town meeting on the passage or rejection of any measure under the warrant.	Each process requires signatures of a different number or percent of the voters. Five percent of voters needed for a referendum; 150 to bring petition before public hearing; 250 for an initiative; 200 to call a public meeting.
<b>E. Honesty and non-corrupibility in all decision making</b>		
<b>1. Access to decision makers should be open to all.</b>	Any resident may speak at Town Meeting, Select Board and other committee meetings, or access members by email, mail or phone.	Town Council shall hold at least two public forums a year (one on the Budget, the other on the Master Plan). School Committee holds at least one public forum a year. District Councilors shall hold at least two district meetings per year. Public feedback is solicited at all these meetings. Discussion topics may be submitted by citizens for district meetings.
<b>2. Town officials and appointees should not be susceptible to undue influence or beholden to special interests.</b>	State ethics and conflict of interest laws, and state campaign and political finance laws apply to all elected and appointed officials. State law exempts legislative assemblies such as Town Meeting. Town Manager must devote fulltime to the duties of the office and needs approval of the Select Board to engage in other business. Annual outside audit of the Town is performed.	State ethics and conflict of interest laws, and state campaign and political finance laws apply to all elected and appointed officials. Town Manager must devote fulltime to the duties of the office, and needs the approval of Town Council to engage in other business. Town Council shall provide for an annual outside audit.
<b>F. Efficiency based on professional management and timely decision making</b>		
<b>1. Efficiency is important in the delivery of essential services.</b>	Town Manager, appointed and supervised by the Select Board, is the chief administrator and fiscal officer of all town agencies except Schools and Libraries.	Town Manager, appointed by and responsible to the Town Council, is the chief administrator and fiscal manager of all town agencies except Schools and Libraries.
<b>2. In the policy-making process, efficiency is not as important as open and informed deliberation and citizen participation.</b>	Select Board (meeting at least three times a month year-round) initiates policy proposals for Town Meeting approval. Open discussion at Town Meeting (held at least twice a year) prior to rejection or approval of policy recommendations.	Town Council will determine policies at open Council meetings (held at least once a month year-round). Council meetings will have a period for public comment. Petition processes make possible rejection of a Council decision or presentation of an initiative to Council for deliberation.
<b>3. All issues, including those brought up by citizen petitions and requests, should be acted upon in a timely manner so that the decision will be meaningful.</b>	All petition articles in the warrant must be acted upon before Town Meeting dissolves. Referendum election is to be held as soon as practicable.	Rules for public hearings or Council action on petitions vary with the type of petition.
<b>G. Accountability for political and fiscal decisions</b>		
<b>1. Decision makers should make clear the rationale for their decisions.</b>	All town committees and boards involved in bringing warrant articles forward explain their rationale. Town Meeting members have the opportunity to explain their positions.	Town Council will make decisions in open meeting. Council will seek information from Town Manager, Superintendent of Schools, Library Director or committees if needed.
<b>2. The process of implementing decisions should be clear and understandable.</b>	Town Manager and Select Board are responsible for implementation of Town Meeting decisions. School Committees and Library Trustees are responsible for the operations of schools and libraries.	Town Manager is responsible for implementation of policy decisions and direction provided by the Town Council, and administers its bylaws and regulations. School Committees and Library Trustees are responsible for the operations of schools and libraries.
<b>3. Full explanation of budget and appropriation items should be disclosed during deliberations.</b>	Town, School and Library budgets are prepared and presented at public meetings. Select Board and Finance Committee review them. Finance Committee makes recommendations to Town Meeting, where all budgets are explained.	Town Council holds forum on budget before Manager proposes budget to Council. Town Manager's budget includes municipal, schools and library components. Council's Finance Committee holds a public hearing on proposed budget. After review the Finance Committee makes a presentation and recommendation to Council.