# Democratic Co-Production and Co-

# Creation in Action: The New England

# **Town Meeting**

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## Table of Contents

Executive Summary
Acknowledgements
Introduction6
Literature Review
Co-Production
Co-Creation9
New England Town Meeting
Theoretical Framework
Town Meeting Democracy14
Collective Action, Co-Production, and Co-Creation
Research Design
Research Question
Data
Methodology20
Definitions23
Findings24
Library24
Before Public Involvement
Public Involvement

Current Involvement	27
Grange Building	28
Before Public Involvement	28
Public Involvement	29
Current Involvement	32
Fire	34
Before Public Involvement	34
Public Involvement	36
Current Involvement	37
Park	39
Prior Public Involvement	39
Public Involvement	39
Current Involvement	42
Results	44
Democratic Co-Creation and Co-Production as Bargaining	44
Empowerment, Impact, and Equity and Inclusion	45
Networks	47
Democratic Quality	48
Co-Production and Democracy	50
Discussion	52
Conclusion	56

References	58
Appendix	76
Case	76
Bureaucratic Structure	78
The Town Meeting	83

## **Executive Summary**

Kensington, New Hampshire, United States, is a rural community governed by the New England Town Meeting, a form of direct democracy with centuries of cocreating and co-producing public services. This paper utilizes archival documents and takes a multiple descriptive case study approach with process tracing to explore the development of four local public service institutions: the library, grange building, fire department, and park. I answer how characteristics of democratic co-production and democratic co-creation interact with democratic quality and whether co-production is inherently democratic. I have five findings regarding democratic co-creation and democratic co-production within Kensington. One, it is a bargaining process resulting in restrictions for the public's benefit. Two, that empowerment and impact are more prominent than equity and inclusion. Three, it is supported through networks. Four, it produces substantial levels of creative problem-solving, power sharing, and resilient governance while ensuring the protection of minorities and increasing opportunities for representation. My overarching finding is that co-production and co-creation when operating with democracy, can improve each other's democratic outcomes but are only as democratic as the bodies creating them. Further research should investigate more examples of democratic co-creation and democratic co-production to understand if Kensington is an exception or the norm. Additional research should include the role of private philanthropy, networks (particularly familial), and how federalism or multilevel governance impacts the town meeting, democratic co-creation, and democratic coproduction.

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## Introduction

Ansell et al. calls co-creation the potential next innovator for democratic development (2023), while many others call co-production an opportunity to increase democracy, innovation, and citizen participation. The Organisation for Economic Cooperation and Development (OECD) indicates that there has been a "wave" of deliberative processes in the past few decades, where citizens are intimately involved with public service development and implementation (2020, p. 3). Kensington, New Hampshire, United States, has unintentionally utilized forms of co-creation and coproduction for centuries to create and implement public service institutions that rely on public-private actors. Kensington has done this through the town meeting, a form of direct democracy, which though a changing model, retains a bottom-up structure where residents have ultimate authority. Kensington had its "deliberative wave" long ago, with co-creation and co-production existing within and alongside its democracy. Verschuere et al. (2018) and Ansell et al. (2023) theorize and call for more research on the connection between co-creation, co-production, and democracy. Kensington offers an environment to fill some of the gaps in this research. The community has innovated public services within and alongside its democracy over the centuries and provides insight into the past, current, and next steps for democracy and co-production. How do characteristics of democratic co-production and democratic co-creation interact with democratic quality? Is co-production inherently democratic?

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<sup>&</sup>lt;sup>1</sup> See Literature Review: Co-Production

## Literature Review

#### **Co-Production**

Co-production is a part of the public service cycle where state and lay actors work together (Nabatchi et al., 2017, p. 11). Bandola-Gill found five meanings of co-production after conducting citation network and in-depth paper analysis. They identify these five meanings of co-production a science-politics relationship, knowledge democracy, transdisciplinarity, boundary management, and evidence-use intervention. They call on more cross-disciplinary communication and for research funders to create a more open funding process that allows more research into co-production's process in addition to its effects (2023).

Many researchers view co-production as a method to further democracy. Pestoff discusses much of the variation in co-production. Pestoff finds that citizen participation in co-production has economic, social, political and service specific dimensions and varies between different providers. He also finds that the third sector facilitated citizen participation while a glass ceiling existed for participation in municipal and for-profit providers (2009). Pestoff later calls the third sector a place to breach the glass ceiling and have citizens engage in direct democratic control over services (2012a). Osborne et al. articulates that co-production is valuable to public service reform and could lead to effective and more resources for public services, provide a response to the democratic deficit, and serve as a route to more active communities (2016). Pettican et al. through using participatory action and co-produced research strategies with marginalized populations found that co-produced research can contribute towards a more democratic society (2023). Rantamäki, also using participatory action research, in the context of

public welfare services found that co-production has the potential to create a more lively democratic society as long as co-production attempts are continued and the achievements of it are recognized (2017).

Many have also identified co-production as a way to innovate new systems and create change. Steiner et al. proposes a model for successful co-production by modifying Myer et al.'s Theory of Change (2017;2022). Steiner et al. add that public service authorities should properly inform community participation bodies of engagement options, promote the value of participation, and then let the community participation bodies pursue alternative routes to participation. They further state that these steps will improve communication between the public service authority and the community participation body. Thus, creating more successful co-production (2022). Dunston et al. finds that there is great promise for the use of local and system-wide coproduction in health systems. They caution that this shift to co-production must be made carefully by addressing cultural, identity, and practice change (2009). Voorberg et al. in their systematic review focuses on co-production with citizens in public innovation. They find that co-production is viewed as a cornerstone of social innovation (2015). Muhhina raises that social innovations, particularly in information and communication technologies, fail to keep pace with democratic institutions, thus posing risks to democratic systems (2024).

Critiques of co-production relate to how inclusive or representative the processes are (Taylor, 2011), differing interests undermining the process (Bovaird, 2007; Matyushkina et al., 2023; Skerratt & Steiner, 2013), the substantial burden placed on different actors leading to burnout or lack of representation (Birchall & Simmons,

2004; Halling & Baekgaard, 2023), and the effectiveness of privatization to make up for lost government capacity (Bovaird, 2007; Pestoff et al., 2012, Sect. 17).

Democratic co-production is a concept in need of further research. Verschuere et al. suggest that researchers assess participation's democratic quality by considering equity and inclusion (or exclusion), (lack of) impact while participating or co-producing, and the empowerment of participants or co-producers. Further, they suggest that researchers consider the intervening variables of professional support, competency, confidence in this competency among citizens, and the salience of the task or service provided (2018).

#### **Co-Creation**

Co-creation is a process where two or more public and private actors solve a shared problem (Torfing et al., 2019). Rodriguez Müller et al.'s systematic literature review finds that co-creation creates better services and fosters innovation (2021). Acar et al.'s systematic literature review reinforces Rodriguez Müller et al.'s finding of creating better services (2021) and adds that co-creation can also create higher quality democratic governance (2023). Voorberg et al. finds that state and governance traditions determine whether co-creation can become institutionalized within a country's government (2017). Ansell et al. expands on co-creation's democratic aspects. They find that co-creation has an expanding distinctive democratic quality, specifically that it enables creative problem-solving and facilitates power sharing. Creative problem-solving and power sharing are potential factors to measure the democratic quality of co-creation. Ansell et al. concludes that democratic co-creation can benefit communities by better connecting elected politicians to communities, helping build

joint ownership for innovative solutions to ensure implementation, cultivating active citizenship, and reinventing democracy (2023).

On the process, Rodriguez Müller et al.'s review found that actors can implement co-creation in many settings and at various points in the public service cycle (2021). Acar et al. added that co-creation does not lead to the same outcomes across policy domains (2023). The implementation variance in the service cycle and differing outcomes in different policy domains suggests that there are additional factors that influence co-creation in different environments. Acar et al. added that professional facilitation is a key driving factor for positive co-creation outcomes (2023). Culture and relationships are environmental and must be understood when utilizing co-creation, while professional facilitation is a driving factor that can be implemented based on an understanding of culture and relationships.

Co-creation has risks that we must account for. Co-creation itself can be costly in resources, whether it be time, capital, or knowledge. Those with more resources could have an advantage over those with less, leading to biased participation and outcomes (Torfing et al., 2019). Acar et al. raises that professional facilitation is a key driving factor for positive outcomes, yet that facilitation would require substantial resources, that some communities have while others do not (2023). Substantially different viewpoints can lead to destructive (Gray, 1989) or constructive (Kriesberg and Dayton, 2012) conflicts. The more significant the differing of the viewpoints, the more likely that more resources are needed to bridge those viewpoints (Huxham and Vangen, 2005). A lack of democratic accountability can also be a risk depending on if representative elected systems are decoupled from governance processes (Papadopoulos, 2010). Acar et al. point out that co-creation may not lead to better

relations between citizens and government (2023). Rodriguez Müller et al. finds that co-creation has an implementation gap with digital public services (2021).

## **New England Town Meeting**

Leading town meeting scholars raise the point that there is a surprising lack of academic studies examining town meetings (Bryan et al., 2019). A recent Organisation for Economic Co-operation and Development (OECD) study on citizen participation and deliberative processes does not mention The New England Town Meeting, despite the report discussing direct democracy (2020). One town meeting scholar mentions a perception in academia of the town meeting being old despite its ongoing practice and impact in hundreds of communities (Bryan et al., 2019). Many scholars relate the lineage of the town meeting to Athenian democracy, the Anglo-Saxon folkmote,<sup>2</sup> old English church structures, and tribal self-governance (Gustafson, 2000; Latour & Weibel, 2005; Zimmerman, 1999). From a historical perspective, Cossart and Felicetti find that culture fostered the deliberative qualities of town meetings while reducing their democratic features. Specifically, they discover that settlers created a somewhat inclusive space to steer their political life based on their norms, yet these norms also reinforced exclusion and power structures favoring the better off (2018). Zuckerman reinforces this norm-led model by arguing that public opinion governed town meetings due to a lack of traditional authorities (2019). Other researchers have found that the town meeting encouraged equity (Hall, 2019; Levy, 2009) and committed to transparency and broad participation (Hall, 2019). Studies focused on the 20th and 21st centuries have found low participation in town meetings, which threatens the

<sup>&</sup>lt;sup>2</sup> Could be referred to as bing, thing, ting, or ding; defined as an assembly of free people in early Germanic society that occurred in many regions of Europe.

representativeness of the model (Banning, 1935; Bryan, 2004; Hormell, 1932; Mansbridge, 1980; Robinson, 2011; Rule, 2012; Zimmerman, 1999). Researchers have observed that the more affluent participate more than the less affluent (Bryan, 2004; Kotler, 1974; Mandell, 2019), further bringing down representation. Some argue that the decline in participation is due to the time it takes to participate in town meetings (Rule, 2012; Wood, 1958). Putnam concludes similarly when discussing the broader American community by arguing that individuals lack the time to engage in civic activities as other demands arise (2000). Zimmerman finds that smaller communities and those that have retained town meeting models that grant the most power to citizens have higher participation than larger communities and those that have lessened citizen power (1999). Researchers have also observed a connection to culture, finding that civic culture is a substantial factor in attendance and engagement at the town meeting (Solomon, 2023; Zimmerman, 1999). The New England Town Meeting has its critiques concerning intentional or non-intentional exclusion and unrepresentativeness, which some fear can lead to an imbalanced influence of interest groups and factionalism (Mansbridge, 1980; Martin, 2019; Wood, 1958). Van Erve finds that though intentions tend to be pure, larger town meeting assemblies can result in more biased representation than smaller legislative bodies (2018). These imbalances can lead to the creation of policies and institutions that do not equitably benefit all citizens.

Researchers have praised the New England Town Meeting for its effectiveness, ability to govern, represent, and protect dissent through procedure (Bryan, 2004; Martin, 2019; Robinson, 2011; Zimmerman, 1999). In some cases, marginalized groups, contrary to what was acceptable at the time, retained substantial power in the town meeting model (Bell, 1888, p. 200; Bryan, 2004; Kotler, 1974; Madell, 2019;

Parish Record, 1737-1793, p. 84; Rimkunas, n.d.; Sawyer, 1972, p. 87). There are also cases where individuals succeeded or attempted to use the model to promote intergroup dialogue, provide opportunities for marginalized voices, and even dismantle a racially integrated society (Gustafson, 2019). A notable finding from Bryan's study was that the 46% average attendance of women at Vermont town meetings from 1970 to 1998 substantially outpaced participation of women at other levels of government (2004). Women in 2023 comprised 32.7% of all state legislators and 45% in Vermont (Center for American Women and Politics, 2024). The decentralization and flexibility of the town meeting, or what Zuckerman calls a lack of traditional authority (2019), offers opportunities for communities to develop and implement systems that differ from predominant practices.

## **Theoretical Framework**

## **Town Meeting Democracy**

Martin calls the New England Town Meeting the "archetypical deliberative citizen forum" (2019, p. 1). The Organisation for Economic Co-operation and Development (OECD) defines deliberation in the public sphere, using the literature of Bone et al. (2006), Carson (2017), and Mathews (1999), as involving both dialogue - a respectful exchange - and debate - an exchange to change someone's mind. The OECD defines deliberative democracy as where "decisions are a result of fair and reasonable discussion among citizens" (2019, p. 12). Townsend identifies rhetorical styles of deliberation at the town meeting (2004) and its stages of communication (2009). Townsend and Milburn additionally develop a framework for deliberation as play at the town meeting (2023).

The New England Town Meeting, while having deliberation, is not limited to just deliberation due to the decision-making power it grants citizens. Zimmerman calls direct democracy "law-making by voters" (Zimmerman, 1999, p. 1). The International Institute for Democracy and Electoral Assistance (IDEA) categorizes direct democracy into four applications – referendums, citizens' initiatives, agenda initiatives, and recall (2008). Mansbridge classifies town meetings as a unitary democracy. She defines unitary democracy as a democracy that is like a friendship as there is a high degree of common interest, consensus, face-to-face assembly, and a rough equality of respect among members. Mansbridge contrasts unitary democracy with adversary democracy, where people do not care or know one another (1980, p. x). Leslie built on Mansbridge's work and classified the New England Town Meeting and the Occupy

Wall Street social movement as collaborative, an alternative to adversarial democracy (2013). Leslie, in later research, related the town meeting to participatory and participatory deliberative democracy (2018). Leading scholars in discussion on the town meeting state that the town meeting is a "regular, legally instituted, formally inclusive, direct, participatory, face-to-face, and oftentimes deliberative democracy" (p. 12). They further hone this definition by stating that the town meeting consists of two key elements: the meeting results in binding decisions and has face-to-face deliberation (Bryan et al., 2019).

Zimmerman develops a framework to categorize how communities apply direct democracy throughout New England. For this study, I focus on two of these models. One, the traditional open town meeting that involves citizens gathering, deliberating, and making decisions. Two, the Australian or official ballot (OB referendum) variation of the town meeting, also called the New Hampshire Senate Bill 2 (SB2) model or the modified town meeting, which involves a deliberative session where citizens deliberate and amend warrant articles that are later put on a ballot and voted on at a separate election day (1999). I use these two model definitions as Kensington had the traditional open town meeting, decided to switch to the modified town meeting in 1996, and began using the modified model in 1997.

## **Collective Action, Co-Production, and Co-Creation**

Olson defines collective action theory as groups not efficiently providing public goods due to individual self-interest (1965). Ostrom counters Olson by arguing and finding examples of voluntary organizations collaborating successfully to efficiently provide public goods (1990). The town meeting and the public service institutions it

creates solves collective-action problems through its voluntary organization of citizens that are also the state itself. Co-production arose from collective action theory as developed by Ostrom and her colleagues (Parks et al., 1981). Scholars critique co-production for lacking definitional clarity, though many have worked towards clarifying this definition or proposing their own (Bovaird, 2007; Brandsen et al., 2018; Brandsen & Pestoff, 2006; Nabatchi et al., 2017; Loeffler & Bovaird, 2021; Osborne et al., 2016; Pestoff et al., 2012; Sorrentino et al., 2018). I use the definition of Nabatchi et al., who clarified the term after a comprehensive assessment of the literature (2017).<sup>3</sup> Nabatchi et al. define co-production as

"an umbrella concept that captures a wide variety of activities that can occur in any phase of the public service cycle and in which state actors and lay actors work together to produce benefits" (2017, p. 11).

Nabatchi et al. includes co-design as a phase of the co-production service cycle, which relates closely to the concept of co-creation. The connection between co-production and co-creation is debated, along with co-creation's definition (Osborne, 2017). Some have resolved to use the term interchangeably with co-production (Gebauer et al., 2010), while others offer various specific definitions (Torfing et al., 2019; Voorberg et al., 2015; Voorberg et al., 2017). Acar et al. (2023), Rodriguez Müller et al. (2021), and I use Torfing et al.'s definition, as it includes co-production but does not limit the concept of co-creation to it. Torfing et al. defines co-creation as

"a process through which two or more public and private actors solve a shared problem, challenge or task through a constructive exchange of different kinds of knowledge, resources, competences, and ideas that enhance the production of public value in terms of visions, plans, policies, strategies, regulatory frameworks, or services, either through a continuous improvement of outputs or outcomes or through innovative step-changes

<sup>&</sup>lt;sup>3</sup> Bandola et al. (2023) offer a review of co-production scholarship and categorize the scholarship into groups.

that transform the understanding of the problem or task at hand and lead to new ways of solving it." (2019, p. 9).

Collective action, co-production, and co-creation all hold that at least two actors from the public or state and the private, lay, or volunteer realms are involved in the process. I chose to use both concepts, co-production and co-creation, due to the interconnectedness of the definitions. I utilize co-creation when relating to the institutional and policy development process, while I use co-production around governance and public service implementation.

Pestoff discusses the difference between co-production "heavy" where citizens have direct democratic control of services and co-production "light" where the participation is too restricted thus making it not very democratic (2012a, p.14).

Democratic co-production later becomes a term that investigates the connection of democracy and its values of equity, inclusion, impact, and empowerment to the citizen participation drivers of professional support, competency, and salience (Verschuere et al., 2018). Democratic co-creation has an expanding distinctive democratic quality and can enable creative problem-solving and facilitate power sharing (Ansell et al., 2023).

Democratic co-production and democratic co-creation are still developing terms in need of further research (Ansell et al., 2023; Verschuere et al., 2018).

## **Research Design**

### **Research Question**

Ansell et al. found that democratic co-creation has the potential to democratize creative problem-solving and facilitate power sharing among actors in the creation of public value outcomes. They also suggest that democratic co-creation could become the next democratic innovation (2023). Vershuere et al. proposed that professional support, competency, and salience create quality democratic co-production (2018). I identify a case where these democratic co-production and democratic co-creation concepts and drivers have been active for centuries. I seek to add insight into whether the assumed connection between democracy and co-production (Vershuere et al., 2018) is true and the roles of the actors involved in this process.

How do characteristics of democratic co-production and democratic co-creation interact with democratic quality? Is co-production inherently democratic?

#### Data

Before collecting data, I reviewed the archives and ethnography of Kensington. I contribute further expertise by being from the community and having conducted prior community-wide research in Kensington (Rogers, 2022). Table 1 and 2 details the archives and ethnological materials I reviewed.

Table 1: Archival Review

Archives
Kensington Social and Public Library; Kensington Historical Society
Rockingham County (Registry of Deed)
Social Media (Kensington Connects; Facebook)
University of New Hampshire Library
Various Kensington Private Organizations

Table 2: Ethnological Review

Ethnological Materials
Fogg, 1848-1851
Mace et al., 1909
Sawyer, 1946/1972
Potts, 1987
Monroe and Laprey, 1997/99

The data utilized in this study is in Table 3. Archival documents make up most of the data. I was also able to review original data from the Grange Building Community Roundtable. I used US Census data for population and other demographic figures when needed.

Table 3: Data Sources

<b>Archival Documents</b>	Grange Building	US Census
	Community	
	Roundtable	
Kensington Annual Reports	Focus Group	American Community Survey
(includes budgets, reports,		5-Year/3-Year/1-Year
minutes, voting results)		
Rockingham County Land	Survey	Decennial US Census
Deeds		
NH State Law		
Public and Private		
Organization Minutes,		
Reports, and Supplemental		
Materials		
Public-Private Agreements		

## Methodology

I utilize a multiple descriptive case study approach to describe the phenomenon of co-creation and co-production within Kensington's town meeting democracy (Yin, 2018). I select Kensington as it has 257 years of documented co-creation and co-production among four public service institutions. I combine my case approach with process tracing. Process tracing allows me to make strong causal inferences within Kensington about the mechanisms related to co-production and democracy (Beach &

Pedersen, 2019). Yet due to the descriptive nature of the case study, this research is not supposed to suggest causality outside of Kensington or the New England Town Meeting (Seawright & Gearing, 2008; Waldner, 2012). I chose to trace instances of cocreation, co-production, and democracy in these four institutions as they are some of the most prominent at the town meeting overtime. I group instances of co-creation and co-production in each institution into three time periods:

- 1. Before public involvement focuses on the initial private development and history of the institution;
- 2. Public involvement is when the public begins interacting with the institution;
- 3. Current involvement covers the operating structure and recent developments.

My puzzle is to explain how characteristics of democratic co-production and democratic co-creation interact with democratic quality. And what that means for the relationship between co-production and democracy. I selected my variables in Table 4 following an initial analysis of my case and the literature. I draw on specific pieces from the literature for my variables while also adding variables from the broader literature review.

My main characters come from my case and fit within the co-production concept of government and lay actors (Nabatchi et al., 2017). I select residents, community organizations, the federal/state government, local government, and private individuals as my main characters. The independent variables come from Verschuere et al. who states that democracy's values are empowerment, equity and inclusion, and impact. My intervening variables also come from Verschuere et al. who raises that citizen drivers of democratic co-production are professional support, competency, and

salience (2018). I utilize Ansell et al. for my dependent variables and add variables from the literature review. Ansell et al. contributes creative problem-solving and power sharing (2023) while themes from the literature review add representation, protecting the minority, and governing. I utilized Collier's framework (2011), built off Bennett (2010) and Van Evera (1997), to conduct the secondary and third analyses of the case. I additionally had community members or individuals from the institutions review parts of my work when possible.

Table 4: Framework

Main Characters	Independent	Intervening	Dependent
	Variables	Variables	Variables
Residents (polity/	Empowerment	Professional	Creative
Town Meeting)		Expertise	Problem
			Solving
Community	Equity, Inclusion (or	Competency (and	Power Sharing
Organizations	exclusion)	confidence of	
		competency)	
Federal/State	Impact (or lack of)	Salience of Service	Representation
Government	when Participating		
Local Government			Protecting the
			Minority
Private Individuals			Governing

## **Definitions**

The Appendix contains further definitions and details of Kensington's bureaucratic, governance, and legal structure. Here, I highlight some of the most important definitions for understanding the case:

- Select Board: this is a three-person executive board elected by residents who carry out duties prescribed to them by residents.
- Traditional/Open/Pure Town Meeting vs. SB2/Modified/Australian/Official
  Ballot (OB referendum) Town Meeting: Before 1997, the town of Kensington
  operated under the traditional town meeting model where residents gathered and
  made decisions in that meeting. In 1997, the town began using the New
  Hampshire Senate Bill 2 (SB2) model, where residents gathered for a
  deliberative session to discuss and amend articles but then made the articles into
  law by ballot on a separate election day. My usage of "town meeting" refers to
  the traditional or SB2 version to make the paper more accessible. If the type of
  meeting is important to the argument, I specify which type.

## **Findings**

The findings review four public service institutions: the library, grange building, fire department, and park. Each section traces the development of these institutions, and I divide development events into the following groups: before public involvement, public involvement, and current involvement.

## Library

#### **Before Public Involvement**

Residents designed and revised the governance of Kensington's libraries over time to match desires and opportunities within the community. In 1767, the "The Social Library in Kensington" was formed. This unofficial community group was legally incorporated as "The Kensington Social Library" in 1798. The Ladies Sewing Library was formed in 1849 and later became the Ladies Library Association in 1889. These libraries were private, non-profit community organizations ran out of private homes that provided services for those who paid a membership fee (Sawyer, 1972). Private individuals raised or donated money, books, or time to support the Library beyond what the membership fees provided.

#### **Public Involvement**

The first publicly funded libraries in the United States were in New England, with town meetings innovating to repurpose state literary funds meant for schools and allocating them to public libraries. From 1849 to 1854, the states of New Hampshire, Massachusetts, and Maine approved legislation to authorize towns to raise taxes for libraries, and the rest of the United States followed after the Civil War (Rohrer, 2024).

Kensington formed its public library at the 1893 Town Meeting, after the State of New Hampshire offered funds to towns to create public libraries. Residents used the newly appropriated funds from the State to pay for supplies, a bookcase, and to pay a librarian (Annual Report 1894). The Town would, in later years, pay for books (Annual Report 1895). The founding laid the framework for future public-private institutional agreements, where the Town funds staff and supplies while a private organization provides and maintains the service's physical space. Private social libraries were more common in New Hampshire's past until the end of the 20th century when many social libraries disbanded. Kensington remains one of the few still operating, and Library Director Susan Gilbert observes that the current structure "works for us" and "saves the taxpayers money" (Bailey, likely 2018).

The Library's current physical space began to develop in 1884 when Joseph C. Hilliard, a Kensington native and wealthy benefactor, purchased half an acre of land for \$100 from Joesph Poor<sup>4</sup> (Rockingham County, 1884, Bk 540 Pg 129). Hilliard then funded the construction and donated the library for one dollar to the newly formed Kensington Social Library (KPL, Joseph Chase Hilliard, n.d.; Rockingham County, 1895, Bk 0551 Pg 01&02). Maria Hilliard was the town's first librarian before the construction of the new building. Later, Maria's daughter and other Hilliard's become librarians (Sawyer, 1972). Even today, Elaine Kaczmarek, a long-time board member and current president of the Kensington Social Library, is related to the Hilliard librarians. Kaczmarek, her parents, and other family members have been involved with the library since its formation and still are today (Kaczmarek, 2024).

<sup>&</sup>lt;sup>4</sup> Joseph Poor, in 1888, sold two and a half acres of land for \$187 to the Town of Kensington, paid for by George G Dearborn, for the expansion of the town cemetery (Rockingham County Registry of Deeds, Book 0511 Page 0151).

The Kensington Social Library is a private non-profit with the purpose: "to establish a library for the free use and benefit of all the people of said Town of Kensington" (KSL, Articles of Association, 1895). Hilliard's donation restricts the usage of the Kensington Social Library's building and land to activities that align with its organizational purpose (Rockingham County, 1895, Bk 0551, Pg 01&02). The Kensington Social Library's founding articles of association required that four board members be residents of Exeter, a neighboring town. Of these four, the articles reserved two board positions for past or current Phillips Exeter Academy faculty, with one going to a woman. The remaining five positions were for residents of Kensington (KSL, Articles of Association, 1895). Eventually, the Board removed the Exeter requirements and permitted additional trustees, beyond five, to not have Kensington residency (KSL, Bylaws, 2009). The flexibility in the residency requirement allows the Library to attract and retain talent while maintaining community representation. For example, Jack Herney, a long-time trustee, remained on the board and contributed to the organization even after moving out of town. Joseph C. Hilliard, through his donation and usage restrictions, ensured the creation and continuation of a public library in Kensington despite the initial unrepresentative requirements of the Board's makeup.

The Social Library funds most of its building, yet it will occasionally ask residents for support. In the 1970s, an effort to add an addition to the Library, including a children's room and additional book space, led to private fundraising and requesting funds from the Town. Between 1973 and 1976, the Library gained \$18,000 at the Town Meeting to fund this addition, which was about equal to two years of the Library's town funding (Annual Reports 1973-1976). In 1974, the Library requested \$20,000 for the addition, yet residents amended the request down by more than half to \$8,000 (Annual

Report 1974). Residents granted the Library funds but also controlled how much they would give. Outside of public funding, private residents donated funds for each window in the new addition (Potts, 1987), many individuals and businesses contributed their time, labor, and materials (Annual Report 1974), and the Friends, a non-profit that supports the library, raised over \$5,000 (Annual Report 1975). The effort to expand the library was an effort by residents within and outside of the town meeting.

From 1985 to 1986, the Library renovated its second floor (Annual Reports 1985-1986). Alan Lewis, a philanthropist with strong connections to the community, funded this project and named the room in honor of his grandmother, Ruth Elizabeth Sawyer.

#### **Current Involvement**

The Kensington Library, from the building's construction to today, is run by two trustee boards. The Library is one of two libraries in the State of New Hampshire with this unique two-trustee board governance model. The Social Trustees, from 1896, own and are responsible for the upkeep and maintenance of the building and grounds. The Public Trustees, from 1893, are responsible for utilities, employee payroll, equipment, services, and materials (KS&PL, Clarification of Duties and Responsibilities, 2014). There is also the Friends of the Kensington Library, a non-profit that supports the library through conducting fundraisers and volunteering.

In 2015, the Kensington Library created a 12-person Strategic Planning

Committee to ensure the continuation of the library's quality of service to Kensington
and to prepare to recognize the Library's 125th anniversary (KPL, Strategic Plan, abt.
2017). The Committee picked the date of the building's construction and the formation
of the private Kensington Social Library as the year representing the founding rather

than the public founding year. The group surveyed 115 individuals and held a listening session with 35 individuals. These methods result in responses from 7.5% of all residents and 9.4% of residents over 18 years old (ACS-5-Yr 2015).<sup>5</sup> The Strategic Planning Committee will later spur the formation of the 125th Anniversary Committee of between 15 and 20 members, more focused on implementing the 125th anniversary and the Library's strategic goals. The Committee began some of its anniversary activities in 2020, yet the COVID-19 pandemic canceled most events. Voters approved a citizen initiative, placed on the ballot by members of the Committee, for \$2,000 for the 125th Celebration in the 2020 Town Election. This initiative passes with 75% of the vote in favor and a turnout of 23.24% of residents over 18 years old (ACS 5-Yr 2020; Town Election Ballot 2020), suggesting wide approval of the Library's activities.

## **Grange Building**

#### **Before Public Involvement**

Kensington Grange No. 173, formerly a part of the National Grange of the Order of Patrons of Husbandry, was almost the first grange in New Hampshire (Sawyer, 1972). Granges were gathering places where communities held social, cultural, economic, political organizing, and social events, particularly around farming and rural advocacy. A grange worker who boarded at the same house as Kensington's State Representative in the State's Capital convinced the representative to mobilize Kensington and form a grange. In 1892, the pair came to Kensington and signed up 38 founding members, about 7% of Kensington's total population using 1890 figures

<sup>&</sup>lt;sup>5</sup> Figure includes committee members. I do not account for the overlap of people doing the survey and the listening group, as that data is not available.

(Grange Membership; Sawyer, 1972; US Census 1890). By 1902, the Grange had 107 members, about 20% of the total population (Grange Membership; Sawyer, 1972; US Census 1900). In 1900, Elijah M. Shaw bought the land and building of the Grange for \$225 from the First Christian Society (Rockingham County, Bk 0586 Pg 0145). After Elijah M. died in 1903, his son Elijah R. sold the same land and structure at a substantially lower price of \$150 to the Grange in 1904 (Rockingham County, Bk 0603 Pg 0200). Robert T. Brown, a charter member (Grange Membership Records), provides the promissory note for this purchase to the Grange, enabling the Grange to follow through with the purchase (Rockingham County Bk 606, Pg 029). The land deed included no special restrictions about the grange building or its land's use.

#### **Public Involvement**

Around the start of 1990, the Grange began discussing donating its building and property to the Town. The Select Board formed a committee with representatives, predominantly volunteers and elected officials, from the community's recreation committee, school board, planning board, police, historical society, and community members to explore the proposition. These discussions concluded with these organizations becoming interested in using the building, and the Committee proposed that the Town accept the donation at the 1990 Town Meeting. About 20.9% of the town's population 18 years old and older were present at the meeting (Annual Report 1990; US Census 1990). At the meeting, the Grange requested that the Town

<sup>&</sup>lt;sup>6</sup> Despite the mortgage discharging a day before Brown's death, his will contains no mention of the grange's loan (NH County Probate Records). Sawyer claims that John F Gill bought the land from Elijah M. Shaw and donated it to the grange. There is no record of this from Rockingham County. It appears that the grange bought the land, at a possibly discounted price, with a loan from Brown.

<sup>&</sup>lt;sup>7</sup> I calculated this figure using the vote count from Article 2, as the grange vote, Article 5, was not recorded.

minimally modify the building, and many town meeting members shared this sentiment. The Committee stated that it intended to encourage everyone in town to use the grange building and that the donation would not affect the tax rate at all. Some town meeting attendees attempted to amend the article to have the Committee produce a specific proposal for the building's use and then vote next year on the Town's acceptance. The Town Meeting tabled this amendment by a vote of over two-thirds and the donation was voted on and accepted (Annual Report 1990). In September 1990, the Grange voted to donate the land and structure to the Town (Rockingham County, Bk 2858 Pg 0936), and two months later, the Town signed the deed (Rockingham County, Bk 2858 Pg 0935).

Following 1990, the newly formed Grange Committee began fundraising, renovating, and restoring the grange building by installing a kitchen and bathroom along with adding modern electricity, heating, insulation, and plumbing, as well as replacing paint, plaster, siding, roofing, foundations and more (Annual Report 1991). Fundraising to bring these substantial changes came from across the community, with the elementary school hosting a walk-a-thon, donations from the American Legion and Ladies Auxiliary (Annual Report 1990), contributions from the Kensington Elementary School Parent Teacher Organization (PTO), and support from the Kensington Historical Society, Police Association, and Volunteer Fire Department (Annual Report 1991). Renovating the grange building was a whole community effort. The Town did not fund the grange building's renovations, instead, residents created a town-legitimized entity to facilitate the transformation of a new public institution.

As renovations finished and the building neared opening for public use in 1995, the Town Meeting voted to transition the grange from a committee authorized and

appointed by the Select Board to a trust authorized by the Town Meeting with a mix of select board-appointed and elected members (Annual Report 1995). Residents designed and approved a unique governance structure where elected residents, elected or appointed representatives from other public committees, and representatives from a private non-profit board ran the grange building (Annual Report 1995). About 10.6% of Kensington's population 18 years and older was present around the time of this vote (Annual Report 1995; US Census 1990).8 The Town Meeting granted the Historical Society a dedicated spot on the board (Annual Report 1995), which though a private organization did contribute throughout the grange building's transformation. Even in 2023, 44.4% of respondents suggested that the Historical Society should be the steward of the building, with only 37% of the respondents suggesting the Town (Grange Trustees, 2023). Around 2009, the composition of trustees changed to its current state, with residents electing all board members (Annual Report 2009). There is a trend of having historical society members, generally parts of its leadership, on the grange building's board, with there consistently being one member, if not two, throughout the grange building's public existence. All three elected trustees in 2023 were members of the Historical Society, which suggests that though the grange is a public entity, its operations are very much made possible due to volunteers and support from individuals involved with the Historical Society.

Some of the sentiments from the initial acceptance of the grange building exist even up until the writing of this paper. These sentiments include preserving the grange building, providing easy access, and the grange building not having a tax burden. The

<sup>&</sup>lt;sup>8</sup> I calculated this figure using the vote count from Article 10, as the grange vote, Article 11, was not recorded. Population in 1995 is more similar to 1990 than in the later half of the decade.

grange building's character and structure have remained the same over the decades, with renovations being made to modernize or add infrastructure rather than changing the building, such as the addition of internet in July 2023 (Gross, 2023). With access, the building is free for use if the event is open to the public, while private, invite, or admission events are \$100 per day (Grange Policies and Procedures, 2021). With no tax burden, the grange building has operated outside of the general budget and without a dedicated budget throughout its existence. Voters approve occasional warrant articles with minimal funds for building maintenance. Even further, trusts generally have a fund they oversee; however, the Grange Trustees do not have a dedicated financial trust (Grange Trustees, 2023) despite sentiments at the original acceptance of the property for one (Annual Report 1990). Thus, the ability of the Grange Trustees to raise, hold, and use money for the institution is structurally limited.

#### **Current Involvement**

In early 2023, the Grange Trustees sought to address the grange building's declining use and launched an effort to collect resident input. The grange building had only been used a handful of times a year for the past several years, and the future of this resident-created public service was uncertain. Some leadership in the town expressed this sentiment, with Select Board Chair Joe Pace stating his opinion at the roundtable discussion that the grange building must provide some value to the community for the town to retain ownership, whether that value is monetary or social (Grange Trustees, Roundtable Report, 2023, p. 7). The effort to collect resident input resulted in 27 survey responses, 23 in-person discussion attendees, and several others sending feedback via email, text, and in-person. These efforts produced around a 2.5% response rate for residents of all ages and 3.1% for 18 and older (ACS 5-Yr 2022; Grange Trustees,

Roundtable Report, 2023). Participants did not lack ideas about uses for the building, with these ideas generally relating to social events and educational activities (Grange Trustees, Roundtable Report, 2023). As for ways to fund the grange building, most suggested a mix of private donations, fundraisers, fees, and town/taxpayer funds. The recommendations from this resident input were increasing advertisement, granting the trustees more autonomy, considering new fee structures, and creating a new parking area. An alternative recommendation was to evaluate the stewardship of the building and move it away from a fully public structure.

At the time of writing, the Grange Trustees have increased their advertising, gained more autonomy, created new fee structures, and made substantial progress on acquiring a new parking area (Grange Trustees, Minutes, 2023). The Grange Trustees have greater autonomy by no longer needing their permits approved by the select board. The Town Administrator now does this by reviewing the Grange Trustee's decision and deciding whether the Select Board needs to review the permit or if it can be approved as is. The change made the grange building usage process quicker for residents and gave the Grange Trustees more authority, all while retaining a check on the process (Grange Trustees, Minutes, May 2023; Select Board, Minutes, May 2023). Though the Town Meeting did not develop this policy, the grange utilized resident input to craft a policy with the Town that resulted in quicker services.

Residents have further supported the Grange Trustee's efforts by voting in favor of their requests at the Town Election despite substantial increases in the tax burden. In 2023, the town revalued property values, resulting in a 68% average property value increase. Additionally, the overall budget for local, county, and education taxes rose by 10.3% from 2022 to 2023 (Town of Kensington, 2023). Many on social media shared

stories of substantially high tax increases (Kensington Connects, 2023). Thus, there was substantial pushback to further increases at the 2024 Town Election. In 2024, Kensington voted down the general budget, the regional school district budget, and all police requests. Residents also increased the elderly exemption, veteran, and disability tax credit and approved a community power plan with the promise of lower electricity rates. Fire Department requests, road reconstruction, social services, the local school district budget, and the Grange Trustee's requests for maintenance and a land gift were the only articles with a tax impact approved (Town Election Ballot 2024). The land gift included adjacent property to the grange building from Elaine Kaczmarek to build public parking, a need identified in 2023's resident input.

#### Fire

#### **Before Public Involvement**

Before 1947, Kensington outsourced its fire services to neighboring towns or locals organized to put out fires (Annual Reports, various). Beginning in 1947, the Men's Club started organizing a substantial number of volunteers to assist with putting out fires (Annual Reports 1947-1948), which President Truman inspired by his suggestion to the nation to create local fire suppression programs (Fire Department, Fire History, 2023). By 1948, the Men's Club formed a Fire Department with 26 members, which rose to 37 by the writing of the Annual Report and acquired firefighting engines and equipment (Annual Report 1948). At the 1949 Town Meeting, the town approved funding for the Fire Department, and it continued to allocate various amounts to the Department over the years (Annual Report 1950). In 1950, the Ladies Auxiliary, also known as "the Sparks," formed and raised thousands of dollars for the

Fire Department over the years. The "Sparks" and their horse shows (Sparks Materials, 1976), along with the Department's suppers and other donations provided substantial income (Annual Report 1948, 24). As time passed, the Town funded more and more of the Fire Department. The Town's funding was usually limited to stipends for personnel with occasional votes to support equipment and engines.

Private individuals Harold and Rachel Smith donated land to the Fire Association for one dollar to build a fire station. The deed restricts land usage to public purposes, specifically for a fire, police, library, town hall, or town office building. If the Association or its heirs do not use the land for this purpose, the courts would return it to the donors or their heirs. The deed also permits the sale of the land to the Library or the Town for \$100 (Rockingham County, 1950, Bk 1223 Pg 122). The Smiths ensured that the land stayed in the public realm by placing such restrictions on the land. The donation generously assisted the community but manipulated future policy processes by adding much more benefit to keeping the land in public use, especially for a fire department. The Smiths also gave land to expand the Dearborn Cemetery yet did not place any restrictions beyond an intent for the town to use the land to expand the Cemetery (Rockingham County, 1970, Bk 2043 Pg 182). At the time of writing this paper, the Town has still never directly paid for a fire station or an addition to the fire department building (Fire Department, Fire History, 2023). In 2023, the Town voted to evaluate new land to potentially build a public safety complex, including a fire department, and voters rejected this potential funding of a new fire station (Town Election Ballot 2023).

#### **Public Involvement**

The Fire Association, the private organization, had the authority to appoint a fire chief, not the town. In 1994, discussion around changing this began with the Town Meeting tabling an article to have the select board appoint the fire chief and that chief to appoint all fire department members. This decision stirred a lot of passion as several at the Town Meeting seconded tabling the motion. The Meeting then formed a committee to investigate the matter (Annual Report 1994). Changes in RSA 154:1, a New Hampshire Statute that dictates how towns organize fire departments, probably spurred these discussions. By the 1995 Town Meeting, residents defined and reformed the town's relationship with the Fire Department in the following way from the Meeting's minutes:

- 1. The Department is a private non-profit corporation.
- 2. The Department is the owner of the land and building(s) thereupon.
- 3. The Town of Kensington owns the fire apparatus, vehicles and equipment.
- 4. The Fire Chief is to be nominated by the Department, annually, but the appointment shall be made by the Board of Selectmen which shall accept the nomination of the Department unless it is clearly evident that it would not be prudent to do so.
- 5. Funds raised privately by the Department may be expended by the Department as voted by the membership of the Department. Funds raised by the Town of Kensington shall be expended directly by the Treasurer of the Town for goods and services provided to the Department.
- 6. Members of the Department, when performing official duties, shall be afforded the protections for municipal firefighters under RSA 154:ld.

(Annual Report 1995, pp. 17-18)

The Town Meeting gave the authority to appoint a fire chief to the Select Board, a town entity, to comply with state law, yet also told the Select Board to make that

appointment based on the fire association's recommendation. The Town Meeting's authority and structure allowed Kensington to keep its unique fire governance and match the desires of residents with a workable but perhaps shaky legal backing.

At the 2011 Town Election, residents voted to create a municipal fire department, and by 2012, the Town implemented it. <sup>9</sup> Kensington was one of the only privately run fire departments in New Hampshire before this point (Annual Report, 2012). The Town formed a municipal fire department to expand liability protections to volunteer firefighters (Annual Report 2011). The Town Meeting attempted to do this in 1995 while retaining private authority, but by 2011, the Town's legal counsel advised residents to strengthen the Fire Department's legal framework (Annual Report 2011). The municipal shift caused the Fire Association to lose its nearly complete authority in appointing a fire chief and firefighters. Rather than making the Select Board accept the recommendation of the Fire Association unless it was "clearly evident that it would not be prudent to do so," the board had to receive a recommendation from the existing firefighters or fire chief (Annual Report 1995, pp. 17-18; Annual Report 2011). The pressure of federal and state laws and liability protections pushed residents to restructure their private department.

#### **Current Involvement**

The Kensington Fire Department operates under a lease agreement between the municipal Fire Department and the non-profit Kensington Fire Association. The Association owns the land and building, while the Town manages the municipal fire

<sup>&</sup>lt;sup>9</sup> The 2011 election results in the 2011 Annual Report are missing. The town formed the municipal fire department in 2012, and thus, the vote must have passed.

department. The Association's mission is to prevent fires and support the municipal fire department in Kensington. The Association rents the fire station to the town for one dollar every year. (Lease Agreement, 2012). The Association continues to fundraise, supplement fire department funding, and provide a community for firefighters. The Municipal Fire Department employs and pays firefighters and EMTS on a per-call basis, funds training and utilities, and owns and insures all equipment (True & Heal, 2023). The lease grants the Association extensive power by requiring the Town to use the building only for fire prevention and pay for fire insurance, utilities, and repairs, with the Association having the option to supplement these costs. The Association also must approve any proposed alterations, redecorations, replacements, or improvements (Lease Agreement, 2012).

The Select Board negotiated the lease agreement rather than the Town Meeting creating one. Residents can still approve, deny, or propose new policies regarding the Fire Department at the town meeting. Yet residents have not proposed changing the lease agreement and have generally supported funding requests from the fire department over the past few years. Even in the 2024 Town Election, where voters denied most funding requests, voters still approved the fire department's requests.

Private individuals, including many fire professionals, are consistently involved with the municipal fire department as members of the fire association. Though most membership is the same between the two organizations, with 15 of the Association's 16 members being active municipal firefighters or EMTS (True & Heal, 2023), it still acts to expand resident and professional input on the Fire Department. Though residents do not develop the lease in the current process, they can still intervene and direct the town.

Though the structures and levels of resident involvement in making decisions have changed, residents still have extensive access and authority to develop their fire services.

### Park

#### **Prior Public Involvement**

There are minimal records of parks or recreation activities before 1964. Sawyer's history notes an extensive network of recreational baseball teams formed by school and street groups before 1885, from 1885 to 1892, from 1900 to 1915, in the 1930s, and 1946 (1972).

#### **Public Involvement**

In 1964, the Kensington Recreation Commission was appointed by the Select Board as recreation increased in popularity across the United States. The Commission then urged individuals to donate recreation land to the town to develop a park. (Annual Report 1964). Kensington purchased land for a recreation area in 1964 rather than receiving a donation. The Commission began to improve the purchased area, which involved constructing a baseball field through contracted work, private donations, volunteers, and receiving funding from the town meeting and a federal matching grant. At the time, Kensington was one of three communities in New Hampshire to receive Federal Land and Water Conservation Act funds (Annual Reports 1966-1969). The community completed the recreation area in 1971, and the project was deemed so successful that the Bureau of Outdoor Recreation desired to feature it in their publications (Annual Report 1971).

From 1972 to 1975, the Commission continued to develop the recreation area by adding a children's playground using the Matthew A. Brewer Memorial Fund and a pavilion and other improvements by using donations from private individuals such as Waldo M. Hilliard and the remaining federal funds (Annual Reports 1972-1975). Following vandalism in 1980, a public meeting created more policies for the park, including an ordinance restricting after-dark usage, requiring alcohol permits, and installing a gate to limit access (Annual Report 1980).

The Commission began discussing constructing a new baseball field in 1994 as recreation program participation increased. By 1997, the community completed the baseball field with the help of donations and volunteers (Annual Reports 1994-1997). In 1997, nearly two-thirds of all elementary school children participated in programs run by the Kensington Youth Athletic Association (KYAA) (Annual Report 1997). Residents formed KYAA around 1992 (American Legion Post 105, Minutes, 1992) and, up to the writing of this paper, continue to provide youth sports to Kensington residents and volunteers to organize, support, and maintain the town's recreational facilities. The Kensington Recreation Commission, later called a committee, provides recreational programming for all residents, not just youth.

In 2001, the Recreation Committee set the goal of upgrading the town park and Sawyer Field facilities (Annual Report 2001). In 2002, the Recreation Committee realized that they were running out of recreation space with Kensington's population increasing and the loss of a field due to the school's expansion. The Committee began investigating acquiring federal grants to expand the town park and coordinating with the Conservation Committee to maximize recreational land (Annual Report 2002).

By 2003, the Lewis Family Foundation approached the Town and offered to donate land and fund the construction of an expanded town park. The Recreation Committee, Friends of the Town Park, and the Select Board began working on plans with the Lewis Family. In 2004, residents authorized the Select Board to accept gifts related to land, construction, and maintenance of a town park (Annual Report 2004). By 2006, the plan went to the town election for approval, with the Lewis Family giving the park for no cost and mandating that the Town use the land forever for park and recreation purposes.

At the 2006 Deliberative Session, voters attempted to amend the proposal and have the Lewis Family pay for the park's maintenance, repairs, and improvements for thirty years. Another amendment tried to remove the select board's authority to create an agreement with the Lewis Family and instead put it to Kensington voters (Annual Report 2007). At the 2007 Deliberative Session, a voter asked about the long-term cost of the park to the town (Annual Report 2008). These concerns about cost did not result in substantial changes or opposition to the plan with the article passing in the 2007 Town Election with 81.5% in favor and a 37% turnout rate or 27.7% of the total population (ACS 1-Yr 2007; Annual Report 2007). An agreement between the Select Board and Lewis Family Foundation was made in late 2007, obligating the Town to use the land for recreational purposes and mandating that the foundation contribute up to \$8,000 a year for maintenance (Sawyer Park Agreement 2007).

<sup>&</sup>lt;sup>10</sup> Age breakdown is not easy to access.

### **Current Involvement**

The Lewis Family built Sawyer Park and donated it to the Town of Kensington upon its' completion in July 2008 (Annual Report 2008). The Sawyer/Kensington Trust governs the Park and is a joint public and private board of five trustees, with three elected by voters and two appointed by the Kensington Leadership Center Trust (KLCT). The KLCT is a non-profit associated with the Lewis Family, which funds most of the Park's activities. Volunteer community-based organizations such as The Kensington Youth Athletic Association, Elementary School and PTO, and the Kensington Recreation and Social Committee commonly use the Park.

As of 2019, the KLCT had spent \$3.2 million on land and development and \$360,000 on maintenance and operation of the Park. Private businesses support the park, with The Farm at Eastman's Corner contributing all profits and 5% of sales and Alnoba contributing all daytime social and mission program ticket sales (Sawyer Park Agreement 2019). The Farm and Alnoba are affiliated with the Lewis Family, and thus, the family and their enterprises have contributed and continue to contribute substantial funds to Sawyer Park.

Through 2018, the town developed a new "painstakingly" negotiated agreement with the KLCT (Annual Report 2018, pp. 3-4). The final 30-year agreement guaranteed the payment of \$30,000 a year by the Town for the Park, changed the town representatives on the park's trust to elected trustees rather than appointed by the Select Board, and no fees for residents or groups of residents using the Park (Sawyer Park Agreement, 2019). The Committee negotiating the agreement estimated that Sawyer Park would cost the town \$80,000 a year without the KLCT's support (Sawyer

Kensington Trust Agreement Minutes, Oct. 30, 2018). The parties can extend or modify the agreement without voter approval if the Select Board, KCLT, and eighty percent of the trustees approve such action (Sawyer Park Trust Agreement, 2019). Yet, without a binding vote by residents on any agreement, a new select board could potentially undo the agreement (Sawyer Kensington Trust Agreement Minutes, Nov. 30, 2018). If voters decide to terminate the \$30,000 going to the trust at the Town Meeting, the agreement dissolves, and the Park loses all funding from the KLCT (Sawyer Park Trust Agreement, 2019). Residents still have the ultimate authority, but this agreement incentivizes the continuation of Sawyer Park at a low cost with free access. The agreement was approved in 2019 by 83.6% of voters, with 28.4% of the population 18 years and older voting (ACS 5-Yr 2019; Town Election Ballot 2019).

## Results

This section answers: How do characteristics of democratic co-production and democratic co-creation interact with democratic quality? Is co-production inherently democratic? I report my results by using the framework in Table 4. The roadmap for this section is the following:

- First, the main characters in this case: residents (polity/town meeting),
   community organizations, federal/state government, local government, and
   private individuals;
- Second, the independent variables from the literature: empowerment, equity and inclusion, and impact;
- Third, the intervening variables from the literature: professional expertise,
   competency, and salience of service;
- Fourth, the dependent variables from the literature: creative problem solving, power sharing, representation, protecting the minority, and governing;
- Fifth, co-creation and co-production's relationship to democracy.

# **Democratic Co-Creation and Co-Production as Bargaining**

I find that democratic co-creation and democratic co-production is a bargaining process between private individuals, community organizations, the federal/state governments, and the polity. The process usually results in policies with restrictions for the public's benefit. The bargaining process can have three stages, with all or some occurring each time. One, the polity or a group such as a community organization expresses a desire and then mobilizes to gather expertise and resources from private

individuals, community organizations, or the federal or state government. Two, private individuals or groups of them, especially wealthy philanthropists, may also offer resources to the polity for it to consider. Three, the federal or state governments may pass new regulations that will prompt the polity to adapt. These three stages occur at least once, if not more, in each public service's formation or development.

The bargaining process results in restrictions on resource usage or governance structure. A private individual, organization, or higher level of government has ideas about how the service should be delivered and funded and must reach an agreement with the polity. The resulting restrictions are usually for the public's benefit, for example, requiring that land, a building, or funds be used forever for a specific public service. These restrictions manipulate the polity's decision-making process by adding a higher cost and inertia to substantially changing or removing a public service. These restrictions protect the community from a group or individual taking control of the polity and acting outside the public interest. Each public service had these restrictions, whether from the initial land deed or in future agreements between the polity and the private organization or donor.

# **Empowerment, Impact, and Equity and Inclusion**

I find that within the independent variables from the literature, empowerment and impact are more prominent than equity and inclusion in Kensington's democratic co-creation and democratic co-production. Throughout Kensington's public service development, there is a strong desire among the polity to not increase the tax burden while also providing free and quality public services. The government providing free services without a high tax burden might not be an uncommon desire amongst

communities. Yet what is impressive in Kensington is how residents are empowered and make this impact. The town meeting structure grants residents significant authority, and Kensington's residents successfully create and implement policies that align with their desires. Kensington does not have a zero-tax burden for public services, but the community usually pays less for a greater value. Private organizations supplement public funding, and private individuals donate their time or money or acquire state or federal grants. Much of this is possible due to volunteers who continue to donate their time and funds to ensure the continuation of these services while not costing the wider public. In each of the public services, including the completely public grange building, there is a substantial contribution in private time or funds to create, develop, or continue the operation of the public service. This may be simply a Kensington occurrence with the community perhaps having more generous or numerous benefactors than other communities.

Equity and inclusion are not explicitly considered or utilized in Kensington's democratic co-creation and democratic co-production process. Kensington's co-produced governance structures and town meeting process offer many more opportunities for involvement with both relying on volunteers and resident engagement and the governance structures having larger or two boards. This greater need for resident involvement is likely not from a desire to increase representation but rather due to limited resources that leave it up to several individuals to volunteer to govern and run public services. Some organizations, such as the Library and Grange Trustees, have made community-wide efforts to collect input outside these governance structures. These efforts collected input from across the community but did not report data on participant demographics or explicitly make

efforts to gather input from a balanced cross-section of the community. The organizations do desire to include as many people as possible in their governance and do have many opportunities for engagement, yet there is no data to determine how equitable they are in action or policies that explicitly increase equity.

### **Networks**

I find that networks support democratic co-creation and democratic coproduction in Kensington, with private individuals and residents passing down intervening variables such as expertise, competency, and salience through familial and non-familial networks. As I conducted this project, I found the same families making donations, engaging with, and governing public services from their creation to today. The Sawyer/Smith/Lewis Family donated to the Fire and Park, while the Hilliard/Prescott/Kaczmarek Family donated, worked for, and governed the Library and now donated to the Grange Trustees. Non-familial networks are also in effect, with many Historical Society members governing the grange building and members of private community organizations or town committees mobilizing to develop their public services in and outside the town meeting. In Kensington, an environment without a large professional bureaucracy to document practices or promote engagement, familial and non-familial networks ensure the activation and passing down of expertise, competency, and salience. Networks could also work in the opposite direction with them discouraging democratic co-creation and co-production, for example if conflict, rivalries, or inefficient processes were passed down.

## **Democratic Quality**

I find that Kensington's democratic co-creation and democratic co-production produce substantial levels of creative problem-solving, power sharing, and resilient governance while ensuring the protection of the minority and increasing opportunities for representation. With creative problem-solving, different actors react and bargain to match desires with what is available for resources and legally possible. There were instances where the polity demanded more private resources and private actors reacted by searching for more resources to convince the polity. For example, with the 2007 Sawyer Park Agreement having lots of public comments regarding continuous funding before the vote. And then the implementation in later agreements of more continuous funding from the Private Foundation. Or with the Library expansion where the town meeting vote failed and was amended to less public funding. This caused the Library to fill the gap in funding with private funds. Kensington was able to find other funding when public funding was not granted, yet this may not always occur due to lack of resources. There are also instances where the federal or state government passes new legislation that impacts the polity, and the polity will adapt in a way that allows the retention of their desires, such as by changing the Fire Department structure, federal grants funding the first park, or state grants funding the Library. Kensington was able to retain their desires, but not all federal or state legislation may offer such flexibility.

Power sharing is institutional, with many of Kensington's public services having unique public-private or resident-driven governance structures that incorporate various stakeholders. The power-shared institutions make Kensington's public services

more resilient as these co-produced services draw on private and public pools of talent, volunteers, and resources. The power-sharing institutions also tend to obtain funding from the public and elsewhere and are popular with the polity, as evidenced by the large margins of approval for the creation or modification of these services in town elections. The drawing on private resources could present bias, yet in this study this was not distinctly found.

Kensington's co-produced services do not have specific policies to protect the minority, yet the town meeting's governance system provides this check. The town meeting ensures that a single voter or a small group can propose to change the process, offer new ideas, and speak. Co-produced services must go to the town meeting to gain approval and resources. Thus, the minority does have some high-level input on these co-produced services. The 2007 Sawyer Park Agreement faced loud but minority opposition due to concerns over the future costs of the Park. The revised 2019 Sawyer Park Agreement then had greater protections against future costs. The town meeting process protects the minority and, if anything, may overrepresent the minority in the process. Yet the majority can still overcome the minority by a vote at the meeting. The minority can modify the process and raise ideas but cannot completely prevent legislation.

The opportunities for representation are increased in Kensington's systems, with public services, government, and the town meeting requiring more residents, as decision makers or implementors, to operate. Yet, there are no systems, beyond elections, to ensure those who are in these positions are representative of the community.

## **Co-Production and Democracy**

Is co-production inherently democratic? In Kensington, co-creation, coproduction, and democracy operate together, with residents and government officials
gathering input, creating policy, and making decisions at the town meeting or
deliberative session. These actors need to bargain with each other to develop public
services that match the public's desires and the resources available. The decisions made
in this democratic co-creation process then usually lead to co-production in
implementation. The interconnection of these systems causes each's strengths and flaws
to translate into each other.

Kensington's democracy, like its co-creation and co-production, has strengths with empowerment and impact yet is flawed when ensuring equity and inclusion. The polity empowers and allows co-produced public services to have an impact by granting them the authority to provide public services under restrictions relating to the polity's desires or resource allocation. The public and private actors share a fundamental desire to provide public services, while resource allocation creates disagreement, with gaps usually being filled by private actors. Those developing or governing these co-produced public service institutions are usually a member of the polity, causing even more overlap. Kensington's democracy, co-creation, and co-produced services do not have policies or explicit efforts to consider equity and inclusion. Kensington has impressive engagement with its governance requiring many volunteers to operate and having a turnout in most cases ranging from 20% to 30% of its population over 18. Many people are engaged, yet there is not substantial data or efforts to ensure equitable representation.

Networks from co-produced services and the community come together at the town meeting to achieve common goals. Community organizations will organize their networks for their interests at the town meeting, for example, the formation of the Grange Trustees or modifications to the Fire Department. Networks from co-produced services, already larger due to co-production, will come in contact with other co-produced service networks and broader community networks at the town meeting. The town meeting expands the co-produced service's networks and offers more opportunities for sharing expertise, competency, and salience. This results in town-wide rather than singular organizational efforts to reach goals. The formation of the Grange Trustees is the most salient example, with the polity creating a joint committee with representatives from various networks or organizations across the community.

Democracy, co-creation, and co-production work together to produce democratic outcomes. In Kensington, the town meeting and co-production create separate and joined opportunities for creative problem-solving, power sharing, and representation. Democracy through co-creation forms more co-produced institutions that become additional spaces to foster quality democracy. Even in the case of protecting the minority, which is present in democracy yet not explicitly in Kensington's co-production, the bargaining process with democracy will ensure that this and other factors are not left out. Co-production and co-creation, when operating with democracy, can improve each other's democratic outcomes but are only as democratic as the bodies creating them.

## **Discussion**

Co-production's relationship with democracy (Ansell et al., 2023; Verschuere et al., 2018) and the New England Town Meeting's democratic quality are under-researched (Bryan et al., 2019). Yet Bryan's hint of the town meeting being one of the best places to investigate Ostrom's theory of collective action (2004), which is fundamental to co-production, appeared correct. Co-production and co-creation, when operating with democracy, can improve each other's democratic outcomes but are only as democratic as the bodies creating them. The following paragraphs go through co-creation, co-production, and town meeting literature in relation to the findings in Kensington.

Co-production is a way to further democracy and increase resident participation (Osborne et al., 2016; Pestoff, 2009; Pestoff, 2012a; Pettican et al., 2023; Rantamäki, 2017; Steiner et al., 2022), yet only if that democracy is healthy enough to impress democratic values onto co-production. When comparing the town meeting to representative democracy, Zimmerman finds that the town meeting tends to be more diverse and representative yet like representative democracy suffers from low voter turnout and interest group influence (1999). Kensington does not have equity and inclusion policies, yet several studies find or suggest that equity and inclusion is a substantive outcome of the town meeting (Bell, 1888, p. 200; Bryan, 2004; Gustafson, 2019; Hall, 2019; Kotler, 1974; Levy, 2009; Madell, 2019; Parish Record, 1737-1793, p. 84; Rimkunas, n.d; Sawyer, 1972, p. 87; Zimmerman, 1999). Bryan found that town meetings across Vermont include women at higher rates than the state's representative democracy (2004), and Zimmerman made a similar observation across New England

(1999). The town meeting is inherently democratic, if not better democratically when compared to representative democracy. This democratic strength translates into the coproduction created by the town meeting.

The size of the town meeting may hinder its democratic qualities. Zimmerman suggests that the traditional town meeting works until populations grow too large, prompting the community to shift to representative democracy or town councils (1999). Van Erve finds that smaller bodies, such as the city council, have less biased representation than larger representative town meetings (2018). Co-production size matters too (Ledent, 2022; Pestoff, 2014), and in Kensington, there are networks of smaller and larger co-produced groups. Co-produced services have smaller networks, when compared to the larger networks they join at the town meeting. Democracy and co-production can work together by producing environments to leverage small and large networks.

Familial networks are prevalent in Kensington's co-production and democracy, alongside community organization networks. Voorborg et al. emphasize the importance of relationships to successful co-creation (2017), which I also observe in Kensington. Levy finds that the town meeting commonly intervened in the family during the 17th and 18th centuries (2009), while certain families are shaping the state in Kensington. Though I do not test for the connection between family networks and democracy, several studies find that strong families lead to higher levels of democratic institutions, cooperation, and structural reforms (Brumm & Brumm, 2017; Fałkowski et al., 2017; Ljunge, 2014). The role of familial networks in co-production and democracy are areas to investigate further.

Pestoff recommends that democracy and the market could and should be more closely related (2012b). I find a bargaining process within Kensington's town meeting and co-production. The bargaining process suggests that parts of the market have been incorporated into its system and have had positive democratic outcomes. Bovaird and Loeffler conclude that co-production may be value for money but cannot produce value without some money (2012). Kensington offers an interesting example of this dynamic. The democracy desires to spend as little public money as possible and relies extensively on private philanthropic funds and volunteers approved by the democracy. Pasi investigates the role of philanthropy and co-production (2015), while Warren does this in the context of volunteers (2014). Rodriguez Müller et al. (2021) and Acar et al. (2023) find that co-creation creates better public services, and overall, Kensington supports this finding by producing better services for a lower cost, its co-produced services gaining support in elections, and high local government approval in public opinion surveys (Rogers, 2022).

Co-production is a way to innovate democracy (Dunston et al., 2009; Steiner et al., 2022; Voorberg, 2015). Much of Kensington's co-production and innovation is caused by democracy being unwilling or unable to contribute resources to its services. Thus, these pressures cause residents to mobilize, find resources elsewhere, and create original institutions. Democracy and co-production innovate each other, rather than co-production innovating democracy or democracy innovating co-production, by the two bargaining to produce services that align with their desires.

Successful co-creation or co-production should have professional support (Acar et al., 2023; Verschuere et al., 2018). Zimmerman discusses how a lack of staff, particularly the town manager, is a bigger problem in town meeting governments than

problems arising from the town meeting (1999). Kensington has minimal professional staff, yet its co-creation and co-production are successful. The community demonstrates that its co-produced services, town meetings, and networks can pass onto newcomers expertise, competency, and salience rather than needing professionals. Professionals could accelerate or expand this process, yet they are not necessary for success. Co-production and democracy can work together to pass on each system's expertise, competency, and saliency.

The role of multi-level governance and federalism, and how the bureaucratic aspects interact with the town meeting or democracy, is not widely discussed. I find in Kensington that laws passed by federal or state governments substantially influence the actions of the town meeting and its co-produced services. Other levels of government are sources of restrictions and opportunities for local democracy and co-production. Schmitter (2002), Sicilia et al. (2016), and Thaler and Levin-Keitel (2016) have conducted related research, but there is much need to continue it.

This study was limited by focusing on a singular case. Thus, the findings do not necessarily transfer to other cases. I had limited data availability as many details about the co-creation or co-production were not preserved or recorded in historical records. I did not have complete data on who participated in co-creation or co-production or their demographics, which hindered assessments on equity and inclusion and representation. I also did not have direct data on efficiency or public opinions of residents regarding these institutions.

# Conclusion

Co-production and democracy bargain with each other, innovate public services and produce strong democratic outcomes as long as democracy remains empowered and representative to check the co-produced institutions. This study adds several new ideas to democratic co-production and democratic co-creation that the public, practitioners, and researchers should explore to find applications beyond the case of Kensington. One, it is a bargaining process resulting in restrictions for the public's benefit. Two, that empowerment and impact are more prominent than equity and inclusion. Three, it is supported through networks. Four, it produces substantial levels of creative problem-solving, power sharing, and resilient governance while ensuring the protection of minorities and increasing opportunities for representation. My overarching finding is that co-production and co-creation when operating with democracy, can improve each other's democratic outcomes but are only as democratic as the bodies creating them. Further research should investigate more examples of democratic co-creation and democratic co-production to understand if Kensington is an exception or the norm within the town meeting and other democratic and participatory structures. Additional research should include the role of private philanthropy, networks (particularly familial), and how federalism or multi-level governance impacts the town meeting, democratic co-creation, and democratic co-production.

Kensington's co-creation, co-production, and democracy are generally successful, yet there are opportunities in Kensington and within other communities utilizing a form of town meeting to institute policies relating to collecting data about and ensuring equity and inclusion and representation through new policy. Kensington

and the town meeting face barriers and challenges to participation and resident engagement. Thus, developing ways to incentivize engagement while protecting the representativeness of the process is paramount. The community and town meeting, as it has done in the past, could again innovate and create unique structures, yet to do so requires residents to engage towards these efforts. It may also be relevant for other participation structures to investigate instituting more efforts for equity and inclusion, representation, and engagement.

As I finished this paper, voters delegated their authority to accept land donations to the Select Board (Town Election Ballot 2024). Seemingly a simple change, this paper demonstrates that donations are a frequently used method to substantially create and develop public services. The polity will no longer co-create or bargain at the town meeting about land donations unless it explicitly requests to do so. Is this the end of democratic co-creation and democratic co-production or the start of an innovation?

In the same election, the polity approved Kensington to join the New Hampshire Community Power Coalition alongside fifty-seven communities and two counties representing over 30% of the state's population (CPCNH, 2024; Herndon, 2024; Town Election Ballot 2024). The community will now work towards community ownership of energy, with residents leading the way with the support of a joint bottom-up network of towns and cities. Outside of Kensington, I watch Europe develop its citizen-led energy communities and observe town meetings experimenting with digitizing their processes. Democracy, co-creation, and co-production are forging ahead, and by joining the two closer while being cognizant of the democratic quality of each, we ensure stronger democratic outcomes that will put us on the path to a resilient future.

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## **Appendix**

## Case<sup>11</sup>

Kensington, New Hampshire is a rural community with a population of 1,979 (ACS 5-Yr, 2022) located in Rockingham County within the southern portion of the Seacoast Region, located about a mile from the Massachusetts border. The physical makeup is predominantly forest, wetland, and fields. The town center consists of two churches, the town hall, two graveyards, the elementary school, the grange, the fire department, the library, and a large town park. Eastman's Corner, a secondary town center, contains a substantial farmstand, an ice cream shop, an auto repair shop, and various building supply and contractor shops. Kensington is mainly residential, with few industries, and of the industries that exist, many relate to agriculture in some way. The bordering communities of East Kingston, South Hampton, and Hampton Falls are similar to Kensington in their rural nature and agricultural history. The neighboring community of Seabrook has shifted over recent years to become a substantial retail center. Exeter is the largest of the bordering communities with a diversity of industries and is known for its revolutionary history, and education and healthcare industries. 12 Kensington, New Hampshire is a rural, mostly racially homogenous (white), old, wealthy, and educated community, in comparison to New Hampshire and the US. New

<sup>&</sup>lt;sup>11</sup> This case description has been adapted from and updated with permission from the author of Rogers, Sawyer B., "The State of Our Community Social Capital in Kensington, New Hampshire" (2022). *University of New Hampshire: Honors Theses and Capstones*. 664. https://scholars.unh.edu/honors/664 <sup>12</sup> For more Geographical Context and Historical Background see: Monroe, L. E., and Laprey, K. A. (1997). Historic Properties in Kensington, New Hampshire. Preservation Company, Kensington, NH.

Hampshire shares these same characteristics when compared to the US, but Kensington is significantly more extreme in these characteristics than New Hampshire.

Table 4: Comparative Demographic Information

Figure	Kensington	New Hampshire	<b>United States</b>
Population Rank	136 out of 234	41 out of 50 states	3 <sup>rd</sup> most populous
(2020)	municipalities		country
Population Density	175.02 (2,095 Total	153.8	93.8
(2020)	Population)		
% Of White	92.9%	90.0%	65.9%
Population (2022)			
Male (2022)	46.4%	50.0%	49.6%
Female (2022)	53.6%	50.0%	50.4%
Median Age	47.9	43.1	38.5
(2022)			
Per Capita Income	\$62,011	\$48,250	\$41,261
(2022)			
Median Household	\$139,583	\$90,845	\$75,149
Income (2022)			
% Of Individuals	1.5%	7.3%	12.5%
Below the Poverty			
Level (2022)			
% Of Those 25	98.7%	93.8%	89.1%
Years and Older			

Figure	Kensington	New Hampshire	<b>United States</b>
That Are High			
School Graduates			
or Higher (2022)			
% Of Those 25	49.1%	39.0%	34.3%
Years and Older			
Who Have			
Bachelor's			
Degrees or Higher			
(2022)			

Source: US Census Bureau, 5-year estimates American Community Survey 2022 data.census.gov.; Historical Population Density Data (1910-2020) <a href="https://www.census.gov/data/tables/time-series/dec/density-data-text.html">https://www.census.gov/data/tables/time-series/dec/density-data-text.html</a>.

## **Bureaucratic Structure**

Kensington has a small government consisting of mostly elected officials, volunteers, and some career professionals. Residents volunteer their time and expertise to serve on committees and boards which design town policies and conduct town activities. Those paid salaries by the town tend to be part-time or contracted, with only some, predominantly in the police department, being paid full-time salaries (Town Report 2022, 2023). The municipal budget adopted in 2023 was \$2,464,571 (Town Report, 2023). Kensington's government is run by its residents and is supported by some full-time, and various part-time and contracted elected officials and staff.

Figure 1 displays the government structure of Kensington, NH, specifically outlining the relationships between each position or governing body. Citizens are defined as the legislative body of the town, which in New Hampshire and Kensington constitutes all legally registered voters. Citizens are the base of power, and they elect certain town employees, the select board (an executive board), 13 school board members, and trustees. These elected officials, individually or in most cases as a board, then have the authority to appoint volunteers, paid staff, or sign contracts within the bounds granted to them by voters.

<sup>&</sup>lt;sup>13</sup> NH RSA's and the Town of Kensington use both select board and selectmen to describe this body. I use select board throughout the paper.

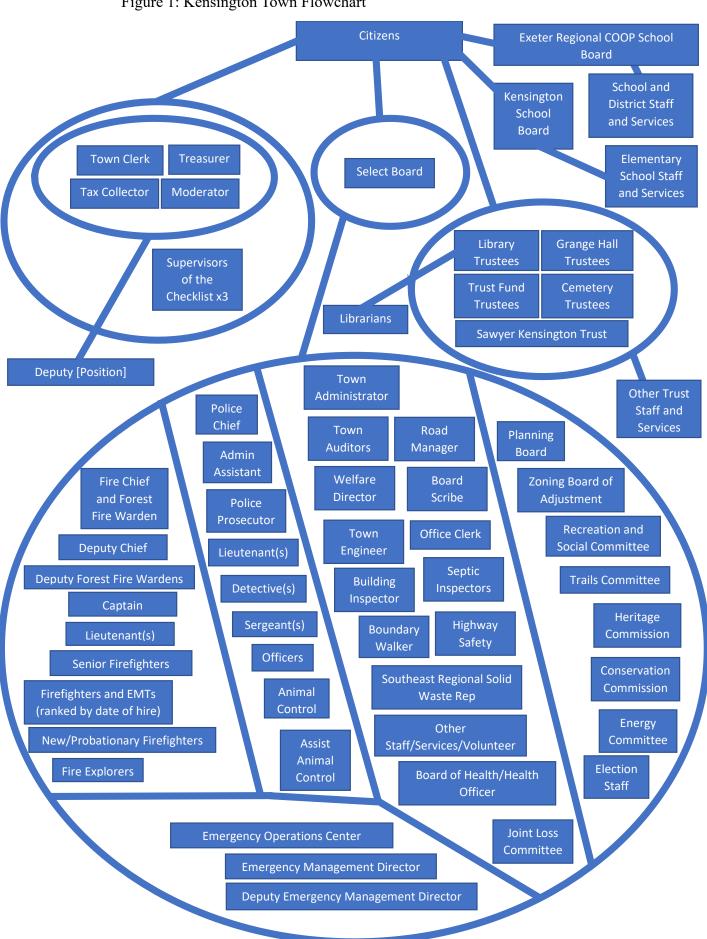


Figure 1: Kensington Town Flowchart

The elected town employees carry out the duties prescribed to them by New Hampshire law and by their voters. These positions include the town clerk, tax collector, treasurer, moderator (runs the town meeting), and supervisors of the checklist (manage and maintain the registration of voters). The State of New Hampshire requires these positions, but also offers flexibility for towns to combine the town clerk and tax collector position, add additional positions, and to have either elected or appointed police officers (RSA 41, amended 2023).

The select board manages the "prudential affairs<sup>14</sup> of the town and perform the duties prescribed to them by the citizenry (RSA 41:8, 1842 RL 59:11). The select board has three members in Kensington (RSA 41:8, 1842 RL 59:11), but citizens have the flexibility to increase the size of their board to five members (RSA 41:8-d, 1990 192:2). The select board has wide authority, and in Kensington we see most positions falling under the authority of the select board. The Kensington Select Board oversees the fire department, police department, town administrator and other staff, <sup>15</sup> and all other boards, committees, commissions, and volunteers.

Each town is required to have a school board that oversees education in their community (RSA 194:1, 2007 99:1). Citizens can vote to combine school districts to create cooperative school districts consisting of multiple towns (RSA 195:18, 2021 80:2). Kensington has two school boards, one overseeing kindergarten through grade 5 education and the other a cooperative school district of six towns which oversees grade

<sup>&</sup>lt;sup>14</sup> The business affairs.

<sup>&</sup>lt;sup>15</sup> Other staff does not necessarily represent a different person. One person may conduct multiple of these duties or a board may do so.

6 through adult education. Citizens elect members to these boards and approve budgets and other appropriations. <sup>16</sup>

Trustees are boards, independent from the select board, that oversee funds to fulfill a certain public purpose. NH citizens have the authority to create trusts, or they can designate this authority to the select board (RSA, 31:19, 1995 137:1). In Kensington, trust funds are created and controlled by its citizens through the election of trustees. Kensington has five trusts:

- Trust Fund: oversees capital reserve and common trust funds. This is
  the catch-all board with a wide selection of funds designed to cover
  unanticipated expenses or items not included in the annual budget.
  Kensington's trust also manages scholarship funds for local students
  (Annual Report 2022).
- Grange: a community building open to use by residents and the wider public.
- Sawyer Kensington: a joint public private trust that oversees the town park.
- Library: oversees the library and its services.
- Cemetery: cares for and oversees town cemeteries.

The State of New Hampshire grants Kensington's citizens immense flexibility in how they design and conduct their government. New Hampshire offers a framework, some protections, and guidelines but then leaves the rest up to the citizenry. Citizens

<sup>&</sup>lt;sup>16</sup> For those interested in the role of School Administrative Units (SAUs) with school districts, here is an article by Citizens Count outlining the relationship: <a href="https://www.citizenscount.org/news/sau-requirement">https://www.citizenscount.org/news/sau-requirement</a>.

hold the power in Kensington's government, and though they have delegated some power to their governing bodies and private community organizations, they still maintain ultimate authority, if they use it.

## The Town Meeting

The Town of Kensington uses the SB2 town governance model. In 1996, citizens adopted SB2, which was legislation passed by the New Hampshire State Legislature that authorized towns to switch from a pure town meeting model to a modified town meeting model. The pure town meeting consisted of residents acting as legislators. They would gather in a community building once a year or as called for to amend, discuss, and vote on issues proposed by town governance bodies or themselves. The only issues residents were legally not allowed to vote on during a town meeting was the election of town officers and planning board zoning amendments, which was done on a separate day by ballot. The main difference between the pure town meeting and SB2 is that SB2 replaces the town meeting with a deliberative session where residents can discuss and amend articles proposed by the populous or the town but not vote on them. SB2 moved the decision-making power to the ballot on election day rather than by vote at a meeting but kept most other town meeting practices.

Most town meeting and deliberative session practices reinforce localized and citizen power. The moderator is elected by the residents and can set any rules they desire on how to conduct the town meeting or deliberative session, unless residents overrule the moderator's rule by a simple majority (Exeter v. Kenick, 1962; Hill v. Goodwin, 1876; Johnston & Waugh, 2015; Lamb v. Danville School Board, 1960).

Residents can vote on almost any issue, including things they do not have jurisdiction or direct control over (Johnston & Waugh, 2015). The only caveat being that though these votes count as the official opinion of the town, the actual enaction may not happen if town does not have authority over the issue. For example, citizens could not add parking spaces to a state road but could request that their select board negotiate with the state or express that the opinion of the town is that parking spaces should be on the state road (Johnston & Waugh, 2015). Issues can consist of almost anything, if enough residents agree to have the issue put forth and follow the petition process.