

# TOWN OF WELLESLEY



## REPORTS TO THE SPECIAL TOWN MEETING

**MONDAY, DECEMBER 6, 2010  
7:30 PM**

**WELLESLEY MIDDLE SCHOOL AUDITORIUM**

by the

**ADVISORY COMMITTEE  
WELLESLEY MIDDLE SCHOOL BUILDING COMMITTEE**

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**Please read this book and bring it with  
you to the Special Town Meeting.**

In the event that it becomes necessary to cancel any session of the Town Meeting,  
notice will be given between 6 and 6:30 p.m. on  
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# TOWN OF WELLESLEY



## REPORT OF THE ADVISORY COMMITTEE TO THE 2010 SPECIAL TOWN MEETING—7:30 P.M.

### **TERM ENDS 2011**

Steve Simons, Chair  
Caren Parker, Vice Chair  
Rick Hill  
Barbara McMahan  
Jason Whittet

### **TERM ENDS 2012**

Jack Haley, Vice Chair  
Virginia Ferko, Secretary  
Maura Murphy  
Rich Page  
Derek Redgate

### **TERM ENDS 2013**

Laura Hockett  
Catherine Johnson  
Philip Licari  
David Murphy  
Polly Smith

### **To the Citizens of the Town of Wellesley:**

**November 12, 2010**

Two Special Town Meetings will convene on Monday, December 6, one at 7:30 p.m. and the other at 9:15 p.m. Both will be held at the Wellesley Middle School Auditorium, 40 Kingsbury Street. The first meeting will consider Articles proposed by the School Committee, the Community Preservation Committee, the Municipal Light Board and the Board of Selectmen. The second meeting will consider Articles relating to appropriations made at the 2010 Annual Town Meeting for the Town's water and sewer programs. All residents are welcome to attend the meetings in person, or follow the proceedings on Wellesley Cable TV (Comcast Channel 9, Verizon Channel 39).

This letter presents the Advisory Committee's overall perspective on the key features of the Articles to be considered at each meeting. A more comprehensive Advisory Committee Report to Town Meeting members for each meeting will be mailed or delivered to all Town Meeting members and to all Town departments. Each Report will also be posted to the Advisory page at the Town website, [www.wellesleyma.gov](http://www.wellesleyma.gov). Copies of each Report will also be available for pick-up at the Town Clerk's Office and at the Wellesley Free Library no later than seven days before the meetings. The Selectmen's Office will mail a copy of the Report to any resident who requests one. If any further recommendations are made by Advisory between publication of the Reports and the opening of the applicable Special Town Meeting, a notice will be sent to Town Meeting Members by e-mail, and the new recommendations will be also posted to the Advisory page on the Town's web site.

### **The 7:30 P.M. 2010 Special Town Meeting - Specifics**

The Board of Selectmen has called the 7:30 p.m. Special Town Meeting (the Special Town Meeting) principally to consider an appropriation to fund costs required to make internal renovations at the Wellesley Middle School to address increased enrollment at the Middle

School. Additional articles have been included which are either time-sensitive or are related to funding current fiscal year items.

There are six substantive Articles on the Warrant for the Special Town Meeting. We do not expect any motion under Article 7. Articles 4 and 8 and the motion under Article 5, to supplement the FY11 budget of the Council of Aging, request appropriations. It is anticipated that these appropriations would be made from the Town's free cash reserves and not from the incurrence of debt. As of the time of this Report, the market value of the Town's Stabilization Fund is \$3,022,256, and the Town's free cash as of June 30, 2010 (excluding free cash in enterprise funds), has been certified by the Massachusetts Department of Revenue to be \$9,471,751. The Board of Selectmen, after consultation with the Executive Director of General Government Services, has determined that, after the use of free cash for the purposes described below, the level of reserves held by the Town generally and in free cash specifically is consistent with other AAA rated communities in Massachusetts and will not impair the Town's debt ratings.

The substantive Articles for the Special Town Meeting are grouped below according to the sponsoring Board (the School Committee, the Board of Selectmen, the Community Preservation Committee and the Municipal Light Board). At the time this letter and the Advisory Committee's Report to Special Town Meeting go to print, Advisory has sufficient information to vote its recommendations on four of these Articles.

### ***School Committee***

#### **Article 4 – Renovations to the Wellesley Middle School**

Article 4 requests an appropriation of \$1,600,000 to fund design and construction costs required to renovate internal spaces at the Wellesley Middle School. These internal renovations, combined with increased utilization of existing spaces, are necessary to address the increased capacity needs at the Middle School on a timely basis and with the least disruption and compromise to students and faculty at an acceptable cost. Advisory supports this measure.

### ***Board of Selectmen***

**Article 5 – Supplementing the FY11 Budgets of the Council on Aging (COA) and the Library.** Under a motion to be made under this Article, the Selectmen are seeking \$26,300 to supplement the FY11 budget of the COA, to be used to pay a share of cleaning services to improve cleanliness at the Wellesley Community Center. Advisory supports this measure.

Under a separate motion, the Board of Library Trustees is seeking a supplement to its FY11 budget of \$56,941 to cover greater-than-anticipated expenses to be incurred by the Wellesley Free Library (WFL) in fulfilling its obligations under an Interlibrary Loan Contract. Expenses under this contract are funded in advance by the Massachusetts Board of Library Commissioners, and neither the contract nor the requested increase to the WFL budget will have any tax impact on the Town.

**Article 7 – Roadway Improvements at or near 27 Washington Street for which the Town is eligible for a “MORE” grant.** Advisory understands that no motion will be made under this Article.

**Article 8 – Payment of Expenses Incurred by Town Departments Prior to July 1, 2010.** The Town Clerk will be requesting a \$520 appropriation to pay an invoice that was inadvertently not paid during FY10. Advisory views this matter as a “housekeeping” matter and supports this request.

## ***Community Preservation Committee***

**Article 6 – Supplemental Funding for the Clock Tower.** This Article requests approval of an appropriation from funds in the Community Preservation Fund to provide additional money for the repair and preservation of the Isaac Sprague Memorial Clock Tower located in Elm Park. Advisory will make its recommendation prior to or at the Special Town Meeting.

## ***Municipal Light Board:***

**Article 3 – Adoption of an Early Retirement Plan for Certain Employees.** This Article seeks approval to authorize the Town to establish and implement an early retirement incentive program for its employees and to approve a specific plan applicable to certain employees at the Municipal Light Plant. Advisory supports this request.

## **The 9:15 P.M. Special Town Meeting**

The 9:15 P.M. Special Town Meeting (the 9:15 Special Town Meeting) is being called to address two matters. The level of free cash in the sewer and water enterprise funds as of June 30, 2010, as certified by the Massachusetts Department of Revenue (DOR), was insufficient to support the appropriations from retained earnings approved under Articles 12 and 13 at the 2010 Annual Town Meeting. Accordingly, the related FY11 budgets will need to be amended. The Board of Public Works, as both Water and Sewer Commissioners, are currently evaluating alternative approaches to rebalance the budgets for these two enterprise funds in a manner that is acceptable to the DOR.

The DOR has stated that it will not certify the Town's tax rate until these matters are addressed by the Town and any reduction or reallocation of expenses has been made by Town Meeting.

Advisory will provide a separate Report to the 9:15 Special Town Meeting

The Advisory Committee thanks the dedicated Town employees, elected and appointed officials, and concerned citizens who devote so much time, energy, and expertise to the Town's affairs. Town Meeting is an opportunity to examine important issues, enter into dialogue, and vote as a community on how to best serve our Town and its residents. We hope this letter and the Advisory Report provides the information needed for all to understand the issues being brought to the Special Town Meeting.

Advisory welcomes citizen input. Our meetings are open to the public and each meeting begins with a "Citizen Speak" session. We also receive e-mail at [advisorycommittee@wellesleyma.gov](mailto:advisorycommittee@wellesleyma.gov). While we generally do not reply to individual e-mails, we do read each one.

Sincerely,

Steve Simons, Chair  
Advisory Committee

**ARTICLE 1. To choose a Moderator to preside over said meeting.**

**(Board of Selectmen)**

**Advisory expects no motion under this Article.**

**ARTICLE 2. To receive reports of town officers and committees, and act thereon, and discharge presently authorized special committees; or take any other action relative thereto.**

**(Board of Selectmen)**

**Advisory expects no motion under this Article.**

**ARTICLE 3. To see if the Town will vote (1) to accept Section 66 of Chapter 188 of the Acts of 2010, authorizing the Town to establish and implement an early retirement incentive program for its employees; and (2) to approve a plan applicable to certain employees at the Municipal Light Plant (“MLP”), said plan having been approved by the Commonwealth’s Public Employee Retirement Administration Commission, a copy of said plan being on file in the offices of the Selectmen, the Director of the MLP and the Town Clerk; or take any other action relative thereto.**

**(Municipal Light Board)**

This Article seeks to authorize the Town to implement an early retirement incentive program for its employees and to approve a specific plan applicable to certain employees of the Wellesley Municipal Light Plant (MLP).

On July 27, 2010, special legislation was adopted in Massachusetts that allows towns, cities and municipal light plants to offer an early retirement option for employees with 20 years or more of service. In order to qualify, municipalities and municipal light plants were required to submit early retirement plans to the Public Employee Retirement Administration Commission (PERAC) within 60 days from the date the legislation passed. The MLP submitted a plan to PERAC and received PERAC approval on September 14, 2010. Once approved by PERAC, the plan must be accepted by the Town at its next Town Meeting which Town Counsel has determined to be this Special Town Meeting. As required by law, the plan meets specific financial and operational benchmarks. The primary financial benchmark is to limit replacement salaries to 30%, 45% and 60% for fiscal years 2011, 2012 and 2013, respectively. The plan allows eligible municipal employees up to three years of additional pension service credit if they choose to participate. Participation in the plan is at the discretion of eligible employees. The MLP has determined that seven employees are eligible to participate in the plan; however, management believes that only two employees, a lineman and a customer service representative, might consider early retirement.

The early retirement incentive program potentially offers the MLP an opportunity to eliminate a 1<sup>st</sup> class line worker position without replacement and to replace a full-- time customer service representative with a part-time employee. The MLP’s recent cross-training of line crews has doubled the number of employees available to respond to emergencies. In addition, since 1994 the MLP has made \$50 million of capital improvements to its distribution and sub-transmission infrastructure to reduce and/or eliminate power outages, resulting in less demand on its workforce to deal with emergencies.

If both employees elect to take advantage of the early retirement plan, the MLP would realize a annual operating savings of approximately \$70,000 including the incremental cost of the annual

pension amount. Most of the savings result from the reduction of the 1<sup>st</sup> class line worker's position.

Although the potential participation in the plan may be limited to one or two individuals, Advisory applauds the MLP's initiative to contain costs by creating an early retirement plan. Advisory supports the enactment of the proposed early retirement plan given the net savings that might be realized by the MLP and the ability it may provide the MLP to capitalize on the efficiencies that it has achieved.

**Advisory recommends favorable action, 14 to 0.**

**ARTICLE 4. To see if the Town will vote to raise and appropriate, or otherwise provide, including transfer from available funds or borrowing, a sum of money to be expended under the direction of the Permanent Building Committee, School Committee or other Town board for architectural design, consultation, engineering and permitting services, construction and/or equipment related to renovations at the Wellesley Middle School to meet demands posed by projected enrollment increases, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"); or take any other action relative thereto. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.**

**(School Committee)**

This Article requests an appropriation to the Permanent Building Committee (PBC) to fund design and construction costs required to renovate internal spaces at the Wellesley Middle School (WMS). These internal renovations, combined with increased utilization of existing spaces, are necessary to address the increased capacity needs on a timely basis with the least disruption and compromise to the students and faculty at an acceptable cost.

### **Background**

The most recent renovation of the WMS (completed in 2007) resulted in an estimated capacity of approximately 1,100 students under its current programming format and scheduling practices. FY11 enrollment is currently at 1,135, which has been accommodated by converting four interior spaces at the Middle School into teaching spaces and more fully utilizing other space. Enrollment projections indicate that there will be a further increase in the number of students enrolled at the WMS with 1,178 in FY12, a peak of 1,190 in FY13, and a decline back to 1,123 by FY17. Without additional classroom space, the increase in projected enrollment will result in class sizes that exceed School Committee class size guidelines, particularly in the eighth grade where class size could increase to an average of 25.3 students in FY14 with a projected range of +/- 3.75 students (based on historical ranges).

A Middle School Building Committee (SBC) was formed in 2009 to review the estimated capacity and utilization at the WMS, as well as to evaluate the various options available to evaluate the additional teaching spaces necessary to accommodate projected enrollment increases on a cost-effective and timely basis.

### **Educational Program**

The School Committee and school administration strongly believe that all alternatives considered must minimize the impact on the current educational program and environment. In reviewing the options available, the SBC considered the following elements to be important as it assessed options for handling the anticipated increase in enrollment:

1. Maintain the existing house, cluster and open enrollment format (three schools within a school).
2. Continue to support the expanding Special Education and English-as-a-Second Language programs.
3. Keep classroom sizes at or near the guideline of 22.
4. Support the current elective subject offerings.
5. Minimize teacher traveling between periods.

### **SBC Recommendation**

*The Report of Wellesley Middle School Building Committee* (SBC Report), attached to this report, describes the SBC's process, the alternatives it investigated with input from many constituencies, including neighbors, parents, the School Committee and School Administration, the PBC and others. Among the options considered at various times were permanent building additions, the addition of modular classrooms, the relocation of the School Department's Central Administration to leased space and interior renovations. The SBC has recommended "Option X" which will add nine education spaces to the WMS at an estimated cost of \$1,600,000.

The key issues which the SBC evaluated included the following:

1. Working with School Administration to increase the current utilization of the existing building from approximately 71% to 78% in core classrooms and 72% to 74% in elective spaces by having certain teachers move between classrooms during the day.
2. Optimizing the use of available spaces through better scheduling including use of the cafeteria for study halls when possible.
3. Allowing some classes to exceed class size guidelines during the duration of the enrollment "bubble" but keeping the average size at slightly above or at guidelines. While not ideal, the School Administration supports this for a limited period of time.
4. Thoroughly reviewing all possible spaces in the current building. This process was challenged and re-challenged many times to ensure that all viable spaces were considered.
5. Altering room usage to maximize utilization. This included choosing to change the use of certain spaces into core classrooms and SPED space.
6. Choosing improvements that permanently improve the School within the existing footprint
7. Ensuring that the renovation can be completed on a timely basis to meet the enrollment needs, while minimizing disruption during the school day and assuring completion at an acceptable cost.

Based on these and other considerations, the SBC concluded that Option X adequately expands the capacity of WMS to meet the projected enrollment of the WMS between FY12 through FY17, optimizes the functionality of the possible education space in the building, provides some flexibility if additional classroom space is needed in the future and, most importantly, continues to support the educational program recommended by the School Administration in a timely and cost effective manner.

As noted in the SBC Report, the cost of Option X is currently estimated to be \$1,600,000, which is approximately \$230,000 higher than Option X-Prime. The SBC believes the additional costs of Option X, which primarily relate to the conversion of the second of two lecture halls to a classroom, are justified. Permanently improving this space during this proposed project is cost-effective and would be prohibitively expensive if addressed in a future project. Option X adds additional functionality to WMS and provides some expansion flexibility going forward if the student population grows above current projections.

Advisory believes that the SBC performed a comprehensive and thorough review of numerous alternatives and options developed for increasing capacity at WMS. Advisory is impressed with the way SBC has guided the evolution of this project. It is our belief that Option X, although not

the least costly of the options considered, minimizes the impact on the education program, optimizes the use of existing spaces and permanently improves the building

**Advisory recommends favorable action, 14 to 0.**

**ARTICLE 5. To see if the Town will vote to raise and appropriate, or otherwise provide, including transfer from available funds or borrowing, for the purpose of supplementing the budgets of the Council on Aging and the Wellesley Free Library as voted under Article 8 of the warrant for the 2010 Annual Town Meeting; or take any other action relative thereto.**

**(Board of Selectmen)**

### **Council on Aging**

The first motion expected under this Article requests a \$26,300 supplemental appropriation to the FY11 Council on Aging (COA) budget to pay its share of contracted cleaning services for the last eight months of FY11 at the Wellesley Community Center (WCC), the site of its offices and programs. The appropriation would be funded from the Town's free cash. The current FY11 COA budget is \$227,151, including \$23,100 in rent to the WCC, which is well below market. The proponents expect the need for additional cleaning services to continue as long as the COA occupies space at the WCC. On an annualized basis, the COA's \$39,400 share (60%) of the cleaning costs would raise the COA's budget to \$266,551, including \$62,500 for rent and cleaning.

The WCC, a private not for profit organization, offers low-cost – and in some cases, free – meeting space to community groups, business organizations, and individuals, during the day, evenings, and on weekends. The COA has exclusive use of approximately 800 sq. ft. of office and meeting space at the WCC. In addition, the COA has the use of meeting rooms, kitchen spaces, and other areas that are shared with other building tenants and with groups attending events at the WCC. Until now, the cleaning/custodial coverage for the 6,000 sq. ft. building has been handled by part- time WCC employees in the morning and evenings. There has been no custodian on site weekdays between 10:30 a.m. and 3:30 p.m.

In the spring of 2010, COA staff raised concerns about the cleanliness and potential health risks at the WCC. The complaints were discussed among the WCC, COA, and Board of Selectmen. In late August, a Health Department inspection of the WCC's kitchen revealed evidence of rodents, improper food storage, and air quality and ventilation concerns. The Health Department ordered the WCC to suspend food service operations immediately to deal with the cited issues.

Following the Health Department inspections, the COA temporarily moved its offices and programs from the WCC. The COA staff was relocated to the Great Hall in Town Hall. Temporary space for most programs was found in several Town-owned buildings and local houses of worship, but the senior lunch service was suspended, and some programs were cancelled. During the time the COA was out of the building the delivery of COA programs was compromised and disrupted.

All of the issues identified at the WCC have been resolved; the kitchen was re-opened in mid-September and the COA staff moved back into the building on November 10. The Town and the WCC have executed a memorandum of agreement under which the WCC would hire a professional cleaning service to provide a person on-site nine hours a day, Monday through Friday, for cleaning and building custodial support, and also supply three hours of dedicated cleaning each night, seven nights a week, at a total annual cost of \$65,700. The COA would pay

60% (\$39,400) of the cost, the WCC 40% (\$26,300). The Town and the WCC will continue to assess the effectiveness and appropriateness of the new cleaning arrangement.

If this motion receives favorable action, the COA will pay for the improved cleaning from November 2010 through June 2011. If the motion does not pass, the expectation is that the COA will return to dispersed operations until a different location for their programs can be found. Rent for an alternative location would also likely require a budget increase.

Advisory believes that spending an additional \$26,300 in FY11 to return the COA to its offices as quickly as possible, with appropriately clean and healthful conditions so that it can provide its full services and programming to the senior population, is a reasonable expense. The majority believes the increased budget for this year represents a better value to the taxpayers than does the current budget and compromised operations. Advisory believes that adequate cleaning services at a non-Town owned building should generally be provided by the landlord as part of rent, but acknowledges that the current rent paid by the COA is below market and cannot support a level of facilities maintenance on par with that in Town-owned buildings, where most Town departments and services are located. Advisory understands the difficulty of covering the increased and unanticipated expense by re-allocating the General Government budget in the middle of the fiscal year, as opposed to requesting a supplemental FY11 appropriation from free cash.

**Advisory recommends favorable action, 12 to 2.**

### **Wellesley Free Library**

The second motion expected under this Article seeks approval of a supplement to the FY11 budget of the Wellesley Free Library (WFL) in the amount of \$56,941 to cover greater-than-anticipated expenses to be incurred by the WFL in fulfilling its obligations under the Interlibrary Loan Contract (ILL Contract) between the WFL and the Massachusetts Library System. Expenses under the ILL Contract are funded in advance by the Massachusetts Board of Library Commissioners and, therefore, neither the ILL Contract nor the requested increase to the WFL budget will have any tax impact or require any appropriation of Town funds.

The Interlibrary Loan (ILL) program allows library patrons throughout Massachusetts to request materials that are available only through out-of-network libraries. For more than forty years, the WFL has provided Interlibrary Loan (ILL) services to patrons of the Metrowest region through a contract with the regional office of the Board of Library Commissioners. The prior three-year contract expired in June 2010. When the WFL budget was voted at the 2010 ATM, it was not known whether or on what terms the ILL Contract would be extended and, therefore, an estimate of \$213,059 was included in the WFL budget for these services. The terms of the extension have now been determined, and the cost of providing services in FY11 will be \$270,000, or \$56,941 greater than budgeted. The increase in cost reflects the fact that the ILL program has been reorganized with six regions being collapsed into two larger regions and the WFL will now provide services to one of the two larger regions. The new ILL Contract will run for a term of two years.

Under the ILL Contract, the State is responsible for paying 100% of the direct costs incurred by the WFL in providing ILL services. These include the salary and benefit costs of the four WFL employees who are dedicated to providing ILL Services, as well as postage, telephone, equipment and other expenses. Because the State provides funds to the WFL in advance, no Town funds will be necessary to fund the ILL Contract.

**Advisory recommends favorable action, 14 to 0.**

**ARTICLE 6. Pursuant to the provisions of General Laws Chapter 44B, to appropriate monies from Community Preservation Fund annual revenues or available funds for the undertaking of community preservation projects, including the supplemental funding for the Clock Tower Project approved by the 2009 Annual Town Meeting, and all other necessary and proper expenses for the year; or take any other action relative thereto.  
(Community Preservation Committee)**

This Article seeks approval of an appropriation from funds in the Community Preservation Fund reserved for historic resources to provide additional funds for the repair and preservation of the Isaac Sprague Memorial Clock Tower (Clock Tower), located in Elm Park.

### **Background on the Community Preservation Fund**

In 2002, Wellesley accepted the Community Preservation Act (CPA) and formed the Community Preservation Committee (CPC). Pursuant to the CPA, Wellesley imposes a 1% surcharge on the local property tax (taxes on the first \$100,000 of a property's value are exempt from the surcharge as are taxes on certain low income housing). Funds raised through the local surcharge are matched annually by monies from a Massachusetts Community Preservation Trust Fund, which is made up of revenues collected statewide from Land Court and Land Registry fees. Funds received through the surcharge and the State match are held in the Community Preservation Fund and appropriated for projects falling within any of four categories -- open space, historic resources, recreational uses and community housing. Appropriations from the Community Preservation Fund are made by Town Meeting (TM) based upon recommendations of the CPC. Appropriations from the Community Preservation Fund reduce the fund balance available for new projects, but have no direct tax or budget impact. As of June 30, 2010, there was \$6,995,403 in the Community Preservation Fund, \$1,887,182 of which was encumbered by appropriations for projects already approved by TM, leaving \$5,108,221 available for future projects. Of this amount, \$665,162 has been reserved for historic resources. Any appropriation for the Clock Tower will be taken from this reserve.

### **The Clock Tower Project**

The 2009 ATM approved a FY10 appropriation from the Community Preservation Fund to the Department of Public Works (DPW) in the amount of \$65,000 for structural repairs to and preservation of the Clock Tower. The Clock Tower, which was built in 1928, is located on the grounds of historic Elm Park. The Clock Tower was commissioned by Isaac Sprague to house the clock and bell from the old Shaw School. The Clock Tower was listed on the National Register of Historic Places in 2007 and has been determined by the Wellesley Historical Commission to be significant to the history of Wellesley. The Clock Tower is in need of repairs, including re-pointing of masonry joints, replacement of the wooden door and surrounding stone, and repainting of the interior stairway. The Wellesley Historical Commission, the Wellesley Natural Resources Commission and the DPW all support the preservation of the Clock Tower.

The \$65,000 approved by the 2009 ATM was, at the time, the expected budget for the project. In May 2010, the DPW received three proposals for the project ranging from \$86,400 to \$143,752. Because the appropriation approved by TM was insufficient to fund the lowest of these bids, the DPW declined to award a contract and applied to the CPC for an additional appropriation. As this Report goes to print, the DPW is soliciting new bids for the work and expects to select a bid and submit it to the CPC for approval prior to the STM. If the additional appropriation is approved by the CPC and TM, work will commence in the summer of 2011 and be completed in the fall of 2011. The work will be overseen by the DPW.

**Advisory will make its recommendation at Town Meeting.**

**ARTICLE 7. To see if the Town will vote to raise and appropriate, or otherwise provide, including transfer from available funds or borrowing, a sum of money for design, consultation, engineering and permitting services, construction and/or equipment related to roadway improvements at or near 27 Washington Street, Wellesley, Massachusetts, and for which the Town may be eligible for a Massachusetts Opportunity Relocation and Expansion (“MORE”) Jobs Capital Program grant, or similar; or take any other action relative thereto.**

**(Board of Selectmen)**

**Advisory expects no motion under this Article.**

**ARTICLE 8. To see what sum of money the Town will raise and appropriate, or otherwise provide, for expenses incurred by Town departments prior to July 1, 2010; or take any other action relative thereto.**

**(Board of Selectmen)**

This Article requests an appropriation of \$520 from the Town’s free cash reserves to pay an invoice for printing services submitted to the Town Clerk that was inadvertently not paid in FY10. Because the books for FY10 are closed, this appropriation needs Town Meeting approval to be paid from FY11 funds. As the invoice is for services rendered, Advisory views this appropriation as a simple housekeeping matter

**Advisory recommends favorable action, 14 to 0.**

## REPORT OF WELLESLEY MIDDLE SCHOOL BUILDING COMMITTEE Special Town Meeting, December 2010

Article 4 requests that the Town authorize an appropriation to the Permanent Building Committee to fund design and construction costs required to renovate internal spaces at Wellesley Middle School (WMS). These internal renovations, combined with increased utilization of existing spaces, are necessary to address the increased capacity needs on a timely basis with the least disruption and compromise to the students and faculty at an acceptable cost. The SBC has reviewed numerous options to accommodate the projected increase in the student population at WMS. The following is a summary report of the School Building Committee's (SBC) conclusions and request.

### ENROLLMENT

WMS was renovated in 2005-2007 to make critical infrastructure improvements and to increase capacity to 1,100 students. Current enrollment (FY11) is 1,135 students. To accommodate the enrollment in excess of 1,100 students last year, four interior spaces were converted into teaching spaces and other spaces have been fully utilized (e.g., auditorium used for orchestra classes).

The *Wellesley Public Schools Enrollment Report* of October 1, 2010 projects a need for additional spaces by FY12 and the peak enrollment of 1,190 students at WMS in FY13. This projection differs from data presented at Annual Town Meeting in March 2010 (based on 2009 data) with a decrease in the peak (previously projected to be 1,224).

	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
	<i>Actual</i>	<i>Actual</i>	<i>Proj.</i>								
6th	388	397	412	394	397	412	354	372	333	324	325
7th	360	377	389	405	386	389	404	347	365	326	318
8th	382	361	377	391	405	386	389	404	347	365	326
Total	1,130	1,135	1,178	1,190	1,188	1,187	1,147	1,123	1,045	1,015	969

A comprehensive discussion of enrollment, special needs and accommodations, class size and program design was presented in the SBC Report to Annual Town Meeting in April 2010. Please refer to that report for a detailed description of how space requirements have been calculated.

In its findings and recommendation, SBC assumed that actual enrollment through FY15 will be in line with the projections. To the extent that the enrollment increases beyond the projections, there may be a need for additional spaces in the future. The Committee considered this as it reviewed the options.

### SPACE UTILIZATION

As currently configured and utilized, the spaces at WMS have reached maximum capacity. Prior to looking at options for adding *spaces*, the SBC explored increasing *utilization* of existing capacity. Currently, utilization for regular classrooms is 71%. That is, for the core academic subjects, classrooms are in use 71% of the school day. The utilization for specialized rooms is 72%.

Several options were analyzed to better increase the utilization of the classrooms:

1. Sharing language spaces within the language department so that those teachers would not have a dedicated classroom;
2. Dispersing language teachers throughout the building and displacing 7<sup>th</sup> grade academic labs;
3. Sharing of 8<sup>th</sup> grade classrooms by department and reassigning language classes to available spaces;
4. Language and 8<sup>th</sup> grade core classes dispersed to available spaces and the addition of part-time teachers;

5. Overall rescheduling change, which would shift away from the current model to an "open enrollment" model similar to the high school;
6. Dispersing the language teachers throughout the building to spaces available during the day.

The evaluation of options focused on the following:

- Utilization impact (how many spaces would be gained by a change)
- Impact on the delivery of the Educational Program, including the delivery model and class size
- Impact on staff and students (disruption and displacement)

Option 6 was identified as the most viable option, providing a net gain of two classroom spaces. Option 6 does yield some negative impact on staff and students: The transition time between classes (5 minutes) will not permit interaction between teacher and student as the teacher needs to move quickly from one space to another. While this negative impact is not optimal, it will be acceptable for a limited period of time.

It was determined that by dispersing language educators throughout the school rather than maintaining individual language classrooms, space utilization could be improved – 78% utilization for regular classrooms and 74% for elective spaces.

### PROJECTED SPACE NEEDS

The current spaces at Wellesley Middle School can be classified as follows:

Type of Space	Quantity
Regular Classrooms	40 Core 6 Languages
Science Classrooms	13
Special Spaces	13
▪ SpEd/Reading/ELL	21
▪ Custom space electives (lecture halls, art, performing arts, cafeteria, auditorium)	
Total	93

The School Department has established a class size guideline of 22 students per class. Based upon the October 1, 2010 enrollment data, if no spaces are added to the middle school, the average class size for FY12-FY15 will be above guideline in many classes, particularly in the 8<sup>th</sup> grade:

Grade	Historical Class Size Range	FY11 Actual	FY12	FY13	FY14	FY15
6	(+/-) 1	22.1	22.9	21.9	22.1	22.9
7	(+/-) 1.5	21.1	21.6	22.5	21.4	21.6
8	(+/-) 3.75	22.6	23.6	24.4	25.3	24.1

Based upon enrollment projections, with increased utilization and adherence to the class size guidelines as closely as possible, the following additional spaces are needed through FY14:

Year	Core	Science	Electives	SpEd	Total Spaces
FY12 (Sep 1, 2011)	+1 (8 <sup>th</sup> )	---	+1	+1	+3
FY13 (Sep 1, 2012)	+1 (8 <sup>th</sup> )	+1	+1	+1 +1 Full Size	+5
FY14 (Sep 1, 2013)	+1 (8 <sup>th</sup> )	---	---		+1
Total	+3	+1	+2	+2 +1 Full Size	+9

As shown in the table above, there is a need for an additional three (3) teaching spaces for FY12, an additional five (5) more by FY13, and one (1) additional space for FY14 for a total of nine (9) spaces.

If these additional spaces are provided at the middle school, there will be some classes over guideline but within ranges that the School Administration is willing to accept for this limited period of time.

Grade	Historical Class Size Range	FY11 Actual	FY12	FY13	FY14	FY15
6	(+/-) 1	22.1	22.9	21.9	22.1	22.9
7	(+/-) 1.5	20.9	21.6	22.5	21.4	21.6
8	(+/-) 3.75	22.6	22.2	21.7	21.3	21.4

### OPTIONS ASSESSMENT

The SBC has conducted an assessment of the options to meet the additional space needs of WMS. The assessment included a review of non-construction and construction options.

#### Phase 1: Initial Feasibility Study 2009

An initial feasibility study was conducted by architects HMFH Architects, Inc. Given the enrollment projections at that time, it was contemplated that more space would be needed. The options included 5 options all of which included moving the WPS Central Administration to off-site rental space, ranging in cost from \$2.5 to \$9.2 million.

As a result of the cost, timing and change in need, these options were not pursued. The relocation of the WPS Central Administration during the 2005-2007 renovation provided for the much needed transition space. However, the cost of re-renovating the space into classrooms, in addition to the annual cost of rental space (8,000 square feet for a period of 6 years) did not make this a prudent option at this time.

#### Phase 2: Fall 2009-2010

As discussed above, the enrollment projections declined and the number of spaces needed was reduced. Several non-construction options were investigated, as well as additional construction options.

**Non-construction Options** - Several non-construction options were reviewed for feasibility, cost and program impact. These included converting elementary school in a grade 6 only school, conducting classes at Sprague School, moving the 6th or 8th grade to another school, convert some or all elementary schools to a K - 6 school. The review revealed that these non-construction options were not feasible for reasons detailed in the SBC Report to Annual Town Meeting, April 2010.

**Modular Options** - A second feasibility study was done by HMFH which included several options which included the use of modular construction:

- Relocation of Central Administration + two-story addition on North Kingsbury Wing - \$1.9 million (does not include CA rent)
- Relocation of Central Administration + two-level addition to North Kingsbury Wing and Courtyard - \$3.4 million (does not include CA rent)
- Relocation of Central Administration + three-level addition to North Kingsbury Wing and Calvin Road - \$3.4 million (does not include CA rent)

These modular options were met with significant opposition from the abutting property owners including threat of potential litigation. Additionally, there was concern of a long lead time for permitting plus an additional expense of approximately \$2 million for rental fees for Central Administration. Therefore, the modular construction options are not being pursued.

***Internal Spaces Evaluated*** - The renovation of existing spaces within WMS was evaluated for feasibility, cost and impact to the educational program. Below are those spaces that were carefully assessed but determined to not be viable:

- Production Center/Science Storage - Located in service area in basement and not meant to be accessed by students; obstructed by column in middle of room; low pipes and beams prohibit installation of an acoustic ceiling; poor ventilation; costly to relocate; costly to convert.
- Production and Curriculum Storage - Located in service area in basement and not meant to be accessed by students; no windows or ventilation; served only by basement well window; not large enough for classroom; too small for sped space; low pipes and beams prohibit installation of acoustic ceiling; not viable.
- Technology Center - Hub of school district's computer network; technicians and technology director located in center and must remain near servers; servers and fiber network costly to relocate; specialized space required for network servers (preliminary estimate of \$390,000); plus the cost to renovate the space into classroom space (\$260,000); requires alternative location through rent or available space; too costly.
- Science Prep Room - Already claimed and used as SPED space in FY11.
- Cafeteria - Cannot be subdivided; cannot be shared during non-lunch periods because of Health Department concerns about hygiene; may be used as Study Hall during non-lunch periods.
- Gym B - Can be converted to 3 classrooms and 2 sped spaces; windows need to be installed; will lose 2 PE spaces; cost of \$875,000; not viable due to cost and impact on program.
- Photography Classroom - Too small to be converted to classroom; only window is basement lightwell; loss of photography elective; negative impact on educational program; not viable due to standards for sped space and impact on program.
- Fourth Floor Spaces - Cannot be converted to SPED space; too isolated for SPED space; not adequate for SPED space; not compliant with Fire Code because only one egress.

Below are the spaces that were reviewed and determined to be viable for internal renovation:

- Health and Wellness Lecture space - Can be converted to SPED space or Classroom; size of regular classroom; Space requires minimal upgrades; Hard cost: \$17,000
- METCO office - Can be converted to 1 SPED space; Space requires minimal upgrades; Includes a convenient Toilet Room; Hard cost: \$30,000
- Practice Rooms - Can be converted to 1 SPED space; Practice Rooms not routinely used during school day; adequate space upon removal of walls; Hard cost: \$33,000
- Digital Art Room - Can be converted to 1 Classroom; Digital Art will share with Library Computer Room; requires investment in laptop computers to replace desk tops in current computer room; cost: \$30,00 included in School Department Capital Budget
- Lecture Hall – Second Floor - Space for 2 Classrooms or 1 Classroom and 1 oversized SPED space; Space currently underutilized; Space in need of renovation; Hard cost: \$223,000
- Lecture Hall – Third Floor - Space for 1 Classroom and 1 SPED space or 1 Science Lab and office; Space currently underutilized; Space in need of renovation; Hard cost: \$347,000 (Science Lab and office)
- Performing Arts Office - Can be converted to 1 SPED space; Requires Performing Arts Department Chair and secretary to relocate; Adequate space upon removal of walls; Hard cost: \$35,000
- Fitness Room - Large enough for conversion to Science Lab (Hard cost: \$177,000); Can share prep space with existing Science Lab; Fitness Center can relocate to Aerobics/Dance space; Aerobics/Dance can be relocated to Gym B with addition of moveable partition (Hard cost of \$48,200, Partition cost: \$33,800).

- Central Administration - Can be converted to 6 classrooms or 4 Classrooms and a Science Lab or 3 Classrooms, 2 SPED rooms and 2 Science Lab; Requires relocation of Central Administration and rental cost or alternative site; Total cost of \$964,000; Rental cost of \$250,000/year for six years; plus renovation upon CA return including escalation and soft costs; Viable but total cost greater than other viable options.

### Options Evaluated for Final Recommendation

After completing the review of internal spaces, four final options were assessed to meet the space need. All four options assume the increased space utilization as discussed above. The options were evaluated for cost, flexibility and disruption to the students and staff. A summary table of the options is provided below.

	Option X Convert Both Lecture Halls	Option X-Prime Only 1 Lecture Hall Converted	Option Y Convert Both Lecture Halls & Fitness Ctr Reno	Option Z Central Admin
Spaces Created	<ul style="list-style-type: none"> <li>•2 CRs (LH2)</li> <li>•2 CRs (util.)</li> <li>•1 CR (dig art)</li> <li>•1 CR (H&amp;W)</li> <li>•1 SL (LH3)</li> <li>•1 Sped (Pract.)</li> <li>•1 Sped (Metco)</li> </ul>	<ul style="list-style-type: none"> <li>•2 CRs (LH3)</li> <li>•1 CR (H&amp;W)</li> <li>•2 CRs (util.)</li> <li>•1 CR (dig art)</li> <li>•1 SL (Fitness Ctr)</li> <li>•1 Sped (Pract.)</li> <li>•1 Sped (Metco)</li> </ul>	<ul style="list-style-type: none"> <li>•3 CRs (LH2 &amp; LH3)</li> <li>•2 CRs (util.)</li> <li>•1 CR (dig art)</li> <li>•1 SL (Fitness Ctr)</li> <li>•1 Sped (LH2)</li> <li>•1 Sped (Metco)</li> </ul>	<ul style="list-style-type: none"> <li>•3 CRs (CA)</li> <li>•2 CRs (util.)</li> <li>•1 CR (digital art)</li> <li>•1 SL (CA)</li> <li>•2 Sped (CA)</li> </ul>
Total Cost Estimate	\$1,600,000	\$1,371,000	\$1,900,000	\$964,000 and CA Relocation/Rent Cost (\$1.5M) + Re-renovation in FY18
Flexibility for future	Fitness Center	Less flexibility; Does not optimize Lecture Hall space	H&W and Practice Rooms	Other internal spaces

#### Option X

This option requires the renovation of the second and third floor Lecture Halls and loss of the Practice Rooms and Health and Wellness Lecture room. Option X meets the objectives within the required time frame, optimizes the Lecture Hall spaces which are underutilized in their current form, provides for flexibility in the future by leaving the Fitness Center and Gym B intact, and improves the overall functionality of WMS. The cost estimate for Option X is \$1.6 million.

#### Option X Prime

In order to decrease the cost of Option X, the SBC also considered Option X Prime which does not renovate the 2<sup>nd</sup> floor Lecture Hall and includes the renovation of the Fitness Center to a Science Lab. The estimated cost of Option X Prime is \$1,371,000 or a savings of approximately \$230,000 from Option X. In addition to the loss of the Practice Rooms and the Health and Wellness room, this option also requires the relocation of the Fitness Center and Dance/Aerobics resulting in reduced overall spaces for PE classes. Additionally, the 2<sup>nd</sup> floor Lecture Hall is underutilized in its current form and is in need of renovation to increase its utilization. To renovate the 2<sup>nd</sup> floor Lecture Hall at a later date would be cost prohibitive and impractical.

#### Option Y

Option Y includes the renovation of the second and third floor Lecture Halls, as well as the Fitness Center but does not include renovation of the Practice Rooms or Health and Wellness space. This results in reduced overall space for PE classes with the relocation of the Fitness Center to accommodate the Science Lab. It does, however, provide for flexibility with the future

use of the Health and Wellness space and Practice Rooms. The cost is estimated at \$1.9 million and is higher than Options X or X Prime.

### ***Option Z***

Option Z requires relocation of Central Administration to yield the spaces. The estimated construction cost is \$964,000, however, this does not account for the rental expenses estimated at \$250,000 annually for six years and the re-renovation of the space upon the return of Central Administration to the middle school.

### **RECOMMENDATION**

Based upon the October 1, 2010 enrollment data, it is clear that additional spaces will be needed at WMS to deliver the educational program to the projected enrollment through FY14. After reviewing the options described above, the SBC has determined that **Option X** provides the necessary spaces, is the most cost-effective and can be completed on a timely basis to meet the enrollment needs. Although this option requires the loss of the Practice Rooms which is not ideal but acceptable, this option optimizes the spaces to be renovated and provides some flexibility for the future since the Fitness Center is available should the space be needed at a later date. Additionally, these renovations will permanently improve the middle school building as the Lecture Halls are underutilized in their current form and in need of renovation. In fact, in the 2005 middle school renovation proposal, the Lecture Halls were included for renovation but were eliminated to reduce the cost of the project. Option X received unanimous approval by the SBC and the School Committee.

### **NEXT STEPS**

Article 4 requests that the Town appropriate funds to the Permanent Building Committee for the design and construction of spaces to accommodate the increased enrollment at the middle school. Subject to approval of Article 4 at STM, design work will begin immediately. It is anticipated that design, documentation, bidding, construction documents and pre-ordering of materials will take four to six months. Construction is scheduled to begin upon the close of school in June. The classroom renovations will be completed by September of 2011 and the Lecture Hall renovations will be completed by November 2011.

On November 12, 2009, the SBC filed a Statement of Interest (SOI) with the Massachusetts School Building Committee (MSBA). The SOI seeks reimbursement of a portion of the costs for the 2005-2007 renovation of Wellesley Middle School as well as an anticipated capacity project. To date, we have not been notified by the MSBA regarding our eligibility for funding of the proposed project.

Submitted by School Building Committee, Wellesley Middle School

Terri Tsagaris, Chair (Board of Selectmen)  
Chris Ketchen (Deputy Director of Town)  
Bella Wong (Superintendent, WPS)  
Josh Frank (Principal, WMS)  
KC Kato (Chair, School Committee)  
John Moran (Director, Facilities Maintenance)  
Rob Shupe (Permanent Building Committee)  
Jack Haley (Advisory Committee)  
Geoff Witheford (citizen with construction background)

# **GUIDELINES FOR CONDUCT**

## **OF WELLESLEY REPRESENTATIVE TOWN MEETING**

### **I. INTRODUCTION**

The purpose of Wellesley Town Meeting (the “Meeting”) is to reach decisions with respect to the matters brought before the Meeting by a democratic process. The process should not be partisan or adversarial. Rather it should demonstrate an effort by the elected representatives of the Town in open discussion, free from technicalities of parliamentary procedure, to establish constructive policies for the government of the Town. The Meeting depends for its effectiveness on familiarity of the Town Meeting Members with the matters before the Meeting and upon their ability to rely one upon the other and upon their elected or appointed boards and committees.

All who speak to the Meeting or prepare reports to it should seek to be worthy of this trust. Proponents of action should make full and fair disclosure of all facts and considerations bearing on a problem, not merely those favoring their proposal. On the other hand, those opposed to a proposal should make their opposition known to the sponsors as soon as possible, rather than seeking to succeed by surprise at the Meeting. Negotiations prior to Town Meeting are more likely than debate at Town Meeting to clarify the issues and to produce solutions that will receive the support of the Meeting as a whole.

The great diversity among the residents of the Town will often lead to differences with respect to the matter before the Meeting. The good faith of no one should be questioned; rather there should be a cooperative effort to find solutions that are reasonably responsive to the needs of all.

The Meeting shall abide by the laws of the Commonwealth including the prohibitions of smoking and carrying firearms on school property.

The following guidelines are intended to inform and guide those who participate in the Meeting and thus to assist in its orderly conduct. These guidelines, except to the extent that they embody statutes and Town Bylaws, are not intended as rules having legal effect.

### **II. PARTICIPANTS IN THE MEETING**

**A. *Public Meeting*** - The Town Meeting is a public meeting and may be attended by all. Since only the Members may make motions and vote thereon, they are seated separately from non-members.

**B. *Quorum*** - A majority of the Town Meeting Members shall constitute a quorum for doing business; but a lesser number may adjourn the Meeting to another time.

**C. *Moderator*** - The Moderator shall preside at the Meeting and shall regulate the proceedings and decide all questions of order.

No one shall distribute any material at Town Meeting except with permission of the Moderator.

The Moderator may appoint persons to assist in the conduct of the Meeting, including determination of the vote to the Meeting.

If the Moderator is absent or cannot act, a Moderator Pro Tempore may be elected by the Meeting, the Town Clerk to preside at such election.

The Moderator shall not be an elected Town Meeting Member and shall not vote with respect to any matters before the Meeting. A Town Meeting Member may be a Moderator Pro Tempore, but shall not vote while presiding at the Meeting.

**D. Clerk** - The Town Clerk shall determine the presence of a quorum and shall maintain the records of the Meeting, including the results of all votes and other action taken at the Meeting.

If there is no Town Clerk, or if the Town Clerk is absent from the Meeting, the Meeting shall elect another person (usually the Assistant Town Clerk) to act as Temporary Clerk of the Meeting.

The Town Clerk shall not be an elected Town Meeting Member and shall not vote with respect to any matters before the Meeting. A Town Meeting Member may be Temporary Clerk, but shall not vote while acting as Clerk of the Meeting.

**E. Town Counsel** - Town Counsel shall be present at all Meetings, and, upon request, shall advise the Moderator and any Member or other person present with respect to any pertinent question of law on which his or her opinion is requested. Such opinion is advisory only and not binding upon the Town, any person or the Meeting.

If Town Counsel is unable to attend, the Selectmen shall designate another attorney as Acting Town Counsel to perform those duties at the Meeting.

Town Counsel shall not be an elected Town Meeting Member and shall not vote with respect to any matter before the Meeting. A Town Meeting Member may be Acting Counsel, but shall not vote while so acting.

**F. Tellers** - The Moderator shall appoint Town Meeting Members as Tellers for the purpose of counting the votes of the Meeting. Such appointments may, in the Moderator's discretion, be effective for more than one session of any Meeting. The Tellers shall report the results of their count of the section of the Meeting assigned to them indicating the number in favor of the motion, the number opposed, and, if so instructed by the Moderator, the number abstaining, and such shall be announced to the Meeting and maintained with the records of the Meeting. Tellers may vote on any question on which they act as Tellers, but any Teller who decides to participate in the debate of a question should request the Moderator to appoint another Teller to count the vote on that question.

### III. MOTIONS

**A. Need for Motion** - Action by the Meeting is taken solely by a vote of the Meeting on a motion duly made at the Meeting.

**B. Subject of Motions** - Except for such matters as resolutions recognizing individual achievements and the like, no motion shall be entertained by Town Meeting unless the subject thereof is contained within the Warrant. The Moderator shall determine whether a motion is "within the scope of the warrant," that is, whether the warrant gave adequate notice that the action proposed by the motion might be taken at the Meeting.

Motions may propose action at variance with that desired by the sponsor of the article. Such motions may, for example, propose the establishment of a guideline, referral to an existing board or committee or one to be established; but all such motions are proper only if "within the scope of the warrant" as determined by the Moderator.

**C. Order of Consideration** - All articles shall be considered in the order in which they appear in the warrant, unless the Moderator in his/her discretion or the Meeting by majority vote changes the order.

Where there are a number of motions relating to a project calling for the expenditure of funds, the motion calling for the expenditure of the largest sum shall be the first put to vote, unless the Moderator in his/her discretion decides to change the order.

**D. Formal Requirements** - Motions can be made only by a Member of the Meeting. All motions other than procedural motions must be in writing signed by the sponsoring Member. No seconds are needed for any motion.

Sponsors of motions are required to submit their motions to the Selectmen by a date specified by the Selectmen. The motions must also be submitted to the Moderator and the Chair of the Advisory Committee.

The exact form of any motion or amendment must be either distributed to Town Meeting Members or projected on a screen at Town Meeting before a vote thereon can be taken.

After the initial call to order of any Annual or Special Town Meeting, if a proponent informs the Moderator of an intention to present an amendment or substitute motion or resolution, notice of the action and the text must be made available to Town Meeting members before action is taken on the article to which it relates.

**E. Notice to Moderator** - Every person who prior to the Meeting has decided to make a motion with respect to an article should inform the Moderator and the Chairman of the Advisory Committee prior to the Meeting, or if the decision to make a motion is reached only during the Meeting, as early as convenient thereafter.

**F. Reconsideration** - Motions to reconsider any action shall be entertained only if in the view of the Moderator there is reason to suppose that Members may have changed their minds. The Moderator may rule that any motion is a motion for reconsideration if it is not substantially different from a motion previously voted upon.

No action taken at any session of a Town Meeting shall be reconsidered at any subsequent session, unless notice of intention to move for reconsideration shall have been given at the session at which such action was taken. If action taken at the final session is to be reconsidered, debate and a vote on a motion for reconsideration may occur at the same session only after all articles have been acted upon unless, in the Moderator's discretion, debate and a vote on the motion at an earlier point in the session would expedite the conduct of the session. Any vote which requires more than a simple majority for passage shall require a 3/5ths vote in order to be reconsidered by Town Meeting.

#### IV. DEBATE

**A. Persons Authorized** - All residents of Wellesley, whether or not Town Meeting Members or registered voters, may address the Meeting. Non-residents may address the Meeting with the approval of the Moderator or a majority of the Meeting.

**B. Permission of the Moderator** - Persons wishing to address the Meeting shall raise their hand or stand and wait until they are recognized by the Moderator and no one shall address the Meeting without first requesting and receiving the permission of the Moderator.

**C. Identification of Speaker** - Each person addressing the Meeting shall begin by stating his or her name and precinct, if a resident of Wellesley, or place of residence if a non-resident.

**D. Conduct** - All remarks should be limited to the subject then under discussion. It is improper to indulge in references to personalities and all expressions of approval or disapproval, such as applause or booing, are out of order.

The Moderator may request any person to keep silent. If, after warning from the Moderator, a person refuses to be silent or persists in other disorderly behavior, the Moderator may order such person to withdraw and if he or she fails to withdraw, may order a police officer to remove such person from the Meeting.

**E. Personal or Financial Interest** - Individuals who have a personal or financial interest with respect to a matter may speak or vote thereon but should frankly disclose their interest

before speaking. However, no Town Meeting Member should accept compensation for speaking to or voting at the Meeting.

- F. Time** - There is no time limit to the debate of any question. Accordingly, motions to limit time for debate or to call the question are not in order. However, each individual who speaks to the Meeting should make an effort to be as brief as possible, out of consideration for the others attending the Meeting and the need to give adequate time to all matters coming before it. The Moderator may request that all persons who intend to speak for more than five minutes give him/her notice before the start of the session.
- G. Repeated Speaking** - In order to give all a fair opportunity to speak, no one who has addressed the Meeting on any particular motion shall speak again, except to answer questions, until all others wishing to speak to the motion have done so.
- H. Maps** - The Planning Board has slides of Town maps available for use at all Meetings and may be requested on reasonable notice to make available a slide of any map appropriate to the subject under discussion.

## V. VOTING METHOD

Except as specifically otherwise provided by law or these rules, voting shall be by voice vote or show of hands as the Moderator may determine and the Moderator shall declare the results of such vote. If a vote so declared is immediately questioned by seven or more Members, the result shall be determined by counting the votes of the Meeting by means of a standing vote.

## VI. DEFINITIONS

- A. Roll Call** - Upon motion supported by not less than sixty members and made prior to the taking of a standing vote, the vote shall be by a roll call of all Members, the Clerk to indicate on the record with respect to each Member, "Aye," "Nay," "Abstain," or "Not Present" as the case may be.
- B. Secret Votes** - There shall be no secret ballots or other secret votes at Town Meeting.
- C. Majorities** - Except as otherwise provided by law or the Town's Bylaw, all actions of the Meeting shall be taken upon vote of a simple majority of those present and voting.
- D. Ballot Vote**
  - (a) Upon a motion supported by not less than 20 Members made prior to a vote on any question (whether required by law to be a counted vote or not), the vote shall be taken by ballot in such form as will in the opinion of the Moderator indicate how individual Town Meeting Members have voted on a question. The results of such vote shall be announced in terms of the numbers of aye, nay, or abstain votes cast. The Town Clerk shall, within a reasonable time after the session has been adjourned, compile a list of Members voting on the question, which list shall disclose how each Member voted. Said list, together with the original ballots, shall be open to public inspection so that the public shall be able to determine the way in which each Town Meeting Member voted on the question, and shall be preserved for at least 3 years.
  - (b) If a law or a by-law requires a two-thirds vote for action by the Meeting, the Moderator is authorized to declare the vote without taking a count, subject to the roll call and ballot vote provisions noted above. If more than a two-thirds vote is required, the Moderator may first determine whether the vote is unanimous, and if it is not, the vote shall be counted either by means of a standing vote or by roll call, or by ballot as provided in the Town's Bylaw.

## **VII. ADJOURNMENT AND DISSOLUTION**

- A. *Adjournment*** - Sessions of the Town Meeting shall normally adjourn about 11 o'clock in the evening but may adjourn at such earlier or later time as the Town Meeting upon vote of a majority of its Members may determine.
- B. *Dissolution*** - The Meeting shall not dissolve until all articles in the warrant with respect to which any Member wishes to make a motion have been considered.

## **VIII. RECORD OF MEETING**

The Town Clerk in consultation with the Moderator shall prepare and maintain a complete record of the Meeting at the office of the Town Clerk where, upon request, it may be inspected by any interested person and also shall deposit a copy of such record at the Main Library. Such record may, but need not be, verbatim. However, it shall as a minimum contain the text of all articles and motions, whether main motions or subsidiary motions, the name of the moving party, the action of the Meeting with respect thereto and such summary of statements made at the Meeting as will in the opinion of the Town Clerk contribute to a better understanding of the action of the Meeting.

## **IX. REFERENCE TO TOWN MEETING RULES**

Wellesley Representative Town Meeting was established by Chapter 202 of the Acts of 1932 which has been amended several times since then. Certain customs have developed in the conduct of the Town Meeting. Wellesley custom does not differ substantially from the custom of other representative town meetings, as generally described in *Town Meeting Time* (Little, Brown, and Company 1962), a book which also contains references to applicable court decisions and statutes. All custom may be changed by law, or the Bylaws of Wellesley, as from time to time amended.

It is the combination of the foregoing which produces the "rules" of Wellesley Town Meeting in conformity with which the Moderator regulates the conduct of the meeting.

