Motion 2B CLEAN 1-29-16

TOWN OF WELLESLEY **MASSACHUSETTS**

TOWN MEETING

ARTICLE: 2B

MOTION:

Provided that the Town Clerk shall assign appropriate alphanumeric references to any provisions of the Town Bylaws necessitated by this amendment and, in each case, the assignment of such references shall be identified by a footnote or other convention, that the Town vote to amend the Town Bylaws related to appointments by:

1. Amending the Town Bylaws by deleting Section 11.5 and inserting in place thereof the following:

11.5. (Advisory Committee) Staff. In accordance with the provisions of Section 20.3.b, the appointment of any staff for whom funding has been provided shall be made by the Town Manager.

2. Amending the Town Bylaws by deleting Section 12.4 and inserting in place thereof the following:

12.4. (Sustainable Energy) Staff. In accordance with the provisions of Section 20.3.b, the Town Manager may appoint a sustainable energy coordinator and the appointment of any other staff for whom funding has been provided shall be made by the coordinator.

3. Amending the Town Bylaws by deleting Sections 21.2 and 21.3 and inserting in place thereof the following sections:

21.2. (Police Department) Responsibilities of the Town Manager. The Town Manager may in accordance with the provisions of Section 20.3.b, appoint a Chief of Police. The Town Manager may appoint or promote such additional police officers and Police Department employees other than Special Police for whom funding has been provided; provided, however, that the Town Manager shall not appoint or promote any police officer or Police Department employee unless such officer or employee has been recommended for appointment or promotion by the Chief of Police. The Town Manager shall not discipline or terminate a police officer unless such police officer has been recommended for discipline or termination by the Chief of Police, who shall be responsible for the initiation of action to discipline or terminate said police officers; provided, however, that the Town Manager may initiate and take action to discipline or terminate police officers without such a recommendation with the approval of the Board of Selectmen.

21.3. <u>Responsibilities of Chief of Police</u>. The Chief of Police shall provide to the Town appropriate police and related services as determined by the Board of Selectmen and Town Manager, make recommendations to the Town Manager for the appointment or promotion of police officers and Police Department employees other than Special Police, supervise all police officers, and be responsible for all Town property used by the Department.

4. Amending the Town Bylaws by deleting Sections 22.2 and 22.3 and inserting in place thereof the following sections:

22.2. (Fire Department) <u>Responsibilities of the Town Manager.</u> The Town Manager may, in accordance with the provisions of Section 20.3.b, appoint the Fire Chief or Chief Fire Engineer and, based on the recommendation of said Fire Chief or Chief Fire Engineer, appoint or promote such other Fire Engineers, firefighters and other Fire Department employees for whom funding has been provided; provided, however, that the Town Manager shall not appoint or promote any Fire Engineer, firefighter or other Fire Department employee unless such Fire Engineer, firefighter or other Fire Department employee has been recommended for appointment or promotion by the Fire Chief or Chief Fire Engineer.

22.3. <u>Responsibilities of Fire Chief or Chief Fire Engineer.</u> The Fire Chief or Chief Fire Engineer shall provide to the Town appropriate fire-fighting and other services as determined by the Board of Selectmen and the Town Manager, make recommendations to the Town Manager for the appointment or promotion of fire engineers, firefighters and other Fire Department employees, supervise all Fire Engineers, firefighters and other Fire Department employees, and be responsible for all property and apparatus used by the Department.

5. Amending the Town Bylaws by deleting Section 23.1 and inserting in place thereof the following:

23.1. (Inspectors) <u>Appointment.</u> In accordance with the provisions of Section 20.3.b, the Town Manager may appoint the:

a. Inspector of Wires;
b. Inspector of Gas;
c. Inspector of Buildings;
d. Sealer of Weights and Measures; and
e. Inspector of Plumbing (who may, but need not, be the Inspector of Gas).

6. Amending the Town Bylaws by deleting Section 24.3 and inserting in place thereof the following:

24.3. (Facilities Maintenance Department) <u>Director of Facilities Maintenance.</u> In accordance with the provisions of Section 20.3.b, the Town Manager may appoint the Director of Facilities Maintenance, and the appointment of any other staff for whom funding has been provided shall be made by the Director.

7. Amending the Town Bylaws by deleting Sections 29.4 and 29.6 and inserting in place thereof the following sections:

29.4. (Department of Public Works) Director of Public Works. In accordance with the provisions of Section 20.3.b, the Town Manager may appoint a Director of Public Works, and the appointment of any other staff for whom funding has been provided shall be made by the Director.

29.6. Town Engineer. In accordance with the provisions of Section 20.3.b, any appointment of the Town Engineer shall be made by the Director of the Department of Public Works. The Town Engineer shall be in charge of the engineering work provided by the Department, subject to the direction and control of the Director.

8. Amending the Town Bylaws by deleting Section 33.4 and inserting in place thereof the following:

33.4. (Council on Aging) Director of Senior Services. In accordance with the provisions of Section 20.3.b, the Town Manager may appoint a Director of Senior Services, and the appointment of any other staff for whom funding has been provided shall be made by the Director.

9. Amending the Town Bylaws by deleting Section 34.4 and inserting in place thereof the following:

34.4. (Board of Health) Director. In accordance with the provisions of Section 20.3.b, the Town Manager may appoint a Director of Public Health, and the appointment of any other staff for whom funding has been provided shall be made by the Director.

10. Amending the Town Bylaws by deleting Sections 36.3 and 36.4 and inserting in place thereof the following sections:

36.3. (Library Trustees) General Duties. Except as otherwise provided by Special Act, the Board shall have the powers and duties of boards of library trustees under Chapter 78 of the General Laws. These include having the custody and management of the library and of all the property owned by the Town relating thereto.

36.4 Director. In accordance with the provisions of Section 20.3.b, the Town Manager may appoint a Library Director, and the appointment of any other staff for whom funding has been provided shall be made by the Director.

11. Amending the Town Bylaws by deleting Section 37.4 and inserting in place thereof the following:

37.4. (Department of Recreation) Director of Recreation. In accordance with the provisions of Section 20.3.b, the Town Manager may appoint a Director of Recreation, and the appointment of any other staff for whom funding has been provided shall be made by the Director.

12. Amending the Town Bylaws by deleting Section 40.4 and inserting in place thereof the following:

40.4. (Youth Commission) Director of Youth Services. In accordance with the provisions of Section 20.3.b, the Town Manager may appoint a Director of Youth Services, and the appointment of any other staff for whom funding has been provided shall be made by the Director.

13. Amending the Town Bylaws by deleting Section 42.4 and inserting in place thereof the following:

42.4. (Assessors) Chief Assessor. In accordance with the provisions of Section 20.b.3, the Town Manager may appoint a Chief Assessor, who shall:

a. be professionally qualified and experienced in the assessment and apportionment of taxes and the valuation of property for the purpose of taxation;
b. assess and apportion taxes in the Town, subject to the approval of the Board of Assessors;
c. value property in the Town, both real and personal, for the purpose of taxation, subject to the approval of the Board of Assessors;
d. perform such other duties as the Assessors may require including acting as a hearing officer in the application for abatements and exemptions, and otherwise assisting the Assessors in the performance of their duties.

Appointment of any other staff for whom funding has been provided shall be made by the Chief Assessor.

14. Amending the Town Bylaws by deleting Section 43.6 and inserting in place thereof the following:

43.6. (Natural Resources Commission) Director of Natural Resources. In accordance with the provisions of Section 20.3.b, the Town Manager may appoint a Director of Natural Resources, and the appointment of any other staff for whom funding has been provided shall be made by the Director.

15. Amending the Town Bylaws by deleting Section 45.4 and inserting in place thereof the following:

45.4. (Planning Department) Planning Director. In accordance with the provisions of Section 20.3.b, the Town Manager may appoint a Planning Director, and the appointment of any other staff for whom funding has been provided shall be made by the Director.

16. Amending the Town Bylaws by deleting Sections 47.2.a and 47.4 and inserting in place thereof the following sections:

47.2. (Animal Control Regulations) Definitions. As used herein, the following words and terms shall have and include the following respective meanings:

a. Dog Officer: An officer appointed annually by the Town Manager, who shall have all powers and duties conferred upon animal control officers by Sections 136A through 174E, inclusive, of Chapter 140 of the General Laws, by the Town Bylaws, and by the Board of Selectmen.

47.4. Dog Officer. In accordance with the provisions of Section 20.3.b, and based on the recommendation of the Chief of Police, the Town Manager may annually appoint one or more Dog Officers, to be charged with the enforcement of this Article.

Approved:

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Date

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Moderator's Signature

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Sponsor's Signature