Town Government Study Committee
Frequently Asked Questions
October 8, 2015

I. SPECIAL ACT AND BYLAWS

What is the Special Act?

Municipalities may not make changes to their governance structure under Massachusetts law without following a complex charter commission process or requesting approval from the legislature. Towns which seek to move to a Board of Selectmen- Town Manager form of government typically request the authority from the Legislature to do so. Wellesley has chosen a three-step mechanism which is called a "special act". Town Meeting must first authorize the Board of Selectmen to submit the Special Act legislation to the Legislature. If enacted by the Legislature, the legislation will require approval at a Town-wide election.

The Special Act is also required to amend prior special acts and certain state-wide general laws that need to be revised in order to reflect the new Town Manager's powers and other changes. The Town will then have the authority to enact local bylaws that specify in detail how the provisions of the Special Act will be carried out.

What does the Special Act do?

The Special Act proposed by the Town Government Study Committee is intended to accomplish the following:

- establish a relationship between the Board of Selectmen and Town Manager by creating the position of Town Manager and investing in the position certain duties and responsibilities, chief among them the responsibility: for the day-to-day management of the Town (not including the School Department or the Municipal Light Plant); for the preparation of the Town operating and Five-Year Capital Budget Program and the Town-wide Financial Plan; and for the appointment and management of Town personnel;
- vest in the Board of Selectmen the responsibility to appoint, supervise and remove, if necessary, the Town Manager;
- change the position of Town Clerk to make it an appointed, rather than an elected, position and provide that the Town Manager has the authority to appoint the Town Clerk ;
- amend the 1978 Special Act applicable to Wellesley and other laws so that the Town Manager, rather than Town boards, has the authority to appoint Department Directors (other than the School Department and the Municipal Light Plant)and appoint or delegate to any such Department Director the authority to appoint other department staff of the Town departments, while leaving the boards' other statutory responsibilities otherwise unchanged; and
- require that if the Legislature enacts the Special Act there must be a Town-wide vote approving the Special Act before the provisions become effective.

What is the timeline for the appointment of a Town Manager assuming a favorable outcome at each juncture?

- November: Favorable action on the Special Act and bylaw amendments at the Special Town Meeting

- November/December 2015: Board of Selectmen sign and file the Special Act petition with the state Legislature
- Winter 2015/2016: Favorable action by the Legislature
- Winter2015/2016: Board of Selectmen hires a search firm to identify suitable candidates to succeed the current Executive Director (note that this step will be taken whether or not Town Meeting approves the Special Act)
- March 15, 2016: Approval of the Special Act at the annual municipal election
- After the Election: The Board of Selectmen creates a Search Committee
- November 30, 2016: Hans Larsen, the current Executive Director, retires
- Fall, 2016: A Town Manager is hired by the Board of Selectmen.

II. TOWN MANAGER

What is a Town Manager?

A Town Manager is the chief operating officer of a community, appointed by the Board of Selectmen, who typically has responsibility for the budgets, personnel, and administrative functioning of a town. In some towns, a Town Manager has additional responsibilities which allow for the reorganization of town departments and for appointments to boards.

In the Town Government Study Committee's proposals for Wellesley, the Town Manager would be appointed by the Board of Selectmen, and would be responsible for the following major areas:

- development and administration of the operating budget, Five-Year Capital Budget Program, and the Town-Wide Financial Plan;
- management of the Human Resources ("HR") function for all but the School Department and Municipal Light Plant; appointment of department heads with the participation of and subject to approval by boards; the administration, with the HR Director, of the Salary and Classification plans and Personnel Policies approved by the HR Board; and negotiation of all non-School collective bargaining agreements;
- implementation, monitoring and assessment of the Town's strategic plan; and
- general administration of the Town government departments in an effective and efficient manner.

How common is the Town Manager form of government?

All 12 of our benchmark communities (Acton, Andover, Belmont, Concord, Lexington, Needham, Reading, Sudbury, Wayland, Weston, Westwood and Winchester) have evolved to a Town Administrator or Town Manager form of government. In fact, all 51 communities from Acton, Stow, and Ashland in the west, to Boston in the east, have forms of government with more executive authority than Wellesley has, except Hudson. These cities and towns have Town Administrators, Town Managers, Mayor/City Councils, or Mayors with City Managers. Notably, Wellesley's "Executive Director of General Government Services" is the only one in the Commonwealth; it carries high expectations from our community but not the necessary authority to meet those expectations.

What is the difference between a Town Manager and a Town Administrator?

While the two terms are sometimes used interchangeably in Massachusetts local government, generally the term Town Manager implies a stronger executive with more responsibility, authority, and accountability, especially in the areas of budget development, staff appointments, and personnel oversight. However, among those referred to as Town Managers, the level of authority varies. The Town Government Study Committee's recommendations fall at the weaker end of the spectrum for Town Managers in benchmark communities. The description of the position and the responsibilities and authority granted under a town's special act or charter is far more important than the title.

Don't we already have a Town official who has this authority?

No, we do not. While our Executive Director performs similar functions, he does not currently have the express authority to operate in a fully effective manner. The major areas of change from the current form of government with an Executive Director to a Town Manager form of government include:

- authority to develop and finalize the Town-wide budget, and present it to the Advisory Committee and to Town Meeting (the current process has evolved close to this but the bylaws have not);
- authority to build a management team by appointing department heads (except for a very few) and staff with the participation and approval of the affected Boards;
- authority to develop and administer, with the HR Director, a comprehensive and consistent personnel policy system, including policies regarding hiring, evaluation, discipline, mentoring, professional growth and development of Town employees, salary and classification plans, collective bargaining, and other personnel policies; and
- authority to assist the Board of Selectmen in the development of a community-wide strategic plan, and the authority to implement that plan.

How will the change to a Town Manager Form of Government improve the functions of Town government?

The existing governmental structure in Wellesley consists of decentralized, separate, and essentially autonomous departments that operate in isolation from one another. Occasionally, when big projects are involved, departments and their boards unite to work together. However, there is no structure that formalizes a consistent Town-wide approach to these issues and others on a regular basis. With the creation of a single chief operating officer position in the form of a Town Manager, the community would have a better integrated senior management team that could more effectively and efficiently deliver local government services. A consolidated operating and capital budget plan, created by the Town Manager under the direction of the Board of Selectmen and input from all stakeholders, will simplify the budgeting process, allow boards and departments to conduct earlier planning and forecasting, and lead to a more complete understanding of the comprehensive Town financial outlook. Personnel management across Town departments will also be professionalized and made more uniform under a Town Manager.

Won't a Town Manager have too much authority over Town affairs? What checks will there be on the performance of the Town Manager?

Wellesley has prided itself on the checks and balances within its government, and the Town Government Study Committee's proposals reflect that balance. The Town Manager is hired and reports to an elected body – the Board of Selectmen. The Selectmen have set out the job description and search process which will be inclusive and transparent - and the Special Act and bylaws set out minimum

qualifications for the position. The Town Manager's appointment of department heads is conducted with participation of the affected boards and departments and subject to their approval. Proposals for Salary and Classification Plan amendments and for changes in Personnel Policies are subject to approval of the HR Board, which is appointed by the elected Town Moderator. Collective bargaining agreements negotiated by the Town Manager are subject to the Selectmen's approval and funding by Town Meeting. The Advisory Committee and Town Meeting will retain their important responsibilities over the budget process. Elected (and appointed) boards retain their policy-making function and all authority pursuant to statute, bylaw, and regulation.

Does creating a Town Manager diminish the positive attributes of Wellesley's currently decentralized government?

All 10 currently-elected boards will continue to be elected and all 21 boards will continue to be appointed. The 230 volunteers who currently serve on these boards will continue in those roles; experience in towns that have moved to a Town Manager form of government shows that there are even more volunteers on their boards. All boards will retain their current policy-making and statutory authority. The positive benefit of the change will be a more centralized, consistent, and collaborative administrative operation throughout town government. Department heads and staff will continue to provide support to their boards in exercising their statutory authority and policy-making role, but all department heads and senior staff will be part of a community-wide management team. Budgets, personnel administration, and strategic planning will be done on a consistent and uniform basis throughout the Town. It is anticipated that the Town's tradition of volunteerism will continue as robustly as ever.

What additional costs to the Town are anticipated with a change to a Town Manager form of government?

We have studied where there might be additional positions required under this change and to identify the positions that will likely require salary increases.

We anticipate that the salary for a Town Manager will be higher than the current salary of the Executive Director of General Government Services, reflecting the additional responsibilities and duties of the position. We have reviewed salaries of comparable communities and anticipate that the position may call for a salary in the range of $190,000-$210,000. The FY16 salary for the Executive Director is $190,000.

We also anticipate that the salaries of the two new Deputy Town Manager positions will be higher than the salaries for our two current Deputy Executive Director positions, reflecting a new reporting structure with an expanded portfolio and additional responsibilities. We have reviewed the limited salary data of Deputy Town Managers who have responsibility for departments involved in land use matters, both permitting and planning. We anticipate that the salary for that position may call for an increase of between $16,000 and $31,000.

We reviewed salaries of *appointed* Town Clerks. Current salaries range between $83,000 and $90,000. Our elected Town Clerk's salary is $85,700.

We are not aware of other additional costs or the need for additional staff at this time. We anticipate that a Town Manager will manage within the existing structure and, if needed, will propose additional resources for approval.

We cannot at this time quantify the savings that may result from addressing the duplication in several distinct Town operations, and other efficiencies that may result from a structure that enables the Town Manager to focus on and achieve other efficiencies in the operations of town government. Anecdotal evidence suggests that in the longer term, the hiring of additional employees that might be required under our current form of government may be avoided by the efficiencies achieved under a Town Manager.

What is the job description for a Town Manager?

The Board of Selectmen is responsible for the hiring of the Town Manager. The Special Act sets out basic qualifications for the position, and the bylaws amplify the qualifications and refer to more detailed criteria defined by the Board. The Board of Selectmen has prepared a draft job description that will be broadly distributed to other boards, departments, and staff for feedback. The Board ultimately will be working with an executive search firm that will assist in finalizing the job description.

The current draft of the job description crafted by the Selectmen sets forth the following criteria for the successful candidate:

- Master's Degree in Public Administration or other appropriate advanced degree;
- ten years of leadership or executive-level experience in municipal government;
- comprehensive knowledge of the functions of municipal government and the operations of municipal finance, budgeting, and human resources;
- demonstrated skills in managing finances and interests of multiple stakeholders throughout the community;
- membership in the International City/County Management Association (the professional and educational association for appointed municipal administrators) and certification as a Credentialed Manager (designation granted by that Association's Executive Board) considered a plus; or, in the alternative, a willingness to obtain certification as soon as practicable, would be considered highly desirable; and
- experience in overseeing municipal collective bargaining and managing employees in a unionized environment would be considered highly advantageous.

How will the search process be structured?

The Board of Selectmen will be conducting the job search for the Town Manager. The process will be open and inclusive of the community at large and tailored to attract and recruit the best candidates with the qualifications and experience that suit the Town's needs. The Board will engage an executive search firm to identify and recruit qualified candidates. The search firm will also assist the Board in: soliciting input for and developing a community profile (including what the town is looking for in a new Town Manager); determining the geographic scope, timing and confidentiality of the search; establishing salary parameters; developing the screening, interview and selection process; and negotiating a compensation package. The Town's HR Director will help manage and coordinate the administrative process and procedures to ensure an effective and efficient recruitment effort.

The Board also intends to establish a screening committee to conduct preliminary confidential interviews and recommend approximately three to five finalists to the Board. In appointing members to the screening committee, the Board will determine the optimal representative number and mix of

members that will yield the best results, and utilize the expertise and experience of town residents and representatives of Town government.

Finalists will be interviewed by the Board in open televised sessions. Opportunities will also be provided for other Town boards, staff and residents to meet with finalists and provide feedback to the Board. At the conclusion of the process, the full Board of Selectmen, by majority vote, will make the final selection. The Board of Selectmen anticipates that the search process will take approximately six months following approval by the voters of the Special Act, and the final selection and formal appointment will be made by September 2016.

III. TOWN BUDGET PROCESS

How will the role of Town boards in developing the budget change if we have a Town Manager?

The budget process will start earlier than it does now, with collaborative meetings among staff and boards taking place beginning in the summer and extending into the fall. Annual budget guidelines will be developed by the Town Manager, subject to the approval of the Board of Selectmen and be distributed to boards in the early fall. Boards will continue to develop and vote on their own budgets, but will submit them to the Town Manager, who will then assemble the Town-wide budget. Whereas currently capital and operating budgets are submitted on different schedules, they will now be submitted at the same time. The Town Manager will recommend a budget for each department based on his or her view of Town-wide resources and priorities. If the Town Manager proposes revisions to any board's budget, the board will be notified and provided with an explanation. Individual board budgets and the Town-wide budget as a whole will continue to be reviewed in depth by the Advisory Committee, as they are now. Although budgets will not be submitted directly to the Advisory Committee, boards will be able to make presentations to the Advisory Committee on their budgets. The budget that will be voted on at Town Meeting will be the Town Manager's budget. Boards will have the opportunity to address Town Meeting regarding differences between their voted budgets and the Town Manager's proposed budget.

What will be the role of the Advisory Committee in the budget process?

The Advisory Committee will continue to independently analyze the departmental budgets, including budgets for those departments overseen by the Town Manager, and make a recommendation on the Town-wide budget to Town Meeting. The Committee will remain a critical part of the Town's system of checks and balances. It is expected that the Advisory Committee will be engaged at a higher level earlier in conversations with the Town Manager, the Board of Selectmen and the School Committee regarding sources and uses and Town-wide priorities. Board voted budgets will no longer be submitted directly to the Advisory Committee, but will instead be submitted to the Town Manager, although Advisory will receive copies of these budgets as they are submitted. The Advisory Committee will also receive copies of any revisions made by the Town Manager to board budgets, as well as explanations for those revisions. The Advisory Committee will directly receive comments on budgets submitted by the Town Manager. The Committee will continue to meet directly with boards to review their capital and operating budget requests.

How will the budget be presented at Town Meeting?

The budget that is moved at Annual Town Meeting ("ATM") will be the Town Manager's budget. The budget format would show the budget as requested by each board, the Town Manager's

recommendations for each board's and department's budget, as well as the Advisory Committee's recommendation on the integrated Town-wide budget. The budget would be accompanied by Budget Messages prepared by the Town Manager and the Superintendent of Schools. These two Town employees would also make the budget presentation at Town Meeting. The Town Manager's Budget Message would:

- outline proposed financial policies of the town for the ensuing fiscal year;
- provide an explanation of the proposed budget for all Town departments, both in fiscal terms and in terms of work programs;
- explain any changes to budget requests submitted by boards that have not been subsequently approved by the affected board;
- describe important features of the budget; and
- indicate any major variations from the budget for the current year in financial policies expenditures and revenues, together with the reasons for such changes;

The Superintendent's budget message would:

- describe important features of the budget;
- provide an explanation of the proposed budget, both in fiscal terms and in terms of programs;
- indicate any major variations from the budget for the current year with the reasons for such changes; and
- include such other material as the Superintendent deems desirable.

Although detailed presentations by individual boards concerning their budget requests under Article 8 ATM would only be anticipated if boards took issue with the Town Manager's recommended budget, it is expected that boards and department heads would be available to answer specific questions on their budgets from the floor of Town Meeting. Furthermore, if boards wished to inform Town Meeting Members and the public of their programs and initiatives, there would be opportunities to do that through pre-Town Meeting precinct meetings, written materials distributed online and at Town Meeting, and through Wellesley cable presentations.

What will be the time-line for the proposed budget process? Is there any flexibility built into the process?

The timeline is substantially similar to the current timeline for developing the budget. As now, the starting date of Town Meeting determines the specific dates for deadlines in the budget process.

- By November 15, the Board of Selectmen sets the date for Annual Town Meeting (ATM) (which may begin any time from the end of March through the end of May).
- 90 days before start of ATM:
    - All proposed departmental operating/capital non-School Department budgets submitted to Town Manager, with copies to the Advisory Committee
    - Superintendent submits proposed School Department operating/ capital budgets to School Committee, along with Superintendent's Budget Message, with copies to Town Manager and to the Advisory Committee
- 70 days before start of ATM:

    - School Committee, after public hearing and vote, submits School Department operating/ capital budget to Town Manager along with Superintendent's Budget Message, with copy to the Advisory Committee
- 60 days before start of ATM:
    - Town Manager submits proposed integrated operating/ capital budgets, including Town Manager's and Superintendent's Budget Messages, to the Board of Selectmen, with copies to the Advisory Committee and boards (including explanations for proposed revisions to board-approved budget submissions) for review and comment, with all comments to be directed to the Town Manager and copies to the Advisory Committee
- 45 days before start of ATM:
    - Town Manager submits integrated proposed operating/ capital budgets, including Town Manager's and Superintendent's Budget Messages, to the Advisory Committee, with copies to boards, including explanations for proposed revisions to board-approved budget submissions
    - During this period, after its public hearing, the Advisory Committee votes its recommendation on integrated Town-wide budget
- 7 days before start of ATM:
    - Advisory Committee publishes its report
- At ATM:
    - Budget presentation includes Budget Messages, as well as format showing department-submitted budgets, the Town Manager recommended budget for each department, and Advisory Committee voted budget
    - Board of Selectmen moves budget
    - Town Manager and Superintendent make budget presentation
    - Advisory Committee presents recommendation

As is the case now, there will need to be flexibility with submission dates. Additionally, it is expected that the process will evolve based on actual practice and experience.

How will this process be set out in the proposed bylaws?

The Town Government Study Committee is e proposing a new bylaw, Article 6A, that codifies the process for developing the Town's annual operating and capital budget, the Five- Year Capital Budget Program and the Town-wide Financial Plan. Because the Town Manager's position is new, the bylaws set out expectations for how that position will function in the proposed structure. In other respects, the bylaws preserve as much as possible the current processes, including especially, the flexibility in relationships and customary ways of working together that have developed over time among boards, the Advisory Committee and others in the budget process.

The bylaws require the Town Manager to be responsible for preparing and submitting a Town-wide annual operating budget with a Budget Message to the Board of Selectmen, to the Advisory Committee and, at Annual Town Meeting (Article 6A.2.a). All boards will participate in preparing and maintaining the Town-wide annual operating budget, the Town-wide Financial Plan and the Town-wide Five-Year Capital Budget Program related to their areas of jurisdiction (Article 6A.2.c). The proposed bylaws provide that boards furnish to the Town Manager estimates and explanations of their budget needs for the coming year (Article 6a.3.a.). (This provision employs the same language as the current bylaw Article 11.11, which assigns this responsibility to the Advisory Committee).

The Town Manager is required to hold meetings with board chairs early in the budget development process to discuss the all factors relevant to the Town-wide annual operating budget and the Town-wide Five year Capital budget program, including the demands for services anticipated by each board and department (Article 6A.7).

The Town Manager will also develop budget guidelines for each individual department, subject to the approval of the Board of Selectmen (Article 6A.7). Although annual budget guidelines have been issued for years, they are not called for in the current bylaws. Different guidelines may be in place for different departments.

The Town Manager will establish the timeline, format and procedures for the submission of operating and capital budget requests (Article 6A.7.) Not less than 90 days before the start of the Annual Town Meeting, all non-School Department and operating and capital projects budget requests are due to the Town Manager, with copies to the Advisory Committee (Article 6A.7.) This is the same submission date in the current Advisory Committee bylaw (Article 11.11). Accordingly, the Advisory Committee will receive budgets at the same time that it does now.

The School Committee will be on a slightly different schedule; consistent with the time table under which the Advisory Committee and the School Committee have operated for the past few years, the School Department budget will be due to the Town Manager 70 days before Annual Town Meeting (Article 6A.7.b). As part of the submission, the School Superintendent will be required to submit a "Budget Message" that will describe important features of the School budget in fiscal terms and in terms of programs; explain reasons for any major variations from the School budget for the current year; and include other information that the School Superintendent wishes to include (Article 6A.4.b). The budget and Budget Message will both be copied to the Advisory Committee.

Not less than 60 days before the start of Annual Town Meeting, the Town Manager will submit the preliminary proposed Town-wide operating and capital projects budget, including the Town Manager's and the School Superintendent's Budget Messages, to the Board of Selectmen, with copies to the Advisory Committee and all other Town boards and officers, for review and comment, with all comments directed to go to the Town Manager and the Advisory Committee. If the Town Manager proposes any revisions to a board's budget that the aboard has not approved, the Town Manager must provide a written explanation to the board, with copies to the Board of Selectmen and the Advisory Committee" (Article 6A.7.d).

The Town Manager's Budget Message will : outline financial policies of the Town; explain the proposed budget for all Town departments, in fiscal terms and in terms of work programs; explain any proposed changes to board budget requests that have not been approved by the board; describe important features of the budget and it advances the Town's strategic plan; indicate any major variations from the budget for the current year and the reasons for such changes; summarize the town's debt position; and include other material the Town Manager deems desirable (Article 6A.4.a).

45 days before the start of Annual Town Meeting, the Town Manager will submit the proposed Town-wide budget, with any revisions, and with the Town Manager's and the School Superintendent's Budget Messages, to the Advisory Committee, with copies to all other Town boards and officers (Article 6A.7.e). Again, if the Town Manager has changed a board's submitted budget without that board's approval, the Town Manager must notify the board and provide an explanation for any changes, copying both the Board of Selectmen and the Advisory Committee. It is expected that the Advisory Committee will

continue its current practice of actively engaging with boards regarding their proposed budgets and any changes thereto throughout this process.

The Advisory Committee's responsibility to make a recommendation to Annual Town Meeting remains the same as now, but with a slightly different timeline. Current Article 11.7 requires the Committee to hold a public hearing on all articles, and current Article 11.8 requires it to mail its report at least seven days prior to the start of Annual Town Meeting. The proposed will be that the Advisory Committee vote on the budget not less than seven days before Annual Town Meeting whenever practicable (Article 6a.7.f). This new provision recognizes that the budget can come together in final form very late, and makes clear that the Advisory Committee may need additional time to make its recommendation.

The Town Manger will present the Town-wide budget and the Budget Message to the Annual Town Meeting (Article 6A.2.a). The School Superintendent will make the presentation of the School Department's budget and Budget Message (Article 6A.2.b).

IV. HUMAN RESOURCES

What are the changes recommended in the area of human resource functions?

Broadly speaking, the changes that are contemplated place accountability in the Town Manager by making the Town Manager responsible for establishing and managing the human resource functions in Town. The role of the Director of the Human Resources Board (HR Board) is strengthened; the role of the HR Board itself changes to more of a policy making board; and an alternative process will be substituted for the role that Town Meeting currently plays in approving changes to the Classification and Salary Plans and Personnel Policies.

Why are changes recommended in the human resources functions?

The field of human resources has become complex over the years, with increasing requirements under both federal and local law. HR is an area fraught with litigation. To put this issue in perspective, there are eight elected boards , seven appointed boards, and an Executive Director -- all of whom are separately responsible for hiring, supervising, evaluating, disciplining and, if necessary, terminating, approximately 500 employees who work in 21 separate Town departments. For the 800 School Department employees, the Town is responsible for the administration of benefits and other personnel functions, including health insurance, dental insurance, long term disability, payroll, workers compensation, etc. No one person is accountable for the HR function.

The weaknesses that the Town Government Study Committee (TGSC) found in the HR area are as follows:

- boards are not always willing or able to comply with standardized policies and procedures in areas such as hiring and personnel evaluations;
- there is inconsistency in application by departments of some established personnel functions;
- for some HR functions, such as professional development, there are no town-wide policies in existence;
- the expertise of the HR department is often not utilized in developing personnel policies;,
- the expertise of the HR department is not utilized at appropriate times in the budget development process by some departments, so that proposed new positions or upgrades of positions are properly vetted before being included as budget proposals; and

- the HR Director's expertise and knowledge are not appropriately utilized in developing goals for collective bargaining, especially with regard to consistency among union employees and non-union employees in benefits.

What are the changes recommended for the appointment of department heads?

At the present time, each of the 15 elected and appointed boards is responsible for hiring, evaluating and disciplining its own department head.

The TGSC recommends that the Town Manager be responsible for hiring department heads, subject to consultation with the affected board regarding applicable duties and qualifications and an opportunity for the board to interview one or more final candidates submitted by the Town Manager or through a process under the direction of the Town Manager, and ultimately with the approval of the affected board. The board will have 15 calendar days to approve the Town Manager's appointment; if no action is taken, the appointment becomes effective. A defined, reasonable time period for the board to act ensures an expeditious decision on highly qualified candidates that may have other opportunities pending. The Board of Selectmen must affirmatively approve the recommendation of the Town Manager for the appointment of the Police and Fire Chiefs.

The appointment of staff within the schools and within the Municipal Light Plant is not subject to this process.

Typically the selection of the finalists would be the responsibility of a screening committee, which would be expected to consist of board members, as well as other town and non-town peers. This process would be managed by the HR Director to ensure consistency and that all proper procedures are followed. The exact interview process would be worked through with the Town Manager and HR Director using best practices for the Town and common HR principles.

The Town Manager would make a decision on whom to appoint, and give written notice to the relevant board of the appointment. As noted above, the board would have 15 calendar days to confirm or reject the appointment, with the appoint becoming effective if the board took no action during that timeframe.

Why is there an exception for the Police and Fire Chiefs and staffs?

For the appointment of the Police and Fire Chiefs, the recommendation of the Town Manager must be *affirmatively* approved by the Board of Selectmen. The Chiefs will recommend to the Town Manager for his or her approval the hiring and promoting of their officers and other departmental staff.

The reason for this approval is a recognition of the unique position of police and fire functions in local government and the desirability of having extra checks and balances on the Town Manager for these critically important appointments of the Chiefs.

Why is this change on appointment of department heads being recommended?

There are two primary reasons for structuring the appointment of department heads in the manner proposed:

- It is important for the Town Manager to be able to develop an effective management team if the community is to hold the Town Manager responsible and accountable for the efficient and effective operation of town government; and
- In order to attract the strongest possible pool of candidates for each of these critical positions, it is important to ensure candidate confidentiality for as long in the process as possible; with the Town Manager as the appointing authority, the Open Meeting Law allows confidentiality during the initial screening process and up until the point that the Town Manager makes an appointment and the board interviews one or more finalists.

What is the role of boards in the evaluation of their department heads?

At the present time, each board is responsible for the evaluation of its department heads. While the efforts of the HR department have been significant in implementing standardized performance review processes, success has been limited. The result is that there are wide variations in how reviews are actually carried out. There is a perception among some employees and boards that the boards themselves are ill-equipped to carry out this responsibility. Some boards may see their department heads for only a few hours each month, in circumstance that do not enable the board to see the full scope of their departments heads' activities, including interaction with other Town department heads, staff and residents The proposed bylaws specifically require that the Town Manager establish annual goals and an annual evaluation of all employees in accordance with the Personnel Policies of the Town.

In the end, the Town Manager will be responsible for the evaluation of the department heads, other than the School Superintendent and the Director of the Municipal Light Plant. The Town Manager will have broad, day-to-day exposure to the work of the department heads, including how the department heads function as members of the management team, how they deal with administrative matters - including supervision of staff and management of their budgets -, and how they handle customer service. The input of the board will be important because, even though the board may have limited exposure to the department (often primarily at meetings), the role of the department head in providing service and staff support to the board is an essential one. Additionally, it is important the director's evaluation specifically address progress toward goals set by the board in advancing the Town functions under its jurisdiction.

What is the role of boards in the removal of department heads?

At the present time, boards have the responsibility for removing their department heads. Under the TGSC recommendations, the Town Manager will have the responsibility for removing department heads. The Town Manager will be required to give written notice to the affected board before such removal, if practicable. However, in no case shall the board be notified later than the end of the third business day following the removal of the department head. There will be rare cases where termination needs to be immediate. In other cases, it should be "practicable" for the Town Manager to give written notice of such removal to the affected board before such removal occurs.

What is the proposed role of the Human Resources Department in disciplinary cases?

At the present time, because there is no centralized HR function nor is anyone responsible on a town-wide basis for these cases, there are sometimes inconsistent applications of discipline. The recommendation is for the HR Director to be brought into disciplinary cases immediately, before any

resolution of the case is determined. This may involve a simple consultation via phone call or more extensive involvement.

Who hires, evaluates and disciplines staff below the level of department heads?

The Town Manager with the HR Director will establish the policies and procedures for hiring all employees below the level of department heads. It is contemplated that the department heads will be responsible for hiring, evaluating and disciplining their staff, as is the case now. The HR Director will then be responsible for managing and administering those policies and procedures.

What is the role of the Town Manager in the collective bargaining process with the Town unions?

The Town Manager is designated as the collective bargaining agent for negotiating with Town unions. The Town Manager may delegate some portions of that role to others, such as to the HR Director. As the collective bargaining agent, it is the Town Manager's job will be to work with the HR Director, the Board of Selectmen and other applicable boards and department heads to establish the collective bargaining goals of the Town, and to bargain with the unions to achieve those goals. Any agreement reached between the Town Manager and the unions would be subject to union ratification, subject to approval of the Board of Selectmen, and ultimately subject to funding of the contract provisions by Town Meeting.

Under the Education Reform Act, the Board of Selectmen may designate a "representative" to serve as a member of the School Committee for purposes of collective bargaining with School unions. Under the proposed bylaws, that representative will be the Town Manager. As such, the Town Manager will participate in School Committee strategy sessions with regard to collective bargaining, and will vote on School union contracts.

How do the roles of the Human Resources Board, Human Resources Director and Town Meeting change?

The current bylaws do not spell out the specific role for the HR Director. The administrative functions in the HR Department are delegated by bylaw to the Board; in practice, most of those functions are currently handled by the HR Director. The TGSC proposal specifically shifts responsibility for all of the administrative functions in the HR Department to the Director. Currently, the HR Board recommends changes to the Classification Plan (which "grades" job positions), the Salary Plan (salary ranges for employees) and Personnel Policies. Town Meeting currently approves many changes on a "ratification" basis for action that the HR Board has already taken. Recently these changes have been subject to the "consent agenda" at Town Meeting. Changes to the Salary and Classification Plans for non-union employees are typically responsive to bargained-for changes in union contracts. Many changes to the Personnel Policies are driven by state and federal law and, in some cases, by changes in union contracts.

The recommendations for amendments to the bylaws include assigning responsibility to the HR Board for approving the Salary Plan, the Classification Plan, and all Personnel Policies, upon the recommendation of the HR Director. Additionally, the HR Board will be responsible for approving the salary of any employee who is initially hired above the mid-point of a salary range, if necessary (currently, HR Board approval is required for any initial salary above the "minimum" point). The HR Board will also be available as a resource to the HR Director and Town Manager as requested. Although

many towns with Town Managers no longer have an HR Board, the TGSC believes an HR Board appointed by a Moderator serves as a good "check and balance" in our Town.

Town Meeting continues to have responsibility for funding, through the operating budget, any actions taken with regard to these items. This continues to be a strong check on the Town Manager and HR Board.

V. APPOINTED TOWN CLERK

Why should the Town have an appointed rather than an elected Town Clerk?

The duties and responsibilities of a Town Clerk have become increasingly complex, requiring specialized knowledge and training. The Clerk has critical responsibilities to ensure Town compliance with many different requirements on the federal, state, and local level. These responsibilities include: voter registration; the administration of elections; the administration of town records; maintaining vital statistics; and training employees and Town officials in ethics, conflict of interest, and the open meeting laws. In addition, the administrative duties of the Clerk require knowledge of and skill in the use and management of technology. Any town resident can run for the position regardless of the candidate's qualifications or experience. That is a risk the town cannot afford. Enabling the Town Manager to appoint the Clerk ensures that the most qualified person with all of the necessary skills fills the position.

The Clerk would be an important member of the Town Manager's senior management team. Accordingly, having an appointed Clerk would ensure that a person with the optimal set of skills would also have the ability to work closely and successfully with other senior Town employees.

At present, the Town Clerk is the only elected, paid position in Town government. The Clerk receives all employment benefits offered by the Town, such as health insurance, pension benefits, and long term disability insurance, but the Clerk is not currently subject to any limits on vacation and sick days or other requirements set forth within the Town's personnel policies. The Clerk is paid an annual salary without regard to the number of days or hours worked. By moving from and elected Clerk to an appointed Clerk, the Town would bring the Clerk's position within the scope of its other personnel policies.

If approved by Town Meeting and the voters, the transition to an appointed Town Clerk would take effect at the end of the Clerk's current three year term or in the event of an earlier vacancy.

Why wouldn't an elected Town Clerk meet the job requirements?

While our elected Clerks have performed ably in the position, there is no guarantee that the Town will continue to have qualified candidates in the future. The trend in Massachusetts has been a change from elected to appointed Clerks. In 2003, the year the Town elected our current Clerk, there were 79 appointed Clerks in Massachusetts. By 2014, that number had risen to 106. If a town resident has the required qualifications and applies for the position, a Town Manager could, of course, appoint that person. But through appointment, the Town would be assured of a larger pool of qualified candidates. Additionally, over the course of the past one hundred years in Wellesley, there has only been one contested election for Town Clerk, which occurred in 2003.

Is an elected Clerk more independent than an appointed Clerk, and is that an advantage?

While an elected Clerk may answer to the voters, his or her duties and responsibilities do not require independence. The Clerk's duties do not conflict with those of the Town Manager, and, therefore, an elected Clerk does not serve as a check and balance to the Town Manager. A qualified, professional serving in the capacity of the Town Clerk would discharge the job's duties in a way that would meet the requirements of the position and serve the best interests of the Town. As an important entry point and the "face" of Town government, the Clerk's Office has a fundamental responsibility to work closely with the Town Manager, senior municipal employees, and other town employees and volunteers generally to ensure that the needs of Town residents are being met.

Are there qualifications unique to a Town resident that are important for success in the position?

The qualifications necessary for success are unrelated to Town residency. While an individual resident may feel personally connected to the Town as the Clerk, there is no guarantee that that will be the case with future candidates. An experienced professional who becomes the Clerk would have attributes and personal qualities in addition to the essential skills and knowledge necessary to serve successfully in the position.

Are there additional advantages to an appointed Town Clerk?

Yes, there are additional advantages. An appointed Clerk would be treated equally with all other municipal employees with regard to standards of conduct, personnel policies, work hours, vacation, and any other policies established by the Human Resources Department. An elected Clerk is not subject as a town employee to these policies or additional standards and requirements of the Human Resources Department.

VI. STRATEGIC PLANNING

What is a Strategic Plan?

A Strategic Plan for Wellesley will provide a mission statement and long range vision for the Town. It will also identify broad community priorities, goals and objectives. In addition, strategies and action items will be outlined to achieve the stated goals and objectives.

Why does the Town of Wellesley need one?

Among the findings of the Town Government Study Committee was a need for improved internal communication and collaboration across Town departments and boards. The Strategic Plan will be a useful platform for collaboration since it will require participation and input from Town boards and departments as well as residents and other constituencies and stakeholders.

How does a Strategic Plan differ from the Comprehensive Plan?

Massachusetts law requires the Planning Board to create a Comprehensive Plan; the statutes also stipulate elements to be addressed in the Comprehensive Plan, such as housing, economic development and land use. While the Comprehensive Plan provides a basis for decision-making regarding long-term physical development in the Town, it does not encompass all Town departments, nor does it address budgetary issues.

Some departments, such as the Schools, already have a Strategic Plan. Won't creating another plan negate existing plans?

No. All departments will be consulted in the development of the Strategic Plan, and the Plan's recommended strategies and action items will integrate existing board or departmental objectives within a Town-wide context.

Can the Strategic Plan be developed under our current form of government?

In theory it is possible to conduct strategic planning under our current form of government so long as all boards are willing to participate in the process and come to consensus on competing Town priorities and allocation of resources. However, there is no existing mechanism for such collaboration and coordination and no executive with the responsibility and accountability for development and implementation of a Strategic Plan.

How will the Plan be developed and updated?

The Board of Selectmen will be responsible for the preparation of the Strategic Plan in consultation with Town boards, departments and stakeholders. They will also be responsible for updates to the Plan at least every five years. The Town Manager will be responsible for implementing, monitoring and assessing progress on the Plan and will present Town Meeting with an annual update.

Shouldn't the Board of Selectmen wait until a Town Manager is hired and on board before beginning the Strategic Plan?

Because there are common elements in the development of a Strategic Plan and a Comprehensive Plan, the Board of Selectmen is working with the Planning Board to create a process suitable to the creation and integration of both Plans. Most of the initial planning effort will be completed by the time a Town Manager is hired, but the Strategic Plan will still be in development.

How much will the Plan cost?

The Board of Selectmen and the Planning Board are identifying costs and will present a motion at the 2016 Annual Town Meeting that will incorporate funds for the Comprehensive Plan voted at the 2015 Annual Town Meeting.

VII. PLANNING AND LAND MANAGEMENT DIVISION

What is the Planning and Land Management Division?

The Planning and Land Management Division ("PLMD") is a new administrative division that will include: the Building Department; the Planning Board; the Zoning Board of Appeals; the Natural Resources Commission; the Wetlands Protection Committee; the Design Review Board; the Historical Commission; the Historic District Commission; and the Neighborhood Conservation Districts. It will be under the administration of the Deputy Director of General Government Services or a Deputy Town Manager if the Special Act is passed by Town Meeting. All of the boards and departments proposed for inclusion in the PLMD serve critical and related functions in the protection of the Town, its natural resources, as well as in planning for the future with respect to land management issues.

Why do we need the PLMD?

These boards and their staff will be joined in an effort to better coordinate land use planning and preservation, better coordinate the regulation and evaluation of new development, promote conservation and environmental goals, and ensure and strengthen the protection of the Town's natural resources, conservation land and open space. A Deputy Director or Deputy Town Manager will be assigned to provide administrative support and provide assistance with initiatives that would require or benefit from the engagement of multiple boards.

Creating the PLMD will enable the Town to establish a single point of contact within the area of planning and land management with the goal of improving customer service through a comprehensive approach and facilitating better communication among the boards and departments. Each of the boards and departments will be able to focus on its core mission to ensure a better-coordinated process for project review, permitting, and enhanced conservation efforts and protection of open space. The Division is intended to enhance the effectiveness of each board by creating an administrative structure through which each board will receive the resources necessary to achieve its goals and objectives.

How will the PLMD be created?

The recommendation provides for the creation of a new administrative division by way of a motion rather than a bylaw. Initially, the Town Government Study Committee proposed a new Town bylaw to create the division. However, we now propose to proceed by way of a motion that will allow a new Town Manager, or the Executive Director for General Government Service, the flexibility necessary to make changes within the Division based upon the Division's track record following implementation. The Board of Selectmen shall establish the Division within ninety days if the motion is passed.

Will the creation of the Division affect the responsibilities and authority of elected and appointed Boards?

Creation of the PLMD will not reduce, transfer or in any way diminish the existing responsibilities or authority of any Board as set out in Town bylaws or state statutes, with the exception of personnel functions as otherwise described in the Special Act and Town bylaws. Each Board and department will continue to have the same charge, functions, and obligations that it currently has. Each Board will continue to set its own goals for itself and to determine what initiatives to pursue and capital projects to propose. Each department and board will be responsible for voting on and submitting its own budget to the Division Director, who will submit a consolidated budget for the Division, which will be an aggregate of the individual departmental budgets. Each board will retain the right to make a presentation to the Advisory Committee concerning its programs and budget, and will have the right to advocate on its behalf to the Board of Selectmen, the Advisory Committee and Town Meeting with regard to any proposed changes to its voted budget proposed by the Town Manager and not approved by the board. The PLMD is intended to be an administrative structure that preserves the independence of member boards and departments in developing policy, initiatives, and pursuing goals and objectives, while providing administrative support and promoting shared goals.

Why create the Division now and not later?

Over the past sixteen months, the Town Government Study Committee interviewed many of the boards, departments and staff, as well as residents, conservationists, preservationists, land use attorneys, developers and commercial landlords. Based on the information gathered from those interviews, the

Committee identified a significant lack of coordination and communication in the Town's current planning and land management functions. The PLMD is in response to the problems identified and addresses the concerns and suggestions of the many stakeholders involved in planning and land management to ensure the best outcome for our Town. The Committee believes that there is a pressing need to address these issues now, and that the Town should not wait until a Town Manager is appointed.

How will this reorganization benefit the Town, the boards, and the staff?

Through the PLMD, the Town will realize: an improvement in the coordination of the goals and objectives of the boards and departments within the PLMD; a more comprehensive and efficient project review and permitting process; timely development of policies and plans for the use of public and private land, protection of our natural resources and open space; consistent zoning enforcement; support for the housing needs of the community; and preservation of historical sites.

The PLMD will improve customer service for residents and other property owners, and there will be greater consistency in zoning enforcement and with regard to any conditions attached to a project during the period of project review. Division- wide priorities can be established through the PLMD, which will benefit the departments and boards in their preparation of the operating and capital budgets. The Division will encourage a broader view and Town-wide perspective that will support coordinated and collaborative planning and an improved sequencing of work. The new administrative structure will encourage flexible staff support and opportunities for cross-training and staff development. Creation of the Division will enable the Town to take a holistic approach to planning and land use management and conservation and environmental issues, attention to which have become increasingly important as the Town is essentially fully built-out.

Will this make the permitting process easier for developers?

The PLMD will not make the permitting process easier for developers. Instead, it will ensure that developers follow applicable statutory requirements and town bylaws in every project through coordinated project review and permitting and consistent zoning enforcement.

Current permitting requirements will not change, and will remain equally rigorous if not more so through a better coordinated permitting process. An improved permitting process will help ensure that required permits will not be missed, and implementing a single point of contact at the start of any project and the using permit tracking software, will produce a more efficient review process that should address the concerns expressed by residents, staff, and board members.