

**ARTICLE 19. BOARD OF SELECTMEN**

**The current Article 19 sets forth the responsibilities of the Board of Selectmen and its relationship to the Executive Director of General Government Services. Much of the deleted material in this bylaw has been transferred to either the new Article 6A on the budget or to the new Article 20 on the Town Manager. Anything that is new to the Town bylaws has been noted. Underscoring indicates new language; stricken words indicate deletions.**

**PART I. GENERAL PROVISIONS**

**19.1. Membership.** The Town shall have an elected Board of Selectmen consisting of five registered voters of the Town.

**19.2. Term.** The term of office shall be three years.

**PART II. GENERAL DUTIES**

**19.3. Powers.** The Board of Selectmen shall be the chief executive board of the Town and shall oversee all matters affecting the interest and welfare of the Town. The Board shall exercise the power and authority vested in the Town not specifically delegated by law to any other board or office.

**19.4. War Memorial Scholarship Fund Trustees.** The Board of Selectmen shall be *ex officio*s the War Memorial Scholarship Fund Trustees, who shall manage said fund in accordance with the provisions of Chapter 229 of the Acts of 1951, as amended and as the same may be amended from time to time hereafter. The Town Treasurer shall be the custodian of all funds and securities thereof. The Board of Selectmen shall include in the Annual Report a financial report of said fund, showing the total amount thereof, investments, receipts and their sources and disbursements and their purposes.

**Note: The entire section 19.5 on Capital Budgeting and Investments has been transferred to the new Article 6A (Section 6A.5) on the budget.**

**19.5.3. Investment of Town Funds.** The Board of Selectmen, after consultation with the ~~Executive Director of General Government Services~~ Town Manager, shall set guidelines and criteria for the Finance Department for the investment of any and all types of Town funds, including trust funds, and shall establish adequate procedures for the reporting of investments of Town funds.

**19.6. General Duties.** The Board of Selectmen shall have all of the powers and duties of boards of selectmen under the General Laws.

**Note: The appointments deleted in this section will now be made by the Town Manager rather than by the Board of Selectmen. The appointment of the Dog Officer will be made on the recommendation of the Police Chief, approved by the Town Manager. The remaining Selectmen appointments consist of appointments to the boards themselves (i.e., Council on Aging) or of individuals for whom there is a statutory or other reason for the Selectmen to make the appointments.**

**19.7. Appointments.** The Board of Selectmen shall appoint qualified persons to those positions which by law the board fills by appointment. Those positions include but are not limited to:

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| 1. <del>Executive Director of</del>                        | 8. Constable                          |
| <del>General Government Services</del> <u>Town Manager</u> | <del>15. Civil Defense Director</del> |

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|--|---|
| <del>2. Fire Chief</del>                                       | 16. Inspector of Wires  |
| <del>3. Police Chief</del>                                     | 17. Inspector of Gas  |
| 2. Town Counsel  | <del>18. Building Inspector</del>   |
| 3. Zoning Board of Appeals<br>(including associate<br>members) | 9. Council on Aging   |
| 4. Historical Commission                                       | 10. Youth Commission  |
| 5. Celebrations Committee                                      | <del>21. Keeper of the Lockup</del>                                       |
| 6. Registrars of Voters (3 of 4)                               | 11. Special Police  |
| 7. Election Officers   | <del>23. Dog Officer</del>  |
| <del>10. Director of Veterans' Services</del>                  | 12. Historic District Commission  |
| <del>11. Veterans' Grave Officer</del>                         | <del>25. Cable Television Committee</del>                                 |
| <del>12. Sealer of Weights and Measures</del>                  | 13. Wellesley Cable Access Board-Wellesley<br>Media Corp. (three members) |
| <del>13. Public Weighers</del>                                 | 14. Municipal Light Board (two members)                                   |

**19.8. Communication and Cooperation.** The Board of Selectmen shall encourage and facilitate close communication and cooperation among all boards, officers and officials.

**19.9. Investigations.** The Board of Selectmen shall exercise the authority granted by Chapter 41, Section 23B of the General Laws to investigate the conduct and operation of any Town department and publish a report upon completion of such investigation.

**19.10. Appearance Before Other Bodies.** The Board of Selectmen may appear personally, by counsel or by a designee before any committee of the General Court or before any other person or body to protect the interests of the Town. The Board is not authorized by this section to commit the Town to any course of action.

**19.11. Legal Actions and Settlements.** The Board of Selectmen shall have full authority as agents of the Town, acting upon the advice of counsel, to institute, prosecute, defend and compromise any and all claims, actions, and proceedings on behalf of or against the Town and in which the interests of the Town are or may be involved. However, this authority shall not restrict the Collector of Taxes in the exercise of the powers for the collection of taxes and accounts due the Town conferred upon the Collector of Taxes by the General Laws. No settlement shall be made by a payment of more than \$5000 without authority from the Town.

Note: The responsibility placed on the Town Manager for these functions is found in Section 20.3.r.

**The following sections, Actions of Town Meeting (Section 19.12), Enforcement of Bylaws and Regulations (Section 19.13), and Review of Bylaws and Government (Section 19.14) have been moved to new Article 20, the Town Manager, Sections 20.3.n., 20.3.f., and 20.3.s., respectively. The provisions of Section 19.15 have been picked up by Article 6A, the new budget article and by Article 20, the new article on Town Manager.**

~~**19.12. Actions of Town Meeting.** The Selectmen shall oversee the implementation of the actions of Town Meeting.~~

~~**19.13. Enforcement of Bylaws and Regulations.** The Selectmen shall be responsible for the enforcement of all bylaws and regulations of the Town.~~

~~**19.14. Review of Bylaws and Government.** The Selectmen shall periodically review the bylaws and the structure and functioning of Town government and make appropriate recommendations to the Town.~~

**Section 19.16, Town-Wide Financial Planning and Budgeting has been moved to Article 6A (Section 6A.6.), the new article on the budget provisions.**

**The following section, 19.17, has been moved to the Town Manager bylaw, Section 20.3.o.**

~~19.17. Weekly Warrant. The Selectmen shall approve all bills before payment by the Treasurer.~~

**The following section is all new.**

**19.12. Town-wide Strategic Plan.** The Board of Selectmen shall be responsible for preparation of a Town-wide Strategic Plan. The Strategic Plan shall form a holistic, integrated agenda for the Town that reflects the goals, objectives and strategies that may be adopted from time to time by Town boards. The Board of Selectmen shall publish an updated Strategic Plan at least every five years; provided, however, that the Town Manager shall be responsible for implementing, monitoring and assessing progress on the Strategic Plan, and for presenting to the Annual Town Meeting an update.

a. The Strategic Plan shall include:

(i) an articulated long-range vision for the Town;

(ii) a mission statement of Wellesley Town government, including a statement of purpose(s) describing the functions of the municipal government and for whom it provides those functions;

(ii) a specification of broad community goals and priorities;

(iv) a statement of objectives: identification of deliverables, both products and services to be provided;

(v) strategies by which objectives and goals will be achieved and by whom, as well as a timeline for action;

(vi) recommended action items for coordinating and integrating board or departmental objectives within a Town-wide context;

(iii) existing or anticipated financial constraints on the ability of the Town to pursue the objectives of the Strategic Plan and how those constraints will be addressed;

(iv) specific and measurable metrics for assessing progress at agreed-upon time intervals; and

(iv) such other matters as are deemed appropriate by the Board of Selectmen.

b. In preparing the Strategic Plan, the Board of Selectmen shall consult with Town boards and department staff, as well as residents and other constituencies and stakeholders. All Town

boards, officers, and staff are expected to cooperate and participate in the preparation of the Strategic Plan.

**19.18.13. System for Citizen Inquiries.** The Board of Selectmen shall establish a system to be administered by the ~~Executive Director of General Government Services~~ Town Manager to take effective and efficient action on citizen complaints and requests for service.

Note: This section has been moved from the current Section 19.18.

**19.14. Licensing Board.**

**Note: This section has been revised based on the new provisions in the Special Act Section 1(D).**

- a. Except as otherwise provided in Section 19.14.b, the Board of Selectmen or its designee shall serve as the local licensing authority board for the Town. ~~under those statutes granting licensing powers to boards of selectmen.~~ The Board shall adopt rules and regulations regarding the issuance of such licenses.
- b. The Board of Selectmen shall be the local licensing authority for the issuance of all licenses pursuant to Chapter 138 of the General Laws; provided, however, that the Board or its designee may issue temporary licenses in accordance with Chapter 138, Section 14 of the General Laws.
- c. In granting of licenses for the sale of wines and malt beverages not to be drunk on the premises as authorized by ~~Chapter e-~~ Chapter 14 of the Acts of 2014, the Board of Selectmen shall limit such licenses to food stores and specialty food stores, said terms to be defined ~~by the Selectmen~~ in regulations adopted by the Selectmen Board after a public hearing. ~~(Amended ATM 2014)~~

**Note: Section 19.20, House Numbers, has been moved to the new Article 20 on Town Manager (Section 20.14).**

**19.21.15. Municipal Charges Lien.** No municipal charges lien to secure reimbursement to the Town for its expenses incurred, properly chargeable to the property owner, in correcting any particular encroachment onto town-owned land, authorized by ~~G.L.c.~~ Chapter 40, Section 58 of the General Laws and vote of the 2012 Annual Town Meeting on April 2, 2012, acting under Article 30 of the Warrant for said meeting, shall be imposed without the Selectmen's approval following the giving of due notice to the person to be charged and an opportunity to be heard. *(New section ATM 2012)*

**19.22.16. General Provisions.** The Board shall also be governed by Articles 2 through 7 of these bylaws and other provisions of these bylaws applicable generally to all boards, except as it is specifically directed by law or a provision of these bylaws to act otherwise.

**The provisions relating to the Executive Director of General Government Services (Sections 19.31-19.34) have been eliminated and replaced by the new Article 20 on Town Manager.**

**The entire Section on the Finance Department (Sections 19.41 to 19.49) has been moved to new Article 20 on Town Manager (Sections 20.4 through 20.12).**

**PART V— III. TOWN MEETING DUTIES**

**19.51. 17. Town Meeting.** The Board of Selectmen is responsible for calling all Town Meetings and shall take such actions as are required by law or by Article 8 of these bylaws relative to such Town Meetings.

**19.52. 18. Closing of Warrant.** The Board of Selectmen shall, by notice to each board and by notice in a newspaper generally circulated in the Town, specify the date when the warrant for any Town Meeting shall close.

**19.53. 19. Copies of Warrant.** The Board of Selectmen, after drawing a warrant for a Town Meeting, shall promptly transmit a copy of the warrant to each member of the Advisory Committee and to each Town Meeting Member.

**19.54. 20. Copies of Motions.** The Board of Selectmen shall distribute copies of all draft motions received by them to the Town Manager, Moderator, Advisory Committee and Town Counsel, as well as to any board that, in its opinion, is likely to have an interest in the motion, so that they may communicate with the author of the motion as far in advance of the meeting as possible. Copies of such drafts shall also be available for public inspection at the Board's office and at the Wellesley Free Library.