

**WELLESLEY, MASSACHUSETTS**  
**BOARD OF SELECTMEN PROCEDURES AND POLICIES MANUAL**  
January 2018

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# **WELLESLEY, MASSACHUSETTS**

## **BOARD OF SELECTMEN PROCEDURES**

### **1. INTRODUCTION**

#### **1-1 Mission Statement**

The mission of the Board of Selectmen is to ensure the highest possible quality of management and leadership regarding the community's resources. The Board works with an Executive Director, Assistant Executive Director and Deputy Director in a working relationship based on the highest standards of municipal management. The Board sets policy and strategic direction for the community and the Executive Director Implements Board policy through the Selectmen's office and its reporting departments, and in conjunction with the other Boards and Departments in town. The Board also functions as the licensing authority in specific areas and renders decisions regarding the issuance of all licenses based on the best interests of the community.

#### **1-2 Authority**

The Board of Selectmen is an elected Board and derives its authority and responsibilities from the statutes of the Commonwealth of Massachusetts and the By-Laws of the Town of Wellesley. The Board exercises its authority only when acting as a board legally in session or when a designee is specifically named for a limited purpose.

**General Reference:** Chapter 41, Massachusetts General Laws; Article 19, Town of Wellesley Bylaws (2016) (attached as Appendix A)

#### **1-3 Role of the Board**

The Selectmen together act as the chief executive board of the Town of Wellesley, are responsible to the people of the Town, and oversee all matters affecting the interest and welfare of the Town (TBL 19.3). The Selectmen have the powers and duties conferred upon Boards of Selectmen under the Constitution and General Laws of the Commonwealth of Massachusetts as determined by the Town Bylaws. They are considered Municipal Employees for the purposes of MGL c. 268A.

Overall, the duties of the Board are as follows:

- Uphold the Wellesley Town bylaws and responsibilities set forth therein;
- Take the oath of office given by the Town Clerk prior to taking any official Board action or vote;

- Recognize the Board's primary role is to set policy, with the discretion to delegate certain responsibilities to the Executive Director and act on others itself;
- Work to ensure application of the highest standards of public safety throughout the Town;
- Be well informed concerning the duties of a Board member on both state and local levels;
- Establish annual goals and objectives for itself and the Town, within its areas of responsibility;
- Represent the entire community always;
- Operate within the Commonwealth of Massachusetts' Open Meeting Laws;
- Appoint, supervise, and work collaboratively with, an Executive Director (ED), and set performance goals and objectives for, and evaluate, the ED on an annual basis;
- Supervise, through the Executive Director, the departments of general government that are not supervised by other elected officials, except that the Fire and Rescue Department and the Police Department shall be supervised by their respective Chiefs, and Town Counsel shall be supervised by the Board in consultation with the Executive Director;
- Make appointments to volunteer boards, committees and commissions according to TBL Article 19.7 and the Board's Appointment Policy;
- Act as the Licensing Board for the Town where specified by Town bylaw or statute;
- Set dates for Town Meetings as required and prepare the Warrant for Annual and Special Town Meetings;
- Meet annually with legislators whose districts include Wellesley;
- Sign warrants for the payment of Town bills;
- Set dates of special elections and/or ballot or referendum votes in conjunction with the Town Clerk; and
- Other responsibilities as outlined in the TBL, Article 19.

#### **1-4 Election and Qualification**

In accordance with TBL Article 19.1, the Board shall consist of five duly-elected members. Before assuming official duties, each newly-elected member shall be sworn to faithful performance of official responsibilities by the Town Clerk.

Board members must also comply with Town Clerk's instructions regarding proof of assessment regarding the Conflict of Interest and Ethics laws pertaining to the position.

#### **1-5 Vacancies**

A vacancy or vacancies occurring in the Board of Selectmen shall be governed by MGL Chapter 41, Section 10 (provides for a special election under certain conditions).

## **1-6 Operational Goals and Goal Setting**

The Board of Selectmen sets goals that can influence the community for many years. In setting goals, the Board must consider short-term and long-range needs as well as the future implications of those decisions, and is guided by the any Town Unified or Strategic Plan, 5-year Capital Budget Program, and Town-wide Financial Plan or successor town-wide planning documents, as well as individual departments' objectives. Goals should be established that will sustain the excellence that citizens demand.

Goal-setting is typically done annually in May or June and is done collaboratively between the Board, the Executive Director, and the Assistant Executive Director. By setting goals before the beginning of the new fiscal year, the staff has direction that will guide it through budgeting and articles for Town Meeting in March.

The goals should be prioritized and should address the following general areas:

- Fiscal management;
- Communication;
- Policy Development;
- Intergovernmental communications and relations;
- Public Relations;
- Board of Selectmen/Town Administration relations;
- Board of Selectmen meeting effectiveness/efficiency

The following should be included in developing the operational goals:

- Each Board member should be asked to submit proposed goals.
- The Executive Director and Assistant Executive Director should be asked to submit proposed goals.
- Review prior year's goals and include any not met that should be continued.

## **1-7 Policy Development**

The Board of Selectmen shall develop policies to serve as guidelines to the Executive Director and citizens on a variety of issues. Adoption of new policies and revision of existing policies by the Board of Selectmen may only be finalized by affirmative vote of a majority of the Board of Selectmen at a duly noticed meeting of the Board of Selectmen.

All policies of the Board of Selectmen shall be recorded on the same form. Said form shall include the name of the policy, the date approved by the Board of Selectmen and the signature of the Chairman of the Board of Selectmen. Each policy shall contain the following sections: I. Background, II. Purpose & Scope, III. Application and IV. Reference.

Draft policies shall be placed on the agenda for a regularly-scheduled meeting of the Board. The Board may schedule any hearings or meetings it deems necessary for full discussion, and may also distribute a draft copy to the appropriate staff or board members from whom they wish to obtain comments.

### **1-8 Selectmen's Expense Reimbursement**

Expenses relating to the attendance at the Massachusetts Municipal Association's annual conference, and the World of Wellesley annual breakfast and other events as shall be approved by the Board may be reimbursed with the prior approval of the Board.

## **2. ORGANIZATION OF THE BOARD**

### **2-1 Officers**

- a.** The Chair, Vice-Chair, and Secretary shall be elected from among the members of the Board at the annual retreat for a one-year term. Nominations of officers shall require both a motion and a second. A majority vote shall constitute an election. Upon the election of the Chair, he/she will call for the election of a Vice-Chair and a Secretary. The Board may at any time remove the Chairman.
- b.** Nominations and elections of officers are wholly within the discretion of the Board.
- c.** If a vacancy occurs in any of the Selectmen's officers, the Board shall elect a successor as soon as is practicable to fill the unexpired term.

### **2-2 Responsibilities of the Officers**

- a.** The Chair of the Board shall:
  - Preside at all meetings of the Board;
  - Call meetings to order at the appointed time;
  - Announce the business of the Board;
  - Maintain order in the meeting room;
  - Recognize speakers;
  - Call for votes;
  - Sign official documents that require the signature of his/her office;
  - Prepare agendas with the Executive Director, Assistant Executive Director, and the Vice-Chair, with additional input from other Board members;
  - Notify Board members prior to the meeting if a strategy or approach has been suggested for dealing with potentially contentious agenda items;
  - Arrange orientation for new members;

- Schedule Special meetings in accordance with the Open Meeting Law;
- Coordinate with the Executive Director and Assistant Executive Director the scheduling of appointments before the Board;
- Confer with the Executive Director (and Vice-Chair when appropriate) regarding matters that arise between meetings;
- Communicate with all members of the Board in a timely way information relative to matters of interest to or relating to issues before the Board;
- Represent the Board at meetings, conferences and other gatherings unless otherwise determined by the Board or delegated by the Chair; and
- Serve as spokesman of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated by the Chair.

The Chairman shall have the same rights as other members to discuss questions and to vote thereon.

- b.** The Vice-Chair will perform duties as may be delegated or assigned to him/her, and in the absence of the Chairman, the Vice-Chair shall act as presiding officer of the Board.
- c.** The Secretary shall, in the usual course, make all motions to be voted by the Board and perform other such duties as may be delegated or assigned to him/her. In the Secretary's absence or in unusual situations, any Board member may make a motion.

### **2-3 Roles and Responsibilities of Individual Members of the Board**

#### **a. General**

- The Board functions as a body in all policy decisions and all other matters as required by law or determined by vote of the Board in formal session.
- Board members who wish to take issue with another member's conduct, behavior, procedures, will do so first privately with the member concerned or will notify him/her prior to first doing so at a public meeting;

The Board of Selectmen is aware that coordination and cooperation is needed among the town's major boards, committees and commissions, not only in the day-to-day operations of government, but also to:

1. set town-wide goals and priorities;
2. identify and anticipate major problems and plan for their resolution; and
3. develop a process for dealing with state government.

#### **b. Standards of Conduct**

- An individual member of the Board, including the Chair, may act independently only if specifically authorized by the Board.
- The Chair will preserve decorum and prevent personal attacks. No one in attendance at the meeting will be allowed to make disparaging remarks about anyone including staff. The Chair will rule inappropriate comments out of order and issue warnings to the offending parties.

**c. Responsibilities**

**i. In general, each member of the Board of Selectmen should:**

- Be ever mindful that the basic responsibility is to the entire citizenry and that the Selectmen represents the entire community always;
- Be well informed concerning the duties of a Selectman;
- Accept the office of Selectman as a means of unselfish service, not to benefit personally or politically from his or her board or outside activities;
- Adopt policies which incorporate consistent and fair management practices;
- Adopt policies and procedures which represent fiscal responsibility;
- Encourage Town employees and volunteers to strive for efficient and productive use of Town resources;
- In all appointments, avoid political patronage by judging all candidates on merit, experience, and qualifications only;
- Abide by ethical rules established by the Commonwealth and not use the position to obtain inside information on matters which may benefit someone personally; and
- Realize that it is inappropriate to make promises or commitments of how the Selectmen will vote upon matters which will come before the Board.
- Treat fellow Selectmen, colleagues on other boards, Town staff, and citizens respectfully and courteously despite any differences in opinion;
- Recognize that actions at official meetings of the Board are binding and that no individual member can bind the Board outside such meetings;
- Realize that he or she is expected to carry out all board decisions once they are made;
- Uphold the intent of executive sessions and respect privileged communications that exist in executive sessions;
- Keep each other informed of all issues they are pursuing that are of concern to the Board;
- Report back in a timely manner to other Selectmen, the Executive Director and the Assistant Executive Director on significant meetings or hearings which they have attended and especially on issues on which Board action will later be required;
- Make voting decisions only after all facts on a matter have been presented and discussed.

ii. In his/her relationships with and to members of other boards, committees and commissions, a member of the Board of Selectman should:

- Identify problems and issues and work together towards a resolution;
- Cultivate an atmosphere of mutual respect for each other's responsibilities and authority;
- Regularly attend schedule meetings with the boards and committees to carry out the functions listed above;
- Communicate openly regarding priorities and objectives set forth in the Unified Plan, 5-year Capital Budget Program, Town-wide Financial Plan or successor town-wide planning documents to align expectations and understandings on finances and timing of projects; and
- Work collaboratively at one or two Inter-board meetings per year to discuss matters of mutual interest and share budget and other information.

iii. Article 19 of the Town Bylaws govern the relationship between the Board of Selectmen and the Executive Director. Board members should be familiar with and abide by the terms of the Bylaws.

In relation to the administration and particularly to the Executive Director, a member of the Board of Selectman should:

- Accord the Executive Director full responsibility for the conduct of that office and hold the Executive Director accountable for acceptable results, including matters of employment, discipline and termination of administrative personnel;
- Endeavor to establish sound and clearly defined policies which will guide and support the Executive Director for the benefit of the people of the community;
- Respect and support the administrative chain of command and the authority of the Executive Director, and decline to act on complaints as an individual outside the administration;
- The Executive Director will provide to the Selectmen all information, facts and reports necessary to establish or modify policies. At any time, the Executive Director may request guidance on matters of operation from the Board.
- When individual members make a request of the Executive Director or Assistant Executive Director for information of concern to the whole Board, the ED or AED is to report back to the whole Board - not only the member raising the question.
- As a matter of courtesy, Board members should speak with the Executive Director in private about any concerns or questions Selectmen intend to raise publicly.

The Board, through the Chair, should elicit continuous feedback from the Executive Director and provide continuous feedback to him/her. The Board of

Selectmen shall annually conduct a performance review of the position of the Executive Director in accordance with the policies and directions of the Director of Human Resources. Each member of the Board shall provide input into the performance review. The final evaluation matrices shall be averaged into one final evaluation by the Chair and one set of narrative comments shall be submitted.

The Chair and Vice-Chair shall meet with the Executive Director to administer the review, and a summary of the review shall be presented to the Executive Director at a public meeting of the Board of Selectmen.

**iv.** In his/her relationships with any member of Town staff, a member of the Board of Selectmen should:

- Treat all staff as professionals, with clear, honest communication that respects the abilities, experience, and dignity of each individual;
- Limit contact to specific Town staff. Questions of Town staff and/or requests for additional background information should be directed to the Executive Director, Assistant Executive Director, Deputy Executive Director, Town Counsel, Executive Assistant to the Board of Selectmen, or a department head;
- Never publicly criticize an individual employee. Concerns about staff performance in departments other than those which report to the Board of Selectmen should only be made to the Executive Director through private conversation;
- Be judicious in requests for staff support;
- Ensure that any materials or information provided to a Selectman from a staff member be made available to all Selectmen upon request;

The TBL vest in the Executive Director direction, supervision, and evaluation of members of his or her staff. Selectmen must respect this allocation and work through the Executive Director when information requests result in follow-up action by staff. The Selectmen may ask staff questions directly.

If Board members wish to take issue with a staff member's conduct or work product, they will do so privately with the Executive Director, not directly with the staff.

**d. Conflict of Interest**

- Members of the Board of Selectmen will strictly adhere to the provisions of the Conflict of Interest Law, MGL c268A, during and after their terms. New members of the Board should be briefed on the law's implications by either Town Counsel or by attending

one of the State Ethics Commission seminars. MGL c268A outlines circumstances under which a Board member should file a disclosure form with the Town Clerk;

- Members should avoid the appearance of conflict in their words and actions, including in the making of appointments;
- Without proper public disclosure members “may not take any action that would create an appearance of impropriety, or could cause an impartial observer to believe your official actions are tainted with bias or favoritism.” (State Ethics Commission Introduction to the Conflict of Interest Law);
- Individual Selectmen may not hire, promote, supervise, or otherwise participate in the employment of an immediate family member or their spouse;
- Selectmen may not ask for or accept gifts worth \$50 or more from anyone with whom the Board has official dealings;
- Members may request legal advice about how the law applies in a particular situation. Advice is free, confidential, timely and binding. Advice may be sought from Town Counsel whose conflict of interest opinions must be filed with the Commission for review. The State Ethics Commission’s “attorney of the day” may also be reached at 617-727-0600 or 888-485-4766.

**e. Liaisons**

The Chair of the Board of Selectmen, in consultation with all Selectmen, shall appoint members of the Board of Selectmen to act as liaisons to other Town board and committees. Each board member will maintain regular communication with each committee/board to which he/she is assigned.

Attendance at every meeting is not required; however, the Selectman assigned to a liaison function shall provide regular updates to the Board and keep the Board of Selectmen advised of all significant developments and activities.

Liaisons are encouraged to invite committee/board members to report to the full Board as deemed necessary.

The Board of Selectmen liaison is not considered a member of each assigned committee or board (in most cases); he or she should participate in meetings when invited to do so or as needed to provide or obtain information and feedback.

It is requested that each committee/board which has been assigned a Selectman liaison include the liaison in the distribution of all general meeting correspondence such as meeting minutes, agendas, etc. This will make for a more effective liaison assignment. Each committee/board which has an assigned liaison should consider that person as the first point of contact with the Board of Selectmen.

Each liaison shall notify the Chair of the boards/committees to which they serve as liaison when a new liaison is assigned, and share with the new liaison the information he/she will need in order to participate effectively with the board or committee.

### **3. EMPLOYEES OF THE BOARD**

The Board of Selectmen shall appoint an Executive Director, the Police Chief and officers, the Chief Fire Engineer and firefighters, the Building and other Inspectors, and Town Counsel, who shall appoint such other staff as are deemed necessary to carry out the responsibilities of the office of Selectmen.

### **4. BOARD MEETINGS**

#### **4-1 Schedule**

Selectmen's Meetings are held in the Juliani Room of the Town Hall, on Monday evenings starting promptly at 7:00 P.M. unless otherwise determined. Other than Executive Sessions, the meetings will be video-recorded, unless impracticable by Wellesley Media.

The Board shall not meet on days designated as Legal Holidays. Meetings falling on a legal or religious holiday are canceled or rescheduled at the discretion of the Board.

#### **4-2 Notice of Meetings**

The Executive Director or his/her designee, on behalf of the Chair, is responsible for filing a notice of the meeting with the Town Clerk at least 48 hours (not including Saturdays, Sundays or Legal Holidays) before the meeting is to take place and shall take all steps necessary to comply with the open meeting law.

#### **4-3 Agenda preparation and procedure**

##### **a. Responsibility**

Responsibility for coordinating and planning the weekly agenda, and deciding the meeting date on which an agenda item shall appear, is that of the Chair, Vice-Chair, Executive Director and Assistant Executive Director. They and the other individual board members may place items on the agenda. The Executive Director or Assistant Executive Director, after consultation with the Chair, shall schedule a realistic time for each appointment, interview, conference or other scheduled item of business and shall confirm all appointments including time allotted. The Executive Director and Chair will determine the order of the agenda.

##### **b. Timing**

Board members should make all reasonable efforts to submit all items for the agenda for the upcoming week to the Executive Director by 12:00 noon on the Thursday preceding the meeting.

Items of emergency or strictly routine nature that develop after closing of the agenda may be considered, at the discretion of the Chair, under "new business".

Members of the Board, staff, Executive Director or others who prepare background material for the meeting should also endeavor to submit such material to the Executive Director by 12:00 noon on the Thursday preceding the meeting. If background information is insufficient or complicated or if complex memos or motions are presented at the meeting which were not distributed sufficiently in advance, any member may request the tabling of the item to allow careful study of the material presented or the motion proposed.

**c. Format and Content**

Agenda items include by way of example:

- Call to order
- Announcements
- Citizens' Speak
- Executive Director's Report
- Items for Individual Consideration (sign notes for borrowing, hearings for licenses, permits, sign pole locations, appointments or approval of Executive Director appointments, appointments with Town boards, committees, commissions, general business, Selectmen's policy action or review, reports of boards and committees, and other business)
- Executive Session

All backup data, pertinent information, or an outline for discussion shall accompany all subject matters or items to appear on the agenda.

**d. Posting and Delivery**

The agenda shall be posted on the Town's website and delivered to the Town Clerk no later than 48 hours (not including legal holidays) prior to the meeting. The official weekly agenda will be available to the Selectmen and Town Counsel on Friday afternoon. Copies of the minutes and all important correspondence, reports and other pertinent background materials shall be forwarded to the members of the Board with the agenda.

Distribution of the agenda and materials for a special meeting of the Board shall conform insofar as practical to the agenda for the regular Monday meetings.

Additional copies of the agenda shall be available to the people in attendance at the meetings.

**e. Notification of Interested Parties**

Insofar as is practicable, the Executive Director or his/her designee shall notify persons who are directly involved in the issues to be discussed by the Board of Selectmen making note of the time their item will probably be considered. This shall include items to be discussed under the Executive Director's agenda.

**4-4 Procedures**

Meetings are to be conducted in accordance with generally accepted rules of parliamentary procedure and the Open Meeting Law. It is the practice that application of such procedure be on a relatively informal basis, due to the size of the group and the desirability of flexibility in the expression of opinion. Robert's Rule of Order is used as a guide in matters requiring clarification or definition.

A quorum shall consist of three (3) members of the Board. As a practical courtesy, action on critical or controversial matters, the adoption of policies, or the making of appointments shall be taken whenever practicable only when the full Board is in attendance.

Actions and decisions shall be by motion, second and vote. In the event of a non-unanimous vote or abstention, voters will be identified by name.

The Executive Director and Assistant Executive Director are expected to attend all meetings of the Board to keep the Board informed and advised, and to make recommendations in matters that fall within the jurisdiction of the Office of the Selectmen. They shall carry out the actions of the Board as they relate to the conduct and administration of Town affairs under their jurisdiction.

**4-5 Citizen Participation at Board of Selectmen Meetings**

The Board recognizes that it both represents and is accountable to all the citizens of the Town. It is the Board's policy to make every effort to strengthen communications with citizens, such as increasing citizen participation, encouraging citizen input into governmental decisions and keeping citizens informed of all actions contemplated or taken by the Board, Town Meeting and the Executive Director which will affect them. To this end, the following steps will be taken:

- Regular Selectmen's meetings shall contain an agenda item called "Citizen Speak" that allows the public to bring non-agenda issues to the attention of the Board. Citizens are

welcome to raise new issues for future board agendas, identify community problems, and comment on past, present or future board agendas. The issues raised will not be debated at this time;

- An individual citizen or group of citizens may request an appointment before the Board by making a request in writing to the Executive Director or Assistant Executive Director stating the reason for the appearance and the action desired and naming a spokesman for the group. Participants shall be given the opportunity to make a reasonable presentation through the spokesman and to express opinions and ask for pertinent information. Background data shall be prepared by the boards and departments concerned prior to the appointment insofar as possible, so that all parties involved can have a reasonable understanding of the subject matter;
- If the Board is considering matters of citizen concern at a regular meeting, the public will be allowed to ask questions or make statements relative to the matter under consideration at the discretion of the Chair or upon request of any member of the Board;
- All citizen questions and complaints submitted to the Selectmen's Office in writing are to be answered promptly. Questions and concerns relating solely to the Office of Selectmen shall be answered promptly by the Chair, or at the direction of the Chairman, by the Executive Director. Those needing attention by the Board should be referred to the Chair for inclusion in the next meeting agenda;

Rule for Public Comment section of the meeting regarding agenda items:

- There will be no demonstrations of approval or disapproval;
- Each speaker may be asked to limit his/her comments;
- Before speaking speakers should state for the record their names, addresses, and if known, precincts;
- All speakers will adhere to our commonly agreed-upon standards of civility and treat others with respect, and will make no disparaging remarks about any person or group.

#### **4-6 Other Boards' and Committees' Appearance at Selectmen's Meetings**

Boards, committees and commissions of the Town may request an appointment for a presentation or discussion with the Board by making the request in writing to the Executive Director, stating the reason for the appointment and the action desired. Boards, committees and commissions are requested to forward a copy of all pertinent material related to the subject matter to be discussed to the office of the Board of Selectmen by Wednesday 12:00 noon prior to the scheduled appointment. The Executive Director will notify those requesting an appointment of the time at which their appearance will be scheduled.

Similarly, the Board of Selectmen may request a meeting with a board, committee or commission to provide an update, to discuss an issue of mutual interest, to brief the board on a matter which it intends to bring to a Town Meeting, or for other purpose deemed necessary by the Chair.

#### **4-7 Executive Sessions**

Generally, Executive Sessions other than a few minutes in duration will be scheduled near the beginning or the end of the Open Meeting. There are occasions, however, at which the Board needs to deliberate in Executive Session to then present that issue in Open Session.

Only items clearly allowed under the State's Open Meeting Law shall be included in Executive Session. An Executive Session shall not be held unless the Board has first convened in Open Session for which notice has been given. A majority of the members must vote to go into Executive Session and the vote of each member must be by roll call recorded in the minutes.

The mover must specify in the Open Meeting the grounds on which Executive Session is sought. Before the Executive Session, the Chair or Secretary must state whether the Board will reconvene in Open Session.

##### **a. Executive Session Votes**

All votes taken in Executive Session shall be recorded roll call votes made part of the records of the Executive Session.

##### **b. Executive Session Records**

The Board must maintain accurate records of Executive Sessions as provided by the Commonwealth's Attorney General's Open Meeting Law. The Selectmen shall follow their policy regarding release of Executive Session minutes approved in April 2017 or as amended from time to time.

#### **4-8 Special/Emergency/Working Meetings**

##### **a. Special Meetings**

A meeting called for any time other than the regular meetings shall be known as a "Special Meeting". The same rules as those established for regular meetings will apply. Notice for Special Meetings will be posted at least 48 hours prior to the meeting. The Chair or any member of the Board, through the Executive Director, may call special Meetings provided that all Board Members are notified and that a majority of the members agree to meet.

##### **b. Emergency Meetings**

In a situation where immediate action is deemed by the Board to be imperative, an "Emergency Meeting" may be called by the Chair. In this case an emergency is defined by law as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action". Such a meeting may be held even though notice was not posted in time. Notice of an "Emergency Meeting", pursuant to MGL Chapter 39, Section 23A, shall be posted as much in advance of the meeting as possible.

**c. Working Meetings**

The Board may conduct informal "Working Meetings" infrequently as the situation warrants. At such meetings, which will be posted in accordance with the Open Meeting law, no official action will be taken. A synopsis of transactions of informal meetings will be made a part of the minutes of the following regular meeting.

**4-9 Minutes**

The Executive Assistant shall review the videotape of open meetings of the Board, shall draft minutes and shall distribute such minutes to each Selectman. Minutes circulated to members of the Board on or before any Friday shall be in order for approval at the next regular meeting of the Board. On request of any Selectman, approval of minutes submitted shall be postponed for one week to enable such Selectman to propose and circulate proposed amendments. By unanimous consent, minor corrections may be made with respect to minutes otherwise in order for approval, without advance circulation of such corrections.

Minutes shall contain a statement of all actions taken by the Board and of the disposition of all proposals for action. Discussions preceding action need not be detailed in the minutes. Minutes (other than of executive sessions which have not been released) are open for public inspection.

Minutes of executive sessions shall be separately kept and recorded in accordance with the above procedures. They shall be reviewed periodically for purposes of determining whether they can be made public, and upon such determination shall be made public with the regular minutes.

**4-10 E-mail Communications**

Email has become a convenient way to communicate with Boards and Committees. However, its use by members carries a high risk of violating the open meeting law. Emails deprive the public of the chance to monitor discussions.

In keeping with the Open Meeting Law, email exchanges of more than a quorum of members should be limited to discussing procedural items regarding agendas and scheduling, etc. It

shall not be used to debate policy or convey opinions. This policy shall apply to all Boards and committees and Selectmen liaisons are responsible for informing their committees.

For further information, see the full text of the Open Meeting Law at [www.mass.gov/legis/laws/mgl/mgllink.htm](http://www.mass.gov/legis/laws/mgl/mgllink.htm) (Chapter 39, Section 23B).

## 5. COMMITTEES

### 5-1 Advisory Committees

The Board may appoint advisory committees to aid on matters under the Board's jurisdiction, particularly in technical areas. The use of such advisory committees provides greater expertise and more widespread citizen participation in the operation of government.

Charges to advisory committees shall be in writing and shall include the work to be undertaken, the time in which it is to be accomplished and the procedures for reporting to the Selectmen. Each committee must report in writing at least annually to the Selectmen and must follow all Open Meeting Laws regarding communication, deliberation, posting of meetings and minutes, etc. The Board will discharge committees upon the completion of their work.

The membership of standing advisory committees shall be reviewed as necessary. Reappointments will be based on an evaluation of the member's contribution, the desirability of widespread citizen involvement and the changing needs of the committee and the Town.

To attract qualified and interested persons, vacancies will be made public as far in advance of an appointment as practicable. An application form will be available in the Selectmen's Office, the Executive Director's office, and on the Town Web site so that any citizen interested in participating in activities of this nature or in otherwise contributing to the town government may record their background, areas of interest and availability.

It is the policy of the Board of Selectmen to appoint qualified citizens to the advisory committees.

### 5-2 Selectmen's Appointments

As outlined in Article 19 of the Town Bylaws (TBL), the standing committees appointed by the Selectmen are: Celebrations Committee, Council on Aging, Historic District Commission, Historical Commission, Municipal Light Board (two members), Registrars of Voters (three of four members), Wellesley Cable Access Board (three members), Youth Commission, and Zoning Board of Appeals. The Board also appoints the members of the Wellesley Housing Development Corporation, Kepes Panel Subcommittee, and the Wellesley Cultural Council under Massachusetts law or local practice.

It is the policy of the Board of Selectmen to appoint qualified citizens to the standing committees it appoints. The Board will normally appoint individuals to no more than one standing committee at any one time.

The Selectmen shall not exercise any control over the discretionary power vested by statute in any such board, committee, commission or officer.

**a. Criteria**

The Board of Selectmen is guided in its appointments by its Policy on Appointments adopted in September 2017, or as amended thereafter. Whenever possible, the Board will seek variety in backgrounds, interests, ages, gender, length of residence and geographic areas of residents, so that a true cross-section of the community will be reflected.

Appointees to committees' subject to appointment by the Board of Selectmen shall be full-time residents of the Town.

**b. Timing**

Appointments to standing committees shall be made whenever practicable by June 30th, or until a successor is appointed and qualified.

**c. Process**

The Selectmen's office shall:

- Draft or update a list of members of all committees, commissions and boards for which the Board of Selectmen has appointment authority, listing the name of each member and the expiration of his/her term;
- Create a list of the appointment vacancies to be filled by the Board annually;
- Notify the Chairman of the appropriate board or committee requesting recommendations regarding reappointment or the filling of vacancies;

The Selectmen may meet with potential new appointees before making a final decision on the appointment, and the Chair of the Board, Committee or Commission may appear before the Selectmen to review the qualifications of suggested appointees. Appointments will normally be made only when all members of the Board are present. Nominees do not require a second. Appointments will be made by a majority vote of the Selectmen.

Annual appointments should be completed prior to the statutory expiration date.

Appointments to fill an unexpired term shall take place promptly after the Board has been formally notified by the Town Clerk or the relevant board or committee that a vacancy exists.

### **5-3. Resignations**

Under statute, all resignations of Town Officers, Board and Committee members must be in writing and filed in the Town Clerk's office. In addition, the written resignation shall also be sent to the appointing authority.

## **6. EMPLOYEE GRIEVANCES**

These are to be handled as delineated in the Town's Personnel Policies and Procedures. If employee grievances are brought to the attention of a Board member, it shall be Board policy to proceed as follows:

- Selectmen will not intercede or interfere with the process. The employee will be directed to the administrative process to be followed; and
- A meeting with the Board may be requested by any employee through the Selectmen's Executive Director; the Board may defer such meeting until the administrative process has been exhausted.

## **7. PUBLIC HEARINGS BEFORE THE BOARD**

Public Hearings before the Board of Selectmen generally shall be conducted in accordance with the following procedures. Modifications may be necessary to comply with statutory requirements applicable to particular matters. The procedures for conducting hearings are hereinafter outlined:

### **7-1 Agenda**

Upon receipt of a request for a hearing, the hearing will be normally included in the agenda for a regular meeting.

### **7-2 Notice**

The Executive Director will advertise the hearing and notify interested persons, such as abutters, as required by statute or as directed by the Chair in the absence of statutory requirements. Abutters shall be broadly defined to include a reasonable circle of neighbors who may be affected by actions of the Board.

### **7-3 Procedures**

- Hearings will be held in open session unless otherwise voted by the Board in compliance with the Open Meeting Law;
- The Chair will announce the nature and purpose of the hearing, identify the particular matter, and recite the notice given. Where appropriate, the Chair will outline the procedure to be followed;

- The order of presentation will be:
  - Statements by proponents;
  - Receipt of recommendations from any Town department, officer, or elected official;
  - Statements by citizens, whether in support or in opposition;
  - Questions from members of the Board.
- The Board may permit persons not desiring to speak to record themselves as in favor or against the proposal. In the discretion of the Board, a show of hands may be taken;
- At the conclusion of the hearing, the Board may render its decision or take the matter under advisement, announcing the intended date of decision.

#### **7-4 Utility Hearings**

- When a petition is filed by a utility company seeking permission to erect or construct a line or take any other action for which a public hearing is required by statute, the Department of Public Works, acting through its Engineering Division, will mail a notice on behalf of the Board of Selectmen notifying all owners of real estate abutting that part of the way upon, along, across or under which the line is to be constructed of the time and place of the hearing. It is the policy of the Board to expand notification to a reasonable area beyond immediate abutters. The notice shall be mailed at least seven days before the date of the hearing. The Chair of the Board of Selectmen may determine that notice should be sent to an expanded group of citizens if it is determined that there are broader neighborhood considerations involved.

The procedure for such hearings is as follows:

- The Chair will open the hearing at the announced time;
- Recognize the representative of utility company and allow the representative to explain the request;
- Read recommendation from Director, DPW/Engineering;
- Take questions from the Board of Selectmen;
- Take questions from the public;
- Ask if anyone else is present in favor or in opposition;
- If there is opposition, take additional, if any, questions from the Board and then from the public;
- Close the hearing; and
- Render decision or set date for decision.

## **8. LICENSES AND PERMITS**

#### **8-1 Scheduling**

The Selectmen's office will schedule as agenda items applications for licenses and permits. The Selectmen issue the following licenses and permits: Alcoholic Beverages, Common Victuallers, Entertainment, Hawkers and Peddlers, Mobile Food Vendors, Public Conveyances, Registered Marijuana Dispensaries, and Take-out Food.

#### **8-2 Applications**

Applications for licenses and permits will be available in the Selectmen's Office.

#### **8-3 Processing**

Upon payment of the appropriate fees, the Selectmen's Office will be responsible for processing all applications.

#### **8-4 Attendance**

In the interest of all concerned, it is recommended that persons requesting licenses or permits attend the Board meeting when the request is reviewed. The Selectmen's office will notify all interested parties of the date and time of such review.

### **9. SPECIAL MUNICIPAL EMPLOYEES**

Special municipal employee status under the Conflict of Interest Law, G.L. Ch. 268A, may be assigned to part-time or unpaid town officials by vote of the Board of Selectmen. The Board vote applies to the position held by an individual or individuals and not to a specific individual. A position designated by the Board as having "special" status remains such unless the designation is rescinded by a majority vote of the Board. Certain sections of the Conflict of Interest Law apply less restrictively to those holding positions designated as "special" for Conflict of Interest purposes.

### **10. TOWN MEETING and ELECTION WARRANTS**

The Selectmen have the statutory responsibility for calling Town Meetings and preparing, publishing and distributing the Warrants for them. The Selectmen govern what appears in the Warrant, as well as the order of the Articles.

The Selectmen insert Articles on their own motion and, by tradition, all those submitted by official boards, committees and commissions. Under Massachusetts's law they must insert Articles upon the written request of a specified minimum number of registered voters of the town filed by the Warrant closing date (ten registered voters for an Annual Town Meeting and 100 registered voters for a Special Town Meeting).

## **10-1 Annual**

During the fall, the Selectmen vote to call the Annual Town Meeting, stipulating the time and place of the meeting and the day the Warrant will be closed for the submission of articles.

During January, the Chair and Vice-Chair of the Board of Selectmen, Town Counsel, Town Moderator, Executive Director and Assistant Executive Director meet to establish the preliminary order of the Articles, considering subject matter and efficient utilization of staff. The wording of Articles is also reviewed.

Town Counsel reviews the final wording of Articles submitted by the Selectmen and official boards, committees and commissions in consultation with the Moderator.

By law, citizen Articles must be worded exactly as submitted. Citizens are encouraged to have the Moderator and Town Counsel review the language prior to obtaining signatures. Town Counsel may be contacted through the Selectmen's Office.

## **10-2 Special**

The Selectmen may call a Special Town Meeting at any time, but must call one on petition of 200 registered voters of the town. Such a meeting must be held not later than 45 days after the receipt of such a written request. The Warrant must include all subjects requested by said petition. When the Selectmen vote to call the Special Town Meeting they stipulate the time and place of the meeting and the Warrant closing date. The process for drafting the Warrant follows that outlined above in Section a, Annual Town Meeting.

## **10-3 State and Federal Elections**

Wording for state and federal elections generally comes from the Commonwealth. The Town Clerk's office shall provide the Board of Selectmen with a draft Warrant. The Selectmen's Office shall prepare the Warrant for Selectmen signature and mail the Warrant.

11. **Calendar of Annual Responsibilities** (*Subject to change*)

***January***

Budget	Selectmen/School Committee Vote on Recommended Budget
Budget	Budget Collaboration Meetings
Selectmen	Chair's Dinner
Licensing	Annual Report letter to ABCC before February
Warrant	Prepare/Print Warrant
Warrant	Engage Constable
World of Wellesley	Selectmen's Annual Diversity Program
	Dr. Martin Luther King, Jr. Annual Breakfast

***February***

Appointments	Letter to Dem. and Rep. re: Registrar of Voters for 3/31 Appt
Budget	Distribute Proposed Budget
Warrant	Warrant Posted by Constable (7 days before Election)

***March***

Election	Town Election
Annual Town Meeting	Generally begins last Monday and Tuesday of the month

***April***

Licensing	Renewal of Limo and Taxi Licenses
Election	Letter to Chair of Political Parties (reappt of Elec. Workers)

***May***

Selectmen	Reorganization of Board and Election of Officers
Celebrations Committee	New Selectmen Liaison Assignments
Veterans' Services	Annual Parade
	Memorial Day Observance

***June***

Selectmen	Announce reorganization of Board of Selectmen
Appointments	Executive Director, Police Chief and Fire Chief Evaluations Executive Director Goals

***July***

Town-wide	Beginning of new fiscal year July 1
	Change of Officers

***August***

Budget	Selectmen, Advisory, Schools, DPW meeting Input from boards on guidelines Finance Dept. distributes capital templates
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***September***

Advisory	Announces work schedule
Budget	Finance Dept. recommends guidelines to Selectmen
	Operating Budget guideline finalized
	Inter-board meeting to review guidelines and budget schedule
	Operating budget forms distributed

***October***

Licensing	Send letters when receive info from ABCC
Annual Town Meeting	Draft Warrant articles due
Budget	Process meetings
	HR Board provides guidelines for 40/50/60 series
	Capital budget requests submitted to Finance

***November***

Licensing	Applicants sign liquor license applications
	Send applications for renewal of licenses that expire in Dec.
Tax Classification	Hold Tax Classification hearing

***December***

Town Meeting	Open and set date for close of warrant for ATM
	Set opening date for ATM
	Deadline for submitting warrant articles for ATM
	ATM Warrant closed
Budget	Operating budgets due from all departments
	Finance begins budget compilation
	Selectmen's budget workshop
Licensing	Approval of Liquor License Renewals
	Approval of all other licenses by 12/31
Streets	Vote of Intent re: Acceptance of Streets (notify Planning Bd)

***Flexible Dates***

Appointments	Executive Director
	Executive Director appointments
Budget	Budget presentations
Water/Sewer	Commitments and Adjustments
Selectmen	Policy reviews and updates
	Vote to release Executive Session Minutes
	Discharge Advisory Committees

Procedures adopted and approved by the Wellesley Board of Selectmen on \_\_\_\_\_.

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Ellen F. Gibbs, Chair

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Jack Morgan, Vice-Chair

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Marjorie R. Freiman, Secretary

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Thomas J. Ulfelder

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Beth Sullivan Woods