

Town Government Handbook FY 2024



A Guide for Elected and Appointed Officials

Wellesley, Massachusetts

Produced by
LWV LEAGUE OF WOMEN VOTERS[®]
OF WELLESLEY

www.LWVWellesley.org

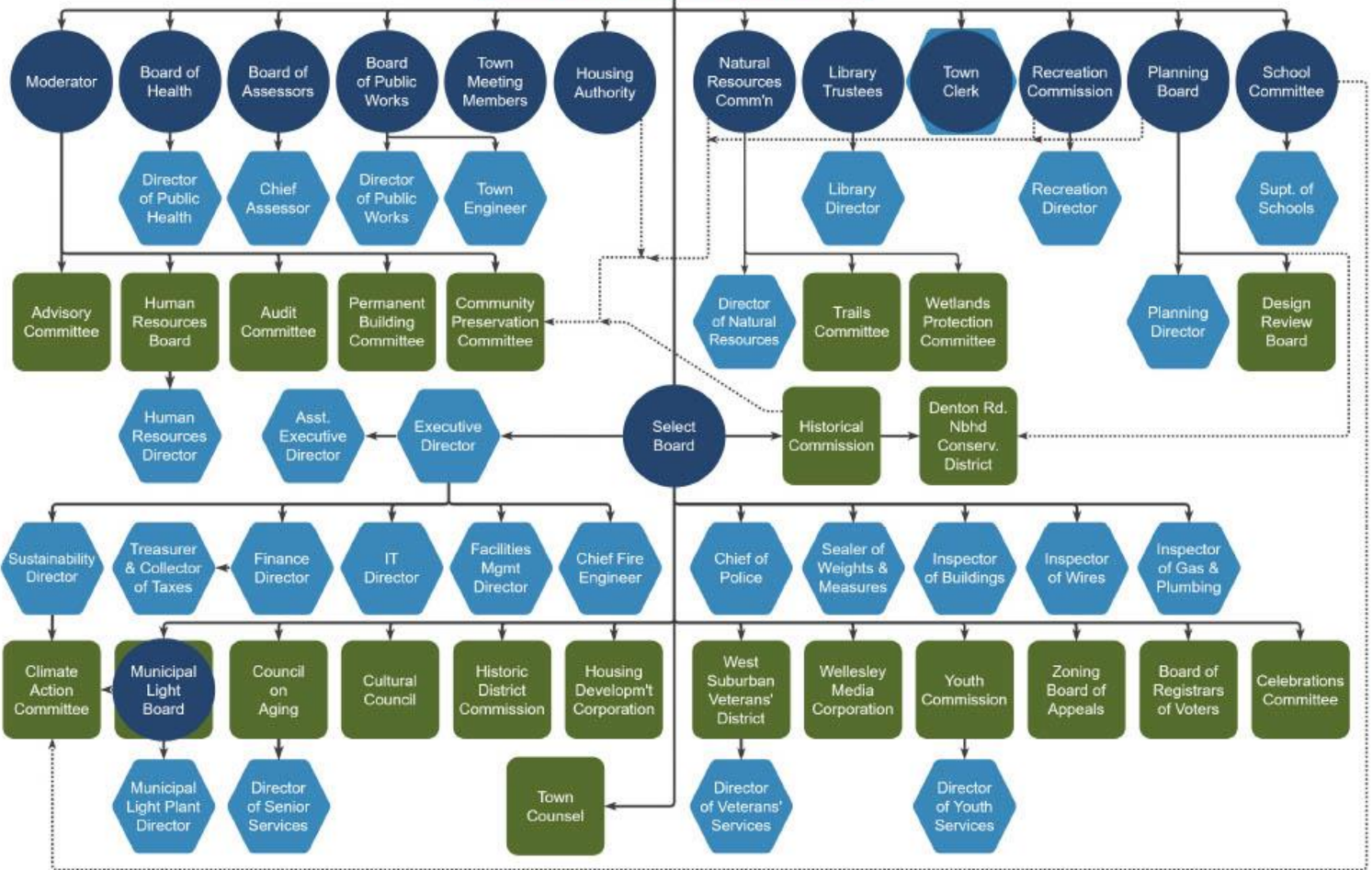


TOWN OF WELLESLEY

Government Organizational Chart



WELLESLEY VOTERS



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INTRODUCTION

The Town of Wellesley and the Commonwealth of Massachusetts

Wellesley is situated in Norfolk County. The county seat is in Dedham, as are the District and Superior Courts, the Registry of Deeds, the Land Court, and the Court of Probate and Insolvency.

Wellesley derives its authority for self-government from a Special Act of the Massachusetts General Court passed in 1881 and has a Town Meeting form of government. Town Meeting is the Town's legislative body and adopts local Bylaws, appropriates funds, and determines many matters of Town policy. When initially incorporated, Wellesley had an Open Town Meeting at which all registered voters could attend, debate, and vote. By 1932, the Town had grown, and the Open form of Town Meeting had become unwieldy; the voters then adopted a Representative Town Meeting as permitted by the General Court.

The Commonwealth regulates the conduct of local government in relation to financial matters, traffic regulation signs and lights, welfare laws, voting procedures, and others. State laws outline in some detail the duties and function of all Town officers, and the Secretary of State notifies the official concerned when changes in the law or other regulations are made. Wellesley can also adopt certain optional parts of the Massachusetts General Laws (MGL) by majority vote. For example, both the Planning Board and the Department of Public Works were accepted by Town vote.

The governmental powers of the Town were enhanced in 1966 by passage of the Home Rule Amendment to the Massachusetts Constitution. This Amendment gave municipalities the right of self-government in local matters, limited only by the Constitution, the amendment itself, and the standards and requirements established by statute. Wellesley has also adopted comprehensive Town Bylaws (TBL) and frequently updated Zoning Bylaws. The TBL may be changed by a majority vote of the Town Meeting and the Zoning Bylaws may be changed by a two-thirds vote of the Town Meeting. The Attorney General of the Commonwealth must also approve any changes.

Wellesley and the Metropolitan Area

The City of Boston and 46 cities and towns around it comprise the Metropolitan District, which was originally organized as a unit for the control of water supply and sewers, and for the care of the system of State parks, parkways, and bathing beaches within the area. Wellesley pays a fee annually to the Massachusetts Water Resources Authority (MWRA) because the Town's wastewater empties into the MWRA sewer system and is treated by the MWRA. The Town also purchases water from the MWRA, averaging 1/3 of its water supply, with the remaining 2/3 of our water sourced from our own wells. After the presence of per- and polyfluoroalkyl substances (PFAS) forced shut down of the Morses Pond Treatment Plant in 2021, the Town has relied on MWRA for a significantly higher percentage of its water source while the DPW works to remediate the PFAS issue. The approximately 70 acres of park land along the Charles River near the Lower Falls and the Sudbury River Aqueduct remain under the supervision of the Commonwealth's Department of Conservation and Recreation (DCR).

The Metropolitan Area Planning Council (MAPC) is a regional planning agency established by statute serving the people who live and work in the 101 cities and towns of Metropolitan Boston. Each community is represented on the Council by its Chief Executive

Officer or his/her designee. The heads of 11 local, regional, and state agencies and 21 gubernatorial appointees bring the total membership to 133.

As a government research organization, MAPC's research studies and publications inform lawmakers and other research organizations in their work. Its basic operating budget is derived from per capita assessments on member cities and towns, as well as through grants received from the federal and state governments. MAPC membership ensures community eligibility in more than 150 federal funding categories, which often yields many times the cost of MAPC membership back to a local municipality.

Each of the member communities belongs to a subregional collaborative led by MAPC staff. This collaborative includes municipal officials and regional and community stakeholders who work together to develop annual priorities and a work plan. Wellesley is represented on the MetroWest Regional Collaborative (Collaborative), which meets monthly to share concerns about growth issues such as traffic, environmental impacts of development, and the region's need for affordable and market-rate housing.

The Boston Region Metropolitan Planning Organization (MPO) conducts the federally required metropolitan transportation planning process for the Boston metropolitan area. The Boston Region MPO encompasses 97 municipalities, is home to nearly 3 million people, and supports 2 million jobs. Wellesley is represented at the MPO through the Collaborative.

The Massachusetts Bay Transportation Authority (MBTA) Advisory Board provides policy guidance to the MBTA on effective and efficient transportation services. The Board comprises the chief elected official of each of the 176 cities and or their designee. A member of the Select Board represents Wellesley.

The MetroWest Regional Transit authority (MWRTA) provides bus, shuttle, paratransit, and micro-transit (the "Catch Connect") services to 16 communities in the MetroWest region. State statutes mandate that the chief elected official of each community or his/her designee, in addition to a member representing people with disabilities, serve on the Advisory Board. A member of the Select Board represents Wellesley.

TOWN GOVERNMENT

Town Boards and Committees

Wellesley has a decentralized form of government, as shown on the Government Organizational Chart on page 1 of this Handbook. More than 50 Town boards and committees and their staff conduct the business of the Town; no single Board or staff member is responsible for the overall operations of the Town. The five-member elected Select Board (the Board) is the Chief Executive Board and has a broad range of duties, including oversight of Town finances, public safety, enforcement issues, certain Town policies, and legal matters. The Board presents a balanced budget each year to Annual Town Meeting; calls other Town Meetings as necessary during the year; reviews and grants permits and licenses; reviews recommendations for appointments and promotions of police officers and firefighters; and makes dozens of other staff appointments.

The Board hires the Executive Director of General Government Services (Executive Director) and the Police and Fire Chiefs, and appoints members of several boards and committees, and the Executive Director supervises the Fire Chief. The Executive Director is

the Chief Operating Officer of the Town and carries out the Select Board's policies and procedures; implements the decisions of Town Meeting; and coordinates the work of Town department heads. The Executive Director also supervises and works directly with the Finance Director to structure the annual budget and plan for and preserve the Town's financial resources; the Director of the Facilities Management Department to maintain, protect and improve infrastructure in 11+ Town buildings; the Building Inspector to ensure compliance with all mechanical, electrical and plumbing codes, disability access and zoning enforcement; the Information Technology Director to oversee the work, expansion and protection of the Town's network and information systems, and the Sustainability Director to oversee the Town's progress toward its net zero greenhouse gas emissions goal by 2050.

Town Meeting and Special Town Meeting

The Town Election is generally held on the first Tuesday in March to elect Town Officers and Town Meeting Members (TMM). There are 240 elected TMM divided among the Town's eight precincts, and three non-voting *ex officio* TMM: the Moderator, the Town Clerk, and Town Counsel. The Select Board, in accordance with Town Bylaw, sets the dates of Annual Town Meeting (ATM) in the spring, to commence no earlier than the last Monday in March and no later than the last day of May. Town Meeting usually begins on a Monday evening; additional meetings to complete the business of the Warrant are usually held the following day, and then on the succeeding Monday and Tuesday evenings for as many sessions as are needed (subject to a recess for April school vacations). Town Meeting is open to the public, but only elected TMM may vote. Non-TMM residents and non-residents may speak at the discretion of the Moderator following TMM comments.

Town Meeting is customarily held in the auditorium of the Middle School but in 2024, the Annual Town Meeting will be held in the High School Auditorium. The Select Board may call a Special Town Meeting any time during the year when necessary and is required by law to do so if petitioned by 200 voters of the Town. All Town Meetings proceed according to a Warrant that lists the subjects (Articles) to be acted upon.

Powers and duties of Town Meeting are stated at length in the MGL. Town Meeting has the authority to take the following actions:

- Make, amend, or repeal sections of the TBL and the Zoning Bylaws;
- Appropriate money for annual Town operating expenses and permanent improvements;
- Approve all borrowing of money for short- or long-term purposes;
- Approve the annual budget;
- Establish special committees;
- Accept streets;
- Receive committee reports and recommendations; and
- Act on other matters included in the Warrant.

The Warrant

The Warrant is the agenda, or list of articles, to be considered by Town Meeting. No

action at Town Meeting is valid unless the subject matter is contained in the Warrant for that meeting. The Warrant is published on the Town's website and posted in two conspicuous places in Town (*i.e.*, Town Hall and the Police Station) and is available from the Select Board's office upon request. It informs the citizens of the date, place, and subject matter of the Town Meeting.

The Select Board and other Town officials insert articles related to routine annual business and requests for appropriations for the various departments. Groups of ten or more citizens may submit articles, known as "Citizens' Petitions", for the Warrant of an Annual Town Meeting and 100 citizens may do so for a Special Town Meeting, providing they act on or before a date announced by the Select Board. Also, an individual owning land may include in the Warrant a zoning article that affects his or her land.

An article for the Warrant must give notice of the subject matter of the motion(s) subsumed within the article. The Select Board's office is available to help anyone with the wording of the Warrant article. The Town Counsel inspects the Warrant to ensure clarity and legality. The Select Board announces when the Warrant for a Town Meeting closes; that is, the date when all articles for inclusion in the Warrant must be submitted. Usually, the Warrant for the Annual Town Meeting closes in late December or early January to give the Advisory Committee time to conduct its examination and prepare its report.

Filing of Motions

At the time the Select Board gives notice of a Town Meeting, whether Annual or Special, included within such notice shall be a date by which drafts of motions proposed to be offered to the Town Meeting must be submitted to the Select Board by the sponsor of the article under which action is to be requested.

The Select Board distributes copies of all draft motions to the Moderator, Town Counsel, and Advisory Committee. No motion or amendment shall be voted on by Town Meeting unless the exact form of the motion or amendment being voted on has been distributed or, at the time of the vote, made visually available to the TMM present. Persons who intend to make a motion to amend with respect to an article should inform the Moderator and the Chair of the Advisory Committee prior to the Meeting or, if the decision to make a motion to amend is reached during the Meeting, as early as convenient thereafter.

Advisory Committee

An Advisory Committee of fifteen residents is appointed by the Moderator for three-year staggered terms. The Advisory Committee is required by Town Bylaw to review each Warrant article. It consults with each Town department, reviews their budgets, and may recommend changes in proposed budgets. The sponsor of each article is invited to appear before the Committee to make a presentation. Individual Advisory Committee members are assigned to each Warrant article to obtain the necessary background information to assist the Committee in its deliberative process. Public hearings are held at which citizens may express opinions on the articles in the Warrant. Based on this and other information it collects, a decision is made whether to recommend favorable or unfavorable action on each Motion at Town Meeting. The Advisory Committee prepares an extensive report giving its recommendations on each article with the reasons for those recommendations. This report is sent to all TMM and is available to any interested residents at Town Hall and the Wellesley Free Library. It is also posted on the Town website. The Committee also sends a brief report

highlighting many of its recommendations to all households before Town Meeting.

The Advisory Committee is also responsible for appropriations from the Town's Reserve Fund, used for unforeseen and extraordinary expenses which occur between Town Meetings, and which cannot be accommodated within a department or committee's current budget.

Public Hearings

Some committees and boards also hold hearings prior to Town Meeting. The Planning Board is required by law to hold a hearing on any proposed zoning change and must submit its recommendations to Town Meeting. Notice is given of all these meetings and the public is encouraged to express opinions on the articles on the Warrant at the meetings.

FINANCIAL STRUCTURE OF THE TOWN

Financial Officers/Departments

Department of Financial Services

The Finance Director, who also acts as Chief Financial Officer and Town Accountant, supervises, and manages the Department of Financial Services. The Executive Director may elect to enter into a contract with the Finance Director (Director), subject to the Select Board's approval. The Director's responsibilities include:

- Coordinating and administering the Town's financial services and activities;
- Carrying out the duties vested by law in Town Accountants and overseeing the duties vested in Town Treasurers and Collectors of Taxes;
- Assisting in the development of budget guidelines and departmental budgets;
- Assisting the Executive Director in developing and supervising purchasing and inventory control procedures; and
- Administering the disposal of Town property.

The Finance Director is also *ex officio* a member of the Retirement Board. An outside auditor, appointed by the Audit Committee, audits the financial records of the Town each year.

The Director is also responsible for the maintenance of Town accounting records and financial statements and for the payment of all Town obligations, after securing the required approvals. He/she monitors the expenditures of Town funds and prepares timely reports for the Select Board and other appropriate boards of actual or foreseeable incurring of obligations or expenditures of funds more than budgeted appropriations.

Town Treasurer and Tax Collector

This position is held by one person who is appointed by the Finance Director, subject to the approval of the Executive Director, for a three-year term. The Treasurer/Tax Collector must post bonds for faithful performance of both duties. TBL requires a report "in detail" of his/her acts and a full statement of all financial transactions of the Town. He/she receives and takes charge of all money belonging to the Town, and no other person has the authority to pay any bill of any department.

As Treasurer, he/she has custody of insurance policies, bonds, and deeds to Town property. Subject to the approval of the Select Board, he/she borrows and disburses money for the Town, handles bond issues, and executes the taking and sale of land on tax title.

As Tax Collector, he/she collects all taxes on real estate and personal property, betterment assessments, the motor vehicle excise tax, and hotel and meals taxes. Under the title of Town Collector, he/she collects all accounts committed to him/her for collection. Collection of accounts due for water, sewer or electricity charges are handled by persons bonded through him/her to the Town at the Municipal Light Plant.

Board of Assessors

The Board of Assessors functions as part of the Town governmental system but is regulated by the Massachusetts Department of Revenue. The principal function of the Assessors' office is to administer the state's property tax laws effectively and equitably and to produce accurate, fair appraisals of all taxable property in Wellesley. The Assessors' office generates approximately 85% of the revenue used in the Town's budget.

The Board consists of three members, each elected for a three-year term. Any assessor, elected or appointed, must meet certain minimum qualification standards established by the Commissioner of Revenue. The Assessors main responsibilities are to:

- Assess all property (real and personal) within the Town at a fair valuation;
- Calculate the Town's annual levy growth and set the tax rate;
- Process motor vehicle excise bills and adjustments for Wellesley residents;
- Calculate payment in lieu of taxes for exempt properties;
- Review and act on overvaluation appeals on property assessments at both the local and State levels;
- Review and act on applications for Personal Exemptions and Tax Deferrals;
- Conduct an annual review of chapter land discounts and filing of liens;
- Collect data on building permits and deed transfers; and
- Manage the computerized property database.

Each year the Board of Assessors prepares data and presents it to the Select Board for the Board's vote on whether to adopt a single property tax rate or different rates for residential and commercial properties. The Assessors present this data at an open annual "classification hearing." In recent history, the Town has used a single tax rate for all real property taxes.

The Assessors' office maintains property characteristics on over 9,400 properties on their CAMA system (computer-assisted mass appraisal) and the full and fair cash value of the approximately \$16.5 billion Town tax base in FY24. The properties are inspected on a regular schedule to reflect changes, primarily due to building permits. MGL requires each city and town annually to assess property at its full and fair cash value on the January 1 assessment date. The Massachusetts Department of Revenue (DOR) reviews local assessment practices to assure the municipality is assessing at full and fair cash value. Every five years (often referred to as a "certification year"), the DOR performs a more in-depth review of the office administration and a statistical analysis of all property values.

Common Terms Used in Town Finance

Appropriations

Money can be appropriated from the tax levy only at the Annual Town Meeting or at a Special Town Meeting prior to the fixing of the tax rate. Money appropriated at a Special Town Meeting may be raised by borrowing or by transferring funds from available funds such as Free Cash (see below). Town Meeting may appropriate money for a specific purpose only when there is an article in the Warrant to cover the matter.

Town Revenues

While real estate taxes are the chief single source of income for the Town, revenue is generated from other sources as well. The Commonwealth allocates money to Wellesley for various programs, including school aid, school building assistance and highway programs, which it has raised by revenue from sales taxes and the lottery. The Federal Government makes available certain grant programs for school and public works programs. During the global pandemic associated with COVID 19, the Town received significant funding from the Federal Government under the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the American Rescue Plan Act. These funds factored significantly in the expenditures reported during fiscal 2021-2023.

Wellesley also collects a substantial amount of money from the motor vehicle excise tax (approximately \$5.6 million), meals tax (\$799,720) and hotel tax (\$63,953) in FY23 and collects fees for services of the various Town Departments as well as charges for various licenses and permits. Because Wellesley's light, water, and sewer services are municipally owned and operated, the income and expenses of these enterprises are accounted for by the Town in separate "Enterprise" funds.

Proposition 2½

A statewide law limits the annual property tax levy in municipalities in the Commonwealth to 2½% of the full and fair cash valuation of the taxable real estate and personal property in that city or town. The statute also places an annual growth cap of 2½% on the increase in the total property tax levy, exclusive of growth resulting from new construction.

Override

A provision of Proposition 2½ that allows the voters to add funds on a permanent basis to the total tax levy, thus increasing the amount of taxes a community can raise. A majority vote from the voters is required for passage.

Exclusions

An exclusion is a provision of Proposition 2½ that allows the voters to add funds on a temporary basis to the total tax levy. An exclusion (often called a "debt exclusion"), is usually for a large capital expenditure and increases the town's taxing capabilities for a certain number of years. It decreases as the debt service decreases over time or until the debt is paid off, and then the additional amount added to the tax levy ends. A majority vote from the voters is required for passage.

Cherry Sheet

The “Cherry Sheet” is issued annually to the Assessors by the Commonwealth’s Department of Revenue and contains an estimate of the charges the Town will be assessed for its share of the costs of operating certain programs of the Commonwealth, Norfolk County government, or metropolitan assessments. It also contains an estimate of the funds the Town will receive from the Commonwealth. The Assessors must use these estimates in computing the tax rate. The Cherry Sheet takes its name from the color of the paper on which it was once printed.

Free Cash

Free Cash is the unencumbered/unrestricted portion of the General Fund balance that is available for Town Meeting appropriation. Free Cash is the total of all previous fiscal year revenues minus expenditures, further reduced by amounts already committed to some other purpose. Financial reserves (which include Free Cash and the Stabilization Funds) are maintained in a range of 8 to 12% of Current Net Revenue in accord with the Financial Reserves Policy established by the Select Board.

Overlay

The overlay is the sum of money, in addition to appropriations, which the Assessors add to the tax rate. It is used to cover abatements granted on real estate and personal property taxes and to avoid fractions in the tax rate.

Overlay Reserve

After the tax accounts of any year have been settled, the remaining money in the overlay is transferred to the Overlay Reserve. The funds in the Overlay Reserve may be used by vote of Town Meeting.

Reserve Fund

This fund is established by the voters at the Annual Town Meeting and may be composed of an appropriation not exceeding 5% of the tax levy, although the appropriation has remained at \$175,000 annually for many years. Transfers out of the Reserve Fund are within the exclusive control of the Advisory Committee and are for extraordinary or unforeseen expenditures that occur after Town Meeting approval of the Town budget, and which cannot be accommodated within a department or committee’s budget.

Stabilization Funds

These funds are special accounts created to provide reserves for different types of variable expenditures. Stabilization funds help to even out the sometimes-uneven impact of capital projects or provide insurance against unexpected expenditures. Only Town Meeting can make appropriations from the General Purpose Stabilization Fund with the approval of two-thirds of the TMM voting. Special Purpose Stabilization Funds may have different approval requirements.

Tax Rate

The formula for figuring the tax rate is:

Add:

1. All appropriations voted since the last tax rate was set.
2. Debt service not otherwise provided for.
3. An amount for overlay.
4. Estimates of charges or assessments of the Cherry Sheet.
5. Any other amounts required to be raised.

Subtract:

1. Estimates of receipts in the Cherry Sheet.
2. Estimates of motor vehicle excise taxes and departmental receipts.
3. Amounts voted from Free Cash or other available funds.
4. Municipal Light Plant contribution.

The remaining balance is the amount to be raised by the tax levy. Divide the answer by the total assessed value of real and personal property. That gives the amount necessary to raise \$1.00, which is multiplied by 1,000 to give the official tax rate per \$1,000 of property valuation.

HUMAN RESOURCES AND PERSONNEL

Background

Prior to 1947, municipal departments operated without uniform personnel policies. The State Legislature, recognizing the need for guidelines to eliminate inequities among the growing numbers of municipal employees, enacted in 1947 MGL Chapter 41, Section 108A, which enabled towns to “classify any or all of its employees, except those appointed or employed by the School Committee, into groups and classes ... and ... to establish minimum and maximum salaries...”. Section 198C followed in 1954 enabling Towns to “...consolidate in a single chapter or article, all provisions of its by-laws pertaining to the administration of its personnel ...”

Personnel Systems: Classification System

The Human Resources Board uses the Hay system to evaluate and classify jobs. The Hay system is a point factor that rates jobs based on three major factors: required knowledge, problem-solving skills, and accountability. It uses Guide Charts that define the key factors and subfactors as well. Each combination of definitions under each key factor has a pre-determined point value.

The use of job analysis to allocate positions to Groups and to determine pay levels of various key factor-based positions assures a high degree of fairness and equity among positions. It eliminates favoritism and political considerations, and the Town may use the system to defend itself against allegations of unlawful discrimination in pay practices. In fact, the Hay System has been accepted by the courts in racial/sex discrimination cases to justify pay differential between positions.

Personnel Systems: The Salary Plan

A job structure and classification plan establish the relationship of one job to another

and to all other jobs. A salary structure assigns rates of pay to established job groupings. Several interrelationships are considered when developing and maintaining a salary structure, such as the difference in pay between a job group and the one above or below it, and salary differentials between a trainee or beginner and an experienced employee. There are no correct answers, but there are generally accepted guidelines.

In making its recommendations for changes in Schedule B (the Salary Plans), the Human Resources Board considers more than the rate of pay for a particular job or group of jobs. It considers the entire salary structure and its relationship to wage surveys of comparable communities, the U.S. Dept. of Labor Consumer Price Index Reports, and local job market information as reported by outside consulting firms and the media. The Human Resources Board uses appropriate benchmarks that reflect current economic and labor market conditions with respect to compensation.

Non-Union Salary Plans

The Salary Plans for non-union employees in non-exempt positions (Job Groups 40-49) change annually by means of a general wage increase for all employees. The salary ranges for these job groups also contain incremental increases (steps) that employees receive on a yearly basis, in addition to the general wage increase, until they have reached the top step. The only eligibility requirement for a step increase is satisfactory performance. Thus, if the employees in these groups perform at an acceptable level, they are assured of reaching the maximum in their pay range.

Merit Pay Plan

The Merit Pay Plan was adopted in 1972 and is used for all non-union professional and managerial employees (Job Groups 50 and above). Under the Merit Pay Plan, an employee may receive an annual increase if it is recommended by their immediate supervisor, who must justify the recommendation based on an evaluation of the employee's performance as well as the employee's standing in the salary range. Originally employees in these job groups were eligible for a Merit Pay increase and also received a Cost of Living Adjustment (COLA). In challenging economic climates approximately 20 years ago, consideration for COLA for the 50-60 series employees was suspended, but the Town reinstated it two years ago.

Unlike the Salary plans for other Town employees, the salary ranges for the "50 Series" employees do not contain any automatic steps. By definition and design, the midpoints of these salary ranges are the standard salary for competent performance. This level of pay is the market rate for an experienced employee performing at a competent level.

The original intent of the plan, as stated in a 1977 mailing to TMM, was that "each person who performs at the competent level should be paid at or about the mid-point. A person whose performance is superior should therefore be paid above the mid-point and a person whose performance is less than competent should be paid below the mid-point..."

Benefits

Total compensation for employees includes wages and benefits. The Human Resources Department administers benefits for Town and School employees as well as retirees. Eligibility for health insurance and retirement benefits are matters of state law not subject to change by the Board or the Town. The most recent additions to the Town's benefit

package offer employees access to tax-sheltered programs such as flexible spending accounts for medical expenses and dependent care, health savings accounts, hospital, critical illness and accident insurance, two dental plan options, and a 529 college savings plan, for which the Town's contribution is limited to administrative support through payroll deduction.

PERSONNEL MOTIONS FOR TOWN MEETING

Wellesley established a Classification Plan and a Salary Plan as well as a Personnel Board to administer them in 1950; the Board was subsequently renamed the Human Resources (HR) Board in 2000. Article 30 of the Town's current Bylaws pertains to the HR Board and its scope of responsibilities. Article 31 addresses the Classification and Salary Plans.

Overview of Motions

The HR Board generally submits motions to Town Meeting in three areas:

1. Changes to the Job Classification Plan. The updated list of job titles and job classifications is presented as Schedule A. Under Article 31.1, the Human Resources Board must approve any additions, deletions, or changes to the Classification Plan.
2. Changes to the Town's Salary Plans, generally containing four motions, is presented as Schedule B:
 - *Motion 1* for Schedule B reflects changes in the salaries for the Town's non-union staff positions;
 - *Motion 2* reflects the percentage of movement in the salary ranges for the Merit Pay Plan employees;
 - *Motion 3* addresses the funding for the Merit Pay Plan increases; and
 - *Motion 4* reflects any changes in negotiated union contract wages. This motion is presented by the Select Board rather than the Human Resources Board.
3. Changes to Human Resource policies.

HOW TO BECOME A PUBLIC OFFICIAL

Town-wide Office

Any *resident* may become a candidate for Housing Authority, Library Trustees, Natural Resources Commission, Planning Board, Recreation Commission, and Board of Public Works when there is a vacancy to be filled. Any *registered voter* may become a candidate for Board of Assessors, Board of Health, Moderator, Select Board, School Committee, and Town Clerk. Each person seeking office must obtain nomination papers from the Town Clerk's office in the Town Hall, secure signatures of 50 registered voters, and then file the nomination papers with the Board of Registrars at the Town Clerk's Office. His/her name will then go on the official ballot. Information on the dates after which nomination papers can be taken out and by which they must be returned is available through the Town Clerk's Office.

It is also possible to be elected to office as the result of a write-in vote. A person who

has not filed nomination papers may organize a campaign to have her/his supporters write in her/his name on the ballot. However, any person wishing to be a “Write-in” should call the Town Clerk for additional information.

Town Meeting Member

There are 240 TMM from Wellesley’s eight precincts, one-third of whom are elected each year for terms of not more than three years. A candidate must obtain a nomination paper in person from the Town Clerk’s Office, obtain the signatures of at least 10 registered voters *from the candidate’s precinct*, and then file the papers with the Board of Registrars at the Town Clerk’s office. If running for re-election, a TMM will be sent a form and need only return the signed notice to the Town Clerk’s Office at least 42 days before the election.

Elected TMMs are assigned terms of office based on the number of votes they receive. Those receiving the highest number of votes will be assigned three-year terms, and then, in descending order, two-year terms and one-year terms. Each year there are vacancies for a term of three years; frequently there are also vacancies for two-year and one-year terms.

A TMM may resign by sending a letter to the Town Clerk. If a member moves to another precinct within Wellesley, the member serves until the next annual election. A member who moves out of Wellesley must resign his/her Town Meeting seat. The Town Clerk is authorized to fill any vacancy that may occur by choosing the person who received the highest number of votes in the precinct among the defeated candidates at the previous Town Election, providing that person received at least 20 votes. If there were no such defeated candidates, the Town Clerk would hold a “mini election” in which the elected TMM from the precinct vote for the replacement from among the candidates running.

The Moderator

The Moderator is elected by the voters for a one-year term and is a non-voting, *ex officio* member of Town Meeting. The Moderator presides at Town Meeting and regulates the proceedings in accordance with the applicable statutes of Massachusetts, the TBL, and other practices as defined in the *Guidelines for Conduct of Wellesley Representative Town Meeting*. These Guidelines are published each year in the Advisory Committee’s Report to the Annual Town Meeting and also appear at the end of this document. The Moderator’s ruling on matters of procedure is final and voting procedures are reviewed in the Guidelines on page 24, below. The Moderator may enable the counting of the vote, or conduct a roll call vote, by using a system of electronic voting by TMM.

The Moderator has the responsibility for making all appointments to the Advisory Committee and certain standing and special committees unless the motion or TBL provide differently.

Standing/Special Committees

The Moderator, the Select Board, and other Boards appoint citizens of the Town to these committees. Various *ad hoc* committees are also appointed by the Moderator and by Town boards.

Standing/Special committees appointed by the Moderator are:

<u>Name</u>	<u>TBL</u>
Advisory Committee	Article 11
Audit Committee	Article 13

Permanent Building Committee	Article 14
Community Preservation Committee	Article 18A
	(4 of the 9 members)
Human Resources Board	Article 30

Standing/Special committees appointed by the Select Board are:

<u>Name</u>	<u>TBL</u>
Celebrations Committee	Article 16
Historical Commission	Article 17
Historic District Commission	Article 18
Board of Registrars of Voters	Article 27
Municipal Light Board	Article 28
	(2 of the 5 members)
Retirement Board	Article 32
Council on Aging	Article 33
Youth Commission	Article 40
Zoning Board of Appeals	Article 41
Wellesley Cultural Council	Chapter 790, Acts of 1980
Wellesley Housing Authority	
Tenant Member	Chapter 121B
Wellesley Housing Development Corp	Chapter 311, Acts of 1998

Standing/Special committee appointed by the Select Board, Municipal Light Board, and School Committee is:

Climate Action Committee	Article 12
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Standing/Special committee appointed by the Natural Resources Commission, Historical Commission, Housing Authority, Planning Board, Recreation Commission and Moderator is:

Community Preservation Committee	Article 18A
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Standing/Special committees appointed by the Natural Resources Commission are:

Wetlands Protection Committee	Article 43
Trails Committee	

Standing/Special committee appointed by the Planning Board, appointed in accordance with Section XXII of the Zoning Bylaw is:

Design Review Board	Article 46
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NOTE: For detailed descriptions of terms, duties, etc., see TBL.

Elected Town Boards and Offices

Board of Assessors	3 members	3-year term	Article 42
Board of Health	3 members	3-year term	Article 34
Housing Authority	5 members	5-year term	Article 35
		One member appointed by MA Dept of Community Affairs	

		Tenant member appointed by the Select Board	
Library Trustees	6 members	3-year term	Article 36
Moderator	1 member	1-year term	Article 9
Natural Resources Comm	5 members	3-year term	Article 43
Planning Board	5 members	5-year term	Article 45
		and 1 alternate member (appointed)	
Board of Public Works	3 members	3-year term	Article 29
Recreation Commission	5 members	3-year term	Article 37
School Committee	5 members	3-year term	Article 38
Select Board	5 members	3-year term	Article 19
Town Clerk	1 member	3-year term	Article 26

GUIDELINES FOR TOWN COMMITTEES

Appointment

While these guidelines are printed primarily for the use of temporary Town committees, many of the procedures outlined here are relevant to other appointed or elected Standing/Special committees.

Generally, there are three kinds of temporary, appointed Town committees:

- Committee authorized by Town Meeting Vote – Select Board appointed
- Committee authorized by Town Meeting Vote - Moderator appointed
- Special committees - appointed by Select Board or other elected boards

Members of committees created by Town Meeting vote receive notification of their appointment from the appointing authority. The appointee should make an appointment to be sworn in by the Town Clerk. Appointed committee members are considered municipal employees for the purposes of the Conflict of Interest Law and the Massachusetts Open Meeting Law, and the Office of the Town Clerk will follow up with appointees to ensure they comply with the provisions of these laws.

Traditionally, the appointing authority will organize the initial meeting or ask one of the appointees to do so. Special committees may be appointed by the Select Board in the interim between Town Meetings when it is determined that the subject matter is such that it needs immediate attention, involves a subject that is generally limited to the Select Board's area of responsibility, and for which it is determined that unnecessary delay would occur by waiting for official Town Meeting action. Other elected Boards may appoint advisory committees to assist with the work of the Board. The appointing authority, after appointing such a committee, usually meets with the members to discuss the charge to the committee.

Resignation

Resignations from committees become effective upon written notification to the Town Clerk and the appointing authority.

Meetings, Organization, Officers

All meetings of Town committees are subject to the Massachusetts Open Meeting

Law. Each meeting must be “posted” (listed) at the Town Clerk’s office at least 48 hours in advance (excluding weekends and holidays). Under the [Open Meeting Law](#) postings must contain the date, time, and place of the meeting; and list the topics that, as of the time the notice is filed, the chair reasonably anticipates will be discussed at the meeting. The list of topics must be sufficiently specific to reasonably inform the public of the issues to be discussed at the meeting. A board or committee sends an electronic copy of the proposed agenda to the Town Clerk and posts it electronically on the Town website meetings calendar. The Town Clerk keeps a printed, time-stamped copy available for viewing in the Clerk’s office and verifies that all agendas have been posted correctly to the Town website.

The Town maintains a meeting room calendar that shows available spaces within Town buildings (includes Town Hall, Department of Public Works, Police, and Tolles Parsons Center) and Town staff books meeting rooms through the calendar. For boards and committees which do not have staff, the Select Board’s Office will reserve a meeting room for them. If a school building is desired for a meeting, a School Use Permit must be filed at the appropriate school and rooms at the Wellesley Free Library are booked either at the library or, for paid conference rooms, through the Library website. While meetings may be held in private homes as long as the meeting is open to the public and the requirements of the Massachusetts Open Meeting Law are satisfied, committees are discouraged from doing so. Under a COVID-19 Executive Order, the Open Meeting Law was revised to allow for remote participation meetings.

It is customary for a committee to organize by electing a chair and secretary at its first meeting. It is the duty of the chair to call meetings, prepare agendas, and see that the work of the committee progresses. The secretary usually posts the meetings, keeps minutes (which are public records), keeps other committee records, and presides in the absence of the chair.

All meetings of a committee are public meetings and must be conducted in a manner that allows public participation and visibility of the proceedings. Only limited topics may be discussed in executive session. Committee members should become familiar with the requirements for executive sessions by reference to the Open Meeting Guidelines published by the Attorney General’s Office and found at www.mass.gov/ag under the Government Open Meeting section.

Communication and deliberations/use of email

With certain exceptions, all meetings of a public body must be open to the public. A meeting is generally defined as “a deliberation by a public body with respect to any matter within the body’s jurisdiction.” As explained more fully below, a deliberation is a communication between or among members of a public body.

The Open Meeting Law defines deliberation as “an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction.” Distributing a meeting agenda, scheduling or procedural information, or reports or documents that may be discussed at the meeting will not constitute deliberation, so long as the material does not express the opinion of a member of the public body. E-mail exchanges between or among a quorum of members of a public body discussing matters within the body’s jurisdiction may constitute deliberation, even where the sender of the email does not ask for a response from the recipients.

To be considered a deliberation, the communication must involve a quorum of the public body, which is usually a majority of the members of that body. Thus, a communication among fewer than a quorum of the members of a public body will not be a deliberation, unless there are multiple communications among the members of the public body that would together be a communication among a quorum of members. Courts have held that the Open Meeting Law applies when members of a public body communicate in a manner that seeks to evade the application of the law. Thus, in some circumstances, communications between two members of a public body, when taken together with other communications, may be a deliberation.

Minutes

Committees are required to create and maintain accurate minutes of all meetings, including executive sessions. The minutes, which must be created and approved in a timely manner, must state the date, time and place of the meeting, a list of the members present or absent, and decisions made, and actions taken including a record of all votes. While the minutes must also include a summary of the discussions on each subject, a transcript is not required. In addition, the minutes must include a list of the documents and other exhibits used at the meeting. While public bodies are required to retain these records in accordance with records retention laws, the documents and exhibits listed in the minutes need not be physically stored with the minutes.

The minutes, documents and exhibits are public records and a part of the official record of the meeting. Whether and when records are subject to disclosure under the Open Meeting Law will depend on whether the records are from an open session or an executive session.

The Open Meeting Law requires public bodies to create and approve minutes in a timely manner. The law requires that existing minutes be made available to the public within 10 calendar days upon request, whether they have been approved or remain in draft form. Materials or other exhibits used by the public body in an open meeting are also to be made available to the public within 10 days upon request. If the committee does not have a defined town office to conduct their business, approved minutes should be filed with the Town Clerk. All minutes of open meetings must be posted on the Town website or available upon request.

Executive session minutes may be kept confidential until the purpose for the executive session has been concluded. Once disclosure would no longer defeat the purposes of the executive session, minutes and other records from that executive session must be disclosed unless they are within an exemption to the Public Records Law, MGL Chapter 4, Section 7, or are attorney-client privileged. The public body is also required to review periodically the executive session minutes to determine whether continued non-disclosure is warranted, and such determination must be included in the subsequent meeting minutes.

Budgets and Bills

In some cases, an appropriation is linked to the warrant article for the use of the committee it creates. If, however, Town Meeting does not approve funds, or the committee is *ad hoc*, there are specific procedures for handling expenses.

If a committee must incur outside expense, a request should be made to the Select Board's office prior to incurring such expense and if approval is received, a bill made out to the Town of Wellesley, signed by a majority of the committee, should be submitted to the

Select Board. The Select Board, in turn, sends a voucher to the Executive Director following which a warrant is issued and the Treasurer receives authorization to make payment of the bill.

Occasionally a committee may determine that it needs to spend an amount of money that cannot be accommodated within existing budgets, for example, to hire a consultant. In this case the committee should determine whether it is possible to wait until the next Town Meeting at which time an appropriation can be requested. If a committee determines that the matter is of an emergency nature that cannot wait for Town Meeting action, the committee may request funds from the Reserve Fund under the control of the Advisory Committee. Committees should seek assistance from the Select Board's office for making out the necessary forms. The burden of proof as to the immediate need will fall upon the committee to demonstrate that the requested funds are for reasons of extraordinary nature and were not foreseeable at the time of budget preparation. The transfer, if granted, would ordinarily be made to the Select Board.

Copying

A copying machine, located in the office of the Select Board in the Town Hall, is available for committees to make copies for committee use. If the committee does not have its own appropriation, the charges may be paid through the Select Board's office subject to prior approval from the Select Board.

Contracts, Services, Advertising, and Bidding

Contracts are subject to the Public Procurement Laws. If proposals are to be invited, the committee should carefully outline the specifications of what it wants and submit them to the Select Board. The Select Board will assist the committee in performing other administrative duties to assure compliance with bidding procedures including the requests for proposals.

If a committee wishes to advertise in *The Townsman*, for example to announce a hearing or public meeting, copy must be at *The Townsman* by noon on Friday prior to when the announcement is to appear. Bills made out to the Town of Wellesley should be sent to the Select Board's office, attention of the committee.

If a committee recommends the creation of a new Town position after authorization, a job description should be developed with the assistance of the Human Resources Department. When the job description is developed, the Human Resources Department then evaluates the position, and the position is slotted in an appropriate job classification category. Following that procedure and subject to appropriation, the Human Resources Department would, through advertisement, recruit candidates, screen applicants if requested by the committee, and present a list of the most qualified persons to the appropriate board or department head who makes the final selection.

Warrant Articles and Advisory Committee

Any committee that anticipates bringing substantive or budgetary matters to Town Meeting should be aware of important dates and procedures leading up to Town Meeting. The Select Board announces the date by which articles must be submitted for inclusion in the Warrant when a Town Meeting is called. Articles by boards and committees are usually written in general language so as not to limit the scope of the motion. There is also a date

by which specific motions under articles should be filed. The Select Board's office is willing to assist any committee in the proper form and wording of articles and motions.

Committees should read the TBL regarding the Advisory Committee, its duties and authority. A committee should notify the Advisory Committee Chair in January for the Annual Town Meeting, and by a specified date for a Special Town Meeting of its intended business for Town Meeting and request a hearing date. The committee should be well prepared to answer Advisory Committee questions at the time of its hearing.

Filing Reports

Committees created by Town Meeting vote should submit their reports at the time indicated in the article that created them or, barring such a provision, when their job is completed. If ready, these reports may be published in the Advisory Committee Report. Deadline dates are established when Town Meeting is announced. The reports are transmitted electronically to the Advisory Committee.

The Select Board determines whether the final reports of their special committees should have town-wide distribution. In most cases, these reports are included in the Advisory Committee Report.

A copy of the final report of all committees should be filed with the Town Clerk. All other records deemed important by the committee should be given to the Select Board for safekeeping.

When a committee has fulfilled its charge, a letter should be written to the Select Board requesting that the committee members be discharged. At the next Town Meeting, a vote on a motion made under an article in the Warrant for that Town Meeting would dissolve the committee.

GUIDELINES FOR CONDUCT OF WELLESLEY REPRESENTATIVE TOWN MEETING

Adopted at 1975 Annual Town Meeting, as amended

Introduction

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

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

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

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

The following guidelines are intended to inform and guide those who participate in the Meeting and thus to assist in its orderly conduct. The guidelines, except to the extent that they embody statutes and TBL, are not intended to have legal effect.

Participants in the Meeting

Public Meeting

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

Quorum

A majority of the TMM shall constitute a quorum for doing business; but a lesser number may adjourn the Meeting to another time.

Moderator

The Moderator shall preside at the Meeting and shall regulate the proceeding and decide all questions of order.

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

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

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

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

Clerk

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

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

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

Town Counsel

Town Counsel shall be present at all Meetings and, upon request, shall advise the

Moderator and any TMM or other person present with respect to any pertinent question of law on which his/her opinion is requested. Such opinion is advisory only and not binding upon the Town, any person, or the Meeting.

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

Town Counsel shall not be an elected TMM and shall not vote with respect to any matter before the Meeting. A TMM may be Acting Counsel but shall not vote while acting in this role.

Tellers

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

Motions

Need for Motion

Action by the Meeting is taken solely by a vote of the Meeting on a motion duly made at the Meeting.

Subject of Motions

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

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

Order of Consideration

All articles shall be considered in the order in which they appear in the Warrant, unless the Moderator in his/her discretion, or the Meeting by majority vote, changes the order.

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

Formal Requirements

Motions can be made only by a TMM. All motions other than procedural motions must be in writing signed by the sponsoring TMM. No seconds are needed for any motion.

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

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

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

Notice to Moderator

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

Reconsideration

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

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

Debate

Persons Authorized

All residents of Wellesley, whether or not TMM or registered voters, may address the Meeting. Non-residents may address the Meeting with the approval of the Moderator or a majority of the Meeting.

Permission of the Moderator

Persons wishing to address the Meeting should raise their hand or stand and wait until the Moderator recognizes them, and no one shall address the Meeting without first requesting and receiving the permission of the Moderator.

Identification of Speaker

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

Conduct

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

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

Personal or Financial Interest

Individuals who have a personal or financial interest with respect to a matter may speak thereon but should frankly disclose their interest before speaking. No TMM should accept compensation for speaking to or voting at the Meeting.

Time

There is no time limit to the debate of any question. Accordingly, motions to limit debate or to call the question are not in order. However, each individual who speaks to the Meeting should endeavor to be as brief as possible, out of consideration for the others attending the Meeting and the need to give adequate time to all matters coming before it. The Moderator may request that all persons who intend to speak for more than five minutes give him/her notice before the start of the session.

Repeated Speaking

In order to give all a fair opportunity to speak, no one who had addressed the Meeting on any particular motion shall speak again, except to answer questions, until all others wishing to speak to the motion have done so.

Maps

The Planning Board has slides of Town maps available for use at all Meetings and may be requested on reasonable notice to make available a slide of any map appropriate to the subject under discussion.

Voting Method

Electronic Voting

Subject to the availability of a system to enable electronic voting by TMM using handheld mobile devices, the Moderator may count the vote, or conduct a roll call vote, on any matter before the Town Meeting by the use of such a system, under Article 8.25, TBL.

Voice Voting

If the Moderator decides not to use an electronic voting system on any motion either because of the unavailability of such a system or for any other reason, voting shall be by

voice vote or a show of hands as the Moderator may determine, and the Moderator shall declare the results of such vote. If a declared vote is immediately questioned by seven or more TMM, the results shall be determined by counting the votes of the Meeting by means of a standing vote under Article 8.20, TBL.

Definitions

Roll Call

Upon a motion supported by no less than sixty TMM and made prior to the taking of a standing vote, the vote shall be by a roll call of all TMM, the Clerk to indicate on the record with respect to each Member, “Aye”, “Nay”, “Abstain”, or “Not Present” as the case may be.

Secret Votes

There shall be no secret ballots or other secret votes at Town Meeting.

Majorities

Except as otherwise provided by law or Town Bylaw, all actions of the Meeting shall be taken upon vote of a simple majority of those present and voting.

Ballot Vote

Upon a motion supported by at least 20 TMM made prior to a vote on any question, the vote shall be taken by ballot in a form that will enable the Moderator to determine how individual TMM have voted on a question. The results of the vote shall be announced in terms of the numbers of aye, nay, or abstain votes cast. The Town Clerk shall, within a reasonable time after the session has been adjourned, compile a list of TMM voting on the question, which shall disclose how each TMM voted. This list, together with the original ballots, shall be open to public inspection so that the public can see the way in which each TMM voted on the question, and shall be preserved for at least 3 years under Article 8.21(a), TBL.

If a law or Bylaw requires a two-thirds vote for action by the Meeting, the Moderator is authorized to declare the vote without taking a count, subject to the roll call and ballot vote provisions noted above. If more than a two-thirds vote is required, the Moderator may first determine whether the vote is unanimous and, if it is not, the vote shall be counted either by means of a standing vote, by roll call or by ballot as provided by Article 8.21(b), TBL.

Adjournment and Dissolution

Adjournment

Sessions of the Town Meeting shall normally *adjourn* at about 10:30 o'clock in the evening but may adjourn at such earlier or later time as the Town Meeting, upon vote of a majority of TMM, may determine.

Dissolution

The Meeting shall not *dissolve* until all articles in the Warrant with respect to which

any TMM wishes to make a motion have been considered.

Record of Meeting

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

Reference to Town Meeting Rules

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

It is the combination of the foregoing which produces the “rules” of the Meeting in conformity with which the Moderator regulates the conduct of the Meeting.

| *Compiled and edited by the League of Women Voters, 1976, 1998, 2020, 2021, 2022, 2023, 2024*
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