

TOWN GOVERNMENT STUDY COMMITTEE

October 15, 2015

FINAL REPORT

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REPORT OF THE TOWN GOVERNMENT STUDY COMMITTEE TO THE 2015 SPECIAL TOWN MEETING

INTRODUCTION

Town Meeting Members have a unique opportunity this fall to determine the future course of our Town government. The Town Government Study Committee (TGSC) was charged at the 2014 Annual Town Meeting with reviewing and making recommendations on whether the current structure of our Town government is “best suited” for the Town’s future needs. Our recommendations form a paradigm for ways in which the Town can improve on its self-governance and the provision of services to its residents. Action on these recommendations is more urgent than ever before with the recent announcement by our current Executive Director of General Government Services, Hans Larsen, that he will retire in November 2016. The Board of Selectmen must undertake a search to find a successor Executive Director or, if the TGSC recommendations are adopted, a Town Manager. Searches for senior municipal officials require approximately six months of work.

This report and our recommendations represent the culmination of 18 months of study and review of our Town government. Our recommendations fall in three principal areas:

1. Establishment of a Town Manager position. The Town Manager will provide a centralized point of responsibility and accountability for the day-to-day operations of the Town and a town-wide approach to boards’ and departments’ decision-making and collaboration. The Town Manager will have responsibility for:
 - a. The professional management of Town personnel and centralized hiring of Town department heads, including the appointment (rather than election) of the Town Clerk, to ensure that the Town’s senior management team is comprised of technically qualified and experienced staff who will work together; consistent recruiting, hiring, training, performance evaluation and staff development across Town departments; and freeing up volunteer members of Town boards from personnel management issues so that they may focus on broader policy objectives.
 - b. The improvement of the annual budget process by charging the Town Manager with the development of the annual operating and capital budgets to be voted at the Annual Town Meeting, and by establishing an earlier, collaborative budget process across all Town boards and departments, including the Advisory Committee.
2. Establishment of a Town Strategic Plan that will allow for setting of town-wide priorities. The Board of Selectmen will be responsible for creating the Plan, and the Town Manager will have the responsibility for implementing, monitoring and assessing it and reporting on it annually at Town Meeting.
3. The establishment of a Planning and Land Management Division under a Deputy Director or Deputy Town Manager. This Division will provide an administrative structure to bring the boards and departments together which are charged with the protection, management, use, and planning of the Town’s land. The Division will then develop more comprehensive and coherent land use planning and significantly improve customer service.

These recommendations are expressed in legal documents in the form of a Special Act and amendments to many Town bylaws.¹ We appreciate that Town Meeting Members are being asked to spend significant time to review our work, and that the Advisory Committee is writing its report and preparing themselves for discussion over what may be several nights of the Special Town Meeting. We believe that the expenditure of time and effort now is critical in order to allow for an orderly and timely appointment of a highly skilled and experienced successor to Mr. Larsen. Moreover, separate meetings with boards and larger meetings with Town Meeting Members and residents do not allow for a town-wide, representative discussion of the issues raised by our recommendations. The floor of Town Meeting is the place to decide these issues.

BACKGROUND AND CHARGE

At the 2014 Annual Town Meeting under Article 30, the Town Meeting voted to establish the “2014 Town Government Study Committee” to review the structure of our Town government. The Moderator appointed nine members to serve on the TGSC: Katherine Babson, Stanley Brooks, Rose Mary Donahue, Arthur Goldberg, Ann Marie Gross, Richard Page, Linda Perlmutter, Anna Sereiko and Thomas Ulfelder. The majority of us have served on a variety of elected and appointed boards and all of us are either current or former Town Meeting Members.²

We were charged with studying and making recommendations on the following:

- The existing structure of town government to determine whether it is best suited to the Town’s current and future needs;
- The role and authority of the Executive Director of General Governmental Services as well as alternative management models;
- The number, composition and role of the various elected and appointed boards and committees;
- The potential consolidation, centralization and other changes to the functions and responsibilities of various Town departments;
- The optimal number of Town Meeting Members;
- The number and scope of Town Meetings, as well as the timing of the Annual Town Meeting and the Town elections; and
- Any other topic related to Town government that the Committee deems appropriate.

THE PROCESS

For the last 18 months our committee has met bi-weekly and individual members have participated in dozens of meetings with staff, elected and appointed board members, Town Meeting Members, residents, and as members of TGSC internal working groups. Most meetings of our committee have been televised and in every way, we have endeavored to make our process transparent.

¹ A Special Act is legislation filed with, and enacted by, the state legislature (i.e., General Court) on behalf of a Town, after an authorizing vote by Town Meeting, that pertains solely to that Town. The Special Act creating the Board of Selectmen-Town Manager form of government for Wellesley will take effect after completion of the following three steps: the Special Town Meeting authorizes the Board of Selectmen to file the Special Act with the General Court; the General Court enacts the Special Act and the Town approves the Special Act at a town-wide election.

² We have served as follows: Town Moderator (1); School Committee (1); Board of Selectmen (1); Board of Health (1); Planning Board (2); Community Preservation Committee (2); Advisory Committee (4); numerous ad hoc study committees; and current/former Town Meeting Members (all).

We divided our work into four phases.

Phase I consisted of an **internal** review of our existing Town government structure. We studied our current organizational chart (see Appendix I) that shows 10 elected boards and 2 elected officials and its 19 appointed boards and committees. We reviewed the past TGSC reports from 1986-86; 1993-94; and 2003-2004. We interviewed all of the Town's elected and appointed boards and all department heads, Representative Alice Peisch, recently retired Town Counsel Al Robinson, and Executive Director Hans Larsen. We met with current and former Selectmen, former Advisory Committee chairs, current and former Moderators, Town Meeting Members and Town residents. The land use subcommittee met in separate sessions with lawyers, residential builders, and commercial developers and commercial property owners who interact with our land use departments. We reported on all of these interviews and sessions at our meetings. We surveyed all Town Meeting Members from 2009 to the present who resigned or chose not to run for Town Meeting again.

It became clear from these sessions and interviews that the Town prides itself on a culture of volunteerism and active citizen participation in Town government, which we believe to be essential components of our Town government and as demonstrated through our individual records of service to the Town. We also looked at weaknesses in our structure and opportunities for change, all of which we describe in the "Findings" section below.

Phase II consisted of an **external** review of government structures in other Towns. We met in groups of two and three with the Town Managers/Town Administrators of towns which we believe are our "benchmark" communities: Acton, Andover, Belmont, Concord, Lexington, Natick, Needham, Reading, Sudbury, Wayland, Weston, Westwood, and Winchester. We also met with the Town Administrators of Dover and Marshfield.³ The Town Manager from Needham and the "dean" of Town government structures, Marilyn Contreas, of the Massachusetts Department of Housing and Community Development, also met with our committee. These interviews have helped us understand the variety of approaches municipalities have taken to adopt structures to meet the needs of their particular communities.

To assist us in our work we hired Peter Hechenbleikner as a consultant. He is the recently retired Town Manager of Reading, a position he held for over 26 years. Pete had just completed an assignment in Westwood where he formed the Community and Economic Development department consisting of all entities involved in land use matters and where he served as Interim Director while a job search was underway. Pete also served for many years as chair of the "Form of Government" Committee of the Massachusetts Municipal Management Association where he worked with the Town Managers/Administrators of many communities and where he developed a keen understanding of differences in the responsibilities and authorities provided these positions among municipalities.

We submitted a written report for the 2015 Advisory Committee Report and reported on our progress last spring when the 2015 Annual Town Meeting voted to extend the life of our committee for another year. At that time we described "next steps" and the timeline that has brought us to the Special Town Meeting this fall.

Preliminary recommendations developed in **Phase III** were presented in draft form to boards, staff and the community in an extensive series of meetings last May and June when it was suggested that we to narrow our focus and concentrate on those recommendations which we believe to be most important. As part of **Phase III**, we also surveyed all Town Meeting Members immediately

³ Appendix II provides detailed information on the Forms of Government in these communities.

following the conclusion of the Annual Town Meeting. (See Appendix III for a summary of the survey.)

Phase IV took place over the summer during which time we refined our recommendations based on the extensive feedback we had received. We sent out a series of memoranda that cover the topics of Town Manager, Human Resources, the Budget Process, and the Planning and Land Management Division. (They are revised and found in Appendices IV-VII.) In early September we gave a presentation to the Board of Selectmen in which we set out our Final Recommendations and provided them with the Special Act and a set of amended Town bylaws. In September and early October, we held sessions for Board members, staff, Town Meeting Members and residents to review the recommendations and obtain further feedback. The League of Women Voters also organized a program: "Town Government: Why Change?" This was an exceedingly informative session that included an expert from the Collins Center at UMass/Boston and a current Selectman from Needham and a recently retired Selectman from Winchester.

THE FINDINGS

Based on our interviews over the course of many months, we developed a set of "Findings" that attempt to capture the strengths and weaknesses of our current form of government and opportunities to improve the structure of our government to better utilize Town resources and service to our residents. It is these findings which formed the basis for our recommendations.

Strengths:

- Strong and robust group of dedicated volunteers
- Committed and engaged professional employees
- Strong leadership that has provided direction in absence of much authority to do so with the ability to get some big things done in spite of the organization structure
- Collaborative culture among Town boards and departments often emerges when needed
- Expectation of high quality services
- Financial stability
- There is general satisfaction with how things are going.

Weaknesses:

- Nobody is in charge - there's a lack of accountability and internal coordination in the budget, general management, personnel and planning processes
- There is an over-reliance on the ability of current long-time employees to collaborate and get things done despite structural impediments
- There is a lack of ongoing coordinated Town-wide planning for the future
- There are weak communications internally and externally
- There is a lack of understanding and agreement about the difference between board policy and staff operational responsibilities
- Bylaws and actual practices are frequently inconsistent.

Opportunities:

- Establish uniform policies and procedures ensuring consistency among all employees in hiring and personnel administration (including compensation, performance evaluation, training, and professional development)
- Create a uniformly consistent high quality of customer service throughout the Town government
- Create flexibility and efficiencies of staffing and identify opportunities for professional growth
- Foster a culture of collaboration and improve internal communication

- Develop a strong, integrated cross-departmental management team and
- Make the best use of talented volunteers by ensuring appropriate staff support and relieving them of day-to-day administrative responsibilities for staff and budget.

RECOMMENDATIONS

ADOPT A BOARD OF SELECTMEN-TOWN MANAGER FORM OF GOVERNMENT

In almost every decade for the past 60 years, a study committee has been formed to review the structure and function of our Town government. Some of the committees in the past have recommended that we adopt a Town Manager form of government while other committees recommended that changes should be made first (e.g., the creation of an Executive Director of General Government Services; an increase from a three to five member Board of Selectmen; and centralization of building maintenance which led to the creation of the Facilities Maintenance Department). All identified robust citizen participation as strength while concluding that our decentralized form of government with many independent and autonomous boards as a challenge. Most acknowledged that our Executive Secretary to the Board of Selectmen and subsequently the Executive Director of General Government Services exhibited special skills in leadership, experience and finance that enabled our Town government to operate successfully, despite its decentralized nature. In fact, Wellesley has been fortunate to benefit from this level of leadership throughout a sixty year period⁴ while other towns faced circumstances that led them to adopt a form of government within which the top staff position gained greater authority over the budgets, personnel, planning, and departmental reorganization.

Although Wellesley is the only municipality in a group of fifty neighboring cities and towns that has not adopted a form of government with more centralized authority (see Appendix VIII), many individuals believe that our Town has functioned well enough in its current structure. As we look to the future, however, our committee believes that the size of our annual budget, the extent of our long and short term financial goals, the number of Town employees, the increasingly technical and specialized nature of their responsibilities, and the increasing operational complexity of municipal government call into question the sustainability of our current structure of government. Our recommendations are all the more timely in light of the need to find a successor to Hans Larsen.

Our most important recommendation is the creation of a Board of Selectmen-Town Manager form of government in which the Town Manager would be designated, through a special act and revisions to the Town bylaws, as the person responsible for the daily administration of the Town (with the exception of the School Department or Municipal Light Plant), preparation of the Town's budget, the capital improvement plan, and the Town-Wide Financial Plan, and assuming all of the duties and responsibilities of the current Executive Director.⁵ Some of the more ministerial duties and responsibilities of the Board of Selectmen also would become the responsibility of the Town Manager. The functions of the Town Manager would not change or diminish the role that boards play in developing policy, goals or objectives, and the departments that support the boards would continue to do so and will be evaluated on their ability to do so successfully.

⁴ Arnold Wakelin served in top leadership roles in our Town government for 50 years, the last 10 of which was in the newly created position of "Executive Director of General Government Services". Hans Larsen was appointed to that position after Mr. Wakelin's death in office in November 2004.

⁵ Appendix IX sets out a list of the Executive Director's responsibilities under the current bylaws; the current practice; and the changes that would result from a Board of Selectmen-Town Manager form of government.

“Spectrum” Question: Over the past few months in our meetings with boards and Town Meeting Members, we have heard that some view the term “Town Manager” as synonymous with “absolute control” and with a general decline in volunteer participation in town government.

We have used the term “spectrum” to conceptualize the wide range of duties and responsibilities typically exercised by Town Managers. In general, the distinguishing characteristics revolve around the number of elected boards and elected officials, and the appointing authority of the Town Manager. In a less centralized or what is referred to as “weak” form, there are many elected boards, the Town Manager has little or no authority to appoint board members, and the boards have a significant role in appointing and evaluating department heads. In a more centralized or “strong” form, there are fewer elected boards and the Town Manager has appointing authority over not only Department Heads and staff, but also board members. In this form, boards have little or no participation in the hiring, goal-setting or evaluation of Department Heads.

The duties and responsibilities we recommend for the Town Manager position in Wellesley fall on the less centralized or “weak” side of the spectrum:

- There will continue to be 10 elected boards
- The Town Manager will not appoint members to Town boards and committees
- There will be a significant role for the boards to play in appointing, setting goals and evaluating their department heads.

In addition, in a strong form of Town Manager, the Town Manager has powers to re-organize departments without board or Town Meeting approval and has more authority over the budget process than we are proposing.

Our research has shown that in the benchmark communities even where there is a strong centralized Town Manager form of government, there continues to be widespread citizen participation. (See Appendix X.)

Appointment, Evaluation and Removal Provisions of the Town Manager (Special Act Sections 1(C) and 4 and Bylaws Section 20.2.a):

The Board of Selectmen will have the responsibility to appoint the Town Manager by a majority vote for a term of up to five years. Minimum qualifications for the position are set forth in the Special Act: the Town Manager shall be a “professionally qualified person of proven ability, especially fitted by education, training and previous experience”. The bylaws further amplify the qualifications by providing that the Town Manager shall have “comprehensive knowledge of the functions of municipal government and the management of municipal finance, as well as demonstrated skills in managing the interests of multiple stakeholders”. Further, the bylaws require that prior to the recruitment of any candidate, the Selectmen shall establish “minimum educational, municipal administration, leadership and supervisory qualifications for the office”. The Selectmen may waive those minimum qualifications only upon a finding that substitute requirements can be adopted that will result in substantial protection of the public interest and the rights of the persons affected by the waiver.

The hiring of a Town Manager will always require a thoughtful process but the first hire for this position will require a high level of assurance to the community that the job description and search process reflect the experience and qualities needed for this position and that the search process is open, inclusive and transparent. After much deliberation and review, the Board of Selectmen has created a draft Job Description and a document outlining the proposed Search Process, which can be found at Appendices XI and XII. The Board will request comment from residents, staff, and boards and committees on both documents.

The Board of Selectmen will be responsible for the evaluation of the Town Manager and have begun to look at the criteria and process by which a Town Manager will be evaluated.

Responsibility also falls on the Board of Selectmen for suspension and removal of the Town Manager. The Special Act provides a very specific multi-step process for removal by a majority vote of the Board. The provisions provide assurances of due process for both the Town and Town Manager and the provisions are similar to those found in other special acts and charters. The contract with the Town Manager also will provide for or incorporate by reference these removal provisions.

Costs:

We have been asked to estimate the additional costs and employees, if any, upon a change to the Board of Selectmen-Town Manager form of government.

We anticipate that salaries for certain positions will be higher to reflect additional responsibilities and duties. For the position of Town Manager, we have reviewed salaries of comparable communities and anticipate that the position may call for a salary in the range of \$190,000-\$210,000. The FY16 salary for the Executive Director is \$190,000.

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

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

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

We have also been asked if there would be a financial benefit through cost savings associated with a transition to a Town Manager. Our response has focused on two points. The first is anecdotal but somewhat consistent when looking at towns with a Town Manager: that savings are seen in retrospect. When viewed in retrospect, towns realize that they have been able to defer filling open positions or eliminate the need for additional staffing. The second is associated with the broader authority and strategic view of a Town Manager. An effective Town Manager will see opportunities to approach projects in a way that makes best use of existing resources and by establishing priorities so that the financial impact is optimal for the Town and the residents.

BUDGET PROCESS

Recommendation: Our current bylaws say very little about the process for developing the annual Town-wide budget. Accordingly, we recommend the process be outlined in greater detail in a new bylaw, Article 6A, that:

- places the responsibility on the Town Manager for assembling and producing the Town's annual capital and operating budget;

- provides for an earlier start of the budget process, with collaborative engagement among the Town Manager and the boards;
- provides for the submission of a board's capital and operating budgets at the same time throughout the budget process; and requires that the Town Manager and the School Superintendent present the Town-wide and School budgets at Town Meeting, along with Budget Messages.

Our recommendations also include observations concerning best practices that would not be included in the bylaw but that we suggest be employed in the future.

The proposed bylaw would require early engagement of the Town boards, perhaps individually or at one or more collaborative inter-board meetings (Article 6A.7). The Town Manager, with the approval of the Board of Selectmen, would present departmental budget "guidelines" in the early fall (Article 6A.7). Whereas now there are two guidelines issued (one for the Schools and one for all other departments), we expect that this process would give the Town Manager greater flexibility to recommend department-specific targets based on the needs of individual boards in different years.

School expenditures and employee benefit costs account for approximately 70% of the Town's annual operating budget. Accordingly, we recommend that as a matter of practice the full Board of Selectmen, the School Committee, the Superintendent and the Advisory Committee ("AC") come together early in the process in a multi-board meeting facilitated by the Town Manager to discuss the Town's fiscal position and any budget constraints and significant projected expenditures. Additionally, as plans firm up throughout the fall, we would expect that the Town Manager would engage, as a matter of practice, in ongoing internal conversations with all other departments, individually and in department head meetings, regarding budget development, projections and revenue assumptions. Such meetings and communications would ensure that all departments, whether large or small, would be active participants in the process as budgets were being developed.

All budget deadlines are tied to the start of Annual Town Meeting. For planning purposes, we recommend a new bylaw requiring that, no later than November 15, the Board of Selectmen fix the starting date for the Annual Town Meeting (proposed Article 8.6).

Departments would develop and present to their boards capital and operating budgets, which would vet, discuss and vote on them. The Town Manager would be responsible for establishing the timeline, format and procedures for budget submissions (Article 6A.7). With the exception of the School budget, these voted budgets, along with appropriate explanations, would be submitted to the Town Manager at least 90 days before the start of Annual Town Meeting, with copies to the AC, in a format specified by the Town Manager (Article 6A.7.a). Although not codified in the proposed bylaws, we recommend that the Town Manager also request that, if a department's proposed budget deviated from the guideline, that department would be expected to provide an alternate budget that complied with the guideline, along with a detailed explanation for the proposed divergence.

Under the proposed bylaw, the School Superintendent would submit the School Department's operating and capital budget with a Budget Message to the School Committee 90 days before the start of the ATM (Article 6A.7.a) and School Committee would submit its budget to the Town Manager 70 days before the start of ATM, along with the Superintendent's Budget Message, copying the AC (Article 6a.7.b.). The Superintendent's budget message would: describe important features of the budget, both in fiscal terms and in terms of programs; indicate any major variations

from the budget for the current year with the reasons for such changes; and include such other material as the Superintendent deems desirable (Article 6A.4.b).

The proposed bylaw provides that not less than 60 days prior to the start of the Annual Town Meeting, the Town Manager submit a preliminary proposed Town-wide operating and capital project budget to the Board of Selectmen, with the Town Manager's Budget Message, as well as the Superintendent's Budget Message, copied to the AC and all other Town boards and officers for review and comment. (Article 6A.7.d.) Additionally, if the Town Manager proposed any changes to a board's budget that the board had not yet approved, the Town Manager would be required to notify any affected board of the proposed change in writing, along with a written reason for the change, with copies to the Board of Selectmen and to the AC. Comments would be directed to the Town Manager and the AC (Article 6A.7.d).

The Town Manager's Budget Message would: outline proposed financial policies of the town for the ensuing fiscal year; provide an explanation of the proposed budget for all Town departments, both in fiscal terms and in terms of work programs; provide an explanation for any proposed changes to budget requests submitted by boards that have not been subsequently approved by the board and an explanation for any changes; describe important features of the budget; explain how the proposed budget advances the goals and objectives of the Town-wide strategic plan; indicate any major variations from the budget for the current year in financial policies, expenditures and revenues, together with the reasons for such changes; summarize the town's debt position; and include such other material as the Town Manager deems desirable (Article 6A.4.a).

Not less than 45 days before Annual Town Meeting, the Town Manager would submit the proposed Town-wide operating and capital projects budget, along with the Town Manager's Budget Message and the Superintendent's Budget Message, to the AC, with copies to all other boards and officers (Article 6A.7.e). As before, if the Town-wide budget proposes revisions to any board's budget that the board had not yet approved, the Town Manager would be required to notify the board and provide a written explanation for the change, with copies to the Board of Selectmen and the AC (Article 6A.7.e). The AC would review the integrated budget and hold a public hearing on the budget, as it does now.

At least seven days prior to the start of Annual Town Meeting (as now) the AC would publish its report, which would include the integrated Town-wide capital and operating budgets, together with the Town Manager's and Superintendent's Budget Messages. Recognizing that the budget often comes together quite late, we are recommending a slight change to the bylaw to require the AC vote not later than seven days prior to the start of ATM "whenever practicable." (Article 6A.7.e).

At the Annual Town Meeting, the Board of Selectmen would make the motion on the integrated budget as it does now. The Town Manager and the School Superintendent would present the Town-wide and School Department budgets and their Budget Messages (Article 6a.2.a and b.). Although not part of the proposed bylaw, we recommend that the Town Manager use a budget format that would show the budget as requested by a board and the Town Manager's recommendations for that board's budget, as well as the AC's recommendation on the integrated Town-wide budget. The AC would also make its recommendation directly to Town Meeting on the entire budget.

Although detailed presentations by individual boards concerning their budget requests would be anticipated at Annual Town Meeting only if a board did not agree with the Town Manager's recommended budget for that board, it is expected that boards and department heads would be available to answer specific questions on their budgets from the floor of Town Meeting.

Considerations: We noted throughout our meetings with boards and our review of current processes that no one individual is ultimately responsible for managing the annual Town operating budget from start to finish. This is not a small problem. Many budgets come together over a period of several months to create the Town-wide budget. There is extensive discussion concerning all budgets at the board, staff, departmental and committee level. Whereas once the AC may have been expected to manage this process, that expectation is no longer a reasonable one. The budget is larger and more complex than it was 20 years ago, and the responsibility to manage this function would be best handled by an experienced professional manager. The current bylaws, however, do not vest that responsibility in the Executive Director; accordingly, the proposed Special Act (Section 3 (B)(12) assigns that responsibility to the Town Manager.

We believe that the Town Manager should, along with the Superintendent, present the budget to Town Meeting, as these two Town employees would be most responsible for developing and then ensuring proper management of budget. They would have greater command of details and decision-making process than the boards. Additionally, we believe that they should be required to submit Budget Messages at each critical juncture of the process – including at Town Meeting – that would explain the budgets, their goals, and the premises underlying their formation, as well as any material deviation from the current year's budget performance.

Additionally, although we had not originally intended to recodify the provisions of the TWFP and Town-wide Five-Year Capital Budget Program bylaws, the Board of Selectmen suggested that it would be desirable to consolidate these bylaws and the proposed budget process provisions into a single section of the bylaws that also set forth the Town Manager's responsibility for each of these functions. The proposed bylaws are better integrated and more comprehensive than our initial draft.

With one person managing the process year-in and year-out, the process will become more efficient, longer term priorities will be addressed on an ongoing basis, and there will be greater opportunity to realize savings through a more active central management of budget support functions.

We heard that there was great confidence in the AC's ability to process and analyze information, mediate among all parties, and provide high level analysis of the budget. Our recommendations would enhance the AC's capacity to handle these responsibilities. The AC now sees capital budgets first, followed by operating budgets. Through meetings with individual boards, the AC comes to understand the policies, priorities, factors and decisions – both small and large -- that drive individual department and Town-wide budgeting. However, this bottom-up, piecemeal approach does not give the AC a framework for understanding the big picture budget issues facing the Town. Additionally, in some cases, an understanding of a department's proposed budget would be better achieved if the AC saw capital and operating budgets at the same time, rather than a month or two apart. Accordingly, the proposed bylaw provides that capital and operating budgets be submitted at the same time; we expect that the AC's current practice of meeting with boards to discuss their plans and their proposed budgets would continue.

We have heard concern expressed by some boards that making the Town Manager responsible for the budget process will undermine the ability of boards to oversee the departments under their jurisdiction and interfere with their ability to discharge their responsibilities under Massachusetts statutes and Town bylaws. In particular, some boards were concerned that the Town Manger would have the power to unilaterally alter their budgets. In several sections of the bylaws, we make it clear that the Town Manager has no such authority; any proposed revision by the Town Manager to a board's budget that the board has not approved would be addressed in writing to

the board and copied to the AC. The board would continue to have the ability to advocate for its budget to the AC and to the ultimate decision-maker, Town Meeting. Boards would continue to discharge their functions under the law with the budget approved for that purpose.

Additionally, we do not see this process as setting up confrontations between the Town Manager and the boards. On the contrary, we expect that a Town Manager hired for the job in Wellesley would have superb inter-personal skills, a talent for collaborative engagement, the ability to manage conflicting agendas, and a range of experiences and a broad base of practical knowledge that would help the boards discharge their responsibilities. However, by leaving the role of the AC intact and providing that the AC be copied on submissions to and from the Town Manager, we believe that an important check remains in place to facilitate cooperation and the resolution of disagreements before they become impediments to collaboration and progress. Further, the burden is on the Town Manager to explain the thinking concerning revision to board budgets. Finally, the Town Manager reports to the Board of Selectmen, the politically sensitive executive authority that is responsible for the smooth functioning of the entire Town. As a last check, of course, Town Meeting has the final say on the Town-wide budget. Throughout this process, there is ample incentive for the Town Manager not to engage in management by confrontation.

Conclusion: Vesting the Town Manager with responsibility for managing the Town's annual budget and financial and capital planning processes will create accountability where today there is none. However, the introduction of a new concept – a Town Manager -- into a budget process that has run reasonably smoothly for some years requires the creation of a framework to ensure that that role is well-defined and that the relationships of the boards and committees relative to each other and to the Town Manager are clear. Proposed Bylaw 6A accomplishes those objectives without imposing unnecessary constraints on the process; the proposed bylaws also preserve the AC's ability to remain engaged in the process. We believe that the proposed bylaw preserves the autonomy and authority of boards to develop, vote on and advocate for their budgets in furtherance of their responsibilities. Finally, we believe that the active engagement of boards, the supervisory responsibility of the Board of Selectmen, the independent review function of the AC, and the judgment of Town Meeting serve as substantial checks on the Town Manager's authority while maintaining the current balance of authority and responsibility among the various components of Town government.

HUMAN RESOURCES

The area in which we recommend the greatest change is Human Resources (HR). Our current bylaws and Personnel Policies clearly intend to establish uniformity and consistency in personnel administration throughout the Town, but it appears that this goal is not met in practice. Through interviews with department heads, boards, and other individuals within or formerly within Town government in Wellesley, a picture emerged of inconsistency in the application of general personnel policies that might potentially expose the Town to liability. At the same time, the inconsistent application of policies relating to performance evaluations, discipline and staff development is unfair to town employees.

The field of human resources has grown increasingly complex, with new requirements being constantly imposed under both federal and state law. As a result, there is a growing risk of litigation. Seventeen of our elected and appointed boards and the Executive Director are each responsible for hiring, supervising, evaluating, disciplining and, if necessary, terminating approximately 500 employees working in twenty-one separate Town departments. The Town is also responsible for the administration of benefits for 800 School Department employees, including health insurance, dental insurance, long term disability, payroll, and workers compensation but no one person is accountable for the Human Resources function.

Currently we do not have a mechanism for enforcing our Personnel Policies as they apply to the 15 independent boards and the Town employees for whom they are responsible. It is not a question of whether our personnel policies are adequate, it is instead a matter of empowering an individual with the authority to ensure the consistent application and enforcement of our policies and holding them accountable for doing so.

Recommendations: We recommend that the Town Manager be responsible and, therefore, accountable for managing the human resource functions, and in doing so, working with the Human Resources Director to review all current policies and recommend changes or additional policies where appropriate. Elected and appointed boards would continue to have an important role in hiring and evaluating department heads. We recognize the need to ensure that a department head has the background and interpersonal skills to work effectively with their board as they move forward with initiatives and toward meeting their goals and objectives, and that they are doing so throughout the year. The role of the HR Director would be more clearly defined, and the HR Board would assume a new and important role complementary to the central responsibilities of the Town Manager and the newly strengthened role of the HR Director.

The approach to human resources we recommend is based on our understanding of Town culture, our desire to provide an effective system of checks and balances, and our study of practices in a dozen benchmark communities. The recommendations of the TGSC are intentionally broad⁶, understanding that the details of how processes will work evolve over time. We believe that change should be a deliberate process, with opportunities for reflection and reassessment. We envision changes that will evolve, while we recommend strongly immediate changes that will address many of the critical issues we have identified.

Appointment, Evaluation and Removal of Department Heads (Special Act Section 3(B) (2) and (3) and Bylaws Section 20.3.b. and c.):

The provisions in the Special Act and the bylaws that define the responsibility of the Town Manager to appoint and terminate Town employees and to manage and supervise all town departments⁷ (except for School and Municipal Light Plant employees and department) and are perhaps the most controversial of all of the TGSC recommendations. Board members, in particular, are concerned that these provisions will diminish their responsibilities and affect the service they provide to our residents. They suggest that, without responsibility at the board level to hire, evaluate and discipline their department staff, the staff will be unduly responsive and/or loyal to the Town Manager and would not appropriately discharge their responsibilities to their boards. Our recommendations provide an administrative structure intended to support the improved performance of each board, department, and employee. They are not intended to change or diminish a board's ability to perform or fulfill their statutory or bylaw responsibilities. We do not see that service to our residents will be affected negatively. In fact, we believe the opposite to be true: that the Town will be able to function in a more effective and efficient manner that will benefit our residents and all others who rely on our Town government. A centralized management structure will create a Town-wide understanding of every department's goals, a tightly integrated management team that will see the big picture across all departments and provide additional support for each department as well as for inter-departmental and inter-board initiatives, and provide greater consistency across all departments in assessing and meeting the expectations of residents and those who do business with the Town.

⁶ Changes, however, have been made to the set of bylaws circulated on September 8 that attempt to provide greater assurance for the roles of boards through more specificity to the Special Act and proposed bylaws.

⁷ The School Department and the Municipal Light Plant Department employees are exempt from these provisions.

We always envisioned a collaborative effort between a board and the Town Manager when appointing and evaluating a department head. However, we heard extensive feedback that the Special Act and Town bylaws need to more clearly define a board's role in this process. In response, we made a number of changes to these sections set out below, which acknowledge a board's important role and provides for greater collaboration while retaining the flexibility to adapt the process to different circumstances.

Bylaws Section 20.3.b. below indicates where changes have been made since the Warrant was signed at the end of September:

Section 20.3.b. Notwithstanding the provisions of Chapter 48, section 42 or 42A, if accepted at any time by the Town, or any other general or special law to the contrary, the Town Manager may, in accordance with the Personnel Policies approved pursuant to Section 30.10, appoint ~~and remove~~ a Police Chief, a Fire Chief or Chief Fire Engineer, a Town Clerk and all other department heads ~~and~~, officers, ~~subordinates and employees of the Town,~~ except for employees of the School Committee, the Municipal Light Board, appointments made by the Commonwealth and those appointments for which another method of appointment is otherwise provided for. Notwithstanding the provisions of any general or special law to the contrary, appointment of subordinates and all other employees shall be made by the Town Manager or the Town Manager's designee within the affected department in accordance with approved Personnel Policies.

- (i) Appointments of the Police Chief and Fire Chief or Chief Fire Engineer shall not take effect unless approved by the Board of Selectmen.
- (ii) Any appointment of other department heads or chief staff employees of elected and appointed boards ~~and committees~~ shall be made only after consultation with such board regarding applicable duties and qualifications; and an opportunity for such board to interview one or more final candidates submitted by the Town Manager or through a process under the direction of the Town Manager. Such appointment shall take effect no sooner than (a) ~~(1)~~ it is approved by such board ~~or committee~~; or (b) ~~(2)~~ 15 calendar days after written notice of the appointment has been provided to such board ~~or committee~~ without any action thereon; whichever occurs first.
- (iii) In accordance with the Personnel Policies approved pursuant to Section 30.10, and after consultation with affected boards, the Town Manager shall establish annual goals for and conduct annual evaluations of all department heads and officers subject to appointment by the Town Manager.
- (iv) The Town Manager may remove any employee in accordance with the Personnel Policies approved pursuant to Section 30.10.
- (v) The Town Manager shall provide written notice to the affected board or committee before any removal of a department head or chief staff employee of such board ~~or committee~~ if practicable, but in no case later than the end of the third business day following the removal of a department head or chief staff employee.

Appointment of Department Heads (Special Act Section 3(B) (2) and Bylaws Section 20.3.b.):

We recommend that the Town Manager appoint all department heads subject to a fifteen calendar day period during which the affected board may approve the appointment, reject it, or take no action in which case the appointment will become effective.

We expect that any Town Manager appointed by the Board of Selectmen will be an experienced, professional administrator, who will evaluate the following skills and abilities in an applicant for a department head position:

- potential leadership
- management capabilities
- interpersonal working style
- vision for managing a department
- ability to function as a member of a senior management team

And, we expect that board members will evaluate the following in a potential department head:

- expertise in the subject matter of the department
- experience in working with, and implementing the policy of, a volunteer board
- leadership experience.

We believe that together the Town Manager and the board can determine the candidate best suited for the position. Frequently the selection of the finalists would be the responsibility of a screening committee, which most often includes board members, the Town Manager and may include, among others, additional town employees and non-town peers. This process would be managed by the HR Director to ensure that all proper procedures are followed and consistently applied. The exact interview process would be determined by the Town Manager and the HR Director, using best practices for the Town and in compliance with our HR policies.

Ultimately a candidate's suitability for employment as a member of the senior management team must rest with the leader of that team. The Town Manager is responsible for professionally managing all departments and ensuring that the departments work together to implement the policy objectives and goals of the boards and the Board of Selectmen.

Police and Fire (Special Act Section 3(B) (2) and Bylaws Sections 20.3.b. 21.2 and 21.3):

For the appointment of the Police and Fire Chiefs, the recommendation of the Town Manager must be *affirmatively* approved by the Board of Selectmen. The reason for this approval is recognition of the unique position of police and fire functions in local government and the desirability of having extra checks and balances on the Town Manager for these critically important appointments of the Chiefs. The Chiefs will recommend to the Town Manager for his or her approval the hiring and promoting of their officers and other departmental staff.

Annual Goal-Setting and Evaluation (Bylaws Section 20.3.b. (iii)): Based on our interviews of Town Managers in a number of towns and a review of their bylaws and town charters, the we anticipate that any Town Manager hired by our Board of Selectmen will work with each board and the HR department in developing and setting annual goals and the evaluation of department heads. The Town Manager will have broad, day-to-day exposure to the work of the department heads, including the manner in which the department heads function as members of the management team, their administrative skills, including supervision of staff and budget management, and their ability to provide customer service. The input of the board will be important because, even though board members may have limited exposure to the department staff, the department head's ability to support their board through their own skills and through effective

departmental management is essential one in our Town's government. Board members provide valuable insight into the extent to which a department head successfully completed initiatives and achieved the goals and objectives the board established. Based on the feedback we received, we added language to Bylaw 20.3.b. to assure boards of their roles in annual goal-setting and evaluation processes.

“Manage and supervise all town departments” (Special Act Section 3(B) (3) and Bylaws Section 20.3.c.): We have been asked how the Town Manager will “manage” and “supervise” town departments. Every Town Manager has a different management style, and the supervision of department heads will evolve over time as the working relationships between the Town Manager and the department heads evolve.

The Town Manager will focus primarily on developing and reinforcing the capabilities of the individual department heads, and on ensuring that appropriate resources, direction and feedback are available to enable the department heads to achieve the goals set by their boards. This will mean different things to each department head, depending on their capabilities and experience. The Town Manager will be a mentor and sounding board to department heads, and will be available to listen, teach, coach, and advise. This process may include peer mentoring of department heads in specific areas such as budget management, effective customer service or their working relationship with their boards.

The Town Manager will be expected as well to forge a strong senior management team consisting of all department heads and chief staff employees. This senior management team would work together to think broadly about issues facing the Town, would develop innovative and creative solutions, and would support the development and implementation of best practices Town-wide. Periodic department head meetings are essential. Some Town Managers hold them weekly and others hold them monthly. Establishing project specific management teams would strengthen individual working relationships between department heads; for example, working groups on Personnel Policies or cross-departmental solutions for technological needs are an important opportunity for department heads to work with others with whom they infrequently work. Finally, leadership training and periodic retreats are all important tools for building a strong and effective management team.

Other Staff (Special Act Section 3(B)(2) and Bylaws Section 20.3.b.): While the Town Manager is the appointing authority for all other staff, the bylaws now provide explicitly that the Town Manager may delegate to the department head the responsibility for hiring all department staff.

Removal of Staff (Special Act Section 3(B) (2) and Bylaws Section 20.3.b.): The Town Manager has the authority to remove any employee in accordance with the Town's Personnel Policies, which set out a process for such removal. In the case of a department head, the Town Manager must provide written notice to the affected board before removal, if practicable, but if it is not practicable, no later than the end of the third business day following removal.

Town Clerk (Special Act Section 5, Bylaws Section 20.b and Article 26): We recommend that the Town Manager appoint the Town Clerk. Presently the Town Clerk is the only elected paid town official. Our Town has been very fortunate to have capable and committed Town Clerks. This recommendation is not a reflection on our current Clerk who has served our Town well.

The duties and responsibilities of a Town Clerk have become increasingly complex requiring specialized knowledge and training. The Clerk has critical responsibilities ensuring town compliance with many different requirements on the federal, state, and local level. These

responsibilities include: voter registration; the administration of elections; the administration of town records; maintenance of vital statistics; and providing training in ethics, conflict of interest, and the open meeting law. In addition, the administrative duties of the Clerk require knowledge of and skill in the use of technology. Enabling the Town Manager to appoint the Clerk ensures that the most qualified person with all of the necessary skills fills the position. As an important member of the Town Manager's senior management team, the Clerk would be expected to have qualities that would enable the person in that position to work closely and successfully with other senior town officials. The change to an appointed Clerk would occur only if Town Meeting passes the Special Act (and it is also approved by the General Court and Wellesley voters) and at either the end of our Clerk's current term in 2018 or in the event that there is an earlier vacancy.

At present, our Town Clerk receives a salary of \$85,731 in addition to all employment benefits offered by the town such as health insurance, pension benefits, and long-term disability. But our elected Clerk is not subject to any limitations on vacation or sick days or any other requirements set forth in the personal policies.

There is no guarantee that in the future the town will continue to have qualified candidates run for election and through appointment, the town would be assured of a larger pool of qualified candidates. The TGSC recognizes that local knowledge associated with residency may be advantageous, particularly in light of the location of the Clerk's office and the number of visitors to Town Hall who go to the Clerk's office with general questions about the Town. As a result, a Town Manager may place value on town residency when considering individual applicants for the position. However, we are not aware of any towns with a residency requirement for the Town Clerk.

Collective Bargaining (Special Act Section 3(B) (9) and Bylaws 20.3.k.): The Town Manager is designated as the collective bargaining agent for negotiations with Town unions. The Town Manager may delegate some portions of that role to others, such as to the HR Director. As the collective bargaining agent, the Town Manager will work with the HR Director, the Board of Selectmen and other applicable boards and department heads to establish the collective bargaining goals of the Town. It will then be the Town Manager's job to negotiate with the unions to achieve those goals. Any agreement reached between the Town Manager and the unions would be subject to union ratification subject to the approval of the Board of Selectmen, and ultimately subject to Town Meeting funding the contract provisions. Under the Education Reform Act, the Board of Selectmen may designate a representative to serve as a member of the School Committee for purposes of collective bargaining with School unions. Under the proposed bylaw, that representative will be the Town Manager. In that capacity, the Town Manager will participate in School Committee strategy sessions with regard to collective bargaining, and will vote on School union contracts.

Role of HR Board, HR Director and Town Meeting (Articles 30 and 31): The current bylaws do not define the specific role of the HR Director. The administrative functions in the HR Department are delegated by bylaw to the Board; in practice, most of these functions are handled currently by the HR Director. The amendments to the current bylaws specifically shift responsibility for all of the administrative functions in the HR Department to the Director. Currently, the HR Board recommends changes to the Classification Plan (which "grades" job positions), the Salary Plan (specifying salary ranges for employees) and Personnel Policies. Town Meeting Members are asked to approve any changes proposed and already approved by the HR Board. These changes recently have been included within the "consent agenda" at Town Meeting. Changes to the Salary and Classification Plans for non-union employees typically reflect salary increases approved in the union contracts. Many changes to the Personnel Policies are driven by state and federal law and, in some cases, by changes in union contracts. The proposed

amendments assign responsibility to the HR Board for approving the Salary Plan, the Classification Plan, and all Personnel Policies, upon the recommendation of the HR Director. Additionally, the HR Board will be responsible for approving the salary of any employee who is hired initially above the mid-point of a salary range. Currently, HR Board approval is required for any initial salary above the minimum point. The HR Board will be an important resource to the HR Director and Town Manager as requested. Town Meeting will continue to have responsibility for funding the Classification and Salary Plans through its consideration and approval of the operating budget.

(II) CREATION OF A STRATEGIC PLANNING PROCESS

Among our findings was a need for improved internal communication and collaboration across town departments and boards. Also identified was the need for a unified set of town-wide priorities and vision. While some departments, such as the Schools, have a strategic plan, there is a need to integrate existing board or departmental objectives within a town-wide context, information that will be valuable in establishing the Town's budget priorities.

Proposed Bylaw Section 19.12 provides that the Board of Selectmen shall lead a strategic planning process that is open, collaborative and transparent. The process requires participation and input from town boards and departments as well as residents and other constituencies and stakeholders. The Plan will provide a mission statement and long range vision for the Town and also identify broad community priorities, goals and objectives. In addition, strategies and action items should be outlined to achieve the stated goals and objectives.

Once created, the Board of Selectmen shall be responsible for updates to the Plan at least every five years. The Town Manager will be responsible for implementing, monitoring and assessing progress on the Plan and will present an update to the Annual Town Meeting.

Because there are common elements in the development of a Strategic Plan and Comprehensive Plan, the Board of Selectmen is currently working with the Planning Board to create a process suitable to the creation of both Plans. Most of the initial planning effort will be completed by the time a Town Manager is hired but the Strategic Plan will still be in development. The Selectmen anticipate requesting funding for the Plan at the 2016 Annual Town Meeting.

(III) PLANNING AND LAND MANAGEMENT DIVISION

Recommendation: We recommend the establishment of a Planning and Land Management Division (PLMD) to be composed of the following departments and boards: the Building Department, the Planning Board, the Design Review Board, the Zoning Board of Appeals, the Natural Resources Commission, the Wetland Protection Committee, the Wellesley Historical Commission, the Historic District Commission, and the Neighborhood Conservation District(s).⁸ Our recommendation is in response to the comments and concerns expressed throughout interviews conducted with board members and departmental staff proposed for inclusion in the Division, residents and other stakeholders affected by the Town's planning and land management policies and regulations.

The purpose of the PLMD is to create an administrative structure that supports the work of these departments and boards to ensure collaborative, better coordinated, and more comprehensive

⁸ Most of our benchmark communities group their boards and departments involved in land use issues in similar ways. See Appendix XIII.

planning and land use management, including conservation, historic preservation and protection of natural resources and open space; a better coordinated process for permitting and project review; and consistent enforcement of existing bylaws, regulations and conditions required when a project is approved. Under the proposed structure, each board will maintain its current authority and responsibilities under state and federal law and Town bylaws.

A Deputy Town Manager or Deputy Director of General Government Services⁹ will be assigned to the administrative role of Planning and Land Management Director. The duties of the Planning and Land Management Director will include developing and managing the PLMD budget, administering personnel functions in accordance with Town personnel policies and, managing the Division's daily administrative operations, and developing communications and archive protocols. The PLMD budget will be the aggregate of the individual board and departmental budgets and will include the final budgets submitted by the individual boards following review by the Town Manager.

We recommend that the Town Manager, guided by the policies of the Human Resources Department, convene a screening committee to assist with the appointment of the PLMD Director. The screening committee would include, among others, representatives from the boards and departments within the Division. The Town Manager will have the authority to appoint the Director after considering each candidate's background, experience, and additional responsibilities as a member of the senior management team.

The TGSC first recommended creating the PLMD through a new Town bylaw. However, concerns were expressed that a bylaw would make it more difficult to change the composition of the PLMD. In response, the TGSC now recommends creating the PLMD through a motion and not a bylaw to allow for the flexibility to make changes to the Division based on its performance and the preference of a new Town Manager after consultation with the affected boards and department staff. The motion authorizes the Board of Selectmen to establish the Division within ninety days upon its passage.

Considerations: A question has been raised regarding whether the Division should be deferred until a new Town Manager is in place. However, a new Town Manager will not be in place until at least November 2016 and at that time the Town Manager will face many other critical issues that in all likelihood would delay a resolution of the issues addressed through the creation of this Division. In the course of many meetings and numerous interviews conducted over the past 16 months with boards, staff, and other stakeholders, we identified significant problems and equally significant opportunities to improve the Town's current planning and land management functions. It is important to note as well that the recommendation to establish the Division is made independent of the proposal to adopt of a town manager form of government, because we believe that the PLMD is needed now. Creating an administrative structure to support and facilitate the collaboration and communication between these boards and departments will result in immediate and significant benefits to the Town. Enactment by motion will provide the necessary flexibility to make adjustments as indicated as a track record is established or at the suggestion of a newly appointed Town Manager.

A concern has been raised that establishing a division that reports to a Deputy Town Manager rather than the Town Manager may diminish the standing and impact of its departments. We do not share this concern. The formation of the PLMD will ensure that every board included and staff

⁹ Our recommendation is that the Division be established prior to the appointment of a Town Manager. The initial PLMD Director would be a Deputy Director of General Government Services. Whenever the term "Deputy Town Manager" is used, it shall also mean "Deputy Director of General Government Services".

has an enhanced opportunity to participate and influence decisions regarding their own mission and responsibilities. By assigning administrative oversight to a member of the Town Manager's office, the PLMD will be assured that the Town Manager will be aware of the Division's priorities, goals, and its important contribution to the Town's strategic plan and town-wide values.

It also has been suggested that the PLMD would diminish the ability of boards to implement the goals and policies established for their departments, noting the potential for differences of opinion on which goals should be advanced. As is the case today, each board will continue to establish its own goals and priorities and will continue to have the responsibility to propose a voted departmental budget that supports those goals. Consistent with current practice, there will be a process whereby departmental budgets are reviewed and boards will each have access to the Town Manager, the Advisory Committee, the Selectmen, and Town Meeting to advocate for their budget requests. Concerns have been expressed that staff may receive conflicting messages regarding departmental priorities, personal goals, and evaluations, and that an employee may feel that they are reporting to two managers. While the Division Director will provide administrative support to the staff, staff members will report to their boards with the expectation of fulfilling the priorities, goals, and objectives established by their boards. In the case of the small committees, such as the Historical Commission, Historic District Commission and the Neighborhood Conservation District(s), there is an opportunity to assign administrative support to them.

Creation of the Division will not reduce, transfer or in any way diminish the existing responsibilities and authority of any Board as set out in Town bylaws and state or federal law. Each Board and department will continue to have the same charge, functions and obligations it has currently, and will determine what initiatives to pursue and capital projects to propose.

The Natural Resource Commission (NRC) has expressed opposition to their inclusion in the Division. Among the reasons they cite are their unique purpose and goals that extend beyond land development and permitting, which they view as the primary purpose of the Division. In particular they note their important education and advocacy functions. They also recommend that the Wetlands Protection Committee, which they appoint, be excluded from the Division. They prefer that the Commission continue to function independently along with the Wetlands Protection Committee, and that they report directly to the Office of the Town Manager. The NRC believes that this arrangement will provide adequate opportunities for collaboration and communication with the boards and departments within the PLMD.

We have given this issue a great deal of thought, and we continue to believe that a structure that excludes the important functions of natural resource preservation and conservation from the work of the Division would weaken the Town's ability to ensure that protections and programs are in place to best support these goals. While it is true that collaboration can and does occur under the current structure, we have heard from nearly everyone that it happens on an ad hoc basis, and that significant opportunities are missed. This also is true, that it happens on an ad hoc basis, with regard to important deliberations on how best to protect and preserve our natural resources, a responsibility that clearly crosses departmental lines. For example, the Planning Board is responsible for recommending changes to the zoning bylaws, which led to the Town adopting the Tree Preservation and Protection Bylaw and the Natural Resources Protection Development Bylaw, both of which address the preservation of natural resources. In addition, we believe that the Wetlands Protection Committee plays an integral role in the Town's permitting and review processes, and that opportunities to support and reinforce their critical role may be lost if they are excluded from the Division. Finally, we are concerned that the NRC's desire to report to the Town Manager may in fact marginalize them, given the number of direct reports that must be managed by the Town Manager.

Conclusion: Through our conversations with boards, staff, residents, those who interact with and rely on the land use departments, we identified very important opportunities to improve Town planning and land use functions and there is significant consensus on the issues that need to be addressed. The creation of a PLMD will provide a structure through which the Town can address these needs effectively and move forward toward a significantly improved and better-coordinated approach to this very important Town function. We are not persuaded that excluding the NRC and Wetlands Protection Committee from the Division is in the best interests of the Town, and recommend their inclusion in the Division. The creation of the Division by means of a motion, rather than bylaw, will enable the Town to begin to address some of the most important town-wide needs and opportunities, while providing sufficient flexibility to evolve in a manner which best meets the present and future needs of the Town, the boards, the departments and the staff.

We believe there is a pressing need to address these issues now, and that the Town should not wait until a Town Manager is appointed.

(IV) STUDY COMMITTEE FOR BOARD OF PUBLIC WORKS

We recommend that a five member Moderator-appointed committee be appointed if Town Meeting approves the Board of Selectmen-Town Manager form of government. In most towns with Town Managers, a board of public works does not exist. The responsibilities for the public works functions fall under the Town Manager. In some towns, the explicit responsibilities may fall to the Board of Selectmen and in others, the responsibilities for the sewer/water functions are assigned to a committee that advises the Board of Selectmen. And, in some towns with municipal light plants, there are utility boards responsible for the light plant and sewer and water functions.

We propose that a committee study and recommend whether the Board of Public Works (“BPW”) should remain elected or, if appointed, whether any change should be made to the composition or appointing authority of the Municipal Light Plant Board. If the committee recommends that the BPW no longer exist, then the committee should recommend who should be responsible for the functions of the Department of Public Works and who should be the appointing authority for the Municipal Light Plant Board. In order to undertake the review, the committee will need to understand the ongoing functions of the Department of Public Works and the role of the BPW.

We propose that the committee commence its work after June 30, 2016 and that it report back to the 2017 ATM; that no current member of any Town board be appointed to the committee; and that the Boards of Public Work, the MLP and Selectmen each appoint a liaison to the committee; and that Town Meeting appropriate \$10,000 for the committee’s use.

(V) RECOMMENDATIONS FOR FUTURE ACTION

In the course of our study and review, we looked at a number of matters relating to other sections of our charge that we recommend the Town consider:

Charge: Review and recommend on “the existing structure” of Town Government

- Review of the Position of Town Manager: We recommend that within 5 years of the appointment of a Town Manager that the Selectmen institute a review to determine whether any further changes should be made relating to the position or to any other aspect of Town structure.

- Permanent Building Committee/Facilities Maintenance Department: Now that the Facilities Maintenance Department (FMD) has been in operation for 5 years, we recommend that the Board of Selectmen institute a review of its functioning to determine what further changes might be made to integrate the building and maintenance functions within the Town. While we applaud the initiative of the Moderator who created an ad hoc working group of stakeholders this past spring to look at functional responsibilities of FMD and the Permanent Building Committee for building projects, this ad hoc group was able to resolve issues only where they could reach consensus on proposed changes. We believe that some fundamental change needs to be undertaken in this area. At a minimum, we recommend that the Selectmen propose an amendment to the Town bylaws at the 2016 Annual Town Meeting to increase the threshold for projects to be undertaken by FMD from the current \$100,000 to at least \$250,000 (Bylaw section 14.9.c.).

Charge: “[t]he number, composition and role of the various elected and appointed boards and committees”

We looked at this issue with respect to four boards.

- Board of Assessors and Board of Health
The members of the Board of Assessors and Board of Health currently are elected. In our initial recommendations last spring, we recommended that members of these boards be appointed by the Board of Selectmen. Our reasoning was that the work of both boards requires significant expertise in technical and often complicated areas, including matters subject to specific statutes, and that the Town would be better served by having experienced and knowledgeable individuals appointed to discharge these responsibilities rather than relying on the electoral process to do so. Although we had no reason to be concerned about the current composition of these elected boards, our view was that the Town’s interests would be better protected by shifting to an appointed model. We continue to believe that this is the better approach and recommend that the Town continue to study the possibility of moving these boards from elected to appointed membership.
- Board of Public Works
We also recommended that the Board of Public Works be appointed by the Board of Selectmen. Our reasoning was based in large measure on the proposed change to a Town Manager form of government. In the 12 benchmark towns all of which have Town Manager/Administrators, there is only one other town with a board of public works. The public works functions typically are placed under the Town Manager. In further discussions on this issue, it became clear that a number of questions need to be answered relating to the responsibility for the public works functions, including sewer and water. Warrant Article 7 proposes a Moderator-appointed committee to look at these questions.
- Advisory Committee
We looked at the Advisory Committee’s role in the Town-wide budget process, but chose not to engage in a more substantive review of Advisory’s role. We believe that this is a potentially significant topic that would be better studied by a differently constituted committee with a narrower focus than ours.

However, based on our review of practices in other towns, as well as feedback we received over the past year, we have some thoughts about the direction that such a review might take:

1. Should Advisory continue to offer recommendations on all warrant articles, or should it be a true Finance Committee? Or should there be an Advisory Committee and a separate

Finance Committee? Some peer communities have Finance Committees of limited jurisdiction, usually confining their recommendations to warrant articles that have a budget impact; however, even in that context, some Finance Committees conclude that almost every article has some budget impact and in others, there are other committees that round out the limited scope of review by focusing exclusively on capital projects or there are bylaw committees that review proposed zoning and other by-law changes. Changing the scope or focus of Advisory would probably require a change in the skill set that Advisory needs to discharge its responsibilities.

2. Should Advisory Committee members serve longer than they do now either through longer terms or by serving multiple terms? In all of the communities we studied, Advisory/ Finance Committee members often serve multiple three-year terms. In Wellesley, although members may serve for up to six years, very few members have chosen to continue serving after their three year terms is completed. Although many Advisory Committee members do go on to serve the Town on other boards in significant and important ways, the Town may not be realizing the full benefit of Advisory members' knowledge and experience if they leave Advisory after only three years.
3. How many members should Advisory have? The answers to the first two questions would help determine this question. If Advisory's scope is narrowed and/ or its members' terms extended, Advisory might be able to accomplish its job with fewer members.

Charge: "The optimal number of Town Meeting Members"

Representative Town Meeting was established in 1937 with 240 Town Meeting Members. We note that there are 36 towns with Representative Town Meetings in the Commonwealth (out of 351 municipalities), down from 48 towns only 30 years ago. The number of members range from a low of 50 to a high of 434. Over the years, the number of candidates for Town Meeting Member in our Town has steadily decreased to a point where it is fairly common to have only a sufficient number of candidates to fill the open seats. There are exceptions, of course, such as times when there is a particularly contentious issue or when the precinct boundaries have been redrawn. Our conclusion, supported by the results of the Town Meeting Member survey (see Appendix III), is that 240 continues to be the optimal number for our Town. Our reasoning is based in large part on our concern that the reduction in number may well reduce the diversity in age and views that are well represented in our Town Meeting.

Charge: "The number and scope of Town Meetings"

The Board of Selectmen may call a Special Town Meeting (STM) at any time during the year. In six of the last eight years, the Board of Selectmen determined that a STM was required during the fall. In 2015 we also had a STM in January for the North 40 purchase. Once called, additional articles were frequently proposed that were not part of the original determination to hold a STM. When articles have budget implications, they fall outside of the normal vetting process and may not be subject to appropriate balancing considerations.

The Board has set the dates for an STM at various times in the fall. As a result, the Town and Town Meeting Members had no predictable date for the meeting. The timing for the meetings was in response to issues that required immediate attention. However, the irregular and unpredictable scheduling may conflict with prior commitments scheduled by members and result in their absence.

We believe that the Town would benefit from a regularly scheduled date for a Fall STM. Any STM should be reserved for critical matters that cannot wait for the Annual Town Meeting in the spring.

Further, we recommend that the Board define clearly the circumstances under which a STM is required and attempt to place a limitation on the subjects that may come before the STM. In addition, the Board should determine whether any such fall meeting would reduce the length and complexity of the Annual Town Meeting and whether important matters will be moved forward that otherwise could wait until the spring. The results of the Town Meeting Member Survey (Appendix III) indicate that TMMs want predictable dates for a Fall Town Meeting. Whereas other towns specifically provide for a Fall Town Meeting, we believe that the Selectmen should determine whether such a requirement is necessary or beneficial.

We encourage the BoS to establish an annual date for a fall Special Town Meeting to be used in those years where issues for the reasons and under the circumstances described above require action separate from the Annual Town Meeting.

Charge: “...the timing of the Annual Town Meeting and the Town elections”

The annual Town election shall be held on the first Tuesday in March except in the years of presidential primaries in which case the Selectmen shall determine the date of the election (Bylaw 8.2). The Annual Town Meeting shall commence at any time between the last Monday of March and the last day of May as determined by the Selectmen (Bylaws 8.6.).

We concluded that the current timing of the date of the Town election held before the start of the Annual Town Meeting works for our Town. This timing is prevalent in our benchmark communities: the time between elections and the start of the Annual Town Meeting typically runs between 3 to 6 weeks (in Wellesley it is just under 4 weeks).

Charge: “Any other topic related to Town government that TGSC deems appropriate”

Building Department: Through the interviews we conducted, we identified the Building Department operations and zoning enforcement as a significant concern for the Town. We initially proposed a Local Enforcement Officer independent of the Building Department as a necessary step toward improving the Town’s approach to consistent and beneficial zoning enforcement. This recommendation was withdrawn in response to the Selectmen’s decision to proceed with a formal evaluation of the Building Department’s staffing and work flow. We believe that the Selectmen should respond soon after receipt of the report (due this Fall) and work to implement any necessary changes that will address the report’s findings and respond to the concerns expressed throughout our interviews.

Recodification of the Town Bylaws: The current set of bylaws was written almost 40 years ago. In our review of them, we discovered many bylaws which are outdated and should be revised. We recommend that at some point in the near future that a complete overhaul of the bylaws be undertaken.

Increased Transparency: Several suggestions were made during the course of our review which relate to improvement in transparency, such as new bylaws setting forth specified timeframes for boards to approve their minutes and to post those minutes to the town website; for increased use of social media as a means to communicate with our residents; for further improvements to our Town website; and provision for an universal calendar for all town activities.

Increasing Volunteer Pool: We have noted the declining trend in Town contested elections and in the number of contested Town Meeting seats over the years. Efforts have been made by the Town Clerk and Town Moderator to encourage residents to run. Boards at times publicize openings (e.g., the Planning Board used social media this fall to advertise an opening in the position for alternate member of the Planning. More than 17 applications were received

expressing interest in this appointed position.). We recommend that a concerted effort be undertaken to consider ways to more broadly inform our residents of opportunities for service on our Town boards.

Orientation of New Board Members: The Town Clerk provides orientation to new Board members on the Open Meeting and Conflict of Interest laws and some boards provide orientation to their new members. The recommendation is that responsibility be assigned for a formal orientation for new members consisting of these laws and other matters that pertain to the Town as a whole covering such matters as posting agendas, preparation and approval of minutes, an overview of the budget process, and similar matters.

CONCLUSION

We recognize that the transition to a Town Manager form of government represents a significant change for all who volunteer in, and work for, the Town. We believe that the time has come to institute such a change. There are many reasons for our recommendation. At the outset, we noted that our research had identified critical weaknesses in our Town's decentralized governance model: lack of accountability because no one is in charge; over-reliance on long-term employees to solve problems despite structural impediments; lack of coordinated Town-wide planning; weak internal and external communications; lack of agreement about views of board and staff responsibilities; and divergence of actual practice from bylaws. We believe that designating a centrally located position in the Town Governmental structure with the responsibility for addressing these weaknesses and the authority to do so offers the best chance for our Town's government to better serve our residents.

At the same time, we identified numerous strengths: dedicated volunteers; committed employees; a tradition of strong and visionary leadership; a collaborative culture; expectations of high quality services; financial stability; and satisfaction with the way we handle our affairs. We believe that these strengths will only be enhanced by the addition of a more centralized management and operational structure that can make the most of the opportunities available to us by better supporting the work of all our boards and volunteers, maximizing the value and contributions of each employee, improving communication among all boards and departments, ensuring consistently excellent service and responsiveness across all departments for those who live in and do business with the Town, building an integrated management team that can serve the Town for years to come, and strengthening our planning, budgeting and financial functions to ensure that we remain on sound fiscal footing as we focus on Town-wide priorities.

We believe that it is time to establish a centralized point of responsibility and accountability for the Town's day-to-day operations, for long-term planning and for setting Town-wide priorities. We no longer are the small town that first looked at instituting a Town Manager form of government sixty-five years ago or even twelve years ago when we last looked at this question when our budget was approximately half of what it is now. With an annual budget of over \$150 million that has grown more than 5% per year and employs hundreds of Town employees, it is time to provide the chief operating officer with the title of Town Manager and with the duties, responsibilities and powers that are consistent with current best practices in municipal government. It is important that this change be made now, when the Town is not reacting to a crisis situation and after the TGSC has completed a careful and objective exploration of the best path forward.

In light of the high caliber of our staff, volunteers, and the commitment by the Board of Selectmen to oversee the transition to a Town Manager form of government, we are confident that the transition to a Town Manager will succeed.

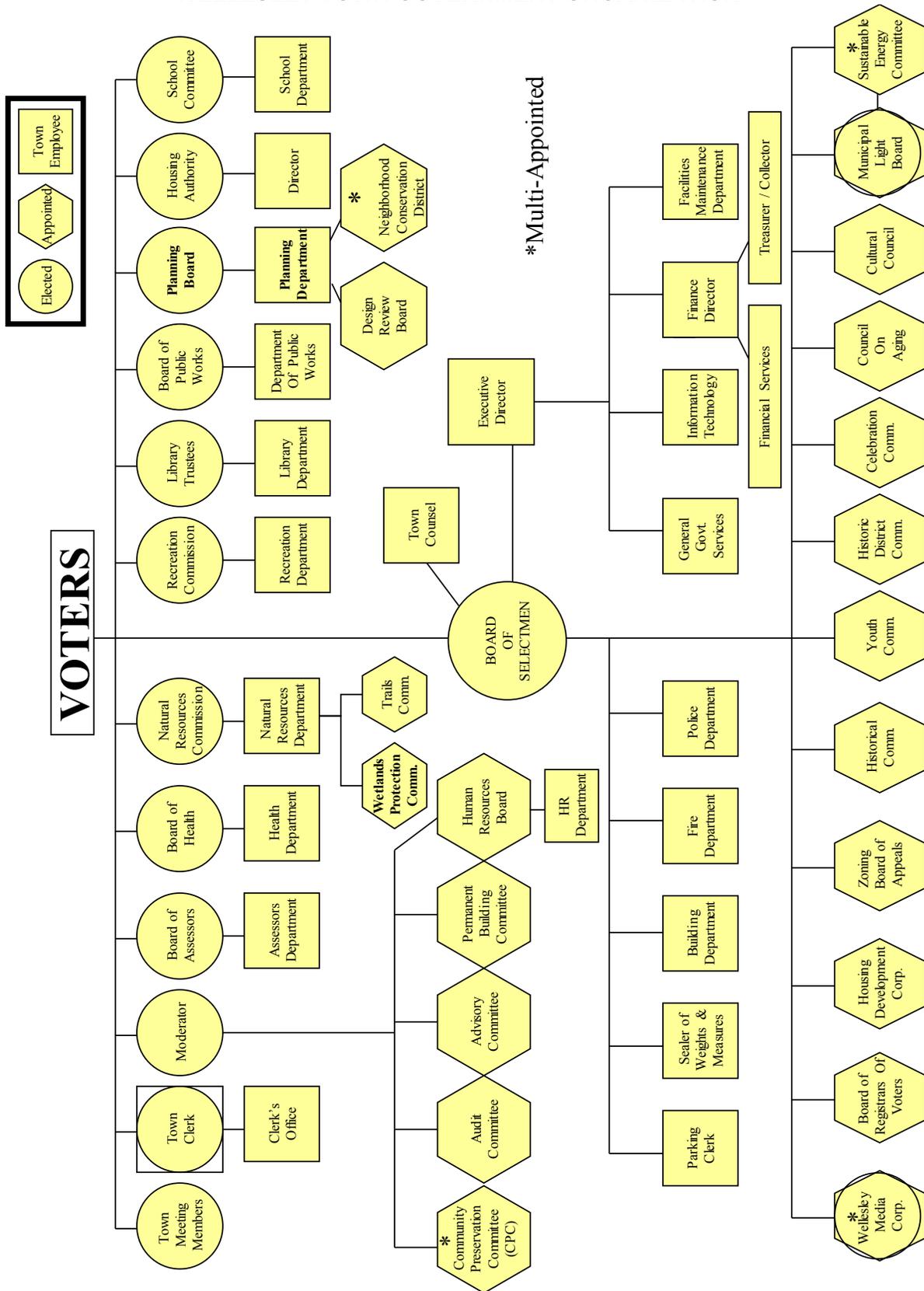
Our Committee feels privileged to have had the opportunity to undertake this study. We were impressed at every step of the way with the commitment of the Town's staff and the passion and the abilities of the Town volunteers. We are indeed a fortunate Town. We hope that these recommendations will set us on a course for future success as well.

Respectfully Submitted,

Katherine Babson, Chair
Stanley Brooks
Rose Mary Donahue, Vice Chair
Arthur Goldberg
Ann Marie Gross, Secretary

Richard Page
Linda Perlmutter
Anna Sereiko
Thomas Ulfelder

Appendix I to Town Government Study Committee Report WELLESLEY TOWN GOVERNMENT ORGANIZATION



**Appendix II to Town Government Study Committee Report
FORM OF GOVERNMENT COMPARISON BETWEEN BENCHMARK TOWNS**

FORM OF GOVERNMENT COMPARISON

	Wellesley	Belmont	Wayland	Westwood	Weston	Acton	Needham	Winchester	Sudbury	Reading	Lexington	Andover	Concord
	28,748	24,729	13,285	14,768	11,737	22,599	29,366	21,869	18,317	25,192	32,272	33,200	17,688
EQ V per capita (2012)	339,982	222,681	233,597	250,698	477,539	170,754	277,242	263,120	226,856	156,854	266,655	214,481	318,769
Basis of Town Govt.	Special Act	Special Act	Bylaws	Special Act	Special Act	Charter	Special Act	Charter	Charter	Special Act	Charter	Open	Special Act
Town Meeting	Rep.	Rep.	Open	Open	Open	Open	Rep.	Rep.	Open	Rep.	Rep.	Open	Open
Form of Govt. in Benchmark Communities	Town Administrator												
Boards/Committees	Town Manager												
Selectmen	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected
School Committee	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected
Assessors	Elected	Elected	Elected	Elected	Elected	BoS	Elected	Elected	Elected	Elected	Mgr	Mgr	Mgr*
Planning	Elected	BoS	Elected	Elected	Elected	BoS	Elected	Elected	Elected	BoS	Elected	Mgr	BoS
ZBA	BoS	BoS	BoS	BoS	BoS	BoS	BoS	BoS	BoS	BoS	BoS	BoS	BoS
Public Works	Elected	N/A	Elected	N/A	Mgr*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Mgr
W&S	N/A	BoS	N/A	Elected	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Light Board	BPW/BoS	BoS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Elected	N/A	N/A	Mgr
Conservation	Elected	BoS	BoS	BoS	BoS	BoS	BoS	Mgr*	Mgr	BoS	Mgr*	Mgr	Mgr*
Recreation	Elected	BoS	Elected	BoS	Elected	BoS	Elected	N/A	Elected	BoS	Mgr*	Mgr	Mgr
Library	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected
Health	Elected	Elected	Elected	BoS	Elected	BoS	Elected	Elected	BoS	BoS	BoS	Mgr	BoS
Personnel	Mod	n/a	BoS	Committee	N/A	BoS	Committee	BoS	N/A	N/A	N/A	N/A	BoS
Moderator	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected	Elected
Finance Committee	Mod	Mod	BoS	Mod	Elected	Mod	Mod	Committee	Mod	Elected	Mod	Mod	Mod
Staff Appointments													
Police Chief	BoS	BoS	TA*	BoS	Mgr*	Mgr**	Mgr**	Mgr**	Mgr	Mgr*	Mgr	Mgr	Mgr
Fire Chief	BoS	BoS	TA*	BoS	Mgr*	Mgr**	Mgr**	Mgr**	Mgr	Mgr*	Mgr	Mgr	Mgr
Public Works Director	BPW	BoS	BPW	BoS	Mgr*	Mgr**	Mgr**	Mgr**	Mgr	Mgr	Mgr	Mgr	Mgr
Assessor	BoA	BoA	BoA	TA	BoA****	Mgr	Mgr ⁵	BoA	Mgr	BoA	Mgr	Mgr	Mgr
Treasurer/Collector	Tact	Elected	TA	Elected	Mgr	Mgr/BOS	Mgr	Mgr	Mgr	Mgr	Mgr	Mgr	Mgr*
Town Accountant	ED	BoS	TA*	TA	Mgr	BOS	Mgr	Mgr	BoS	BoS	Mgr	BoS	BoS
Town Clerk	Elected	Elected	Elected	Elected	BoS	Mgr	Mgr	Mgr**	Mgr	Mgr	Mgr	Mgr	Mgr*
Planner	PB	BoS	PB	TA	PB****	Mgr	Mgr ⁵	PB	Mgr	Mgr	Mgr***	Mgr	Mgr
Conservation	NRC	BoS	TA	TA	Mgr*	Mgr	Mgr	Mgr**	Mgr	Mgr	Mgr	Mgr	Mgr
Personnel	Mod	BoS	TA*	TA	Mgr	Mgr	Mgr**	Pers Bd	Mgr	Mgr	Mgr	Mgr	Mgr
Town Counsel	BoS	BoS	BoS	BoS	BoS	BoS	BoS	BoS	BoS	BoS	BoS	BoS	Mgr
Collective Bargaining	BoS	BoS	BoS	TA	Mgr	Mgr	Mgr	Mgr	Mgr	Mgr	Mgr	Mgr	Mgr
Budget Preparation	BoS	TA	TA	TA	Mgr	Mgr	Mgr	Mgr	Mgr	Mgr	Mgr	Mgr	Mgr
Approve Warrants	BoS	BoS	BoS	TA	Mgr	Mgr/BoS	Mgr	Mgr	Mgr	Mgr	Mgr	Mgr	Mgr/BoS

*Subject to approval of BoS
 **Subject to veto of BoS
 ***Subject to approval of PB
 ****With concurrence of TMgr
⁵Subject to veto power of affected board

Appendix III to Town Government Study Committee Report 2015 SURVEY OF TOWN MEETING MEMBERS¹⁰

The TGSC conducted an independent research study¹¹ among current Town Meeting Members (TMMs) immediately following the 2015 Annual Town Meeting. The purpose of the study was to assess the perceived functionality and relevance of Town Meeting in order to help the Moderator, the Board of Selectmen, the Advisory Committee, the boards and Town Meeting itself identify ways to improve the Town Meeting process. The specific areas explored in the research included:

- motivations for becoming a Town Meeting Member;
- assessment of the Town Meeting experience, including level of satisfaction;
- specific evaluation of components of Town Meeting (presentations by proponents, role of the Advisory Committee, participation by TMMs, etc.);
- preferences around preparation for Town Meeting and sources of information about warrant articles;
- structure of Town Meeting (scheduling, start times, ending times, length of the sessions, use of Fall Town Meetings, size of Town Meeting membership); and
- suggestions for ways to improve Town Meeting

The survey was conducted online. Invitations as well as reminders to participate were sent to all Town Meeting Members; the survey was available for completion for two months to allow time for all members to participate. An impressive 80% of Town Meeting Members responded, providing a reliable and valuable reflection of Town Meeting Members for the purpose of identifying issues that warrant a response.

TGSC and the Town Moderator are very appreciative of the participation of Town Meeting Members, and recognize the value of the candid responses that were provided. It is important to note that some of the findings will result in immediate adjustments, while others are more complex and require further reflection by the Moderator, Advisory Committee, and/or the Board of Selectmen.

Below are highlights of significant findings:

The **primary reason for running** for Town Meeting was to “have a voice in the decision-making process” (88%), followed by a desire to learn “how the Town operates and spends the money” (75%) and “wanting to give back to the Town” (72%). Interestingly, more than a third of members (36%) were motivated to run because of interest in a single issue.

There is general consensus **being a Town Meeting Member** provides an understanding of the issues facing the Town as well as how the Town operates and spends its money (more than 80% completely agreed with these statement areas). The sense of fulfillment and belief that an individual makes a difference as a Town Meeting Member more tenuous, with less than half completely agreeing that “it is personally fulfilling” (48%) and “you can make a difference in the decisions being made” (35%). Approximately 6 in 10 reported a strong likelihood to run for re-election.

¹⁰ **Detailed findings** are available in a report on the Town website at:

http://www.wellesleyma.gov/Pages/WellesleyMA_TGSC/index.

¹¹ The Town Government Study Committee wishes to acknowledge with thanks the outstanding work of Town Meeting Member and Chair, Board of Trustees of the Wellesley Free Library Beth Sullivan Woods who is a marketing consultant and who gave many hours of her time preparing the survey and assessing the results.

Town Meeting Members provided thoughtful assessments of **ways in which the Town Meeting experience could be improved**. On a spontaneous basis, there were many comments related to having more substantive meetings, providing Town Meeting members with an opportunity to have a greater impact on the decisions being made (and not being a “rubber stamp”); there was also a desire for the Town Meeting sessions to be more efficient in terms of staying on topic and avoiding redundant debates.

When provided specific options, approximately two-thirds cited a desire for each of the following three improvements to the presentations at Town Meeting:

- Reducing the repetition in the presentations from Advisory and the Article sponsor, with many write in comments requesting a stronger pros/cons assessment of proposals;
- Having the budget presenters provide an update on the prior year performance with their annual request; and
- Including more detail about long-term cost impact of proposals.

There was a strong desire for **Advisory’s role** to be a full, independent and impartial assessor of the articles being presented. There was appreciation for the work of Advisory, along with significant frustration around Advisory’s frequent unanimous votes on articles and a desire for deeper analysis/presentation of the impacts of each proposal. When provided the opportunity to rate specific aspects of Advisory, approximately 4 in 10 rated Advisory “excellent” in terms of the quality of the report, level of in-depth analysis, and vetting of pros/cons of articles; satisfaction was lowest for “providing additional information about the article that was not presented by proponent presenter” (only 22% rated Advisory “excellent” in this regard) and “being impartial” (33% rated Advisory “excellent”). The write-in remarks reinforced these ratings. It is worth noting that the 2015 ATM School security recommendation/vote appeared to have exacerbated this assessment.

NOTE: The Moderator and Chair of the Advisory Committee have reviewed these findings and will be addressing them beginning with the Special Town Meeting this fall.

In terms of **meeting preparation**, the importance of the initial Advisory Report was clear: virtually all (92%) claimed they read the initial mailing from Advisory while about half (54%) reported reading the supplements in advance of ATM 2015.

From a **structural perspective**, most believe:

- 240 members is the right size for Town Meeting
- Fall Town Meetings should be used for critical needs that cannot wait for Spring ATM
- Having predictable dates for Fall Town Meeting is important
- Starting Town Meeting sessions by 7pm is preferable (85%)
- Ending sessions no later than 11pm is optimal (80%), with the goal of a 3-3.5 hour session (86%)
- Town Meeting Sessions should be on weekday nights only (79%) – Saturdays are not acceptable
- Time allocations for presentations are generally “just right” (ranging from 89%-66%), with most interest in improving the time allocation for presentation of the School Department budget and for special capital budget items
- The Advisory Report should continue to be mailed in hard copy; only 11% found shifting to downloadable/electronic reports only to be acceptable

NOTE: These structural findings have been implemented by the Board of Selectmen and the Moderator beginning with the Special Town Meeting this fall, including a new 7pm start time.

**Appendix IV to Town Government Study Committee Report
TOWN MANAGER FINAL MEMORANDUM**

Re: Town Manager
From: Town Government Study Committee
Date: September 8, 2015 **REVISED OCTOBER 10, 2015**

Executive Summary

The Town Government Study Committee (“TGSC”) recommends creating the position of a Town Manager through provisions in a new Special Act and changes in the Town bylaws and existing special acts. Concurrent with the introduction of a Town Manager, the position of Executive Director of Government Services (“ED”), currently held by Hans Larsen, will be abolished.

This memorandum sets out the process and reasons that led to our recommendation to create the position of Town Manager. It sets out the duties and responsibilities of the Town Manager and compares them to those of the ED under current bylaws and practice. It also notes the areas where the duties and responsibilities of the Board of Selectmen (“BoS”) and other boards and officials will change.

In brief, the Town Manager, reporting to the BoS, would be the person designated under the Town bylaws and special acts as accountable for the day-to-day administration of the Town (not including the School Department or Municipal Light Plant), preparing the Town’s budget, capital improvement plan, and the Town-Wide Financial Plan, and assuming all the duties and responsibilities currently held by ED. Some of the duties and responsibilities currently held by the BoS would also shift to the Town Manager, as the BoS transitions to more of a policy-making board. The functions of the Town Manager would not change or diminish the role that boards play in developing policy or directing the mission of the departments or programs within their respective jurisdictions.

A few aspects of this proposal as it relates to Town Meeting, the BoS, the Advisory Committee and other boards and staff, should be emphasized at the outset:

- **Town Meeting**: All warrant articles including the final budget will continue to be decided by Town Meeting Members who are residents of the Town and elected to their positions by the voters.
- **Board of Selectmen**: The Town Manager will report to and be supervised by the Board of Selectmen; the Town’s elected chief executive officer. The Town Manager will have broader responsibilities and duties than the Executive Director has today, but like the ED, the Town Manager will be accountable to the Board of Selectmen. The role of the Board of Selectmen will change over time as it becomes more of a policy-making board, and the Town Manager assumes day-to-day management functions.
- **Other Boards**: The change to a Town Manager form of government will impact all boards in the areas of budget and personnel administration.
 - While we do not view the proposed budget process as changing the authority of boards to develop, vote on and submit their proposed capital and operating budgets, the Town Manager will be responsible for preparing the Town-wide budget and presenting it to the BoS, the AC and ultimately to Town Meeting. This is quite similar to the way the budget process has evolved in Wellesley in recent years.
 - While the Town Manager will have the responsibility for the appointment of department heads, the affected boards will participate in the screening and hiring process and will have the right to approve the appointment. The boards will be consulted in the goal-

setting and evaluation of the department heads as well. The boards will continue to be responsible for performing other duties designated by statute and by Town bylaws, and will evolve to performing in more of a policy-making capacity.

- Advisory Committee (“AC”): The AC will continue to serve as the independent body appointed by the Moderator to analyze all warrant articles and to report its recommendations to Town Meeting. The AC has significant responsibilities to Town Meeting, and the Town bylaws give the AC extensive independent authority to discharge these responsibilities. It remains a significant check (along with the voters) on the BoS’s executive authority.
- Staff: The role of department heads will change as they become part of a more integrated Town-wide management structure led by the Town Manager while continuing to support their respective boards. Other staff will continue to report to their respective department heads.

Process that led to the Recommendation of a Town Manager

We believe it is important to explain the process by which we arrived at our recommendation for the creation of the Town Manager position. The 2014 Annual Town Meeting charged the TGSC to study the existing structure of our Town government to determine whether it is best suited for the present and for the future, to study the role and authority of the ED as well as alternative models to the ED, and to make recommendations for any changes.

We undertook an extensive information gathering phase in which we interviewed dozens of boards, department heads and other key staff, Town Meeting Members, residents, former members of the Advisory Committee and the Board of Selectmen, our state representative, our former Town Counsel, the current Executive Director and others. From those interviews, we came to understand that our current structure and collaborative approach to Town government draws on considerable strengths:

- Committed and engaged professional employees
- Strong leadership that has provided direction in absence of much authority to do so with the ability to get some big things done in spite of the organization structure
- Collaborative culture among Town boards and departments often emerges when needed
- The Town is financially healthy
- There is general satisfaction with how things are going.

We also came to understand that there are significant and structural deficiencies that need to be addressed. Some of those concerns and deficiencies are:

- Nobody is in charge - there’s a lack of accountability and internal coordination in the budget, general management, personnel and planning processes
- There is an over-reliance on the ability of current long-time employees to collaborate and get things done despite structural impediments
- There is a lack of ongoing coordinated Town-wide planning for the future
- There are weak communications internally and externally
- There is a lack of understanding and agreement about the difference between board policy and staff operational responsibilities
- Bylaws and actual practices are frequently inconsistent.

As a result of these findings, we identified the budget process and the administration of personnel as the two major areas we believe need improvement. In order to determine what options exist, we studied a dozen “benchmark” communities and interviewed their chief administrative officers. These benchmark communities are known as among the best structured

and well managed in the Commonwealth, and represent a variety of good alternative models for Wellesley.

We learned that communities have evolved their structure of government over differing timeframes and for different reasons and that most have crafted their structures to meet their particular culture and needs. We also learned that the two principal “hallmarks” of a Town Manager form of government involve locating the responsibility for the budget process and the administration of personnel under one person under the supervision of the BoS.

“Spectrum” Question

Over the past few months in our meetings with boards and Town Meeting Members, we have heard that some view the term “Town Manager” as synonymous with “control” and with a general decline in involvement by volunteers in town government.

The TGSC has used the term “spectrum” to conceptualize the range of duties and responsibilities typically exercised by Town Managers. There is a wide spectrum of duties and responsibilities, ranging from a more decentralized or “weak” form of Town Manager structure to a more centralized or “strong” form of Town Manager where the Town Manager does, in fact, exert a fair amount of authority and control. The distinguishing characteristics, in general, revolve around the number of elected boards and officials, and the appointing authority of the Town Manager. In a less centralized or what is referred to as “weak” form, many elected boards exist, the Town Manager has little or no authority to appoint board members, and the boards have a significant role in appointing and evaluating department heads. In a more centralized or “strong” form, there are fewer elected boards and the Town Manager has appointing authority over not only Department Heads and staff, but also of board members. In this form, boards have little or no participation in the hiring and evaluation of Department Heads. (The document entitled “Town Manager Characteristics” describes the differences among the benchmark communities in Town Manager responsibilities. It can be found in the Library of Documents at http://www.wellesleyma.gov/Pages/WellesleyMA_TGSC/index).

The duties and responsibilities we are recommending for the Town Manager position in Wellesley fall on the less centralized or “weak” side of the spectrum:

- There will continue to be 10 elected boards
- The Town Manager will not appoint members to Town boards and committees
- There will be a significant role for the boards to play in appointing and evaluating of their department heads.

Our research has shown that in the benchmark communities, whether there is a centralized or decentralized Town Manager form of government, there is still widespread citizen participation. (The document, [Peer Town Comparison - elected and appointed boards 8/20/15](#), sets out the number and size of elected and appointed boards and committees in our benchmark towns. It can be found in Appendix X in this Report to the 2015 Special Town Meeting and in Library of Documents at http://www.wellesleyma.gov/Pages/WellesleyMA_TGSC/index).

Duties and Responsibilities of the Town Manager

In making our recommendations, we were guided by the following criteria which we believe reflect the culture and attitudes of Wellesley residents towards their local government:

- To preserve what is “best” in our government structure
 - Strong and robust group of dedicated volunteers
 - Committed and engaged professional employees

- To retain strong checks and balances in our governmental structure
- To suggest incremental, not wholesale, change, allowing the community to adapt
- To provide flexibility, allowing for additional changes in the future.

In order to make our recommendations more easily understood with respect to the Duties and Responsibilities of the Town Manager, we describe below the proposed changes within our Town bylaws and from our current practice. In summary, the changes occur in the following areas:

Administration of Personnel. What we are proposing is a significant change from what is set forth in existing bylaws and current practice. The Town Manager will be the person designated under the Special Act and revised Town bylaws as accountable for establishing and managing the Town's Human Resources ("HR") function. Human Resources processes would be standardized across Town government, while checks and balances will be maintained that are important to the community. The various elected and appointed boards will continue to have an important role in the process of hiring and evaluating Department Heads. The role of the HR Director will be established and better defined, and the role of the HR Board will be modified to be compatible with the roles of the HR Director and the Town Manager. More specifically:

- While the Town Manager will appoint the department heads subject to action by the applicable boards within 15 calendar days of notice of the appointment, the boards will participate in setting out duties and qualifications of the position with opportunities for the boards to interview one or more final candidates. It is envisioned that the screening process will be collaborative and will include a member or members of the applicable Board.
- The BoS shall approve the recommendation of the Town Manager of the appointment of the Police and Fire Chiefs. The Chiefs will recommend for Town Manager approval of officers to be hired or promoted.
- The Town Manager will have the authority to terminate a department head with notice to the applicable Board, in advance if possible.
- The Town Manager, with the HR Director, will establish policies and procedures for the hiring of all employees below the level of Department Heads.
- The Town Manager will be responsible for negotiation of all non-school labor contracts, subject to approval by the Board of Selectmen.
- The Town Manager will be the Town member of the School Committee for the purposes of labor negotiations pursuant to the Education Reform Act.
- The Town Manager, along with the HR Director, will establish uniform and standard processes and procedures for the performance evaluation of all employees, for professional development, and for the disciplinary processes of reprimand, suspension, demotion, and if necessary, termination.
- The HR Director will be responsible for all of the HR administrative functions such as: administration of the Salary and Classification Plans and Personnel Policies; review of work of employees to determine its consistency with the classification plan; administration of the recruitment process; maintenance of personnel records; recommendation of amendments to the Salary and Classification Plans and Personnel Policies; ensuring compliance with all state and federal employment laws and regulations; assistance in collective bargaining; and handling requests for information.
- Although the majority of the communities with a Town Manager form of government do not have an HR or Personnel Board, the TGSC is recommending at this time that Wellesley retain the HR Board appointed by the Moderator to preserve important checks and balances in the HR process. The HR Board will be responsible, following consultation

with the Town Manager and the HR Director, for approving the Classification Plan, Salary Plan, hiring above a designated level, and Personnel Policies.

Other Personnel Matters. The Town Manager also will appoint the Town Clerk. At the end of three- year term of the current Town Clerk, or at an earlier time if the position should become vacant, the TGSC recommends that the position become appointed and no longer elected. The Town Manager will be the ultimate appointing authority of all Town employees, except for School and Municipal Light Plant employees, some of whom are currently appointed by the Board of Selectmen and some of whom are currently appointed by the ED.

Budget Matters. We are proposing a budget process that will be managed by the Town Manager, who would be accountable under the BoS for producing a town-wide operating and capital budget, and the Town-Wide Financial Plan. The Town Manager would develop a budget message to accompany the budget and would present it at the Annual Town Meeting. A separate but coordinated budget message for the School Department would be developed by the Superintendent of Schools. This process differs from current practice in several ways. First, operating and capital budgets would be presented together. Second, the budget submission format would be determined by the Town Manager to ensure consistency and smooth integration within the rest of the Town budget. Third, the budget message would summarize at a high level the major assumptions driving the budget and reasons for the divergence from the current year.

The checks and balances built into our current system remain:

- The BoS will approve the guidelines and review the Town Manager's budget submission;
- The boards will vote on their budgets for submission to the Town Manager and will review any changes made by the Town Manager to their budgets;
- The AC will review the budget and make its recommendations on the Town budget; and
- Town Meeting will vote on the budget.

Other Administrative Matters: The ED has numerous duties and responsibilities now which will be taken on by the Town Manager that include:

- Serving as the Town's Chief Procurement Officer;
- Supervising maintenance of all Town buildings (except the MLP);
- Participating directly or indirectly in Town building projects;
- Accessing all financial books;
- Implementing all Town Meeting actions and carrying out all policy directives of the BoS;
- Maintaining an inventory of all Town supplies, equipment and materials;
- Putting in place policies for the disposal of Town tangible personal property;
- Preparing the Annual Report to the Town; and
- Instituting a system for citizen inquiries.

We envision changes in a few other duties and responsibilities:

- **Town Warrants:** At the present time, the BoS signs the warrants for the payment of the Town payroll and accounts payable upon forms submitted by the Town Accountant. The Town Manager will now sign the warrants.
- **Strategic Planning:** At the present time, the bylaws provide that the ED will "lead the Town's strategic planning" (Bylaw 19.31.f.). The BoS will be charged with instituting a strategic planning process that will be implemented by the Town Manager who will report annually to Town Meeting on its status.
- **Rental and Use of Town Property:** Currently there is no provision in the bylaws on this matter and the Library Trustees and Schools have their own policies for the rental of the

- buildings under their control. The Town Manager will be given the authority over the rental and use of Town buildings, except for those under Library, School, and MLP control.
- **Licensing Authority:** At the present time, the bylaws provide that the BoS is the licensing authority for the town over such matters as common victualler, alcohol, take-out and mobile food licenses, taxis and other public livery licenses, entertainment licenses, mobile food trucks, “hawkers and peddlers” licenses and licenses for printed matter vending machines. The recommendation is that the BoS may delegate any portion of its licensing authority, except for alcohol licenses (although the BoS may delegate so-called “one day” special licenses).
 - **Appointment of Personnel:** At the present time, the BoS appoints the Sealer of Weights and Measures, the Inspector of Wires, the Inspector of Gas and the Building Inspector (Bylaw 19.7), while the Building Inspector appoints the Inspector of Plumbing (Bylaw 23.1). The ED appoints the Finance Director, the Facilities Director and the Information Technology Director with the BoS approval (Bylaws 19.33 and 24.3) and the Director of Youth Services subject to the approval of the Youth Commission (Bylaw 40.4). The recommendation is that these appointments will be made by the Town Manager *without* BoS approval.

We have provided substantial back up for these recommendations in the chart, [Comparison of Functions of Town Manager to Wellesley Executive Director REVISED](#) in Appendix IX in this Report to the 2015 Special Town Meeting and in the Library of Documents at http://www.wellesleyma.gov/Pages/WellesleyMA_TGSC/index.

Appointment, Evaluation and Removal of Town Manager

The responsibility for the appointment, evaluation and removal of the Town Manager will vest in the BoS. The Board will be given the authority to enter into a contract of up to five years for the Town Manager who may be re-appointed for additional terms of up to five years each. Currently the BoS has this responsibility vis-à-vis the ED.

The basic qualifications for the Town Manager will be found in the Special Act creating the position which will be amplified in the bylaws. In addition, the BoS will be given the authority to provide for additional qualifications.

The process for removal of the Town Manager, setting forth the process in detail, will be found in the Special Act, and provides due process for both the Town and the Town Manager. It is a similar process to that used in most of the benchmark communities.

The BoS have prepared a draft Job Description for the Town Manager and a draft Town Manager recruitment and screening process.

Conclusion

While we recognize that the move to a Town Manager form of government represents change for all who participate in, and work for, the Town, we believe that the time has come to institute such change. There are many reasons for our recommendation: in part because we believe that we can improve on the way we govern ourselves but also because of the demands that result from the increasing complexity of municipal government. We are no longer the small town that first looked at instituting a Town Manager form of government sixty-five years ago or even twelve years ago when we last looked at this question when our budget was approximately half of what it is now. With an annual budget of over \$150 million that has grown more than 5% per year and

employs hundreds of Town employees, it is time to establish a centralized point of responsibility and accountability for the Town's day-to-day operations and for long-term planning and for setting town-wide priorities. Finally, it updates our top staff position to better reflect the current and future needs of our Town. These proposals provide the chief operating officer with the title of Town Manager and with the duties, responsibilities and powers that are consistent with current best practices in municipal government. It is important that this change be made now, when the Town is not reacting to a crisis situation and after the TGSC has completed a careful and objective exploration of the best path forward.

In light of the high caliber of our staff, volunteers, and the commitment by the Board of Selectmen to oversee the transition to a Town Manager form of government, we are confident that the transition to a Town Manager will succeed.

Note: There is a wealth of back-up information for this memorandum which can be found at the TGSC web page on the Town website, www.wellesleyma.gov at [Town Government Study Committee](#).

**Appendix V to Town Government Study Committee Report
BUDGET PROCESS FINAL MEMORANDUM**

Re: Budget Process
From: Town Government Study Committee
Date: September 3, 2015 **REVISED October 10, 2015**

Executive Summary

The Town Government Study Committee (“TGSC”) recommends provisions in a Special Act and changes to the Town’s bylaws and special acts that would lay out responsibilities and deadlines at the Board and staff level for developing and producing the Town’s annual operating and capital budgets and Town-Wide Financial Plan (the “TWFP”). This memorandum sets out the current process as described in the Town’s bylaws, and attempts to reconstruct the process as it takes place in practice today. We then suggest a new way of managing the budget process that closely resembles our current approach, but more clearly defines the role of the Board of Selectmen (“BoS”), suggests changes in the Advisory Committee (“AC”)’s role, and introduces as a new focal point, the proposed position of Town Manager, which will directly evolve from the current position of Executive Director of General Government Services (the “ED”).

In brief, the Town Manager, under the BoS, would be the person designated under the Town bylaws and special acts as accountable for preparing the Town’s budget. This function would not change or diminish the role that boards play in developing policy or directing the mission of the departments or programs within their respective bailiwicks. However, with respect to budgeting, the boards would be actively engaged in an interactive, collaborative and iterative town-wide process that would differ from the process the Town follows today.

Four aspects of this proposal should be emphasized at the outset:

- **Town Meeting**: all warrant articles, including the final budget, will continue to be decided, as they are today, by Town Meeting Members who are residents of the Town and who are elected to their positions by the voters.
- **Board of Selectmen**: the Town Manager will report to and be supervised by the Board of Selectmen, as the ED is today. Although the Town Manager will have more specifically described responsibility for the budget process than the Executive Director currently has, the Town Manager will be accountable to the BoS, as the Town’s elected chief Executive Officer.
- **Advisory Committee**: The Advisory Committee will continue to serve as the independent body appointed by the Moderator that analyzes the budget and reports its recommendation to Town Meeting; it remains as a significant check (along with the voters) on the BoS’s executive authority. The AC has significant responsibilities to Town Meeting, and the Town bylaws give the AC extensive authority to discharge these responsibilities. While we have thoughts on how the AC might go about reviewing the budget in a Town Manager system, we recognize that the AC, working with other stakeholders over a period of years, is better positioned than this Committee to develop an AC budget process that serves the best interests of the Town.
- **Boards**: We do not view the proposed budget process as changing the authority of boards to develop, vote on and submit their proposed capital and operating budgets. The individual capital and operating budgets would be submitted to the Town Manager instead of to the AC. The Town Manager would then create a Town-wide budget. Boards would continue to retain the ability to meet with the AC to discuss their budgets. It is expected that the Town Manager would be working with boards and departments throughout the

budget process, especially if there were any proposed changes or budget reductions. A board would have the opportunity to vote on a revised budget. The Town-wide budget presented to the AC by the Town Manager would include each board's requested budget, as well as the Town Manager's recommended budget for each department; if the Town Manager proposes any changes to a board's budget, the Town Manager would notify the affected board of those changes – and the reasons for them -- in writing. If the process of give and take – which is what the Town has today – does not produce agreement, the board would continue to have the opportunity to meet with the AC. The Town-wide budget presented to Town Meeting would include the board-requested budgets, the Town Manager's recommended budget, and the AC's recommendation with regard to the Town-wide budget or any budgets within it. Any board would be able to make a presentation to Town Meeting on the differences between its budget and the Town Manager's recommended budget.

Additionally, we are proposing a more formalized and structured strategic planning process, to be guided by the BoS, which will establish Town-wide priorities that may be addressed as part of the annual operating and capital budgeting process.

Findings

In our extensive interviews with boards and Town department heads, we came to understand that our current structure and collaborative approach to Town government draws on considerable strengths:

- Strong and robust group of dedicated volunteers
- Committed and engaged professional employees
- Strong leadership that has provided direction in absence of much authority to do so with the ability to get some big things done in spite of the organization structure
- Collaborative culture among Town boards and departments often emerges when needed
- The Town is financially healthy
- There is general satisfaction with how things are going

We also came to understand that there are significant concerns that need to be addressed:

- Nobody is in charge - there's a lack of accountability and internal coordination in the budget, general management, personnel and planning processes
- There is an Over-reliance on the ability of current long-time employees to collaborate and get things done despite structural impediments
- There is a lack of ongoing coordinated Town-wide planning for the future
- There are Weak communications internally and externally
- There is a lack of understanding and agreement about the difference between board policy and staff operational responsibilities
- Bylaws and actual practices are frequently inconsistent

We have developed a recommended budgeting approach based on our understanding of our Town's culture, the current effective system of checks and balances in Town government, and our study of what a dozen "peer" communities do. These benchmark communities are recognized as being among the best managed in the Commonwealth, and represent possible alternative models for Wellesley. We begin with the recommendation that Wellesley employ a Town Manager who would manage and be accountable for the Town's budget process. We offer a general framework within which that process would play out, with the expectation that the details of implementation will evolve over time. We believe that our proposal preserves the best of what we have, while enhancing our prospects for doing things better.

1. Process Envisioned by Current Bylaws

Current Town bylaws do not specifically assign responsibility for assembling and presenting the Town-wide budget. The bylaws envision substantial involvement of the BoS, the AC and the ED in the process.

The bylaws state that the BoS will work with other boards in coordinating the preparation of a Town-wide budget for the coming year as part of their responsibility to coordinate the preparation of the Town-Wide Financial Plan (the "TWFP") (current Article 19.16.2.a). Annual appropriation requests and capital estimates are due to the AC at least 90 days before the start of Annual Town Meeting ("ATM") (current Article 11.11). The ED is charged with overseeing and being responsible to the BoS for their responsibilities for the Town's finances, including the preparation of the TWFP (current Article 19.31.b). The TWFP "forecasts" the Sources and Uses; however, it is an aggregation of information submitted by each board, plus other estimates and assumptions. A board's submission may not be altered without the board's consent (current Article 19.16.2.a). The Town's Finance Director is charged with assisting in the development of all budgets and reviewing them for format, completeness and accuracy before submission to the AC (current Article 19.42.c.). The AC has the authority, among other things, to interview any board member or Town employee (current Article 11.4); accordingly, the AC's annual meeting with boards to discuss budgets and other warrant items are a matter of practice and custom, as opposed to a bylaw mandate.

There is no specific BoS authority to decide on the final budget number, as Town Meeting is the entity that appropriates funds. However, the Town must submit a balanced budget in order to get its tax rate certified by the Massachusetts Department of Revenue. Accordingly, some entity – in Wellesley's case, the BoS -- must oversee the calculations to ensure that the tax rate matches the appropriation, plus the amount of an override if needed.

The BoS's decision whether to call for an override or not, and in what amount, is as much a political calculation of the support within the community for the override as it is a budget or spending decision. But Town Meeting is obligated to pass a balanced budget. This obligation under Proposition 2½ is what led to the current process to present an omnibus budget motion under Article 8 at the ATM.

The bylaws establish no timeframe for the development of the TWFP, except to specify that it be published in the AC report seven days before the start of ATM (current Article 19.16.2.d). The ED is also responsible, under the BoS, for assembling the Five Year Capital Budget (current Article 19.13.b); each board must submit these estimates at least 90 days prior to the start of ATM (current Article 6.16). The Plan must be published in the AC report (current Article 19.5.2.d). The AC is required to request that the BoS present the Five Year Capital Budget and TWFP prior to the date of the AC's public hearing on the warrant for ATM (current Article 19.5.2.e). The BoS is charged with setting the date for the start of the Annual Town Meeting, which may begin no earlier than the last Monday in March, and no later than the final day of May (current Article 8.6). Both the current process – as well as the process we are proposing – set due dates tied to the start of ATM.

2. Current Practice

a. Summer Preparation

Currently, the budget process begins in the summer with the ED and Town Hall staff, who receive estimates of expected operating and capital budget requests from the individual Town departments. By mid-July, the Town Hall staff have a working estimate of the “turn back” number (unexpended but appropriated funds from the recently closed fiscal year which are “turned back” to the Town). The turn back gives the staff a rough idea of Free Cash, and it also helps the ED better understand how the prior year’s actuals compared to budgets. The ED and the BoS chair meet with the School Committee (“SC”) chair and the School Superintendent to discuss budgets and the Town’s fiscal projections; the ED also talks with the AC chair during the summer and then with the full AC in the Fall.

b. Setting Budget Guidelines

This early part of the process culminates in the ED and Finance Department staff’s recommending budget guidelines to the BoS. Early in the fall, as the major assumptions begin to fall into place, the BoS discusses whether an override may be necessary. The BoS typically issues the guidelines by October 1. Guidelines are expressed as percentage increases over the then-current year’s budget. There is one guideline for the School Department and another, invariably lower, guideline for all other departments. The AC developed the guidelines until FY11, at which point that responsibility shifted to the BoS. The bylaws do not make any mention of budget guidelines, nor do they indicate who is responsible for setting budget expectations. Although there could theoretically be multiple guidelines, with each department receiving a different percentage, in practice this hasn’t happened.

c. Involvement of Human Resources Board

The Human Resources Board (the “HR Board”) offers estimates about the amount necessary under the salary plan to fulfill the obligation of fair and equitable salaries for non-union staff in the 40 Series (approximately 60 employees). That is not a required part of the process for setting budget guidelines. Usually, the HR Board provides estimates after the guidelines are promulgated, on the assumption that the increase for this relatively small number of town employees will not significantly affect the total budget. The timing is typically tied to the timing of contracts; in a year when contracts are known and fixed, this number can be presented after the guidelines are out. In years when contracts are being negotiated, the timing of the estimates is thoughtfully reviewed. Last year – for the 2016 budget -- the HR Board provided estimates that informed the budget guidelines.

d. Budget Process and Timing

Departmental capital budgets are submitted throughout the fall by each board for consideration by the AC, after being voted by the board. Departmental operating budgets are submitted starting in the late Fall after their boards vote on them. This process includes budgets for which the BoS – and the ED – are responsible. The process builds the budget from the bottom up, which means that the AC initially focuses on the budget in pieces through individual board presentations of numbers both large and small before it can see the big picture – the \$150 million Town-wide budget that will come to ATM under Article 8 (the Town’s omnibus budget article).

The AC is aware of the development of operating and capital budgets throughout the fall through its liaisons to Town boards. The ED also tracks projections through the fall as part of the iterative

process of developing the TWFP. The ED also assembles the Town-wide budget. The BoS does not consider the town-wide budget until it receives an integrated budget from the ED – with informal estimates for the Schools - in early December. The projections under these departmental budgets change throughout the winter, and it is not uncommon for a board to have to revote its budget, perhaps due to an indication from the BoS or the ED that budget reductions will be necessary.

The Schools have a different timeframe. They publish their enrollment report, with projections for the following year's student population, in October. The School Superintendent typically submits his budget to the SC in mid-to late December; the SC reviews and holds hearings on the budget through the third week of January. (This past year was atypical; the SC voted the budget on February 3, about a week to 10 days later than usual). The presentation of the SC budget to the AC is usually toward the end of January; however, this process today unfolds about three to four weeks later than it did 10 or so years ago. Although the later submission may ensure consideration of the School budget based on new information and more current projections, the compression of time at the end of the process makes it harder for the AC to do a high-level review of the Town-wide budget.

Because the entire budget process is iterative, the AC and the BoS may not always have current updated information on Sources and Uses (provided in a spreadsheet prepared by the Town's Director of Finance summarizing Town-wide projected sources of revenue and expected expenditures of funds), or they may have up-to-date information but not know how that differs from Sources and Uses estimates that they had previously seen. Additionally, different departments use different formats for presenting information, which increases the amount of time the AC must devote to understanding the budget, and the Town's Finance Department to compiling and consolidating the information.

"Cherry Sheet" information on state aid to the Town is usually available in mid-February, with health insurance premium information in by March 1. These numbers, arriving relatively late in the process, can have an important impact on the overall budget.

In years in which collective bargaining is taking place, placeholder numbers are used in the budgets. Contracts may be settled up until and even into ATM; the AC does not have a presence in the bargaining process, but usually has a rough idea of what has been budgeted as a contract settlement number. The AC – and even the BoS -- oftentimes are asked to review and make recommendations regarding funding a contract on the very night in which the request is taken up by ATM.

The BoS and/ or the ED may engage in separate budget conversations with boards without directly involving the AC; this happened this past year, when the BoS and the SC agreed to reduce the Schools' budget request by \$600,000.

e. Town Meeting

The AC holds a hearing on all articles in the warrant, including the budget, in February. The budget that is finally voted by AC is the result of changes made during budget season at the town-wide and individual board level, frequently communicated through different channels. The AC usually does not see a full, final budget until very late in the process. As a result, Article 8 is managed by a small number of AC members, with perhaps only about a third of AC fully up to speed on the intricacies of the budget.

For decades ATM has started on the last Monday of March. ATM does not meet on Passover or spring school vacation. Based on data on number of sessions of ATM, the average over the last 16 years is 5.5 sessions, with ATM typically dissolving by May 1. The budget is usually brought to the floor, discussed and voted on in the first and second sessions of ATM.

3. Proposed Process

a. Town Manager

The responsibility for preparing and presenting the Town's budget should be lodged in the Town's executive body, which in Wellesley is the elected BoS. The responsibility for independently reviewing and analyzing that budget and to make a recommendation to Town Meeting rests with an AC appointed by the elected Town Moderator. The ultimate decision to appropriate funds remains with the 240 elected members of Town Meeting.

We are proposing that the budget process be managed by a Town Manager who would be accountable, under the BoS, for producing a Town-wide operating and capital budget. The Town Manager would develop a budget message to accompany the budget, and would present it at Annual Town Meeting. A separate but coordinated budget message for the School Department would be developed by the Superintendent of Schools.

We believe this process is best managed by an experienced professional who would be accountable not only for the process, but for its outcome and for its ongoing success year over year. As the Town Manager engages with boards and departments through several budget cycles, we would expect the person in that position would be better able to assist in coordinating not only annual budgets, but in keeping track of long-term priorities of, and providing expertise on, cost management for the boards, Town departments and the Town as a whole.

We are proposing bylaw amendments that specifically define the role of the Town Manager – a new position in our governmental structure -- and capture as much of our current practice as possible. We also offer thoughts on best practices that would not be codified, but that seem to make sense based on feedback we've received and opportunities that we think exist. We are confident that the collaborative approach and strong working relationships that have developed over time among boards, committees and professional staff will continue, and will lead to further refinements of and improvements in this process in the years to come.

b. Guidelines and Budget Expectations

After the conclusion of ATM, and throughout the summer, there would be conversations among the Town Manager and individual departments at the department head/staff level regarding proposed budgets and expected revenue. This is not appreciably different from the current process. However, we envision that the priorities set forth in a Town-wide strategic plan developed with the participation of all Town departments and boards would inform these discussions. Accordingly, the bylaws would require early engagement of the Town boards, individually and at one or more collaborative inter-board meetings (proposed Article 6A.7).

Based on the information developed and received throughout this process, as well as a general understanding of the proposed priorities and work plans for each department and board and the fiscal position of and revenue projections for the Town, the Town Manager, with the approval of the BoS, would present departmental budget "guidelines" or target budget numbers in the early Fall (proposed Article 6A.7). The timeline would remain approximately the same. However, whereas now there are two guidelines issued (one for the Schools and one for all other

departments), we expect that this process would give the Town Manager greater flexibility to recommend and the Board of Selectmen to approve more department-specific targets based on the needs of individual boards in different years. We think this approach would lead to an annual, iterative process, with the Town Manager keeping track of long-term departmental needs and Town-wide priorities and recommending appropriate individualized departmental guidelines to ensure that each department would have its turn, so to speak, to implement its goals and its part of the Town-wide strategic plan.

School expenditures and employee benefit costs account for approximately 70% of the Town's annual operating budget. Accordingly, we recommend that the full BoS, the SC, the Superintendent and the AC mutually agree to come together early in the process in a multi-board meeting facilitated by the Town Manager to discuss the Town's fiscal position and any budget constraints and significant projected expenditures. Additionally, as plans firm up throughout the fall, we would expect the Town Manager to engage in ongoing internal conversations with all other departments, individually and in department head meetings, regarding budget development, projections and revenue assumptions. Such meetings and communications would ensure that all departments, whether large or small, would be active participants in the process as budgets were being developed.

c. Boards and the Advisory Committee

Departments would develop and present to their boards capital and operating budgets, which would vet, discuss and vote on them. The Town Manager would be responsible for establishing the timeline, format and procedures for budget submissions (proposed Article 6A.7). With the exception of the School budget, these voted budgets, along with appropriate explanations (proposed Article 6A.3.a), would be submitted to the Town Manager at least 90 days before the start of Annual Town Meeting in a format specified by the Town Manager (proposed Article 6.7). (We note that, as is the case now, there may need to be flexibility with regard to submission dates throughout the process depending on individual circumstances). Although not codified in the bylaws, we recommend that the Town Manager also request that, if a department's proposed budget deviated from the expenditure guidelines set by the BoS, that department would be expected to provide an alternate budget that complied with the guideline, along with a detailed explanation for the proposed divergence. This proposed process introduces a few changes: first, requests for appropriations are now submitted directly to the AC; second, we are suggesting that both capital and operating budgets be submitted at the same time; and third, the submission and presentation format would be set by the Town Manager.

This approach also changes the way in which the AC engages with the budget process. The AC now sees capital budgets first, followed by operating budgets. By meeting with individual boards and hearing details of proposed budgets and how those budgets support board priorities and policy, the AC comes to understand the factors and decisions – both small and large -- that drive individual department and Town-wide budgeting. However, we have heard that this process does not give the AC a framework, other than through Sources and Uses summaries, for understanding the big picture budget issues. Additionally, in some cases, an understanding of a department's proposed budget is best developed by seeing capital and operating budgets at the same time, rather than a month or two apart. We think it makes sense for the AC to engage throughout the fall in meetings that will give the AC a broader and higher level view of the Town-wide budget as it unfolds. There would also be opportunities for individual boards to meet with the full AC to discuss their plans and their proposed budgets once they have been submitted or finalized. As is the case now, we would expect the AC to continue to direct boards to provide explanatory information in whatever format the AC deems suitable to facilitate its analysis of budgets.

As an independent committee appointed by the Moderator to provide recommendations to Town Meeting, the AC serves as a critical check on the budget process, and particularly on both the BoS and the Town Manager. The proposed change in approach would bring the AC into higher level discussions earlier in the process and help it see the larger budget picture earlier, before diving into the details. However, the AC, as part of its review of the Town Manager's recommended budget and capital plans, would still meet with boards to discuss individual budgets and departmental goals. The AC can work with boards over time to develop the process that it thinks is best.

We note here that other Towns we studied have Advisory/ Finance Committee members who serve two or three three-year terms. In Wellesley, very few AC members serve more than three years. It is our understanding that the AC workload in Wellesley is considered very heavy and time-consuming, so few members are interested in a second term. This annual loss of knowledge regarding budgeting and planning may be making it harder for the AC to provide higher level guidance and even leadership in the annual budget process. As a new process evolves, it will be important for the AC to assess whether its workload is changing in either quantity or quality.

d. Schools

Given the size and scope of the School budget, we suggest that – as is the case now – their process be slightly different. We believe that the process will benefit greatly by early and frequent engagement by the SC and the Superintendent. We propose that the School Superintendent submit the School Department's operating and capital budget, in a format specified by the Town Manager, with his Budget Message, to the SC 90 days before the start of the ATM, with a copy to the Town Manager to facilitate ongoing planning. As is the case now, the SC will hold at least one hearing on the budget proposed by the School Superintendent and make any changes in the Superintendent's budget that SC believes are appropriate. We propose that the SC submit its budget to the Town Manager 70 days before the start of ATM along with the Superintendent's Budget Message (proposed Article 6A.7.b). Although this differs from the bylaws (which require submission to the AC 90 days before ATM), it is consistent with the timing of current practice. Additionally, as noted above with respect to other boards' submissions, we recommend that if the Schools' proposed budget deviates from the expenditure guideline, the Town Manager request that the School Committee provide an alternate budget that meets the guideline, along with an explanation of the proposed divergence.

The Superintendent's budget message would (under proposed Article 6A.4.b):

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

Additionally, the Superintendent would provide a write-up of the Schools' operating and capital requests at a level of detail and in a format deemed appropriate by the AC.

This differs from current practice in several ways: first, School Department operating and capital budgets would be presented together; second, as with other budget submissions, the Schools' budget submission format would be determined by the Town Manager, to ensure consistency and smooth integration with the rest of the Town budget; third, the budget message would summarize at a high level the major assumptions driving the School department budget and reasons for any variations from the current year.

This process still does not resolve the tension inherent in having the biggest budget driver – the School operating budget – arrive later in the process. Early and frequent inter-board conversations, conducted by the Town Manager at the BoS level, should lead to a common understanding of the underlying School budget assumptions. Additionally, we suggest that the AC be given an appropriate understanding of the likely budget impact of teacher contract negotiations.

e. Budget Message and Finalization of Proposed Town-wide Budget

The start date of ATM, which may commence as late as the end of May, should also be revisited. This extra time, if the start of the ATM were pushed back a week or two, would give the AC more time to analyze the Town-wide budget, and would not compress the timeframe as much for reviewing the Schools' budget proposal. A later start to ATM would also mean that Cherry Sheet and health insurance premium information would not be arriving as late in the process as they do now. However, this is a decision that the BoS will make, and the process for assessing options may evolve with time. Regardless, for Town-wide planning purposes, we recommend that, no later than November 15, the BoS fix the starting date for the next year's ATM (proposed Article 8.6).

Not less than 60 days prior to the start of the ATM, the Town Manager would submit a preliminary proposed Town-wide operating and capital projects budget to the BoS, with the Town Manager's Budget Message, as well as the Superintendent's Budget Message; this submission would be copied to the AC and all other Town boards and officers for review and comment (proposed Article 6A.7.d). Additionally, if the Town Manager proposed any changes to a board's budget that the board had not yet approved, the Town Manager would be required to notify any affected board of the proposed change in writing, along with a written reason for the change, with copies to the BoS and the AC (proposed Article 6A.7.d). Comments would be directed to the Town Manager and the AC. It is anticipated, however, that the Town Manager would be keeping the BoS and all boards apprised of progress on the budget prior to this, and that the BoS will –as it does now – engage with the AC and other boards as necessary to facilitate ongoing collaboration. The BoS, as the entity supervising the Town Manager and as an elected body that is sensitive to the political climate of the Town and providing political leadership, should be expected to seek input from elected boards and appointed boards on their satisfaction with or concerns about the process.

The Town Manager's Budget Message would (under proposed Article 6A.4.a):

- outline proposed financial policies of the town for the ensuing fiscal year;
- provide an explanation of the proposed budget for all Town departments, both in fiscal terms and in terms of work programs;
- provide an explanation for any proposed changes to budget requests submitted by boards that have not been subsequently approved by the board and an explanation for any changes;
- describe important features of the budget;
- explain how the proposed budget advances the goals and objectives of the Town-wide strategic plan
- indicate any major variations from the budget for the current year in financial policies, expenditures and revenues, together with the reasons for such changes; and
- summarize the town's debt position; include such other material as the Town Manager deems desirable.

It is expected that the Town Manager would consult on an ongoing basis with the BoS prior to finalizing and submitting the integrated Town-wide budget to the AC. It is expected that,

throughout this process, if changes were proposed by the Town Manager to any board's voted budget, the affected board would be informed of this and would have the opportunity to review and vote on a revised budget. Because the Town Manager would be designated as the person accountable for the budget, we expect that the Town Manager would have a strong incentive to be able to represent that he or she had consulted extensively with boards and departments on their budget submissions. We would also expect that any person holding this position in a town like Wellesley would have strong inter-personal skills and a collaborative and inclusive management style. The Town Manager would likely be able to anticipate questions on the individual budgets and capital improvement plan from the AC, consistent with the AC's responsibility to independently analyze the budget and make a recommendation to ATM.

Not less than 45 days before the start of the ATM, the Town Manager would submit the proposed Town-wide operating and capital projects budget, along with the Town Manager's Budget Message and the Superintendent's Budget Message, to the AC, with copies to all other boards and officers (proposed Article 6A.7.e). If the Town Manager's submitted budget proposes revisions to any board's budget that the board had not yet approved, the Town Manager would be required to notify the affected board of the proposed change in writing, along with a written reason for the change, with copies to the BoS and the AC (proposed Article 6A.7.e). The AC will review the integrated budget and hold a public hearing on the budget, as it does now. The Town Manager may amend his integrated budget and financial plan based on the AC review, prior to the AC voting its recommendation. This timeframe might be extended if the starting date of ATM were to change.

At least seven days prior to the start of Annual Town Meeting (as now) the AC would publish its report, which would include the integrated Town-wide capital and operating budgets, together with the Town Manager's and Superintendent's Budget Messages. We are recommending a slight change to the bylaw to require the AC vote not later than seven days prior to the start of ATM "whenever practicable" (proposed Article 6A.7.e); this recognizes the reality that the budget often comes together very late in the process. We recommend that the Town Manager employ a budget format that would show the budget as requested by a board and the Town Manager's recommendations for that board's budget, as well as the AC's recommendation on the integrated Town-wide budget.

f. Annual Town Meeting

The BoS would make the motion on the integrated budget at the ATM. The Town Manager and the School Superintendent would present the Town/Schools budgets to Annual Town Meeting (proposed Article 6A.2a. and b.), and the AC would make its recommendation to Annual Town Meeting on the entire budget.

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

g. Proposed Budget Process Timeline

Here's a summary of the proposed budget timeline, combining provisions in proposed bylaws, elements of current practice, and suggested best practices:

- Post-ATM – summer: conversations with Town Manager and individual boards regarding proposed budgets and expected revenue
 - Strategic plan creates context
 - Town-wide priorities are outlined
 - 'Guidelines' or target budget numbers will be developed by Town Manager, and approved by BoS, specific to each department/ budget, and will not necessarily be the same for all
- Fall -ongoing conversations regarding budget development and projections
 - Collaborative inter-board meetings led by Town Manager
 - Internal meetings among department heads led by Town Manager
 - BoS, School Committee and the AC meet with Town Manager as a group to discuss budget outline and approach
 - Departments submit operating/ capital budgets to boards, which vet and discuss them
 - By November 15, the BoS sets the date for Annual Town Meeting (ATM) (which may begin any time from the end of March through the end of May)
 - Boards except School Committee vote operating/ capital budgets
- 90 days before start of ATM:
 - All proposed departmental operating/capital non-school budgets submitted to Town Manager, with copies to the AC
 - Superintendent submits proposed school operating/ capital budgets to School Committee, along with Superintendent's budget message, with copies to Town Manager and to the AC
- 70 days before start of ATM:
 - School Committee, after public hearing and vote, submits operating/ capital budget to Town Manager along with Superintendent's budget message, with copies to the AC 60 days before start of ATM:
 - Town Manager submits proposed Town-wide operating/ capital budget, including Town Manager's and Superintendent's budget messages, to BoS, copied to the AC and boards, (including explanations for proposed revisions to board-approved budget submissions) for review and comment, with all comments to be directed to the Town Manager and copied to the AC
- 45 days before start of ATM:
 - Town Manager submits integrated proposed operating/ capital budgets, including Town Manager's and Superintendent's budget messages, to AC copied to boards, including explanations for proposed revisions to board-approved budget submissions
 - During this period, boards will be asked to review and if necessary revote their budgets
 - During this period, after public hearing, and if practicable, Advisory votes on the Town-wide budget
- 7 days before start of ATM:
 - Advisory publishes report
- At ATM:
 - Budget presentation includes budget messages, as well as format showing:
 - Department submitted budget
 - Town Manager recommended budget

- AC voted budget
- BoS moves budget
- Town Manager and Superintendent make budget presentation
- AC presents recommendation

Using the 2015 Calendar, the process would have looked like this:

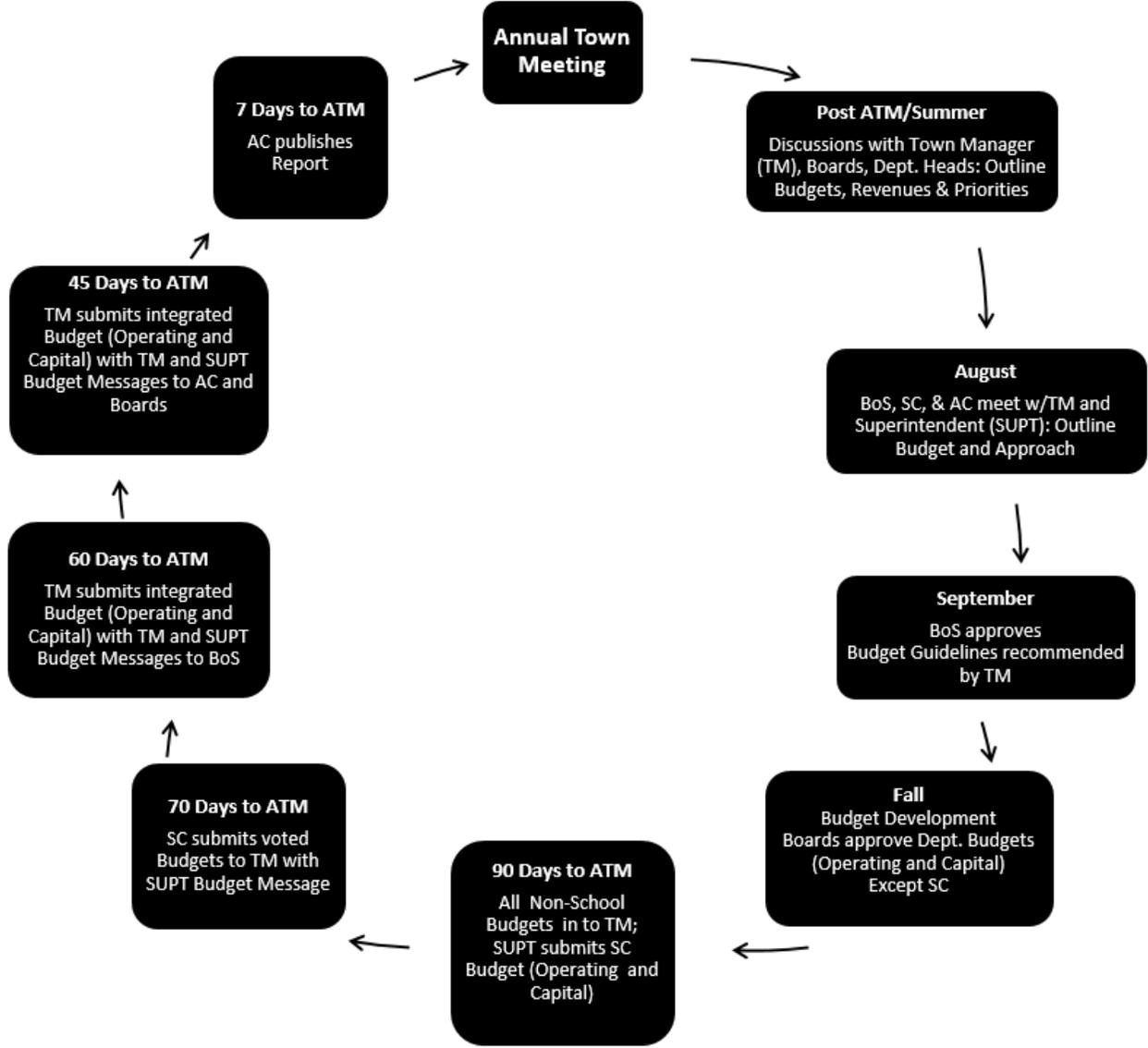
- December 31, 2014:
 - Superintendent's budget due to School Committee
 - All other budgets due to Town Manager
- January 20, 2015:
 - School Committee to hold public hearing on budget; vote it and submit it to Town Manager with a Budget Message
- January 30, 2015:
 - Town Manager to submit FY2016 operating and capital budgets to BoS, together with Budget Message
- February 15, 2015:
 - Town Manager to submit FY2016 operating and capital budgets to the AC, with such changes as Town Manager wishes to make after consultation with BoS
- By March 23, 2015:
 - AC to:
 - review the budgets;
 - hold its public hearing;
 - publish its report
- March 30, 2015:
 - Start of ATM

The flow chart on the next page illustrates how the process advances from early meetings to a final budget.

h. Bylaws

Proposed Article 6A brings together the Town's annual and longer term financial budgeting and planning functions. Accordingly, in addition to including proposed changes to the annual operating and capital budget process, proposed Article 6A also includes changes concerning the preparation of the Town-wide Financial Plan and the Town-wide Five Year Capital Budget Program. These changes preserve the processes for developing and presenting these two plans as they exist today, but puts responsibility for managing the processes with the Town Manager.

PROPOSED BUDGET CYCLE



**Appendix VI to Town Government Study Committee Report
FINAL MEMORANDUM HUMAN RESOURCES PROCESS**

Re: Human Resources Process
From: Town Government Study Committee
Date: September 8, 2015 **REVISED October 10, 2015**

1 - Executive Summary

The Town Government Study Committee (“TGSC”) recommends clarification of the Board and staff responsibilities for defining and managing the human resource functions for all departments within the Town with the exception of the School Department and the Municipal Light Plant. Many of the recommendations detailed in this memo are set forth in a proposed Special Act and through proposed changes to the Town bylaws. The remainder of the recommendations will be left to administrative action once the Special Act and bylaw amendments become effective.

This memorandum is written in three parts.

- The first part describes the current human resource process as defined by the Town bylaws.
- The second part is an effort to describe the process as it actually takes place today.
- The third part proposes a new process that incorporates improvements in our current practices, including a clear definition of the role of the Human Resources Board (“HR Board”) and Human Resources Director (“HR Director”), changes in the role of Town Meeting, and the role of the Town Manager.

The TGSC recommends that the Town Manager, under the Special Act and revised bylaws, would be responsible for establishing and managing the human resource functions. While much of the current functions and practices would remain in place, the Town Manager working with the HR Director would standardize the human resource processes and procedures while ensuring that important checks and balances remain in place. Elected and appointed boards would continue to have an important role in hiring, setting annual goals and evaluating department heads. The role of the HR Director would be more clearly defined, and the role of the HR Board would adjust to establish compatibility with the role of the HR Director and the Town Manager.

The key aspects of the human resource functions as proposed by the TGSC are as follows with greater detail and information included within this memorandum:

- The Town Manager will appoint Department Heads after consultation with the applicable board regarding applicable duties and qualifications of the position, the opportunity for the board to interview one or more final candidates submitted by the Town Manager or otherwise through a process under the direction of the Town Manager such as a screening committee that will include a member or members of the board.. The Town Manager’s appointment shall be subject to approval of the applicable board... A board will have 15 calendar days to act on the Town Manager’s appointment or the appointment will automatically become effective;
- The Town Manager’s appointment of the Police and Fire Chiefs is subject to the affirmative approval of the Board of Selectmen;
- The Town Manager may delegate to the department head the hiring of all employees below the level of Department Heads and will work with the HR Director to establish policies and procedures for such hiring;

- The Town Manager will be responsible for negotiation of all non-school labor contracts, subject to approval by the Board of Selectmen;
- The Town Manager will be the Town member of the School Committee for the purposes of labor negotiations pursuant to the Education Reform Act;
- The Town Manager, with the HR Director, will establish uniform and standard processes and procedures for the performance evaluation of all employees, for professional development, and for the disciplinary processes of reprimand, suspension, demotion, and if necessary, termination;
- After consultation with an affected board, the Town Manager shall establish annual goals for and conduct annual evaluations of all department heads subject to appointment by the Town Manager;
- The HR Director will be responsible for all of the HR administrative functions such as: administration of the Salary and Classification Plans, Personnel Policies, and collective bargaining agreements; review of work of employees to determine whether the position is properly classified; administration of the recruitment process; maintenance of personnel records; recommendation of amendments to the Salary and Classification Plans and Personnel Policies; ensure compliance with all applicable state and federal laws, rules, and regulations; assistance in collective bargaining; and handling requests for information related to the human resources functions;
- Although the majority of the communities with a Town Manager form of government do not have an HR or Personnel Board, the TGSC is recommending that Wellesley retain the HR Board appointed by the Moderator, thus preserving checks and balances in the HR process. The HR Board will be responsible, following consultation with the Town Manager and the HR Director, for approving the Personnel Policies, Classification Plan, and Salary Plan, and for setting a salary for a new hire above the mid-point of a salary range. The HR Board will also be available to the Town Manager and HR Director for consultation on HR issues

2 – Background

The TGSC assessed the current structure and function of Wellesley's town government through dozens of interviews with Town staff and board members. In addition, the TGSC conducted detailed interviews with twelve benchmark communities. As a result of these interviews, we developed findings regarding human resource functions and personnel management. The findings related to the current functioning of Wellesley's government are that we have:

- A strong and robust group of dedicated volunteers
- A committed and engaged group of professional employees
- Strong leadership that has provided direction in absence of much authority to do so with the ability to get some big things done in spite of the organization structure
- A collaborative culture among Town boards and departments often emerges when needed
- A financially healthy Town
- General satisfaction with how things are going.

We also came to understand that there are significant concerns that need to be addressed:

- Nobody is in charge - there is a lack of accountability and internal coordination in the budget, general management, personnel, and planning processes
- There is an over-reliance on the ability of current long-time employees to collaborate and get things done despite structural impediments
- There is a lack of ongoing coordinated Town-wide planning for the future

- There are weak communications internally and externally
- There is a lack of understanding and agreement about the difference between board policy and staff operational responsibilities
- Bylaws and actual practices are frequently inconsistent.

Additionally, we found the following opportunities for improvement in the Human Resources area to:

- Establish uniform policies and procedures ensuring consistency among all employees in hiring, personnel administration including compensation, performance evaluation, training, and professional development
- Create a uniformly consistent high quality of customer service throughout the Town government
- Create flexibility and efficiencies of staffing and identify opportunities for professional growth
- Foster a culture of collaboration and improve internal communication and
- Develop a strong, integrated cross-departmental management team.

We have developed a recommended human resources approach based on our understanding of our Town's culture, our desire to provide an effective system of checks and balances, and our study of practices in a dozen "benchmark" communities. These communities are among the best structured and managed in the Commonwealth, and represent a variety of alternative models for Wellesley. The recommendations of the TGSC are intentionally broad, understanding that the details of how the processes will work will evolve over time. We believe that change should be a deliberate process, with opportunities for reflection and re-assessment. We envision a gradual evolution in these changes, while strongly recommending the adoption now of features that we think will resolve some of the critical issues that we've identified.

3 - Current Bylaws/Policies

Current Town by-laws, Articles 30 and 31, provide the framework for the development and administration of a Salary Plan, Classification Plan, and Personnel Policies. These Articles establish the Human Resources Board, and the position of Human Resources Director. While the bylaws spell out in some detail the role of the HR Board, they are completely silent on the role of the HR Director.

In addition, other sections of the bylaws provide for appointment of officials and staff by a variety of other officials and bodies. For example, Bylaw 19.7 establishes the responsibility of the Board of Selectmen to appoint certain officials and employees; Bylaws 19.33 and Section 40.4 provide that the Executive Director of General Government Services shall appoint individuals to certain positions; and other sections of the bylaws provide for the appointment of Department Heads. The Personnel Policies are developed by the HR Board and approved by Town Meeting (Bylaw 30.10). These Personnel Policies proscribe an advisory and administrative role for the HR Department for hiring. The details are included in Personnel Policy 1 Section IV A. There is still a great deal of latitude and discretion given to the individual Departments, and the practices are therefore inconsistent.

Town Bylaw 6.3 provides that each Board is responsible for the performance of its appointees and persons employed by the board:

“6.3. Staff Performance. Each board is responsible for the faithful and competent performance of duties by persons employed or appointed by it. The Town Clerk shall have the same responsibility with regard to persons the Town Clerk employs.”

Personnel Policies describe in two sections the personnel evaluation process – Personnel Policy 10 and Personnel Policy 11. The intent of these sections of the bylaws and Personnel Policy is to introduce consistency among all Town employees in the evaluation process, and eligibility for merit pay increases for management personnel including Department Heads. Evaluation of Department Heads is done by their board, and boards are also to review subordinates in their Department per Policy 11 IV 4:

“Each Board, Committee or Commission is responsible for reviewing the evaluations and approving or disapproving the merit increase recommendations of their subordinates. The Board, Committee or Commission shall evaluate the individual or individuals reporting directly to them in the manner prescribed above and determine the appropriate increase to be granted.

After review of the recommendations of their staff and after considering the amount of money available for merit increases, each Board, Committee or Commission shall approve appropriate increases in accordance with the Salary Plan and this Policy and Procedures.”

4 - Current Practice

While it is clear that the intent of our various bylaws and policies are intended to establish uniformity and consistency in personnel administration throughout the Town, it appears that in practice this goal is not met. In interviews with Department Heads, Boards, and other individuals within or formerly within Town government in Wellesley, a picture emerges of HR practices that differ from Town bylaws and policies. Some of these practices work well, and others are in need of improvement. One of the common threads, however, is inconsistency in the application of the HR function among the Departments. While a complete review of every single HR process is not feasible in this report, a summary review of some of the major processes follows.

Hiring – In general, the hiring process throughout the Town government works well. When a vacancy occurs, the job description is reviewed and modified if needed. The position is re-classified if needed. A requisition is completed by the requesting department. The HR Director handles the recruitment in consultation with the department doing the hiring – sometimes particular positions need to be advertised in particular ways through trade associations, etc. For higher level positions such as Department Head positions, screening committees are created. The HR Department handles all of the administrative functions of receiving resumes and applications, record keeping, contact with applicants, scheduling interviews, and reference checks.

The process is still not fully standardized nor is it consistent among departments. For example, sometimes a board or individual board member will want to see all of the applicants’ resumes, thereby short circuiting the screening committee. Additionally, the chief executive in Town has no input into the hiring of most Department Heads and staff.

Proposed Practice

The Town needs to develop and adhere to a standardized hiring process for similar positions regardless of Department.

General Personnel issues – There is a considerable lack of consistency in the application of a number of general personnel issues that, at times, can expose the Town to liability. For example, in addressing the issue of leave related to an employee’s non-job-related injury/illness, one department permits employees to return to work on a modified basis without any medical evaluation other than the employee’s doctor’s note, while another Department working through the HR Director ordered a “fitness for duty” medical evaluation to determine functional capacity and determined that the employee could not go back to the employee’s previous job. In addition to issues of inconsistency, there is a potentially serious financial liability to the Town in allowing employees to return to work without the proper medical evaluation.

Proposed Practice

Departments need to utilize the knowledge and experience of the HR Department in addressing situations that are personnel based, so that the experience of the HR Director in knowing best practices of how to deal with these issues can be utilized, and so that decisions can be made on a uniform and consistent basis.

Discipline – Because there is little involvement of a centralized HR function and chief executive regarding disciplinary cases, there are sometimes inconsistent applications of discipline. In some recent examples, discipline that was contested by a union showed inconsistencies within the same union but within different departments, which makes disciplinary actions difficult to sustain and more susceptible to challenge. The HR Department is often brought into a disciplinary issue very late in the process, if at all, and the broad organizational view of HR and their expertise and availability of resources are not utilized.

Proposed Practice

The Human Resources Director should be brought into disciplinary cases immediately, before any resolution of the case is determined. This may include simple consultation via a phone call, or more extensive involvement such as attendance at a disciplinary hearing. Discipline ultimately imposed by a single administrative officer with input from HR will result in a more consistent and professionalized process.

Performance Reviews – The Town has, in its Personnel Policies, a well thought out and articulated process for conducting performance reviews for senior management level positions included in Job Group 50 and above (the Management Pay Plan), as well as for all other employees. The HR Department has attempted to establish a standardized performance review process, and it has included efforts at training employees and boards which will be doing evaluations. While their efforts have been significant, the success of implemented standardized performance review has been limited. Within the established performance review structure, there are wide variations in how these reviews are actually carried out. The system itself as developed by the HR Department addresses the capability of the least experienced Board and Department Heads to carry out the evaluations.

For Department Heads, many of whom are reviewed by elected or appointed boards, the inconsistency is significant. Performance reviews for Department Heads are particularly important because of the important functions that Department Heads perform, and also because the reviews will determine the Department Head’s eligibility for merit pay. The review process also requires the establishment of annual goals. For some departments, there is a strategic plan and the goals flow from that document. For others, the chair does the review and the nature and extent of the goals can vary based on the individual priorities of the chair. Depending on the engagement and experience of the chair, the Department Head being evaluated develops draft goals and those

are often accepted by the chair without being discussed or challenged. Finally, the working relationship between the board and the Department Head often makes it difficult or uncomfortable for a fully candid performance review to take place. In one example, a Department Head was underperforming for a significant period of time when measured by the observation of co-workers, yet the employee was given glowing evaluations by the employee's board. Additional inconsistency of evaluations from year to year may occur because of a change in the chairmanship of the boards, and there are instances in which lack of timeliness of the performance review has delayed the deserved merit increase of a Department Head.

There is inconsistency among boards in making recommendations for merit increases. In addition, there is a perception among some employees and boards that the boards are ill-equipped to carry out this responsibility because they may only see their Department Head 4 or 5 hours a month, and then they do not understand or see the full scope of the employee activities including interaction with other Department Heads and Town staff, and residents.

Proposed Practice

With the appointment of Department Heads being done by the Town Manager with the approval of the applicable board, performance reviews of Department Heads or the most senior person in a Division or Department should all be done by the Town Manager after consultation with the affected boards. Performance Reviews of all other staff should be done by their supervisor. The consultation with the boards will be sought as part of the performance review of Department Heads that have a board. Training for all staff who are responsible for evaluation of other staff should offered by the Human Resources Director annually. Annual goals should be set for all staff including Department Heads using the best practices at that time. The Boards will be consulted when establishing goals for the Department Heads. The HR Department should establish, manage, and maintain the organization-wide evaluation system, and should seek the input of Department Heads, Boards, employees, and unions in developing and modifying the evaluation instrument(s).

Collective Bargaining – The Executive Director of General Government Services is usually the lead Town representative in collective bargaining, often with the involvement of the HR Director and the applicable board. The School Committee and the Superintendent are the lead in collective bargaining with the School unions. The various union contracts and the Town's personnel policies differ in major ways in terms of the benefits offered to employees. Only the Town Manager and the HR Director have a clear picture of all of the different benefits offered to each of the unions and non-union employees. Respecting the collective bargaining process and the differences among working conditions among different departments of the Town, it should be a goal to have as much consistency as possible among the benefits for all groups of Town employees.

The Executive Director of General Government Services sits as a member of the School Committee for purposes of Collective Bargaining, and this process works well. The Executive Director does not sit in on bargaining sessions – neither do School Committee members. But he is an active participant in the discussion of strategy, and per statute, he votes as a member of the School Committee on the approval of contracts.

Proposed Practice

The Town should establish a process for Collective Bargaining that includes pre-bargaining strategizing by the Town Manager, HR Director, Finance Director and Department Head. The applicable board's input as it relates to their policy making role of their specific function of government should be sought. In those sessions, the overall strategy should be established, including working towards the standardization of benefits and language. A specific package of proposals for each union should be developed and reviewed with the Board of Selectmen in Executive Session. Members of boards including the Board of Selectmen should be consulted

prior to the bargaining process but should not participate in the process as Town representatives at the bargaining table. There may also be a need for communication with the Board of Selectmen and applicable Board during the Collective Bargaining process, as long as this consultation is consistent with the guidelines agreed to by the Union and the Town. The Town Manager should then establish the Town's bargaining team, which in all cases should include the HR Director and the Department Head. The Town bargaining team will consult with the applicable board or others in the course of bargaining. Collective Bargaining agreements for Town unions are all subject to approval by the Board of Selectmen.

The Town Manager should be an active participant in discussions with the School Committee and the Superintendent of Schools in developing the strategy with respect to bargaining School union contracts. The Town Manager should consult with the HR Director with regard to key issues related to consistency with Town benefits and policies.

Professional Development – There is a significant variation among departments as to the level of professional development offered. Some of the professional development funding is correctly allocated to the various departments because it is unique or specific to that department; however there is no centralized pool of funding for professional development, and therefore larger departments tend to budget more resources for this purpose than do smaller departments.

Proposed Practice

There should be established basic standardized organization-wide policies for professional development to be created and administered by the HR Director. These policies need to recognize that there are differences in the need for various types of professional development in different departments, and also the different standards and norms for professional development in different professions.

There should be a centralized pool of funds for professional development within the HR budget, in addition to the department-specific professional development funds. The amount of funding in the centralized pool should be phased in over 2 or 3 years. The HR Director would be responsible for administering the Professional Development fund in accordance with the policies.

General Administration – The Human Resources Department is busy and theoretically has wide sweeping responsibility for HR functions in the entire Town government structure. In fact, for some issues, the HR Department does have a broad role – such as in assisting in the negotiation and implementation of the recent changes in the health insurance program. However, while some departments appear to be willing and anxious for the HR Department to take on the full range of functions envisioned by the various bylaws, others do not take full advantage of the services currently available.

In addition to the functions noted above, it would be reasonable for the HR Director to have a broader and earlier role in the budget process so that issues of reclassification and new positions can be vetted as early as possible with the most accurate information available.

Proposed Practice

The bylaws should clearly spell out the role, responsibility and powers of the HR Department and its Director.

The Town Manager needs to make clear to the Department Heads, boards, and other staff what the responsibilities of the HR Department are so that there is little or no organizational confusion.

5 – Summary

The following summarizes the major recommendations with regard to the Human Resources functions. These recommendations, most of which are repeated from section 4 above, are categorized by method of implementation.

The Special Act should spell out the following responsibilities of the Town Manager:

- The Town Manager will appoint Department Heads after consultation with the applicable board regarding applicable duties and qualifications of the position, the opportunity for the board to interview one or more final candidates submitted by the Town Manager or otherwise through a process under the direction of the Town Manager. The Town Manager's appointment shall be subject to approval of the applicable board... A board will have 15 calendar days to act on the Town Manager's appointment or the appointment will automatically become effective; Town Manager's appointment of the Police and Fire Chiefs is subject to the affirmative approval of the Board of Selectmen;
- The Town Manager shall have the authority to terminate a department head with notice to the applicable Board, in advance if possible.
- The Town Manager may delegate to the department head the hiring of all employees below the level of Department Heads and will work with the HR Director to establish policies and procedures for such hiring;
- The Town Manager will ultimately be responsible for negotiation of all non-school labor contracts, subject to approval by the Board of Selectmen;
- The Town Manager will be the Town member of the School Committee for the purposes of labor negotiations pursuant to the Education Reform Act;

The following should be spelled out in amended bylaws:

- The Town Manager, with the HR Director, will establish uniform and standard processes and procedures for whose implementation the Town Manager shall be ultimately responsible, for the performance evaluation of all employees, for professional development, and for the disciplinary processes of reprimand, suspension, demotion, and if necessary, termination;
- The Town Manager shall consult with the applicable boards in the establishment of annual goals and in conduct of the evaluation of their department heads;
- The HR Director will be responsible for all of the HR administrative functions such as: administration of the Salary and Classification Plans and Personnel Policies; review of work of employees to determine whether the position is properly classified; administration of recruitment process; maintenance of personnel records; recommendation of amendments to the Salary and Classification Plans and Personnel Policies; rendering of compliance advice; assistance in collective bargaining; training of Boards and staff of all departments regarding personnel practices and procedures, and handling requests for information;
- The bylaws should clearly spell out the role, responsibility and powers of the HR Department and its Director.
- Although the majority of the communities with a Town Manager form of government do not have an HR or Personnel Board, the TGSC is recommending that Wellesley retain the HR Board appointed by the Moderator, thus preserving checks and balances in the HR process. The HR Board will be responsible, following consultation with the Town Manager and the HR Director, for approving the Classification Plan, Compensation Plan, initial hiring above a designated level, and Personnel Policies.

The following are administrative recommendations to be considered by the Town Manager and HR Director:

- The Town needs to develop and adhere to a standardized hiring process for similar positions regardless of Department.
- Departments need to utilize the knowledge and experience of the HR Department in addressing situations that are personnel based, so that the experience of the HR Director in knowing best practices of how to deal with these issues can be utilized, and so that decisions can be made on a uniform and consistent basis.
- The Human Resources Director should be brought into disciplinary cases immediately, before any resolution of the case is determined. This may include simple consultation via a phone call, or more extensive involvement such as attendance at a disciplinary hearing. The Town Manager will decide on the imposition of discipline.
- With the appointment of Department Heads being done by the Town Manager, performance reviews of Department Heads should all be done by the Town Manager after consultation with the affected board. Performance reviews of all other staff should be done by their supervisor. The input of the boards will be sought as part of the performance review of Department Heads that have a board. Training for all staff who are responsible for evaluation of other staff should be offered by the HR Department annually. After consultation with affected boards annual goals should be set for all staff including Department Heads using current best practices. The HR Department should establish, manage, and maintain the organization-wide evaluation system, and should seek the input of Department Heads, Boards, employees, and unions in developing and modifying the evaluation instrument(s).
- The Town should establish a process for Collective Bargaining that includes pre-bargaining strategizing by the Town Manager, HR Director, Finance Director and Department Head. The applicable board's input as it relates to the board's policy making role of their specific function of government should be sought. In those sessions, the overall strategy should be established, including working towards the standardization of benefits and language. A specific package of proposals for each union should be developed and reviewed with the Board of Selectmen in Executive Session. Members of boards including the Board of Selectmen should be consulted prior to the bargaining process but should not participate in the process as Town representatives at the bargaining table. The Town Manager should then establish the Town's bargaining team, which in all cases should include the HR Director and the Department Head. The Town bargaining team will consult with the applicable board or others in the course of bargaining. All Town union contracts are subject to approval by the Board of Selectmen.
- The Town Manager should be an active participant in discussions with the School Committee and the Superintendent of Schools in developing the strategy with respect to bargaining School union contracts. The HR Director should be involved in this process to advise the Town Manager with respect to key issues related to consistency with Town benefits and policies.
- There should be established basic standardized organization-wide policies for professional development, to be developed and administered by the HR Director. These policies need to recognize the differences in need for various types of professional development in different departments, and also the different standards and norms for professional development in different professions.
- There should be a centralized pool of funds for professional development within the HR budget, and the amount of funding should be phased in over 2 or 3 years. The HR Director would be responsible for administering the Professional Development fund in accordance with the policies.

- The Town Manager needs to make clear to the Department Heads, boards, and other staff what the responsibilities of the HR Department are so that there is little or organizational confusion.

These actions, taken collectively, will establish a uniform, consistent, and modern system of Human Resources administration that will continue to encompass appropriate levels of checks and balances, but will be nimble enough to be responsive to changing circumstances. The proposed amendments to Articles 30 and 31 of the Town bylaws will establish the duties of the new Chief Operating Officer (the Town Manager), strengthen the role of the Human Resources Director, and realign the responsibilities of the Human Resources Board within a Town Manager/ Selectmen form of government.

**Appendix VII to Town Government Study Committee Report
FINAL MEMORANDUM PLANNING AND LAND MANAGEMENT DIVISION**

RE: Planning and Land Management Division
From: Town Government Study Committee
Date: September 1, 2015 **REVISED October 10, 2015**

The Town Government Study Committee (TGSC) recommends the creation of a Planning and Land Management Division. Following is a summary of the changes made to our original recommendations in response to feedback we received:

- The term “Planning and Land Management” has been substituted for “Land Use” in our recommendations. It soon became clear that the term “land use” was strongly associated with permitting and development, and not generally understood to include the important functions of conservation and preservation of Town land. The proposed title should be understood to include not only residential and commercial development, but stewardship of the Town’s natural and historical resources.
- We also started out with a more narrow purpose for the Planning and Land Management Division, encompassing only those boards and departments involved with permitting processes. However, following discussions with the Natural Resources Commission (NRC) and others, we expanded the purpose of the Planning and Land Management Division to include broader aspects of land use, and we now recommend that NRC be brought into the Division. This broadening of scope reflects the current relationship between Wetlands and NRC and the importance of open space, conservation and historic preservation in land use planning and management.
- The creation of the Division will be proposed by means of a motion, rather than by a new Town Bylaw. This approach will provide greater flexibility to make desired changes to the Division based on its performance, as well as the input received from the Executive Director/Town Manager, and member boards and departments. The motion also includes a provision authorizing the Board of Selectmen to establish the Division within ninety (90) days, upon its passage.
- The recommendation to establish the position of Local Enforcement Officer has been deferred pending the completion of a review of Building Department operations and staffing commissioned by the Board of Selectmen.
- The proposal now calls for the responsibilities of the Planning and Land Management Director to be assigned to a Deputy Town Manager. Rather than creating an additional staff position, we have looked to our existing structure where one of the two Deputy Directors of the Town currently works with all the land use boards and departments.

Purpose:

The purpose of the Planning and Land Management Division is to provide an administrative structure that brings the various land use boards together in a manner that connects the important roles of these boards and departments and allows for greater coordination and collaboration, while protecting their independent, autonomous functions. Each of the relevant departments and boards will maintain their current authority and responsibilities as prescribed by state and federal law and Town Bylaw, although under the proposed reorganization, the Planning and Land Management Director will have administrative responsibilities for personnel management and, working with the associated boards and departments the Director will coordinate the development and administration of a Division-wide and departmental budgets for the Planning and Land Management Division.

The overarching goal of the creation of the Division is to facilitate and more effectively support the work of these departments and boards in order to ensure collaborative, comprehensive land use planning, permitting, and review processes that would be more easily accessed and better coordinated. Under the current structure, no one is responsible for monitoring and coordinating the Town's various permitting processes, which sometimes creates inefficiency and confusion, and more frequently frustration on the part of Town residents. On occasion, required permits are missed, which has the potential to create negative impacts for the Town or residents, and unknowingly creates non-conformities.

Understanding that conservation and open space are important goals of the community, stewardship of Town land and educational efforts regarding the importance of conservation will be important functions of the Division. Additionally, the preservation of cultural resources are included in the Planning and Land Management Division through the inclusion of the Historical Commission, the Historic District Commission and Neighborhood Conservation District(s).

There were other needs expressed to the TGSC's Land Use Subcommittee in the course of their conversations with boards, staff, property owners, residents, commercial and residential builders, and lawyers who appear before land use boards. These include: an online permit application and tracking system; centralization of technology systems; better communication among boards and departments and with the community; cross-training of staff to broaden opportunities; evaluation of the potential to create a single point of contact for permits and questions regarding land; implementation of a records management system; and the flexibility to supplement staff support within the Division as needed to meet periodic peak demands and to provide support to unstaffed boards. The creation of the Division provides an administrative structure to address these common needs and locates responsibility for these functions with the Division Director, whose primary responsibility is to support the work of the departments and boards.

Departments and Boards to be included in Planning and Land Management Division:

Planning Department	Planning Board
ZBA Executive Secretary	Zoning Board of Appeals (ZBA)
Natural Resources Department	Natural Resources Commission (NRC)
Building Department	Wetlands Protection Commission
	Historical Commission
	Design Review Board
	Historic District Commission
	Neighborhood Conservation District

In addition to the boards and departments listed above, there may be other boards interested in participating in matters involving the Planning and Land Management Division.

Deputy Town Manager/Planning and Land Management Division Director:

We recommend that a Deputy Town Manager serve as Planning and Land Management Director in addition to the other responsibilities assigned to the position. At the present time, one of the Deputy Directors of the Town, Meghan Jop, is the Executive Director's liaison for issues arising within the land use area. Under this proposal, a Deputy Town Manager will have direct responsibility for the Planning and Land Management Division, thus enjoying two titles: Deputy Town Manager and Planning and Land Management Director. In the event that Town Meeting does not approve of the position of Town Manager, the TGSC intends to move forward with its recommendation that a Planning and Land Management Division be created reporting to a Deputy Director in the Selectmen's Office. We are also recommending that the implementation of these

changes begin immediately and not wait until a new Town Manager is hired, reflecting our assessment that that change is needed now. A proposed Implementation Plan is attached as Attachment 1.

The Deputy Town Manager who also serves as the Planning and Land Management Director will have other duties as assigned by the Town Manager/Executive Director. It is anticipated that the most significant amount of time required by the new Director will be during the early days of the Division's formation. (Based on information from other communities, it is anticipated that Planning and Land Management activities may involve up to 50% of a Deputy Town Manager's time at the outset, reducing to 25% over time.) Based on the present structure of an Executive Director and two Deputy Directors in the Board of Selectmen's office, it is anticipated that no additional staff will be required to undertake the duties of Deputy Town Manager/Planning and Land Management Director.

The Deputy Town Manager/Planning and Land Management Director will report to the Town Manager. The duties of the Deputy Town Manager/Planning and Land Management Director will include:

- working with the departments and boards, coordinating the development and administration of a division-wide and departmental budgets for all areas of the Planning and Land Management Division;
- administering all personnel functions within the Division, including (per Town policy): hiring, training, and conducting performance evaluations;
- identifying professional development opportunities for staff in the Division;
- coordinating all aspects of the Division including staffing, and organizing the Division for maximum effectiveness and efficiency;
- with staff and the IT Department, evaluating and coordinating the implementation of permits coordination technology and other technology to enhance the efficient operation of the Division;
- developing consistent, effective communications protocols within the Division, working with other Town departments and the community, including improvements to the web site;
- establishing a culture of collaboration for division-wide projects such as re-codification of the Zoning Bylaw;
- with the Town Manager, Facilities Manager, and staff, establishing a plan for improving the office space for the Division to enable the implementation of its strategic direction.

Based on the review of a comparable position in a neighboring community, it is possible that the salary required for a Deputy Town Manager who is responsible for both land use and other functions may be approximately \$15,000 to \$30,000 over the current salary of one of the Town's Deputy Directors.

This model of an assistant or deputy town manager who is also the land use director (or its equivalent) is found in the towns of Lexington and Reading.

Appointment of the Division Director:

The ultimate responsibility will be lodged with the Town Manager for the appointment, evaluation and removal, if necessary, of the Deputy Town Manager/Planning and Land Management Director. Consistent with our other recommendations regarding personnel management, the process for the appointment of the Deputy Town Manager/Planning and Land Management Director will be guided by the Human Resources Department. The Town Manager will convene a screening and selection committee with representatives from among the boards and committees

within the Division (e.g., representatives from Planning, ZBA, and NRC). Because the Planning and Land Management Director will also serve as a Deputy Town Manager, the Town Manager also must consider the other responsibilities assigned to this position. The Town Manager will have the final say on the appointment.

In the performance evaluation of the Deputy Town Manager/Planning and Land Management Director, the Town Manager will seek the input of the major boards and departments within the Planning and Land Management Division.

In the case of the removal of the Deputy Town Manager/Planning and Land Management Director, the Town Manager, to the extent practicable, will notify with the affected boards, consistent with the provisions of the Special Act.

Other Staffing Recommendation – Local Enforcement Officer:

Separate and apart from the issue of the creation of the Planning and Land Management Division and the appointment of a Deputy Town Manager/Planning and Land Management Director are the issues of code enforcement and adequacy of resources within the Building Department. The TGSC is deferring its recommendation to create the position of Local Enforcement Officer (“LEO”) at this time, pending the completion of review of Building Department operations and staffing commissioned by the Board of Selectmen. The TGSC reserves the right to make subsequent recommendations based thereon.

It should be clear that any proposal for additional inspections staff is not related to the creation of the Planning and Land Management Division, but rather is driven by workload regardless of the establishment of the Planning and Land Management Division.

No other additional staff is contemplated.

Role of the Town Manager in this Structure:

A principal recommendation of the TGSC is the creation of the position of Town Manager, and the elimination of the position of Executive Director of General Government Services.

The Town Manager will be responsible for the appointment of all staff. It will work as follows:

- Director of the Planning and Land Management Division: reviewed above.
- Department Heads and Executive Secretary to the ZBA: The proposed Special Act and bylaws that set forth the creation of the position of the Town Manager provide that, although the Town Manager has the ultimate responsibility for such appointments, the boards have important specified roles in the process. It is anticipated that the Planning and Land Management Director will also play a key role in the search process for department heads. When a vacancy occurs in the position of department head, the Town Manager working with the HR Director will establish processes for appointments. In the example where the Planning Director position becomes vacant, under the bylaws the Town Manager would work with the Planning Board and HR Director in reviewing a job description that outlines job qualifications and the skills required for the position. The Town Manager and HR Director would confer with the Planning Board regarding the composition of an interview team, which would include representatives of the Planning Board, and work with the Planning Board in the selection of the director. The Planning Board would have the ability to interview one or more finalists, and the Town Manager would appoint the new director. The Planning Board would have 15 calendar days to approve the appointment. If no action is taken, the appointment becomes effective.

- Under this new structure, the department directors and the ZBA Executive Secretary will report to the Deputy Town Manager/Planning and Land Management Director with regard to day-to-day operations, while remaining responsible for work relating to his/her department and providing the needed service to his/her respective board. The Deputy Town Manager/ Planning and Land Management Director will consult frequently with the department heads and with the boards to ensure that their needs are being met and, when necessary, resolve any conflicts that might arise.
- Staff within the Departments: While the Town Manager is ultimately responsible for the appointment of all staff town-wide, the bylaws provide that the Town Manager may delegate to the department head the appointment of staff within a department.

Budget Issues:

The Deputy Town Manager/Planning and Land Management Director will work with the staff of the various departments and boards to put together a consolidated budget for the Planning and Land Management Division. The boards will retain their right to vote on their portion of the budgets that comprise the consolidated budget. The Deputy Town Manager/Planning and Land Management Director will present the Planning and Land Management Division budget to the Town Manager, who has the responsibility to put together the town-wide budget to be reviewed by the Board of Selectmen, the Advisory Committee and ultimately to be voted on by Town Meeting. In the case of a disagreement between a board and the Town Manager with respect to budget issues, the board will retain the right to advocate for its budget before the Board of Selectmen, Advisory Committee and Town Meeting.

The Planning and Land Management Division consolidated budget will be presented to Town Meeting for approval under Article 8 in a format similar to the format for the Department of Public Works. The following is a sample consolidated budget for the Planning and Land Management Division for FY16. The figures reflect the actual FY16 department budgets voted on by 2015 ATM.

Proposed FY16 Planning and Land Management Division (PLMD) Budget

	Personal Services	Expenses	Total Operations
PLMD			
000 Administration (all support staff; all unspecified expenses)	\$ 159,332	\$ 65,890	\$ 225,222
241 Building Department	\$ 358,441	\$ -	\$ 358,441
Design Review Board	Included in Planning Budget		
183 Fair Housing	\$ -	\$ 200	\$ 200
691 Historical Commission	\$ -	\$ 750	\$ 750
690 Historic District Commission	\$ -	\$ 250	\$ 250
180 Housing Development Corporation	\$ -	\$ 6,000	\$ 6,000
171 Natural Resources Commission	\$ 160,190	\$ 10,000	\$ 170,190
172 NRC - Morses Pond	\$ -	\$ 149,394	\$ 149,394
Neighborhood Conservation	Included in Planning Budget		
175 Planning	\$ 210,720	\$ 24,000	\$ 234,720
176 Zoning Board of Appeals	\$ 52,114	\$ -	\$ 52,114
PMLD Total	\$ 940,797	\$ 256,484	\$ 1,197,281

Note that line 000 is new and it includes the general items applicable to all budgets. Personal Services includes all salaries for support staff (Level 40) within the departments. The Expenses item includes all general expense items applicable in all departments, e.g. printing, office supplies, mileage, etc. This new line item 000 will provide the Deputy Town Manager/Planning and Land Management Director with the flexibility to allocate general expense funds where needed. For example, if one department has a greater need for mileage reimbursement than another department, the Planning and Land Management Director can make the appropriate allocation.

The department line items include the salaries of all non-clerical staff and funds set aside for expenses unique to the department, e.g. special projects. These funds can be used only for the purposes for which they were requested. For example, line 171 for the NRC consists of Personal Services for the salary of the Natural Resources Director, the Wetlands Administrator and wetlands educator, and Expenses of \$10,000 for anticipated consulting and special projects. Line item funds cannot be reallocated to another department for another use except by Town Meeting.

Review of Zoning Bylaws:

Our original recommendations included the suggestion that a multi-board committee, under the leadership of the Planning Board, be established to review and revise the Zoning Bylaw. It was further recommended that the committee be made up of representatives from the boards and departments affected by the Zoning Bylaw, such as the Zoning Board of Appeals, the Building Inspector, the Board of Selectmen, the Historical Commission and others, including citizen representative(s). The Planning Board has embraced this recommendation, and has convened such a committee.

ATTACHMENT 1

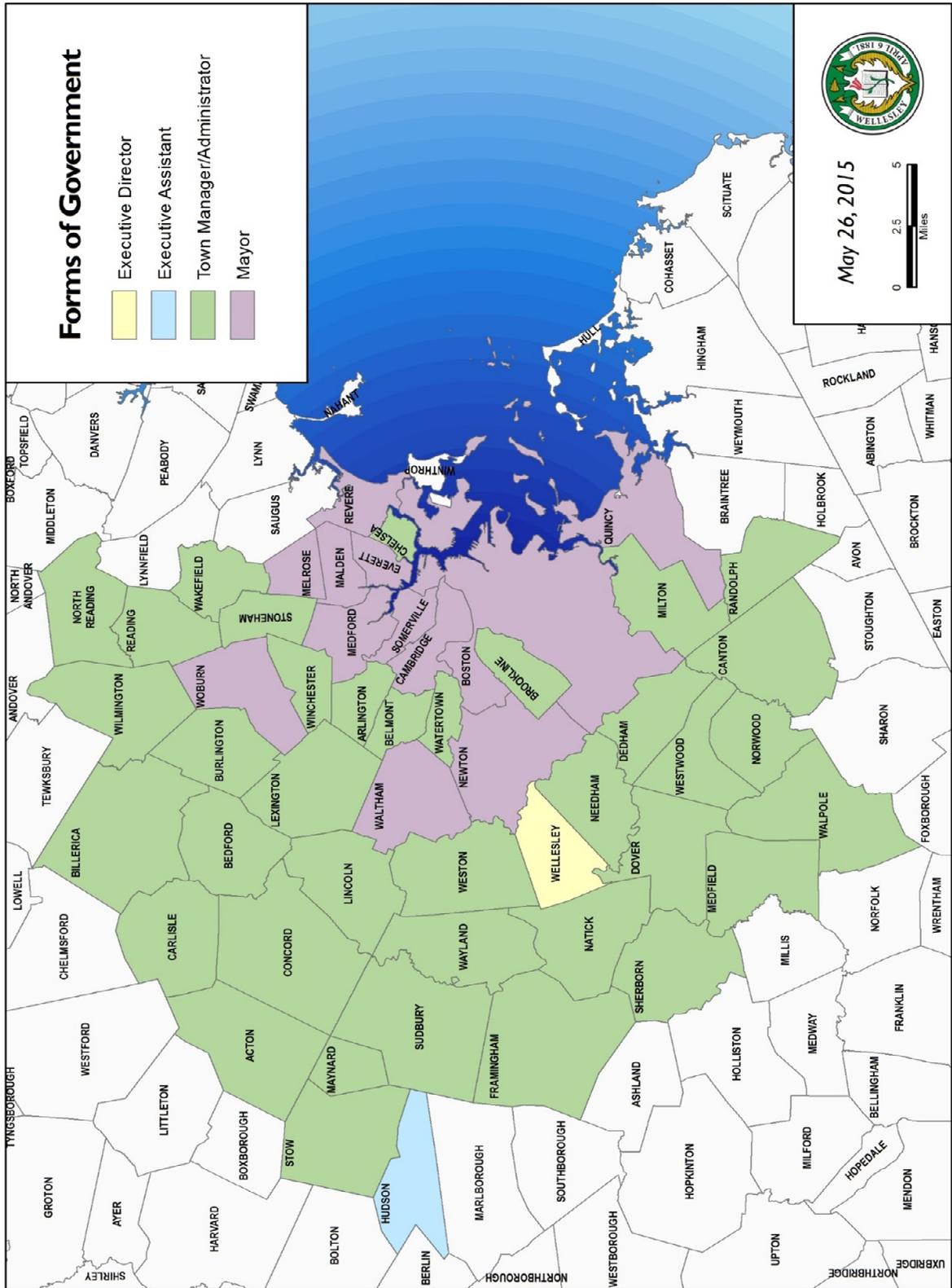
PLANNING AND LAND MANAGEMENT DIVISION IMPLEMENTATION PLAN

A number of specific opportunities and needs were identified in our conversations with boards, staff, and other constituents. With the creation of the Division and the vesting of responsibility for coordinating the activities of the Division with a Deputy Town Manager/Planning and Land Management Director, we believe that the implementation of the Division can begin immediately following an affirmative vote by Town Meeting.

The implementation steps noted below include both broad goals and more specific action items. Understanding that the actual sequencing and prioritization of activities is best left to the Division Director, working with the department heads and boards and in consultation with the Town Manager/Executive Director, the following are presented in no particular order.

- The Director working with the departments and the boards, will develop a strategic plan for the Division that is consistent with and informs the town wide strategic plan;
- Participate and work with the Planning Board and the Board of Selectmen in their efforts to update the Town's Comprehensive Plan and with the development of the town-wide strategic plan;
- Develop consistent, effective communications protocols within the division, and for communication with Town departments, residents, and other constituencies;
- Building on the initiatives of the current Land Use Committee, convened by one of the Town's Deputy Directors, continue frequent meetings to share information among departments within and outside of the Division, and convene periodic meetings of Division boards as needed;
- Improve the quality and ease of access to information about the Division, its Departments, their initiatives, and the land use processes. This includes development and management of consistent, reliable and up-to-date information on the web site;
- Establish easy to understand checklists, FAQ's, flow charts, and other materials to explain the processes for land development. Simplify applications to the extent permitted by statute or regulation, and make all forms available and fillable on the web site;
- Consider establishment of a single point of contact for all filings (permits, variances, etc.) and for questions on land use policies and procedures;
- Once the Division is formed, establish a working group that includes the IT Department, to review alternative technology solutions that will facilitate the coordination of land use processes, and implement the best solution practicable. A goal would be to have applicants have access to the system to submit and track applications;
- Develop procedures for coordinating staff among the functional areas, and review cross-training of support staff.
- Establish means to monitor enforcement and compliance with existing bylaws, regulations and permit conditions, including the implementation, as appropriate, of the recommendations resulting from the current review of the Building Department;
- The Director, with the Town Manager, Facilities Manager, and boards and departments, will establish a plan for improving the office space for the Division to enable the implementation of its strategic direction.

Appendix VIII to Town Government Study Committee Report FORMS OF LOCAL GOVERNMENT



**Appendix IX to Town Government Study Committee Report
COMPARISON OF TOWN MANAGER TO WELLESLEY EXECUTIVE DIRECTOR**

Comparison of Functions of Town Manager to Wellesley Executive Director			
Responsibilities as October 10, 2015	Executive Director of General Govt Services (ED)	Current Practice	Proposed under Town Manager
PERSONNEL MATTERS: Appoint Department Heads	ED appoints Finance Director, FMD Director, IT Director with approval of BoS. (Bylaw 19.33)	This is the current practice.	Town Manager appoints dept heads with the approval of applicable board; if the board fails to act within 15 calendar days, the appointment becomes effective.
Appoint Other Staff	ED appoints staff in FMD dept (Bylaw 24.3), in BoS office. (Bylaw 24.3 and 19.33) and the Director of the Youth Commission (Bylaw 40.4).	The current practice is that the ED appoints staff in the FMD department and in BoS office. ED signs off on hires in Finance and IT depts.	Town Manager will be responsible for appointment of all other staff and may delegate hiring below the level of department head to the department head. The Town Manager with the HR Director will establish procedures for hiring.
Evaluate Department Heads	ED evaluates Finance Director, FMD Director and IT Director. (Bylaw 19.33)	This is the current practice.	Town Manager will consult with boards on evaluation of their Department Heads and shall work with the HR Director to set up processes to conduct evaluations.
Evaluate Other Staff	ED evaluates all staff in the BoS Office.	The current practice is that the ED evaluates all staff in BoS and signs off on evaluations of staff in Finance, FMD and IT depts.	Town Manager will be responsible, with the HR Director, for developing personnel policies for approval by the HR Board, which include provisions on evaluating staff. The details of the evaluation system will be determined by the HR Director in consultation with the Town Manager, Department Heads, and staff.
Remove Department Heads	ED removes Finance, FMD and IT Director with approval of BoS. (implied in Bylaws 19.33 and 24.3)	ED removes Finance, FMD and IT Director with approval of BoS.	Town Manager may remove Dept head with notice to applicable board.
Remove Other Staff	ED approves the removal of staff in Finance, FMD and IT depts. (Bylaw 19.33)	This is the current practice.	Town Manager signs off on removals of staff within departments.

Responsibilities as October 10, 2015	Executive Director of General Govt Services (ED)	Current Practice	Proposed under Town Manager
Police and Fire Departments Appoint Chiefs	No authority under the bylaws.	BoS appoints the Chiefs. (Bylaws 21.2.a. and 22.2.a.)	BoS shall approve Town Manager's recommendations for appointment of chiefs.
Appoint and Promote Officers	No authority under the bylaws.	BoS appoints the staff. (Bylaws 21.2.a. and 22.2.a.) In practice, the Chiefs recommend the appointment and promotion of officers and BoS approves. Protocols in both departments set out criteria for appointment and promotion.	Chiefs will recommend appointment and promotion of officers to Town Manager; Town Manager appoints.
Appoint Town Clerk	No authority under the bylaws.	The Town Clerk is elected for a three year term (Bylaws 26.1. and 2.).	Town Manager to appoint.
Formulate Personnel Policy/HR Function	No authority under the bylaws.	HR Board recommends personnel policies and procedures to all boards and dept heads subject to approval by Town Meeting. The HR Board is responsible for administration of, and changes to, the Classification Plan; reviews and recommends changes to Salary Plan; recruits applicants for positions in the Classification Plan; maintains personnel and other employment records. (Bylaws Articles 30 and 31).	HR Director in consultation with the Town Manager will develop proposed Personnel Policies. Following hearing, the HR Board will adopt policies.

Responsibilities as October 10, 2015	Executive Director of General Govt Services (ED)	Current Practice	Proposed under Town Manager
Oversee Collective Bargaining	No authority under the bylaws.	Selectmen oversee collective bargaining and delegate to the ED this responsibility. The BoS may also designate HR Board as collective bargaining agent for any non-school dept. (Bylaw 30.12) The HR Director sits "at the table" in all non-school negotiations.. The Board of Selectmen approves all contracts. For School collective bargaining the Executive Director is a member of the School Committee for developing strategy with respect to bargaining, and for purposes of voting on the contracts.	Town Manager will oversee collective bargaining and may delegate to the HR Director and others bargaining responsibility for some unions. The Board of Selectmen approves all contracts. For School collective bargaining the Town Manager is a member of the School Committee for developing strategy with respect to bargaining, and for purposes of voting on the contracts.
Reorganize, consolidate Departments	No authority under the bylaws.	The ED can recommend to the BoS changes within the Departments for which the ED is responsible (FMD, IT, Selectmen's office, Finance).	For departments under the supervision of the Town Manager and which have no board, the Town Manager may consolidate, reorganize, etc. with the approval of the BoS. For departments which have a Board, the Town Manager must obtain approval from either the applicable board or Town Meeting.
Appointment of board members	No authority under the bylaws.	The ED reminds BoS of appointments to be made by June 30 and, assists where requested, in working with the Council on Aging, Youth Commission and others in finding candidates for appointments.	The Town Manager will presumably assist the BoS in its appointments in a similar fashion as the ED does today.

Responsibilities as October 10, 2015	Executive Director of General Govt Services (ED)	Current Practice	Proposed under Town Manager
BUDGET: Prepare All Budgets: Capital, Operating and Town Wide Financial Plan (TWFP)	BoS coordinates preparation and maintenance of the TWFP (Bylaw 19.16.2) and 5 year capital plan (Bylaw 19.5.2.a) and the Executive Director is responsible for overseeing it and implementing it. (Bylaw 19.31.b)	In practice, the ED coordinates the process by which departmental budgets are submitted and then compiles the budgets to create the townwide budget. He also oversees the preparation of the TWFP, five year capital plan, and Sources and Uses updates.	Town Manager will assume the responsibility for preparation and implementation of the operating budgets, TWFP and Capital Plan and present them to BoS, Advisory Committee and ultimately, to Town Meeting.
Manage All Budgets	Executive Director oversees and is responsible to the BoS in their responsibilities for the Town's finances, including TWFP and 5 year capital plan (Bylaws 19.16.2.1. and 19.31.b)	In practice, the ED manages the Town's finances for the areas under the BoS' jurisdiction, and tracks ongoing performance to budget and plan.	Town Manager will be responsible for preparation of and implementation of operating budgets, TWFP and 5 year capital plan based on a review of submissions by departments of budgets approved by their boards.
Present Budgets to BoS	Executive Director prepares TWFP and 5 year capital plan for BoS. (Bylaw 19.31.b)	In practice, the ED prepares the TWFP and 5 year capital plan, and compiles the townwide budget for presentation to the BoS.	Town Manager will be responsible for preparation of and implementation of operating, TWFP and 5 year capital plan based on a review of submissions by departments of budgets approved by their boards. The Town Manager will present them to BoS.
Present Budgets to Advisory Committee (AC)	No authority under the bylaws.	In practice, the BoS and ED make a presentation to the AC on the TWFP, the capital plan and the operating budgets. (Bylaw 19.16.2.d. provides that if requested by the AC, the BoS will make a presentation to the AC on the TWFP.)	Town Manager will present the Town Manager's budget, TWFP, and Capital Plan to the Advisory Committee, along with a Budget Message.
Present Budgets to Town Meeting	No authority under the bylaws.	In practice, the BoS submits a written TWFP in the AC book and the ED makes an oral report on the TWFP to the Annual Town Meeting.	Town Manager shall submit the written TWFP in the AC book. The Town Manager shall, at ATM, make an oral report on the TWFP and present the annual operating budget.

Responsibilities as October 10, 2015	Executive Director of General Govt Services (ED)	Current Practice	Proposed under Town Manager
OTHER RESPONSIBILITIES:			
Chief Procurement Officer	The ED is Chief Procurement Officer and can delegate the powers and duties of the position. (Bylaw 19.31)	In practice, the ED delegates the powers and duties to dept heads and others, based on the amounts of the contracts at issue.	Scope and responsibility remains the same.
Authority to Sign Accounts Payable and Payroll Warrants	No authority under the bylaws.	Majority of Selectmen sign "warrant" or "order" prepared by Town Accountant for payment of bills and payroll. (Bylaws 19.17 and 19.46.a.)	Town Manager will sign accounts payable and payroll warrants prepared by the Town Accountant. In a short term absence (vacation, short term illness) of the Town Manager, the Deputy Town Manager or another individual designated by the Town Manager will sign the warrants. In the long term absence of the Town Manager, the BoS will appoint an acting Town Manager.
Supervise Building Maintenance	The ED is responsible for Building Maintenance by virtue of appointment of FMD Director (Bylaws 19.31.d, 19.33 and 24.3.) and for the preparation of the FMC budget (Bylaw 24.4). BoS intends to bring DPW buildings into FMD in FY16. MLP buildings are exempt.	The ED works closely with the Director of FMD on all aspects of maintenance and some building projects.	Town Manager will be responsible for maintenance of all buildings and will appoint the FMD Director and staff and prepare and implement the budget.
Supervise Construction Projects	No responsibility	In current practice, ED involvement in current construction projects results only from involvement of FMD Director in design phase and post-construction phases.	Town Manager will assume responsibility, directly or through other Town departments, for the preparation of plans and the supervision of work on all construction, reconstruction, alterations, improvements and other undertakings for public buildings authorized by the Town.

Responsibilities as of October 10, 2015	Executive Director of General Govt Services (ED)	Current Practice	Proposed under Town Manager
Rental/Use of Town Buildings (non-school)	No responsibility	Schools, Rec and Library Trustees are responsible for the rental of their buildings. Under current practice, the ED is involved in the lease of space within municipal buildings except MLP buildings. Town Meeting may be responsible for approving certain leases depending on the duration and value of the lease. In these instances the BoS is responsible for signing the lease. The ED is responsible for negotiating leases and implementing the leases in accordance with the decisions of Town Meeting and the Board of Selectmen as applicable.	Town Manager will have the responsibility for the rental and use of all Town buildings, except for the schools and library and MLP buildings. Town Meeting may be responsible for approving certain leases depending on the duration and value of the lease. In these instances the Board of Selectmen is responsible for signing the lease. The Town Manager will be responsible for negotiating leases and implementing the leases in accordance with the decisions of Town Meeting and the Board of Selectmen as applicable.
Role in Developing Strategic Plan	ED is responsible to "lead the Town's strategic planning." (Bylaw 19.31.f.)	There is no Townwide strategic planning; however, the TWFP and 5 year capital plan come the closest to strategic planning for the Town. It is restricted to financial planning.	The BoS will be responsible for the plan and the Town Manager will implement, monitor, assess and report on the Town's strategic plan.
Access to All Financial Books	This authority is implied in numerous places in the Bylaws (Bylaws 19.9, 19.31.b. and c., and 19.42)	The ED has access to all financial books as needed.	The Town Manager will be given this specific responsibility and authority.
Carry Out Policy Directions of the BoS	The ED implements the Town's policies and procedures as promulgated by the BoS (Bylaw 19.31.a.)	This the current responsibility of the ED and others to whom he delegates some of the responsibilities.	Town Manager will have the same responsibility as ED.

Responsibilities as of October 10, 2015	Executive Director of General Govt Services (ED)	Current Practice	Proposed under Town Manager
Implement all Actions of Town Meeting	This responsibility is given to BoS. (Bylaw 19.12)	This the current responsibility of the ED and others to whom he delegates some of the responsibilities.	Town Manager will be responsible for implementation of Town Meeting actions.
Maintain Inventory of all Town Supplies, Materials, Equipment	Executive Director must adopt policies and procedures by which all depts and boards maintain inventory records and controls. (Bylaw 19.45.)	This the current responsibility of the ED and others to whom he delegates some of the responsibilities.	Town Manager will have this responsibility.
Disposal of Town Property	Executive Director shall adopt policies and procedures governing disposal of surplus and obsolete Town tangible property (not real estate). (Bylaw 19.47)	This the current responsibility of the ED and others to whom he delegates some of the responsibilities.	Town Manager will have this responsibility, subject to any restrictions established by Town Meeting or the Board of Selectmen.
Annual Report to the Town	Executive Director shall submit an Annual Town Report that includes financial statements etc (Bylaw 19.49) and shall compile reports of all town Boards, etc. for publication each year (Article 4).	This the current responsibility of the ED and others to whom he delegates some of the responsibilities.	Town Manager will have this responsibility.
Appointment of Town Counsel	No authority.	BoS appoints Town Counsel (Bylaw 19.7.4).	No authority. BoS will appoint Town Counsel.
Citizen Inquiries/System for Response	Selectmen shall establish a system for action on citizen complaints and requests for services to be administered by Executive Director (Bylaw 19.18)	ED has established a system within the BoS' office to monitor and respond to complaints and requests for services.	Town Manager will have responsibility for devising and administering response systems.

**Appendix X to Town Government Study Committee Report
TOWN COMPARISONS OF ELECTED VERSUS APPOINTED BOARDS**

TOWN COMPARISONS OF ELECTED AND APPOINTED BOARDS*

TOWN	Wellesley	Belmont	Wayland	Westwood	Weston	Acton	Needham	Winchester	Sudbury	Reading	Lexington	Concord
Town Manager or Town Admin.	ED	TA	TA	TA	TM	TM	TM	TM	TM	TM	TM	TM
# of Elected Boards	10	6	11	7	10	5	10	7	9	6	4	3
Total Members on Elected Boards	47	29	47	30	40	29	49	26	41	25	20	15
# of Permanent Apptd Boards	21	30	30	28	46	27	30	34	38	39	42**	34
Total Members on Permanent Boards	155	183	118	190	123	182	232*	259	248	194	308	208
# of Temporary Apptd Boards	2	6	4	4					4			1
Total Members on Temporary Apptd Bds	15	35	35	55					51			11
Total # of Boards	31	42	41	39	56	32	40	41	51	45	46	38
Total # of Members Perm and Temp	217	247	165	275	163	211	281	285	340	219	328	234

*Does not include Town Moderator and Town Meeting Members

**There are 32 members of the Cultural Council!

**Appendix XI to Town Government Study Committee Report
JOB DESCRIPTION FOR TOWN MANAGER, TOWN OF WELLESLEY, MA**

The Board of Selectmen (“Board”) of the Town of Wellesley (“Town”) appoints the Town Manager to perform the following general duties:

- Implement the policies and procedures adopted by the Board;
- Oversee the daily operations of the Town;
- Provide professional administration, management, and supervision of municipal departments and offices with the exception of the operation and personnel within the School Department and the Municipal Light Plant;
- Develop short- and long-term financial, Strategic, and Comprehensive Town plans in collaboration with the elected and appointed boards and associated staff of the Town; and
- Enforce Town bylaws and implement actions passed at Town Meeting.

Supervision

The Board sets the Town’s policies and the Town Manager, with considerable latitude for independent judgment and initiative, is responsible for developing and achieving the Board’s goals and objectives. He/she works according to established professional, departmental and Town policies and procedures, standards, special directives, instructions and intent. The Town Manager is reviewed and evaluated annually by the Board.

The Town Manager oversees the hiring, evaluation and termination of all Town staff with the exception of school department and Municipal Light Plant staff, working with the Human Resources (“HR”) Director to develop the hiring, evaluation, and termination processes. The Town Manager has direct or indirect supervisory responsibility for all personnel. He/she administers the hiring and evaluation processes of heads of departments and chief staff employees with input from elected and appointed Boards, and has the authority to terminate the head of a department or chief staff employee with notice to the affected board if practicable; in no case shall notice to the affected board be delivered later than the end of the third business day following the removal of the department head or chief staff employee. The Town Manager works with, or delegates any of these responsibilities to, the Director of HR, one or more Deputy Town Managers, or other official as appropriate.

Essential Functions

The Town Manager oversees the hiring, evaluation, and termination of all Town staff with the exception of school department and Municipal Light Plant staff, working with the Human Resources (“HR”) Director to develop the hiring, evaluation, and termination processes. The Town Manager has direct or indirect supervisory responsibility for all personnel. He or /she administers the hiring and evaluation processes of heads of departments and chief staff employees with the participation of elected and appointed Boards and Committees, and has the authority to terminate the head of a department or chief staff employee with notice to the affected board if practicable; in no case shall notice to the affected board be delivered later than the end of the third business day following the removal of the department head or chief staff employee in accordance with Town bylaws and personnel policies. The Town Manager works with, or delegates any of these responsibilities to, the Director of HR, one or more Deputy Town Managers, or other official as appropriate.

The Town Manager and staff provide:

- oversight for day-to-day operations of Town government;
- Town-wide staff training and professional development;
- leadership on special projects and strategic and operational planning;
- Board of Selectmen meeting agenda materials;
- implementation of all decisions of Board of Selectmen and other Town boards, and the votes of Town Meeting;
- support to various Town boards; and
- information, materials, and technical assistance to the public.

Specific Duties

The Town Manager performs the following specific duties:

For the Board of Selectmen

- attends and participates in all Board meetings unless excused, but does not vote;
- advises the Board fully as to the needs of the Town, and recommends to the Board for adoption such measures requiring action by them or by the Town as may be deemed necessary or appropriate;
- administers, either directly or through a designee all provisions of general and special laws applicable to the Town, all by-laws and votes of the Town, and all rules and regulations made by the Board;
- under the direction of the Board, prosecutes or defends all litigation to which the town is party in consultation with counsel, acts as primary liaison with all legal counsels on matters relevant to the Town, and assists Town Counsel with preparation of litigation proceedings and materials;
- employs special counsel with the approval of the Board to assist Town Counsel whenever he/she considers it necessary;
- develops performance benchmarking information for municipal services;
- with the Board, participates in a collaborative process with other town boards in the development of a community-wide Strategic Plan (“the Plan”), implements, monitors and assesses progress on the Plan, provides an annual report on progress made in achieving the objectives of the Plan, and updates the Plan within five (5) years;
- provides advice and assistance to boards and committees of the Town;
- issues Town licenses with the exception of alcohol licenses (other than one-day licenses, for which authority can be explicitly authorized and delegated by the Board);
- delegates, authorizes or directs any employee of the Town to exercise any power, duty or responsibility which the office of Town Manager is authorized to exercise. All actions that are performed under such delegation shall be deemed to be the actions of the Town Manager.

In Municipal, State, Statutory and Regulatory Affairs

- assures compliance with relevant federal laws and regulations, Massachusetts General Laws and municipal bylaws, ordinances and regulations;
- acts as the liaison with the state and federal government; local civic and business entities; and other municipalities and municipal organizations.

Related to Human Resources

- appoints a Director of Finance, a Police Chief, and a Fire Chief with the approval of the Board; appoints all department heads, with the approval of the associated board, if applicable; and subject to a procedure developed with the HR Director, appoints or delegates the appointment of all other staff for whom no other method of selection is explicitly provided, except employees of the School Department and Municipal Light Plant;
- establishes operating policies and determines authority and responsibilities of subordinate personnel;
- supervises and evaluates employees if appropriate;
- disciplines or terminates employees, providing notice to the affected board or committee before termination of a department head or chief staff employee of a board or committee if practicable, but in no case later than the end of the third business day following the removal of a department head or chief staff employee;
- negotiates (in consultation with the Board on major negotiation issues) and administers all collective bargaining agreements with the employee organizations representing Town employees; and participates as the Town member of the School Committee in the deliberations and votes of the School Committee for purposes of collective bargaining with employee organizations representing School Department employees, as provided in M.G.L. c.150E.

Regarding Town Assets

- oversees the maintenance and repair of all Town buildings, including school buildings and grounds (with the exception of the Municipal Light Plant) through oversight of the Facilities Maintenance Department (“FMD”);
- works with Town boards, committees, and departments to implement sustainable practices in Town buildings and operations and oversees environmentally responsible stewardship of the Town’s natural assets;
- assumes responsibility, directly or through other Town boards and departments, for the preparation of plans and the supervision of work on all construction, reconstruction, alterations, improvements and other undertakings for public buildings authorized by the Town, including work carried out under the direction of the Permanent Building Committee of the Town;
- compiles and maintains a full and complete inventory of Town property, both real and personal;
- oversees, directly or through department heads the rental and use of all Town property, except property under the care, custody, management and control of the School Committee, Library Board of Trustees, and the Municipal Light Board.

Regarding Financial Management and Record-Keeping

- following consultation with Town Departments and Boards, submits to the Board for its approval, a proposed annual budget that includes revenue, expenditure, and tax rate projections for the upcoming fiscal year. The Finance Director and Finance Department have primary staff responsibility for budget preparation. The Town Manager's staff provides budget support and the Town Manager prepares an annual Budget Message and presentations for Town Meeting and other forums;
- following consultation with Town departments and boards, submits to the Board for its approval a Capital Budget, five-year Capital Projects Budget, and Town-Wide Financial Plan;
- submits the annual budget to the Advisory Committee for its recommendation and presents it to Town Meeting for its approval;

- ensures fiscal responsibility and maintains modern accounting and financial reporting practices;
- serves as Procurement Officer for the Town, awarding all contracts for all departments and activities of the Town including the School Department, and may delegate this responsibility;
- works with Finance Director and Treasurer to plan for short- and long-term financing for capital projects;
- approves warrants for payment of Town funds prepared by the Finance Director and/or Treasurer;
- applies for and administers federal, state and private grant funds;
- keeps full and complete records of the office of Town Manager and renders as often as may be required by the Board of Selectmen a full report of all operations during that period;
- reports to the Board, Advisory Committee, and Town Meeting as to the financial condition of the Town.

Related to Town Meeting

- attends all sessions of Annual and Special Town Meeting and answers questions regarding Warrant Articles and matters under his/her jurisdiction;
- provides Town Meeting with a complete analysis of the budget and answers questions related to the proposed budget; and
- implements Town Meeting votes.

General Responsibilities

- serves as liaison to the press; provides accurate information concerning Town projects, activities, policies, practices, proposals and decisions;
- performs other management functions as required to ensure the effective and efficient operation of Town activities and delivery of Town services.

Working Conditions

- work environment is a normal office setting with moderately quiet noise level;
- position requires frequent use of personal computer, including word processing, internet and spreadsheet programs; calculator, telephone, and copy machine;
- frequent walking, talking, listening, and participation in meetings;
- occasional exposure to extremes in temperature and other natural elements when making site visits to Town projects;
- involves extensive out-of-office meetings within Town and occasionally other communities;
- often requires attendance at evening meetings.

Qualifications

The successful candidate will have a Master's Degree in Public Administration or other appropriate advanced degree and ten years of leadership or executive-level experience in municipal government. He or she will have comprehensive knowledge of the functions of municipal government and the operations of municipal finance, budgeting, and human resources, as well as demonstrated skills in managing the finances and interests of multiple stakeholders throughout the community. Membership in ICMA and certification as a Credentialed Manager is considered a plus; in the alternative, the willingness to obtain certification as soon as is practicable is highly desirable. Experience in municipal collective bargaining and managing employees in a unionized environment will be considered highly advantageous. Applicants who have held elective

office in the Town for any period during the prior twelve months are not eligible for this position. Residence in Wellesley is not required.

Skills required:

- Demonstrated ability to communicate effectively orally and in writing, including public speaking;
- Excellent managerial and organizational skills;
- Ability to establish and maintain effective working relationships with all Town employees, board/committee members, officials, and the general public;
- Ability to work under considerable time pressure;
- Ability to recognize Town-wide priorities and work cooperatively to support their accomplishment;
- Ability to prioritize multiple tasks, and to respond appropriately and effectively to interruptions;
- Imagination, innovation and judgment related to planning and working with multiple individuals; and
- Ability to mold senior Town managers into an effective and high-performing team, while addressing the perspectives and priorities of the many stakeholders within the municipal structure.

Appendix XII to Town Government Study Committee Report TOWN MANAGER SEARCH PROCESS

Overview

The Board of Selectmen (“Board”), under authority granted by Article 19 of the Town of Wellesley (“Town”) Bylaws, appoints the Town’s chief administrative officer. With the recent announcement by the Town’s Executive Director of General Government Services of his intention to retire as of November 30, 2016, the Board is beginning to plan for the recruitment and hiring of his successor. In the event Town Meeting approves the Town Government Study Committee’s recommendation that the Town adopt a Board of Selectmen - Town Manager form of government, and subsequently adopts provisions of a new Special Act (in addition to changes to the Town Bylaws and other measures to create the position of Town Manager and abolish the position of Executive Director), subject to approval by the voters, the Board will take immediate steps to initiate a formal search process for the recruitment and selection of the first Town Manager in the Town’s history.

The Board appreciates the significance of this change to our present form of Town government and the importance of conducting a thorough, professional, inclusive and ultimately successful search for a qualified candidate. It is our intention to seek public input through opportunities for broad community, Town Board and staff input. Furthermore, the Board will work to ensure the successful transition to a new Board of Selectmen - Town Manager structure and new chief administrator, while continuing to maintain the high level of services Town residents expect.

The recruitment and selection process is expected to take approximately six months and commence immediately following successful passage of the new Special Act by the State legislature (late 2015 or early 2016) and approval of the Special Act by the voters in the spring of 2016. The Board hopes to conclude the process and hire and appoint a new Town Manager no later than September, 2016 to provide sufficient time for an uninterrupted transition to take place.

The Board intends to retain the services of an Executive Search firm with significant experience and success recruiting qualified candidates and structuring and conducting executive searches for municipalities. We expect to issue a Request for Proposals and solicit responses from firms that recruit nationwide as well as those specializing in Massachusetts. The search firm will have responsibility for pro-actively sourcing, recruiting, verifying, interviewing and referring qualified applicants. The search firm will also assist the Board with soliciting input for and developing a community recruitment profile, including what the town is looking for in a new Town Manager. In using the services of an Executive Search firm, the Board does not cede any of its responsibility for hiring the new Town Manager. The Board, in consultation with the search firm, will determine the geographic scope, timing and confidentiality of the search; establish salary parameters; appoint a Screening Committee; develop the selection process; draft interview questions; choose the number and names of finalists; make the final selection; and negotiate a compensation package. Both the Board and the search firm will work with the Town’s Human Resources Director to manage and coordinate the administrative process and procedures to ensure an effective and efficient recruitment effort. Every effort will be made to conduct as transparent a process as possible while ensuring candidate confidentiality and consistency with public disclosure requirements and Open Meeting Law.

Components

It is anticipated that the Town's search process will include at a minimum, the following basic components in the typical municipal executive recruitment process:

- ***Job Description and Candidate Qualifications***

A description of the responsibilities, expectations and qualifications of the position is developed that specifies the desired candidate competencies, experience and attributes best suited to the Town's needs. The Board has developed and distributed a draft Job Description for a Town Manager which will be used in the Town's recruitment process. The draft Job Description reflects the duties and qualifications set forth in the proposed Special Act and proposed Town Bylaw provisions, and includes additional criteria put forth and approved by the Board.

- ***Community Profile and Participation***

A Community Profile is developed that describes the Town's characteristics, provides relevant background information for the search, outlines the desired qualities of a Town Manager and summarizes the opportunities and potential challenges of the job. The Board or its representative secures input from members of Town Boards, staff, Town Meeting Members and town residents through a variety of means including attending Town Board meetings and holding public forums for community participation. The input generated from this outreach effort further informs the screening of applicants, development of interview questions and ultimately the choice of candidate.

- ***Screening Process and Screening Committee***

The screening of candidates proceeds in stages. Upon receipt of applications, the Executive Search firm conducts the initial screening of applicants with a high level of due diligence to identify viable candidates.

The Board establishes a Screening Committee. The Board develops criteria for membership and undertakes a recruitment process to constitute the Committee. In appointing members to the Screening Committee, the Board will determine the optimal representative number and mix of members that will yield the best results and tap the experience and expertise of town residents and representatives from Town government.

The Executive Search Firm forwards the applications of viable candidates to the Screening Committee. The Screening Committee evaluates the applications and selects a set of qualified candidates they will interview. Massachusetts Open Meeting Law allows for a Screening Committee to conduct interviews confidentially in Executive Session, so long as no quorum of any public body sits on the Screening Committee. Following this preliminary round of interviews, the Screening Committee recommends a determined number of candidate finalists (typically 3 to 5) to the Board.

- ***Finalist Review and Selection of Finalists***

The final phase of the search process is conducted publicly and involves additional community participation. Finalists are interviewed by the Board in open, televised sessions. Opportunities are also provided for other Town Boards, staff, the Superintendent of Schools and town residents to meet with finalists and provide feedback to the Board. At the conclusion of the process, the full Board, by majority vote, selects the candidate to whom they will offer the position.

Tentative Timetable

The search process is expected to take approximately six months following approval by the voters of the new Special Act. We anticipate a tentative timetable as set forth below:

1. Adoption of Special Act by Special Town Meeting (STM) (November 2015)
2. Request for Proposals issued for Executive Search Firm (November 2015 following STM)
3. Enactment of Special Legislation by State Legislature (December 2015 – January 2016)
4. Hiring of Executive Search Firm and Development of Search Process (January – February 2016)
5. Approval of Special Act by voters in Town Election (March 2016)
6. Search Process (March – August 2016)
 - Applicant recruitment
 - Screening
 - Finalist evaluation
7. Final selection and formal appointment (September 2016)
8. Becomes Town of Wellesley employee (November 2016)
9. Assumption of responsibility as Town Manager (December 1, 2016)

**Appendix XIII to Town Government Study Committee Report
BENCHMARK COMMUNITIES WITH PLANNING, LAND USE DEPARTMENTS**

BENCHMARK COMMUNITIES WITH PLANNING, LAND USE DEPARTMENTS

Town TM or TA	Wellesley ED	Belmont TA	Wayland TA	Westwood TA	Weston TM	Acton TM	Needham TM	Winchester TM	Sudbury TM	Reading TM	Lexington TM	Andover TM	Concord TM
Name of Dept	none	Comm Dev Dept	none	Dept of Comm & Econ Dev	none	Land Use Dept.	Planning & Comm Dev	none	Planning & Comm Dev Dept	Comm Services Dept	Comm Dev Dept	Comm Dev & Plng Dept	Plng & Land Use Mgmt
Planning Board		yes		yes		yes	yes		yes	yes	yes	yes	yes
Elected				yes			yes		yes		yes		
Appointed		yes				yes				yes		yes	yes
Conservation Commission				yes		yes	yes		yes	yes	yes	yes	yes ¹
Board of Health				yes		yes				yes	yes	yes	yes
Elected				yes									
Appointed						yes				yes	yes	yes	yes
Inspections only						yes					yes		
Building Dept		yes		yes						yes	yes	yes	yes
Historical Entities				yes					yes	yes	yes		
Engineering		yes										yes	
Zoning Bd of Appeals				yes		yes	yes		yes		yes		
Design Review Board				yes					yes				
Housing				yes					yes				
Other									CPC	Rec, Vets Human SRVCS			
Date estab.				2014		2014	2010			around 1988	around 1992	around 1985	

¹Concord is the only other town with a Natural Resources Commission. Wetlands is a part of it.