



## TOWN OF WELLESLEY MASSACHUSETTS

### MODERATOR

MARK KAP LAN  
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September 4, 2020

DELIVERED BY EMAIL

Dear Board of Selectmen Members,

In view of the ongoing COVID-19 pandemic and the federal, state and local advisories to practice social distancing and avoid the congregation of crowds, I request approval to conduct Wellesley's Special Town Meetings, both scheduled to commence October 26, 2020, through remote participation via Zoom videoconferencing platform in accordance with Chapter 92 of the Acts of 2020 (the "Act").

I have determined, with the assistance of Board of Selectmen Chair Marjorie R. Freiman, Executive Director Meghan Jop, Assistant Executive Director Amy Frigulietti, Information Technology Director Brian DuPont, Communications Manager Stephanie Hawkinson, Town Clerk KC Kato, and Town Counsel Tom Harrington and other members of Town staff, that the Zoom videoconferencing platform is suitable to use to hold the town meetings; and I have consulted with Joe Murray, local coordinator for the Americans with Disabilities Act ("ADA"), and I have confirmed that these meetings will comply with the ADA.

I hereby certify that: (A) I have tested the Zoom videoconferencing platform; and (B) the Zoom videoconferencing platform satisfactorily enables the town meetings to be conducted in substantially the same manner as if the meetings occurred in person at a physical location and in accordance with the operational and functional requirements set forth in the Act.

I further certify that the system provides for: (i) the moderator, town meeting members, town officials and any other interested members of the public to identify and hear the moderator and each town meeting member who attends and participates in the remotely-held town meetings, as well as any other individuals who participate in the remotely-held town meetings; (ii) the ability to determine whether a quorum is present; (iii) a town meeting member, town official or other individual to request recognition by the moderator without prior authorization; provided, however, that, to the extent technologically feasible, the request is visible or audible to the public in real time and upon review of the recording of the town meetings, preserved according to the

Act; (iv) the moderator to determine when a town meeting member wishes to be recognized to speak, make a motion, raise a point of order or object to a request for unanimous consent; (v) the moderator to recognize a town meeting member, town official or other individual to speak and to enable that person to speak; (vi) the ability to conduct a roll call vote; (vii) any interested members of the public to access the meetings remotely for purposes of witnessing the deliberations and actions taken at the town meetings; and (viii) the town meetings to be recorded.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Kaplan".

Mark Kaplan, Moderator