

**PACKET**

**November 8**

**2019**



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# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN  
LEA T. ANDERSON  
MARY M. ANTES  
THOMAS J. FAY  
CHERRY C. KARLSON  
DOUGLAS A. LEVINE

2019 NOV - 7 PM 1:16  
TOWN OF WAYLAND  
TOWN CLERK

## REVISED

(Replaces the previous agenda posted on November 5, 2019 at 2:24pm)

### BOARD OF SELECTMEN

Friday, November 8, 2019

8:00 a.m.

Wayland Town Building  
Selectmen's Meeting Room  
41 Cochituate Road, Wayland, MA

### Proposed Agenda

*Note: Items may not be discussed in the order listed or at the specific time estimated. Times are approximate. The meeting likely will be broadcast and videotaped for later broadcast by WayCAM.*

- 8:00 am 1. Call Meeting to Order
- 8:05 am 2. Review agenda for the public
- Announcements; Public Comment
- 8:10 am 3. Town Manager Special Act: Working session to review and discuss latest draft, develop FAQs, discuss community presentation and next steps
- 8:40 am 4. Enter into Executive Session
- I. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) to discuss strategy with respect to litigation – Stephen Cass v. Town of Wayland; and
  - II. Pursuant to Massachusetts General Laws to G.L. c. 30A, Section 21(a) (1), (7) and (9): to discuss complaints brought against public officers. Specifically, the Board will discuss and determine whether further action should be taken with respect to five Open Meeting Law complaints filed by George Harris against the Board of Selectmen on 11/13/18, 1/4/19, 2/1/19, 3/4/19, and 5/29/19, as a result of mediation regarding said complaints; to comply with or act under the authority of any general law. Specifically, the Board will convene in executive session to comply with G.L. c. 233, Section 23C with regard to the confidentiality of the Open Meeting Law complaint mediation referenced above. To meet or confer with a mediator, as defined in section 23C of chapter 233. Specifically, the Board will discuss and consider possible action to be taken as a result of the confidential mediation with George Harris of the above-referenced Open Meeting Law complaints; and

**BOARD OF SELECTMEN**  
**Friday, November 8, 2019**  
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**Wayland Town Building**  
**Selectmen's Meeting Room**  
**41 Cochituate Road, Wayland, MA**

**Proposed Agenda – Page Two**

- III. Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a) (6) to consider the purchase, exchange, taking, lease or value of real estate in regard to the Rivers Edge Project at 484-490 Boston Post Road, and
- IV. Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (3) and (6) to review and approve the executive session minutes of October 15, 2019 and October 28, 2019

APPROVE AND HOLD: Executive Session minutes of October 15, 2019  
and October 28, 2019

9:00 am 5. Adjourn

## SELECT BOARD / TOWN MANAGER ACT

### FAQs

11/4/19

1. Why are we doing this now?
2. Why can't we accomplish this with the current TA position? Why does the current code not allow for a less horizontal structure? Is there more we can do with the current structure?
3. Why not do a charter?
4. What will the organization look like?
5. What is the financial cost of this act? What are the savings?
6. Does the act require new staff, more staff, less staff?
7. What are the checks and balances around the TM being CFO? CAO?
8. What is the definition of responsibility?
9. How does a department/board get help from IT or Facilities? Whom do they call?
10. How are boards/committees/commissions changing under this act?
11. Do volunteers' roles change? Why is it difficult to appoint volunteers?
12. What is the role of the Finance Committee?
13. Should the Finance Committee be appointed by a hybrid group (moderator, select people, others as proposed by Collins)?
14. Why are department heads in a union. Can we change that?
15. How can the TM possibly know and manage the intricacies of every department?
16. Will this act improve coordination of all participating departments/boards to figure out a strategy and bring forward better projects? Will the TM channel the projects to the right regulatory body?
17. What is TM's motivation to serve the public?
18. Will all department groupings have a staff manager?
19. Will all boards/committees have a staff contact?
20. Will the boards/committees be involved in hiring, firing, evaluating of staff?
21. Will we initially see more bottlenecks? How is this more efficient?
22. Is there a way to analyze success after the new structure is implemented?
23. If the department head decides to rule against issuing a permit for good reason, will there be political pressure from the new executive to intervene?
24. Who does board go to if there is disagreement between TM and department head on budget? On other things?
25. How down in the weeds would the TM get in the plans laid out by a board?
26. Does this act improve the setting of priorities as a town?
27. How will the act improve a board's ability to accomplish its work and how will the board/TM/department head really work?
28. Do we still have to go to Town Meeting to vote on budgets?
29. Why is the Library not also under the TM? Is there an explicit law?

3) Town Manager Act  
Select Board/Town  
Manager Act  
Draft 11/4/19 -  
with revisions

**DRAFT 116/42.1/19**  
**SELECT BOARD/TOWN MANAGER ACT**

**Special Act of Legislation Creating Select Board/Town Manager Form of Government in the Town of Wayland**

[HISTORY: Adopted by the Annual Town Meeting of the Town of Wayland 5-3-2004 by Art. 11. Amendments noted where applicable.]

**GENERAL REFERENCES**

Boards, commissions and committees — See Ch. 6.  
Finances — See Ch. 19.  
Personnel — See Ch. 43.  
Board of Selectmen — See Ch. 58.  
Town Administrator — See Ch. 60.  
Treasurer and Collector — See Ch. 72.  
Director of Public Works — See Ch. 151.

**§ 1. The Select Board.**

1.1 The Board of Selectmen in the Town of Wayland shall hereafter be known as the Select Board, who shall be vested with all of the powers and duties conferred upon a board of selectmen by any general or special law. All references to the Board of Selectmen contained in the Town Code shall be construed as referring to the Select Board, and all powers and duties conferred upon the Board of Selectmen by the Town Code shall be vested in the Select Board. *(new)*

1.2 The Select Board shall be the chief executive officers of the Town and shall serve as the chief policymaking body of the Town. *(new)*

1.3 The Select Board shall consist of five (5) residents of the Town, elected by ballot, to serve a term of three (3) years. The terms of the members of the Select Board shall be staggered such that one (1) or two (2) members shall be elected each year. *(new)*

1.4 The Select Board shall develop and promulgate policy directives and guidelines which shall be followed by all agencies serving under it and, in conjunction with other elected Town officers and multiple-member bodies, shall develop and promulgate policy guidelines designed to bring the operation of all town agencies into harmony; provided, however, nothing in this section shall authorize any member of the Select Board or a majority of such members to become involved in the day-to-day administration of a town agency. *(new)*

1.5 The Select Board shall cause the by-laws, rules and regulations of the Town to be enforced. *(new)*

1.6 The Select Board shall appoint a Town Manager, Town Counsel, independent auditor and any other boards, committees, and commissions according to Town Code, statute or any special act. The Select Board shall also appoint any other multi-member boards for whom no other method of appointment is provided by Town Code, statute or special act. *(new)*

1.7 The Select Board shall have full authority as agents of the Town to employ counsel to commence, prosecute and defend suits in the name of the Town, unless otherwise especially ordered by vote of the Town. Said authority shall not extend to employing counsel to the School Committee. *(in current Code, Section 58-1)*

~~1.8 The Select Board shall have the authority to declare a state of emergency in the Town of Wayland upon the occurrence of any disaster, catastrophe, fire, flood, earthquake, storm or other natural calamity. Any state of emergency proclaimed by the Select Board shall, unless sooner terminated by proclamation of the Select Board, terminate five days from the day it takes effect. *(in current Code, Section 58-3)*~~

1.98 The Select Board shall cause an adequate supply of the full Town report to be available in the Town offices at Wayland Center and in the public library in Wayland Center from which to furnish a copy to any interested person, and it shall cause the warrant and Finance Committee's report with recommendations to be served as provided in Section 36-2 of the Town Code. *(in current Code, Section 58-2)*

~~1.9 The Select Board shall have the authority to declare a state of emergency in the Town of Wayland upon the occurrence of any disaster, catastrophe, fire, flood, earthquake, storm or other natural calamity. Any state of emergency proclaimed by the Select Board shall, unless sooner terminated by proclamation of the Select Board, terminate five days from the day it takes effect. *(in current Code, Section 58-3)*~~

~~1.10 The Select Board shall have full authority to establish rules and regulations, binding upon all boards, commissions, committees, councils, authorities, officials and employees of the Town of Wayland, governing the use, marking, record-keeping, maintenance and reporting requirements pertaining to Town-owned vehicles and reimbursement for the use of privately owned vehicles by employees and officials while on Town business. *(modified from in modified from current Code, Section 58-4)*~~

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## § 2. Appointment and qualifications of Town Manager.

2.1 The Select Board, by an affirmative vote of at least four (4) members, may appoint a Town Manager for a term of years as the Select Board deems to be in the best interests of the Town. The Town Manager shall receive such aggregate compensation and benefits, not exceeding the amount appropriated, as the Select Board may determine. The Select Board may, but is not required to, establish a written employment contract with the Town Manager pursuant to Massachusetts General Laws Chapter 41, Section 108N, to provide for the salary, fringe benefits, and other conditions of employment. The Town Manager position shall be a non-union position. *(modified from current Code)*

2.2 The Town Manager shall be appointed on the basis of educational, management and administrative qualifications and experience, including at least a bachelor's degree in a related field of study from an accredited four-year college or university. The Town Manager shall have considerable professional experience, consisting of compensated service in municipal administration or an equivalent combination of education and business management experience. *(in current Code)*

2.3 The Town Manager shall devote full-time to the responsibilities of the office. The Town Manager shall hold no elective Wayland Town office. The Town Manager may be appointed by the Select Board to any other compatible Town office or position, but he/she shall engage in no other business or occupation without advance written authorization by the Select Board. *(in current Code)*

### **§ 3. Authority and responsibilities of Town Manager.**

#### **3.1 Administrative Authority and Responsibilities**

- a. The Town Manager shall be the chief administrative and operating officer of the Town. *(new)*
- b. The Town Manager shall be responsible for managing, supervising and executing all of the activities noted in this Act, the Town Manager's job description, and any other duties assigned to the Town Manager by the Select Board or in compliance with federal and state law and the Town Code and Town policies. *(in current Code)*
- c. The Town Manager will not set Town policy, but will ensure there is appropriate coordination in the implementation of Town policy working across all Town departments in conjunction with all elected and appointed boards and committees. *(in current Code)*
- d. The Town Manager shall ensure that all Town departments, boards, commissions and committees comply with the Town's financial, personnel and legal policies and procedures, as well as all Town Meeting votes, Town Code, federal and state law. *(modified from current Code)*
- e. The Town Manager shall be responsible for overseeing, coordinating, and making recommendations that may impact multiple Town boards and committees, broadly or in detail, regarding Town financial, personnel and legal activities. *(in current Code)*
- f. The Town Manager shall be responsible for the management of all financial, administrative and operational affairs of the Town and Town departments, including the Police and Fire Departments and all boards, commissions and committees but excluding the School Department, provided, however, that all boards, commissions and committees shall continue to exercise permitting and/or policy-making authority as provided in state law. *(modified from current Code)*
- g. The Town Manager shall understand and have a working knowledge of the statutory authority and responsibility held by department heads and elected and appointed boards, commissions and committees so s/he can effectively support these officers in the execution of their duties. Unless expressly stated herein, nothing in this Act is intended to reassign policy-making or permit granting statutory authority of any department head or any elected or appointed board, commission or committee to the Town Manager. *(modified from current Code)*

- h. With respect to Town policies and programs that impact multiple areas of Town government, the Town Manager shall work with all elected and appointed boards, commissions and committees and Town department heads, be responsible for ensuring there is appropriate administration and coordination both (i) in the implementation and on-going adherence to Town policies; and (ii) in the development and execution of such policies and programs. *(modified from current Code)*
- i. With respect to the development, implementation and execution of policies and programs affecting various Town departments, the Town Manager shall:
  - i) Coordinate the setting of priorities with the rest of the Town government;
  - ii) Communicate activities, including projects, plans and studies, so that necessary input is received from all areas of Town government that should be involved in those initiatives; and
  - iii) Coordinate efforts so that cross-functional services to residents and others are effectively and consistently delivered. *(in current Code)*
- j. With the exception of the School Department and Library, and except as otherwise provided in the Town Code or Chapter 347 of the Acts of 2008, to streamline services, the Town Manager may create a new department, may reorganize, eliminate or consolidate Town departments or functions, in whole or in part, and may assign functions of one department to another department, subject to the approval of the Select Board. *(new)*
- k. The Town Manager is designated as the Town's Records Access Officer under the Public Records statute. The Town Manager shall, directly or through the Town's various departments, boards, commissions and committees, provide for the preparation, filing and maintenance of all records and reports on behalf of the Town. *(modified from current Code)*
- l. The Town Manager oversees crisis intervention in emergency situations, working with other key Town department heads, and addresses any systemic problems impacting multiple areas of the Town as they arise. The Town Manager shall ensure priority items are properly attended to and bring concerns about problem resolution to related boards, commissions and committees, and ultimately, to the Select Board for assistance in resolution, if necessary. *(in current Code)*

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3.2 Financial Authority and Responsibilities

- a. The Town Manager shall be the chief financial officer of the Town. *(new)*
- b. The Town Manager shall initiate, draft and have general oversight of the process of preparing the Town's annual operating and capital budgets for submission to the Finance Committee. To assist the Town Manager in preparing the proposed annual operating and capital budgets, all department heads, boards, commissions and committees of the Town, including the School Department, shall furnish all relevant information and submit to the Town Manager, in writing and in such form as the



Town Manager shall prescribe, a detailed estimate of the appropriations required and available funds. *(new)*

- c. The Town Manager shall draft and update a five-year capital budget for all Town departments for submission to the Finance Committee. *(new)*
- d. The Town Manager shall work with the Finance Director and Finance Committee to:
  - i) Develop long-term financial strategies addressing operational and capital financial needs of the Town;
  - ii) Establish set budgetary guidelines to be used in the development of annual budgets;
  - iii) Review all operating and capital budgets of all Town departments and make recommendations to the affected boards, commissions and committees and to the Finance Committee about priorities important to budget development; and
  - iv) Evaluate actual expenditures and receipts against budgets and coordinate with affected department heads, boards, commissions and committees the development of plans to manage to the budget or obtain Finance Committee approval for Reserve Fund transfers, in advance of spending, when possible. *(in current Code)*
- e. The Town Manager shall serve as the Town's chief procurement officer pursuant to state and federal law and shall ensure that all Town departments comply with applicable procurement laws. The Town Manager may, in his or her discretion, delegate any procurement responsibilities. *(modified from current Code)*
- f. Unless any statute or special act provides to the contrary, the Town Manager shall be authorized to execute all grant applications and shall award and execute all contracts binding the Town up to a set amount to be established by policy set by the Select Board. *(new)*

### 3.3 Personnel Authority and Responsibilities

- a. Department Heads ~~with Elected Boards~~: Except as expressly provided herein, the Town Manager shall appoint on the basis of merit and fitness alone, all department heads or similar positions, in consultation with the respective ~~elected~~ boards, commissions and committees ~~that the Department Heads or similar positions support~~ and in compliance with any applicable provision of a collective bargaining agreement, with the exception of the School Department and Library. *(modified from current Code)*
- ~~b. Department Heads with Appointed Boards: Except as expressly provided herein, the Town Manager shall appoint on the basis of merit and fitness alone all department heads for departments with appointed boards, commissions and committees and in compliance with any applicable provision of a collective bargaining agreement. *(modified from current Code)*~~

e.b. Department Employees (subordinate to Department Head or similar position): The Town Manager shall ultimately be responsible for appointing subordinates to Department Heads or similar positions. Unless otherwise provided by the terms of an applicable collective bargaining agreement, the Department Head or similar position may, with the consent of the Town Manager, appoint on the basis of merit and fitness alone, all subordinate employees of each Town department, with the exception of the School Department. *(modified from current Code)*

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d.c. Unless otherwise provided under this Act, the Town Manager shall be responsible for appointing all other appointed officers or employees for whom no other method of appointment is provided by the Town Code or other special act. *(new)*

e.d. Discipline and Removal for Cause: The Town Manager may, for cause, remove or discipline any department head or similar position, with the exception of the School Department and Library Director, and shall, in consultation with the applicable Department Head or similar position, remove or discipline all subordinate employees of each Town department, with the exception of the School Department. *(new)*

f.c. The Town Manager shall appoint, on the basis of merit and fitness alone, with ratification by a vote of at least three members of the Select Board, and evaluate, discipline and, for cause, remove, without the ratification of the Select Board:

- i) —A Police Chief;
- ii) A Fire Chief;
- iii) A Finance Director; and *(modified from current Code)*
- iv) A Town Clerk. *(new)*

g.f. In the event of a vacancy, disability or absence greater than thirty (30) days, of any department head or any position appointed by the Town Manager, the Town Manager may appoint someone to serve in an acting or interim capacity. *(new)*

h.g. Working with the Town's Human Resource Department, the Town Manager shall be responsible for the daily administration of the Town-wide personnel system, including the maintenance of personnel records and the enforcement of personnel policies, rules and regulations and managing personnel costs to ensure maximum efficiency and fairness across Town departments. *(in current Code)*

t.h. Evaluations: The Town Manager may develop a performance evaluation process and establish performance standards not inconsistent with any terms of any collective bargaining agreement. *(new)* The Town Manager shall be responsible for the annual evaluation of job performance of all Town department heads, including the Town Clerk and other positions appointed by the Town Manager but excluding the School Department and Library Director, and may incorporate any input or recommendations received from any elected or appointed board, commission or committee served by such department heads. Evaluation of the Library Director shall include input of the Town Manager. The Town Manager shall be responsible for ensuring the completion of annual evaluations of the job performance of

subordinate Town employees, excluding those of the School Department. *(modified from current Code)*

- f.i. The Town Manager shall serve as the agent of the Select Board and negotiate collective bargaining agreements on behalf of the Select Board in accordance with General Laws Chapter 150E, provided, however, that such agreements shall be subject to ratification by the Select Board and subject to funding by Town Meeting. The Town Manager may appoint confidential staff to assist with collective bargaining. *(new)*

#### 3.4 Facilities/Property Authority and Responsibilities

- a. The Town Manager shall be responsible for the construction, reconstruction, restoration, rehabilitation, repair and maintenance of all Town buildings and all Town real and personal property, and information technology and infrastructure. Nothing in this provision shall be construed as conferring any authority upon the Town Manager to have access to information that is otherwise unauthorized under state law. *(new)*
- b. The Town Manager shall, directly or through the Town's various departments, boards, commissions and committees, maintain an inventory of all Town-owned real and personal property. *(in current Code)*

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#### 3.5 Transitional Authority and Responsibilities *(all new)*

- a. With the enactment of this Act by the General Court, Chapter 320 of the Acts of 2004, An Act Relative to the Position of Town Administrator in the Town of Wayland, shall be repealed.
- b. Following the enactment of this Act, the Select Board shall appoint a Town Manager, and if the Select Board so chooses, the incumbent Town Administrator may be appointed Town Manager.
- c. Following the enactment of this Act by the General Court, any reference to the Town Administrator existing in any provision of the Town Code or any other special act shall be construed as referring to the Town Manager. All powers and duties conferred upon the Town Administrator by the Town Code or other special act shall be vested in the Town Manager, unless otherwise provided in this Act.
- b-d. Following the enactment of this Act by the General Court, Sections 58 and 60 of the Town Code shall be repealed and of no effect.

#### § 4. Removal of the Town Manager.

The Town Manager may be removed by an affirmative vote of at least four (4) members of the Select Board in accordance with the provisions of the Town Manager's contract. *(modified from current Code)*

**§ 5. Acting Town Manager.**

If the Town Manager shall be absent from his/her office for up to fourteen (14) days, the Town Manager may designate a qualified person to serve as the Acting Town Manager and to perform the duties of the Office of the Town Manager during this period of absence. In the event the office of Town Manager shall be vacant for more than fourteen (14) days, the Select Board may appoint a qualified person to serve as the Acting Town Manager and to perform the duties of the Office of the Town Manager during the period of any vacancy caused by the Town Manager's absence, illness, suspensions, removal or resignation. The appointment by the Select Board shall be for a period not to exceed six months, but such appointment may be extended by an additional two months by majority vote of the Select Board. *(modified from current Code)*

**§ 6. Town Clerk To Become Appointed Position. *(new)***

6.1 Upon the effective date of this Act, the position of Town Clerk shall cease to be elected and shall become a position appointed by the Town Manager pursuant to Sections 3.3.e and 6 of this Act.

6.2 The incumbent in the office of Town Clerk shall continue to serve until the expiration of the term for which elected as Town Clerk, and at the expiration of that term, a Town Clerk shall be appointed by the Town Manager as provided in Section 3 of this Act. If the incumbent in the office of Town Clerk vacates said office prior to the expiration of the term for which the Town Clerk was elected, the office of Town Clerk shall cease to be an elected position and shall be appointed by the Town Manager as provided in Section 3 of this Act.

**§ 7. Conflict with Other Acts or Town Code.**

In the event that there is a conflict between any provision of this Act and any provision of the Town Code or other special act pertaining to the Town of Wayland, this Act shall prevail.

**§ 8. Time for Taking Effect. *(new)***

This Act shall take effect upon its passage by the General Court.



**Town of Wayland  
Massachusetts**

**AN ACT ESTABLISHING  
A SELECT BOARD  
AND  
THE POSITION  
OF  
TOWN MANAGER  
IN THE TOWN OF WAYLAND**

**November 2019  
Special Town Meeting**

**7/15/2019**

*3.) Town  
Manager Act -  
Establishing a Select Board and  
the position of TA -  
ppt present*



# Town of Wayland Massachusetts

## **AGENDA**

- Goals of the Select Board/Town Manager Act
- Why Change?
- What Does the Act Accomplish?
- Summary



## AGENDA

- **Goals of the Select Board/Town Manager Act**
- Why Change?
- What Does the Act Accomplish?
- Summary



## **Goals of the Select Board/Town Manager Act**

- Professionalize the structure of Wayland's government
- Coordinate administrative, operational, and financial functions
- Provide consistent approach for efficiency, effectiveness, and transparency across all departments and boards
- Use resources effectively – personnel, time, and money
- Improve legal and regulatory compliance
- Maintain volunteer opportunities





## AGENDA

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- **Why Change?**
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- Summary



## **The Executive Summary of Wayland's Financial Management Structure**

**At its core, the issue is that the financial management of the Town is severely fragmented in a way that reduces the Town's efficiency, effectiveness, and transparency.**

(Collins Center, 2018)



## Financial Compliance is at Risk

- Increased risk of non-compliance with
  - IRS regulations
  - MA Department of Revenue regulations
  - Procurement law
  
- Fragmented structure is causing deficiencies.



## **This is NOT new**

It has been recommended before:

- Charter Commission 1989
- Maximus Report 2002

And it has been recommended again:

- Collins Center 2018

Now is the time:

Wayland is a \$90 million diversified company in a highly regulated and public service environment requiring a stronger centralized management structure.



## Why Change Now?

- Organization was developed when times were simpler in Wayland
- Changes in complexity of municipal government
  - Increased regulations, financial requirements and public scrutiny
- Experts' recommendations over 30 years
- Difficulty in hiring last two Town Administrators
- Level of volunteer work cannot – and should not - be sustained



**Some say  
“If it ain’t broke, don’t fix it.”**

Some residents say:

“What we see looks great.”

“There are lots of volunteers involved, and we want to keep it that way.”

“The Town has a great bond rating.”

“We don’t trust anyone except our neighbors to run the town.”



## **But what if it is broken, and we just don't know it?**

Former Town Administrators and municipal consultants agree:

The Town has managed to achieve these things through the efforts of dedicated current and prior elected officials, appointed volunteers, and professional staff.

These accomplishments have come **in spite of, not because of**, the structure of Town Government, which appears increasingly anachronistic among Wayland's peer communities and **increasingly unable to handle the accelerating changes** Massachusetts municipalities must manage.

(Collins Center, 2018)



## Fragmented Reporting Structure

It is not just the finances that are fragmented.

Currently:

- The Town Administrator has 20 direct reports and 6 department heads appointed by boards and managed by both boards and TA.
- 40+ boards and committees source ideas and projects and set priorities for staff.
- There is little coordination of functions, efforts, or priorities among boards and committees.
- Town efforts are fragmented rather than working towards a common goal.



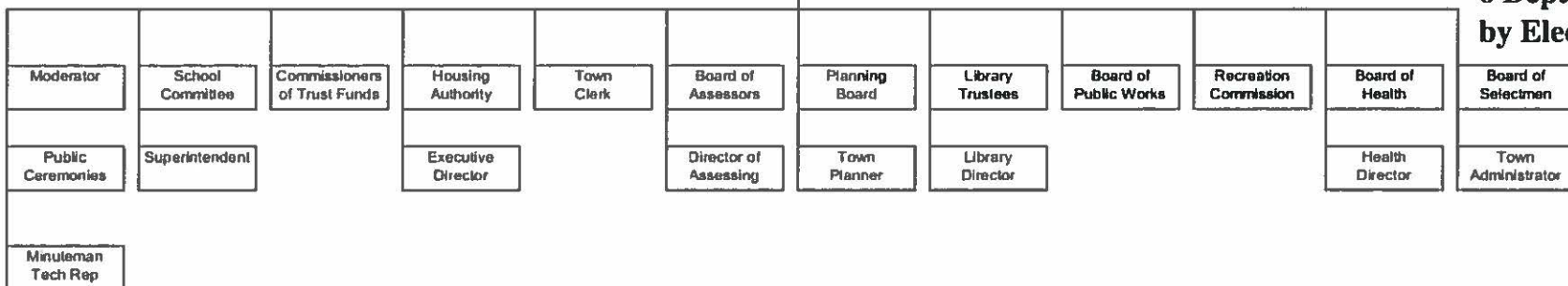


# Town of Wayland Massachusetts

## Elected Positions

Elected  
Boards by  
Voters

**10 Elected Boards;  
6 Dept Heads Appointed  
by Elected Boards**

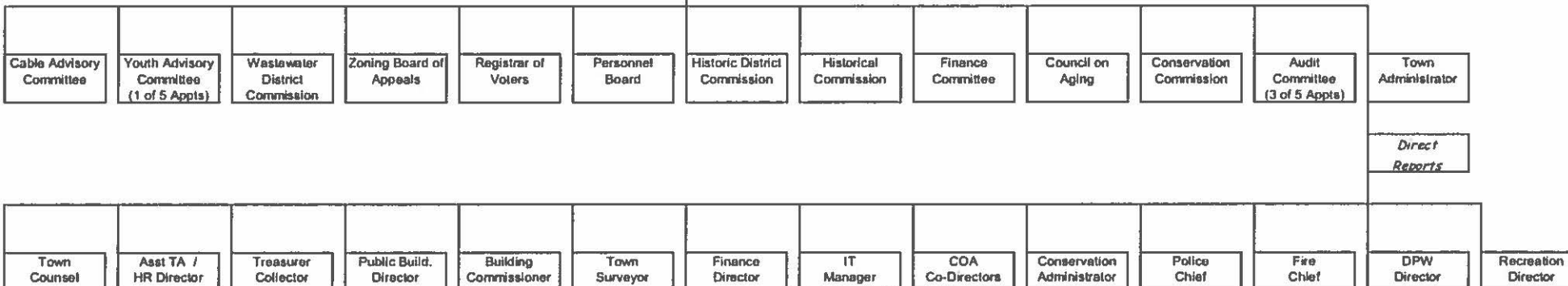


## Reporting Structure

Appointed  
Boards by  
Board of  
Selectmen

Appointments

**12+ Boards/Commissions  
20 Direct Reports**





## Collins Center Peer Analysis

Wayland Finance Committee's peer towns (current and former) have stronger statutory management structures.

- Charter: Hopkinton, Lynnfield, Marshfield, Medfield, North Andover, North Reading, Scituate, Westford, Westwood
- By-law: Carlisle, Hingham, Lincoln, Manchester-by-the-Sea
- Town Manager Act (strong language): Cohasset, Concord, Sudbury, Weston
- Town Administrator Act (weak language): Wayland



## Collins Center Peer Analysis

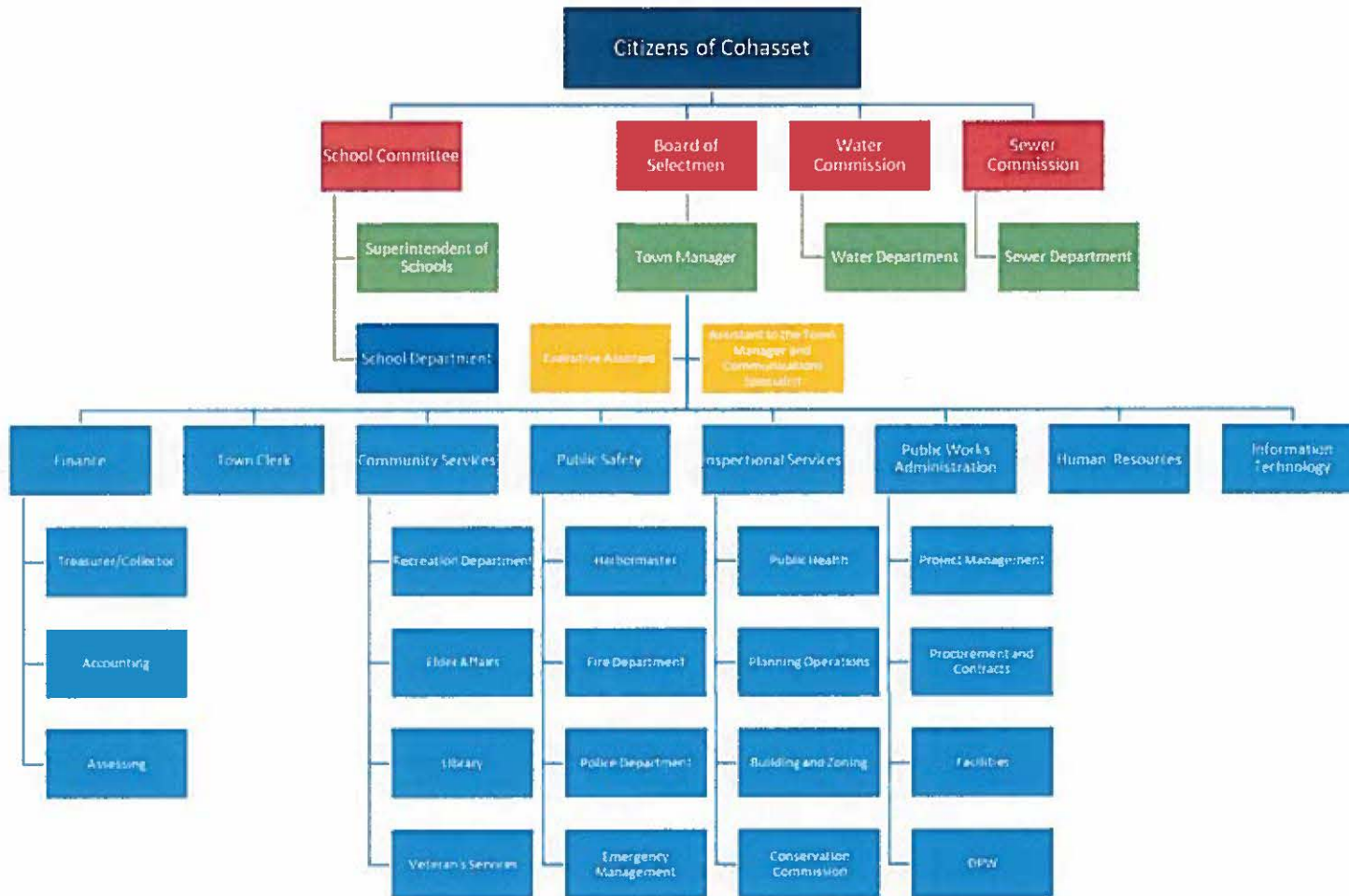
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- **Town Manager Act (strong language): Cohasset, Concord, Sudbury, Weston**
- Town Administrator Act (weak language): Wayland



# Town of Wayland Massachusetts

**EXAMPLE**

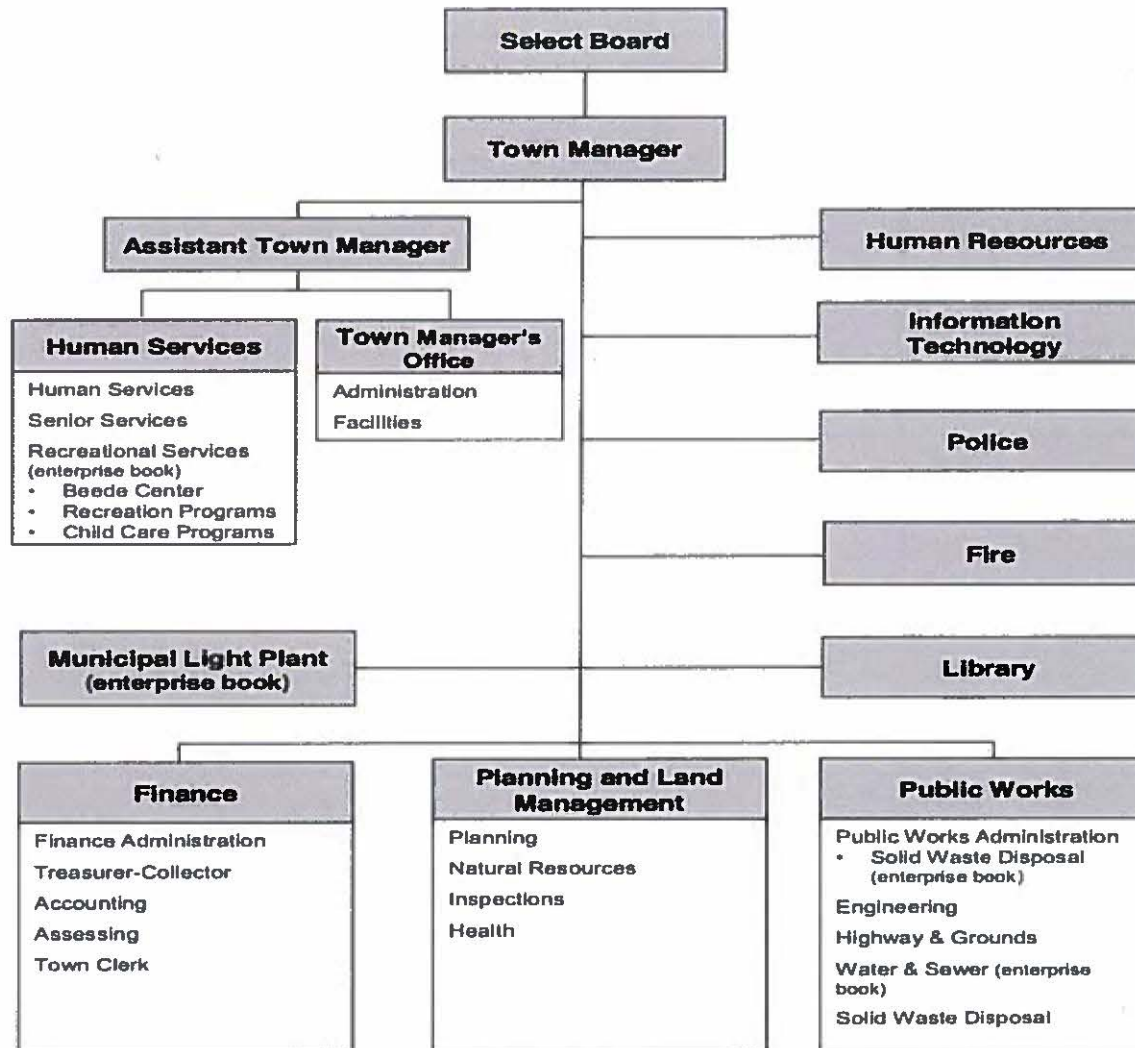




# Town of Wayland Massachusetts

**EXAMPLE**

## Town of Concord, Massachusetts Organization Chart

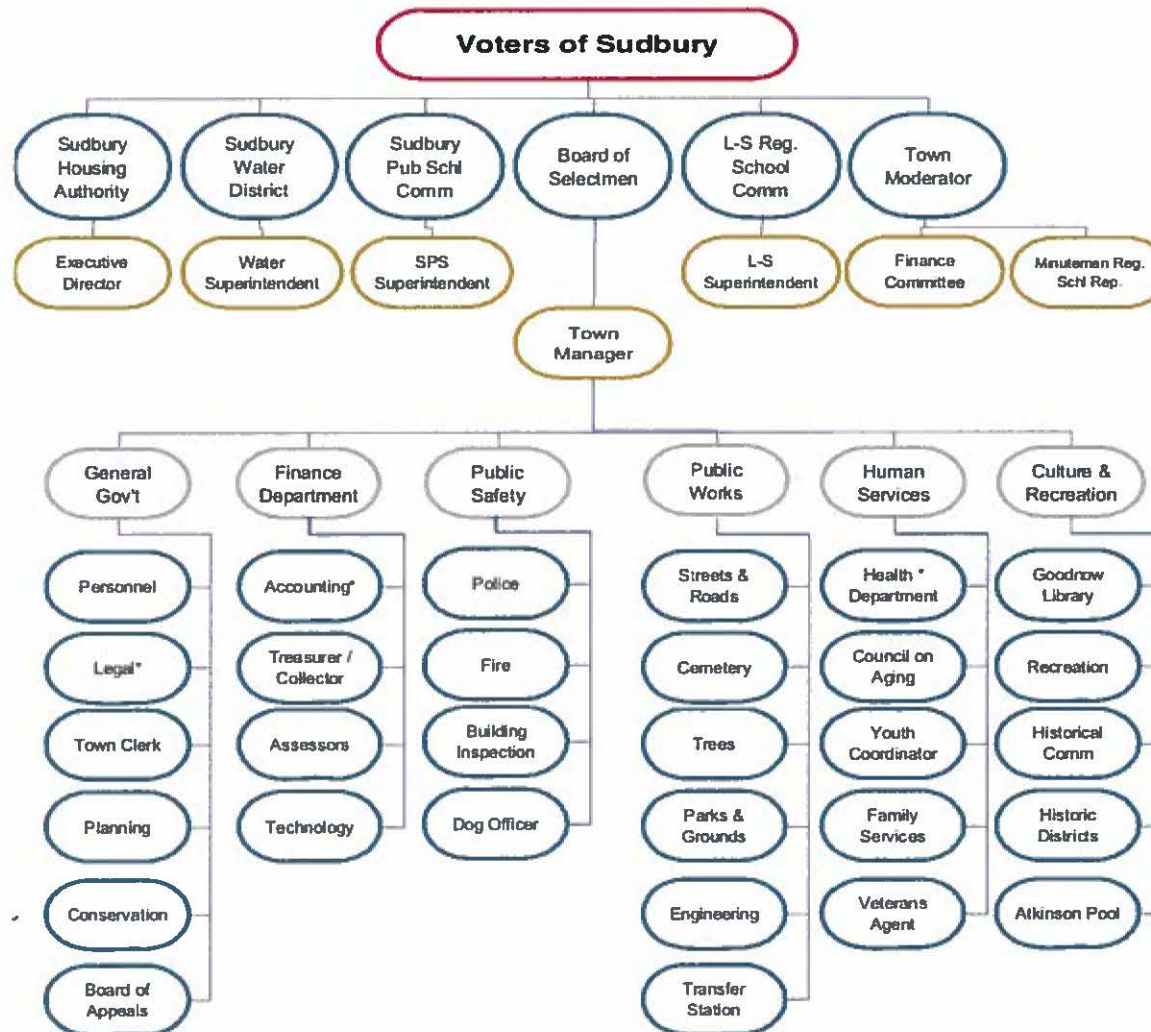




# Town of Wayland Massachusetts

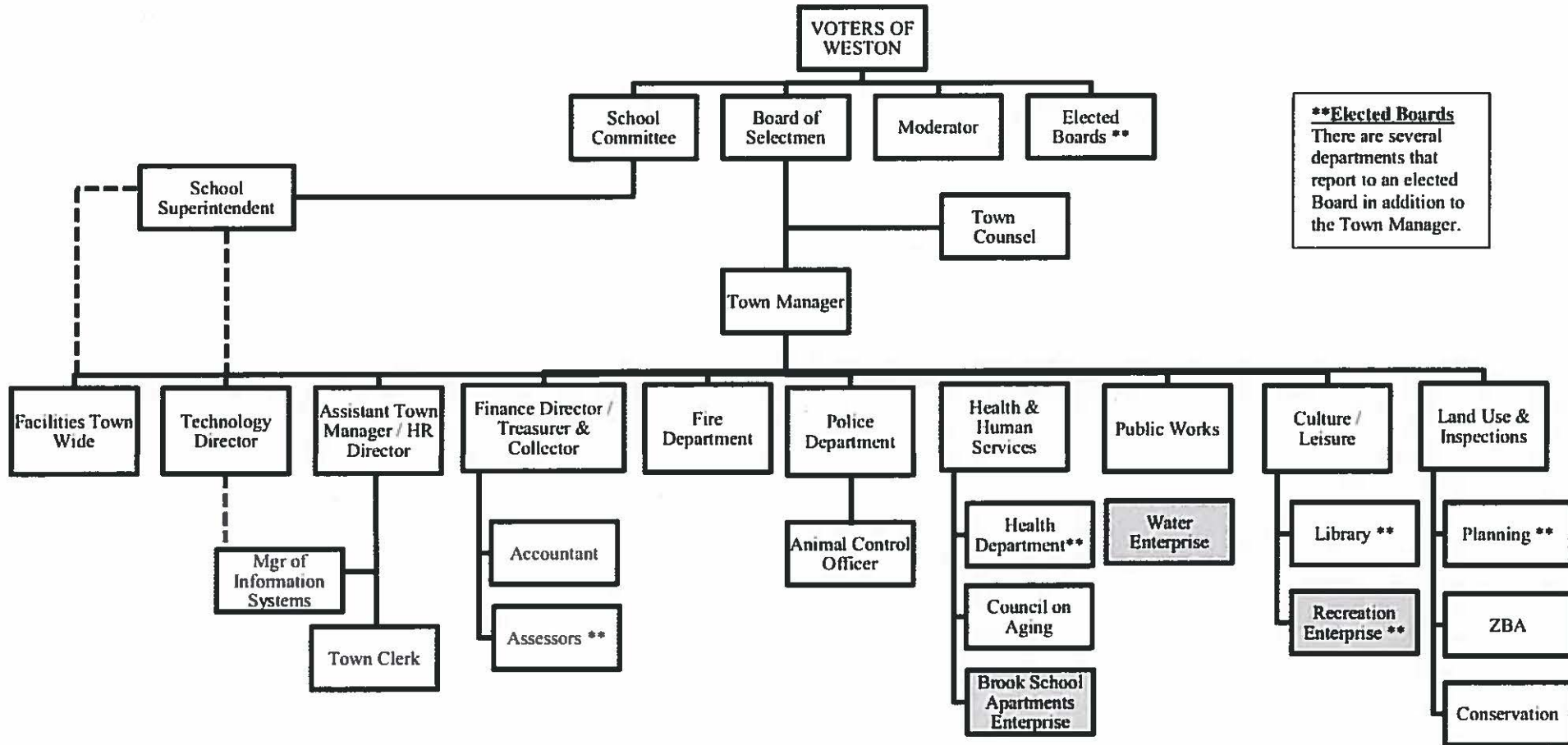
**EXAMPLE**

## Organizational Chart of the Town of Sudbury





### Town of Weston – Organizational Chart





## AGENDA

- Goals of the Select Board/Town Manager Act
- Why Change?
- **What Does the Act Accomplish?**
- Summary





## The Act Improves Government

Defines the Town Manager's Authority and Responsibility for

- Administration
- Finances
- Personnel
- Facilities/Property



## Administration

### Maintains Administrative Authority and Responsibility:

- Coordinates implementation of Town policy
- Ensures compliance with policies, procedures and law
- Coordinates setting priorities – policies, projects, staff
- Oversees emergency situations
- Communicates activities; coordinates efforts
- Responds to requests in a timely manner
  - Public Records
  - General Information
  - Complaints
  - Open Meeting Law



## Finance

### Strengthens Financial Authority and Responsibility:

- Establishes Chief Financial Officer
- Provides additional Town Manager oversight of Operating and Capital budget development
- Town Manager tasked with effective and compliant finances
- Affirms role of Town Manager as Chief Procurement Officer; ensures compliance
- Creates clear signing authority to execute and award grants; sign contracts



## Personnel

### Strengthens Personnel Authority and Responsibility:

- Centralizes employee services
- Standardizes consistent and compliant hiring practices
- Assigns responsibility for performance review standards to Town Manager
- Negotiations led by Town Manager rather than Personnel Board
- Establishes compliance with bargaining unit contracts (see next slide)



## Example: Bargaining Contract Compliance

Establishes compliance with bargaining unit contracts

- For example, Union Department Heads cannot hire, fire or review employees in same union
- Union Department Heads

Assessing Director

Building Commissioner

Conservation Administrator

Council on Aging Director

Health Director

Town Planner

Surveyor

Treasurer

Youth and Family Services Dir.



## Example: Bargaining Contract Compliance

Maintains Personnel Responsibilities with Non-Union  
Department Heads

DPW

Fire

Police

Facilities

IT

Recreation

Finance

Library



## Facilities/Property

Maintains Facilities/Property Authority and Responsibility:

- Town Manager maintains responsibility for construction, repair and maintenance of all Town
  - Buildings
  - Real and personal property
  - Information technology and infrastructure
  
- Town Manager is still responsible for maintaining an inventory of all Town-owned real and personal property



## What Does the Act Accomplish?

### **SELECT BOARD**

- Changes name from Board of Selectmen
- Reaffirms role as an executive and policy making body

### **TOWN MANAGER**

- Changes name from Town Administrator
- Defined responsibilities only as stated in Special Act

### **TOWN CLERK**

- Changes from an elected to an appointed position





## The Act does NOT change.....

- Departments continue to make operational decisions and conduct day-to-day operations.
- Boards/Committees retain rights under state law and continue to set policies and maintain all permitting and regulatory responsibilities.
- Volunteer spirit continues through over 40 elected and appointed boards.
  - All currently elected boards/committees remain elected
  - The number of appointed committees remains the same



## Town Code

Town Code is Unchanged

- Council on Aging, Chapter 12
- Finances, Chapter 19
- Planning Board, Chapter 47
- Treasurer and Collector, Chapter 72
- Board of Health, Division 2
- Director of Public Works, Chapter 151



## Town Code

### Town Code will be Updated

- Personnel, Chapter 43
  - Changes Chapter 43, section 2 B (3) responsibility for negotiations
- Board of Selectmen, Chapter 58
  - Changes name
  - Restates authority
- Town Administrator, Chapter 60 (being replaced)



**Department/Committee Specific Slides *to be Filled In***

Now

SB/TM Act

Administrative

Contracts/Grants

Legal

Policy



**Department/Committee Specific Slides *to be Filled In***

Now

SB/TM Act

Financial  
Budget

Capital Plan

Procurement



**Department/Committee Specific Slides *to be Filled In***

Now

SB/TM Act

Operations

HR/Hiring

IT

Facilities



## AGENDA

- Goals of the Select Board/Town Manager Act
- Why Change?
- What Does the Act Accomplish?
- **Summary**



## **Today's Challenge**

**Wayland appears increasingly anachronistic among Wayland's peer communities and increasingly unable to handle the accelerating changes Massachusetts municipalities must manage.**





## Summary

### The Select Board/Town Manager Act:

- Professionalizes the structure of Wayland's government
- Coordinates administrative, operational, and financial functions
- Provides consistent approach for efficiency, effectiveness, and transparency
- Uses resources effectively – personnel, time, and money
- Improves legal and regulatory compliance
- Maintains volunteer opportunities



## **CALL TO ACTION**

**Support Select Board/Town Manager Act  
at Town Meeting**