

# SELECT BOARD/TOWN MANAGER ACT

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

### Red line of existing Town Code Chapter 58 Selectmen, Board of:

#### ~~Chapter 58 Selectmen, Board of~~

~~[HISTORY: Adopted by the Annual Town Meeting of the Town of Wayland 3-12-1973 by Art. 14 as Art. 3 of the 1973 Bylaws. Amendments noted where applicable.]~~

#### § 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.

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.

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. Upon the effective date of this Act, the incumbent members of the Board of Selectmen shall continue in office for the duration of their elected terms but shall be referred to as members of the Select Board.

1.4 The Select Board shall develop and promulgate policy directives and regulations that 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 policies and regulations 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 nor shall this provision be construed as conferring upon the Select Board any policy-making directives or regulations specifically reserved to other Town boards or commissions by statute or Town Code.

1.5 The Select Board shall cause the Town Code, rules and regulations of the Town to be enforced.

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.

**§ 58-1. Commencement, prosecution and defense of suits.**

[Amended 5-3-2004 ATM by Art. 11; 4-3-2014 ATM by Art. 27]

1.7 The Select Board of Selectmen 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.

**§ 58-2. Town reports; service of warrant.** [Amended 4-16-1975 ATM by Art. 11; 11-14-1991 STM by Art. 15]

1.8 The Select Board of Selectmen 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 § 36-2 of the Towns Code.

**§ 58-3. States of emergency.** [Added 12-5-1983 STM by Art. 3]

1.9 The Select Board of Selectmen 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, public health emergency, or other natural calamity, act of terrorism, or cyber attack. Any state of emergency proclaimed by the Select Board of Selectmen shall, unless sooner terminated by proclamation of the Select Board of Selectmen, terminate five days from the day it takes effect.

**§ 58-4. Use of vehicles for Town business.** [Added 5-8-1989 ATM by Art. 19]

1.10 The Select Board of Selectmen 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. :

The use of Town-owned vehicles during a state of emergency in the Town declared by the Board of Selectmen pursuant to § 58-3 of this chapter.

The marking of Town-owned vehicles.

Recordkeeping and reporting requirements pertaining to the operation and maintenance of Town-owned vehicles.

Personal use of Town-owned vehicles and fuel, such as for commuting travel, by officials and employees of the Town.

Reimbursement for the use of privately owned vehicles by employees and officials while on Town business.