

**Policies of the Town of Charlton Board of Selectmen**

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The Board of Selectmen reviewed the **highlighted** policies at their workshop on December 11, 2018. Changes are in *Italics*.

**BOS Policy No. 1**

**Title: ACTIONS/DECISIONS/MINUTES OF MEETINGS**

**Accepted/approved on: September 1, 1999**

**Updated on: June 21, 2005**

**Amended on: March 25, 2008**

**Amended on: November 12, 2013**

**Amended on: December 11, 2018**

Any actions/decisions made by any Individual, Board, Committee or Commission appointed by the Board of Selectmen outside of their authority, are not effective until formally adopted and approved by the Board of Selectmen.

Any Individual, Board, Committee or Commission must present these items to the Town Administrator for inclusion on the next available and appropriate Board of Selectmen's meeting agenda. Once action has been taken by the Board of Selectmen, the appropriate Individual, Board, Committee or Commission will be notified.

Further actions/decisions and meeting minutes that do not require Board of Selectmen's approval must be filed with the Town Clerk and a copy forwarded via email to the town's web master at [dogcrazy@westwellswebworks.com](mailto:dogcrazy@westwellswebworks.com).

To elected boards and persons, the Board respectfully requests that you forward to the Town Administrator, actions (decisions) that do not require a vote of approval from the Board of Selectmen and a copy of all meeting minutes as filed with the Town Clerk via email to the town's web master at [dogcrazy@westwellswebworks.com](mailto:dogcrazy@westwellswebworks.com).

The following are appointed by the Board of Selectmen:

- |  |  |
|--|--|
| Activities Council                             | Historical Commission                  |
| Animal Control Officers/Animal Inspectors      | Lakes & Ponds Task Force               |
| Building Inspector, Zoning Enforcement Officer | Memorial Day Committee                 |
| Boston Post Cane Committee                     | Northside Historic District Commission |
| Bylaw Advisory Committee                       | Old Home Day Committee                 |
| Cable Advisory Committee                       | Personnel Board                        |
| Central Mass Regional Planning Commission      | Plumbing/Gas Inspector                 |
| Conservation Commission                        | Police Chief                           |
| Council on Aging                               | Police Department                      |
| Cultural Council                               | Procurement Officer                    |
| Dam Monitors                                   | Registrar of Voters                    |
| Economic Development Commission                | Sealer of Weights & Measures           |
| Emergency Management Director                  | Town Accountant/Fin Svcs Coordinator   |
| Emergency Medical Services Coordinator         | Town Counsel                           |
| Fence Viewer                                   | Veterans Agent                         |
| Fire Chief                                     | Veterans Grave Marker                  |
| Forest Warden                                  | Wiring Inspector                       |
|  | Zoning Board of Appeals                |

*And Ad-Hoc committees as needed.*

***BOS Policy No. 2***

***Title: AGENDA CLOSING***

***Accepted/approved on: March 24, 1998***

***Updated on: June 21, 2005***

***Updated on: October 28, 2014 – policy changed due to town hall closing on Fridays***

***Amended on: December 11, 2018***

The Board of Selectmen's office shall close the regular Board of Selectmen meetings' agenda at 12pm on the Thursday prior to the Tuesday meeting so as to give staff time: to collect the most up to date information; provide accurate memos; and compile the information into meeting packets.

Staff shall email *Board* members at the end of the day *on Thursday, draft packets to be finalized week of meeting*, so the Board may have time to review the materials prior to the meeting and contact the Town Administrator or others for more information if they have questions. Given that staff generally emails pertinent information in a timely fashion, the Town Administrator shall make every effort to keep the board members up to date on critical issues on an ongoing basis.

*Items that require the board's attention that come in after the agenda is closed, will be added to the agenda under Other Business or appropriate heading and forwarded to the board as soon as possible for inclusion in the packets.*

*Agendas are posted with the Town Clerk within the 48 hours required and will be updated with additional agenda items as needed.*

***BOS Policy No. 3***  
***Title: AIR CONDITIONERS IN TOWN HALL***  
***Accepted/approved on: July 8, 2014***

All air conditioners in the town hall shall be shut off at the end of each work day.

No air conditioners should be left on overnight.

**BOS Policy No. 4**  
**Title: ANTI-IDLING POLICY**  
**Accepted/approved on: October 25, 2016**  
**Updated on:**

**CHARLTON ANTI-IDLING POLICY**

This policy applies to municipal and school vehicles operated by or within the town of Charlton

**OBJECTIVES**

- 1) To eliminate unnecessary idling of vehicles in order to reduce the community’s exposure to exhaust from gasoline and diesel engines.
- 2) To educate and inform municipal employees and residents about the health and environmental effects of gasoline and diesel exhaust.

**PURPOSE**

Idling vehicles pollute the air and present several health and environmental hazards. Gasoline and diesel vehicles produce carbon monoxide, carbon dioxide, volatile organic compounds (VOCs) and oxides of nitrogen (NOx). Carbon monoxide causes respiratory distress and in high concentrations can be lethal; carbon dioxide is a primary contributor to global warming; and VOCs and NOx and form ozone, ground- level smog and impair lung function. In addition, diesel exhaust contains fine particulate matter, which the U.S. Environmental Protection Agency has designated as a likely carcinogen. The elderly, chronically ill and children are all particularly vulnerable to these health effects because their lung function is respectively decreased, impaired or still in development.

In addition, Massachusetts General Law (MGL Chapter 90, Section 16A) and the Massachusetts Department of Environmental Protection (DEP) idling reduction regulation (310 CMR 7.11(1)(b)) both prohibit unnecessary vehicle idling by stating that the engine must be shut down if the vehicle will be stopped for more than five minutes. Exemptions include: 1) the vehicle is being serviced and the idling is required to repair the vehicle; or 2) the vehicle is making deliveries and needs to keep its engine running (to power refrigerators, for example); and, 3) the vehicle’s accessory equipment needs to be powered, such as a fork lift or a truck’s rear dump bed, or a wheelchair lift in a bus or van. To provide additional protections for children, MGL Chapter 90, Section 16B further restricts unnecessary idling in school zones.

In order to reduce the health and environmental effects of vehicle exhaust, comply with the state’s idling reduction regulation and law, and decrease our use of fuel by reducing unnecessary idling, the following actions shall be implemented to the maximum extent practicable:

The Town of Charlton will implement its Idling Reduction Campaign by posting of signs in public areas, educating municipal employees and residents and establishing best management practices for municipal vehicle operations.

This policy is hereby approved by the Board of Selectmen, this 25<sup>th</sup> day of October, 2016, to eliminate unnecessary idling.

**Signature** \_\_\_\_\_  
Joseph J. Szafarowicz, Chairman

**Authorized Official**

## **TOWN OF CHARLTON ANTIFRAUD POLICY**

### **PURPOSE**

To protect the Town’s assets and reputation from misappropriation and abuse, this policy provides guidelines to safeguard against fraudulent activities and any appearance thereof. Policy objectives include:

- To create an environment in which employees and citizens can report any suspicion of fraud
- To communicate the Town’s intent to prevent, report, investigate, and disclose to proper authorities suspected fraud, abuse, and similar irregularities
- To provide management with guidelines and responsibilities regarding appropriate actions in conducting investigations of alleged fraud and similar improprieties

### **APPLICABILITY**

This policy pertains to any suspected fraud, abuse, or similar irregularity against the Town. It applies to the Board of Selectmen and all other elected town officials; their appointees; all Town of Charlton employees; and to any other persons acting on behalf of the Town, such as vendors, contractors, consultants, volunteers, temporary, and casual employees, and grant sub recipients.

### **POLICY**

The Town is committed to protecting its revenue, property, information, and other assets from any attempt, either by members of the public, contractors, consultants, vendors, agents, or its own employees, to gain by deceit, financial or other benefits at the expense of taxpayers. Town officials, employees and other persons acting on behalf of the Town must, at all times, comply with all applicable policies, laws, and regulations. The Town will not condone any violation of law or ethical business practices and will not permit any activity that fails to withstand the closest possible public scrutiny. The Town intends to fully, objectively, and impartially investigate any suspected acts of fraud or other similar irregularities regardless of the position, title, and length of service, or relationship with the government of any party who may be the subject of such investigation.

#### **A. Definitions**

Any person acting on behalf of the Town will mean any person responsible for or to Charlton’s government placed in that position by some official relationship with the Town.

Abuse can occur in financial or nonfinancial settings and refers to, but is not limited to:

- Improper use or misuse of authority
- Improper use or misuse of Town property, equipment, materials, records, or other resources
- Waste of public funds

Fraud or other irregularity refers to but is not limited to:

- Any dishonest or fraudulent act
- Forgery or alteration of any document or account
- Forgery or alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other assets
- Impropriety in the handling or reporting of money or financial transactions
- Profiteering as a result of insider knowledge of Town activities
- Disclosing confidential or proprietary information to outside parties

- Accepting or seeking anything of material value from consultants, contractors, vendors, or persons providing services or materials to the Town
- Destruction, removal or inappropriate use of records, furniture, fixtures, and equipment
- Any claim for reimbursement of expenses not made for the exclusive benefit of the Town
- Any computer-related activity involving the alteration, destruction, forgery, or manipulation of data for fraudulent purposes
- Any omissions and misrepresentations made in bond offering documents, presentations to rating agencies, and annual financial reports

#### B. Antifraud Responsibilities

Every employee has the responsibility to assist the Town in complying with policies and laws and in reporting violations. The Town encourages the support and cooperation of all employees in meeting the Town's commitment and responsibility to such compliance.

The Town Administrator and officials are responsible for instituting and maintaining a system of internal controls to reasonably ensure the prevention and detection of fraud, misappropriations, and similar irregularities. Management should be familiar with the types of improprieties that could occur within their areas of responsibility and be alert for any indications of such conduct.

The Town Administrator has primary responsibility for investigating all activity defined in this policy and will, to the extent practical, notify the Board of Selectmen of reported allegations of fraudulent or irregular conduct upon commencing the investigation. In all circumstances where there are reasonable grounds to indicate a fraud may have occurred, the Town Administrator, subject to the advice of Town Counsel, will contact the District Attorney's office and/or the Charlton Police Department. Upon concluding the investigation, the Town Administrator will report results to the Selectmen and others as determined necessary.

#### C. Disclosure

If the Town's investigation concludes that there was a violation of any federal criminal law involving fraud, bribery or gratuity potentially affecting a federal award, the Town Administrator will disclose such in writing to the federal awarding agency in compliance with the Office of Management and Budget's *Omni Circular*. Similarly, if there are findings of bond offering information falsification, the Town Accountant will disclose in writing to the bondholders.

#### **PROCEDURES**

The Town Administrator will create a set of procedures to cover all of the following at minimum:

1. Procedure and methods for reporting suspicions of fraud, abuse and other irregularities
2. Assignment of responsibilities in response to reported suspicions
3. Employee protections from retaliation
4. Security of investigation documents
5. Treatment of anonymous allegations and false allegations (intentional and unintentional)
6. Personnel disciplinary actions
7. Responsibilities around media contact
8. Training, education and awareness
9. Disclosure requirements and protocols

Upon completing these procedures, they should be referenced or appended to this policy.

#### **REFERENCES** [M.G.L. c. 149 §185](#)

U.S. Office of Management and Budget's *Omni Circular* issued December 2013

**EFFECTIVE DATE:** This policy was adopted on January 16, 2018



**BOS Policy No. 6**

**Title: APPLICATIONS FOR PUBLIC HEARINGS**

**Accepted/approved on: April 30, 2002**

**Updated on: June 21, 2005**

**Reviewed on: November 12, 2013 / No changes**

**Amended on: December 11, 2018**

*Public Hearings are required for certain types of licenses issued by the Board of Selectmen. (auto, alcohol, live entertainment, pole hearings, Chapter 61 removal requests, etc.)*

Application Form – Must be filled out completely and signed by the *applicant*.

- A. Application submitted to the Board of Selectmen Office for placement on agenda *after reviewed and approved by departments needed.*
- B. *Office will post notice required in a local paper at least seven (7) days prior to hearing date and notify abutters by certified mail, if required. Office to notify applicant of date and time of hearing. Applicant to reimburse the town for costs of legal ad and certified mail.*

**Public Hearing:**

- A. *Applicant must attend the Selectmen’s meeting to answer any questions that the Board or abutters may have.*

**BOS Policy No. 7**

**Title: APPOINTMENTS BY THE BOARD OF SELECTMEN**

**Proposed on: June 21, 2005**

**Accepted/approved on: November 26, 2013**

**Reviewed: December 11, 2018 – recommend review and add language for resignations and bring back to regular meeting**

1. *Appointment requests will be considered upon receipt by a talent bank form, email, letter or in person request and a recommendation from committee/board seeking to be appointed to. If no recommendation from the committee/board received, Board of Selectmen to make the decision of appointment.*
2. When appointments are made at the Board of Selectmen’s meetings, motion should be made to include:

**Name of individual, committee to be appointed, and term expiration date**

This will help to ensure that the appointment list is accurate on a yearly basis.

3. Expiration date of appointments from May (Town Meeting) to June 30<sup>th</sup>.

This will run the same as the fiscal year dates. July 1 - June 30<sup>th</sup>

4. New expiration date per fiscal year are subject to revisions of the Town Bylaws.

***BOS Policy No. 8***

***Title: AUTHORIZED COMMITTEES TO SPEND FUNDS***

***Accepted/approved on: November 29, 2011***

Boards/committees are not required to come back for further authorization for money supported by the Board of Selectmen at town meeting and so voted by town meeting unless some of the allowances need to have contracts and be approved by the Board or as recommended by the Town Administrator.

**BOS Policy No. 9**

**Title: BOS MEETINGS**

**Accepted/approved on: July 6, 2004**

**Amended on: March 25, 2008**

**Amended on: September 30, 2014**

**Amended on: December 11, 2018**

*All REGULAR meetings will be recorded, aired live (unless network issues arise) and will be available for replay from the town's website via TV Charlton/meetings on you tube.*

*All SPECIAL meetings will not be recorded unless the Chairman deems it necessary and staff is available to do so.*

*A GOALS & OBJECTIVES Workshop shall:*

- Be held every year after re-organization.
- Allows the Board to still take care of some miscellaneous business that have historically been done in the past (e.g. set up a meeting, vote on IOD approval, etc), be an informal meeting of the BOS with no major policy decisions to be voted on;
- Be facilitated by the Chairperson or designee, including outside facilitator, determined in advance;
- Have Town Administrator and Chairman organize goals and have follow up discussion during regular BOS meeting to prioritize goals and designate responsible parties/point person for each goal.

*All meetings are open to the public.*

**BOS Policy No. 10**

**Title: BUY RECYCLED POLICY (a/k/a RECYCLED PRODUCT PROCUREMENT POLICY)**

**Accepted/approved on: September 8, 1998**

**Amended on: June 13, 2017**

Charlton's buy recycled products policy has not been updated since September, 1998 (#43 Recycled Product Procurement Policy). We are proposing some changes to qualify for this year's Sustainable Materials Recovery Program Municipal Grant.

In its commitment to environmental responsibility, the town of Charlton conducts four hazardous waste days each year to encourage residents to recycle many items that should not be in the waste stream. Also, Charlton residents pay a number of trash haulers that provide single stream recycling along with trash pickup. Buying recycled products is another important component to this issue.

In recognition of the need to make more efficient use of our natural resources, create markets for the materials collected in recycling programs, reduce solid waste volume and disposal costs, and serve as a model for private and public institutions, the town of Charlton is committed to purchase products which are environmentally preferable and/or made of recycled materials whenever such products meet quality requirements and are available at reasonable prices and terms.

To the maximum extent practicable, the following standards should be adhered to:

- a) For all purchases of printing and writing paper for in-house use or custom printed materials by professional printers, including copier paper, offset paper, forms, stationery, envelopes, tablets, notepads and file folders, the minimum content standards shall be no less than 30% post-consumer recycled materials to meet the current state and federal minimum standards.
- b) Town departments shall ensure that all contracts for printing require the inclusion of an imprint identifying the recycled content of the paper whenever practicable, along with the recycled symbol.
- c) Additional items that may be purchased with recycled content include, but not limited to, janitorial paper products, remanufactured toner cartridges, office supplies, trash bags, refined oil and antifreeze.

This policy is adopted on the 13th day of June, in the year 2017, by the Board of Selectmen, in the Town of Charlton.

## **CAPITAL PLANNING**

### **PURPOSE**

To provide a means for planning the maintenance and improvement of capital assets and infrastructure, this policy outlines guidance for reviewing, planning, and coordinating capital improvements. This policy also promotes a systematic acquisition and replacement schedule and to ensure that, given limited resources, the Town's capital needs are met.

### **APPLICABILITY**

This policy establishes a framework for long-term capital planning, sets guidelines and expectations for all Town departments in planning for and requesting capital projects, and outlines consensus budgetary goals for the Town Administrator and Board of Selectmen.

### **POLICY**

The Town will maintain its physical assets by providing funding in the operating budget to protect its capital investments and minimize future maintenance and replacement costs. The Town sustains a capital improvement program (CIP) overseen by the Town Administrator to identify and prioritize projects, analyze funding, and create a long-term financial plan achievable within the Town's budget limitations. The Town will sustain a five-year plan for capital improvements, which will be updated annually. Included in the CIP will be those projects that will provide and preserve the infrastructure needed to achieve the highest levels of public services and quality of life possible within the available financial resources. The Town will emphasize preventive maintenance as a cost-effective approach to capital reinvestment and replace exhausted goods as necessary.

#### **A. Definition of a CIP Project**

A capital improvement is a tangible asset or project estimated to cost over \$10,000 or estimated to have or extend its useful life five or more years. These include:

- Real property acquisitions, construction, and long-life capital equipment
- Major improvements to physical infrastructure, including streets, sidewalks, stormwater drains, water distribution systems, and sanitary sewer systems
- Major renovations of existing capital items that extend their useful lifespans, as distinguished from normal operating expenditures
- Planning, feasibility studies, and designs for potential capital projects
- Items obtained under a long-term capital lease
- Bulk purchases of similar items, like software or furniture, with expected useful lifespans of five or more years that, when aggregated, have total costs exceeding the capital threshold

#### **B. Evaluation of CIP Projects**

The Town Administrator orchestrates the CIP. Only projects that have gone through the Town Administrator's review process will be included in the CIP unless required by an emergency, in which case, a written report explaining the emergency must be provided to the Town Administrator and Board of Selectmen.

The Town Administrator will evaluate and prioritize capital projects using the below criteria:

- Eliminates a hazard to public health and safety
- Required by state or federal laws or regulations
- Supports adopted plans, goals, objectives, and policies
- Stabilizes or reduces operating costs
- Replaces a clearly obsolete facility or makes better use of an existing facility
- Maintains or improves productivity or existing standards of service
- Directly benefits the Town's economic base by protecting and increasing property values
- Provides new programs having social, cultural, historic, economic, or aesthetic value
- Uses outside financing sources, such as grants
- Maintains a minimum annual \$25,000 technology investment

C. Multiyear Capital Plan

The Town Administrator will annually update and propose for adoption by the Board of Selectmen and Finance Committee a five-year capital improvement plan, including the upcoming fiscal year's capital improvement budget and a four-year projection of capital needs and expenditures that details their estimated costs, descriptions, and anticipated funding sources.

D. Capital Financing

Long-term debt is an appropriate funding source for certain types of projects, while current revenues should be used for assets with short useful lifespans. The Town will strive to maintain [three - five] percent of the general fund operating budget, net of debt, on capital investment allocations. Funding shall be derived from a combination of property taxes and the general stabilization fund.

The CIP shall be prepared and financed in accordance with the following policies:

- Grant funding shall be pursued and used to finance the capital budget whenever possible.
- Capital projects for the enterprise fund shall be financed solely from the fund's revenues.
- The annual operating costs of each proposed capital project, as well its debt service costs, shall be identified before any long-term, bonded capital project is recommended.
- Major capital projects, such as new construction or major renovations to existing facilities, may be accomplished through capital or debt exclusions.
- Infrastructure or facility maintenance budgets built into the general operating budget will not be reduced to fund other departmental budgets.

E. Capital Project Closeouts

The Town will endeavor to close out all capital projects within six months of completion. As these projects are closed out, the Town Accountant will review with the Town Administrator and do the following:

- For bonded projects with residual balances, the Town Accountant and Treasurer will propose reallocating any balances for other applicable capital projects.
- For projects funded with available revenue (tax levy or reserves) having residual balances, the Town Accountant will propose reallocating the balances for other capital projects or close the balances to the appropriate fund surplus.

**REFERENCES**

[M.G.L. c. 44, §20](#)

[M.G.L. c. 44, §33B](#)

Division of Local Services Guidance: [\*Presenting and Funding Major Capital Projects\*](#)

**EFFECTIVE DATE**

This policy was adopted on July 17, 2018



***BOS Policy No. 12***

***Title: CITIZENS PETITIONS***

***Accepted/approved on: June 21, 2005***

***Amended on: March 25, 2008***

***Reviewed on: November 26, 2013 / No changes***

***Amended on: December 11, 2018***

Per Massachusetts General Law, Chapter 39, Section 10, all petitions received for Town Meetings, whether Annual or Special, shall be submitted to the Selectmen's Office *and/or Town Clerk*. The Selectmen's office *and/or Town Clerk* will stamp the petition with the date received and forward to the Town Clerk for the Board of Registrars of Voters to check and certify the number of signatures so checked which are the names of voters in the town.

At the time of receipt, a contact name, address and phone number should be received by the Selectmen's Office *and/or Town Clerk and* duly noted. Once the proper amount of registered voter signatures are verified, the petition will be returned to the Board of Selectmen's office for processing.

No one person shall have the authority to change, alter or retract such petition unless approved by all signatures on original petition.

Whenever possible, citizens shall provide the Board of Selectmen's Office an electronic copy of the language of the petition.

*If any citizen has a question on how to word the petition, they are urged to contact the Town Administrator for assistance.*

**CIVIL FINGERPRINTING FOR LICENSES**

<b>POLICY &amp; PROCEDURE NO.</b> <b>4.31</b>	<b>ISSUE DATE:</b> _____
	<b>EFFECTIVE DATE:</b> _____
MASSACHUSETTS POLICE ACCREDITATION STANDARDS  REFERENCED:	<b>REVISION DATE:</b> _____

**1. GENERAL CONSIDERATIONS AND GUIDELINES**

As authorized by Massachusetts General Laws Chapter 6, Section 172 B ½, this community requires applicants for certain municipal licenses to submit to fingerprinting by the Charlton Police Department. That statute authorizes the Charlton Police Department to conduct criminal record background checks based on such fingerprints and the municipal licensing authority to consider the results of such background checks in determining whether or not to grant a license. This policy does apply to license renewals and transfers for the following as approved at the Town of Charlton Annual Town Meeting on May 21, 2012 and by the Office of the Attorney General as outlined in their approval letter dated September 9, 2012:

- Hawking and Peddling license or other door to door salespeople
- Manager of Alcoholic Beverage License
- Owner or Operator of Public Convenance
- Dealer of Second-hand Articles
- Pawn Dealers
- Scrap Metal Dealers
- Hackney Drivers
- Ice Cream Truck Vendors

The state law also authorizes the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Systems (DCJIS), and the Federal Bureau of Investigation (FBI), as may be applicable, to conduct fingerprint-based state and national criminal record background checks, including of FBI records, on such license applicants at the request of the Charlton Police Department.

Authorized Municipal licensing authorities may utilize the results of fingerprint-based criminal record background checks for the sole purpose of determining the suitability of the license applicants. The licensing authority may deny an application for a license on the basis of the results of a fingerprint-based criminal record background check if it determines that the results of the check render the subject unsuitable for the proposed occupational activity. The

licensing authority shall consider all applicable laws, regulations and municipal policies bearing on an applicant's suitability in making this determination.

The Police Chief shall periodically check with the Executive Office of Public Safety and Security (“EOPSS”) which has issued an Informational Bulletin which explains the requirements for town by-laws or city ordinances and the procedures for obtaining criminal history information, to see if there have been any updates to be sure the municipality remains in compliance.

## **2. POLICY**

It is the policy of this department to:

Conduct State and Federal Fingerprint Based Criminal History checks for individuals applying for those municipal licenses specified in the Town by-law adopted pursuant to Massachusetts General Laws Chapter 6, Section 172 B ½ and to disseminate the results of such fingerprint-based criminal background checks only as may be provided by law, regulation, and municipal policy.

Not utilize and/or transmit the results of the fingerprint-based criminal record background check to any licensing authority until it has taken the steps detailed in this Policy, including affording an applicant with the opportunity to provide additional information to, or challenge the accuracy of, the information contained in the fingerprint-based criminal background check.

## **3. PROCEDURES**

### **A. FINGERPRINTING LICENSE APPLICANTS**

1. An applicant seeking a license for which civil fingerprinting is required shall submit a full set of fingerprints to be taken the Charlton Police Department.
2. Applicants must make an appointment by calling the Charlton Police Department at (508) 248-2259. The applicant will only be fingerprinted by a Charlton Police Officer at the Charlton Police Department, 85 Masonic Home Road, Charlton, MA – Monday through Friday, during regular business hours.
3. At the time of the fingerprinting, the applicant shall be notified that the fingerprints will be used to check the applicant’s criminal history records.
4. Fingerprint cards will be provided by the Department for each person being fingerprinted. The fingerprint card shall contain “License” in the “Reason Fingerprinted” block of the fingerprint card.
5. Upon receipt of the fingerprints and the appropriate fee, the Police Department shall transmit the fingerprints it has obtained pursuant to this by-law to the Identification Section of the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Services (DCJIS), and/or the Federal Bureau of Investigation (FBI) or the successors of such agencies as may be necessary for the purpose of conducting fingerprint-based state and national criminal records background checks of license applicants specified in the Town of Charlton Civil Fingerprinting By-law.
6. Results of the fingerprint based criminal record background checks will be sent to a designated secure website managed by the Massachusetts Department of Criminal Justice Information Services

(DCJIS). This site will be only accessed by the Chief of Police or his/her designee. These results will then be forwarded to the officer assigned to the background check of the applicant.

## **B. FEES**

The fee charged by the Charlton Police Department for the purpose of conducting fingerprint-based criminal record background checks shall be fifty dollar (\$ 50.00) as specified in the Town by-law. The Town Treasurer shall periodically consult with Town Counsel and the Department of Revenue, Division of Local Services regarding the proper municipal accounting of those fees.

1. A portion of the fee in the amount of \$30.00, as currently specified in Mass. Gen. Laws Chapter 6, Section 172B ½, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund.
2. The remainder of the fee shall be forwarded to the Town Treasurer's Office.

## **C. BACKGROUND INVESTIGATOR:**

1. All applicants undergoing a licensing-related criminal record background check will be afforded the opportunity to meet with the Police Background Investigator.
2. Any applicant, upon request, will be provided with a copy of the results of his/her fingerprint-based criminal background check.
3. Applicants will have the opportunity to provide additional information to, or challenge the accuracy of, the information contained in the fingerprint-based criminal background check, including in the FBI identification record prior to rendering a suitability evaluation.
4. Should the record subject seek to amend or correct his/her record, he/she must take appropriate action to correct said record, which action currently includes contacting the Massachusetts Department of Criminal Justice Information Services (DCJIS) for a state record or the FBI for records from other jurisdictions maintained in its file. An applicant that wants to challenge the accuracy or completeness of the record shall be advised that the procedures to change, correct, or update the record are set forth in Title 28 CFR 16.34.
5. As part of the application package issued by the municipality's licensing authority, all applicants will be supplied with information regarding the procedures for obtaining a change, correction, or updating of a criminal record, including a copy of 28 C.F.R. Part 16.34 pertaining to FBI Identification records and DCJIS's "Information Concerning the Process in Correcting a Criminal Record."
6. In no event shall the Background Investigator render a suitability evaluation based solely on the results of the fingerprint-based criminal record background check before the investigator has:
  - a. Insured that the subject has been provided with a copy of the municipality's policy applicable to licensing-related criminal record background checks,
  - b. Notified the subject in person, by telephone, fax, or electronic or hard copy correspondence of a potential adverse determination,
  - c. Provided the subject with a copy of the results of his or her criminal record

background check and with information concerning the source of the criminal history record,

- d. Identified for the subject the part of his or her CORI that appears to make him or her unsuitable,
- e. Insured that the subject has been provided with a copy of 28 C.F.R. Part 16.34 and DCJIS's "Information Concerning the Process in Correcting a Criminal Record," and
- f. Afforded the subject a reasonable time to dispute the accuracy of the CORI or otherwise present to the licensing authority any mitigating or other circumstances bearing on the CORI.
- i. The Background Investigator shall document all steps to comply with this section.

7. The Charlton Police Department shall communicate the results of fingerprint-based criminal record background checks to the appropriate governmental licensing authority only after it reasonably believes that the results of a criminal record background check are complete and accurate.

8. Certain criminal offenses listed on a record may automatically disqualify an applicant from certain positions by statute. Unless otherwise provided by applicable law or regulation, the Charlton Police Department shall not consider a criminal record to automatically disqualify a subject. Rather, the Background Investigator will render a suitability evaluation consistent with this policy, the municipality's policy applicable to licensing-related criminal record background checks and applicable laws and regulations. Factors the Background Investigator will consider in making suitability evaluation include, but are not limited to:

- a. Relevance of the record to the position;
- b. The nature of the work to be performed;
- c. Time since the conviction;
- d. Age of the subject at the time of the offense(s);
- e. Nature, gravity, and specific circumstances of the offense(s);
- f. The number of offenses;
- g. Whether the subject has pending charges;
- h. Any relevant evidence of rehabilitation efforts or lack thereof;
- i. Applicable laws and regulations setting forth criminal history disqualifiers; and
- j. Any other relevant information, including information submitted by the subject.

9. The Background Investigator shall include in his or her final report to the Chief of Police rendering a suitability evaluation whether the applicant has been convicted of, or is under pending indictment for, a crime that bears upon his/her suitability, or any felony or misdemeanor that involved force or threat of force, controlled substances or sex-related offense, as may be available to the Charlton Police Department in connection with licensing-related background checks.

10. The Background Investigator shall include in his or her final report rendering a suitability evaluation any information provided by the subject bearing on the accuracy or completeness of the results of the subject's criminal history record or regarding any mitigating or other circumstances identified by the subject.

11. All final reports shall be submitted to the Chief of Police. No reports shall be released to other municipal employees or board members without the prior approval or authorization from the Chief of Police.

**BOS Policy No. 14**

**Title: CLOSING/DELAYED OPENING OF THE TOC MUNICIPAL OFFICES**

**Accepted/approved on: September 1, 2004**

**Amended on: January 25, 2011**

**Amended on: January 16, 2013**

**Amended on: March 5, 2013**

**Amended on: December 11, 2018**

- 1.0 **PURPOSE:** This policy shall define a procedure for the closing/delayed opening of the municipal buildings which are under the control of the Board of Selectmen, due to snow or other natural or emergency conditions
  - 1.1 This policy shall not apply to School Department, Highway Department personnel, Police & Fire Department personnel and other public safety personnel. However, this policy shall apply to Highway Department assistants if approved by their department head and to Police & Fire Department assistants, Water/Sewer Assistants, Council on Aging assistant and all Library Personnel if, and for so long as, endorsed by their appointing authority.
- 2.0 **STATEMENT:** Unless the Municipal Office Building and/or another Town building or buildings are officially closed as designated under Section 3.0 CLOSING, the following shall apply.
  - 2.1 All employees are expected to report as scheduled for work.
  - 2.2 If an employee is going to be late for work, the employee should let her or his supervisor know, by telephone as soon as reasonably possible and before the scheduled starting time. If an employee is going to be more than one hour late for work, vacation or personal time must be used for the amount of time not worked, and the employee must notify her or his supervisor as to same following the procedure set forth in second sentence of § 2.3 immediately below.
  - 2.3 In the event that an employee is unable to get to work (on a day that the building in which she or he works is open for business) due to any circumstance described herein, the employee will be allowed to use a personal or vacation day to offset the potential of lost wages. Provided, however, that in order to exercise this option, the employee must notify her or his supervisor within two business days, by telephone or email, and inform such supervisor at that time: (a) of the decision to use such a day; and (b) of which type of leave day, be it personal or vacation, that the employee is choosing to use.
  - 2.4 As soon as reasonably possible: (a) each Department Head, by means of an email to the Town Administrator, must notify the Board of Selectmen regarding the staffing of such Department Head's office; and (b) the Town Administrator in turn shall inform the Chair of the Board of Selectmen of such.
- 3.0 **CLOSING OF OFFICES PRIOR TO START OF WORK DAY:** In the event that a snowstorm, or other natural disaster or emergency circumstance, requires that certain Town Buildings, or Building, be closed prior to the start of the work day, the decision to close the building(s) shall be made as follows:

- 3.1 The Town Administrator shall consult with the Police Department and Highway Superintendent, and/or other appropriate emergency personnel such as Fire and Emergency Management, regarding the issue at hand. The Town Administrator shall then inform the Chairman of the Board of Selectmen of this information. The Chairman of the Board of Selectmen shall then make the decision to open or close the building(s).
- 3.2 If the decision to close is made prior to the start of work, the Town Administrator or such Administrator's designee shall provide notice in the following ways: 1) an email shall be sent to department heads; 2) a voice message on the town's internal phone system (508-248-2230) *and* a notice shall be posted on the Charlton website.
- 3.3 The procedure outlined above (3.1 and 3.2) shall also be used for a Delayed Opening of the Town of certain Town Buildings under the control of the Board of Selectmen.
- 4.0 **CLOSING OF OFFICES DURING WORK DAY:** If the closing occurs during working hours, the Town Administrator or such Administrator's designee shall have notice of same announced over the intercom to all employees in the Municipal Office Building and to all off-site employees who normally work in such Building via telephone, and shall have the appropriate Department Head(s) in other buildings notify their department's employees by whatever reasonable means is most appropriate.

## **5.0 COMPENSATION**

- 5.1 In the event that one or more town buildings under the direction of the Board of Selectmen is or are closed pursuant to this policy, each employee who would have or would have continued to work but for such closure will be compensated, in full, for such time as the employee would actually have worked if it were not for such closure and so long as such official closure remains in effect.
- Provided, however: (a) that in the event such a building is reopened prior to the end of an employee's normal work shift and the Town Administrator or such Administrator's designee notifies the employee by telephone of such re-opening by speaking with the employee or an adult member of the employee's household, or by leaving a message on the employee's answering machine or voice mail, the employee shall report for work within thirty (30) minutes and shall not be compensated for any part of a shift not worked after such reporting time; and (b) that nor shall an employee be paid for any work time missed following the time specified in any delayed opening time notice, such as in case of a one or two hour delayed opening in an ice storm situation.
- 5.2 In the event that a town building under the direction of the Board of Selectmen is closed, any employee using vacation time, personal time, or sick time on the day that the building is closed will not be compensated under Section 5.1.
- 5.3 If an employee is not scheduled to work because of vacation, personal, sick, compensatory and/or bereavement time, the employee will not receive compensation or credit for any time that the building is closed.
- 5.4 The provisions of 5.1 – 5.3 above are intended to prevent an employee from losing pay solely due to the employer's decision to close or delay the opening of a municipal building, and to prevent duplicative payment to any employee receiving any type of pay from the Town during the period of such delay or closure. The provisions of this Policy shall therefore be construed and interpreted in such a way as to effectuate the aforementioned intent.



**6.0 DEPARTMENT HEAD RESPONSIBILITY FOR ADEQUATE STAFFING**

It is the responsibility of the Department Head to ensure that there is adequate office coverage at all times when Town buildings are open for business.

**7.0 CONSTRUCTION OF POLICY VIS-À-VIS COLLECTIVE BARGAINING AGREEMENT HOLIDAY PAY PROVISIONS**

No collective bargaining agreement provision specifying that an employee is precluded from receiving holiday pay if such employee takes an “unscheduled” day off the day immediately before or after a holiday shall be construed in such a manner as to disqualify an employee from receiving such holiday pay solely due to the fact that a town building is closed pursuant to this policy. In other words, solely for this purpose, a day when the Board of Selectmen closes a building in accordance with this Policy shall not be considered an “unscheduled” day off for purposes of such a collective bargaining agreement provision.

This Policy, as amended above, shall take effect immediately upon approval by the Board of Selectmen, whereupon it shall supersede all earlier versions of this Policy.

***BOS Policy No. 15***

***Title: COMMUNICATION INVOLVING ELECTRONIC DEVICES***

***Proposed on: June 16, 2009***

***Accepted/approved on: June 16, 2009***

***Reviewed on: December 10, 2013 / No changes***

***Amended on: December 11, 2018***

No member of a Board or Committee shall communicate using any electronic device in a meeting with a quorum of the board present where such communication involves the discussion of any item which is pending before the board or which is likely to be brought before the board.

*Anyone attending a meeting shall be asked to put their phone on vibrate so as not to disrupt the meeting.*

**BOS Policy No. 16**

**Title: COMMUNITY SIGN BOARD**

**Proposed on: July 22, 2014**

**Accepted/approved on: August 4, 2015**

**Rules for the Charlton Community Sign Board at Bond Square**

- 1.0 **PURPOSE:** This policy shall define a procedure for the use of the Charlton Community Sign Board which is under the control of the Board of Selectmen.
- 2.0 **Use and Duration**
  - 2.1 The following groups may make use of the Community sign board;  
Municipal  
Civic  
Fraternal  
Youth Activities  
Scouts
  - 2.2 The following are prohibited from the use of the Community sign board;  
Political Advertisement  
Commercial Advertisements
  - 2.3 All signs displayed in front 5 Main Street after the enactment of this policy will comply with the requirements contained herein.
  - 2.4 Political or candidate standalone signs may be erected for a period of 21 days prior to the election and removed within 5 days after the election and be no larger than 32” by 24”. These signs must be placed in such a manner that does not obstruct the Community Sign or interfere with traffic sight lines.
  - 2.5 The Town of Charlton reserves the upper spaces for its use as needed.
  - 2.6 Duration of Posting will be a maximum of 21 days before the event and remain a maximum of 5 days after the event or sooner if the space is needed.
- 3.0 **Sign Construction and format**
  - 3.1 Sign panels are approximately 60” by 21” white in color. Blank aluminum panels are available from the Town of Charlton for purchase at \$25 each, once purchased the panel will be the property of the organization.
  - 3.2 Alternately signs fabricated from 4mm white corrugated plastic sheets no larger than 60” by 21” may be provided by the organization.
  - 3.3 Lettering and graphics is the responsibility of the organization. The background of the panel will remain white. Lettering will be Times New Roman Bold font, black in color. It is recommended that 3” or taller letters be used. The lettering, logos, and graphics shall maintain a neat and orderly appearance. Logos may be in colors consistent with the organizations normal logo color scheme.
  - 3.4 Any sign determined to be offensive may be removed at the direction of the Town Administrator. Appeal of the Town Administrators decisions will be to the Board of Selectmen.
  - 3.5 Installation and removal of the sign panels will be the responsibility of applicant. Applications will be made to the Inspectional Services office and will be approved on a first come first serve basis except for Town events which have priority.
  - 3.6 Installation and removal of the sign panels will be the responsibility of the organization. Failure to remove the sign panel within the designated times may result in the ability to use the community sign board in the future.
  - 3.7 The Town of Charlton will not be responsible for missing or damaged sign panels.

**4.0 Application**

4.1 Application will be on forms provided which will include the organizations name, responsible party, contact information, date of the event, proposed wording and layout of the sign panel. The applicant will sign the application acknowledge that the Town will be held harmless.

**Charlton Community Sign Board**

**Application**

**Organization name** \_\_\_\_\_

**Affiliation:**     Municipal     Civic     Fraternal     Youth Activities     Scouts

**Authorized/contact person:** \_\_\_\_\_

**Phone** \_\_\_\_\_

**E-mail** \_\_\_\_\_

**Date of the event** \_\_\_\_\_

**Proposed wording:**

I, \_\_\_\_\_, upon this application, so do declare that it will be my responsibility to install and remove the sign and further, I fully release the Town from any responsibility including lost, damaged and stolen signs.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Return applications to the Board of Selectmen’s Office.

**SAMPLE SIGN AND LETTERING:**



**BOS Policy No. 17**

**Title: COMPLETE STREETS POLICY STATEMENT**

**Accepted/approved on: September 28, 2016**

**Accepted/approved by the Planning Board: September 7, 2016**

**Effective Date: September 28, 2016**

**1 Vision & Purpose:**

The purpose of Charlton's Complete Streets policy is to accommodate all road users by creating a road network that meets the needs of individuals utilizing a variety of transportation modes. The focus area for implementing the Complete Streets Policy is the Charlton Village District, as recommended in the Charlton Village District Priority Development Area (PDA) Assessment report prepared for the Charlton Planning Board by the Central Mass. Regional Planning Commission (CMRPC) dated May, 2015.

The Town of Charlton will, to the maximum extent practical, design, construct, maintain and operate all streets to provide for a comprehensive and integrated street network of facilities that are safe for all users of all ages and abilities, including children, families, older adults and individuals with disabilities, as a matter of routine.

This policy directs decision-makers to consistently plan, design and construct streets to accommodate all anticipated users including, but not limited to pedestrians, bicyclists, motorists, emergency vehicles, and freight and commercial vehicles.

**II. Core Commitment: A. Definition**

"Complete Streets" are streets that are designed and operated to provide safety and accessibility for all users of roadways, trails and transit systems including pedestrians, bicyclists, transit riders, motorists, commercial vehicles and emergency vehicles and for people of all ages and of all abilities. Furthermore, Complete Streets principles contribute toward the safety, health, economic viability and quality of life in a community by providing accessible and efficient

connections between home, school, work, recreation and retail destinations by improving the pedestrian and vehicular environments throughout communities.

**B. Scope of Applicability**

(1) All town-owned transportation facilities in the public right of way within the Charlton Village District including, but not limited to streets, bridges and all other connecting pathways shall be designed, constructed, operated and maintained to support the concept of Complete Streets so that users of all ages and abilities can travel safely and independently

(2) The Town of Charlton recognizes that every Village District transportation improvement and project phase are opportunities to apply Complete Streets design principles. These phases include, but are not limited to: planning, programming, design, right-of-way acquisition, construction, construction engineering, reconstruction, operation and maintenance. The Highway Superintendent shall consult with the Planning Board regarding the feasibility of applying Village District Complete Streets principles for routine roadway maintenance and projects prior to conducting the work and use the exception criteria outlined under Section II, Paragraph C of this Complete Streets policy statement.

(3) Complete Streets design recommendations shall be incorporated into all publicly and privately-funded Village District projects, as appropriate. All Village District transportation infrastructure and street design projects requiring funding or approval by the Town of Charlton, as well as projects funded by the state and federal government, such as Chapter 90 funds, MassWorks Infrastructure Program, Transportation Improvement Program (TIP), Community Development Block Grants (CDBG), and other state and federal funds for street and infrastructure design shall adhere to (comply with) the Town of Charlton Complete Streets Policy. Private developments and related street design components or corresponding street-related

components shall adhere to (comply with) the Complete Streets principles. In addition, to the extent practical, state-owned roadways will comply with the Complete Streets policy, including the design, construction and maintenance of such roadways within Town boundaries.

(4) Special attention should be given to projects which enhance the overall transportation system and its connectivity. Specifically, high priority should be given *to*:

(i) Corridors providing primary access to one or more significant destinations such as parks or recreation areas, schools, shopping/commercial areas, public transportation, or employment or medical centers;

(ii) Corridors providing important continuity or connectivity links to existing pedestrian or bicycle networks.

### **C. Exceptions**

Transportation infrastructure may be excluded from application of Complete Streets elements when:

(i) The existing right-of-way does not allow for the accommodation of all users. In this case, alternatives may be explored such as obtaining additional right-of-way, use of revised travel lane configurations, paved shoulders or signage.

(ii) The activities are ordinary maintenance activities designed to keep assets in serviceable condition (i.e., mowing, cleaning, sweeping, spot repair);

(iii) The construction is not practically feasible or cost effective because of unreasonable adverse impacts on the environment or on neighboring land uses;

(iv) The cost or impacts of accommodation is excessively disproportionate to the need or probable use or probable future use;

(v) The application of Complete Streets principles is unnecessary or inappropriate because it would be contrary to public safety and increase risk of injury or death;

(vi) The roadway is privately owned.

## **III. Best Practices**

### **A. Context Sensitivity**

Complete Streets principles include the development and implementation of projects in a context sensitive manner in which project implementation is sensitive to the community's physical, economic and social setting. The context-sensitive approach to process and design includes a range of goals by considering stakeholder and community values on a level plane with the project need. It includes goals related to livability with greater participation of those affected in order to gain project consensus. The overall goal of this approach is to preserve and enhance scenic, aesthetic, historical and environmental resources while improving or maintaining safety, mobility and infrastructure conditions. The Town of Charlton will weigh a project in keeping with the character of the Village District as a factor in its decision making about each project.

### **B. Design Standards**

The latest design guidance, standards and recommendations available will be used in the implementation of Complete Streets, including:

- The Mass. Department of Transportation Project Design and Development Guidebook

- The National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide
- The National Association of City Transportation Officials (NACTO) Urban Street Design Guide
- Pioneer Valley Planning Commission's Healthy Community Design Toolkit
- The United States Department of Transportation Federal Highway Administration's Manual on Uniform Traffic Design Controls
- The latest edition of the American Association of State Highway and Transportation Officials (AASHTO) A Policy on Geometric Design of Highway and Streets
- The Architectural Access Board (AAB) 521CMR Rules and Regulations
- Documents and plans created for the Town of Charlton, such as the Town of Charlton 2008 Master Plan, Charlton Village District PDA Assessment Report (May 2015), Charlton E.O. 418 Community Development Plan (May 2004) and the Rules and Regulations Governing The Subdivision of Land in Charlton, Massachusetts (October 2011).

In recognition of context sensitivity, public input and the needs of many users, a flexible, innovative and balanced approach that follows other appropriate design standards may be considered, provided that a comparable level of safety for all users is present.

### **C. Performance Measures**

Complete Streets implementation and effectiveness should be constantly evaluated for success and opportunities for improvement. The Planning Board in its Village District planning and implementation efforts will work with the Highway Superintendent each year to ensure the upcoming year's Village District road projects meet the Complete Streets principles to the most practical extent possible.

## **IV. Implementation**

The Town of Charlton will make Complete Streets practice a routine part of everyday operations, shall approach every transportation project and program as an opportunity to improve the Village District streets and the transportation network for all users, and shall work in coordination with other departments, agencies and jurisdictions to achieve Complete Streets.

The Town will implement the Complete Streets principles through the following means:

- (1) The Highway Superintendent and Planning Board will be ensuring the implementation of the Complete Streets Policy and where necessary, in coordination with applicable Town boards, commissions and departments will review and recommend proposed revisions to all appropriate documents, by-laws, procedures, rules and regulations.
- (2) When available, the Town will encourage staff to attend professional development and training on non-motorized transportation issues through attending conferences, classes, seminars and workshops.
- (3) The Town will utilize inter-departmental coordination to promote the most responsible and efficient use of resources for activities within the public way.
- (4) The Town will seek out appropriate sources of funding and grants for implementation of Complete Streets policies.

The Town of Charlton recognizes that "Complete Streets" may be achieved through single elements incorporated into a particular project or incrementally through a series of smaller improvements or maintenance activities over time.

**TOWN OF CHARLTON**  
**CONFIDENTIALITY AGREEMENT**

Whereas, \_\_\_\_\_ (the “Employee”) is employed by the Town of Charlton (the “Town”) as \_\_\_\_\_ (Title); and

Whereas, in the Employee’s capacity as \_\_\_\_\_ (Title), the Employee has access to confidential information and records of the Town; and

Whereas, under M.G.L. c. 286A, §23 and c. 214, §1B, the Employee must safeguard such confidential information;

Now, therefore, in consideration of the terms of the Agreement and the employment of the Employee by the Town, the Employee understands and agrees as follows:

1. The Employee acknowledges that, because of the Employee’s employment with the Town in the position of \_\_\_\_\_ (Title), the Employee has access to and is expected to work with Confidential Information, and that the discussion about or sharing of, as well as the use, release or revealing of such Confidential Information to any person for any purpose other than in connection with the legitimate and necessary business of the Town would be detrimental to the Town and the persons whose confidential information is at issue.

For the purposes of this Agreement, “Confidential Information” shall mean information of the Town and its personnel, whether the information may ultimately be disclosed to the public or not, known by the Employee as a consequence of the Employee’s employment with the Town at any time. Confidential Information includes, but is not limited to (a) personnel records, including those maintained by the Town pursuant to M.G.L. c.149, § 52C; (b) payroll, salary and deduction/withholding information; (c) collective bargaining proposals or information used by the Town to prepare such proposals; (d) technical processes; and purchasing, operating and other financial data. Confidential Information also includes, but is not limited to, information contained in the Town’s memoranda, plans, books, correspondence, notes, computer programs and records, or other information.

2. The Employee agrees that except as required by Employee’s duties for the Town, the Employee will never, directly or indirectly, use, publish, disseminate, discuss or otherwise disclose to anyone any Confidential Information which the Employee acquires, has acquired or will have acquired during the Employee’s employment by the Town without the prior written consent of the Town.
3. The Employee agrees to maintain Confidential Information in strict confidence and not to discuss, reveal or release it to any unauthorized persons, including family, friends or other Town employees, and that this obligation will survive the Employee’s termination of employment with the Town.
4. The Employee understands and agrees that divulging Confidential Information to any unauthorized person may subject the Employee to discipline up to and including termination of employment.



\_\_\_\_\_  
Employee Name (Printed)

\_\_\_\_\_  
Employee Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Witness Signature

Date: \_\_\_\_\_

Confidentiality Agreement is to be kept in employee's personnel file.

***BOS Policy No. 19***

***Title: CONTRIBUTING SICK LEAVE FOR SERIOUSLY ILL EMPLOYEES***

***Accepted/approved on: February 8, 2011***

**I. Policy**

It is the policy of the Town to extend sick leave benefits to an employee who, because of a life threatening serious illness or injury, has exhausted his/her sick, personal, and vacation leave balances. This policy does not replace or supersede any other salary continuation plan provided by law or contract. At this time, the present policy shall apply only to non-union employees. It is the Board of Selectmen's intention to extend this policy through collective bargaining with the Highway and Clerical Unions.

**II. Purpose**

The purpose of this policy is to extend the sick leave benefits of employees who intend to return to work, or when suffering from a terminal illness, will not be able to return to work. This policy is not a means of prolonging pay status pending an anticipated retirement or separation from the Town.

**III. Applicability**

Town employees who earn sick leave accruals are eligible to receive benefits or contribute time under this policy. Excluded from receiving benefits under this policy are personnel for whom other provisions have been made, elected officials, and employees on worker's compensation or injured on duty status. This policy is not for the illness or injury of immediate family members of employees.

All accrued leave must be used before receiving extended sick leave benefits; however, application may be made prior to that time and approval given contingent upon the employee's exhaustion of all accrued leave.

**IV. Provisions**

The amount of sick leave available will depend on the donation of sick leave by fellow employees. The total amount of donated leave an employee may receive under this policy is 1040 hours if on a 40-hour workweek and 975 hours if on a 37.5-hour workweek. Longer or shorter workweeks will be pro-rated. At no time shall an employee donate sick leave that would reduce their own accrued sick leave below 10 days.

**V. Review Committee**

A. A Committee whose members shall be appointed by the Board of Selectmen shall review requests, recommendations, and approve allotments. The Chairman of the Board of Selectmen or his/her designee, shall serve as ex-officio member and will be responsible for maintaining records for the Committee. Committee membership shall include representatives of management and non-management employees and totaling a number that the Board of Selectmen determines will provide a reasonable and fair cross representation of the various departments. Members shall serve two or three year staggered terms as determined by the Board of Selectmen.

B. The Committee shall elect its own Chairperson and may, by majority vote, recommend to the Board of Selectmen the replacement of a member who is unable to attend meetings regularly.

C. Approval of contributory sick leave must be by a simple majority vote of committee members who are available to review an employee's application; however no less than three members must approve any decision.

**VI. Procedure**

A. An employee who has exhausted all his/her sick, personal and vacation accrual leaves as a result of a life threatening serious illness may submit a request, together with physician's certificate (FMLA physician's certification is acceptable) detailing the nature of the serious life threatening illness, for additional sick leave coverage to his/her department head. A written application is required on a form provided by the Board of Selectmen or designee office. If an employee is eligible but unable to apply due to a physical or mental condition, any family member or other agent may apply on behalf of that employee.

B. The department head will submit his/her recommendation for approval, disapproval and the employee's formal request to the Review Committee.

1. The Review Committee will approve or disapprove the request after considering the information presented, which will include the department heads recommendation, the employee's length of service, performance, attendance, and amount of contribution requested, and the physician's statement. The decision of the Committee shall be final and is not subject to any collective bargaining agreement's grievance or other dispute procedure.

2. If approved, an appeal for donations will be made in the employee's own department first, and then outside the employee's department, should more donations be required. Benefits will be retroactive to the date of the employee's request.

C. An employee may voluntarily contribute any amount of accumulated sick leave hours by signing a statement indicating the amount of leave being contributed and forwarding it to the Board of Selectmen or designee Department. (Note: The Committee may subsequently appeal for additional contributions of sick leave should the initial amount of donated sick leave not be sufficient. Before a second or subsequent appeal for donations are initiated, the employee will be required to submit to the Committee a treating physician's note that generally indicates that the employee's health is improving and that the employee is expected to return to work at some point in the future. If an employee is unable to return to work due to a debilitating or terminal illness, the employee will be able to utilize the donated sick leave received to date but additional appeals for donations will only be authorized once beyond the initial appeal. )

D. An employee may not donate leave beyond his/her employment separation date.

E. While on "extended sick leave" an employee is considered to be in active pay status during the use of the contributed leave, and all employment benefits apply including the accrual of sick, personal and vacation leave, and which shall be charged against his/her absence as they accrue.

F. The employee's department will assume financial responsibility for days contributed and must maintain an accurate record of the Sick Leave days used by an employee.

G. Sick Leave contributed for a seriously ill employee and not used will be returned, as appropriate, to the donor(s) on a pro rata basis.

H. Unless otherwise provided for by public records law or the Review Committee, the names of Contributors may be made available to the Recipient, if requested; however, the amount of time donated by any employee will not be divulged.

#### EMPLOYEE CONTRIBUTION

NAME: \_\_\_\_\_ DEPARTMENT: \_\_\_\_\_

I certify that I voluntarily contribute \_\_\_\_\_ hours of my accrued sick leave pursuant to the Contributing of Sick Leave For Seriously Ill Employees, for employee: \_\_\_\_\_.

I understand that this amount will be deducted from my accrual total and be transferred to the accrual total of the employee I am contributing to. I also understand that any unused donated time will be credited to the contributors by a pro rata formula.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If requested by Recipient, do you wish to have your name released as a contributor? [Note: If you choose No you will be referred to as an "anonymous contributor".

Yes \_\_\_\_\_ No \_\_\_\_\_

EMPLOYEE APPLICATION

NAME: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_

Initial Request: \_\_\_\_\_

Additional Appeal: # \_\_\_\_\_

I certify that I suffer from a life threatening/serious illness and that I will exhaust my available hours of accrued sick, personal and vacation leave prior to my ability to return to work. I understand I shall require a physician certification/statement supporting my application.

I understand my application is pursuant to the Contributing Sick Leave For Seriously Ill Employees.

I understand that contributed time will be credited to my sick time accrual total and is available to me in order to remain on active pay status. I also understand that any unused donated time will be not be retained by me but will be redistributed to the contributors by a pro rata formula.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Employee, or if incapacitated Family Member or Agent)

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Approved by Review Committee on: \_\_\_\_\_

Chair Signature: \_\_\_\_\_

**BOS Policy No. 20**

**Title: C.O.R.I. (CRIMINAL OFFENDER RECORD INFORMATION)**

**Accepted/approved on: June 21, 2005**

**Amended on: March 25, 2008**

**Reviewed: 1/20/15 / No changes**

**Amended on: December 11, 2018 with further review from Attorney Cosgrove**

The Board of Selectmen, with approval from the Commonwealth of Massachusetts, Executive Office of Public Safety, Criminal History Systems Board and under the authority of Massachusetts General Laws, Chapter 6, section 172, require the following applicants receive a C.O.R.I. review pertaining to conviction and pending criminal case data for the purpose of preserving the safety of the citizens of the Town of Charlton:

Applicants for Employment / New Hires (*if Human Resource Personnel are not available*)

Volunteers for the Town of Charlton *for Town Departments only* and Senior Tax Work Off Program

Licenses (Class I, II and III and Liquor Licenses)

Any adult or volunteer who would have access to children and families *in any town owned buildings*.

**Practices and Procedures:**

- I. CORI checks will only be conducted as authorized by CHSB. All applicants will be notified that a CORI check will be conducted. Applicant will be provided with a copy of the CORI policy.
- II. An informed review of a criminal record requires adequate training. Accordingly, all personnel authorized to review CORI in the decision-making process will be thoroughly familiar with the educational materials made available by CHSB.
- III. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on CORI checks will be made consistent with this policy and any applicable law or regulations.
- IV. If a criminal record is received from CHSB, the authorized individual will closely compare the record provided by CHSB with the information on the CORI request form and any other identifying information provided by the applicant, to ensure the record relates to the applicant.
- V. If the Town of Charlton is inclined to make an adverse decision based on the results of the CORI check, the applicant will be notified immediately. The applicant shall be provided with a copy of the criminal record, advised of the part(s) of the record that make the individual unsuitable for the position or license, and given an opportunity to dispute the accuracy and relevance of the CORI record.
- VI. Applicants challenging the accuracy of the policy shall be provided a copy of CHSB's ***Information Concerning the Process in Correcting a Criminal Record***. If the CORI record provided does not exactly match the identification information provided by the applicant, the Town of Charlton will make a determination based on a comparison of the CORI record and documents provided by the applicant. The Town of Charlton may contact CHSB and request a detailed search consistent with CHSB policy.
- VII. If the Town of Charlton reasonably believes the record belongs to the applicant and is accurate, based on the information as provided in section IV on this policy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to the following:
  - (a) Relevance of the *record* to the position sought;
  - (b) The nature of the work to be performed;
  - (c) Time since the conviction;
  - (d) Age of the candidate at the time of the offense;
  - (e) Seriousness and specific circumstances of the offense;
  - (f) The number of offenses;

- (g) Whether the applicant has pending charges;
- (h) Any relevant evidence of rehabilitation or lack thereof;
- (i) Any other relevant information, including information submitted by the candidate or requested by the hiring authority

VIII. The Town of Charlton will notify the applicant of the decision and the basis of the decision in a timely manner.

For employment purposes, only successful C.O.R.I. reviews will allow applicants to be eligible for employment for the Town of Charlton.

C.O.R. I. information will be kept in a permanent file in a locked cabinet not in view *and kept on file for three years after which time it is destroyed.*

This policy shall become effective immediately upon approval by the Board of Selectmen, Town Administrator and the Criminal History Systems Board. .

***BOS Policy No. 21***

***Title: CORRESPONDENCE POLICY***

***Accepted/approved on: January 5, 1999 and September 11, 2001***

***Updated on: July 12, 2005***

***Amended on: March 25, 2008***

***Amended on: December 11, 2018***

Correspondence received in the Board of Selectmen's office shall be stamped received and a copy put in the Board of Selectmen's correspondence file.

Correspondence will remain in the office for two weeks *to allow each member time to come in and view the file.* After two week's time, it will be filed in the proper drawers located in the Selectmen/Town Administrator Office.

Mail addressed to a specific Selectperson shall be *opened, date stamped, emailed and* copied directly to that person and filed in his or her mailbox.

*Any correspondence received needing attention will be either forwarded to the board via email or placed on the next available selectmen's meeting agenda.*

**BOS Policy No. 22**

**Title: DATA SECURITY POLICY / ELECTRONIC COMMUNICATION**

**(Previously – Electronic Communication)**

**Accepted/approved on: February 9, 2009**

**Revised: March 20, 2012**

**Amended on: June 12, 2013**

## **TOWN OF CHARLTON**

### **ELECTRONIC COMMUNICATION AND DATA SECURITY POLICY**

To include: Telephones, Blue Tooth, Faxes, Internet, E-mail, Email Archiving and Retrieval, Instant messaging, Text messaging, Network, Desktop Computers, Mobile Computers, Laptop Computers, Social Media, Imaging Devices, Printers Wireless Network Access and other electronic digital devices.

### **ELECTRONIC COMMUNICATION POLICY**

#### **PURPOSE**

**First, it is to address the implications** of electronic communications as a public record and also to ensure the proper use of e-mail, telephones, faxes, internet, text messaging, instant messaging, network and wireless network access; all as communication tools in the workplace. E-mail and other electronic tools are a Town of Charlton resource and are provided as business communications tools. As a frequent method of communication in the workplace, it is important to provide a clear use policy to ensure that electronic communication tools are not used in any manner that is discriminatory, contributes to a hostile work environment, interferes with the Town's business, or that violates any other Town policies in any manner.

Electronic communications are used as information resource and tools to assist employees in the performance of their work. In compliance with law and the guidelines provided herein, employees are encouraged to use them to their fullest potential to further the Town's mission, to provide service of the highest quality to the Town's citizens and customers, to discover new ways to use resources to enhance service, and to promote staff development.

**Second, to define the term “Public Records”** by statute is to include all documentary materials or data, regardless of physical form or characteristics, made or received by an officer or employee of any agency or municipality of the Commonwealth, unless falling within a statutory exemption (M.G.L. C.4, § .7). Therefore, the Secretary of the Commonwealth advises that the Public Records Law clearly applies to government records generated or received electronically. All electronic mail sent, or received and all other electronic communication received by way of the Town's systems, or any address when in an official capacity, is considered a public record subject to inspection, disclosure, scheduled retention and disposition.

**Third, to provide for security of electronic resources** by limiting programs, equipment and password policies for the networks.

In order to maintain security, continuity, provide maintenance, allow for compatibility of equipment, no equipment of any kind will be connected to the Town of Charlton network without first consulting with and obtaining approval from the Network Administrator.

#### **STANDARDS OF CONDUCT, RESPONSIBILITY AND APPROPRIATE USE**

For the purpose of this policy, **Employee** is defined as: Anyone listed in the Town of Charlton general by-laws as elected, appointed, a member of Board, Commission, Committee and all staff. **A Network Administrator is defined as: someone specifically hired by the Town of Charlton to support the town's computer network or someone who is an outside**



contractor/vendor to perform the same.

No Employee, Town official or other agent of the town or Committee should have any expectation of privacy with respect to the town's electronic communications and storage systems.

The Town reserves the right to examine and/or monitor any communication transmitted over such electronic communications.

The electronic communications systems are to be used for business purposes only. They are not to be used for personal messages, **unless preauthorization is issued by management. (i.e. Town Admin., Public Safety Officials, etc.)**

Electronic communication systems shall not be to be used for any inappropriate or unlawful purpose such as, without limiting the foregoing, transmittal of harassing or discriminatory e-mail, messages or other transmissions (including "jokes" containing sexually explicit material or innuendo).

All employees, officials and agents should be aware that supervisors have access to their computer files and that e-mail and other electronic communications transmissions and information may automatically be saved in such files.

The Town has the right to routinely track and monitor its employees' internet activities, and monitoring will occur at the exclusive discretion of the Town, with or without notice. **Protocol: Follow the procedures outlined under "Retrieval of Archived Email" pg. 5.**

The Town provides employees with an email account for their official use. This account is to be used to transmit or receive all electronic communications on behalf of the Town of Charlton while users are acting in an official capacity.

The Town of Charlton does not support outside email programs such as: Juno, AOL, Instant Messaging or Text Messaging, nor does the Town of Charlton support or install software downloads not used for the official business.

Users should be aware that their conduct can reflect on the reputation of the Town and its employees. Any use of electronic communications is a privilege which may be revoked at any time for inappropriate conduct.

Employees shall respect intellectual property rights at all times when obtaining information over the Internet.

**Enforcement of Policy: Supervisors and/or Department Heads shall determine inappropriate activity/use. Any inappropriate activity/use shall be subject to progressive discipline up to and including termination.**

### **OPEN MEETING LAW**

In order to assist members of governmental bodies to comply with the Open Meeting Law in their use of electronic communication technology, the District Attorney's Office has established guidelines for boards and committees' use of electronic mail. The guidelines reaffirm that no substantive discussion by a quorum of members of a governmental body about public business within the jurisdiction of the governmental body is permissible except at a meeting held in compliance with the requirements of the Open Meeting Law.

Like private conversations held in person or over the telephone, e-mail conversations among a quorum of members of a governmental body that relate to public business violate the Open Meeting Law, as the public is deprived of the opportunity to attend and monitor the e-mail "meeting. The District Attorney cautions that e-mail messages among members of governmental bodies are best avoided except for matters of a purely housekeeping or administrative nature.

For more information on The Open Meeting Law see: <http://www.mass.gov/Cago/docs/Government/openmtgguide.pdf>

### **RETRIEVAL OF ARCHVIED EMAIL**

The Town of Charlton archives all incoming, outgoing and internal E-Mail that is sent or received by persons using [TownofCharlton.net](mailto:TownofCharlton.net) E-Mail address.

**The following procedures will be used to request archived e-mail:**

All requests will be in writing and provide a reasonable description of the requested records and the reason for the request, including person(s), date(s) or date ranges, subject, and/or key words.

The written request will be submitted through the Town Administrator and/or Chairman of the Board of Selectmen.

The Department Head and/or Chairman of the Board or Committee will review the request to determine:

The nature of request i.e. public records is this sensitive or information that is subject to withholding under public records laws.

Does the record request include information that is or may be subject to litigation involving the Town or any of its committees?

If records might be used for litigation Town Counsel shall be consulted with proper permission before the records are released.

The Department Head and/or Chairman of Board or Committee will provide a cost estimate to requester. Cost will be determined as prescribed by the Secretary of States bulletin for Public Records found at <http://www.sec.state.ma.us/pre/prepdf/guide.pdf>.

When the request has been reviewed by Department Head and/or Chairman of Board or Committee and the Town Administrator and/or Chairman of the Board of Selectmen, the written request will be submitted to the Network Administrator for retrieval.

If request is denied, the denial must be specific and the basis for withholding the requested materials must be stated.

All responses should be fulfilled or denied in writing, within ten (10) calendar days from date of request in accordance with the Public Records Law and

Secretary of States bulletin for Public Records found at: <http://www.sec.state.ma.us/pre/prepdf/guide.pdf>

**DATA SECURITY POLICY**

The Data Security Policy has been created to formally notify employees of the standards that the Town of Charlton has established to protect personal information and to provide the guidance necessary to comply with these standards. All municipal employees are subject to these standards.

During the performance of your official duties, you may have access to various documents, systems or devices containing “personal information.” Given the consequences associated with the unauthorized access, loss, theft or disclosure of personal information, the Data Security Policy has been implemented to assist you in protecting this data.

Personal Information is defined as an “individual’s first and last name, or first initial and last name, used with a confidential identifier.” The following is a list of confidential identifiers:

- Social security number
- Credit/debit card number
- Driver’s license number
- Financial account number
- Passport number

## **Confidentiality**

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Any form of personal information that you access must relate directly to your official responsibilities as an employee of the Town of Charlton.

Personal information must never be left unattended. Any office, file cabinet, desk, workstation, vehicle or storage area containing personal information must be secured when unattended. All keys and access codes for these areas must be also kept secure.

When you leave your personal or laptop computer unattended, you must activate a screen saver and reestablish the connection upon your return.

All forms of personal information must be properly destroyed (shredded) prior to disposal. This requirement applies to any document, computer generated report or other medium on which personal information is contained.

Employees are prohibited from downloading or installing any software, application or image on their personal computer, or laptop, without the prior authorization of their supervisor.

Employees must “close out” of all applications and log-off their personal computer at the conclusion of their work day/night. Any potential loss or theft of personal information must be immediately reported to the Supervisor and/or Town Administrator.

## **Passwords**

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Employees are required to protect system passwords from loss, theft and disclosure at all times.

“Password sharing”, of any type, is prohibited.

Employees are prohibited from maintaining any password, in written form, in an unsecured area. This includes, but is not limited to, maintaining passwords on adhesive notes, under keyboards, beneath desk blotters, under telephones or within any location that may be accessible to another individual.

Employees are prohibited from maintaining passwords on an unprotected smartphone, laptop computer, tablet, USB Drive or similar device.

Employees should refrain from reusing passwords that they have used, or are using, for their “personal” accounts. For instance, employees should not use a Hotmail, Gmail or AOL password as their Charlton password.

Password will not be based on the user’s name

### **Use of another individuals password to access information is prohibited.**

Passwords will contain minimum of six (6) characters

Uppercase alphabet characters (A-Z)

Lowercase alphabet characters (a-z)

Arabic numbers (0-9)

Special characters (for example !@#\$\$%)

9.) The systems will require users to change their passwords every four (4) months

10.) Passwords will not repeat for three (3) changes

11.) All passwords will be required to be changed on initial log on my new users.

12.) All passwords will be required to be changed within fourteen (14) days of the enactment of this policy.

## **Email**

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Opening non-business email links, attachments or executable programs is prohibited. This prohibition includes, but is not limited to, email received from family members, personal acquaintances, social networking peers or social media sites,

Personal information may only be transmitted within the town's internal email system. Under no circumstances may employees send email, containing personal information, to any external email address unless the message is encrypted. All email encryption technologies, solutions and software must be provided by the town.

Employees should exercise caution when opening email from unknown sources. Although there may be a legitimate business reason to read an email message from an unknown party, employees are prohibited from clicking on any link, attachment or executable program within these messages. (See #1)

## **Mobile and Portable Storage Devices**

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1. Employees are prohibited from downloading, transferring, transporting or storing personal information on any laptop computer, tablet, smartphone, USB drive, compact disc, memory card, magnetic tape or other mobile or portable device.
2. Employees are prohibited from maintaining personal information on any unencrypted hard drive (C drive). This prohibition applies to personal computers, laptops and external storage drives.
3. Employees are prohibited from using any UNKNOWN personal storage device, such as USB drives, external drives and compact discs, in the workplace.

It is critical that any potential loss, theft, disclosure or other compromise of personal information be reported immediately to your supervisor and the Town Administrator. It is their responsibility to timely evaluate the nature of the event, document all pertinent information and, if necessary, ensure that the appropriate notifications are made.

## **Acknowledgement**

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I, \_\_\_\_\_, hereby acknowledge that I have read, understand and will adhere to the guidelines contained within the Town of Charlton's "Electronic Communication and Data Security Policy".

I am aware that any violation of the standards contained within the "Electronic Communication and Data Security Policy" may result in progressive disciplinary action, up to and including termination of my employment.

Signature \_\_\_\_\_ Date \_\_\_\_\_

***BOS Policy No. 23***

***Title: DEAD ANIMAL PICK UP***

***Accepted/approved on: September 7, 2011***

Occasionally there is a need for the Town to remove dead wildlife from public ways and public property. This removal shall be the responsibility of the Animal Control Officer. Private property owners are responsible for the disposal of animals on their property. Pet owners are responsible for the disposal of their pets. No resident shall move a dead animal onto any public way or public property.

Dead wildlife on Town roads or Town property will be moved or removed at the discretion of the Animal Control Officer. The Animal Control Officer shall determine the method of removal for dead animals. The ACO shall make arrangements for removal in coordination with other departments and/or independent contractor if needed. Removal may include moving the carcass to the side of the road or to a wooded area for natural decomposition.

Dead wildlife on state roads such as Rt. 169 and Rt. 20 are the responsibility of the Massachusetts Department of Transportation.

## **DEBT MANAGEMENT**

### **PURPOSE**

To provide for the appropriate issuance and responsible use of debt, this policy defines the parameters and provisions governing debt management. Policy adherence will help the Town to responsibly address capital needs, provide flexibility in current and future operating budgets, control borrowing, and maintain capital investment capacity. This policy is also intended to maintain and enhance the town's bond rating so as to achieve long-term interest savings.

### **APPLICABILITY**

This policy applies to the Board of Selectmen, Finance Committee, and Town Administrator in their budget decision making and in the Treasurer's debt reporting and statutory responsibilities associated with debt management. It also applies to the Town Accountant's budget analysis duties.

### **POLICY**

Under the requirements of federal and state laws, the Town of Charlton may periodically issue debt obligations to finance the construction, reconstruction, or acquisition of infrastructure and other assets or to refinance existing debt. The Town will issue and manage debt obligations in such a manner as to obtain the best long-term financial advantage and will limit the amount of debt to minimize the impact on taxpayers. Debt obligations, which include general obligation bonds, revenue bonds, bond anticipation notes, lease/purchase agreements, and any other debt obligations permitted to be issued under Massachusetts law, will only be issued to construct, reconstruct, or purchase capital assets that cannot be acquired with current revenues.

#### **A. Debt Financing**

In financing with debt, the Town will:

1. Issue long-term debt only for objects or purposes that are financially supported and authorized by state law
2. Use available funds to the greatest extent possible to reduce the amount of borrowing on all debt-financed projects
3. Confine long-term borrowing to capital improvements and projects that cost at least [\$100,000] and that have useful lifespans of at least [five] years or whose lifespans will be prolonged by at least [five] years
4. Refrain from using debt to fund any recurring purpose, such as current operating and maintenance expenditures
5. Use revenue bonds, special assessment bonds, or other types of self-supporting bonds instead of general obligation bonds whenever possible
6. For the enterprise operations, set user fees to cover capital costs to the extent practicable

#### **B. Debt Limits**

The Town will adhere to these debt parameters:

1. Total debt service, including debt exclusions and self-supporting debt, shall be limited to [10] percent of general fund revenues, with a target balance of [five - seven] percent.
2. By statute, a community's debt limit equals five percent of its most recent equalized valuation.

#### **C. Structure and Term of Debt**

The following shall be the Town's guidelines on debt terms and structure:

1. The Town will attempt to maintain a long-term debt schedule such that at least 50 percent of outstanding principal will be paid within 10 years.

2. The term of any debt shall not exceed the expected useful life of the capital asset being financed and, in no case, shall it exceed the maximum allowable by law.
3. The Town will limit bond maturities to no more than [10] years, except for major buildings, sewer and waste water control facility projects, land acquisitions, and other purposes in accordance with the [useful life borrowing guidelines](#) promulgated by the Division of Local Services.
4. The Town will work closely with its financial advisor to follow federal regulations and set time frames for spending borrowed funds to avoid committing arbitrage, paying rebates, fines and penalties to the federal government, and jeopardizing the debt issuance's tax-exempt status.

#### D. Protection of Bond Rating

To protect its bond rating, the Town will:

1. Maintain good communications with bond rating agencies, bond counsel, banks, financial advisors, and others involved in debt issuance and management.
2. Follow a policy of full disclosure on every financial report and bond prospectus, including data on total outstanding debt per capita, as a percentage of per capita personal income, and as a percentage of total assessed property value.

#### E. Reporting

1. The Treasurer [and financial advisor] will report to the Town Administrator and Board of Selectmen on the Town's debt status at least annually.
2. The Town Accountant will include a statement of debt in the annual report of appropriations, receipts, and expenditures.

#### **REFERENCES**

[Chapter 218 of the Acts of 2016](#), Sections 61-68, 178, 180, and 234-235

[M.G.L. c. 44, §4](#)

[M.G.L. c. 44, §6](#)

[M.G.L. c. 44, §6A](#)

[M.G.L. c 44, §7](#)

[M.G.L. c 44, §8](#)

Division of Local Services Guidance: [Understanding Municipal Debt](#)

Internal Revenue Code of 1986, as amended, [Section 148](#)

Internal Revenue Service's [Arbitrage Guidance for Tax-Exempt Bonds](#)

Standard & Poor's article: [The Top 10 Management Characteristics of Highly Rated U.S. Public Finance Issuers](#)

#### **EFFECTIVE DATE**

This policy was adopted on July 17, 2018

***BOS Policy No. 25***

***Title: DESIGNER SELECTION POLICY***

***Accepted/approved on: September 11, 2001***

The selection of designers for building construction, renovations, alterations, remodeling and repair projects, the estimated cost which exceed ten thousand dollars (\$10,000) and for which design services are required, will be in accordance with the following procedures:

The authority that will award and administer the design contract will determine the nature and extent of the design services required for the project and will develop the project criteria required under #3 below.

A request for proposals (RFP) will be publicly advertised in a newspaper of general circulation and in the central register. Applicants will have at least three weeks to submit proposals.

The RFP will provide the following detailed information:

A description of the project, the specific designer services sought, estimated construction cost, and the time allotted for completion;

When and where the program prepared for the project will be available for inspection by applicants, or a statement that there is no program beyond the information as stated above;

The qualifications required of applicants for the project;

The categories of designers' consultants, if any, for which applicants must list consultants they intend to use;

Whether the fee has been set or will be negotiated. If the fee has been set, its amount must be stated as a total dollar amount, not a percentage. If the fee is to be negotiated, the awarding authority should have set a not-to-exceed amount;

The deadline for submission of proposals;

The person and address to which proposals should be sent;

Any other pertinent information.

A Designer Selection Committee (DSC) will be appointed by the Board of Selectmen (awarding authority) to evaluate proposals and select the finalists. The DSC shall include at least five members—the Chief Procurement Officer and four members of the public with knowledge or experience in construction, architecture, engineering or finance.

The selection of the finalist will be based on the following criteria:

Prior similar experience;

Past performance on public and private projects;

Financial stability;

Identify and qualifications of the consultants who will work with the applicant on the project; and,

Knowledge of Massachusetts construction laws and procedures; and,

Ability to meet deadlines; and,

Any other criteria that the committee considers relevant for the project.



Applicants or finalists may be required to:

Appear for an interview before the committee;

Present a written proposal to the committee; or,

Participate in a design completion held by the committee.

When the DSC has required that applicants list consultants which they intend to use, any changes in or additions to, consultants named in the application must be approved by the awarding authority and reported to the committee with a written statement by the designer or construction manager of the reasons for the change. In no event may a consultant be used who is debarred pursuant to Chapter 149, Section 44C.

The DSC will select at least three finalists from among all applicants and transmit all applicants and transmit the list to the awarding authority. The list will rank the finalists in order of qualification, provide a record of the final vote of the committee on the selection, and included a written statement explaining the committee's reasons for its choice and its ranking of the finalists. The list will be a public record.

If the fee for design services has been set by the awarding authority prior to the selection process, the awarding authority will select the designer other than the one ranked first is selected, the awarding authority shall file a written justification with the committee.

If the fee is to be negotiated, the awarding authority shall review the list transmitted by the committee and may excluded any designer from the list with a written explanation of the exclusion. The awarding authority shall then appoint a designer based on successful fee negotiation among the remaining finalists in order of rank.

The design contract shall state the fee as a total dollar amount. The contract may provide for equitable adjustments in the event of changes in scope of services.

The designer who does a feasibility study, master plan or program for a project may be eligible to provide full design services only after the study has undergone a complete and independent peer review by a disinterested qualified designer. The designer may perform continued or extended services only if the committee is given a written statement of the technical reasons therefore, and approves, stating the reasons in the public record.

Every contract for design services shall include:

Certification that the designer or construction manager has not given, offered or agreed to give any gift, contribution or offer of employment as an inducement fro, or in connection with, the award of the contract for design services;

Certification that no consultant to or subcontractor for the designer or construction manager has given, offered or agreed to give any gift, contribution or offer of employment to the designer or construction manager, or to another person, corporation, or entity as an inducement for , or in connection with, the award to the consultant or subcontractor of a contract by the designer or construction manager;

Certification that no person, corporation or other entity other than a bonafide full time employee of the designer or construction manager, has been retained or hire to solicit for or in any way assist the designer or construction manager in obtaining the contract for design services upon an agreement or understanding that such person, corporation or other entity be paid a fee or other consideration contingent upon the award of the contract to the designer; and,

Certification with respect to contracts which exceeds ten thousand dollars or which are for the design of a building for which the budgeted or estimated construction costs exceed one hundred thousand dollars, that the designer has internal accounting controls as required by Chapter 30, Section 39R, and that the designer will:

Maintain accurate and detailed accounts for a six year period after the final payment;

File regular statements of management concerning internal auditing controls;

File an annual audited financial statement; and,

Submit a statement from an independent certified public accountant that such CPA has examined management's internal auditing controls and expresses an opinion as to their consistency with management's statements as stated above and whether such statements are reasonable with respect to transactions and assets that are substantial in relation to designer's financial statements. (G.L. Chapter 7, Section 301(e)).

A requirement that the designer at her/his own expense obtain and maintain a professional liability insurance policy covering negligent errors omissions and acts of the designer or of any person or business entity for whose performance the designer is legally liable arising out of the performance the designer is legally liable arising out of the performance of such contracts for design services. The awarding authority may require a consultant employed by a designer subject to this subparagraph to obtain and maintain a similar liability insurance policy. The designer shall furnish a certificate or certificates of such insurance coverage to the public agency prior to the award of the contract, showing coverage in an adequate amount for the applicable period of limitations and including any added coverage in such amounts as the awarding authority requires.

In the selection of applicants to perform design services the following records will be kept by the awarding authority;

All information supplied by or obtained about each applicant;

All actions taken by the committee relating to any project;

All actions taken by the awarding authority relating to any project.

These records will be available for inspection by the State Designer Selection Board.

No member of the committee shall participate in the selection of designer as a finalist for any project if the member or any member of her/his immediate family:

Has direct or indirect financial interest in the award of design contract to any applicant;

Is currently employed by, or is a consultant to or under contract to an applicant;

Is negotiating or has an arrangement concerning future employment or contracting with any applicant; or,

Has an ownership interest in, or in an officer or director of, any applicant.





4b. KEY PERSONS, SPECIALISTS AND INDIVIDUALS IN CONSULTANT FIRMS TO BE ASSIGNED TO THIS PROJECT

NAME OF PERSON/FIRM NAME/ADDRESS ROLE	MASS.REG.NO.	DISCIPLINE/PROJECT
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5. FULL TIME PERSONNEL IN YOUR FIRM'S MASSACHUSETTS OFFICE BY DISCIPLINE: Average number employed throughout the preceding 6 month period. Indicate both the total number in each discipline, and within brackets, the total number holding Massachusetts registrations.)

Soils Engineering _____ (____)	Administration _____ (____)	Fire Protection Engineering _____ (____)	Specification Writing _____ (____)
Architecture _____ (____)	Engineering _____ (____)	H.V.A.C. Engineering _____ (____)	Structural _____ (____)
Acoustical Engineering _____ (____)	Interior Designing _____ (____)	Surveying _____ (____)	
Civil Engineering _____ (____)	Engineering _____ (____)	Landscape Architecture _____ (____)	Traffic _____ (____)
Ecology _____ (____)	Life Safety Code Specialist _____ (____)	Drafting _____ (____)	
Electrical Engineering _____ (____)	Mechanical Engineering _____ (____)	CADD Operators _____ (____)	
Energy Specialists _____ (____)	Planning _____ (____)	Other _____ (____)	
Environmental Engineering _____ (____)	PERSONNEL _____ (____)	Sanitary Engineering _____ (____)	TOTAL _____ (____)

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6. RECENT PROJECTS BEST ILLUSTRATING CURRENT QUALIFICATIONS FOR THIS PROJECT:

PROJECT NAME, LOCATION & DESCRIPTION	INDICATE PROJECT COST (PC)	YEAR COMP.	PHASES*	REFERENCES NAME &
PHONE				

\* In accordance with services authorized, i.e. study (St.), schematics (Sch.), design development (D.D.), construction documents (C.D.), administration of construction (A.C.), all phases (All).

7a. ADDITIONAL INFORMATION OR DESCRIPTION OF RESOURCES SUPPORTING YOUR FIRM'S QUALIFICATIONS FOR THIS PROJECT: (If joint venture, indicate previous experience with this joint venture.)

7b. ESTIMATED TONE FOR YOUR FIRM TO PERFORM SCOPE OF SERVICES AS PUBLICLY ADVERTISED.

8. PRINCIPAL BUSINESS OF THIS FIRM AND PRINCIPAL SPECIALIZATIONS:

9. PROFESSIONAL LIABILITY INSURANCE:

NAME OF COMPANY DATE	AGGREGATE AMOUNT	POLICY NUMBER	EXPIRATION
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As a condition of application, each applicant agrees to carry, if selected for the new project, professional liability insurance. The total amount of such insurance shall at a minimum equal the lesser of one million dollars or ten percent of the project’s estimated cost of construction. Or such larger amounts as the public agency may require, and shall cover the applicable period of limitations. N.B. Design services for the preparation of studies, surveys, soil testing, cost estimates, or programs do not require professional liability insurance, nor do construction management or scheduling services.

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10. List the names and addresses of all partners, if a partnership or all %STOCK DISCIPLINE officers, directors, and all persons with an ownership interest of more than five percent if the applicant is not a partnership: MASS. REG. NO.

11. List all current projects for which the applicant is performing or is under contract to perform any design services:

PROJECT NAME, LOCATION & DESCRIPTION REFERENCES PHONE	INDICATE PROJECT COST (PC), STUDY/DESIGN FEE	YEAR COMP.	PHASES* NAME &
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CITY/TOWN APPLICATION FORM

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12. Applicants are requested to submit a list of all projects for all public agencies within the Commonwealth for which the applicant has performed or has entered into a contract to perform design services within the five year period immediately preceding the filing of this application.

PROJECT NAME, LOCATION & DESCRIPTION REFERENCES PHONE	INDICATE PROJECT COST (PC), STUDY/DESIGN FEE	YEAR COMP.	PHASES* NAME AND
---	--	---------------	---------------------

\* In accordance with services authorized, i.e. study (St.), schematics (Sch.), design development (D.D.), construction documents (C.D.), administration of construction (A.C.), all phases (All).

13. I hereby certify that this firm is a “Designer”, as that term is defined in Chapter 7, Section 38A ½ of the General Laws, or that the services required are limited to construction management or the preparation of master plans, studies, surveys,

soil tests, cost estimates or programs. The foregoing is a statement of facts, sworn to by the undersigned under the penalties of perjury.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINTED NAME AND TITLE

DATE

IF ADDITIONAL SPACE IS NECESSARY, PLEASE ATTACH ADDITIONAL 8 ½ x 11 SHEETS.B-12

***BOS Policy No. 26***

***Title: DIRECT DEPOSIT POLICY***

***Accepted/approved on: November 25, 2014***

All employees are required to sign up for payroll direct deposit. The Town Administrator may exempt certain employees from this policy if the employee proves hardship.

Currently 85% of employees use direct deposit for their paychecks. We would like that to be 99%. It is possible in the future we will move to providing paystubs on-line replacing the paper system we currently utilize. The more pressing issue is some employees frequently lose or misplace their paychecks or are very part time and may not pick up their paychecks at the respective departments. Even some replacement checks we have issued have not been cashed. As other responsibilities and increased tasks are assigned to the Treasurer's office we must find ways to improve what we already do. It is rare that employees do not have a checking account. Other progressive communities have implemented 100% direct deposit with a minimal employee grumbling. The Town of Charlton accepted M.G.L. ch. 41, sec. 41B at STM of September 26, 1996 by article #14. The Treasurer of any town which accepts this section may pay salaries, wages or any other compensation to any person in the service of such town by means of a deposit to a deposit account(s) of such person.



**BOS Policy No. 27**

**Title: EMERGENCY MANAGEMENT POLICIES**

**Proposed on: January 31, 2006**

**Accepted/approved on: January 31, 2006**

**Reviewed on: September 29, 2015 /No changes**

EMERGENCY MANAGEMENT POLICIES

The ultimate responsibility for all emergency management activities is vested in the Chief Executive Official, which is the Board of Selectmen (“BOS”) in the Town of Charlton. The BOS appoints an Emergency Management Director who will carry out the emergency responsibilities for the Board of Selectmen as the Chief Executive Official of the Town of Charlton.

The Board of Selectmen hereby adopts National Incident Management System (NIMS) as the official all-hazards, incident response system.

The Incident Command System (ICS) Concept shall be used to respond to Town emergencies, disasters and planned events that are of a scale to require coordination of multiple departments or agencies.

A Deputy Emergency Management Director will also be appointed by the BOS to serve in a situation where the EMD is not available.

The EMD or DEMD will notify the Chairperson of the BOS in the event of any emergency situation which will either cause a major disruption in the Town of Charlton or will require policy approval.

If the EMD or DEMD cannot directly reach the Chairperson, a call will be made to the Vice Chairperson and then the Clerk and then the two remaining members in order of seniority. It is expected that the Chairperson (or follow up person) will notify the rest of the Board immediately.

If the emergency situation occurs during normal working hours for the Town Offices, the Town Administrator will be notified.

The BOS will be required to take the NIMS and ICS training for certification. All new Selectpersons will be required to take this training.

**BOS Policy No. 28**

**Title: EMERGENCY NOTIFICATION PROTOCOL**

**Accepted/approved on: September 1, 1999**

**Amended on: December 11, 2018**

In case of major fires/accidents, dangerous storms and hazardous waste spills or at any time the public is faced with unsafe or unhealthy situations, the officer in charge, department head or police dispatcher, at a convenient time *but not more than 1 hour after the incident* must contact Town Administrator, Robin L. Craver @ 1-508-243-3905, or the Chairman of the Board of Selectmen who will notify all other members of the board.

Following these procedures will ensure open communication between public safety personnel and the Board. In addition, the public can be assured that ALL pertinent authorities are made aware of local emergencies.

At Fire Station #2 (N. Main St.) there is a red warning light in front of the building. This indicates there is no heat in the building. If anyone notices that it is on please notify the Fire Dept.

***BOS Policy No. 29***

***Title: EMPLOYEE PARKING IN FRONT OF MUNICIPAL BUILDING***

***Accepted/approved on: April 8, 2008***

***Amended on: February 18, 2014***

Parking for all employees of the Town Hall Municipal Complex will be on the West Side of the street only along the Town Common during their normal working hours.

All parking spaces immediately in front of the Town Hall are 30 minutes only and are for visitor's parking. These spaces immediately in front may be used by town hall employees for attendance at evening/night board and committee meetings that are not part of their normal work hours.

Employees with disabilities or temporary injuries may request a waiver from the Town Administrator's Office.

Introduction

Chapter 28 of the Acts of 2009, the recently enacted ethics reform law, imposes new mandatory education and training requirements on public employers and public employees. Every Charlton “Municipal Employee” must be given a summary of the conflict of interest law prepared by the Ethics Commission and must complete an online training program prepared by the Commission.

The Board of Selectmen shall designate a liaison to the Commission.

All records of compliance with these requirements must be retained for 6 years by the Town Clerk. These new requirements apply to all public employees, as defined by the conflict of interest law and described below, except to the extent that Town of Charlton exempts certain categories of employees from these requirements in accordance with guidelines set forth in these procedures.

**1. WHO IS CONSIDERED A PUBLIC EMPLOYEE?**

a. **Anyone who holds an office or position with, or provides services to a public entity, is a public employee.**

Everyone who performs services for, or holds an office or position with the Town of Charlton is subject to the conflict of interest law. This is true whether the person is paid or unpaid, is a volunteer, works part-time, is employed only for part of the year or on a seasonal basis, or is a “special” employee. The conflict of interest law applies to these individuals, regardless of whether the employee is elected, appointed, or working under a contract.

b. **Vendors and contractors: Most employees of vendor and contractor firms which do business with the Town of Charlton are not public employees, but "key employees" of such private firms are public employees.** In most cases, the employees of private vendor and contractor firms that do business with the Town of Charlton are not public employees for purposes of the conflict of interest law, and are not subject to the mandatory education and training requirements that apply to public employees. However, in certain limited circumstances, an employee of a private firm may also be a public employee for purposes of the conflict of interest law and the new training and education requirements. If the Town of Charlton expressly or impliedly contracts for the personal services of a particular individual employed by a private firm, then the particular employee is a "key employee" and is considered a public employee for purposes of the conflict of interest law.

c. **Advisory Committee members may be public employees.** Public agencies and officials sometimes seek advice and input on public policy questions from advisory committees. Advisory committee members are considered public employees, and therefore are subject to the mandatory education and training requirements of the conflict of interest law. Questions about whether members of a particular advisory committee are public employees for purposes of the conflict of interest law, and the mandatory education and training requirements, may be directed to the Commission's Legal Division by calling (617) 371-9500, or submitted electronically on the State Ethic’s Commission website.

**2. EXEMPTIONS FROM THE MANDATORY EDUCATION AND TRAINING REQUIREMENTS**

The Town of Charlton has chosen to exempt the following positions from the mandatory training and education requirements:

a. Unpaid volunteer positions in which employees do not have or exercise governmental authority and do not participate in or have responsibility for government decision-making, contracting, hiring, investigation or any other discretionary governmental action, including but not limited to:

- library volunteer positions in which employees re-shelve books or read books to children during a story hour, with parties and projects, ;

- volunteer positions in which employees pick up litter at parks or beaches, or participate in a town “Clean Up Day”;
- Senior Center or Parks and Recreation volunteer teacher positions;
- Positions in which volunteers assist with an event, such as a town July 4th celebration, by selling tickets, engaging in face painting, or helping “police” the grounds.
- Medical Reserve Corps volunteers.
- Participants in volunteer programs whose names are not available or known to any public agency, such as, for instance, town residents who help shovel snow or clean up after a flood.

Short-term temporary or seasonal compensated positions in which employees do not have or exercise governmental authority and do not participate in or have responsibility for government decision making, contracting, hiring, investigation or any other discretionary governmental action, including but not limited to:

- poll worker positions
- non-supervisory seasonal positions, such as, for example, lifeguards and snowplow operators
- Participants in senior citizen tax abatement programs pursuant to General Laws chapter 59, section 5K, and Senior Corps, the Retired and Senior Volunteer Program, Foster Grandparents, Senior Companions and comparable programs.
- High school, college and graduate school students participating in summer and work-study employment, whether paid or unpaid.
- Individual vendors and contractors to the Town of Charlton who provide one day or less of services per calendar year.

### **3. DISTRIBUTION OF SUMMARIES OF THE CONFLICT OF INTEREST LAW**

An employee of a vendor or contractor firm is only required to be given a summary if the Town of Charlton expressly or impliedly contracted for that particular individual’s personal services, thereby making him or her, a public employee for purposes of the conflict of interest law. Charlton Municipal Employees shall be furnished with the summary by, and file an acknowledgment of receipt with, the Charlton Town Clerk. Going forward, every public employee must be provided with a summary of the law within 30 days of becoming such an employee, and annually thereafter. The Town of Charlton will distribute the summaries to all current employees each year between September 15 and December 15.

Each employee must provide to the Town Clerk, as defined herein, an acknowledgment of receipt within ten (10) business days of receipt of the summary. Summaries may be distributed in paper or electronic format. Employees’ acknowledgments of receipt of the summary of the law may be accepted and maintained in paper or electronic format. The Town of Charlton may combine methods as they find convenient to reach all employees. Whatever method or methods the Town adopts, the acknowledgments must be maintained in such a manner so as to be readily accessible if requested by the Commission.

The Charlton Town Clerk will, as required by law, maintain an annual list of all employees to whom summaries are distributed during that calendar year, and such list must indicate as to each listed employee whether the employee provided an acknowledgment of receipt.

All municipal employees must complete the online training program. New employees must complete the training program within 30 days of becoming a Town of Charlton employee, and then once every two years afterwards. Website address is [www.mass.gov/ethics](http://www.mass.gov/ethics).

Charlton public employees must provide a certificate of completion to the Town Clerk and she/he will retain such certificates for six years. Employees of vendors and contractors are only subject to the online training requirement if the Town of Charlton expressly or impliedly contracted for that particular individual’s personal services, thereby making him or her a public employee for purposes of the conflict of interest law.

Each continuously employed employee must complete the online training program and provide a certificate of completion within ninety (90) days before, or ninety (90) days after, the two (2) year anniversary date of their last online training completion date. Such certificates of completion must be provided by municipal employees to the Town Clerk’s office.

The Town of Charlton may organize group online training sessions, to be conducted by a knowledgeable person. Group sessions must use the online training program from the Commission's website. A group training session must be set up so as to ensure that every employee knows the correct answer to every question by the end of the training. A PowerPoint version of the Commission's online training program may be used for this purpose. The presenter should provide completion certificates to participating employees.

The Town Clerk must maintain a list of all employees who are required to complete the online training program, and such list must indicate as to each listed employee whether the employee provided a certificate of completion. In addition to the list, the certificate of completion itself must be maintained as a record of the agency. Both the lists and the certificates of completion must be maintained for six years.

If a Charlton public employee is unable to comply with these requirements because of lack of fluency in or ability to read English, or because of any special needs, he or she may request that the Town of Charlton take reasonable steps to convey the information contained in the summary and the online training to the employee, in a manner comprehensible to the employee.

The Town of Charlton will take reasonable steps to assist our employees in complying with these requirements, including, but not limited to, periodically reminding their employees of their need to comply, and providing and facilitating group online training sessions for those who need them.

If a Charlton employee refuses to acknowledge receipt of a summary of the law or to comply with the online training requirement, then the Town of Charlton may, but is not required to, take disciplinary action against the employee. Although the Town of Charlton is not required to affirmatively report the employee to the Commission, the Town is required to provide such information if so requested by the Commission.

***BOS Policy No. 31***

***Title: EXECUTIVE SESSION MINUTES***

***Accepted/approved on: August 3, 2004***

***Amended on: December 15, 2009***

***Amended on: December 11, 2018***

**Purpose; intent**

A. The purpose of this policy is to review and release all executive session minutes.

B. The intention of this *policy is* to make public all actions of the Board without defeating the lawful purpose of such executive sessions.

**Effect on statutory provisions**

Nothing in this policy shall abrogate or attempt to change, either impliedly or expressly, any of the terms of MGL C. 39, § 23A, as amended.

**Determination of release to public**

A. At the time that executive session minutes are presented to the Board for approval, a determination shall be made as to whether or not a release of the minutes to public records could be made without:

(1) Violating general or special statutes or federal grant-in-aid requirements.

(2) Adversely affecting the reputation of any person.

(3) Adversely affecting the public security or the financial interest of the town.

B. *Quarterly*, all *remaining, unreleased* minutes of executive sessions *that have been approved* will be reviewed by the board.

An announcement will be made at the next open meeting of the Board of Selectmen referencing the minutes that were released previously in executive session.

***BOS Policy No. 32***

***Title: EXIT INTERVIEW***

***Accepted/approved on: June 15, 2010***

***Amended on:***

**Purpose:**

To ensure that exiting employees are informed of their benefits and rights and to maintain accurate records on reasons for termination of employment.

**Policy:**

It is the policy of the Town of Charlton to ensure that any employee whose employment is being terminated (voluntarily or involuntarily) receives an exit interview. The exit interview shall be held at the time of the employee's discharge. The interview will be conducted by the Town Administrator or his/her designee unless it is an employee of the Selectmen's office, then it would be conducted by two members of the board. The objectives of the exit interview are as follows:

To determine the actual reason for an employee's resignation;

To discover any grievances the employee may have about the department in order that corrective action(s) may be undertaken;

To discover any misunderstandings the employee may have had about his/her job, or with his/her supervisor(s) in order that corrective action(s) may be undertaken;

To retain the goodwill of the employee toward the Town;

To review administrative details with the employee such as benefits continuation rights and conversion privileges, if any, final pay, re-employment policy, and employment compensation; and

To arrange for the return of any Town of Charlton property which has not already been returned to the department supervisor.

**Procedure:**

When an employee announces his/her intention to resign, the supervisor/department head should schedule an exit interview for the employee with the Town Administrator (or designee) as soon as possible.

When a decision has been made to terminate an employee, the employee should meet with the Town Administrator (or designee) for an exit interview as soon as possible, as appropriate.

During the exit interview, the Town Administrator (or designee) will seek to meet all objectives listed in this Exit Interview Policy statement.

The departing employee will complete the Exit Interview Form (sample attached) as thoroughly as possible. The Town Administrator will summarize the exit interview and forward to the Governing Board.

Any information obtained during the exit interview may be disclosed to (and/or discussed with) the supervisor, the Department Head, the Town Administrator and the Board of Selectmen in order to investigate any allegation(s) made and/or to be made aware of emerging problem(s). The Department Head, in conjunction with the Town Administrator, may make recommendations to the Board of Selectmen for corrective action based on the information contained in the exit interview.



**EXIT INTERVIEW FORM**

Employee's Name: \_\_\_\_\_ Job Title: \_\_\_\_\_

Department: \_\_\_\_\_ Employed From \_\_\_\_\_ To \_\_\_\_\_

Reason for Leaving: Resignation \_\_\_\_\_ Discharge \_\_\_\_\_ Layoff \_\_\_\_\_ Other \_\_\_\_\_

Have you accepted another position? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, where? \_\_\_\_\_

Present Title: \_\_\_\_\_ New Title: \_\_\_\_\_

Present Salary: \_\_\_\_\_ New Salary: \_\_\_\_\_ Additional Fringe Benefits offered by new employer:

\_\_\_\_\_

How long ago did you begin searching for another position? \_\_\_\_\_

What incident or circumstance(s) made you begin looking for another job? \_\_\_\_\_

\_\_\_\_\_

What were the reasons you decided your career goals could not be met here or could be better met somewhere else? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Did you speak with your supervisor or anyone else in management or the Administration Office concerning your career goals? Yes \_\_\_\_\_ No \_\_\_\_\_

If the answer to 3 above was Yes, what was the outcome of this conversation? \_\_\_\_\_

\_\_\_\_\_

If the answer to 3 above was No, why not? \_\_\_\_\_

\_\_\_\_\_

Did you get along well with your supervisor? Yes \_\_\_\_\_ No \_\_\_\_\_. If No, please explain: \_\_\_\_\_

\_\_\_\_\_

How well did your supervisor handle any complaints or grievances you may have had? \_\_\_\_\_

\_\_\_\_\_

What could have been done to make your job here more rewarding? \_\_\_\_\_

\_\_\_\_\_

What did you like best about your job? \_\_\_\_\_

What did you dislike about your job? \_\_\_\_\_

What makes the Town of Charlton a good place to work? \_\_\_\_\_

What makes the Town of Charlton a poor place to work? \_\_\_\_\_

How does your new position compare with the one you are leaving? \_\_\_\_\_

How would you rate the following:

Job responsibilities?

**Outstanding**       **Very Good**       **Satisfactory**       **Fair**       **Unsatisfactory**

Opportunity for achieving goals?

**Outstanding**       **Very Good**       **Satisfactory**       **Fair**       **Unsatisfactory**

Work environment?

**Outstanding**       **Very Good**       **Satisfactory**       **Fair**       **Unsatisfactory**

Supervisor?

**Outstanding**       **Very Good**       **Satisfactory**       **Fair**       **Unsatisfactory**

Pay?

**Outstanding**       **Very Good**       **Satisfactory**       **Fair**       **Unsatisfactory**

Benefits?

**Outstanding**       **Very Good**       **Satisfactory**       **Fair**       **Unsatisfactory**

What recommendations would you have for making your department and/or the Town a better place to work? \_\_\_\_\_

\_\_\_\_\_

Would you have stayed if a more-satisfactory arrangement could have been worked out?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, explain: \_\_\_\_\_

It has been explained to me that completion of this Exit Interview form is voluntary and I was given the option not to complete this form if I so desired. Yes \_\_\_\_\_ No \_\_\_\_\_

I authorize the placement of this Exit Interview form in my personnel file:

Yes \_\_\_\_\_ No \_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Policy No. 33**

**Title: FILLING OF VACANCIES ON TOWN ELECTED BOARDS**

**Accepted/approved on: August 1, 2006**

**Amended on: December 19, 2006**

**Amended on: May 29, 2012**

**Amended on: December 11, 2018**

In accordance with G.L. c. 41, sec. 11 (hereinafter, "the statute") and Article III, Section 50 of the Charlton General bylaws, and except as otherwise provided by law, where a vacancy as defined in the statute occurs in a town *elected* board consisting of two or more members, the following procedure shall be used to fill the vacancy.

1. The remaining members of such *elected* board shall give written notice of the vacancy to the Board of Selectmen within one month of occurrence of the vacancy.
2. The Board of Selectmen shall then give notice of the vacancy by placing a notice of the opening on the local government access channel and the Town's web site for 14 days after receiving notice of the vacancy, such publication to include a deadline for submission of a letter of interest in serving in the vacant seat, such deadline to be 7 days after expiration of the aforementioned, 14 day publication (example: notice is given to BOS on March 1st; notice is made to residents via website & cable from March 2nd thru March 15th; the deadline for letters of interest would be March 22nd.) Public notification may also include announcing the vacancy at one meeting of the Board of Selectmen, and any other means the Selectmen deem appropriate, to apprise the residents of Charlton of the vacant position. Provided, however, that no alleged insufficiency in the form or manner of such publication or of giving of such notice shall provide any ground for challenging or vitiating any appointment made to fill a vacancy under any provision of this policy so long as made in accordance with the statute.
3. Within 7 days of the deadline for submission of letters of interest, the Board of Selectmen shall notify the remaining members of the *elected* board having the vacancy of a date and time for interviews of the candidates. An appointment may be made at the end of that meeting by a majority of all those entitled to vote thereon using a roll call vote, or by majority vote of all members present and voting further consideration and the actual appointment may be postponed to a date certain. The appointment shall be made by the Board of Selectmen and the remaining members of the *elected* board having the vacancy, in joint session at a board of selectmen's meeting, by roll call vote.
4. A majority of the votes of the officers entitled to vote shall be necessary to such election.
5. The person so appointed shall be a registered voter of the town and shall perform the duties of the office until the next Annual meeting or until another is qualified (for example, until the selectmen decide, if at all, to hold a special election pursuant to G.L. c. 41, sec 10 and such election is held and the person elected sworn to perform the duties of the office.)
6. If the board in which the vacancy has occurred fails to give notice to the Board of Selectmen within one month of the occurrence of same as required by the statute and by no. 1 above, the Selectmen shall fill the vacancy, but before doing so shall give the notice prescribed by no. 2 above.

**FINANCIAL  
RESERVES**

**PURPOSE**

To help the Town stabilize finances and maintain operations during difficult economic periods, this policy establishes prudent practices for appropriating to and expending reserve funds. With well-planned sustainability, Charlton can use its reserves to finance emergencies and other unforeseen needs, to hold money for specific future purposes, or in limited instances, to serve as revenue sources for the annual budget. Reserve balances and policies can also positively impact the Town's credit rating and consequently its long-term cost to fund major projects.

**APPLICABILITY**

This policy pertains to short- and long-range budget decision making and applies to the Board of Selectmen, Town Administrator, and Finance Committee in those duties. It also applies to the related job duties of the Town Accountant, Water/Sewer Commissioners, and Board of Assessors.

**POLICY**

The Town of Charlton commits to building and maintaining its reserves so as to have budgetary flexibility for unexpected events and significant disruptions in revenue-expenditure patterns and to provide a source of available funds for future capital expenditures. The Town will strive to maintain overall reserves in the level of [eight - ten] percent of the annual operating budget. Adherence to this policy will help the Town withstand periods of decreased revenues and control spending during periods of increased revenues. There are multiple types of reserves, including free cash, stabilization funds, retained earnings, and overlay surplus.

A. Free Cash

The Division of Local Services (DLS) defines free cash as “the remaining, unrestricted funds from operations of the previous fiscal year, including unexpended free cash from the previous year.” DLS must certify free cash before the Town can appropriate it.

By [September 15<sup>th</sup>] each year, the Town Accountant will submit to DLS a year-end balance sheet, free cash checklist, and year-end reporting checklist. Once DLS certifies free cash, the Town Accountant will review any reduction to the certified balance and provide the Town Administrator a detailed explanation and subsequent year remediation plan.

The Town will set a year-to-year goal of maintaining its free cash in the range of [three - five] percent of the annual budget. To achieve this, the Town Accountant will propose budgets with conservative revenue projections, and department heads will carefully manage their appropriations to produce excess income and budget turn backs.

The Town will endeavor to transfer a minimum of 50 percent of the certified free cash to the general stabilization fund. As much as practicable, the Town will limit its use of free cash to funding one-time expenditures (like capital projects or emergencies and other unanticipated expenditures). Alternately, budget decision makers may reserve a portion of the remaining 50 percent to avoid fully depleting the Town's free cash so that the succeeding year's calculation can begin with a positive balance.

B. Stabilization Funds

A stabilization fund is a reserve account allowed by state law to set aside monies to be available for future spending purposes, including emergencies or capital expenditures, although it may be appropriated for any lawful purpose. Prior to the adoption of this policy, the Town established and appropriated to a general stabilization fund.

**General Stabilization:** The Town will endeavor to maintain a minimum balance of [five] percent of the current operating budget in its general stabilization fund. Withdrawals from general stabilization should only be used to mitigate emergencies or other unanticipated events that cannot be supported by current general fund appropriations. When possible, withdrawals of funds should be limited to the amount available above the [five] percent minimum reserve target level. If

any necessary withdrawal drives the balance below the minimum level, the withdrawal should be limited to [one-third] of the general stabilization fund balance. Further, the Town Accountant will develop a detailed plan to replenish the fund to the minimum level within the next [two] fiscal years.

**Capital Stabilization:** The Town will establish and appropriate annually to the capital stabilization fund so that over time it achieves a target balance sufficient to cover the Town’s cash outlay for capital. Doing so enables the Town to pay outright for moderate-range capital expenditures and thereby preserve debt capacity for major, higher-dollar purchases or projects. This approach balances debt with pay-as-you-go practices and protects against unforeseen costs.

#### C. Retained Earnings

The Town has separate enterprise funds to provide water and sewer utilities. By accounting for each utility’s revenues and expenditures in individual funds segregated from the general fund, the Town can identify the true costs of each service—direct, indirect, and capital—and recover these through user fees and other fees. Under this accounting, the Town may reserve each operation’s generated surplus (referred to as retained earnings or, alternatively, as net assets unrestricted) rather than closing the amount out to the general fund at year-end.

For each enterprise fund, the Town will maintain a reserve amount at [20] percent of the utility’s total budget, at minimum, but any reserve may be significantly higher if major infrastructure improvements are necessary. These reserves shall be used to provide rate stabilization and to fund major, future capital projects. To maintain the target reserve levels for each enterprise requires the Water and Sewer departments to periodically review, and when necessary, adjust user rates.

#### D. Overlay Surplus

The overlay is a reserve the Town uses to offset unrealized revenues resulting from property tax abatements and exemptions. Charlton officials will prudently manage the overlay in accordance with the Town’s Overlay policy to avoid the need to raise overlay deficits in the tax levy.

At the conclusion of each fiscal year, the Board of Assessors will submit to the Town Administrator and the Town Accountant an update of the overlay reserve with data that includes, but is not limited to, the gross balance, potential abatement liabilities, and any transfers to surplus. If the balance exceeds the amount of potential liabilities, the Board of Selectmen may request that the Board of Assessors vote to declare those balances surplus available for use in the Town’s capital improvement plan or for any other one-time expense.

### **REFERENCES**

[M.G.L. c. 40, §5B](#)

[M.G.L. c. 59, §25](#)

[M.G.L. c. 44, §53F½](#)

DLS Best Practice: [Free Cash](#)

DLS Best Practice: [Reserve Policies](#)

DLS Best Practice: [Special Purpose Stabilization Funds](#)

DLS Informational Guideline Release 08-101: [Enterprise Funds](#)

DLS Informational Guideline Release 16-104: [Overlay and Overlay Surplus](#)

DLS Informational Guideline Release 04-201: [Creation of Multiple Stabilization Funds](#)

Government Finance Officers Association Best Practice: [Appropriate Level of Unrestricted Fund Balance in the General Fund](#)

Town of Charlton Overlay Policy

Town of Charlton BOS Policy No. 28 [Fund Balance](#)

### **EFFECTIVE DATE**

This policy was adopted on July 17, 2018

***BOS Policy No. 35***

***Title: FLAG AUTHORIZATION IN MOURNING FOR DESIGNATED MUNICIPAL OFFICERS***

***Accepted/approved on: August 1, 2006***

***Amended on: December 11, 2018***

***Flag Authorization in Mourning for designated municipal officers***

Upon the death of any past or present elected or appointed official for the Town of Charlton, the Board of Selectmen authorize the American Flag to be flown at half staff and raised after the departed are buried.

**BOS Policy No. 36**  
**Title: FUEL EFFICIENT VEHICLE POLICY**  
**Accepted/approved on: October 25, 2016**  
**Amended on:**

**APPENDIX A**

Charlton <b>FUEL EFFICIENT VEHICLE POLICY</b>	
Effective Date	
Revisions	
Board of Selectman Approval Date	
School Superintendent Approval Date	

**DEFINITIONS**

**Combined city and highway MPG (EPA Combined fuel economy):** Combined Fuel Economy means the fuel economy from driving a combination of 43 percent city and 57 Percent highway miles and is calculated as follows:

$$=1/((0.43/City\ MPG)+(0.57/Highway\ MPG))$$

**Drive System:** The manner in which mechanical power is directly transmitted from the drive shaft to the wheels. The following codes are used in the drive field:

- AWD = All Wheel Drive: 4 -wheel drive automatically controlled by the vehicle power train system
- 4WD = 4-Wheel Drive: driver selectable 4-wheel drive with 2-wheel drive option
- 2WD = 2-Wheel Drive

**Heavy-duty vehicle:** A vehicle with a manufacturer’s gross vehicle weight rating (GVWR) of more than 8,500 pound

**POLICY STATEMENT**

In an effort to reduce the Town of Charlton’s fuel consumption and energy costs the (Board of Selectmen) hereby adopts a policy to purchase only fuel efficient vehicles to meet this goal.

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**PURPOSE**

To establish a requirement that the Town of Charlton purchase only fuel efficient vehicles for municipal/school use whenever such vehicles are commercially available and practicable.

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**APPLICABILITY**

This policy applies to all divisions and departments of the Town of Charlton.

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**GUIDELINES**

All departments/divisions shall purchase only fuel-efficient vehicles for municipal use whenever such vehicles are commercially available and practicable.

The Town of Charlton will maintain an annual vehicle inventory for ALL vehicles and a plan for replacing any non-exempt vehicles with vehicles that meet, at a minimum, the fuel efficiency ratings contained in the most recent guidance for Criterion 4 published by the MA Department of Energy Resources’ Green Communities Division.

It is the responsibility of the Town of Charlton to check the Green Communities Division’s Guidance for Criterion 4 for updates prior to ordering replacement vehicles.

***Exemptions***

- Heavy-duty vehicles: examples include fire-trucks, ambulances, and some public works trucks that meet the definition of heavy-duty vehicle
- Police cruisers, passenger vans and cargo vans are exempt from this criterion since fuel efficient models are not currently available. However, we commit to purchasing fuel efficient police cruisers, passenger vans and cargo vans when they become commercially available. Police and fire department administrative vehicles are NOT exempt and must meet fuel efficient requirements.

***Inventory***

The following information shall be included in a vehicle inventory list and said list shall be updated on an annual basis and provided to the Green Communities Division:

Model	Make	Model Year	Year/month Purchased	Drive System: 2 WD, 4WD or AWD	> 8500 pounds ? (Y or N)	Exempt or non- exempt	MPG Rating	Vehicle Function

NOTE: Departments/Divisions may use EPA combined MPG estimates or actual combined MPG.

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**FUEL EFFICIENT VEHICLE REPLACEMENT PLAN**

All non-exempt vehicles shall be replaced with fuel-efficient vehicles that adhere to the most recent Green Communities Criterion 4 Guidance. Vehicles shall be replaced when they are no longer operable and will not be recycled from one municipal department to another unless the recycled replacement vehicle meets the fuel efficiency ratings outlined in the Policy. In addition, when replacing exempt vehicles, the function of the vehicle will be reviewed for potential replacement with a more fuel efficient vehicle, including a fuel efficient non-exempt vehicle.

Charlton will review on an annual basis the Vehicle Inventory, along with the Green Communities Criterion 4 Guidance, to plan for new acquisitions as part of planning for the new fiscal year budget.

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**QUESTIONS / ENFORCEMENT**

All other inquiries should be directed to the department/division responsible for fleet management and/or fleet procurement. This policy is enforced by the Chief Administrative Officer and/or his/her designee(s).

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**BOS Policy No. 37**

**Title: FUND BALANCE Accepted/approved on: March 6, 2012**

**BACKGROUND**

In February 2009, the Governmental Accounting Standards Board (GASB) issued GASB Statement #54. This statement changes how fund balances are categorized in financial statements and requires that the town have a policy on maintaining fund balances.

**PURPOSE**

It is the intent of the Board of Selectmen and the financial managers of the Town of Charlton to provide a stable financial environment for the town in order to provide quality services to its residents and to maintain its credit ratings with the credit rating agencies.

**DEFINITION OF FUND BALANCE**

Fund balance is the difference between assets and liabilities in governmental funds.

**FUND BALANCE TYPES UNDER GASB 54**

Non-spendable: Funds cannot ever be spent.

Example: Trust fund principal

Restricted: Expenditure restrictions are imposed by creditors, grantors, contributors, or laws.

Example: Future debt, capital projects, spendable trusts, special purpose grants, receipts reserved for appropriation.

Committed: Use is limited by town meeting action. Use can only be changed by town meeting action.

Example: Stabilization, Special purpose articles.

Assigned: Intended use is established by the Board of Selectmen or managers. Example: Encumbrances, Reserve for expenditures.

Unassigned: Excess of general fund balance over other types of funds. Example: General fund undesignated fund balance.

**POLICY**

1. Committed and assigned fund balances are created at the end of the fiscal year by journal entries based on town meeting action and encumbrance documentation.
2. The Board of Selectmen and financial managers understand that economic conditions or the actions of the state or federal governments may require reserves to be used for operating budgets to accomplish the goal of providing an adequate level of services for the town. The Board, however, is committed to using Stabilization and Free Cash for capital purposes and keeping operating use to a minimum.
3. It is a policy of the Board of Selectmen to maintain reserves (stabilization and undesignated fund balance) at 10% of operating expenditures as recommended by the credit rating agencies.

***BOS Policy No. 38***

***Title: HEALTH INSURANCE FOR ELECTED OFFICIALS***

***Accepted/approved on: December 20, 2005***

***Amended on: March 25, 2008***

Elected Officials and Eligibility for group health benefits

All persons elected to compensated, public office<sup>1</sup> in the Town of Charlton shall not be eligible to participate neither in any town group health insurance plan nor in any other town group health benefit plan effective July 1, 2008, except as expressly provided below. All persons shall be so advised by posting a copy of this policy on the town hall bulletin board at 37 Main Street, Charlton, provided that any defect in such posting shall not affect the applicability of this policy.

The foregoing provisions of this policy apply only to elected officials whose duties in service to the town do not regularly require twenty (20) or more hours during the regular work week, since those whose duties do so require regular work hours in town offices are eligible as a matter of state law.

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<sup>1</sup> Elected officials who receive no compensation for their duties as such are ineligible under M.G.L. c. 32B for municipal group health insurance and health benefit plan.

**BOS Policy No. 39**

**Title: HEALTH INSURANCE UNDER THE FEDERAL AFFORDABLE CARE ACT**

**Accepted/approved on: December 8, 2015**

**Amended on:**

TOWN OF CHARLTON

POLICY AND PROCEDURES FOR HEALTH INSURANCE UNDER THE  
FEDERAL AFFORDABLE CARE ACT

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The Town of Charlton is implementing this Policy and the following procedures in order to meet its obligations under the Patient Protection and Affordable Care Act (ACA). The Town of Charlton is committed to being in full compliance with the ACA. The Town of Charlton is categorized as a large employer under the ACA and may be subject to an Employer Shared Responsibility Payment (ESRP) if one of its full-time employees purchases health insurance through the Massachusetts Health Connector and receives a tax credit for that purchase. The following procedures are designed to ensure that the Town of Charlton will avoid, or at least minimize, any liability for ESRP's.

Look-Back Measurement Method: Measurement, Administrative and Stability Periods.

Pursuant to the ACA, ongoing (current) Town of Charlton employees who are employed for at least 130 hours of service per month must be offered Town-sponsored health insurance for themselves, their spouses and dependents up to age 26. The Town of Charlton shall employ a 12-month look-back measurement method to determine eligibility for all employees. This standard measurement period shall begin on January 1, 2015. After twelve months, the Town of Charlton shall have up to 3 months (the administrative period) to determine if any full-time employees (total hours divided by 12 must equal at least 130 hours) have not been offered Town-sponsored health insurance and to enroll (or dis-enroll) them if necessary). If there are any such employees, the Town of Charlton shall offer them Town-sponsored health insurance coverage in the next stability period. The measurement, administrative and stability periods shall then repeat themselves on an ongoing basis.

The administrative period will be the same length for all employees and it will not serve to reduce or lengthen either the measurement or stability periods. To prevent gaps in health insurance coverage, the administrative period will overlap with the prior stability period during which time an employee's classification (full-time or part-time) will remain unchanged.

When the Town of Charlton hires a new employee who is expected to work on a full-time basis, the Town of Charlton shall offer Town-sponsored health insurance upon initial employment. Once the employee has been employed by the Town of Charlton for a full standard measurement period (the same period that applies to ongoing employees), he/she shall become an ongoing employee and be included in the normal look-back measurement cycle for determining eligibility.

For new employees expected to be variable hour, seasonal and part-time employees, the Town of Charlton shall track their hours of service using an initial measurement period of 12 months. The initial measurement period shall begin on the first day of the first calendar month following the employee's start date (or on the first day of the first payroll period starting on or after the employee's start day, if later). As with ongoing employees, an administrative period of up to 3 months shall be employed, along with a 12-month stability period. Once a new variable hour, seasonal, or part-time employee has been employed by the Town of Charlton for a full standard measurement period (the same period that applies to ongoing employees), he/she shall become an ongoing employee and be included in the normal look-back measurement cycle for determining eligibility.

### Hours of Service and Periods of Time Not Included in 12-Month Calculation

As mentioned previously, a Town of Charlton employee must average at least 130 hours of service over a 12-month period to be entitled to Town-sponsored health insurance. The following categories of service count toward the 130 hours average: each hour worked for which an employee is paid; unpaid short scheduled breaks (not including unpaid lunch breaks of at least 30 minutes), paid time off due to vacation, holiday, illness, incapacity (including disability), layoff, jury duty, military duty or leave of absence. Generally, unpaid time off will not count toward the 130 hours of service.

Certain periods of unpaid time off will not be included when calculating the 12-month standard measurement period. These include: summer months for teachers and other school employees, FMLA leave, military leave, jury duty. For these special periods of unpaid time off, the Town of Charlton will determine the average hours during the measurement period, excluding the special unpaid leave period, and will use that average as the average for the entire measurement period.

### Guidance.

Should the Town of Charlton employees have any questions regarding this policy, please contact Personnel in the Treasurer's office. The office telephone number is 508-248-2242 and her email address is [monica.redmond@townofcharlton.net](mailto:monica.redmond@townofcharlton.net).

***BOS Policy No. 40***

***Title: HIGHWAY DEPARTMENT WETLANDS OPERATING PROCEDURES***

***Accepted/approved on:***

***Amended on: January 20, 2015***

The following policies shall be in effect when working near any wetlands or bodies of water:

Highway Superintendent or Foreman will work with Board of Selectmen and Town Administrator to file a blanket Notice of Intent with the Conservation Commission for all Town roads.

In late winter, prior to road repair season, the Board of Selectmen and the Town Administrator will develop a list of road construction and repairs to be accomplished during the upcoming summer.

The Board of Selectmen and/or the Town Administrator will meet with the Conservation Commission to discuss the proposed list.

The Conservation Commission will provide any special conditions for any of the proposed work to be performed by the Town.

Except in emergency situations, the Highway Superintendent or Foreman will notify Conservation Commission at least one month in advance of beginning work on any Town roads. "Work" includes paving, drainage, Clearing brush or any other modifications to existing conditions. Conservation Commission will meet with Highway Superintendent or Foreman to discuss potential adverse circumstances and also visit sites of proposed work.

All new culverts and those recommended by the Highway Superintendent will be engineered by a professional engineer and stamped with his/her approval.

Any Citizen inquires or complaints will be treated with the utmost courtesy. No Highway Department employees, except the Superintendent or Foreman, shall answer any citizen complaints. All such complaints shall also be referred to the Board of Selectmen or Town Administrator.

***BOS Policy No. 41***

***Title: INSPECTIONAL SERVICES FEE/FINE APPEAL***

***Accepted/approved on: August 26, 2008***

***Amended on: December 11, 2018***

An appeal is defined as a fee and/or fine dispute between the Contractor/Owner and the Inspectional Services Department. The appellant shall identify the basis for the appeal in writing. All appeals must be filed at the Board of Selectmen's office and copied to the Inspectional Services Department within fifteen (15) working days after the issuance of a fee or fine. The Selectmen shall respond to the Contractor/Owner in writing with a copy to the Inspectional Services Department within twenty (20) working days after the Board's receipt of the appeal. The Board of Selectmen's decision is final and binding.

Failure by the Board of Selectmen to respond within the time limits set forth in this policy shall be deemed an approval of the appeal.

Any time limits contained in this policy may be waived by mutual agreement of the parties.

**BOS Policy No. 42**

**Title: INSPECTIONS, SERVING AND TRAINING FOR LIQUOR LICENSE HOLDERS**

**Accepted/approved on: September 14, 2004**

**Updated on: August 26, 2005**

**Amended on: December 11, 2018**

**I. ALCOHOLIC, BEER, WINE AND COMMON VICTUALERS LICENSES; INSPECTIONS**

A. Between October 1 and November 15 of each year, an inspection of all places of business holding a liquor or common victualler license in the Town of Charlton shall be made by the Fire Department and the Building Commissioner, in coordination with the Police Chief. Upon completion of said inspections, a written report shall be sent to the Board of Selectmen and the business establishments holding either or both of said licenses with regard to their findings.

B. Should the findings of either of the inspectors be that violations of laws or regulations of the Commonwealth of Massachusetts, Town of Charlton codes or bylaws are in evidence, said offender would have until December 15 of that year to correct such violations. The Tax Collector shall report on any license or property owner in arrears for any tax, betterment or user fee. Failure to comply may be reason for the Board of Selectmen to disapprove the granting of a renewal license for the ensuing year.

C. Upon request for a new all alcoholic, beer and wine or common victualler license, an inspection of the establishment in which said license would be used shall be made by the officials named in Subsection A, and a written report shall be sent to the Board of Selectmen with regard to their findings within a month after said request. A license can then be issued if all laws and code regulations conform.

D. Before granting a *Special Alcoholic Beverage License*, a favorable report from the Building Commissioner, Fire Chief and Police Chief as to the adequacy and safety of the premises or place where said license will be used shall be presented to the Board of Selectmen in writing within one (1) week of said request.

E. The Building Commissioner or other inspecting officials may ask for assistance the by Plumbing, Wire and Health Inspectors to inspect said premises if they deem it necessary.

F. No application for any new alcoholic and/or common victualler license or for transfer of such a license may be approved by the Board of Selectmen unless a favorable report is received from the previously mentioned inspectors.

**II. ALL ALCOHOL AND BEER AND WINE LICENSE TRAINING**

A. Any licensee holding an all alcohol, including seasonal or reoccurring special, or beer and wine license shall participate in a program designed to train employees who engage in either package sales or pouring in methods of observation and detection to avoid selling or serving to intoxicated persons and/or minors. This program will be based on the type of license issued.

B. Listed below are programs that are currently available which meet the requirements of this policy:

(1) *Beverage Alcohol Training (BAT)* sponsored by the Massachusetts Package Store Association, [info@masspack.org](mailto:info@masspack.org).

(2) Training for Intervention Procedures by Servers of Alcohol (TIPS) offered by Health Communications.



(3) Any insurance industry approved and qualified program offered by a certified trainer and approved by the Board of Selectmen.

(4) Or any program designed and instructed by the Charlton Police Department approved by the Board of Selectmen.

C. All personnel shall be required to participate in a training program based on the type of license issued. Establishments will have six (6) months to comply with this policy from the date of its adoption, by having seventy-five percent (75%) of their eligible employees trained and certified. After that time, new employees of any establishment will have three months from the date of employment to complete one (1) of the training programs.

D. All establishments must maintain during operating hours, in an accessible place, a roster or certificate of trained personnel. An updated roster shall be submitted with the annual application for renewal of the license. The roster shall include:

- (1) Employee name.
- (2) Type of training (license).
- (3) Date valid.
- (4) Date of expiration.
- (5) Date of hire.

E. All personnel shall be required to be re-certified once every three (3) years by an approved program above noted.

F. Failure to comply with all alcohol and beer and wine license training, may result in revocation of the license. Fines may also be levied against the license holder should any violation of this policy occur.

**BOS Policy No. 43**

**Title: INVESTMENT POLICY**

**Accepted/approved on: July 18, 2006**

**Amended on: January 10, 2012**

Statement of Purpose:

The purpose of this policy is to set forth the investment objectives and parameters for the management of Town of Charlton public funds. This Investment Policy is designed to safeguard municipal funds, to ensure the availability of operating and capital funds when needed, and to provide an investment return competitive with comparable funds and financial market indices.

**I. The Investment of General Funds, Special Revenue Funds, Enterprise Funds, and Capital Projects Funds**

**A. Scope**

This section of the IP- Investment Policy applies only to short term operating funds such as general funds, special revenue funds, enterprise funds, bond proceeds and capital project funds. Section two will deal with trust funds, and any other funds with special circumstances such as stabilization funds.

**B. Objectives**

Massachusetts General Laws, Chapter 44, section 558 requires the municipal/district treasurer to invest all public funds except those required to be kept liquid for purposes of immediate distribution. Modern banking systems enable the public treasurer to maintain even these funds in interest bearing form until the date a disbursement order clears through the banking system.

The state law further requires that invested funds are to be placed at the highest possible rate of interest reasonably available, taking into account the acceptable levels of safety, liquidity and yield. Therefore, these guidelines are intended to further the objective of securing the highest reasonable return available that is consistent with safety of principal while meeting the daily cash requirements for the operation of the entity's business.

- *Safety* of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to preserve capital through the mitigation of credit risk and interest rate risk. These risks shall be mitigated by the diversification and prudent selection of investment instruments and choice of depository. Credit risk is the risk of loss due to the failure of the security issuer or backer. Interest rate risk is the risk that the market value of the security will fall due to changes in general interest rates.
- *Liquidity* is the next most important objective. The overall investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. Since all possible cash demands cannot be anticipated, the treasurer shall attempt to carry out investment activities in a manner that provides for meeting unusual or unexpected cash demands without requiring the liquidation of investments that could result in forfeiture of accrued interest earnings, and loss of principal in some cases.
- *Yield* is the third, and last, objective. Investments shall be under taken so as to achieve a fair market average rate of return, taking into account safety and liquidity constraints as well as all legal requirements.

**C. Investment Instruments**

Note: Public investments in Massachusetts are not protected through provisions in State law. Therefore, they are largely uncollateralized. Many banking institutions are willing to put up collateral, albeit at a cost of the entity resulting in a lower interest rate. The Treasurer negotiates for the highest rates possible, consistent with safety principles.

The Treasurer may invest in the following instruments:

- Massachusetts State pooled fund: **Unlimited amounts** (Pool is liquid)

The Massachusetts Municipal Depository Trust (MMDT), an investment pool for state, local, county and other independent governmental authorities, is under the auspices of the State Treasurer and currently managed by Fidelity Investments. It invests in Bankers Acceptances, Commercial Paper of high quality, Bank Certificates of Deposit, Repurchase agreements (Repos), and U. S. Treasury Obligations. It has Federal Deposit Insurance Corporation (F.D.I.C.) pass-through insurance on the CO's up to the standard limits and takes delivery on the Repos and Treasuries. Under Government Accounting Standards Board Regulation (GASB III), it is not considered an uncollateralized product.

- U. S. Treasuries that will be held to maturity: **Unlimited amounts** (Up to one year maturity from date of purchase)
- U.S. Agency obligations that will be held to maturity. **Unlimited amounts** (Up to one year maturity from date of purchase)
- Bank accounts or Certificates of Deposit ("COs") (Up to one year) which are fully collateralized through a third party agreement: **Unlimited Amounts**
- Bank accounts and COs (Up to one year) insured by F.D.I.C. up to the coverage limit. All bank accounts and COs in one institution are considered in the aggregate for the insurance coverage limit. In some cases Banking Institutions carry additional insurance, Depository Insurance Fund (D.I.F.): Contact banking representative for amounts of coverage.
- **Unsecured bank deposits** of any kind such as other checking, savings, money market, or Certificates of Deposit accounts at Banks that do not fit the above categories. These investments are subject to the following limitations: **No more than 5% of an institution's assets and no more than 25% of a municipality's cash may be comprised of unsecured bank deposits.** This percentage may be increased for not more than 30 days during times of heavy collection or in anticipation of large payments that will be made by the Town in the near future. These payments may be for such items as debt service payment or regional school assessments. Their credit worthiness will be tracked by Veribanc, or other bank credit worthiness reporting systems. They will be diversified as much as possible. COs will be purchased for no more than one year and will be reviewed frequently.
- **Money Market Mutual Funds** that are registered with the Securities and Exchange Commission that have received the highest possible rating from at least one nationally recognized statistical rating organization and as otherwise referenced in the Massachusetts General Law Chapter 44, Section 55.

- **Risk Tolerance**

#### **Credit Risk**

- "Credit risk" is the risk that an issuer or other counterparty to an investment will not fulfill its obligations.

The Town will manage credit risk several ways. There will be no limit to the amount of United States Treasury and United States Government Agency obligations, as they carry an AAA rating

In regards to other investments, the Town will only purchase investment grade securities with a high concentration in securities rated A or better.

The Town may invest in the Massachusetts Municipal Depository Trust (MMDT) with no limit to the amount of funds placed in the fund.

The Town may place funds in banking institutions as stated in Section C of this IP.

#### **Custodial Risk**

•The "custodial credit risk" for *deposits* is the risk that, in the event of the failure of a depository financial institution, a municipality will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. The custodial credit risk for *investments* is the risk that, in the event of the failure of the counterparty to a transaction, a municipality will not be able to recover the value of investment or collateral securities that are in the possession of an outside party.

The Town will review the financial institution's financial statements and the background of the Advisor. The intent of this qualification is to limit the Town's exposure to only those institutions with a proven financial strength, Capital adequacy of the firm, and overall affirmative reputation in the municipal industry.

Further, all securities not held directly by the Town, will be held in the Town's name and tax identification number by a third-party custodian approved by the Treasurer and evidenced by safekeeping receipts showing individual CUSIP numbers for each security.

#### **Concentration of Credit Risk**

•"Concentration of credit risk" is the risk of loss attributed to the magnitude of a government's investment in a single issuer.

The town will minimize concentration of credit risk by diversifying the investment portfolio so that the impact of potential losses from any one type of security or issuer will be minimized.

#### **Interest Rate Risk**

•"Interest rate risk" is the risk that changes in interest rates will adversely affect the fair value of an investment.

The town will manage interest rate risk by managing duration in the account.

#### **Foreign Currency Risk**

•"Foreign currency risk" is the risk that changes in foreign monetary exchange rates will adversely affect the fair value of an investment or a deposit.

The Town will not invest in any instrument exposed to foreign currency risk.

#### **D. Diversification**

Diversification should be interpreted in two ways: in terms of maturity as well as instrument type and issuer. The diversification concept should include prohibition against over concentration of maturities, as well as concentration in a specific institution. With the exception of U.S. Treasury obligations or investments fully collateralized by U.S. Treasuries or agencies, and State pools (MMDT), no more than 10% of the Town's investments shall be invested in a single financial institution.

#### **E. Authorization**

The Treasurer has authority to invest municipality/district funds, subject to the statutes of the Commonwealth Massachusetts General Law Chapter 44 Section 55, 55A, & 558.

## **F. Ethics**

The Treasurer (and Assistant Treasurer) shall refrain from any personal activity that may conflict with the proper execution of the investment program or which could impair or appear to impair ability to make impartial investment decisions. Said individuals shall disclose to the Town Administrator any material financial interest in financial institutions that do business with the town. They shall also disclose any large personal financial investment positions or loans that could be related to the performance of the town's investments.

## **G. Relationship with Financial Institutions**

Financial institutions should be selected first and foremost with regard to their financial soundness and stability. The Town subscribes to the Veribanc Rating Service to evaluate the banking institutions with which it chooses to establish relationships. Brokers should be recognized, reputable dealers and members of the Financial Industry Regulatory Authority (FINRA).

In instances where the Town does not purchase the Veribanc Rating Service, the Treasurer should request the banking institution's Veribanc rating from all of the banking institutions that are working with the Town on a quarterly basis.

When using the Veribanc Rating Service the Treasurer may invest in such banks that show a green rating in a particular quarter. If a rating is yellow the Treasurer should contact the appropriate banking institution and request in writing an explanation of the change in rating and the expected time table for it to be changed to green.

If for a second quarter such rating is not green, the Treasurer should consider removing all funds that are not collateralized, or carries some form of depositors insurance.

If a rating moves to red all money should be immediately collateralized or covered by some form of depositors insurance or be removed from the banking institution.

The Treasurer shall require any brokerage houses and broker/dealers wishing to do business with the municipality to supply the following information to the Treasurer on an annual basis:

- Audited financial statements
- If acting as a Registered Investment Advisor, copy of their Form ADV Part II
- Proof of FINRA membership
- A statement that the Advisor has read the municipality's IP and will comply with it on an annual basis
- Proof of credit worthiness (minimum standards: at least five years in operation and a minimum capital of 10 million dollars)

## **H. Reporting Requirements**

On a semi-annual basis, a report containing the following information will be prepared by the Treasurer and distributed to the Chief Accounting Officer, Town Administrator, and/or Finance Committee, as appropriate. The quarterly report will include the following information, as a minimum requirement:

- A listing of the individual accounts and individual securities held at the end of the reporting period.
- A listing of the short-term investment portfolio by security type and maturity to ensure compliance with the diversification and maturity guidelines established in the "Diversification" section of this IP.
- A summary of the income earned on a monthly basis and year-to-date basis shall be reported.
- The municipal treasurer shall include in the report a brief statement of general market and economic conditions and other factors that may affect the Town's cash position.

- The report should demonstrate the degree of compliance with the tenets set forth in the IP.

## **I. Restrictions**

Chapter 44, Section 55 set forth several restrictions that the Treasurer must be aware of when making investment selections.

- A Treasurer shall not at any one time have on deposit in a bank or trust company an amount exceeding 60% of the capital and surplus of such bank or trust company, or banking company, unless satisfactory security is given to it by such bank or trust company, or banking company for such excess.
- The treasurer shall not make a deposit in any bank, trust company or banking company with which he is, or for any time during the three years immediately preceding the date of any such deposit was, associated as an officer or employee.
- All securities shall have a maturity from date of purchase of one year or less.
- Purchases under an agreement with a trust company, national bank or Banking Company to repurchase at not less than original purchase price of said securities on a fixed date shall not exceed ninety days.

## **J. Legal References**

Massachusetts General Law Chapter 44, Section 55  
Massachusetts General Law Chapter 44, Section 55A Massachusetts  
General Law Chapter 44; Section 556

## **II. The Investment of Trust Funds, Stabilization Funds and Community Preservation Act Funds**

This section of the IP applies only to funds that could be invested long term, i.e. trust funds, stabilization funds and community preservation act funds.

### **A. Scope**

This IP applies to all accounts that are designated as Trust Funds, Stabilization Funds, and Community Preservation Funds. These funds include all accounts that are received as scholarships and perpetual care receipts. In addition the Town has placed both the Capital Stabilization and regular Stabilization money in this account along with their workers compensation and unemployment compensation accounts.

All accounts will be maintained separately receiving their proportionate interest and any realized and unrealized gains or losses. The account will be established as a pooled investment portfolio unless otherwise stated. Any additional accounts will be maintained in this same manner.

### **B. Authority**

Massachusetts General Law Chapter 44, section 54 pertains to the investment of Trust Funds. All trust funds shall fall under the control of the Town Treasurer unless otherwise provided or directed by the donor.

### **C. Objective**

Massachusetts General Laws, Chapter 44, section 558 requires the Town Treasurer to invest all public funds except those required to be kept liquid for purposes of immediate distribution.

This section also requires that invested funds are to be placed at the highest possible rate of interest reasonably available, taking into account the acceptable levels of safety, liquidity and yield. Therefore, these guidelines are

intended to further the objective of securing the highest reasonable return available that is consistent with safety of principal while meeting the daily cash requirements for the operation of the entity's business.

**Safety** of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to preserve capital through the mitigation of credit risk and interest rate risk. These risks shall be mitigated by the diversification and prudent selection of investment instruments, and choice of depository. Credit risk is the risk of loss due to the failure of the security issuer or backer. Interest rate risk is the risk that the market value of the security will fall due to changes in general interest rates.

**Liquidity** is the next most important objective. The overall investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. Since all possible cash demands cannot be anticipated, the treasurer shall attempt to carry out investment activities in a manner that provides for meeting unusual or unexpected cash demands without requiring the liquidation of investments that could result in forfeiture of accrued interest earnings, and loss of principal in some cases.

**Yield** is the third, and last, objective. Investments shall be undertaken so as to achieve a fair market average rate of return, taking into account safety and liquidity constraints as well as all legal requirements.

#### **D. Investment Instruments**

M.G.L. Chapter 44 section 54 states that money should be deposited into savings bank, trust companies incorporated under the laws of the Commonwealth, banking companies incorporated under the laws of the Commonwealth which are members of the Federal Deposit Insurance Corporation, or national banks, or invested in participation units in a combined investment fund under section thirty-eight A of chapter twenty-nine, or in a paid-up shares and accounts of and in co-operative banks, or in shares of savings and loan associations or in share or savings deposits of federal savings and loan associations doing business in the commonwealth.

Additionally the Town may invest such funds in securities, other than mortgages or collateral loans, which are legal for the investment of funds of savings banks under the laws of the commonwealth; provided, that not more than fifteen percent (15%) of any such trust funds shall be invested in bank stocks and insurance company stocks, nor shall more than one and one-half percent (1 Y.%) of such funds be invested in the stock of any one bank or insurance company. See attached the Commonwealth of Massachusetts **List of Legal Investments**.

#### **The Treasurer may invest in the following instruments:**

- U. S. Treasuries that maybe sold prior to maturity: **Unlimited amounts** (With no limit to the length of maturity from date of purchase)
- U.S. Agency obligations that maybe sold prior to maturity. **Unlimited amounts** (With no limit to the length of maturity from date of purchase)
- Bank accounts or Certificates of Deposit ("COs") **Unlimited amounts** (With no limit to the length of maturity from date of purchase), which is fully collateralized through a third party agreement:
- Bank accounts and COs (With no limit to the length of maturity from date of purchase) fully insured by F.D.I.C. and in some cases also Depository Insurance Fund of Massachusetts (D.I.F.): All bank accounts and COs in one institution are considered in the aggregate to receive the insurance coverage limit
- **Unsecured bank deposits** of any kind such as other checking, savings, money market, or Certificates of Deposit accounts at Banks that do not fit the above

categories. These investments are subject to the following limitations: These investments **will be limited to no more than 5% of an institution's assets and no more than 25% of a municipality's cash.** This percentage may be increase for not more than 30 days during times of heavy collection or in anticipation of large payments that will be made by the Town in the near future. These payments maybe for such items as debt service payment or regional school assessments. Their credit worthiness will be tracked by Veribanc, or other bank credit worthiness reporting systems. They will be diversified as much as possible. COs will be purchased with no limit to the length of maturity from the date of purchase and will be reviewed frequently.

- Common and preferred stock that are listed in the **List of Legal Investments.**
- Investment Funds that are listed in the **List of Legal Investments.**
- All other items not separately identified here that are listed in the **List of Legal Investments.**
- **Risk Tolerance**
- **Credit Risk**

Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations.

The Town will manage credit risk several ways. There will be no limit to the amount of United States Treasury and United States Government Agency obligations, as they carry an AAA rating.

In regards to other investments the Town will only purchase investment grade securities with a high concentration in securities rated A or better. The Town may invest in the Massachusetts Municipal Depository Trust (MMDT) with no limit to the amount of funds placed in the fund.

The Town may place funds in banking institutions as stated in the Section C of this IP.

- **Custodial Risk**

The custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. The custodial credit risk for investments is the risk that, in the event of the failure of the counterparty to a transaction, a government will not be able to recover the value of investment or collateral securities that are in the possession of an outside party.

The Town will review the financial institution's financial statements and the background of the sales representative. The intent of this qualification is to limit the Town's exposure to only those institutions with a proven financial strength, Capital adequacy of the firm, and overall affirmative reputation in the municipal industry.

Further, all securities not held directly by the Town, will be held in the Town's name and tax identification number by a third party custodian approved by the Treasurer and evidenced by safekeeping receipts showing individual CUSIP numbers for each security.

- **Concentration of Credit Risk**

"Concentration of credit risk" is the risk of loss attributed to the magnitude of a government's investment in a single issuer.



The town will minimize Concentration of Credit Risk by diversifying the investment portfolio so that the impact of potential losses from any one type of security or issuer will be minimized.

- **Interest Rate Risk**

"Interest rate risk" is the risk that changes in interest rates will adversely affect the fair value of an investment.

The town will manage interest rate risk by managing duration in the account.

- **Foreign Currency Risk**

"Foreign currency risk" is the risk that changes in foreign monetary exchange rates will adversely affect the fair value of an investment or a deposit.

The Town will not invest in any instrument exposed to foreign currency risk.

## **E. Standards of Care**

The standard of prudence to be used by the Treasurer shall be the "Prudent Person" standard and shall be applied in the context of managing an overall portfolio. The Treasurer acting in accordance with written procedures and this IP, and exercising reasonable due diligence, shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided the purchases and sale of securities is carried out in accordance with the terms of this IP.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs; not for speculation, but for investment considering the probable safety of their capital as well as the probable income to be derived.

In addition this section would also apply to M.G.L. Chapter 44 Section 55A which refers to the liability of the Treasurer for losses due to bankruptcy.

## **F. Diversification**

Diversification should be interpreted in two ways: in terms of maturity as well as instrument type and issuer. The diversification concept should include prohibition against over concentration of maturities, as well as concentration in a specific institution, with the exception of U.S. Treasury obligations or investments fully collateralized by U.S. Treasuries or agencies.

## **G. Ethics**

The Treasurer and Assistant Treasurer shall refrain from any personal activity that may conflict with the proper execution of the investment program or which could impair or appear to impair ability to make impartial investment decisions. The Treasurer shall disclose to the Town Administrator any material financial interest in financial institutions that do business with the town. They shall also disclose any large personal financial investment positions or loans that could be related to the performance of the town's investments.

## **H. Relationship with Financial Institutions**

Financial institutions should be selected first and foremost with regard to their financial soundness and stability. The Town subscribes to Veribanc a recognized bank rating service. Brokers should be recognized, reputable dealers.

The Treasurer shall require any brokerage houses and broker/dealers, wishing to do business with the Town, to supply the following information to the Treasurer:

- Audited financial statements
- If acting as a Registered Investment Adviser, yearly copy of their Form ADV Part II
- Proof of FINRA membership
- A statement that the Advisor has read the municipality's IP and will comply with it on an annual basis

## **I. Reporting Requirements**

On a semi-annual basis, a report containing the following information will be prepared by the Treasurer and distributed to the Town Administrator, and/or Finance Committee, as appropriate. The quarterly report will include the following information, as a minimum requirement:

- A listing of the individual accounts and individual securities held at the end of the reporting period.
- A listing of the short-term investment portfolio by security type and maturity to ensure compliance with the diversification and maturity guidelines established in the "Diversification" section of this IP.
- A summary of the income earned on a monthly basis and year-to-date basis shall be reported.
- The Treasurer shall include in the report a brief statement of general market and economic conditions and other factors that may affect the Town's cash position.
- The report should demonstrate the degree of compliance with the tenets set forth in the IP.

## **J. Legal References**

Massachusetts General Law Chapter 44, Section 54

Massachusetts General Law Chapter 44, Section 55A  
Massachusetts General Law Chapter 44, Section 55B

Trust Funds may be co-mingled and invested in any instruments allowed by the Commonwealth of Massachusetts list of Legal Investments Legal issued by the Banking Commissioner each July. Each trust fund must be accounted for separately. Chapter 44 Section 54 sets forth that Treasurers may invest in instruments that are legal for savings banks. This list of investments is included in the Commonwealth of Massachusetts List of Legal Investments, Chapter 167 Section 15A.

**BOS Policy No. 44**

**Title: LANDS POLICY AND PROCESS**

**Accepted/approved on: February 1, 2010**

**Amended on: April 28, 2015**

**Amended on: April 24, 2018 (changes marked with \*)**

**Reviewed on: December 11, 2018 – no changes**

**Lands Policy and Process - MGL Chapters 61, 61A and 61B**

Whereas the Town of Charlton (“the Town”) in accordance with state law allows owners of open lands used for forestry, farming or recreation to enroll their property in preferential tax classification programs under Mass. General Laws Chapter 61, 61 and 61B (“the statutes”) in order to help maintain these lands in their current use, but in doing so forgoes tax revenue that would otherwise be generated by these lands; and

Whereas owners of land enrolled in these programs are required to grant the Town a 120-day assignable right of first refusal in the event that these lands are proposed to be sold for or converted to other uses; and

Whereas the Town has the right to exercise its right of first refusal on land sold for, or converted to, another use while such land is taxed under one of the statutes or within one year after the land has been so taxed; and

Whereas the Town has ongoing needs for land for municipal purposes including but not limited to conservation land and finds it in the Town’s best interest to give full consideration to the opportunity presented by withdrawal of land from these programs, to gather information from relevant boards and staff, and to determine whether the Town should exercise or assign its right of first refusal, but also recognizes the legitimate interest of a landowner in not being unnecessarily delayed in disposition of privately owned property if after due diligence and reasonable consideration the Town decides not to exercise its right of first refusal in a given instance;

Therefore the Board of Selectmen adopts this Chapter 61, 61A and 61B Lands Policy and Process to set forth a reasonably clear process by which the Town of Charlton will review and respond to notices of intended conversion or sale of land classified under Chapter 61, 61A or 61B and will determine whether or not to exercise or assign its right of first refusal on such land. This policy and procedures are adopted solely for the purposes of coordinating local review. Failure to adhere to these policies and procedures shall not affect any rights that the Town has under MGL Chapters 61, 61A and 61B, nor shall the Policy and Process to the extent, if at all, irreconcilably inconsistent with the statutes affect any right of the landowner.

Note: For the purposes of this document, the following items that are required by statute are noted in italic type. This is not an exact replication of the wording of the statute. Other items are adopted as part of this policy. The statute should always be consulted for exact wording and any requirements not discussed in this policy and process document.

A. Right of First Refusal

*Within 120 days of mailing by the Landowner (not receipt<sup>1</sup>) of a proper notice of intent to sell or convert, the Town, acting through the Board of Selectmen, after the required public hearing discussed below, must either:*

1. A. *Vote to exercise its right of first refusal option to purchase (to meet a bona fide purchase offer or, in the case of intended conversion by the landowner, an option to purchase at full and fair market value) and*

B. *(1) Prepare and*

*(2) Send to the owner by certified mail to the address specified in the notice of intent and*

*(3) Record at the Registry of Deeds*

*a notice of the exercise:*

*(a) signed by the Board of Selectmen and containing*

*(b) the name of the record owner of the land and*

*(c) a description of the premises adequate for identification of same and*

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<sup>1</sup> The Town Clerk and Board of Selectmen immediately upon receipt of any such notice should date stamp same with the date of receipt. They should also attach to the notice and retain the envelope bearing the date of mailing and a copy of any related receipt.

*(d) a copy of the purchase and sale agreement discussed in D. 1 below<sup>2</sup>; or*

2. A. *Vote to assign its rights to a non-profit conservation organization or the Commonwealth or any of its political subdivisions under such terms and conditions as the Board of Selectmen may consider appropriate and*

B. *(1) Prepare and*

*(2) Send to the owner by certified mail to the address specified in the notice of intent and*

*(3) Record at the Registry of Deeds*

*a notice of such vote to assign:*

*(a) signed by the Board of Selectmen and containing*

*(b) the name of the record owner of the land and*

*(c) a description of the premises adequate for identification of same;*

*(d) the name and address of the organization or agency of the Commonwealth which will exercise the option and*

*(e) the terms and conditions of the assignment<sup>3</sup>; or*

3. A. *Prepare and*

B. *Send to the owner by certified mail to the address specified in the notice of intent and*

C. *Have recorded at the Registry of Deeds<sup>4</sup>*

*a notice of non-exercise of the right of first refusal:*

*(1) signed by the Board of Selectmen and containing*

*(2) the name of the record owner of the land and*

*(3) a description of the premises adequate for identification of same<sup>5</sup>.*

*Default provision...*

4. *Failure to record either the notice of exercise or the notice of assignment within the aforementioned 120 days is also considered conclusive evidence that the Town will not exercise its right of first refusal, but since the term "shall" is used in the provision as to notice of non-exercise the procedure outlined in no. 3 immediately above should be followed rather than relying upon this statutory default provision.*

#### B. Requirements for Notice by Property Owner

1. *The 120-day right of first refusal time period begins with a notice of the landowner's intent to sell or convert a parcel for commercial, industrial or residential use. This notice must be sent by certified mail or hand delivered to the Board of Selectmen in care of the Town Clerk (with a copy to the Selectmen's Office if the landowner wishes), in addition to the Planning Board, Board of Assessors, Conservation Commission, Water/Sewer Commission\* and to the State Forester. This notice must include the following:*

a. *A statement of intent to sell or convert,*

b. *A statement of proposed use of the land,*

c. *The location and acreage of land as shown on a map drawn at the scale of (municipal) Assessor's map of the town in which the land is situated,*

d. *The name, address and telephone number of the landowner,*

e. *In the case of an intent to sell, a certified copy of an executed purchase and sale agreement specifying the purchase price and all terms and conditions of the proposed sale, which is limited only to the property classified under the Chapter, and must be a bona fide offer,*

f. *The purchase and sale agreement must be a bona fide offer, defined as a good faith offer not dependent upon potential changes to current zoning or conditions or contingencies relating to the potential for, or the potential extent of,*

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<sup>2</sup> See Sec. D. 1 below for further requirements and procedures.

<sup>3</sup> See Sec. D. 2 below for further requirements and procedures.

<sup>4</sup> The statute, in the to the last paragraph of c. 61B, sec. 9 for example, states that such notice “shall be recorded with the registry of deeds,” but does not say who is to so record. As I read those provisions, the Town could leave it to the landowner to record same, which would save the Town the cost of recording and also give the landowner the opportunity to have its title company or attorney record same in connection with a proposed sale.

<sup>5</sup> See Sec. D. 3 below for further recommendations and procedures.

*Subdivision of the property for residential use or the potential for, or the potential extent of, development of the property for industrial or commercial use, made by a party unaffiliated with the landowner for a fixed consideration payable upon delivery of the deed.*

*g. Any additional agreements or a statement of any additional consideration for any contiguous land under the same ownership, and not classified under the Chapter, but sold or to be sold contemporaneously with the proposed sale,*

*h. A notarized affidavit that the landowner has mailed or delivered the notice will be conclusive evidence that the notice has been mailed in the manner and at the time specified, provided the affidavit has attached to it a copy of the notice of intent to which it relates.*

*i. In the case of an intent to convert the land to other use, the landowner must also notify the Town of the landowner’s attorney, if any.*

### C. Procedure for Review of Notices and Evaluation of Properties

1. Within three days of receipt of a proper Notice from a landowner<sup>6</sup>, the Board of Selectmen’s office will ascertain that the Notice, with the required information, was also properly transmitted to the Planning Board, Board of Assessors, Conservation Commission and Water/Sewer Commission.\* Copies of the Notice may be provided by the Board of Selectmen to the Open Space Committee, Historic Commission, and non profit organization(s) as well as any other entities the Board of Selectmen deems appropriate.

2. The Board of Selectmen’s office will also determine the final day of the 120-day period and the person assigned to keep track of the process should note and red-flag same and other deadlines mentioned in this policy in a calendar to be kept on the matter and may attempt to seek confirmation from the landowner or his/her representative regarding this date. (Note that the date of receipt should be excluded from such computation and the final day of the 120 day or other period to be computed should be included in same, but that all reasonable efforts should be made to avoid waiting until the last, possible day for action under any such computation, so as to avoid issues and potential litigation as to same.)

3. The Board of Selectmen will consult with town counsel to review the notice, including the purchase and sale agreement, and determine whether the Town is being given the same opportunity as the buyer with regard to the terms of the agreement.

4. *If the Notice is determined to be insufficient, the Board of Selectmen will immediately, but in any event within 30 days from receipt of the Notice, notify the landowner by certified letter in writing that the proper notice has not been given and that the 120-day clock has not started.* A copy of this letter will be provided to the Planning Board, Board of Assessors, Conservation Commission, Water/Sewer Commission\* and other boards/officials mentioned in Paragraph C 1 above.

5. The Board of Selectmen may gather information on the property to determine its conservation value and other, pertinent information. The Board of Selectmen may also gather background information about the interests and perspectives of the landowner, abutters and the proposed buyer.

The Board of Selectmen may also perform, or have another board, commission or agent perform, an analysis of the location of the property relative to other protected lands, along with an environmental assessment.

A determination may be made whether the property contains any unique geological or other environmental features, important soils, a drinking water source, or was the site of an important historical event.

An entry and inspection of the property by the Town or its agents shall occur *at reasonable times and upon reasonable notice*, with the Town enjoying all its statutory rights as well as all the rights designated as belonging to the buyer in the purchase and sale agreement contained in the notice of intent, including but not limited to surveying, soil testing and water testing.

Zoning and subdivision control regulations will be examined to determine the impact of the potential development on town services.

6. Upon a determination that proper Notice was received, the Board of Selectmen shall schedule and give notice of a public hearing for the purpose of receiving comments on the importance of the property to Town, its conservation

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<sup>6</sup> See footnote 1 above as to date stamp and retention of envelope, and no. 4 below re notice to owner if the owner's notice of intent does not satisfy statutory requirements.

Significance and/or potential for use to serve municipal needs, if any, and for initiating discussion of whether or not the Town should exercise or assign its right of first refusal. The public hearing will be scheduled, ideally within 60 days of receipt of the notice from the property owner - and as soon as reasonably possible if the Board determines for any reason that it is unlikely to either exercise or assign the right of first refusal. In those cases where there is a proposed conversion of the land but no sale, the determination of sale price may take as long as 90 days, at which point the public hearing will be scheduled if it has not been scheduled earlier. *Notice of the hearing shall be given in accordance with M.G.L. Ch. 39, Section 23B (Open Meeting Law).* The Board of Selectmen will also notify the Planning Board, Conservation Commission, the Board of Assessors, the Water/Sewer Commission\* and such other boards and organizations as it deems appropriate, which by way of example only may include an open space committee, economic development committee, recreation committee, etc. *The option to exercise the right of first refusal may only occur after a public hearing.* At the public hearing, the Board of Selectmen will afford the landowner (if such owner chooses to attend<sup>7</sup>) and interested boards, organizations and individuals the right to comment. If there is interest in pursuing acquisition of the property for municipal uses or in assigning the right of first refusal to a non-profit conservation organization or to the Commonwealth or one of its political subdivisions, the Board of Selectmen may continue the public hearing as needed to allow time to present a more specific proposal for consideration by the Board. The Board of Selectmen may create a Study Committee comprised of the chairs (or their representatives) of these and/or other boards to assist in developing a proposal.

*7. If the landowner is converting the property, and the Town is interested in the option to purchase the land at fair market value, the Town will hire a certified independent appraiser, and obtain the appraisal within 30 days of the notice to convert. If the landowner contests the appraisal, the landowner may at the landowner's sole expense hire a certified independent appraiser and obtain an appraisal to be completed within 60 days of the notice to convert and delivered to the Board of Selectmen. If the Town and the landowner cannot agree on an appraised value, then the two parties will jointly hire a third appraiser, each paying half the cost, and obtain an appraisal to be delivered to each party within 90 days of the notice to convert. The purchase price established by the third appraisal will prevail if there is a sale, but at any time during the appraisal process the landowner may withdraw his or her notice to convert. Upon agreement of a consideration, the Town will have 120 days to exercise its option.*

#### D. Decision by Municipality

Based on input at the public hearing and further research as warranted, the Board of Selectmen will close the hearing and determine whether or not to pursue the opportunity to exercise the right of first refusal. The Board of Selectmen must choose one of four courses of action:

1. If the Town desires to exercise its option, the Board of Selectmen shall before expiration of the 120 day period:

- *Record the notice to exercise the option, meeting the requirements set forth in A. 1 above, at the Registry of Deeds as part of an affidavit of a notary public, which shall contain the name of the record owner of the land and a description of the premises adequate for identification of same.*

- *(a) Notify the landowner by letter signed by the Board of Selectmen, by certified mail, at the address specified in the landowner's notice, of the Town's intent to exercise its option and (b) enclose with such notice a proposed purchase and sale agreement between the Town and the landowner, which if executed shall be fulfilled within a period of not more than (1) 90 days after the date such agreement, endorsed by the landowner, is returned by certified mail to the Board of Selectmen or (2) upon expiration of any extended period that the landowner has agreed to in writing, whichever is later.*

- *If sufficient, previously appropriated funds are not available, schedule a town meeting for the purpose of appropriating funds to purchase the property, place an article on the meeting warrant for this purpose, and schedule an override, debt*

exclusion or capital expenditure exclusion vote (if necessary) for the purpose of authorizing expenditure of funds. The town meeting must be held within Charlton's 120-day period, unless an extension of this deadline is agreed to in writing between the Town of Charlton and the seller.

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<sup>7</sup> While the statute does not appear to so require, the Board ideally should send a copy of the notice of the public hearing to the landowner as his, her, its or their name and address appear in the notice of intent, by certified mail. Such notice should include a description of the premises sufficient to identify same.

- *Purchase of the property must occur within 90 days of the date the agreement to purchase the land, signed by the landowner, is returned by certified mail to the Board of Selectmen, unless otherwise agreed to in writing by the landowner.*

2. If the Town desires to assign its right of first refusal to a qualified, nonprofit land trust or other conservation organization, or to the Commonwealth or one of its political subdivisions the Board of Selectmen shall, before expiration of the 120 day period:

- *At a public hearing vote to so assign its right of refusal, setting forth any terms and conditions of the assignment. [Note: Such assignee must conserve at least 70% of the property in a use consistent with Mass. Gen. Laws Chapter 61, 61A or 61B, or no less a percentage conserved than proposed by the developer whose offer gave rise to the assignment, whichever is greater, but may be permitted to undertake limited development on the balance of the property. The Board of Selectmen may place conditions on this use; for example the number of lots in the limited development can be specified. And all the land other than that which is to be developed shall then be bound by a permanent deed restriction meeting the requirements of Mass. Gen. Laws Chapter 184.]*

- *Record the notice of the assignment, meeting the requirements set forth in A. 2 above, at the Registry of Deeds as part of an affidavit of a notary public.*

- *Notify the landowner by certified mail, at the address specified in the landowner's notice, of the vote to assign, stating: (a) the name and address of the non-profit organization or the agency of the Commonwealth which will exercise the option, and (b) the terms and conditions of the assignment.*

- *Purchase of the property by the assignee must occur within 90 days of the date the agreement to purchase the land, signed by the landowner, is returned by certified mail to the assignee, unless otherwise agreed to in writing by the landowner.*

3. If the Town decides to neither exercise nor assign its right of first refusal, the Board of Selectmen should before expiration of the 120 day period:

- *Examine wisdom of sending to the landowner and recording at the Registry of Deeds a limited notice of election not to exercise its rights. Any waiver of Town's rights may be specific to the proposed purchase terms so that if the sale falls through and a new proposal comes forth, the 120-day clock will begin again.*

- *Send by certified mail to the address specified in the notice of intent, written notice of the election not to exercise, signed by the Board of Selectmen, containing: (a) the name of the record owner of the land and (b) a description of the premises adequate for identification of same, to such owner, such notice also to be recorded with the Registry of Deeds.*

- *The Board may use as much of the 120-day period as is necessary to properly evaluate the property and the potential of exercising or assigning the right of first refusal. It is possible that Board might decide that it cannot afford to, or should not, purchase the property, but any such choice should be discussed and researched with reasonable thoroughness before making such a determination. Where there is consensus on the absence of conservation value or where the Board has negotiated a signed agreement with the landowner and/or developer that meets municipal needs with regard to the*

property, or where the Board determines for any other reason that it would be inadvisable to exercise or assign the right of first refusal the Board may choose not to exercise its right. Any such decision and negotiations, however, should occur in consultation with the boards/committees entitled to notice by statute.

4. *The Town of Charlton may fail to act within the required 120-day period (and any extensions thereof), in which case Town, if the landowner has fulfilled all statutory requirements, will be deemed to have failed to exercise its right of first refusal.* In such case the Board of Selectmen may, absent any dispute as to a material factual or legal issue, upon request of the landowner sign a document certifying that the right of first refusal has neither been exercised nor assigned within the statutory 120 day period, in such form as the landowner's attorney may prepare and submit to the Board. The Board reserves the right to seek advice from its legal counsel before deciding whether to sign any such document.

Notes:

1. *The discontinuance of forest certification shall not, in itself, for the purposes of this section, be considered a conversion. And specific use of land for a residence for the owner, the owner's spouse or a parent, grandparent, child, grandchild, or brother or sister of the owner, or surviving husband or wife of any deceased such relative, or for living quarters for any persons actively employed full-time in the forest use of such land, shall not be a conversion for the purposes of the statutes, and a certificate of the board of assessors, recorded with the registry of deeds, shall conclusively establish that particular use.* See second paragraph of G.L. c. 61, sec. 8, c. 61A, sec. 14 and 61B, sec. 9, so providing.

2. *The statutes' first refusal provisions do not apply to a mortgage foreclosure sale, but the holder of a mortgage shall in accordance with the applicable statute, at least 90 days before a foreclosure sale, send written notice of the time and place of the sale to the parties in the manner described in such statute's provisions for notice of intent to sell or convert, and the giving of that notice may be established by an affidavit, all as described in the final paragraph of each of the sections cited in note 1 immediately above.*



**BOS Policy No. 45**

**Title: LICENSES**

**Accepted/approved on: November 26, 2002**

**Amended on: March 3, 2015**

**Amended on: December 11, 2018**

1. All new businesses will be approved by a vote of the Select Board.
2. All changes are approved in writing by the Board or Town Administrator.
3. All liquor and motor vehicle licenses, changes, and transfers will require a public hearing.
4. All advertising for these hearings will be done by the *office and billed to the applicant*.
5. Licenses and fees will be issued by the Board of Selectmen office staff *and collected by the Treasurer/Collector staff*.
6. Fees will be as shown:

**GENERAL LICENSE FEES**

Class I	\$	100.00
Class II	\$	100.00
Class III	\$	100.00
Junk & Old Metals	\$	75.00
Automated Amusement Devices	\$	50.00
All Alcoholic Bev. (On premise)	\$	1,000.00
All Alcoholic Bev. (Not on premise)	\$	1,000.00
Wine & Malt (On Premise)	\$	600.00
Wine & Malt (Not on Premise)	\$	600.00
All Alcoholic Club	\$	1,000.00
Druggist	\$	1,000.00
Sunday Entertainment, sport or public diversion	\$	400.00 / year
Sunday Entertainment, sport or public diversion	\$	20.00/per event
Second Hand Articles	\$	50.00
Miscellaneous	\$	50.00
Common Victualler (coffee)	\$	25.00
One Day Special License – all alcohol	\$	50.00
One Day Special License – Wine/Malt	\$	50.00
Auctioneer	\$	50.00

***BOS Policy No. 46***

***Title: MEETING POSTINGS***

***Accepted/approved on: June 8, 2004***

***Amended on: March 25, 2008***

***Amended on: December 11, 2018***

The Board of Selectmen Chair shall call a meeting at her/his discretion and the Town Administrator's office will post the meeting.

*Board members will be notified via email of the date and time of meeting.*

***BOS Policy No. 47***

***Title: MINUTES PUBLISHED FOR PUBLIC VIEWING***

***Accepted/approved on: March 24, 1998***

***Amended on: June 21, 2005, March 25, 2008, November 12, 2013***

***Amended on: December 11, 2018***

In an effort to keep the public informed of Town Government issues, the Board of Selectmen would invite *all departments* to email meeting minutes once prepared *and approved*, to the *Town Clerk as well as the Town's* Webmaster to be posted on the website at [dogcrazy@westwellswebworks.com](mailto:dogcrazy@westwellswebworks.com)

*BOS Policy No. 48*

*Title: MOTOR VEHICLE USE POLICY*

*Accepted/approved on: November 9, 1989*

*Amended on:*

**TOWN OF CHARLTON MOTOR  
VEHICLE USE POLICY**

Except as otherwise expressly provided below, each town-owned vehicle is to be used only for official, town business.

Without limiting the foregoing, no such vehicle is to be used for “Personal Use”, whether during on or off-duty hours. “Personal Use” is defined as, but is not necessarily limited to, using a town-owned vehicle for personal errands or non-work related trips or stops.

Notwithstanding the foregoing, the Board of Selectmen presently permits “Incidental Use” of town vehicles by Town Employees to whom a vehicle is assigned. “Incidental Use” is defined as short stops on the way to or from work or other use of short duration during the course of town related business.

The granting of rides to non-town employees or personnel is strictly prohibited. Town employees in the course of their duties are allowed to offer transportation to non-town employees in town-owned vehicles only in the following cases:

Public Safety Personnel – for the transportation of persons in need or in the course of such personnel’s official duties.

Any other person specifically designed by the Town Administrator during the day or the Chairperson of the Board having jurisdiction over the subject vehicle.

A request for authorization under B. above must be made in writing to the Board of Selectmen or the Town Administrator through the Department Head.

Any violation of this policy may result in discipline up to and including discharge, subject to the provisions of any applicable collective bargaining agreement and of M.G.L. Chapter 150E as to employees covered by such an agreement and or by said statute. Any violation by a public official may constitute grounds for removal from such person’s position with the Town, subject to the requirements of law.

***BOS Policy No. 49***

***Title: MUNICIPAL MEETING ROOM FACILITY USE***

***Proposed on:***

***Accepted/approved on:***

***Amended on: March 25, 2008***

***Amended on: December 11, 2018***

Municipal meeting room facilities, as defined for this policy, are (1) the Senior Center, (2) the Fire Station Headquarters 2nd floor Meeting Room and (3) the Town Hall (Selectmen's) Meeting Room. Those facilities are available for use by municipal and non-profit entities free of charge when available. All other organizations and individuals will be charged a fee of \$25.00 per event Monday thru *Thursday* and \$35.00 for *Friday*, Saturday and Sunday.

Requests for use of the Municipal Meeting Room must be made by submitting the attached form to the Board of Selectmen through the Town Administrator. Requests for use of the Senior Center by municipal and non-profit entities must be directed to the Director of the Senior Center, in whom the Board of Selectmen have vested final authority as to the approval or denial of such requests. All other persons or organizations seeking permission to use the Senior Center must submit a request on the attached form to the Board of Selectmen through the Town Administrator. Requests for use of the Fire Station Meeting Room must be directed to the Fire Chief. Upon scheduling an event at their facility, the granting authority must notify the Board of Selectmen via the attached form.

Each organization or individual using such a facility shall be responsible (1) for leaving same in as neat and clean a condition as it was in immediately prior to such use and (2) for any damage to the facility resulting from or in connection with such use, and (a) will be charged any cost incurred by the Town as to either or both (1) and (2) above, and (b) may in the Board of Selectmen's discretion be barred from future use by reason of such organization's or individual's failure to meet its obligations hereunder. Lights must be shut off when done.

**Town of Charlton  
Board of Selectmen  
Request for use of a Municipal Facility**

Requesting Organization \_\_\_\_\_

Contact Person \_\_\_\_\_

Phone Number \_\_\_\_\_

Address \_\_\_\_\_

Time & Day \_\_\_\_\_ Date \_\_\_\_\_ (m/d/y)

Reason for Use \_\_\_\_\_

(Attach additional sheet if necessary)

Fee (For-Profit and Individuals) \$25.00 Monday-Friday, \$35.00 Saturday & Sunday

Make Check Payable to: **Town of Charlton**

Facility Requested (circle one)

**Municipal Meeting Room**

**Senior Center**

**Fire Station**

Sign-off and BOS notification required before use of a particular facility.

\_\_\_\_\_  
Town Administrator

\_\_\_\_\_  
Senior Center

\_\_\_\_\_  
Fire Chief

Municipal Contact Person is \_\_\_\_\_. Phone number available before scheduling.

**Board of Selectmen** (circle one)

**Approve**

**Disapprove**

(For-Profit Groups only)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***BOS Policy No. 50***

***Title: NEPOTISM(Employment of Relatives Policy)***

***Accepted/approved on: September 7, 2010***

***Reviewed on: January 20, 2015 / No changes***

***Reviewed on December 11, 2018 – No changes***

The Town of Charlton will adhere to all Mass. General Laws regarding the hiring for all employees and that if any family members do get hired for a job, that they file a disclosure with the Town Clerk within 14 days.

***BOS Policy No. 51***

***Title: NO SMOKING POLICY IN PUBLIC BUILDINGS***

***Accepted/approved on: December 24, 1997***

***Amended on: June 3, 2008***

***Amended on: June 17, 2008***

The Town of Charlton is dedicated to providing a healthy and productive work environment for all employees. The United States Surgeon General, in his 1986 report, *The Health Effects of Involuntary Smoking* concluded that:

1. Secondhand smoke (ETS) is a cause of disease, including lung cancer, in healthy nonsmokers.
2. The simple separation of smokers and nonsmokers within the same air space may reduce, but does not eliminate, the exposure of nonsmokers to environmental tobacco smoke.
3. The success of this policy will depend upon the thoughtfulness, consideration and cooperation of smokers and nonsmokers. All employees share in the responsibility for adhering to and enforcing the policy. Any problems should be brought to the attention of the appropriate supervisor, who is responsible to ensure compliance.
4. In accordance with Massachusetts General Law Chapter 270 Section 22, The Town of Charlton has a No Smoking Policy in Public Buildings including no smoking in all offices of all buildings that are open to the public.
5. Massachusetts General Law Chapter 270 Section 22(3) states in part “A person shall not smoke in the state house or in a public building or in a vehicle or vessel, owned, leased, or otherwise operated by the commonwealth or a political subdivision thereof,…”
6. Further because the fenestration of the building allows the entrance of smoke into the workplace there will be no smoking within twenty (20) feet of an entranceway normally used by the public for access to Town Buildings, except that this shall not apply to a smoker transiting through such twenty (20) feet area nor to a smoker approaching an entranceway with the intention of extinguishing a tobacco product.
7. Employee smoking area will be only at the north rear entrance of the George C. McKinstry building, providing it is not being actively used for access to the building for programs within the building.
8. The Town of Charlton through the Employee Assistance Program will assist in smoking cessation.



**BOS Policy No. 52**

**Title: OVERLAY POLICY**

**Accepted/approved on: May 8, 2018**

**Amended on:**

**OVERLAY**

**PURPOSE**

To ensure the proper treatment of the overlay account, this policy sets guidelines for determining the annual overlay amount in the Town's budget and for deciding whether any overlay balance can be certified as surplus. The allowance for abatements and exemptions, commonly referred to as the overlay, is an account to offset anticipated abatements and exemptions of committed real and personal property taxes. The account may also be charged in the event property taxes are deemed to be uncollectable.

Effective November 7, 2016, the Municipal Modernization Act ([Chapter 218 of the Acts of 2016](#)) (Municipal Modernization Act) provides for a single overlay account. Previously, a community had to maintain separate overlay reserves for each fiscal year and could not use the surplus from one year to cover another year's deficit without a multistep process involving the assessors, accounting officer, and local legislative body. However, the Act allows all existing overlay balances to be transferred to a single account. Although this policy treats overlay as a single account, to continue historical information and facilitate reconciliations, the Town Accountant may elect to maintain subsidiary ledgers by levy year for overlay balances.

**APPLICABILITY**

This policy applies to the job duties of the Board of Assessors, Director of Assessing, Town Accountant, Town Administrator, as well as to the Board of Selectmen and Finance Committee's role as budget decision makers.

**POLICY**

A. Annual Overlay

Each year, the Board of Assessors will vote in an open meeting to authorize a contribution to the overlay account as part of the budget process and to raise it without appropriation on the Town's Tax Recapitulation Sheet. The Director of Assessing will determine the amount to be added to the overlay account based on the following:

- Current balance in the overlay account
- Three-year average of granted abatements and exemptions
- Potential abatement liability in cases pending before, or on appeal from, the Appellate Tax Board (ATB)
- Timing of the next certification review by the Division of Local Services

The Board of Assessors will notify the Town Administrator and the Town Accountant of the amount of overlay voted.

B. Excess Overlay

Annually, the Director of Assessing and Town Accountant will conduct an analysis to see if there is any excess in the overlay account balance by factoring the following:

- Current balance in the overlay account after reconciling with the Town Accountant's records
- Balance of the property tax receivables, which represents the total real and personal property taxes still outstanding for all levy years
- Estimated amount of potential abatements, including any cases subject to ATB hearings or other litigation

Upon determining any excess in the overlay account, the Director of Assessing will present the analysis to the Board of Assessors for its review and will also notify the Town Administrator.

### C. Overlay Surplus

If there is an excess balance in the overlay account, the Board of Assessors will formally vote in an open meeting to certify an amount to transfer to overlay surplus and will notify the Board of Selectmen, Town Administrator, and Town Accountant in writing of its vote. If the Board of Selectmen makes a written request for a determination of overlay surplus, the Board of Assessors will vote on the matter within the next 10 days and notify the Board of Selectmen of the result in writing.

After being certified, Town Meeting may appropriate overlay surplus for any lawful purpose until the end of the fiscal year. However, the appropriation should be as prescribed in the Town's Forecasting policy (re: treatment of one-time revenues) and its Financial Reserves policy (re: overlay surplus). Overlay surplus not appropriated by year-end closes to the general fund's undesignated fund balance.

#### **REFERENCES**

[Chapter 218 of the Acts of 2016](#), Sections 131, 133, 152, and 249

[M.G.L. c. 59, §25](#)

DLS Informational Guideline Release 16-104: [Overlay and Overlay Surplus](#)

Town of Charlton Forecasting Policy

Town of Charlton Financial Reserves Policy

#### **EFFECTIVE DATE**

This policy was adopted on May 8, 2018

***BOS Policy No. 53***

***Title: PERSONNEL POLICY RE ADDITIONS/MODIFICATIONS TO SALARY OR WAGES***

***Accepted/approved on: February 9, 2010***

***Reviewed on: January 5, 2016 – No changes***

The Town Treasurer and Town Accountant are directed that no new hires or salary/wage changes (i.e. increase to weekly or hourly rates, new employee) are to be accepted in timesheets or payroll unless those changes or additions are accompanied by a signed Administrative Personnel Action Form verifying the authorized changes have been properly approved according to the Personnel By-Law; union agreements are in place if applicable; and a funding source has been identified.

**PERSONNEL ACTION REQUIRING APPROVAL OF THE TOWN ADMINISTRATOR AND/OR BOARD OF SELECTMEN**

*This form is required for all personnel additions or modifications.*

Date: \_\_\_\_\_

Name of Department: \_\_\_\_\_

Name of Appointee/Employee: \_\_\_\_\_

Current Title or Classification: \_\_\_\_\_

Proposed Title or Classification: \_\_\_\_\_

Indicate Type of Action: *(select all that apply)*

New Appointment

Change of Grade

Change in Hours

Promotion

Other: \_\_\_\_\_

Effective Date of Action: \_\_\_\_\_

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Salary/ Wage Change:

Current Salary: \$ \_\_\_\_\_

Proposed Salary: \$ \_\_\_\_\_

Percentage of Increase: \_\_\_\_\_%

Salary Range (where applicable): \$ \_\_\_\_\_ to \$ \_\_\_\_\_

Other Comments/Agreements: (vacation, sick time) \_\_\_\_\_

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Approval:

Town Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

Appointing Authority: \_\_\_\_\_ Date: \_\_\_\_\_

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**BOS Policy No. 54**

**Title: PETITION TO AUTHORIZE REPAIRS TO PRIVATE ROADS**

**Accepted/approved on: July 18, 2006**

**Amended on: January 11, 2011**

We, the undersigned, pursuant to Article XXXXIII of the Town's General Bylaws, which in accordance with M.G.L. c. 40, Sec. 6N authorizes temporary repairs to private ways, provided that in accordance with the Bylaw such way has been opened to public use for six or more years and that such repairs are limited to (a) filling in holes and depressions in the surface and sub-surfaces with suitable materials, (b) oiling the surfaces (c) surfacing with bituminous materials, including but not limited to bituminous concrete and (d) installing and constructing necessary drainage facilities, hereby petition the Board of Selectmen ("the Board") to authorize its designee to make such temporary repairs on the ways (s) named below as are determined by such designee to be required by public necessity, and in support of such petition represent, certify, confirm, agree and covenant as follows:

1. The ways(s) which we petition be repaired has been open to public use for five or more years as of the date of filing out this petition and is named:  

---
2. We understand that before any such temporary repairs are made:
  - A. The Assessors must have verified that fifty-one (51%) of the owners of land abutting each way named in this petition have signed this petition, including the release and covenant not to sue set forth below.
  - B. The liability limit of the Town on account of damages sustained by any person other than an abutting owner caused by such repairs to zero.
  - C. This petition shall be effective for the fiscal year in which it is filed and for the next five (5) fiscal years immediately following such filing.
3. By signing this petition we hereby each, jointly and severally, in both our individual and representative capacities, release the Town of Charlton and all its employees, servants, agents, officials and representatives (collectively "the Town"), from any and all liability, loss, claims for damages, suits, costs, and expense, including without limiting the foregoing attorneys fees, arising out of or in connection with such repairs and covenant not to sue the Town for any such.

Form approved by Town Counsel: July 21, 2006

Form approved by Board of Selectmen: July 18, 2006

Form approved by Board of Selectmen: January 11, 2011

Bylaw adopted by vote under Article 32 of the May 15, 2006 Annual Town Meeting, approved by the Attorney General on July 17, 2006 and published and/or posted in accordance with M.G. L. c. 40, sec 32

**TOWN OF CHARLTON PROCUREMENT  
CONFLICT OF INTEREST POLICY**

**PURPOSE**

To ensure integrity in the procurement and contract processes, to educate Town employees, consultants, uncompensated outside parties, and any other person involved in decisions to award contracts about potential conflicts of interests, and to establish a process for the screening of conflicts of interests.

**APPLICABILITY**

The policy pertains to all the Town's procurement and contract processes governed under the provisions of the state's Uniform Procurement Act associated with, but not limited to: specification development, preparation and issuance of solicitations, evaluation of solicitations and submissions, and other evaluations that lead to Town contract awards. The policy applies to the job responsibilities of the Town Administrator or His/her Designee serving as the Town's procurement officer and to related functions of the Town Counsel and Town Accountant. It further applies to all Town employees, officials, and others working on the Town's behalf who are involved with any procurement and contract process and to the prospective contractors.

**POLICY**

The Town is committed to ethical business practices, professional integrity, and compliance with all procurement laws and regulations. Charlton will provide fair opportunities to participants in competitive processes for the award of Town contracts. Process integrity will be reinforced by the practices outlined here to ensure confidentiality during the bid evaluation process and to assess and address conflicts of interest in all competitive solicitations. The Town will investigate all allegations of conflict of interest or misconduct brought to the attention of Town staff.

To comply with the state's [Uniform Procurement Act](#), any purchase for supplies or services ([with certain exceptions](#)) costing more than \$10,000 requires solicitation of three written quotes for contracts and those over [\$35,000] require competitive sealed bids or proposals for contracts.

**A. Confidentiality during the Bid Evaluation Process**

Town staff, consultants, and outside evaluators who are participants in a bid evaluation process are required to sign confidentiality agreements, which bind them not to share any information about responses received and the evaluation process until the Town issues a Notice of Intended Award.

Departments must:

1. Identify all participants of an evaluation process who receive proposals or other documents used in the evaluation process, including non-evaluating observers
2. Ensure that these participants sign confidentiality agreements
3. Submit the confidentiality agreements to the Town Administrator or His/her Designee

The Town Administrator or His/her Designee must:

1. Verify that signed confidentiality agreements for all participants in the evaluation process, including non-evaluating observers, are submitted
2. Maintain signed confidentiality agreements on file

#### B. Conflict of Interest in Procurement

To ensure decisions are made independently and impartially, Town employees and officials are expected to avoid any conflicts of interest and also avoid the appearance of conflicts of interest. A conflict of interest, or the appearance of one, must be disclosed whenever a vendor, employee, or officer has, or can reasonably anticipate having, an ownership interest, a significant executive position, or other remunerative relationship with a prospective supplier of goods or services to the Town or knows that a family member or other person with whom they have a personal or financial relationship has such an interest.

According to the federal Office of Management and Budget's Omni Circular, a conflict of interest arises when: *"the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract."*

And it states that: *"The officers, employees, and agents of the non-federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts."*

The Omni Circular further requires that for any federal grant involving a parent, affiliate, or subsidiary organization that is not a state or local government, the Town must also maintain written standards of conduct covering organizational conflicts of interest. An organizational conflict of interest means that due to a relationship with a parent company, affiliate, or subsidiary organization, the Town is unable or appears to be unable to be impartial in conducting a procurement action involving the related organization.

Any person with a conflict as described above will not participate in the preparing of specifications, qualifying vendors, selecting successful bidders on products or services in which they have an interest, or approving payment to those interests. The only exception to this arises if the person makes full disclosure of a potential conflict and receives an advance, written determination from the State Ethics Commission that the interest is not so substantial as to be deemed likely to affect the integrity of the services the Town may expect from that individual.

Department heads and other officials are required to ascertain and disclose to the Town Administrator or His/her Designee any potential conflict of interest affecting procurement transactions before a contract is signed, a commitment made, or an order placed. Having satisfied this requirement, the Town Administrator or His/her Designee will notify the Town Accountant, who will verify the availability of funds before any order is placed with a vendor.

The following measures shall be taken to ensure the Town avoids any conflicts of interest in procuring Town contracts:

1. Employees, officials, and others who regularly participate in contract activities on behalf of the Town must disclose relevant financial interests as required by state and federal laws and to annually review those statements in conjunction with this policy and other ethical standards.
2. Other persons involved in procurements must review this policy and other ethical standards and provide information in order to determine if there is a conflict of interest. Such persons will include, but are not limited to,

authors of specifications; paid and unpaid evaluators; and paid and unpaid consultants who assist in the procurement process.

3. If a possible conflict of interest is identified, it must be documented and reviewed with Town Counsel.

Departments must:

1. Identify employees, consultants, outside uncompensated parties, and any other persons who will be involved in a procurement or contract activity, such as specification development, preparation and issuance of solicitations, evaluation of solicitations or submissions, or other evaluations, that will lead to an award of contract
2. Provide conflict of interest forms to the identified participants
3. Submit the completed forms to the Town Administrator or His/her Designee prior to commencing any procurement or contract activity

The Town Administrator or His/her Designee must:

1. Review the submitted forms for potential conflicts of interest
2. Discuss any potential conflicts of interest with Town Counsel and document the resulting determinations
3. If a conflict or the appearance of one exists, take appropriate actions, including but not limited to, removal of the employee, consultant, or outside uncompensated party from the procurement or contract activity or cancelation of the solicitation.

### C. Audit

The Town Accountant will conduct random audits of compliance with this policy. All practices associated with the Town's procurement also are subject to audit by the Town's independent auditor.

### **REFERENCES**

[M.G.L. c. 30B](#)

[M.G.L. c. 268A](#)

State Ethics Commission's webpage [Disclosure Forms for Municipal Employees](#)

Inspector General's webpage [Procurement Assistance](#)

U.S. Office of Management and Budget, December 2013 [Omni Circular](#)

Town of Charlton Bylaws Part I, Chapter 20, Sections 1 and 2

### **EFFECTIVE DATE**

This policy was adopted on [ ]



## **RECONCILIATION**

### **PURPOSE**

To ensure transactions are in balance, to mitigate fraud, and to safeguard general ledger accuracy, financial officers must conduct regular reconciliations of their accounting records, and these must be reconciled to the general ledger. Although each financial officer is responsible for maintaining independent records of his or her office's transactions, they are also collectively accountable for the overall accuracy of Charlton's financial records. Failure to reconcile cash, receivables, and withholdings hampers the Town's ability to produce reliable reports, close its books, make timely submissions to the Division of Local Services, and complete audits. In addition, unresolved variances reduce the amount of certified free cash and may result in significant deficiency findings by the independent auditor.

### **APPLICABILITY**

This policy applies to the Town Accountant, Treasurer/Collector, Human Resource (HR) Director or their designees, and to any other department that has accounts receivable responsibilities (e.g., Police, Sewer, etc.).

### **POLICY**

The Treasurer/Collector and all department heads with accounts receivable duties will internally reconcile their respective accounting records and subsequently reconcile them with the Town Accountant according to the guidelines and periodic time frames outlined in this policy.

#### **A. Cashbook Reconciliation**

To ensure an accurate accounting of all revenue activity, the Treasurer/Collector will maintain a cashbook that reflects up-to-date and accurate information for all cash and assets. To do so, the Treasurer/Collector will make certain that all cash receipts, disbursements, transfers, and interest are recorded in the cashbook within [two business days] of each transaction and will reconcile cashbook accounts to their corresponding bank accounts within [five days] of receiving bank statements. These will include zero-balance vendor and payroll bank accounts, whose balances must equal the outstanding checks at the end of any month.

Reconciling items, including deposits in transit, bounced and voided checks, and discrepancies between the Treasurer's cashbook and financial institutions, will be identified and corrected when appropriate. The Treasurer/Collector will then forward a summary of the reconciled cashbook balances and, when needed, an additional Schedule of Receipts reflecting any adjustments to the Town Accountant.

#### **B. Payroll Withholdings Reconciliation**

Payroll withholdings include federal and state taxes, child support and other wage assignments for legal obligations, deferred compensation, optional insurances, association dues, and other employer-sponsored options, which are all maintained in separate general ledger accounts. The HR Director will forward the employee and employer withholding summary report to the Town Accountant to record in the general ledger each pay period. To reduce the risk to the Town for liabilities in excess of withholdings, the HR Director will reconcile the payroll withholdings to the applicable vendor/recipient accounts payable on a monthly basis and identify any discrepancies. The HR Director will provide the results of these activities to the Town Accountant and to the HR Director to make any necessary changes or adjustments.

#### **C. Accounts Receivable Reconciliation**

Accounts receivable are outstanding monies owed to the Town, whether from committed bills (i.e., taxes, excise, and utilities) or from uncommitted department invoices (e.g., police details, ambulance charges). To ensure these assets are accounted for and balanced, the Treasurer/Collector and the department head with accounts receivable duties (the "record-

keeper”) will make certain that all cash receipts are recorded timely, maintain a control record for each receivable type and levy year, and verify the detail balance agrees with the receivable control.

The receivable control is a record of original entry in which the record-keeper reduces a commitment according to collections, abatements, and exemptions and increases it by refunds issued. To maintain accuracy, the record-keeper must review the detailed list of receivables, identify credit balances as prepaid amounts or investigate them for possible correction, and reconcile the control balance to the detail.

Whenever these records do not agree, the record-keeper must determine the discrepancy by:

- Verifying the various transactions (commitments, abatements, refunds, chargebacks) against their supporting documents
- Comparing the total amount of posted payments to the turnovers accepted by the Treasurer/Collector
- Determining whether any revenues were incorrectly recorded as payments to the commitment, such as interest and fees

The record-keeper will forward a copy of the internally reconciled accounts receivable balances to the Town Accountant.

#### D. General Ledger Reconciliation

To achieve the core objective of maintaining the general ledger’s integrity, the Town Accountant must regularly reconcile it with the separately maintained accounting records outlined in Sections A – C above. In addition, it is the Accountant’s responsibility to review all accounts analytically from time to time for reasonableness and to identify unusual activity.

The general ledger’s cash accounts should reflect only those transactions reported to the Town Accountant by the Treasurer/Collector, so that in theory, the general ledger should be in balance with the cashbook. However, errors may occur due to omitting transfers or transactions or applying them in the wrong amounts or to the wrong accounts. Whenever the Town Accountant identifies a discrepancy between the general ledger and the cashbook, the following steps must be taken in conjunction with the Treasurer/Collector to determine the cause(s):

- If the total amount of revenue reported in the cashbook does not agree with the amount recorded in the ledger for that month, the Treasurer/Collector must verify that the monthly Treasurer’s Schedule of Receipts agrees by detailed amount and classification with the cashbook and correct any errors.
- Compare the total amount of warrants paid during the month as recorded in the cashbook with the total recorded in the ledger for the same period. The last warrant paid must be the last one recorded; otherwise, a timing problem will create a discrepancy.
- If the records still do not agree, the Treasurer/Collector and Town Accountant must trace each entry to the ledger until the variance is determined.

The Town Accountant will review the payroll withholdings reconciliation report provided by the HR Director against the general ledger and make corrections to the ledger as needed.

After receivable control sheets have been internally reconciled, committed and uncommitted accounts receivable records must also be reconciled to the Town Accountant’s general ledger. Any discrepancy must be investigated to determine the source of the error:

- Review the commitments, charges, payments, abatements, refunds, reclassifications, and adjustments in the general ledger, as appropriate for the particular control
- Verify whether receipts are recorded to the correct type and levy year
- Verify the dates that activities were recorded

The Town Accountant's receivable accounts in the general ledger should reflect the transactions provided by each particular record-keeper. Therefore, the above steps must resolve any discrepancies between the receivable control and the ledger. If they do not, the record-keeper and Town Accountant must trace each ledger entry until the variance is determined.

E. Time frames and Documentation

Finance department officers will complete reconciliations of their internal accounting records early each month so that subsequent reconciliations to the general ledger take place no later than [the 20<sup>th</sup>] of the month following the one being reconciled.

The financial officers who jointly complete each general ledger reconciliation will sign reconciliation worksheets. In a given month, if any variance has not yet been fully resolved, this must be noted along with a work plan and timetable for resolution. The Town Accountant will collectively submit the reconciliation worksheets to the Town Administrator by each month's end. The completed reconciliations will be maintained by the Town Accountant as part of the Town's permanent financial records.

All fiscal year end reconciliations will be completed in order for the Town Accountant to submit all required forms to DLS for free cash certification no later than [September 15<sup>th</sup>].

F. Audit

All reconciliation documents are subject to audit by the independent auditor.

**REFERENCES**

DLS Best Practices, [\*Reconciling Cash and Receivables\*](#)

Massachusetts Collectors Treasurers Association, 2009: [\*Treasurer's Manual\*](#)

Massachusetts Collectors Treasurers Association, 2008: [\*Collector's Manual\*](#)

**EFFECTIVE DATE**

This policy was adopted on July 17, 2018

**BOS Policy No. 57**

**Title: REMOTE PARTICIPATION POLICY / OPEN MEETING LAW**

**Accepted/approved on: January 11, 2012**

**Amended on: August 18, 2015**

**Amended on: December 11, 2018**

VOTED: To allow remote participation for meetings of Town Boards, Committees and Commissions, in accordance with the requirements of the applicable regulations, 940 CMR 29.10 subject to the following:

Pursuant to this Board's authority under 940 CMR 29.10 (8) the Board adopts the following policy conditions and limiting the use of remote participation:

1. Prior to using remote participation, the Chair and any subsequent Chair as well as any staff person assigned to such Board, Committee or Commission shall review the requirements of the regulations with respect to remote participation; and
2. The Chair or staff person shall ensure there is a functioning phone or computer screen with speaker capability in the particular room where the meeting will be held. The member participating remotely must be audible to all persons present at the meeting.
3. A quorum must be physically present at the meeting and the presiding Chairman must determine that a member's physical attendance is unreasonably difficult because of one or more of the following: personal illness; personal disability; emergency; military service; and geographic distance.
4. Remote participants may vote as if they are present.
5. Procedures:
  - a. member must inform Chair;
  - b. at the beginning of the meeting the Chair announces who and reason for remote participation;
  - c. the remote participation will be noted in minutes;
  - d. all votes must be taken by roll call;
  - e. if in ex session, the member must state no one else can hear the discussion
6. This vote and policy applies to all Town public bodies that are subject to the Open Meeting Law. The Town can make bylaws or policies to restrict use of remote participation.

Violations will be under the jurisdiction of the Attorney General.

***BOS Policy No. 58***

***Title: RETIRED EMPLOYEE HEALTH INSURANCE***

***Accepted/approved on: July 26, 2011***

***Amended on: September 7, 2011***

For the purpose of formalizing its consistent, past practice designed:

(a) to provide, within the town's fiscal constraints, retired employees with continued access to group health insurance/benefits where the employee has been participating in such just prior to retirement and or where an employee later enrolls in such.

(b) to treat all such retired employees alike

Pursuant to the authority vested in it by Mass General Laws, Chapter 32B, Section 14, adopt a rule confirming that each such employee who wishes to continue such participation as a pre-condition to same must begin to pay the 50% retiree-level premium share as of the effective date of his or her retirement.

***BOS Policy No. 59***

***Title: RETIREE INSURANCE PAYMENTS***

***Accepted/approved on: November 25, 2014***

All retirees of the town and their surviving spouses who are on town insurance are required to have health, life and dental premiums submitted monthly by the Worcester Regional Retirement directly to the Charlton Treasurer's office.

(Information from the Treasurer: several years ago, the WRRS offered a service to municipalities where the retirement system would withhold monthly amounts due the municipality from pensioner's checks and remit with a report and single check for all participants. This service was greatly appreciated by the Treasurer's office because an inordinate amount of time was spent chasing tardy retirees for their health insurance payments. Some paid in advance, others close to the due date and still others required multiple contacts.)

## **TOWN OF CHARLTON REVENUE TURNOVER POLICY**

### **PURPOSE**

To safeguard Town assets and maximize cash flow, the Town establishes this policy that provides guidelines for departments that turn over receipts to the Treasurer. Included are details of internal controls designed to provide reasonable assurance that the Town's revenues are properly and timely secured, recorded, and deposited in Town bank accounts.

### **APPLICABILITY**

This policy pertains to all cash, check, credit card, and other forms of payment received by all Town departments for taxes, excise, fees, federal and state government receipts, and charges. It applies to all individuals within each department assigned responsibility for handling payments, as well as the Collector and Assistant Collector. It also applies to the related job duties of the Treasurer.

### **POLICY**

The head of each department that receives payments is responsible for instituting and employing internal controls designed to ensure that all receipts are recorded accurately, kept secure from loss or theft, and turned over timely to the Treasurer. No town official will maintain a bank account other than the Treasurer. Each department must turn over at least weekly or immediately whenever receipts total [\$1,000] or more or whenever [\$250] in Cash. All current-month turnovers must be completed at month-end no later than [11:00 am] on last business day of the month.

### **PROCEDURES**

#### **A. Receiving Payments**

Departmental staff should issue a receipt for every collection received, even when the payer refuses it. Employees in the Treasurer/Collector's office receiving taxes and other collections from the public need only issue receipts for cash payments, however it is recommended to issue receipts for all collections. Without exception, all departmental staff must identify cash payments as such in their receipt books. All staff must immediately endorse each check "For Deposit Only". Every collecting department will secure all payments in a locked/fire resistant cashbox or safe until turned over to the Treasurer.

Each department head is responsible for overseeing the processing, recording, record retention, and turning over of collected receipts to the Treasurer. To the extent practicable, separate individuals should be tasked with receiving payments and turning receipts over to the Treasurer.

#### **B. Turning Over Revenues**

Departmental staff will create a turnover package by filling out a Schedule of Departmental Payments to the Treasurer aka the turnover form), making three copies of the turnover form, and obtaining signatures of the department head on each of them. All individual receipts should correlate to the turnover form.

On a daily basis, the Collector will complete a turnover of the collections for all taxes, utilities, and other committed receivables processed that day. This will consist of a turnover form showing all processed collections summarized by receipt type, which must reconcile to the bank deposits made the same day.

When the Treasurer's office has accepted the turnover, the department employee will receive two copies of the turnover form signed and dated by a Treasurer Staff member. The department employee will retain one turnover copy on file and is responsible for delivering the other to the Town Accountant. The Town Accountant will refuse to accept any turnover form that does not have a Treasurer Staff member signature.

All departments that receive payments should review their monthly revenue reports against their turnover copies to verify that all receipts turned over to the Treasurer are accurately recorded in the appropriate general ledger accounts. Any discrepancy must be reported to the Town Accountant immediately.

#### C. Receiving Turnovers

When presented with a turnover, Treasurer's staff will count the receipts in the presence of the remitting department. Any inaccuracies on the turnover form shall be corrected and initialed by both parties. The Treasurer's staff member will then sign two turnover copies and return them to the departmental employee. Upon receipt, the Treasurer will secure the receipts, which shall be recorded in the cashbook and deposited in the bank within 24 hours. At no time will a department leave a turnover with funds attached unattended in the Treasurer's Office, Mail Slot, or anywhere else in the building.

To the extent practicable, separate individuals should be tasked with 1) receiving the turnovers, 2) recording the revenues in the cashbook, and 3) depositing the money in the bank.

The Treasurer will provide the Town Accountant a weekly report of all turnovers processed (i.e., the Schedule of Receipts report) for their review, formal indication of agreement or changes, and recording to the general ledger.

#### D. Reconciliation

In accordance with the Town's Reconciliation policy, the Treasurer will reconcile the cashbook with bank statements and provide a summary of cashbook balances to the Town Accountant monthly.

#### E. Audit

All cash management activity is subject to review by the Town Accountant and the independent auditor.

#### **REFERENCES**

[M.G.L. c. 41, §35](#)

[M.G.L. c. 41, §57](#)

[M.G.L. c. 60, §57A](#)

Massachusetts Collectors Treasurers Association, 2009: [Treasurer's Manual](#)

Massachusetts Collectors Treasurers Association, 2008: [Collector's Manual](#)

Town of Charlton Reconciliations Policy

Town of Charlton Bylaws Part I, Chapter 5, Article IV, Section 5-4

#### **EFFECTIVE DATE**

This policy was adopted on [ ]



**BOS Policy No. 61**

**Title: SAFETY**

**Accepted/approved on: September 25, 2018**

**TOWN OF CHARLTON  
SAFETY POLICY:  
WORKPLACE VIOLENCE, BULLYING, DISCRIMINATION AND SEXUAL HARASSMENT**

**Introduction**

It is the Policy of Charlton (“the Employer”) to promote a professional and productive workplace in which all employees are treated with dignity and respect. Employees are expected to act in a positive manner and contribute to a productive work environment that is free from harmful, harassing or disruptive activity. This Safety Policy will address workplace violence, bullying, discrimination and sexual harassment.

**WORKPLACE VIOLENCE AND BULLYING**

**Purpose**

It is the intent of the Employer to provide a workplace that is conducive to personal safety and security and is free from intimidation, threats, or violent acts. Accordingly, the Town maintains a zero tolerance policy toward workplace violence, or the threat of violence, by any of its employees, former employees, elected officials, customers, the general public, and/or anyone who conducts business with the Town.

**Definitions**

Workplace violence is any behavior which is intended (or which a reasonable person may perceive is intended) to abuse or injure a person or damage or destroy property in the workplace including, but not limited to bullying, threats, physical, verbal, written, or visual attack, or property damage. The following definitions are incorporated to assist employees to more fully understand the nature of the behavior prohibited by this policy; however, violent behavior is not limited to the descriptions below.

Threat is the expression of intent to cause physical or mental harm regardless of whether the person communicating the threat has the present ability to carry out the threat, and regardless of whether the threat is contingent, conditional or future.

Physical attack is intentional hostile physical contact with another person or an object such as hitting, fighting, pushing, shoving, or throwing.

Verbal attack is intentional hostile communication (including recorded messages) with another person such as abusive outbursts, verbal tirades intended to offend, offensive comments, or use of obscene or threatening language.

Written attack is the use of printed or electronic media, including notes, letters, drawings, pictures, or computerized mail, to threaten, abuse, ridicule, or harass people or to threaten property.

Visual attack is the use of bodily gestures that are threatening, obscene, or abusive.

Property damage is intentional damage (as a reasonable person may presume by the nature of the damage) to property which includes property owned by the Town, employees, or others.

Workplace bullying is repeated unreasonable or offensive actions in the workplace that impact or create a risk to the psychological or physical health, safety, or economic security of an employee. Workplace bullying is behavior that can intimidate, offend, degrade or humiliate an employee. Examples include: spreading malicious rumors or insulting someone; copying memos that are critical about someone to others who do not need to know; ridiculing or demeaning someone; setting someone up to fail; exclusion or victimization; unfair treatment; overbearing supervision or other misuse of power of position; making threats or comments about job security; deliberately undermining a competent worker by overloading and constant criticism; preventing progress by intentionally blocking promotion or training opportunities. Bullying is not necessarily face to face. It may be by written communications, visual images, electronic email and phone.

**Prevention of Workplace Violence**

The Employer subscribes to the concept of a safe work environment and supports the prevention of workplace violence. Prevention efforts include, but are not limited to informing employees of this policy, instructing employees regarding the dangers of workplace violence, communicating the sanctions imposed for violating this policy, and providing a reporting hierarchy within which to report incidents of violence without fear of reprisal.

Any employee who applies for or obtains a protective or restraining order which lists the employment location as being a protected area must provide the Human Resources Director with a copy of the petition, the declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

All suspicious individuals or activities on Town premises should also be reported as soon as possible to a supervisor and/or the Police Department. Employees should never place themselves in a position of peril. If an employee sees or hears a commotion or disturbance at work, he/she should not feel obligated in any way to intercede.

#### **Procedure for Reporting Threats or Bullying Behavior**

Employees are required to immediately, or as soon as practically possible, report each incident of violent or bullying behavior, whether the incident is committed by another employee or an external individual such as a customer, vendor, or citizen, to department management, Human Resources (HR), or the Town Administrator's office. In addition, employees are required to warn of any suspicious workplace activity, situations, or incidents of which they are aware that might lead to workplace violence. Department management will inform HR in writing and verbally of all reported incidents of workplace violence or bullying and will work with HR to assess and investigate the incident and determine the appropriate action to be taken, including notifying the Police Department where appropriate. For incidents involving violent behavior by non-employees, HR will maintain, at a minimum, a written log of all reported incidents including the name of the individual, time and date of the incident, nature of the incident, and outcome.

In critical incidents in which serious threat or injury occurs, emergency responders such as Police, Fire and/or Ambulance personnel must be promptly notified. As necessitated by the seriousness of the incident, the Town Administrator may assemble a Management Response Team that consists of staff from the affected department, HR, public safety, the employee assistance program and others as deemed necessary.

Under such critical circumstances, the Management Response Team shall be responsible for establishing the response protocol that may include but is not limited to:

- Evaluating the potential for violence
- Assessing an employee's fitness for duty (through mental health professionals)
- Establishing a plan for the protection of co-workers and other potential targets
- Coordinating with affected parties such as victims, families, other employees or law enforcement personnel
- Referring victims to appropriate assistance and community service programs

Each step in this process will be carried out in as expeditious a manner as possible, recognizing the need to address any threat in a timely, yet thorough and appropriate manner.

Any employee who acts in good faith by reporting real or implied violent behavior will not be subject to any form of retaliation (including, but not limited to unwarranted discipline, demotion, reduction in pay or position and/or termination) or harassment. Any action of this type resulting from a report of violence must be reported to the appropriate management staff for investigation and decision regarding proper action.

#### **Prohibited Actions and Sanctions**

It is a violation of this policy to engage in any act of workplace violence, bullying or retaliation for reporting such behavior. The Town shall utilize a fair and equitable process in reviewing an employee's alleged violation of these standards and policies. Although the Town of Charlton supports the theory of corrective discipline, management retains the right to exercise discretion and take whatever disciplinary action is appropriate to the particular circumstances. Any employee who has been determined to be in violation of this policy will be subject to disciplinary action including but not limited to verbal or written warnings, suspension (with or without pay) or immediate dismissal, according to the findings of the complaint investigation and, depending upon the violent act, may be subject to criminal sanctions. These disciplinary measures do not constitute an exclusive list of possible actions, and may be taken in any order. They are intended merely as a guide and are not intended to create a contract or modify the employment at will relationship.

#### **Employee Assistance Program**

Should an employee become the victim of an incident of workplace violence and/or bullying, the department manager should make sure the employee is aware of services available through the Employee Assistance Program (EAP) and may offer additional referral services to assist the employee and/or affected work group in coping with any effects of the incident. The Town's free and confidential EAP is AllOne Health through MIIA and the contact number is 800-451-1834.

Should it be determined in the investigation of a reported incident that an employee did commit a violent act, the employee shall at a minimum be referred to the EAP by the department manager. In these cases, failure by the employee to keep an initial appointment with the EAP shall result in disciplinary action.

## **DISCRIMINATION AND SEXUAL HARASSMENT**

### **Purpose**

It is the goal of the Employer to promote a workplace that is free of unlawful discriminatory harassment (“harassment”) of any type, including sexual harassment. Harassment consists of unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law, such as gender, gender expression, race, color, national origin, ancestry, religion, age, disability, criminal records (inquiries only) genetics, military status, pregnancy, sexual orientation or participation in discrimination complaint-related activities (retaliation). The Employer will not tolerate harassing conduct that affects employment conditions, that interferes unreasonably with an individual’s performance, or that creates an intimidating, hostile, or offensive work environment.

Harassment of employees occurring in the workplace, in connection with work-related travel, and/or work-sponsored events will not be tolerated. Further, any retaliation against an individual for having complained about harassment or retaliation against individuals for having cooperated with an investigation of a harassment complaint will not be tolerated. Because the Employer takes allegations of harassment seriously, we will respond promptly to complaints of harassment. Where it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting a workplace that is free of harassment as defined above, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment.

### **Definitions**

Harassment means unwelcome conduct, whether verbal or physical, that is pervasive and severe and is based on a characteristic protected by law. Harassment includes, but is not limited to:

1. Display or circulation of written materials or pictures that are degrading to a person or group as previously described.
2. Verbal abuse, slurs, derogatory comments, or insults about, directed at, or made in the presence of an individual or group as previously described.

In Massachusetts the legal definition of Sexual Harassment is that it means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to or rejection of advances, requests or such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or as the basis for employment decisions; or
2. Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, humiliating or sexually offensive working environment.

Under this definition, for example, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad. In addition to the above examples, other unwelcome sexually oriented conduct that has the effect, whether intended or not, of creating a work environment that is hostile, offensive, intimidating or humiliating to either male or female workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances – whether they involve physical touching or not;

- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant, regardless of gender, may be a witness to and personally offended by such conduct. The harasser may be anyone including a supervisor, a co-worker, or a non-employee, such as a recipient of public services or a vendor.

All employees should take special note that, as stated above, retaliation against an individual for having complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.

### **Complaint Procedures**

All employees, managers, and supervisors of the town share responsibility for avoiding, discouraging and reporting any form of discriminatory harassment. The primary responsibility for ensuring proper investigation and resolution of harassment complaints rests with the Board of Selectmen, acting through the Town Administrator, who will administer the policy and procedures described herein with the support of Human Resources.

If any of our employees believes that he or she has been subjected to discriminatory harassment, the employee has the right to file a complaint with our organization. This may be done in writing or orally. In addition, residents, visitors, applicants, vendors, contractors, their agents and employees, or other third parties who believe they have been subjected to discriminatory harassment may also file a complaint with our organization using the procedures described herein. Furthermore, employees may also file a complaint if they have been subjected to harassment from residents, visitors, applicants, vendors, contractors, their agents and employees, or any other third parties in the workplace, while performing work-related duties, or during other work-related activities.

Prompt reporting of harassment is in the best interest of our organization and is essential to a fair, timely, and thorough investigation. Accordingly, complaints should be filed as soon as possible following the incident(s) at issue. If you would like to file a complaint you may do so by contacting Robin Craver, the Town Administrator, at (508) 248-2206 or Jessica Lewerenz, the Human Resources Director, at (508) 248-2243. The Human Resources Department is also available to discuss any concerns you may have and to provide information to you about our policy on harassment and our complaint process.

### **Complaint Investigation**

When we receive a complaint, we will promptly investigate the allegation in a fair and expeditious manner to determine whether there has been a violation of our policy. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances, but confidentiality cannot be guaranteed. Our investigation may include private interviews with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed harassment. The complainant, the person alleged to have committed harassment, and all witnesses are required to fully cooperate with all aspects of an investigation. Employees' attorneys are not permitted to be present or participate in the complaint investigation. When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the misconduct of the results of that investigation.

Notwithstanding any provision of this policy, we reserve the right to investigate and take action on our own initiative in response to conduct which may constitute harassment or otherwise be inappropriate, regardless of whether an actual complaint has been filed.

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

### **Disciplinary Action**

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment, or may include such other forms of disciplinary action as we deem appropriate under the circumstances.

If it is determined that inappropriate conduct has been committed by a non-employee (vendor, contractor, resident, volunteer, visitor or any other third party) toward one of our employees, we will take such action as is appropriate under the circumstances to ensure the harassment terminates. Each course or action will be determined on a case by case basis dependent on the circumstances of the situation.

**State and Federal Remedies**

In addition to the above, if you believe you have been subjected to discriminatory harassment of any type, including sexual harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies requires that claims be filed within 300 days from the alleged incident or when the complainant became aware of the incident.

**The United States Equal Employment Opportunity Commission (“EEOC”)**

John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203  
(800) 669-4000  
TTY: (800) 669-6820

**The Massachusetts Commission Against Discrimination (“MCAD”)**

Boston Office:  
One Ashburton Place  
Suite 601  
Boston, MA 02108  
(617) 994-6000  
TTY: (617) 994-6196

Springfield Office:  
436 Dwight Street  
Room 220  
Springfield, MA 01103  
(413) 739-2145

Worcester Office:  
484 Main St.  
Room 320  
Worcester, MA 01608  
(508) 453-9630

New Bedford Office:  
800 Purchase St., Rm 501  
New Bedford, MA 02740  
(508) 990-2390

**ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING**

I am in receipt of the **TOWN OF CHARLTON'S SAFETY POLICY**. I received this document on \_\_\_\_\_ (date). I had an opportunity to review and read the policy and have all questions answered.

I understand it is my responsibility to be familiar with and adhere to the provisions of this policy.

\_\_\_\_\_  
EMPLOYEE PRINTED NAME

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE

Note: A copy of this acknowledgement form will be placed in the employee's personnel file

**BOS Policy No. 62**

**Title: SEXUAL HARASSMENT POLICY**

**Accepted/approved on:**

**I. Introduction**

It is the goal of the Town of Charlton to promote a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by this organization. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve our goal of providing a workplace free from sexual harassment, the conduct that is described in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt with, if encountered by employees.

Because the Town of Charlton takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

**II. Definition of Sexual Harassment**

In Massachusetts, the legal definition for sexual harassment is this:

“Sexual Harassment” means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions;
- or,
- (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances – whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one’s sex life; comment on an individual’s body, comment about an individual’s sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;

- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiring into one's sexual experiences; and,
- Discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.

### III. Complaints of Sexual Harassment

If any of our employees believes that he or she has been subjected to sexual harassment, the employee has the right to file a complaint with our organization. This may be done in writing or orally.

If you would like to file a complaint, you may do so by contacting the Board of Selectmen, 37 Main Street, Charlton, MA 01507 (508-248-2206) These persons are also available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment and our complaint process.

### IV. Sexual Harassment Investigation

When we receive the complaint we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed sexual harassment. When we have completed our investigation, we will, to the extent appropriate inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

### V. Disciplinary Action

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment, and may include such other forms of disciplinary action as we deem appropriate under the circumstances.

### VI. State and Federal Remedies

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC – 180 days; MCAD – 6 month).

1. The United States Equal Employment Opportunity Commission (“EEOC”)
  - 10 Congress Street – 10<sup>th</sup> Floor
  - Boston, MA 02114
  - (617) 565-3200
  
2. The Massachusetts Commission Against Discrimination (“MCAD”)
 

<ul style="list-style-type: none"> <li>Boston Office:</li> <li>One Ashburton Place</li> <li>Room 601</li> <li>Boston, MA 02108</li> <li>(617) 727-3990</li> </ul>	<ul style="list-style-type: none"> <li>Springfield Office:</li> <li>424 Dwight Street</li> <li>Springfield, MA 01103</li> <li>(413) 739-2145</li> </ul>
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**BOS Policy No. 63**

**Title: SNOW PLOWING**

**Accepted/approved on: September 4, 2013**

**Reviewed: November 12, 2013**

**Updated: February 16, 2016**

**1. Town Buildings**

After all roads have been plowed and maintained for the passage of motor vehicles, the Highway Department will service the following buildings as follows:

The below buildings shall be plowed and sidewalks shoveled to allow the buildings to open up for business as usual:

Highway Department – 100 Flint Road

Town Hall – 37 Main St.

Library – 40 Main St.

Community Center – 4 Dresser Hill Road

Police Department – 88 Masonic Home Road

Animal Control Building – 15 Old Town Road

The below buildings shall be plowed to allow the buildings to open up for business as usual:

Fire Department:

10 Power Station Road

11A Power Station Road

54 N. Main Street

**2. Snow Plow Drivers**

In emergency situations, the Town Administrator is authorized to appoint temporary special plow drivers.

**BOS Policy No. 64**

**Title: SPECIAL ALCOHOLIC BEVERAGE LICENSE**

**Accepted/approved on: July 6, 2004**

**Amended: January 28, 2013**

**Amended: March 5, 2013**

**Amended: November 7, 2017**

**Reviewed on: December 11, 2018 – no changes**

TOWN OF CHARLTON  
PROCEDURE FOR REQUESTING  
SPECIAL ALCOHOLIC BEVERAGE LICENSE

The Alcoholic Beverages Control Commission states that the Local Licensing Authorities may issue special licenses for the sale of wines and/or malt beverages to any enterprise however, special licenses for the sale of all alcoholic beverages may be issued to non-profit organization only.

The Local Licensing Authorities cannot grant special licenses to:

- Any person for more than a total of thirty (30) days per calendar year;
- To any person that has an on premises license application pending before it;
  - Any premises that has an alcoholic beverage license.

Special licensees must purchase alcoholic beverages from a licensed supplier. Special licensees CANNOT purchase alcoholic beverages from a package store and CANNOT accept donations of alcoholic beverages from anyone. (an updated list of suppliers can be found on the ABCC website)

- 
1. Applicant receives blank “Application for Special Alcoholic Beverage License from the Board of Selectmen/Town Administrator office or from the town’s website at [www.townofcharlton.net](http://www.townofcharlton.net) at least four (4) weeks prior to the event. (This allows enough time for all departments to review)
  2. Applicant completes entire application. Applicant must get sign off from each department listed to ensure proper documents submitted.
  3. Application shall be submitted to the Selectmen/Town Administrator office for processing upon completion by each department required to review.
  4. Application will be placed on next available Selectmen’s meeting for the Board of Selectmen’s consideration.
  5. Once approved, copies of the application will be provided to the applicant, Police Department, Fire Department, Building Commissioner and the Alcoholic Beverage Control Commission.  
  
Applicant agrees to adhere to all applicable rules, regulations, town bylaws, state and federal laws.
  7. If the event sponsor (or any of it’s associated businesses, owners, shareholders, etc ) and venue are the same, no more than 30 days of special licenses can be approved in a calendar year. Within the 30 days, the day before the event and after the event are included within the 30 day limit per the ABCC.
  8. If the event sponsor is different than the event venue (such as renting for a wedding, etc.) the event sponsor would

be the applicant for the request.

The cost for this Special One Day Alcoholic Beverage License is:

\$ 50.00 for profit

\$ 0 for non profit (must submit copy of 501c(3) to qualify)

Attachments:

- Mandatory Crowded Manager(s) & Daily Fire & Building Safety Checklist information
- Authorized Sources of Alcohol for 1-Day Licenses from the ABCC

Accepted: July 6, 2004

Amended: January 28, 2013

Amended: March 5, 2013

Amended: November 7, 2017



**TOWN OF CHARLTON, MA**

**Application for SPECIAL Alcoholic Beverage License**

**Applicant Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Mailing Address: (if different) \_\_\_\_\_

Telephone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Sponsor of event: \_\_\_\_\_

**Event Information:**

**Type of Event:** \_\_\_\_\_

\_\_\_\_\_

**Date of Event:** \_\_\_\_\_ **Time of Even: (start)** \_\_\_\_\_ **(end)** \_\_\_\_\_

**Name of Venue and Location of Event:** \_\_\_\_\_

**Description of Premises for Event:** \_\_\_\_\_

\_\_\_\_\_

**Description of where alcohol will be stored on premises:** \_\_\_\_\_

\_\_\_\_\_

**Type of License requested:**

\_\_\_\_\_ All Alcohol (non-profit organizations only) (must submit 501c(3))

\_\_\_\_\_ Wine and/or Malt Beverages

Number of persons expected to attend: \_\_\_\_\_

**Server Information:**

**Who will be serving the alcohol to your guests? (TIP certified company and/or server(s))**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years, an appropriate Massachusetts alcoholic beverages server training program. Please provide individual names and copies of training certificate(s).

A copy of the **Server Liquor License Liability Insurance certificate** is required prior to approval of license.

**Alcohol Purchase:**

What company will the alcohol be purchased from:

Company Name: \_\_\_\_\_

Company Address: \_\_\_\_\_

\_\_\_\_\_

All Alcohol for a SPECIAL Alcoholic Beverage License MUST be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery. Alcohol CANNNOT be purchased from a package store. See ABCC website – [www.mass.gov/abcc](http://www.mass.gov/abcc) for more information.

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I, \_\_\_\_\_, the applicant for the SPECIAL (One Day) Alcoholic Beverage License request, certify under the pains and penalties of perjury that the above information is true and that I will comply with all applicable Alcohol Control Laws of the State of Massachusetts and policies and regulations of the town of Charlton.

---

Signature of Applicant.

Date

**Departments - requirements and sign off needed:** (applicant must get all departments approved)

**Fire Department:** \_\_\_ Fire Alarm Testing report in accordance with NFPA 72 (see owner of establishment)

\_\_\_ Fire Protection reports in accordance with NFPA25 (see owner of establishment)

\_\_\_ Review Crowd Manager 527 CMR 10.13 (see Fire Personnel)

The use of Pyrotechnics is prohibited in this venue. 527 CMR 2 Manufacturing, Storage, Transportation and use of Fireworks. Section 2.09 Theatrical Special Effects or Pyrotechnics Display before a proximate Audience Part (3B) the use of Pyrotechnic special effects indoors is prohibited in nightclubs, Disco's, dance halls, Bar's or similar occupancies. Please keep all Fire Lanes clear and Handicapped parking spaces accessible for such.

Received in the Fire Department on: \_\_\_\_\_

Recommend Approval: \_\_\_\_\_

Denial: \_\_\_\_\_

Date completed: \_\_\_\_\_

\_\_\_\_\_  
(Fire Department official signature)

Stipulations (if any)                      If denied – state reason(s)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Building Department:**                      Requirements vary depending on place of activity. Building Commissioner will review application from applicant.

\_\_\_ Floor plan required (hand drawn or to scale – requirements: building and room arrangement for proper isles and exit access

Received in the Building Department on: \_\_\_\_\_

Recommend Approval: \_\_\_\_\_

Denial: \_\_\_\_\_

Date completed: \_\_\_\_\_ (Building

\_\_\_\_\_  
Commissioner signature)

Stipulations (if any)                      If denied – state reason(s)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Police Department:**

The holder of a "Special Alcoholic Beverage License" must adhere to all rules and regulations under M.G.L. Chapter 138.

No person under the age of 21 years of age be allowed to purchase or consume alcoholic beverages, except as provided under M.G.L. Chapter 138, section 34.

All persons serving alcohol be TIP certified.

Officers of the Charlton Police Department, the Massachusetts State Police and Agents of the Massachusetts Alcohol Beverage Control Commission shall be accorded full access to inspect any location where a One Day Special License has been issued to ensure that the license is in full compliance of all applicable rules, regulations, town bylaws, state and federal laws.

The Police Department will determine if a detail officer is needed or not.

Received in the Police Department on: \_\_\_\_\_

Recommend Approval: \_\_\_\_\_ Denial: \_\_\_\_\_

\_\_\_\_\_ Date completed: \_\_\_\_\_

(Police Officer Signature

Stipulations (if any)                      If denied – state reason(s)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Received in the Selectmen's office on: \_\_\_\_\_

Placed on next available Selectmen's meeting for discussion: \_\_\_\_\_

**BOS Policy No. 65**

**Title: STAFF ID BADGES**

**Accepted/approved on: September 1, 1999**

**Amended on: July 17, 2007**

**Reviewed on: January 5, 2016 – No changes**

## **STAFF ID BADGES - Personnel Policies and Procedures**

### **I. PURPOSE**

To identify Town staff and provide verification of employment.

### **II. SCOPE**

This policy applies to all Town of Charlton staff members.

### **III. POLICY**

All Town staff will have ID badges made at time of employment. The badges are Town property, which must be returned either when requested by the Town Administrator and/or when separated from Town employment.

### **IV. PROCEDURE**

- A. Staff will be responsible for reporting lost or destroyed badges and the department will arrange to have the badge replaced for a fee as set by the Board of Selectmen.
- B. All staff shall either wear the ID badge in a visible and readable fashion, or carry the badge on their person, while on duty in Town offices facilities or carrying out job duties in the community.
- C. The Town Administrator and respective Department Heads shall have the options to choose for their departments whether or not their staff shall be required to visibly wear the badge or carry it while on duty.
- D. A staff member who permanently changes department or position must be issued a new ID badge immediately.
- E. When a staff member leaves Town employment, he/she will return the badge to the Department Head.

ID Badges shall be given as follows:

- All full time employees – present and new hires
- It shall be the responsibility of the Town Administrator with the assistance of the LEPC (Local Emergency Planning Committee) to determine the need for ID Badges for part time employees, boards, volunteers, etc.
- The LEPC's involvement is to ensure that the appropriate personnel, such as the Board of Selectmen, Board of Health, etc., have identification that shows their need to be in areas that are closed to the public in times of emergency or disaster.
- Short term volunteers such as tax work off personnel, shall have a generic ID Badge issued to them to be signed out at the beginning of their work day and signed in at the end of their work day. There will be NO photo on same and the name will be placed on same with a label maker. The ID Badge shall have the telephone number to verify the person's information on same. An example of this would be a person assigned by the Council on Aging to go into homes. The Town Seal would also be affixed to the badge.
- The generic badge would be in place to keep the cost of this program at a minimum. There is a large turn over in some of the volunteers and the duration of their work is relatively short.



Town of Charlton Staff ID Badge Policy.

Received by: \_\_\_\_\_ on: \_\_\_\_\_  
Employee name (please print) (Date)

Signature of employee: \_\_\_\_\_

Please print name: \_\_\_\_\_

cc: Personnel File

*BOS Policy NO. 66*  
*Title: STORAGE OF UNREGISTERED MOTOR VEHICLES*  
*Accepted/approved on: September 13, 2005*  
*Amended on:*

**APPLICATION FOR SPECIAL PERMIT  
STORAGE OF UNREGISTERED MOTOR VEHICLES**

**DATE:** \_\_\_\_\_

**APPLICANT NAME:** \_\_\_\_\_ (Please print)

**MAILING ADDRESS:** \_\_\_\_\_  
\_\_\_\_\_

**APPLICANT ADDRESS:** \_\_\_\_\_

**PHONE:** \_\_\_\_\_ **CELL:** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_

**BUSINESS NAME (If applicable):** \_\_\_\_\_

**BUSINESS ADDRESS:** \_\_\_\_\_  
\_\_\_\_\_

**ASSESSORS MAP:** \_\_\_\_\_ **BLOCK:** \_\_\_\_\_ **LOT:** \_\_\_\_\_

**DESCRIPTION OF PREMISES:**  
\_\_\_\_\_  
\_\_\_\_\_

**REASON FOR REQUESTING SPECIAL PERMIT:**  
\_\_\_\_\_  
\_\_\_\_\_

**MAXIMUM NUMBER OF VEHICLES REQUESTED:** \_\_\_\_\_

**PLEASE ANSWER THE FOLLOWING:**

**1. WILL THE PERMIT REQUESTED NULLIFY OR SUBSTANTIALLY DEROGATE FROM THE INTENT AND PURPOSE OF THE STORAGE OF UNREGISTERED MOTOR VEHICLE ZONING BY-LAW, SECTION 5.3 (attached) \_\_\_\_\_ YES \_\_\_\_\_ NO**

(IF YES, PLEASE EXPLAIN)  
\_\_\_\_\_  
\_\_\_\_\_

2. WILL THE PERMIT REQUESTED ADVERSELY AFFECT THE NEIGHBORHOOD IN WHICH THE LOT IS SITUATED  YES  NO

(IF YES, PLEASE EXPLAIN)

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3. ARE VEHICLES REQUESTED STORED WITHIN AN ENCLOSED BUILDING?  
 YES  NO (IF YES, HOW MANY WILL BE STORED INSIDE?) \_\_\_\_\_

4. ARE VEHICLES REQUESTED USED FOR FARMING PURPOSES?  
 YES  NO IF YES, PLEASE DESCRIBE USE:  
\_\_\_\_\_

---

5. DO YOU PRESENTLY MAINTAIN AN AUTO CLASS I, II OR III LICENSE ISSUED BY THE BOARD OF SELECTMEN?  YES  NO

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6. HAVE ALL ABUTTERS IMMEDIATELY ABUTTING THE PROPERTY IN QUESTION BEEN NOTIFIED BY CERTIFIED MAIL OF REQUEST FOR SPECIAL PERMIT?  YES  NO

---

**DEPARTMENT APPROVAL SIGN OFF: Must be completed by applicant prior to submittal**

ZONING ENFORCEMENT OFFICER: \_\_\_\_\_

CONSERVATION COMMISSION: \_\_\_\_\_

TOWN COLLECTOR: \_\_\_\_\_

BOARD OF ASSESSORS: \_\_\_\_\_

---

**APPLICANT**

I do hereby certify, under the pains and penalties of perjury, that the information provided above is true and correct to the best of my knowledge:

\_\_\_\_\_  
Applicant signature

\_\_\_\_\_  
Date

---

**FOR OFFICE USE ONLY**

Application approved by the Board of Selectmen at their meeting of: \_\_\_\_\_

Maximum number of vehicles allowed: \_\_\_\_\_

Permit expiration date: \_\_\_\_\_

## **TAX ENFORCEMENT**

### **PURPOSE**

To provide guidance for equitably enforcing tax obligations and set expectations for both the Town and taxpayers, this policy clearly defines when and how the Town will transition unpaid property taxes from tax title through to foreclosure. It is in the best interest of the Town of Charlton and its residents that property taxes be paid when due. The Town budget is set in anticipation of the collection of taxes, and taxes not paid by some property owners shift the cost burden onto others. The Town recognizes that individuals may go through periods of financial difficulty, but any taxpayer who becomes delinquent will be encouraged to find alternative resources to pay in full as soon as possible.

### **APPLICABILITY**

This policy applies to the job duties of the Treasurer/Collector, including those duties related to managing the Town's contracted services with a private deputy collector, tax title attorney, auctioneers, or other related professionals. Tax enforcement applies to all owners of real or personal property in the Town of Charlton whose taxes are not exempt.

### **POLICY**

The Town of Charlton intends to timely pursue all legal methods to collect taxes from delinquent property owners with the goal of achieving a target [98 percent] property tax collection rate by fiscal year-end. The Town will also periodically pursue foreclosure actions with the primary objective of receiving all monies due. Any costs for collection accrue against the taxpayer and may add to the property lien. Delinquent taxes represent a lien on property and remain in effect until all taxes, interest, and fees have been paid in full.

#### **A. Demands**

Final taxes are due to be paid as of May 1st each year (the due date for the fourth quarter tax bill). Fifteen days later, the Treasurer/Collector will issue demand notices to all assessed property owners who have failed to pay in full and who have not been granted full exemptions. Taxpayers are responsible for notifying the Town in writing of any mailing address changes.

#### **B. Tax Taking**

The Treasurer/Collector will begin the tax taking process within [60 days] of the demand notice. State law allows the process to begin as soon as 15 days after the demand, but, in every case, the Treasurer/Collector must complete the takings within 3½ years from the end of the fiscal year for which the taxes were assessed to secure, or perfect, the tax liens.

The Treasurer/Collector will send at least one enforcement letter to delinquent property owners as a courtesy to potentially avoid a tax taking advertisement. If this does not result in full remittance by September 1<sup>st</sup>, The Town customarily publishes in the local newspaper and posts on the Town Collector webpage, at the Library, and Town Clerk's office. From this point onward only cash, certified check, or cashier's check are acceptable forms of payment.

Within 60 days of the tax taking announcements, the Treasurer/Collector will prepare an Instrument of Taking for each delinquent property and record at the Registry of Deeds, which perfects the tax lien. After receiving the recorded Instruments back from the Registry, the Treasurer/Collector will notify affected property owners of the liens by sending each of them a letter and a photocopy of the Instrument. The Treasurer/Collector will make two copies of the List of Recorded Takings and provide one each to the Board of Selectmen and Town Accountant.

### C. Subsequent Taxes

After the demand bill and before August 31st each year, the Treasurer/Collector will certify all unpaid taxes and assessments for parcels of real estate taken into tax title for nonpayment of taxes in prior years and not yet redeemed and put them in a Subsequent Tax Takings list. The Treasurer/Collector will provide copies of the list to the Board of Selectmen and Town Accountant and retain one on file.

### D. Interest, Fees, and License Revocation

All delinquent taxpayers are subject to charges, which are added to their accounts by the Treasurer/Collector. These charges include interest accrued to the date of taking, advertising fees, certified mailing costs, legal fees, and Instrument of Taking recording fees.

The Treasurer/Collector will provide a listing of all individuals who are delinquent in paying taxes or other charges to the Town departments, boards, and committees that issue licenses and permits in accordance with the Town bylaw. These authorities will review the list to deny, suspend, or revoke delinquent taxpayers' licenses and permits.

### E. Payment Plans

The Treasurer/Collector will consider payment plans for parcels in tax title to allow delinquents to pay off their tax liens over a specified number of months. The Treasurer/Collector will actively monitor compliance with all payment plans, which will have the following features in common:

- Good faith payment of [25] percent of taxes owed
- Signed agreement between the Treasurer/Collector and taxpayer
- Specific amount to be paid each month
- Incorporation of payments for the current tax bill
- Statement that defaulting on the plan will immediately trigger foreclosure action by the Town

### F. Redemption or Foreclosure

The primary policy goal of the Town's foreclosure process is getting outstanding amounts paid; however, it is also a policy goal to eventually achieve foreclosure on every persistently delinquent property on an annual basis.

On an annual basis, the Treasurer/Collector will identify all tax title properties older than 180 days that are not subject to a payment plan to initiate foreclosure procedures. The Treasurer/Collector is responsible for completing foreclosures for any properties below the "Land of Low Value" threshold, which is annually updated each spring by the Division of Local Services. The Treasurer/Collector will thoroughly review all other tax title properties before referring them the tax title attorney for foreclosure processing in Land Court, beginning with those having the largest dollar value of taxes owed.

As manager of the service contract, the Treasurer/Collector will ensure the tax title attorney complies with the objectives laid out in this policy section. The Treasurer/Collector will work with the tax title attorney to prepare parcels in tax title status for foreclosure, beginning by providing each Instrument of Taking. The tax title attorney will research the tax title properties and also mail new collection enforcement letters to the taxpayers telling them of the importance of redeeming the property and warning of potential foreclosure action.

If a taxpayer or other party pays the outstanding amount on a tax title property, the Treasurer/Collector will prepare an Instrument of Redemption and file it at the Registry of Deeds, which removes the lien. Redemption can only be done prior to the property being foreclosed. If the obligation remains unpaid, the tax title attorney will proceed with foreclosure action in Land Court, possibly resulting in auctioning of the property.

### **REFERENCES**

[M.G.L. c. 60, §6](#)

[M.G.L. c. 60, §16](#)

[M.G.L. c. 60, §50](#)

[M.G.L. c. 60, §53](#)

[M.G.L. c. 60, §54](#)

[M.G.L. c. 40, §57](#)

[M.G.L. c. 60, §61](#)

[M.G.L. c. 60, §62](#)

[M.G.L. c. 60, §63](#)

[M.G.L. c. 60, §76](#)

[M.G.L. c. 60, §77](#)

[M.G.L. c. 60, §79](#)

[M.G.L. c. 60, §80](#)

DLS Best Practice: [Enforcing Collections](#)

DLS Information Guideline Release on Land of Low Value Foreclosure Valuation Limit updated annually and posted to [DLS webpage](#).

**BOS Policy No. 68**

**Title: TAX INCREMENTAL FINANCING**

**Proposed on: June 21, 2005**

**Accepted/approved on: August 1, 2006**

**Amended on:**

**I. POLICY STATEMENT**

**WHEREAS**, the Town, through its Board of Selectmen, may at its discretion, consistent with the provisions of M.G.L. c. 59, section 5, clause 51 and M.G.L. c. 40, section 49, agree to negotiate Tax Incremental Financing agreements with businesses in order to increase local full-time employment, improve the municipality's future tax and/or revenue base and enhance the community's overall "quality of life"; the Town of Charlton is committed to providing a supportive environment for business and economic development;

**WHEREAS**, the Town of Charlton is an established Economic Target Area (ETA);

**WHEREAS**, the Town, through its Board of Selectmen, may at its discretion, consistent with the provisions of M.G.L. c. 59, section 5, clause 51 and M.G.L. c. 40, section 49, agree to negotiate Tax Incremental Financing agreements with businesses in order to increase local full-time employment, improve the municipality's future tax and/or revenue base and enhance the community's overall "quality of life";

**And, Whereas**, an approved TIF agreement with the Town of Charlton allows a business to become eligible for certain state economic incentive programs;

Now, therefore the Board of Selectmen adopts the following policy:

**1. GOALS AND OBJECTIVES**

- A. Reconstruction/Renovation of vacant commercial or real estate properties that have received a property tax abatement, because of the vacancy for a 5 year period.
- B. Demolition of and then the erection of new construction on the site of vacant commercial or real estate properties that have received a property tax abatement, because of the vacancy for a 5 year period.
- C. Stimulate Job Creation of jobs paying above the average per-capita income for the Town of Charlton.
- D. Attract New Businesses
  - 1. Light Manufacturing/Office Park
  - 2. Commercial
  - 3. Research facilities
  - 4. Service - Professional
  - 5. Hotel
  - 6. All other
- E. Infrastructure Improvements, including, but not limited to:
  - 1. Repair of existing roads that are on the need list of the DPW
  - 2. New water mains where current assets need repair
  - 3. New sewer mains where current assets need repair
  - 4. Providing sewer to existing residential districts that have failing septic systems
  - 5. New storm water drain systems where current assets are not adequate or functioning properly
- F. Encourage existing businesses to expand

## II. PROCESS

### Tax Increment Financing Proposal Procedure

- Development applicant approaches the Planning Board/Economic Development Commission (EDC) with a commercial or industrial development proposal submittal and review of a project concept plan. The Planning Board will notify the Board of Selectmen that an application was submitted prior to review of the project. The respective boards review and discuss the project as to its development viability (i.e., zoning and subdivision control compliance, site development potential, etc.) Planning Board notifies Board of Selectmen about potential applications.

Please note that a project concept plan must consist of a plan prepared by a registered civil engineer incorporating at a minimum the property boundaries and existing abutting roadways, existing site topography, any proposed new lot boundaries, proposed building footprints, driveway locations & parking lot footprints.

- Upon establishing basic project viability, if applicant expresses interest in consideration for project Tax Increment Financing (TIF), Planning Board/EDC directs applicant to the Board of Assessors.
- Assessors contact staff of the Mass. Office of Business Development (MOBD) to meet with Assessors and applicant.
- If Assessors and MOBD staff find that TIF request potentially will comply with State TIF, request to the Select Board to hold a meeting among four (4) parties – Assessors, Select Board, EDC and the applicant (with MOBD staff assistance as needed) to negotiate/consider specifics of a TIF (i.e., % of tax break, time period, etc.)
- If specifics of proposal are endorsed by the Boards, a warrant article is proposed for Town Meeting by the EDC and Select Board authorizing the Select Board to enter into a TIF agreement with the applicant, and forwarding said Town Meeting approved agreement to the Mass. Economic Assistance Coordinating Council (EACC) for review and final approval.



**III. APPLICATION FORM**

TOWN OF CHARLTON  
APPLICATION FOR TAX INCREMENT FINANCING (TIF)  
APPROVAL

Date: \_\_\_\_\_

The undersigned hereby applies to the Town of Charlton for Tax Increment Financing (TIF) approval for the property identified as Assessor's Map # \_\_\_\_\_, Block \_\_\_\_\_, Lot # \_\_\_\_\_; referenced in the Registry of Deeds in Book \_\_\_\_\_ Page \_\_\_\_\_.

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Owner of Land: \_\_\_\_\_

Address: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Current Land Use: \_\_\_\_\_

Proposed Land Use – Please provide in the space below a project narrative detailing the proposed project. Feel free to attach a more detailed project narrative report and/or any accompanying project graphics or supplemental information.

Total Lot Area: \_\_\_\_\_ Number of Proposed Buildings: \_\_\_\_\_

Gross Square Feet of Proposed Building(s); \_\_\_\_\_

Number of Parking Spaces Required: \_\_\_\_\_ Proposed: \_\_\_\_\_

Is your project subject to the Wetlands Protection Act? \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_ Fee: \_\_\_\_\_

**IV. TAX INCREMENTAL FINANCING (TIF) SCORECARD**

**TOWN OF CHARLTON**

**COMPANY:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**A. BUT/FOR (This must be “Yes” to be considered for a TIF)**

Criteria: Is the TIF necessary for this project to occur in the Town of Charlton?

YES \_\_\_\_\_ NO \_\_\_\_\_

If the TIF is not granted, will the project/level of investment as described by the applicant, still occur?

YES \_\_\_\_\_ NO \_\_\_\_\_

**B. LOCATION**

Criteria	Points
----------	--------

a. Brownfield site	4
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b. Business Enterprise Park (BEP) Zone 2	
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c. Industrial Park	2
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SCORE: \_\_\_\_\_

**C. PROPOSED USE OF PROPERTY**

Criteria	Points
----------	--------

a. Research/Development	5
-------------------------	---

b. Light Manufacturing	4
------------------------	---

c. Professional Office	4
------------------------	---

SCORE: \_\_\_\_\_

**D. COMMITMENT TO THE LOCATIONS**

Criteria	Points
----------	--------

a. Outright Ownership	6
-----------------------	---

- |   |   |
|---|---|
| b. Lease (Min. of 10 years)<br>with an Option to Purchase<br>within a defined period of less<br>than one year.                          | 5 |
| c. Lease (Min. of 10 years)<br>with an Option to Purchase<br>within a defined period of one<br>year or more, but not less than 2 years. | 4 |
| d. Lease (Min. of 5 years)<br>with an Option to Purchase within a<br>defined period of the lease, but not less<br>than 5 years.         | 3 |
| e. Lease (Min. of 10 years)   | 2 |
| f. Lease (Min. of 5 years)  | 1 |

SCORE: \_\_\_\_\_

E. EMPLOYMENT - NEW JOBS TO TOWN OF CHARLTON

Criteria: Jobs to be counted, must have a salary based on criteria of 80% of region's median income - as per the CURRENT U.S. Department of Labor calculation for the Town of Charlton.

- | Criteria       | Points |
|----------------|--------|
| a. 100 or more | 6      |
| b. 50 or more  | 5      |
| c. 40 or more  | 4      |
| d. 30 or more  | 3      |
| e. 20 or more  | 2      |
| f. 10 or more  | 1      |

SCORE: \_\_\_\_\_

F. EMPLOYMENT - FUTURE JOBS TO THE TOWN OF CHARLTON OVER A PERIOD OF THE FIRST FIVE YEARS.

Criteria: Jobs to be counted, must have a salary based on criteria of 80% of median income - as per the U.S. Department of Labor calculation for the Town of Charlton.

- | Criteria       | Points |
|----------------|--------|
| a. 100 or more | 6      |

- b. 50 or more 5
- c. 40 or more 4
- d. 30 or more 3
- e. 20 or more 2
- f. 10 or more 1

SCORE: \_\_\_\_\_

**G. COMMUNITY INVESTMENT**

Criteria: Contributions to the community and/or public infrastructure improvements (as determined by the NA BPW)

- | Criteria               | Points |
|------------------------|--------|
| a. \$1,000,000 or more | 7      |
| b. \$100,000 or more   | 6      |
| c. \$50,000 or more    | 5      |
| d. \$40,000 or more    | 4      |
| e. \$30,000 or more    | 3      |
| f. \$20,000 or more    | 2      |
| g. \$10,000 or more    | 1      |

SCORE: \_\_\_\_\_

FINAL TOTAL SCORE: \_\_\_\_\_

SCORECARD NOTES:

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**TIF CHECKLIST**

- Facility
  - \_\_\_ Reuse of vacant or abandoned
  - \_\_\_ New
  - \_\_\_ Expansion/Retention
  
- Use
  - \_\_\_ Biotech/High tech
  - \_\_\_ Office
  - \_\_\_ Distribution
  - \_\_\_ Retail
  
- Job creation and salary range
  - Number of position:
    - \_\_\_ Professional
    - \_\_\_ Management
    - \_\_\_ Skilled
    - \_\_\_ Unskilled
  
- Investments Level
  - \_\_\_ Rent or Buy
  
- EI's (Environmental Impacts)
  - \_\_\_ e.g., Traffic, Schools
  
- Community Benefits
  - \_\_\_ Job Training
  - \_\_\_ Local Jobs
  - \_\_\_ Civic and Charitable
  - \_\_\_ \$ Multiplied in Local Economy
  
- Schedule/Timing "When"
  
- Use of Resources
  - Water
  - Sewer
  - Electricity
  - Roads

**BOS Policy No. 69**  
**Title: TAX RECAPITULATION POLICY**  
**Accepted/approved on: May 8, 2018**  
**Amended on:**

## **TAX RECAPITULATION**

### **PURPOSE**

To ensure the Town timely and appropriately charges taxes to property owners in support of the annual budget, this policy sets forth the roles, responsibilities, and deadlines associated with the tax recapitulation (recap) process. A timely and accurate annual recap helps ensure the Town complies with state statutes, avoids workflow disruptions in the Town's financial offices, and averts a cash shortfall and temporary borrowing costs.

### **APPLICABILITY**

This policy applies to the Board of Selectmen and Town Administrator in their policymaking and management responsibilities and to the Board of Assessors in its role as principal overseer of the recap process. It also applies to the job responsibilities of the Director of Assessing, Town Accountant, Treasurer, and Town Clerk.

### **BACKGROUND**

The property tax levy is Charlton's largest source of revenue, which therefore makes the recap a vital component of the Town's fiscal operations. The Board of Assessors and Director of Assessing shepherd two core phases: the certification of property values and the setting of the tax rate. However, the full process begins with town meeting, involves many finance officials, and requires careful management, teamwork, and cooperation.

The four pages of the tax recap, along with its attached schedules, present the Town's annual budget plan for the fiscal year. These documents summarize all appropriations made by town meeting since the previous year's tax rate was set and identify revenue sources other than property taxes, such as state aid, local non-tax revenues, and reserves. The difference between budgeted appropriations and the revenue from these other sources must be raised through the property tax levy.

By completing the recap and submitting it to the Division of Local Services (DLS) for approval, the Town establishes its property tax levy and sets the tax rate for the year. The Town may issue actual tax bills only after DLS reviews the recap, verifies that it presents a balanced budget with a tax levy within Proposition 2½ limits, and approves the tax rate.

### **POLICY**

At the Town Administrator's direction, Charlton's financial team will annually complete the tax recap process no later than November 30, provide the tax bill file to the print vendor no later than December 10, and mail the actual tax bills by December 31. The Director of Assessing along with the Board of Assessors oversee the preparation of the recap, but timely completion of the annual tax rate process requires teamwork and the cooperation of a number of municipal officials. The Town Administrator and the Assessors will develop a realistic plan and timetable and actively monitor the team's progress through completion of the tax rate process.

#### **A. Preparation and Town Meeting**

A successful tax recap process requires a balanced annual budget, appropriate funding sources, proper town meeting actions, established final values for all taxable real estate and personal property, and a voted tax policy. Whereas the budget is typically adopted at the spring town meeting, any expenditure authorized at this or other town meetings not recorded in the previous tax rate must also be included in the current recap process.

- The Board of Selectmen, through the Town Administrator and Town Counsel, will assure the production of a properly written town meeting warrant, such that town meeting voters, under the Town Moderator's oversight,

properly authorize annual budget appropriations that are funded by specific revenue sources (e.g., raise and appropriate, free cash, stabilization).

- The Board of Selectmen will ensure that any annual increase in the tax levy does not exceed the maximum amount allowed under Proposition 2½.
- The Town Accountant, Town Administrator, and Board of Selectmen will verify that the proposed budget is balanced.
- The Town Accountant will prepare a schedule of available funds as authorized for appropriation by town meeting.
- The Treasurer and Town Counsel will ensure debt issuance authorizations are proper.
- The Board of Selectmen will ensure that any proposal for a general override, debt exclusion, or capital exclusion is properly presented in the town meeting warrant and, if passed, put to a town-wide referendum.

#### B. Recording Legislative Action

To allow time for any required corrective measures, the following tasks will be completed within [two weeks] after town meeting:

- The Town Clerk will certify all appropriations approved since the last tax rate was set.
- The Town Accountant will reconcile all votes and authorized amounts.
- The Town Clerk, with the Town Accountant's assistance, will enter all town meeting appropriation votes by article (page 4 of the tax rate recap).
- From the certified town meeting authorizations, the Town Accountant will complete the following DLS forms:
  - enterprise receipts and appropriations (Form A-2)
  - free cash used (Form B-1)
  - available funds used (Form B-2).
- The Treasurer will verify that any reserved amount of bond premium is reported as a funding source (Form B-2).
- The Treasurer will prepare the debt exclusion report, including any use of reserved bond premiums (Form DE-1).

#### C. Following Fiscal Year Close

Within [two weeks] of closing the books for the fiscal year, the Town Accountant will continue completing the recap by:

- Reporting and documenting all deficits or other expenditures that must be funded, including debt and snow and ice (page 2 of the tax rate recap)
- Recording the actual amounts received for each type of local receipt (page 3, column (a) of the tax rate recap)
- Entering the amounts expected to be collected as local receipts using the revenue projections from the final budget approved at town meeting (page 3, column (b) of the tax rate recap)
- Submit the balance sheet to DOR for certification of free cash.

#### D. Property Value Certification

Assessors must value all taxable real and personal property and must classify all real property into one of four classes (i.e., residential, open space, commercial/industrial, or personal) based on their use as of January 1. To do this, the Director of Assessing will:

- Complete the property sales report (Form LA-3) for all sales over \$1,000 and submit it to DLS for approval
- Analyze market conditions, submit (Form LA-15) to DOR for approval of Interim year adjustments and set final property values in compliance with DLS certification standards
- Report the total assessed valuation for real and personal property by class (Form LA-4, which is transferred to page 1 of the recap)
- Report fiscal year tax base growth used to determine the levy limit under Proposition 2½ (Form LA-13, which is transferred to the Levy Limit Worksheet)
- Update any prior-year omitted and revised assessments that included growth (Form LA-13A, which is transferred to the Levy Limit Worksheet)

The Director of Assessing will submit the above forms to DLS for review and certification.

#### E. Tax Rate Setting

After DLS has certified property values, the Board of Selectmen must hold a public hearing to decide tax policy. At this classification hearing, the Board of Selectmen may vote a single tax rate thereby allocating the tax levy proportionately across all property classes, or vote to shift the tax burden between the four classes. Leading to this hearing, the following must be completed:

- The Director of Assessing and Town Accountant prepare an overlay analysis (Form OL-1)
- The Board of Assessors estimates and votes the amount of overlay to raise
- The Board of Assessors prepares a financial analysis of the various tax alternatives
- The Board of Selectmen votes on residential, small commercial, and open space exemptions
- The Board of Selectmen acknowledges excess levy capacity (Form LA-5)
- The Town Clerk attests to notice being given to taxpayers regarding the public hearing (Form LA-5)

#### F. Review and Submittal to DLS

The Board of Assessors, working through the Director of Assessing, is responsible for submitting all forms to DLS for tax rate approval. All forms are submitted to DOR electronically through Gateway Online with additional written documentation attached to support disparities. . All supporting documents must provide sufficient detail and be attached to the applicable forms.

- The Director of Assessing and Town Accountant will confirm and review that all values are finalized and approved, estimated receipts are reasonable, overlay is reasonable, budget is balanced, levy is within 2 ½ , verify all schedules are complete, verify signatures, and verify that all proper documents are attached.
- The Town Accountant will ensure that all town meeting authorizations are represented and clearly reconcile to the amounts reported in the tax recap schedules.
- The Director of Assessing will submit all forms to DLS.

#### G. Tax Commitment Creation

After DLS notifies the Town that the tax rate has been approved, the Director of Assessing will create a tax commitment list and warrant duly signed by the Assessing Board members, and refer it to Town Collector to generate the actual tax bills.

#### **REFERENCES**

DLS Training [\*New Officials Financial Handbook\*](#)

DLS Training Assessors Handbook, [\*Chapter 5: Setting the Tax Rate\*](#)

Town of Charlton Forecasting Policy

Town of Charlton Overlay Policy



***BOS Policy No. 70***

***Title: TEMPORARY SIGN POLICY***

***Accepted/approved on: February 9, 1999***

***Reviewed on: December 11, 2018 – Invite Cemetery Commission to meeting***

Board of Selectmen voted to allow nonprofit organizations and candidates for elections to place signs on town property at the corner of Main Street and Old Worcester Road and at the corner of Dresser Hill Road and Muggett Hill Road with the stipulation that they must comply with the Zoning by-Law relative to signs.

Added: Signs to be removed within seven (7) days of election.

**BOS Policy No. 71**

**Title: TOWN ADMINISTRATOR EVALUATION**

**Accepted/approved on: August 25, 2009**

**Reviewed on: December 11, 2018 – ok**

TOWN OF CHARLTON  
TOWN ADMINISTRATOR EVALUATION  
FISCAL 2009

PURPOSE OF EVALUATION

The purpose of this evaluation policy and instrument is to formally appraise the Town Administrator's performance on an annual basis. The document allows the Board of Selectmen to assess the Town Administrator in the areas of management, analysis, and public relations, as well as the accomplishment of long and short term goals. Through the evaluation procedure, Board members will recognize strengths, offer positive feedback, and suggest any areas that require improvement.

PROCEDURE AND TIME LINE

1. The period of evaluation is July 1 through June 30. The Town Administrator will submit a narrative self-evaluation including a report on goal achievement by the second week of September. A copy of the report and a blank evaluation form will be distributed to each Board member at that time.
2. **As preparation for the evaluation**, each Board member will meet with the Town Administrator individually to raise any areas of concern the member might have and to receive from the Town Administrator any further, factual information she may have relating to such concerns. It is the intent of the Board and Town Administrator that no public discussion should be a surprise to either party and that evaluations be conducted on the basis of the most complete and accurate information reasonably available. The Board members shall take into consideration information given to them by the Town Administrator when making their individual assessments of the Administrator's performance. Board members shall not discuss with one another their individual assessment of the Administrator's performance prior to the public meeting discussed in paragraph 3 immediately below.
3. Once the foregoing has been done, the Board shall schedule an open meeting to perform the evaluation. Each member's completed evaluation form shall become a public record, unless otherwise prohibited by law.
4. Any areas for improvement shall be included on the next performance evaluation's goals and objectives.

The written evaluation form is divided into 6 categories. Each item will be rated according to the following:

- |   |                              |
|---|------------------------------|
| 5 | Excellent/Highly Commendable |
| 4 | Strong performance           |
| 3 | Satisfactory/Acceptable      |
| 2 | Needs Improvement            |
| 1 | Unsatisfactory               |

Space is provided for optional comments. The Chair and Vice Chair will write a summary narrative that highlights the commendations and recommendations, which will also be a public record unless otherwise prohibited by law.

CATEGORY	5	4	3	2	1
1. Board Relations					
2. Personnel					
3. Financial Management					
4. General Management					
5. Community Relations					
6. Interdepartmental Relations					
7. Completion of BOS FY 09 Goals and Objectives					

Optional Comments:

Suggestions for Additional Goals for Next Year:

Submitted by: \_\_\_\_\_  
 Select person

Date: \_\_\_\_\_

***BOS Policy No. 72***

***Title: TOWN ADMINISTRATOR SIGNING OF BILL AND PAYROLL WARRANTS***

***Accepted/approved on: March 17, 2015***

***Reviewed on: December 11, 2018 – No changes***

The Board of Selectmen having voted pursuant to Mass. General Laws Chapter 41, sec. 23A to delegate such duties and responsibilities to the Town Administrator, the Town Administrator is authorized by and for the Board to sign warrants for bills and payrolls once a majority of the Board, per Mass. Gen. Laws Chapter 41, Sections 52 and 56, has been given an opportunity to examine and approve each bill, draft, order and payroll covered by such a warrant.

The Town Administrator shall, on behalf of the Board, ensure such to be correct and that the goods, materials or services charged for were ordered, that such goods and materials were delivered and that the services were actually rendered to or for the town as the case may be.

***BOS Policy No. 73***

***Title: TOWN COMMON PARKING – WEST SIDE ONLY***

***Accepted/approved on: October 15, 1996***

***Amended on: September 30, 2014***

On the portion of Main Street that is on the east side of the common, the Board of Selectmen shall allow parking only on the west side of the street.

***BOS Policy No. 74***

***Title: TOWN HALL DISPLAY POLICY***

***Accepted/approved on: May 6, 2008***

***Reviewed on: December 11, 2018 – No changes***

To improve and maintain the décor of the Town Hall and the hallways and to present a uniform look for the display of materials, notices, signage and the collection of donations, the Board of Selectmen approve the following policy:

1. All notices will be placed in glass enclosed bulletin boards as provided next to the appropriate office. The bulletin boards will be monitored monthly or more often to remove extraneous and/or outdated material;
2. Plexiglas slip cover(s) will be provided as needed for each office to display hours of operation and short term notices;
3. The Town Clerk or designee will maintain the official meeting notices. This board will be locked and keys remain with the Town Clerk and/or designee;
4. Any tables or other surfaces are used only for the display of official Town or community material;
5. There will be one glass enclosed bulletin for general items of interest currently happening in Town; this board will be maintained and monitored by the Town Administrator's office;
6. The public hallways will not be used for storage of any kind; and
7. As a public service, the Town Hall allows community groups to disperse fliers, pamphlets, newsletters, etc. in areas designated by staff. The organization or publisher submitting literature is solely responsible for its contents. The Town of Charlton does not necessarily advocate or endorse the viewpoints of the organization or publisher submitting literature. Literature of a partisan or commercial nature will not be distributed. Material is selected for its information value to the community.

***BOS Policy No. 75***

***Title: USE OF TOWN COUNSEL***

***Accepted/approved on: June 8, 2004***

***Reviewed on: December 11, 2018 – No changes***

At the meeting of the Board of Selectmen held on June 8, 2004, the Board voted to limit Town Counsel access through the BOS Chair and/or Town Administrator.

***BOS Policy No. 76***

***Title: USE OF TOWN SAND/SALT***

***Accepted/approved on: November 7, 1995***

***Reviewed: September 15, 2015 / No Changes***

Any Town resident may take up to two (2) five (5) gallon pails of Salt/Sand mix from the designated area outside the building at the salt shed on Old Town Rd. The area will be set up so that the only access to the Salt/Sand pile will be by walking to it. No pick up trucks will be able to back up to the pile.

Bay Path School will be allowed to fill their sander truck as needed for school use only as they reciprocate to us by use of student help on projects around town.

There will not be any sand/salt taken by individuals for commercial use nor will any sand/salt be loaded into the back of pick up trucks other than the two pails.



**BOS Policy No. 77**

**Title: VETERANS WAR MONUMENT POLICY**

**Accepted/approved on: March 4, 2015**

**Reviewed:**

The Charlton Veterans' War Monuments are designed to honor Charlton veterans of different war eras. This policy allows eligible veterans to have his or her name added to the appropriate monument. This policy shall be effective April 1, 2014. The following war monuments are applicable to this policy: Korea, Lebanon-Grenada, Persian Gulf, Vietnam, World War I, and World War II. This policy has been adopted as follows:

1. The program shall be coordinated through the veterans' agent, who shall oversee the program.
2. The program will be advertised through the month of March via internet, the Town of Charlton cable channel and local newspapers.
3. The program shall include the following information:
  - (a) The documentation of veterans' status and eligibility
  - (b) Selection of applicants
  - (c) Inscribing of approved applicants to the appropriate veterans war monument
4. The applicant must complete a veterans' war monument application.
5. The applicant must be a veteran, as defined in Massachusetts General Law clause forty-third of section 7 of Chapter 4.
6. The applicant must have a form DD-214.
7. The applicant must have been on active duty for at least 30 days during the timeframe that coincides with the appropriate war monument.
8. The applicant must have been a resident of Charlton at time of entry to active duty for the applicable war.
9. Engraving of names to war monuments will be conducted once a year before Memorial Day.
10. Applicants who complete their application process by April 1<sup>st</sup> will be added to the war monument for that year.
11. Veterans will be added to the appropriate monument as long as there is room to add the name on the applicable monument.
12. In the event no room exists on a monument to add names, a committee shall be formed to assess possibilities of expansion.

**BOS Policy No. 78**

**Title: VIDEO RECORDING REQUEST OF MEETINGS**

**Accepted/approved on:**

**Amended on: December 11, 2018**

1. Applicant to request copy of *recording* from Selectmen's office
2. Office to notify cable *coordinator* of same
3. When *copy of recording* comes back, (within 2 to 3 weeks), office to notify applicant.
4. Applicant to pay a fee of \$10.00 upon pick up and *Treasurer/Collector* to post.

**BOS Policy No. 79**

**Title: WEBSITE ADVERTISING POLICY**

**Accepted/approved on: March 15, 2011**

**Amended on:**

Town of Charlton Website Sponsorships  
Advertise today on [www.townofcharlton.net](http://www.townofcharlton.net)

The Town of Charlton offers commercial sponsorships to businesses who wish to be seen on the Town's official website. Sponsorship funds are dedicated to improving the website, adding more interactive customer service features, and showcasing all that Charlton has to offer.

**Current Advertising Rates:**

	3 months	6 months	12 months
Patriot	\$150	\$275	\$500
Hero	\$300	\$550	\$1,000
Champion	\$450	\$850	\$1,500
All-American	\$600	\$1,100	\$2,000

Non-Profit Rates: Non-profit 501(c)(3) organizations will receive an additional month for each package purchased.

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**TERMS AND CONDITIONS FOR SPONSORS**

**Sponsorships**

A municipal government website is available to anyone surfing the Internet. Government sites are unique. Visitors expect the site to offer specific, accurate information. With that in mind, the Town has a responsibility to insure that sponsorships are sensitive to a diverse customer audience.

**Specifications for Art Work & Responsibility for Sponsorships**

The Town of Charlton's Webmaster, in conjunction with the Town Administrator's office, shall be responsible to insure that all specifications are met for the design, placement, updating and removal of all sponsor ads from the Website. The Sponsor is responsible for creation of ad for website unless otherwise contracted with the Town. Sponsor shall submit logo, graphics, and text in electronic format by means of e-mail to the Town's Webmaster for use. The sponsor also may give permission to the Webmaster to copy its advertisement from another website. Ads will not include animation unless agreed to by the sponsor and Town of Charlton.

**Payment, Special Charges, and Agency Commission**

Website advertisements must be paid in advance. An ad will be placed on the website within three (3) business days of artwork approval by client. The ad will be available for approval within seven (7) business days from the date the contract is signed, paid, and received by the Town Administrator's office. Requests for custom artwork/photographs to be done by the Town outside of the above specifications will be billed at the rate of \$25 per hour. A 15% agency discount is offered to recognized Advertising Agencies only. There is no refund for ads cancelled prior to the end of the contract term.

## Space Availability & Placement

The number of sponsorship(s) sold per web page shall be dictated by the size of the ad. Advertisements will not exceed the length of information on a page. Sponsors may request placement on a specific page; however, specific page placements cannot be guaranteed for the length of the contract. Requests will be honored based upon availability.

## Acceptable Sponsorship Standards and Placement

Acceptable sponsorships shall be appropriate to all regardless of age, sex, ethnic origin, gender, or other factors. Unacceptable sponsorships contain nudity/pornography, adult and/or hate language, tobacco, alcohol, or similar materials, and will be strictly prohibited. Because the purpose of the Town of Charlton's website is to provide information to the public regarding Town of Charlton services and structure, it is considered a non-public forum website. The Town of Charlton is making ad space available, for a fee, to raise funds for website improvement. As such, the Town of Charlton reserves the right to make space available to paid advertisers who meet sponsorship standards. The official Town of Charlton sponsorship policy is available for download on this website at [www.townofcharlton.net](http://www.townofcharlton.net).

## Disclaimer

The Town of Charlton does not warrant or make representations or endorsements as to the quality, content, accuracy, or completeness of the information, text, graphics, links, and other items contained on this server or any other server. Such materials have been compiled from a variety of sources, and are subject to change without notice from the Town of Charlton as a result of updates and corrections. Commercial use of the materials is prohibited without the written permission of the Town of Charlton. All service marks and trademarks mentioned herein are the property of their respective owners. Some of the links on Town of Charlton website may lead to resources outside the Town of Charlton municipal government. The presence of these links should not be construed as an endorsement by the Town of Charlton of these sites or their content. The Town of Charlton is not responsible for the content of any such external link. Communications made through e-mail and messaging systems shall in no way be deemed to constitute legal notice to the Town of Charlton or any of its agencies, officers, employees, agents, or representatives, with respect to any existing or potential claim or cause of action against the Town or any of its agencies, officers, employees, agents, or representatives, where notice to the Town is required by any federal, state or local laws, rules, or regulations.

[www.townofcharlton.net](http://www.townofcharlton.net)

**The Official Website of the Town of Charlton, Massachusetts USA**

Advertise today on [www.townofcharlton.net](http://www.townofcharlton.net) and potentially reach thousands of people each day!

Contact the Board of Selectmen's Office at [kara.hmielowski@townofcharlton.net](mailto:kara.hmielowski@townofcharlton.net) to reserve your space today!

### Sponsorship/Advertising Rates

Website sponsorships are available in 4 different sizes, for 3, 6 or 12 months.

	<b>3 months</b>	<b>6 months</b>	<b>12 months</b>
<b>Patriot</b>	<b>\$150</b>	<b>\$275</b>	<b>\$500</b>
<b>Hero</b>	<b>\$300</b>	<b>\$550</b>	<b>\$1,000</b>
<b>Champion</b>	<b>\$450</b>	<b>\$850</b>	<b>\$1,500</b>
<b>All American</b>	<b>\$600</b>	<b>\$1,100</b>	<b>\$2,000</b>

**Non-Profit rates:** Non-profit 501(c)(3) organizations will receive an additional month for each package purchased.

Ad Sizes

*Sample*  
Patriot  
120 x 60 pixels

*Sample*  
Champion  
120 x 180 pixels

*Sample*  
All American  
120 x 240 pixels

*Sample*  
Hero  
120 x 120 pixels

**Website Sponsorship Ad Form**

Today's Date:

Name of Business: \_\_\_\_\_ Ad

Agency (if applicable): \_\_\_\_\_ Contact

Name: \_\_\_\_\_ Phone:

Fax: \_\_\_\_\_ Mailing Address:

Email: \_\_\_\_\_ Website:

Check ad size:            Patriot            Hero            Champion            All American

Check ad term:            3 months            6 months            12 months

Check #

*I have read and agree to the terms and conditions of the sponsorship program*

\_\_\_\_\_  
*(signature)*

Please make your check payable to: Town of Charlton. **Send completed form and check to:** Town Administrator, Town of Charlton, 37 Main Street, Charlton, MA 01570

*Rates effective July 1, 2011. Rates subject to change.*

Town Use Only:

Date form/check received: \_\_\_\_\_

Actual start date: \_\_\_\_\_

End Date: \_\_\_\_\_

**BOS Policy No. 80**  
**Title: WINTER PARKING BAN**  
**Accepted/approved on: November 8, 1999**  
**Updated on: 2004**  
**Amended: November 15, 2013**  
**Amended: January 8, 2013**  
**Amended on: December 11, 2018**

A winter parking ban will be in effect during and 48 hours following a snowstorm of over *three* inches for this upcoming and all ensuing winters on all streets in the Town of Charlton.

Clearing of sidewalks as approved in the Town's General Bylaws, state that every owner of land abutting a sidewalk shall cause all snow and ice to be removed to a width of not less than four feet from the portion of the sidewalk abutting his land.

Removal of snow onto public way: as approved in the Town's General Bylaws, no person shall plow or otherwise remove snow from private property onto a public way in such manner as to obstruct travel or snow removal operations on such way.

*The Police Chief shall enforce the provisions of this bylaw. Any owner who continues to violate any provision of this bylaw after twenty-four (24) hours following receipt by him/her of written notice of such violation from the Police Chief shall be liable to a penalty not exceeding fifty dollars (\$50) for each offense. Each day that such violation continues after such twenty-four hour period shall constitute a separate offense.*