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**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**

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                        | 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                           |
| Energy Committee                               | Veterans Agent                         |
| Fence Viewer                                   | Veterans Grave Marker                  |
| Fire Chief                                     | Wiring Inspector                       |
| Forest Warden                                  | Zoning Board of Appeals                |

***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***

The Board of Selectmen's office shall close the regular Board of Selectmen meetings' agenda at 10AM on the Monday 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 deposit packets into the Selectmen's Dropbox and email to individual members by 12 noon 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 Board members should not be receiving critical information for the first time on Monday prior to the meeting. The Town Administrator shall make every effort to keep the board members up to date on critical issues on an ongoing basis.

If there is a Monday holiday, it would revert back to the previous workday.

*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: APPLICATIONS AND PETITIONS FOR PUBLIC HEARINGS:**

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

**Updated on: June 21, 2005**

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

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

- A. Application submitted to the Board of Selectmen Office for placement on agenda. (Previously, the BOS set the date and time. This eliminates an extra waiting period of two weeks.)
- B. For public hearings: Applicant must post in a local paper at least seven (7) days prior to hearing date and notify abutters by certified mail. Abutters list is available at the Assessors Office. Office to notify applicant of date and time of hearing.

***Public Hearing:***

- A. Petitioner must attend the Selectmen's meeting to answer any questions that the Board or abutters may have.

*BOS Policy No. 5*

*Title: APPOINTMENTS BY THE BOARD OF SELECTMEN*

*Proposed on: June 21, 2005*

*Accepted/approved on: November 26, 2013*

1. 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.

2. 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>
3. New expiration date per fiscal year are subject to revisions of the Town Bylaws.

***BOS Policy No. 6***  
***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. 7***

***Title: BOS WORKSHOP MEETINGS***

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

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

***Amended on: September 30, 2014***

A BOS Workshop shall:

- To 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.

***BOS Policy No. 8***

***Title: CITIZENS PETITIONS***

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

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

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

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. The Selectmen's office 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 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.

**CIVIL FINGERPRINTING FOR LICENSES**

|  |  |
|--|--|
| <b>POLICY &amp; PROCEDURE NO.</b><br><b>4.31</b>                   | <b>ISSUE</b><br><b>DATE:</b> _____     |
|  | <b>EFFECTIVE</b><br><b>DATE:</b> _____ |
| MASSACHUSETTS POLICE ACCREDITATION<br>STANDARDS<br><br>REFERENCED: | <b>REVISION</b><br><b>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. 10**

**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**

- 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 (presently x2430); 3) a notice shall be posted on the Charlton website; and 4) an announcement on the following radio stations: WESO 970AM / WTAG 580AM / WSRS 96.1 FM
- 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. 11***

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

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

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

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

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.

## **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**

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**Affiliation:**    \_\_\_Municipal            \_\_\_Civic            \_\_\_Fraternal            \_\_\_Youth Activities  
\_\_\_Scouts

**Authorized/contact person:**

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**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:**



**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. 14**

**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**

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

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

**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. ***If requested***, the 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 and the organization's CORI policy, 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 crime 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.

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



## INFORMATION CONCERNING THE PROCESS IN CORRECTING A CRIMINAL RECORD

1. If you have undergone a background check by an agency that has received a criminal record from the CHSB, you may ask the agency to provide you with a copy of the criminal record. You may also request a copy of your adult criminal record from the Criminal History Systems Board, 200 Arlington Street, Suite 2200, Chelsea, MA 02150 by calling (617) 660-4640 or go to [www.mass.gov/chsb/cori/cori\\_forms.html#pers](http://www.mass.gov/chsb/cori/cori_forms.html#pers).
2. The CHSB charges \$25.00 fee to provide an individual with a copy of his/her criminal record. You may complete an affidavit of indigency and request that the CHSB waive the fee.
3. Upon receipt, review the record. If you need assistance in interpreting the entries or dispositions, please review the disposition code and "how to read a BOP" on the CHSB's website [www.mass.gov/chsb/cori/cori\\_bop.html](http://www.mass.gov/chsb/cori/cori_bop.html). The CHSB does not offer "walk- in" service but you may call our Legal Division at (617) 660-4760 for assistance or the CARI Unit of the Office of the Commissioner of Probation at (617) 727-5300.
4. If you believe that a case is opened on your record that should be marked closed, you may contact the Office of the Commissioner of Probation CARI Unit at (617) 727-5300 for assistance, or you may go to the Probation Department at the court where the charges were brought and request that the case(s) be updated.
5. If you believe that a disposition is incorrect, contact the Chief Probation Officer at the court where the charges were brought or the CARI Unit at the Office of the Commissioner of Probation and report that the court incorrectly entered a disposition on your criminal record.
6. If you believe that someone has stolen or improperly used your identity and were arraigned on criminal charges under your name, you may contact the Office of the Commissioner of Probation CARI Unit or the Chief Probation Officer in the court where the charges were brought. For a listing of courthouses and telephone numbers please see [www.mass.gov/chsb/cori/cori\\_codes\\_court.html](http://www.mass.gov/chsb/cori/cori_codes_court.html).
7. In some situations of identity theft, you may need to contact the CHSB to arrange to have a fingerprint analysis conducted.
8. If there is a warrant currently outstanding against you, you need to appear at the court and ask that the warrant be recalled. You cannot do this over the telephone.
9. If you believe that an employer, volunteer agency, housing agency or municipality has been provided with a criminal record that does not pertain to you, the agency should contact the CORI Unit for assistance at (617) 660-4640.

***BOS Policy No. 15***

***Title: CORRESPONDENCE POLICY (previously Document policy)***

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

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

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

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. 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 copied directly to that person and filed in his or her mailbox.

*BOS Policy No. 16*

*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 polices 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 ARCHIVED EMAIL**

The Town of Charlton archives all incoming, outgoing and internal E-Mail that is sent or received by persons using 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

## **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. 17*

*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.

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 assts 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 be 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 of 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.

TOWN OF CHARLTON

DESIGNER SELECTION REVIEW

Project: \_\_\_\_\_ Fiscal Year \_\_\_\_\_

The following criteria we used in the ranking of architectural/engineering firms for the project referenced:

Prior similar experience

Past performance on public and private projects

Financial stability

Identity and qualifications of the consultants who will work with the applicant on the project

Knowledge of Massachusetts construction laws and procedures

Ability to meet deadlines

Any other criteria that the committee considers relevant for the project

Companies may either be rank ordered or described as equally qualified. However, The Designer committee's reasons for its choice must be included in a written statement explaining the reasons and its ranking of the finalists.



---

Date

EV 2/90  
CITY/TOWN

**APPLICATION to DESIGNER SELECTION COMMITTEE**

PLEASE SUBMIT \_\_\_\_\_ COPIES OF THIS FORM (IT MAY BE REPRODUCED)

---

PROJECT DESCRIPTION:

TITLE:  
LOCATION:

---

NAME OF FIRM:  
(or Joint Venture)

TYPE OF ORGANIZATION:  
(Proprietorship, Partnership, Corporation, etc.)

ADDRESS:

YEAR ESTABLISHED:

FEDERAL I.D. NO:

LOCATION OF PRINCIPAL OFFICE IF OUT OF STATE

Check here if your firm is a SOMBA certified minority (MBE) \_\_\_\_ or SOMBA women-owned business enterprise (WBE) \_\_\_\_

---

3. NAME AND TITLE OF PRINCIPAL TO CONTACT:

PHONE NUMBER:

---

4a. KEY PERSONS, SPECIALISTS AND INDIVIDUALS ON YOUR FIRM TO BE ASSIGNED TO THIS PROJECT

\* Indicate Project Manager with an asterisk. Include a one page resume of each member of your staff to be assigned to this project:

| NAME AND TITLE | MASS. REG. NO. | DISCIPLINE/PROJECT ROLE<br>(Architectural, Structural, Mechanical, Electrical /<br>Principal in charge, Project Manager, Project<br>Designer) |
|----------------|----------------|---|
|----------------|----------------|---|

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

| NAME OF PERSON/FIRM NAME/ADDRESS<br>DISCIPLINE/PROJECT ROLE | MASS.REG.NO. |
|---|--------------|
|---|--------------|

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 \_\_\_\_\_ (\_\_\_\_\_) H.V.A.C. Engineering \_\_\_\_\_ (\_\_\_\_\_) Structural  
 Engineering \_\_\_\_\_ (\_\_\_\_\_) Interior Designing \_\_\_\_\_ Surveying  
 Acoustical Engineering \_\_\_\_\_ (\_\_\_\_\_) \_\_\_\_\_  
 Civil Engineering \_\_\_\_\_ (\_\_\_\_\_) Landscape Architecture \_\_\_\_\_ (\_\_\_\_\_) Traffic  
 Engineering \_\_\_\_\_ (\_\_\_\_\_) Life Safety Code Specialist \_\_\_\_\_  
 Ecology \_\_\_\_\_  
 Drafting \_\_\_\_\_  
 Electrical Engineering \_\_\_\_\_ (\_\_\_\_\_) Mechanical Engineering \_\_\_\_\_ (\_\_\_\_\_) CADD  
 Operators \_\_\_\_\_  
 Energy Specialists \_\_\_\_\_ Planning \_\_\_\_\_ Other  
 \_\_\_\_\_  
 Environmental Engineering \_\_\_\_\_ (\_\_\_\_\_) Sanitary Engineering \_\_\_\_\_ (\_\_\_\_\_)  
 TOTAL PERSONNEL \_\_\_\_\_ (\_\_\_\_\_)

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

| PROJECT NAME, LOCATION & DESCRIPTION<br>REFERENCES<br>& PHONE | INDICATE<br>PROJECT COST (PC) | YEAR<br>COMP. | PHASES*<br>NAME |
|---|-------------------------------|---------------|-----------------|
|---|-------------------------------|---------------|-----------------|

\* 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<br>EXPIRATION DATE | AGGREGATE AMOUNT | POLICY NUMBER |
|------------------------------------|------------------|---------------|
|------------------------------------|------------------|---------------|

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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CITY/TOWN APPLICATION FORM

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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<br>REFERENCES | INDICATE           | YEAR  | PHASES* |
|--|--------------------|-------|---------|
| NAME & PHONE                                       | PROJECT COST (PC), | COMP. |         |
|  | STUDY/DESIGN FEE   |       |         |

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

\* 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).

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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. 19*

*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. 20***

***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. 21**

**Title: EMERGENCY NOTIFICATION PROTOCOL**

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

**Amended on:**

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, please follow the below notification procedure.

Between 8:00AM and 4:00PM, the Police dispatcher, officer in charge or pertinent department head must contact the Board of Selectmen's office at 508-248-2206.

During off-hours, (weekends, holidays or between the hours of 4:00PM and 8:00AM) the officer in charge, department head or Police Dispatcher, at a convenient time

ie, must contact the Town Administrator, Robin L. Craver @ 1-508-243-3905, or each Board Member:

|                               |                |
|-------------------------------|----------------|
| Peter J. Boria, Chairman      | 1-508-922-7512 |
| Scott D. Brown, Vice-Chairman | 1-508-248-2710 |
| Kathleen W. Walker, Clerk     | 1-508-989-4380 |
| John R. Bacon                 | 1-508-248-6454 |
| Frederick C. Swensen          | 1-508-248-7030 |

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. 22***

***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.

**Purpose; intent**

- A. The purpose of this policy is to review and declassify seasonably to public records all executive session minutes that in the judgment of the Board no longer should remain secret.
- B. It shall be the intention of this proposal 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. Monthly, all minutes of executive sessions will be reviewed by the board and a determination will be made as to whether or not a release of the minutes to public record 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.

Annually, in May, all remaining minutes of executive sessions shall be reviewed and a determination made by the Board as to which minutes, if any, should be reclassified as public records in accordance with the same procedures as outlined above.

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.

**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. 26*

*Title: FILLING OF VACANCIES ON TOWN BOARDS*

*Accepted/approved on: August 1, 2006*

*Amended on: December 19, 2006*

*Amended on: May 29, 2012*

In accordance with G.L. c. 41, sec. 11 (hereinafter, “the statute”) and Article II, Section 5 of the Charlton General bylaws, and except as otherwise provided by law, where a vacancy as defined in the statute occurs in a town board consisting of two or more members, the following procedure shall be used to fill the vacancy.

1. The remaining members of such 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 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 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.

*BOS Policy No. 27*

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

*Accepted/approved on: August 1, 2006*

*Amended on:*

***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 shall authorize the American Flag to be flown at half staff and raised after the departed are buried.

## 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. 29*

*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.

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. 31***

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

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

***Updated on:***

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.

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

## ***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 victualer 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 victualer 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 one-day beer and wine or common victualer 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 victualer 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) Techniques of Alcohol Management (T.A.M.) sponsored by the Massachusetts Package Store Association.

(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. Each establishment must have all personnel trained and certified by the 2006 license renewal.

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.

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.

## **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, 61A 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:*

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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.

- (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*
- (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 and Conservation 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,*

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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.

- 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, 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 and Conservation Commission. Copies of the Notice may be provided by the Board of Selectmen to the Open Space Committee, Water and Sewer Commission, 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 and Conservation 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.

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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.

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 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 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

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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.

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.*

- *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. 35*

*Title: LICENSES*

*Accepted/approved on: November 26, 2002*

*Amended on: March 3, 2015*

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 Applicant.
5. Licenses and fees will be issued and collected by the Board of Selectmen office 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. 36*

*Title: MEETING POSTINGS*

*Accepted/approved on: June 8, 2004*

*Amended on: March 25, 2008*

The Board of Selectmen Chair shall call a meeting at her/his discretion and the Town Administrator's office will post the meeting.

Staff will provide updated calendar's with meetings posted and email to each Board member via outlook if possible for any meeting where a quorum would be present.

***BOS Policy No. 37***

***Title: MINUTES PUBLISHED FOR PUBLIC VIEWING***

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

***Amended on: June 21, 2005, March 25, 2008, November 12, 2013***

In an effort to keep the public informed of Town Government issues, the Board of Selectmen would invite you to email your Board's regularly scheduled meeting minutes once prepared, to the Town's Webmaster to be posted on the website at [dogcrazy@westwellswebworks.com](mailto:dogcrazy@westwellswebworks.com)

Minutes may also be placed in the Webmasters mailbox located in the Selectmen's Office.

*BOS Policy No. 38*

*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. 39***

***Title: MUNICIPAL MEETING ROOM FACILITY USE***

***Proposed on:***

***Accepted/approved on:***

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

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 Friday and \$35.00 for 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. 40***

***Title: NEPOTISM(Employment of Relatives Policy)***

***Accepted/approved on: September 7, 2010***

***Reviewed on: January 20, 2015 / 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. 41*  
*Title: NEW LICENSE/TRANSFER SIGN OFF SHEET*  
*Proposed on: June 21, 2005*  
*Accepted/approved on:*  
*Amended on:*

**Approval of Departments needed for application**

Applicant is responsible for seeking approval from all departments listed.

**Upon approval from ALL departments,** applicant to submit this form along with the application package for the license requested.

**form not complete, application to be returned to applicant.**

| <b>Department</b>                        | <b>Approved by:<br/>Date</b> | <b>Denied / Reason</b> | <b>Requirements</b> |
|--|------------------------------|------------------------|---------------------|
| <b>Board of Assessors</b>                |                              |                        |                     |
| <b>Board of Health</b>                   |                              |                        |                     |
| <b>Building Commissioner</b>             |                              |                        |                     |
| <b>Conservation Commission</b>           |                              |                        |                     |
| <b>Fire Department</b>                   |                              |                        |                     |
| <b>Highway Department</b>                |                              |                        |                     |
| <b>Police Department</b>                 |                              |                        |                     |
| <b>Tax Collector</b>                     |                              |                        |                     |
| <b>Town Clerk (Bus. Cert. If needed)</b> |                              |                        |                     |
| <b>Water/Sewer Commission</b>            |                              |                        |                     |

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. 43*

*Title: ONE DAY SPECIAL LIQUOR LICENSE PROCEDURE*

*Accepted/approved on: July 6, 2004*

*Amended on: January 28, 2013*

*Amended on: March 5, 2013*

**TOWN OF CHARLTON**  
**PROCEDURE FOR REQUESTING**  
**SPECIAL ONE DAY ALCOHOLIC BEVERAGE LICENSE**

- 1. Applicant receives blank “Application for Special One Day Alcoholic Beverage License from the Board of Selectmen/Town Administrator office 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**
- 3. Completed application shall be submitted to the Selectmen/Town Administrator office for processing.**
- 4. Application will be placed on next available Selectmen’s meeting seeking approval from the Board of Selectmen.**
- 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.**
- 6. Applicant agrees to adhere to all applicable rules, regulations, town bylaws, state and federal laws.**
- 7. 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:**

- Authorized Sources of Alcohol for 1-Day Licenses from the ABCC**
- Mandatory Crowded Manager(s) & Daily Fire & Building Safety Checklist information**



**TOWN OF CHARLTON, MA**

**Application for SPECIAL (One Day) Alcoholic Beverage License**

**Applicant Information:**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Mailing Address: (if different)** \_\_\_\_\_

**Telephone:** \_\_\_\_\_

**E-Mail Address:** \_\_\_\_\_

**Event Information:**

**Type of Event:** \_\_\_\_\_

\_\_\_\_\_

**Date of Event:** \_\_\_\_\_ **Time of Even: (start)** \_\_\_\_\_ **(end)** \_\_\_\_\_

**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)

\_\_\_\_ 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: (see attached list provided by the ABCC)**

**Company Name:** \_\_\_\_\_

**Company Address:** \_\_\_\_\_

\_\_\_\_\_

**All Alcohol for SPECIAL (One Day) Alcoholic Beverage Licenses MUST be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery. Alcohol CANNOT be purchased from a package store. See ABCC website – [www.mass.gov/abcc](http://www.mass.gov/abcc) for more information.**

**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.

Approved: \_\_\_\_\_

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

(Fire Department official signature)

Stipulations (if any)

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**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

Approved: \_\_\_\_\_

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

(Building Commissioner signature)

Stipulations (if any)

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**Police Department:**

The holder of a “Special 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.

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

(Police Chief and/or Police Representative Signature)

Stipulations (if any)

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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.

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Signature of Applicant. Date

***BOS Policy No. 44***

***Title: PERSONNEL POLICY RE ADDITIONS/MODIFICATIONS TO SALARY OR WAGES***

***Accepted/approved on: February 9, 2010***

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                                      Proposed                                      Percentage  
Salary: \$ \_\_\_\_\_                      Salary: \$ \_\_\_\_\_                      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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cc: Employee  
Department Head  
Personnel File  
Town Accountant  
Town Treasurer

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:  

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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

In recognition of the need to make more efficient use of our natural resources, create markets for the materials collected on 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, stationary, envelopes, tablets, notepads and file folders, the minimum content standards shall be no less than 20% post-consumer recycled materials to meet the current state and federal minimum standards. This minimum standard may be increased to 30% beginning December 21, 1998, to match the scheduled increase in 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 recycling symbol.
- c). For the purpose of measuring the progress of the program and success in meeting the recycling goals of the Commonwealth, each department shall report purchases of recycled products to the Town Manager (Or other appropriate municipal chief/board) on July 30 for the previous fiscal year.

This policy is adopted in the 8<sup>th</sup> day of September, in the year 1998, by the Board of Selectmen, in the Town of Charlton.

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 conditioning 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.
7. Violations will be under the jurisdiction of the Attorney General.

**BOS Policy No. 48**

**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. 49*

*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.)

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 limited 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”)

Boston Office:  
One Ashburton Place  
Room 601  
Boston, MA 02108  
(617) 727-3990

Springfield Office:  
424 Dwight Street  
Springfield, MA 01103  
(413) 739-2145

***BOS Policy No. 51***

***Title: SNOW PLOWING – Town Buildings***

***Accepted/approved on: September 4, 2013***

***Reviewed: November 12, 2013***

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

## **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

**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)

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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

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:** \_\_\_\_\_

*BOS Policy No. 54*

*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 |
|--------------------|---|

|  |   |
|--|---|
| b. Business Enterprise Park (BEP) Zone | 2 |
|--|---|

|                    |   |
|--------------------|---|
| c. Industrial Park | 2 |
|--------------------|---|

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) with an Option to Purchase within a defined period of less than one year. 5
- c. Lease (Min. of 10 years) with an Option to Purchase within a defined period of one year or more, but not less than 2 years. 4
- d. Lease (Min. of 5 years) with an Option to Purchase within a defined period of the lease, but not less 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. 55*

*Title: TEMPORARY SIGN POLICY*

*Accepted/approved on: February 9, 1999*

*Amended on:*

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.

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. 57***

***Title: TOWN ADMINISTRATOR SIGNING OF BILL AND PAYROLL WARRANTS***

***Accepted/approved on: March 17, 2015***

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. 58*

*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. 59***

***Title: TOWN HALL DISPLAY POLICY***

***Accepted/approved on: May 6, 2008***

***Amended on:***

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 key 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. 60***

***Title: USE OF TOWN COUNSEL***

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

***Amended on:***

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. 61***

***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. 62**

**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. 63***

***Title: VIDEO TAPE REQUEST OF MEETINGS***

***Proposed on:***

***Accepted/approved on:***

***Amended on:***

1. Applicant to request copy of tape from Selectmen's office
2. Office to notify cable committee of same
3. when tape comes back, (within 2 to 3 weeks), Office to notify applicant.
4. Applicant to pay a fee of \$10.00 upon pick up and Accountant to post.

**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.

**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!

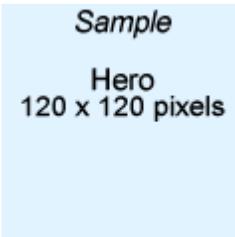
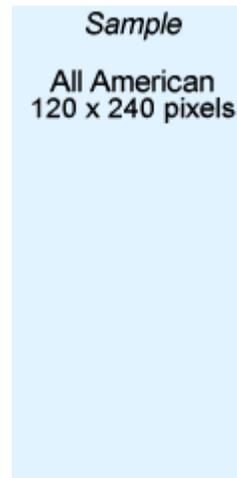
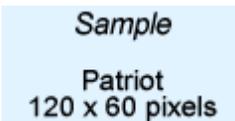
**Sponsorship/Advertising Rates**

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**



**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. 65**

**Title: WINTER PARKING BAN**

**Accepted/approved on: November 8, 1999**

**Updated on: 2004**

**Amended: November 15, 2013**

**Amended: January 8, 2013**

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.