

BOARD OF SELECTMEN

POLICIES

Updated May 2020

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EMERGENCY POLICIES AND PROCEDURES DURING COVID19

The following Policies and Procedures will expire when COVID19 ends:

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ACTIONS/DECISIONS/MINUTES OF MEETINGS

Accepted: September 1, 1999

Amended: June 21, 2005; March 25, 2008; November 13, 2013; December 11, 2018

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

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

Further actions/decisions and meeting minutes that do not require Board of Selectmen approval, must be filed with the Town Clerk and posted on the town’s website.

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 and posted on the town’s website.

The following are appointed by the Board of Selectmen:

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

And Ad-Hoc Committees as needed

AGENDA CLOSING

Accepted: March 24, 1998

*Amended: June 21, 2005; October 28, 2014 – policy changed due to town hall closing on Fridays;
December 11, 2018*

The Board of Selectmen's office shall close the regular Board of Selectmen's meeting agenda at 12:00pm on the Thursday prior to the Tuesday meeting so as to give staff time to collect the most up to date information; provide accurate memos and compile the information into meeting packets.

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

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

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

AIR CONDITIONERS IN TOWN HALL

Accepted: 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.

ANTI-IDLING POLICY

Accepted: October 25, 2016

CHARLTON ANTI-IDLING POLICY

This policy applies to municipal and school vehicles operated by or within Town of Charlton.

OBJECTIVES

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

PURPOSE

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

In addition, Massachusetts General Law (MGL Chapter 90, Section 16A) and the Massachusetts Department of Environmental Protection (DEP) idling reduction regulation (310 CMR 7.11(1)(b)) both prohibit unnecessary vehicle idling by stating that the engine must be shut down if the vehicle will be stopped for more than five minutes. Exemptions include:

- 1) The vehicle is being serviced and the idling is required to repair the vehicle;
- 2) The vehicle is making deliveries and needs to keep its engine running (to power refrigerators, for example) and;
- 3) The vehicle's accessory equipment needs to be powered, such as a fork lift or a truck's rear dump bed or a wheelchair lift in a bus or van. To provide additional protections for children, MGL Chapter 90, Section 16B, further restricts unnecessary idling in school zones.

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

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

APPLICATIONS AND PETITIONS FOR PUBLIC HEARING

Accepted: April 30, 2002

Amended: June 21, 2005; December 11, 2018

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

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

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

Public Hearing:

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

APPOINTMENTS/RESIGNATIONS BY THE BOARD OF SELECTMEN

Accepted: November 26, 2013

Amended: February 19, 2019

1. Appointment requests will be considered upon receipt by a talent bank form, email, letter or in person request and a recommendation from committee/board seeking to be appointed to. If no recommendation from the committee/board received, Board of Selectmen to make the decision of appointment.
2. When appointments are made at the Board of Selectmen's meetings, motion should be made to include:
Name of Individual, Committee to be appointed to and term expiration date
3. Expiration date of appointment is June 30th.
4. New expiration date per fiscal year is subject to revisions of the Town Bylaws.
5. Resignation requests received for persons appointed by the Board of Selectmen will be put on the next available Selectmen's meeting for consideration. A copy of the resignation will be provided to the Town Clerk per MGL c. 41, §109. A copy of the resignation letter will also be forwarded to the committee being resigned from. The opening on the committee will be placed on the Town's website and Cable Channel for two weeks to allow residents time to submit their letter of interest. Any letters received will be forwarded to the committee for a recommendation. Upon acceptance of the resignation by the board, a letter thanking them for their service will be placed in the sign folder for signatures.

AUTHORIZED COMMITTEES TO SPEND FUNDS

Accepted: 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 MEETINGS

Accepted: July 6, 2004

Amended: March 25, 2008; September 30, 2014; December 11, 2018; January 28, 2020

All REGULAR meetings will be recorded, aired live (unless network issues arise) and will be available for replay from the town's website via TV Charlton on you tube. Starting March 10, 2020, all BOS Regular meetings will be held on the 2nd and 4th Tuesday of every month.

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

A GOALS & OBJECTIVES Workshop shall:

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

All meetings are open to the public.

BUY RECYCLED POLICY (a/k/a RECYCLED PRODUCT PROCUREMENT POLICY)

Accepted: September 8, 1998

Amended: June 13, 2017

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

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

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

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

B.Y.O.B. (Bring your own bottle)

Accepted: May 26, 2015

The establishment requesting a B.Y.O.B. does not have a liquor license from the Town of Charlton and is requesting to be allowed to serve under the B.Y.O.B. provisions and agrees to abide by all legal standards to ensure safe and proper service to patrons in accordance with all regulations and guidelines set by the Alcoholic Beverages Control Commission and the Town of Charlton.

The applicant agrees to abide by all rules established by the Board of Selectmen, including without limitation the following:

- All employees of applicant will be TIP certified. The applicant must submit copies of TIP certifications for all employees to the Board of Selectmen's office. Applicant will be allowed 30 days to submit same as to any new employee who is training for and seeking such certification, provided that each such new employee shall work only under the direct supervision of a TIP certified employee until the new employee is so certified and a copy of the certification received by the Board.
- Alcoholic beverages are limited to Wine and Beer. No Hard Alcohol shall be permitted. If a patron brings any hard alcohol product, the manager must refuse service until the hard alcohol is removed from the premise.
- No liquor may be personally served by the employee.
- No liquor may be purchased/provided from within the premises.
- A patron appearing to be under the influence of alcohol or any other drug may not be allowed to consume liquor on the establishment's premises.
- No alcohol is to be consumed by anyone under the age of 21.
- A valid driver's license with a photograph or other acceptable form of identification; a valid Massachusetts Liquor Purchase Identification Card; a valid Massachusetts Identification card issued by the Registry of Motor Vehicles pursuant to M.G.L. c. 90, §8E; a valid passport or passport card issued by the United States Government or a valid passport issued by a government of a foreign country recognized by the United States Government; or a valid United States issued military identification card must be provided by any patron upon request by the service staff if age is in question. (The applicant should use a peripheral age as a guideline for "carding" a customer. For example, anyone who appears to be under the age of 27 must be carded)
- The licensee shall monitor alcohol consumption so as to maintain the same control as would be found in a full service establishment licensed under G. L. c. 138 (example: if someone brings in a six pack, it doesn't mean that person should be allowed to consume it all).
- Partially empty or open containers may not leave the premises. It is illegal to transport these and therefore the licensee may not be a party to such an offense.
- Each B.Y.O.B. establishment must undergo an annual inspection by the Charlton Police Department which involves an inspection of the premises and for the licensee or manager to provide a current employee roster and each employee's respective TIP Certification to ensure that each such certification is current prior to the Charlton Board of Selectmen renewing the B.Y.O.B. license.
- Food and water must be available for patrons.
- B.Y.O.B. is limited to Thursday, Friday and Saturday evenings between the hours of 5:00pm and 10:00pm.

Any violation of the above rules will mean termination of the allowance and permission for B.Y.O.B. in the establishment.

The Charlton Police Department may visit any B.Y.O.B. establishment at any time to review compliance. All approved requests for B.Y.O.B. will expire on December 31st of the year of issuance and will be subject to renewal in the sound discretion of the Board.

The applicant agrees to defend and hold harmless and indemnify the Town of Charlton and all its officials, officers, employees and agents from and against any and all loss, damage, liability and expense, including attorney fees, arising out of or in connection with the issuance of any license and/or any activity conducted by Applicant/Licensee pursuant to same. The right to defense and indemnification is immediate upon the utterance of a claim against the municipality, regardless of the types of claims brought or the factual merit of the claims against the Town or the Licensee or any related individual or entity.

CITIZENS PETITIONS

Accepted: June 21, 2005

Amended: March 25, 2008; December 11, 2018

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

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

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

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

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

CIVIL FINGERPRINTING FOR LICENSES

Accepted: March 20, 2013

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 authorized 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 Conveyance
- Dealer of Second Hand Articles
- Pawn Dealers
- Scrap Metal Dealers
- Hackney Drivers
- Ice Cream Truck Vendors

The state law also authorized 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 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 by 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 – 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 dollars (\$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. General Laws, Chapter 6, Section 172 B 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 CFR 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 CFR Part 16.34 and DCJIS's "Information Concerning the Process in Correcting a Criminal Record".
 - 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.
 - g. 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.

CLOSING/DELAYED OPENING OF THE TOWN OF CHARLTON MUNICIPAL OFFICES

Accepted: September 1, 2004

Amended: January 25, 2011; January 16, 2013; March 5, 2013; December 11, 2018

- 1.0 **PURPOSE:** This policy shall define a procedure for the closing/delayed opening of the municipal buildings which are under the control of the Board of Selectmen, due to snow or other natural or emergency conditions.
 - 1.1 This policy shall not apply to School Department, DPW personnel, Police & Fire Department personnel and other public safety personnel. However, this policy shall apply to DPW 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 the second sentence of 2.3 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 DPW Superintendent and/or other appropriate emergency personnel such as Fire and Emergency Management

regarding the issue at hand. The Town Administrator shall then inform the Chairman of the Board of Selectmen of this information. The Chairman of the Board of Selectmen shall then make the decision to open or close the building(s).

3.2 If the decision to close is made prior to the start of work, the Town Administrator or such Administrator's designee shall provide notice in the following ways: 1) an email shall be sent to department heads; 2) a voice message on the town's internal phone system (508-248-2230) and a notice shall be posted on the Town of Charlton website.

3.3 The procedure outlined above (3.1 and 3.2) shall also be used for a Delayed Opening of the Town of certain Town Buildings under the control of the Board of Selectmen.

4.0 **CLOSING OF OFFICES DURING WORK DAY:** If the closing occurs during working hours, the Town Administrator or such Administrator's designee shall have notice of same announced over the intercom to all employees in the Municipal Office Building and to all off-site employees who normally work in such Building via telephone and shall have the appropriate Department Head(s) in other buildings notify their department's employees by whatever reasonable means is most appropriate.

5.0 **COMPENSATION**

5.1 In the event that one or more town buildings under the direction of the Board of Selectmen is or are closed pursuant to this policy, each employee who would have or would have continued to work but for such closure will be compensated, in full, for such time as the employee would actually have worked if it were not for such closure and so long as such official closure remains in effect.

Provided, however: (a) that in the event such a building is reopened prior to the end of an employee's normal work shift and the Town Administrator or such Administrator's designee notifies the employee by telephone of such re-opening by speaking with the employee or an adult member of the employee's household, or by leaving a message on the employee's answering machine or voice mail, the employee shall report for work within thirty (30) minutes and shall not be compensated for any part of a shift not worked after such reporting time; and (b) that nor shall an employee be paid for any work time missed following the time specified in any delayed opening time notice, such as in case of a one or two hour delayed opening in an ice storm situation.

5.2 In the event that a town building under the direction of the Board of Selectmen is closed, any employee using vacation time, personal time or sick time on that 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 ADOQUATE 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.

COMMUNICATION INVOLVING ELECTRONIC DEVICES

Accepted: June 16, 2009

Amended: December 11, 2018

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

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

COMMUNITY SIGN BOARD

Accepted: August 4, 2015

RULES FOR THE CHARLTON COMMUNITY SIGN BOARD AT BOND SQUARE

- 1.0 **PURPOSE:** This policy shall define a procedure for the use of the Charlton Community Sign Board which is under the control of the Board of Selectmen.

- 2.0 **USE AND DURATION**
 - 2.1 The following groups may make use of the Community Sign Board:
 - Municipal
 - Civic
 - Fraternal
 - Youth Activities
 - Scouts

 - 2.2 The following are prohibited from the use of the Community Sign Board:
 - Political advertisement
 - Commercial advertisement

 - 2.3 All signs displayed in front of 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 \$25.00 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 Administrator’s decision will be to the Board of Selectmen.
- 3.5 Installation and removal of the sign panels will be the responsibility of the 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 inability 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 acknowledging that the Town will be held harmless.

COMPLETE STREETS POLICY STATEMENT

Accepted: September 28, 2016

Accepted by the Planning Board: September 7, 2016

I. VISION & PURPOSE

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

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

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

II. CORE COMMITMENT

A. DEFINITION

"Complete Streets" are streets that are designed and operated to provide safety and accessibility for all users of roadways, trails and transit systems including pedestrians, bicyclists, transit riders, motorists, commercial vehicles and emergency vehicles and for people of all ages and of all abilities. Furthermore, Complete Streets principles contribute toward the safety, health, economic viability and quality of life in a community by providing accessible and efficient connection between home, school, work, recreation and retail destinations by improving the pedestrian and vehicular environments throughout communities.

B. SCOPE OF APPLICABILITY

- (1) All town-owned transportation facilities in the public right of way within the Charlton Village District including but not limited to streets, bridges and all other connecting pathways shall be designed, constructed, operated and maintained to support the concept of Complete Streets so that users of all ages and abilities can travel safely and independently.
- (2) The Town of Charlton recognizes that every Village District transportation improvement and project phase are opportunities to apply Complete Streets design principles. These phases include but are not limited to: planning, programming, design, right-of-way acquisition, construction, construction engineering, reconstruction, operation and maintenance. The DPW Superintendent shall consult with the Planning Board regarding the feasibility of applying Village District Complete Streets principles for routine roadway maintenance and projects prior to conducting the work and use the exception criteria outlined under Section II, Paragraph C of this Complete Streets policy statement.
- (3) Complete Streets design recommendations shall be incorporated into all publicly and privately-funded Village District projects as appropriate. All Village District transportation infrastructure and

street design projects requiring funding or approval by the Town of Charlton as well as projects funded by the state and federal government such as Chapter 90 funds, MassWorks Infrastructure Program, Transportation Improvement Program (TIP), Community Development Block Grants (CDBG) and other state and federal funds for street and infrastructure design shall adhere to (comply with) the Town of Charlton Complete Streets Policy. Private developments and related street design components or corresponding street-related components shall adhere to (comply with) the Complete Streets principles. In addition, to the extent practical, state-owned roadways will comply with the Complete Streets policy, including the design, construction and maintenance of such roadways within Town boundaries.

- (4) Special attention should be given to projects which enhance the overall transportation system and its connectivity. Specifically, high priority should be given to:
 - (i) Corridors providing primary access to one or more significant destinations such as parks or recreation areas, schools, shopping/commercial areas, public transportation or employment or medical centers;
 - (ii) Corridors providing important continuity or connectivity links to existing pedestrian or bicycle networks.

C. Exceptions

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

- (i) The existing right-of-way does not allow for the accommodation of all users. In this case, alternatives may be explored such as obtaining additional right-of-way, use of revised travel lane configuration, paved shoulders or signage.
- (ii) The activities are ordinary maintenance activities designed to keep assets in serviceable condition (i.e., mowing, cleaning, sweeping, spot repair);
- (iii) The construction is not practically feasible or cost effective because of unreasonable adverse impacts on the environment or on neighboring land uses;
- (iv) The cost or impacts of accommodation is excessively disproportionate to the need or probable use or probable future use;
- (v) The application of Complete Streets principles is unnecessary or inappropriate because it would be contrary to public safety and increase risk of injury or death;
- (vi) The roadway is privately owned.

III. BEST PRACTICES

A. CONTEXT SENSITIVITY

Complete Streets principles include the development and implementation of projects in a context sensitive manner in which project implementation is sensitive to the community's physical, economic and social setting. The context-sensitive approach to process and design includes a range of goals by

considering stakeholder and community values on a level plane with the project need. It includes goals related to livability with greater participation of those affected in order to gain project consensus. The overall goal of this approach is to preserve and enhance scenic, aesthetic, historical and environmental resources while improving or maintaining safety, mobility and infrastructure conditions. The Town of Charlton will weigh a project in keeping with the character of the Village District as a factor in its decision making about each project.

B. DESIGN STANDARDS

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

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

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

C. PERFORMANCE MEASURES

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

IV. IMPLEMENTATION

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

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

- (1) The DPW Superintendent and Planning Board will be ensuring the implementation of the Complete Streets Policy and where necessary, in coordination with applicable Town boards, commissions and

departments, will review and recommend proposed revisions to all appropriate documents, by-laws, procedures, rules and regulations.

- (2) When available, the Town will encourage staff to attend professional development and training on non-motorized transportation issues through attending conferences, classes, seminars and workshops.
- (3) The Town will utilize inter-departmental coordination to promote the most responsible and efficient use of resources for activities within the public way.
- (4) The Town will seek out appropriate sources of funding and grants for implementation of Complete Street policies.

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

CONFIDENTIALITY AGREEMENT

Accepted: February 8, 2011

**TOWN OF CHARLTON
CONFIDENTIALITY AGREEMENT**

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

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

Whereas, under M.G.L. c. 268A, §23 and c. 214, §1B, the Employee must safeguard such confidential information;

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

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

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

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

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

CONTRIBUTING SICK LEAVE FOR SERIOUSLY ILL EMPLOYEES

Accepted: February 8, 2011

I. Policy

It is the policy of the Town to extend sick leave benefits to an employee who, because of a life threatening serious illness or injury, has exhausted his/her sick, personal and vacation leave balance. 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 1,040 hours if on a 40-hour work week 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.

C.O.R.I. (CRIMINAL OFFENDER RECORD INFORMATON)

Accepted: June 21, 2005

Amended: March 25, 2008; December 11, 2018 with further review from Attorney Cosgrove

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

Applicants for Employment/New Hires (if Human Resource Personnel are not available)
Volunteers for the Town of Charlton for Town Departments only and Senior Tax Work Off Program
Licenses (Class I, II and III and Liquor Licenses)
Any adult or volunteer who would have access to children and families in any town owned buildings.

Practices:

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

suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to the following:

- (a) Relevance of the record to the position sought;
- (b) The nature of the work to be performed;
- (c) Time since the conviction;
- (d) Age of the candidate at the time of the offense;
- (e) Seriousness and specific circumstances of the offense;
- (f) The number of offenses;
- (g) Whether the applicant has pending charges;
- (h) Any relevant evidence of rehabilitation or lack thereof;
- (i) Any other relevant information, including information submitted by the candidate or requested by the hiring authority.

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

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

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

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

CORRESPONDENCE POLICY

Accepted: January 5, 1999

Amended: July 12, 2005; March 25, 2008; December 11, 2018; February 19, 2019

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

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

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

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

DATA SECURITY POLICY/ELECTRONIC COMMUNICATION (Previously – Electronic Communication)

Accepted: February 9, 2009

Amended: March 20, 2012; 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 advised that the Public Records Law clearly applies to government records generated or received electronically. All electronic mail sent, or received and all other electronic communication received by way of the Town's systems, or any address when in an official capacity, is considered a public record subject to inspection, disclosure, scheduled retention and disposition.

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

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

STANDARDS OF CONDUCT, RESPONSIBILITY AND APPROPRIATE USE

For the purpose of this policy, ***Employee*** is defined as: Anyone listed in the Town of Charlton general by-laws as elected, appointed, a member of a 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".**

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 Town of Charlton.net E-Mail address.

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

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

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

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

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

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

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

The Department Head and/or Chairman of Board or Committee will provide a cost estimate to requester. Cost will be determined as prescribed by the Secretary of States bulletin for Public Records found at

<http://www.sec.state.ma.us/pre/prepdf/guide.pdf>

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

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

All responses should be fulfilled or denied in writing within ten (10) calendar days from date of request in accordance with the Public Records Law and Secretary of States bulletin for Public Records found at:

<http://www.sec.state.ma.us/pre/prepdf/guide.pdf>

DATA SECURITY POLICY

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

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

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

Social Security Number
Credit/Debit Card Number
Driver’s License Number
Financial Account Number Passport Number

Confidentiality

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

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 smart phone, 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 individual's password to access information is prohibited.

Passwords will contain minimum of six (6) characters (a-z)

Uppercase alphabet characters (A-Z) Lowercase alphabet characters (a-z)

Arabic numbers (0-9)

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

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

Passwords will not repeat for three (3) changes

All passwords will be required to be changed on initial log on by new users

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

Email

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

1. Employees are prohibited from downloading, transferring, transporting or storing personal information on any laptop computer, tablet, smart phone, 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

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: _____

DEAD ANIMAL PICK UP

Accepted: 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.

DECLARING SNOW EMERGENCY

Accepted: February 14, 2017

An Act to Modernize Municipal Finance and Government signed on August 9, 2016, eliminates prior approval for deficit spending for snow and ice removal by the council/selectboard and alternatively, requires only that the Chief Administrative Officer of the municipality authorize deficit spending.

On a motion that passed unanimously by the Board of Selectmen, the Town Administrator to authorize deficit spending in the snow emergency as per the Municipal Modernization Act.

DESIGNER SELECTION POLICY

Accepted: September 11, 2011

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 Selectmen 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;

Knowledge of Massachusetts construction laws and procedures;

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 applicant's 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 include 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 exclude 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 for, 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 hired 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 (\$10,000) or which are for the design of a building for which the budgeted or estimated construction costs exceed One Hundred Thousand Dollars (\$100,000), that the designer has internal accounting controls as required by Chapter 30, Section 39R and that the designer will:

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

File regular statements of management concerning internal auditing controls;

File an annual audited financial statement; and

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

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

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

All information supplied by or obtained about each applicant;

All actions taken by the committee relating to any project;

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

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

No member of the committee shall participate in the selection of designer as a finalist for any project if the member 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.

DIRECT DEPOSIT POLICY

Accepted: 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. c. 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.

ELECTRONIC SIGN POLICY

Accepted: June 4, 2019

Electronic Display, 40 Main Street (Library)

Use and Duration

The following groups may make use of the Electronic sign board:

- Municipal Government / Government Community Events
- Non-Profit Organizations – if space allows

The sign, given its proximity to the center of town, will generally consist of black and white lettering for informational messages. Special town-sponsored, town-wide events including Old Home Day and Earth Day may display animate, moving or flashing characters or icons but only for 7 days preceding the event; all animation will be turned off the day after the event.

The display may have not more than 2 messages visible at any time.

The display may not change more than once a minute.

The need for official notification by the town of Charlton has precedence over all other displays.

The sign will be turned off each evening at 10:00pm and resume at 6:30am each morning.

Application

Application will be on forms provide 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 acknowledging that the Town will be held harmless.

All Non-Profit Organization events will need approval by the Town Administrator for display.

Office of the Town Administrator - Form for Use of Electronic Display

This form is to be completed in order to have your message placed on the public sign in front of the Charlton Public Library. Priority of public sign usage is given first to government entities and second to non-profits. You must submit this form to the Town Administrator (or his/her designee) for approval at least one week before the event. Once approved by the Town Administrator, this form will be forwarded to the appropriate person for posting. No message will be placed without a signed approval form from the Town Administrator. The length of time for non-profit messages is limited to a maximum of one week.

Organization Name: _____

Contact Person: _____

Phone Number _____

Length of Time Requested: _____

(Length of time may be different than requested. One week for non-profits)

Print your message here:

EMERGENCY MANAGEMENT

Accepted: January 31, 2006

Amended: September 29, 2015

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 Systems (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 and 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.

EMERGENCY NOTIFICATION PROTOCOL

Accepted: September 1, 1999

Amended: December 11, 2018

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

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

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

EMPLOYEE PARKING IN FRONT OF MUNICIPAL BUILDING

Accepted: April 8, 2008

Amended: 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.

ETHICS TRAINING AND EDUCATION

Accepted: April 20, 2010

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” municipal 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 Ethics 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 acknowledgement of receipt within ten (10) business days of receipt of the summary. Summaries may be distributed in paper or electronic format. Employees’ acknowledgements 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 acknowledgements 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 acknowledgement 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.

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.

EXECUTIVE SESSION MINUTES

Accepted: August 3, 2004

Amended: December 15, 2009; December 11, 2018

Purpose; intent

- A. The purpose of this policy is to review and release all executive session minutes.
- B. The intention of this policy is to make public all actions of the Board without defeating the lawful purpose of such executive sessions.

Effect on statutory provisions

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

Determination of release to public

- A. At the time that executive session minutes are presented to the Board for approval, a determination shall be made as to whether or not a release of the minutes to public records could be made without:
 - (1) Violating general or special statutes or federal grant-in-aid requirements.
 - (2) Adversely affecting the reputation of any person.
 - (3) Adversely affecting the public security or the financial interest of the town.
- B. Quarterly, all remaining, unreleased minutes of executive session that have been approved will be reviewed by the board.

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

EXIT INTERVIEW

Accepted: June 15, 2010

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.

FILLING OF VACANCIES ON TOWN ELECTED BOARDS

Accepted: August 1, 2006

Amended: December 19, 2006; May 29, 2012; December 11, 2018

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

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

FINANCIAL POLICY - ANTIFRAUD

Accepted: January 16, 2018

PUIRPOSE

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

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

APPLICABILITY

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

POLICY

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

A. Definitions

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

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

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

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

- Any dishonest or fraudulent act
- Forgery or alteration of any document or account
- Forgery or alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies or other assets
- Impropriety in the handling or reporting of money or financial transactions

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

B. Antifraud Responsibilities

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

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

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

C. Disclosure

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

PROCEDURES

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

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

9. Disclosure requirements and protocols.

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

REFERENCES

[M.G.L. c. 149, §185](#)

U.S. Office of Management and Budget's [Omni Circular](#) issued December 2013

FINANCIAL POLICY – APPENDIX I – POLICY ADOPTION/REVISION LOG

Accepted: June 4, 2019

**APPENDIX I
POLICY ADOPTION/REVISION LOG**

As part of the annual budget process, financial officers and other personnel cited in each policy’s Applicability section will review the policy to ensure it is current. If a policy needs to be updated, the Finance Director will draft proposed edits in consultation with the Town Administrator and other responsible parties. Revised policies will then be submitted to applicable Town policymakers for adoption. The Finance Director will maintain an official record of the annual reviews and revision dates in the log below. Current policies inclusive of all amendments will be available in the Finance Director’s office.

Policy	Date of Adoption	Last reviewed	Date of Amendment(s)
Capital Planning	XX/XX/XXXX	XX/XX/XXXX	XX/XX/XXXX
Debt Management			
Financial Reserves			
Forecasting			
Indirect Cost Allocation			
Investments			
Other Postemployment benefits			
Antifraud			
Overlay			
Procurement Conflict of Interest			
Reconciliation			
Revenue Turnover			
Tax Enforcement			
Tax Recapitulation			

**APPENDIX II
MUNICIPAL CALENDAR**

Abbreviations Defined

ATB	Appellate Tax Board
DLS	Division of Local Services
DLS/BLA	Bureau of Local Assessment
DLS/BOA	Bureau of Accounts
DLS/MDM	Municipal Data Management
EQV	Equalized Valuation Determined
DESE	Department of Elementary and Secondary Education
SOL	State-owned Land

July

1	Collector	Mail Preliminary Tax Bills For communities that issue tax bills on a quarterly basis, the preliminary tax bills should be mailed by this date. (The preliminary bills for the 1 st and 2 nd quarters may be included in a single mailing.)
15	Accountant	Certification Date for Free Cash – Any time after books are closed Two weeks after the close of the fiscal year, the Town Accountant closes all accounts and submits the resulting balance sheet and supplemental documentation to DLS so that free cash can be certified.
15	Accountant	Report Community Preservation Fund Balance – Any time after books are closed After the close of the fiscal year, the Town Accountant submits the fund balance (Form CP-2) to DLS and notice is given to the Community Preservation Committee and other financial officers. The fund balance may be appropriated any time after the report. (Not applicable to Charlton at this time)
15	School Business Officials	Certification Date for Excess and Deficiency (E&D) Fund – Regional School Districts Two weeks after the close of the fiscal year, the regional school finance official closes all accounts and submits the resulting balance sheet and supplemental documentation to DLS so that the E&D fund can be certified. A pre-closing trial balance or audited financial statements will not be accepted unless requested by the Director of Accounts.

15	Assessor/Pipeline Company	Deadline for Appealing Commissioner’s Pipeline Company Valuation to ATB
15	Assessor/ Telegraph Co.	Deadline for Appealing Commissioner’s Telephone and Telegraph Company Telephone and Valuations to ATB
20	DLS/BLA	Notification of Changes in Proposed EQVs (even numbered years only)
20	DLS/BLA	Notification of Changes in Proposed SOL Valuations (2017 only)
31	State Treasurer	Notification of Monthly Local Aid Distribution To view distribution breakdown, click http://www.mass.gov/treasury/cash-management

August

1	Taxpayer	Quarterly Tax Bills – Deadline for Paying 1st Quarterly Tax Bill without Interest According to M.G.L. c. 59, §57C , this is the deadline for receipt of the 1 st quarter preliminary tax payment without interest, unless the preliminary bills were mailed after July 1. If mailed by August 1, the quarterly payment is due August 1 or 30 days after the bills were mailed, whichever is later, and the 2 nd quarterly payment is due November 1. If mailed after August 1, the preliminary tax is due as a single installment on November 1 or 30 days after the bills were mailed, whichever is later.
1	Taxpayer	Annual Boat Excise Return Due
1	Accountant	Notification of Total Receipts of Preceding Year The total actual local receipts (e.g., motor vehicle excise, fines, fees, water/sewer charges) of the previous fiscal year must be included on Schedule A of the Tax Rate Recapitulation Sheet (recap), which is submitted by the Assessors to DLS. On the recap, the Accountant certifies the previous fiscal year’s actual revenues and the Assessors use this information to project the next fiscal year’s revenues. Any estimates of local receipts on the recap that differ significantly from the previous year’s actual receipts must be accompanied by documentation justifying the change in order to be approved by the DLS Director of Accounts
10	Assessor	Deadline for Appealing EQVs to ATB (even numbered years only)
10	Assessor	Deadline for Appealing SOL Valuations to ATB (2017 only)
31	DLS/BOA	Issue Instructions for Determining Local Tax Rates DLS sends a copy of the Tax Rate Recap Sheet and its instructions to the Town.
31	State Treasurer	Notification of Monthly Local Aid Distribution To view distribution breakdown, click http://www.mass.gov/treasury/cash-management/

September

- 15 Assessor** **Submit Property Sales Report (Recommended)**
The Property Sales Report (LA-3) is used in conducting assessment/sales ratio studies and reports all property sales over \$1,000.
- 30 Accountant/
Assessor** **Jointly Submit Community Preservation Surcharge Report**
This report (Form CP-1) is a statement of the prior year's net Community Preservation Surcharge levy and is used to distribute matching state funds on November 15th.

(Not applicable to Charlton at this time)
- 30 Accountant/
Superintendent/
School Committee** **Jointly Submit end of Year Report to DESE**
Schedule 1 determines compliance with the Town's net school spending (NSS) requirement. Schedule 19 determines compliance with current year NSS requirement.
- 30 Accountant** **Submit Snow and Ice Report**
The Town Accountant submits the statement of snow and ice expenditures and financing sources for the previous fiscal year to DLS.
- 30 Treasurer** **Year-end Cash for the Previous Fiscal Year (due upon submission of the Balance sheet for free cash certification)**
Reconciliation is the process of comparing the Treasurer's accounts to the Town Accountant's ledger balance to determine if they are consistent and making any necessary corrections. When the reconciliation is complete, the Town Accountant should indicate agreement with the Treasurer's balances. Reconciliations are required annually but the Town should reconcile monthly to produce reliable reports and monitor the cash practices of the Treasurer's office. The year-end report as of June 30th must be completed and submitted to DLS.

If the Accountant and Treasurer do not consistently reconcile cash accounts or if the reconciliations indicate variances, the Town Administrator and Selectmen should inquire as to the reasons.
- 30 Treasurer** **Submit Statement of Indebtedness**
M.G.L. c. 44, §28 requires the Director of Accounts to maintain complete and accurate records of indebtedness by towns. This statute also requires Treasurers to furnish any other information requested by the Director in respect to the authorization and issuance of loans.

The Statement of Indebtedness is the annual report required from Treasurers to accomplish this purpose. Treasurers should reconcile the debt records with the Town Accountant before filing the statement to ensure that it and balance sheet are in agreement.
- 30 State Treasurer** **Notification of Monthly Local Aid Distribution**
To view distribution breakdown,

October

- 1 Taxpayer Deadline for Applying to Have Land Classified as Agricultural/Horticultural Land or Recreational Land, M.G.L. c. 61A and c. 61B**
According to [M.G.L. c. 61A, §§6 and 8, and c. 61B, §§3 and 5](#), this is the deadline to apply to Assessors to have land valued, taxed and classified as agricultural/horticultural or recreational land in the next fiscal year unless a revaluation program is being conducted for that fiscal year. Under M.G.L. c. 59, §38 and DLS guidelines, Assessors must review all property valuations and make adjustments to ensure current fair cash valuations every year. Because the revaluation program is conducted every year, taxpayers who do not submit their applications by October 1 have until 30 days after the actual tax bills for the fiscal year are mailed to apply.
- 1 Taxpayer Deadline for Submitting Forest Land Certification and Management Plan M.G.L. c. 61**
According to [M.G.L. c. 61, §2](#), this is the deadline to submit to the Assessors the State Forester’s certification and approved management plan in order to have the land valued as classified forest land for 10 years beginning in the next fiscal year.
- 15 Superintendent Submit School Foundation Enrollment Report to DESE**
- 15 Assessor Begin Work on Tax Rate Recapitulation Sheet**
For communities that issue tax bills on a quarterly basis, the Assessors should begin gathering tax recap information in order to have enough time for the tax rate to be set and actual tax bills mailed by December 31.

Tax Rate Recap:

Page 1 (Tax Rate Summary) – This page provides the summary of the total amount to be raised, identifying what part is the tax levy with the components and rates. Assessors should compare the proposed tax levy to the levy limit. If the Town does not levy to its limit, the remaining levy is referred to as excess levy capacity. Excess levy capacity is lost to the Town for the current fiscal year although it will always remain in the levy limit calculation.

Page 2 (Amounts to be Raised) – This section includes town meeting appropriations and other local expenditures not appropriated, such as overlay deficits, revenue deficits, state and county charges, cherry sheet offset items and allowance for abatements and exemptions. By comparing this information to the prior year(s), any significant expenditure changes can be determined.

Page 2 (Estimated Receipts and Other Revenue Sources) – This section includes cherry sheet receipts, estimated local receipts and amounts appropriated from free cash and other available funds. By comparing these receipts to prior year(s) receipts and to remaining free cash and available fund balances, the Selectmen can understand trends and usage of non-property tax revenues.

Page 3 (Local Receipts Not Allocated) – This page reports prior year actual receipts and estimated receipts for the current year for all revenue not reported on other schedules. By comparing these receipts to prior year(s), the Selectmen can recognize trends and changes in these revenues.

Page 4 (Certification of Appropriations and Source of Funding) – This page details any financial votes of Town Meeting (Annual and Special) for the current tax year and any for the prior year not previously reported on last year’s recap.

15 Assessor Submit New Growth and Final Valuations to DLS/BLA (Recommended)

**31 Selectmen/
Town
Admin Begin Establishing Next Fiscal Year’s Budget Guidelines and Request
Department Budgets**

**31 State
Treasurer Notification of Monthly Local Aid Distribution.** To view distribution breakdown, click <http://www.mass.gov/treasury/cash-management>

November

1 Taxpayer Quarterly Tax Bills – Deadline for Paying 2nd Quarterly Tax Bill Without Interest
According to [M.G.L. c. 59, §57C](#), this is the deadline for the 2nd quarter tax payment.

1 Treasurer Deadline for Payment of First Half of County Tax
(Not applicable to Charlton)

**1 Selectmen/
BOA Hold Classification Hearing (Recommended)**
The Boards of Selectmen and Assessors hold a public hearing to determine whether different or uniform rates will apply to the various classifications of real property.

15 DESE Notify Districts of any Prior-Year School Spending Deficiencies
By this date or within 30 days of a complete-End-of-Year Report (see September 30), DESE notifies communities/districts in writing of any additional school spending requirements.

30 Accountant Submit Schedule A for Prior Fiscal Year
This report is a statement of the revenues received, expenditures made, and all other transactions related to the town’s finances during the previous fiscal year. The Schedule A classifies revenues and expenditures into detailed categories that provide information essential for an analysis of revenues and expenditures generated by various departments. This data, like other financial information reported to DLS, is entered into DLS’s Municipal Data Bank; as such, DLS may provide time series, comparative and other types of analysis at the request of the town. This information is also sent to the US Census Bureau and eliminates a prior federal reporting requirement. Failure to file by November 30 may result in withholding major distributions of state aid until the Schedule A is accepted by BOA.

30 Assessors Submit Tax Recap and all Schedules to DLS/BOA

30 **Selectmen/** **Review Budgets Submitted by Department Heads Administrator**
Town This date will vary depending on budget calendar.
Administrator

30 **State** **Notification of Monthly Local Aid Distribution**
Treasurer To view distribution breakdown, click
<http://www.mass.gov/treasury/cash-management/>

December

1 **Accountant/** **Submit Amendments to End of School Year Report to DESE**
Super/ Last filing date to impact next year's Chapter 70 State Aid.
School Committee

31 **Water/Sewer** **Commissioners Deadline for Betterments to be included on Next Year's Tax Bill.**
[\(M.G.L. c. 80, §13, c. 40, §421 and c. 83, §27\)](#)

31 **Selectmen/** **Begin to Finalize Budget Recommendations**
Town Admin The budget is being finalized for review by Finance Committee.

31 **Assessor** **Mail 3 ABC Forms to Charitable Organizations and Forms of List to Personal**
Property Owner

31 **Collector** **Deadline for Mailing Actual Tax Bills**
For communities that issue tax bills on a quarterly basis, the actual tax bills should be mailed by this date. (The actual bills for the 3rd and 4th quarters may be included in a single mailing.)

31 **State** **Notification of Monthly Local Aid Distribution**
Treasurer To view distribution breakdown, click <http://www.mass.gov/treasury/cash-management/>

January

1 **Assessor** **Property Tax Assessment Date**
This is the effective date for statewide valuation and assessment of all property for the following fiscal year.

31 **DESE** **Notify Districts of Estimated Net School Spending Requirements for the Next Year**
As soon as the Governor releases the ensuing year's budget, DESE notifies districts of the estimated NSS requirements. These figures are subject to change based on the final proved state budget.

31 **DLS/BLA** **Filing Deadline Pipeline Company Forms of List**
Pipeline Co.

31 **State** **Notification of Monthly Local Aid Distribution**
Treasurer To view distribution breakdown, click
<http://www.mass.gov/treasury/cash-management/>

February

- 1 Taxpayer Quarterly Tax Bills – Deadline for Paying 3rd Quarterly Tax Bill without Interest**
According to [M.G.L. c. 59, §57C](#), this is the deadline for receipt of the 3rd quarter actual tax payment without interest, unless the actual tax bills were mailed after December 31. If mailed after December 31, the actual tax is due as a single installment on May 1 or 30 days after the bills were mailed, whichever is later.
- 1 Taxpayer Quarterly Tax Bills – Application Deadline for Property Tax Abatement**
According to [M.G.L. c. 59, §59](#), applications for abatements are due on February 1 unless actual tax bills were mailed after December 31. In that case, they are due May 1 or 30 days after mailing, whichever is later.
- 28 Finance Committee Continue Budget Review and Develop Recommendations**
This date will vary depending on the date of Town Meeting.
- 28 State Treasurer Notification of Monthly Local Aid Distribution**
To view distribution breakdown, click <http://www.mass.gov/treasury/cash-management/>

March

- 1 DLS/MDM Notification of Cherry Sheet Estimated for the Following Year**
(pending action on taken by the Legislature)
- The cherry sheet is an estimate of 1) receipts: local reimbursement and assistance programs as authorized by law and appropriated by the General Court and 2) assessments: state and county assessments and charges to local governments. All amounts listed on the cherry sheet are Estimates. Actual receipts and charges are determined based on detailed formulas or guidelines for each program. Cherry sheets are posted on the DLS website and updated at each juncture of the state budget process.
- 1 Personal Prop/Owner Submit Form of List**
This is a listing of all personal property filed by owners with the Assessors each year for the purpose of determining taxes in the next fiscal year. The return is due on or before March 1, but the deadline may be extended by the Assessors to a date no later than the date that abatement applications are due.
- 1 Charitable Organization Submit 3 ABC Forms**
This is a return of property held for charitable purposes filed by a charitable organization with the Assessors each year in order to be eligible for exemption from taxation for the next fiscal year. The return is due on or before March 1, but the deadline may be extended by the Assessors to a date no later than the date that abatement applications are due.
- 1 DLS/BLA/ Telephone & Telegraph Co Filing Deadline for Telephone and Telegraph Company Forms of List**

31 State Treasurer Notification of Monthly Local Aid Distribution
To view distribution breakdown, click
<http://www.mass.gov/treasury/cash-management/>

April

1 Taxpayer Deadline for Applying for Property Tax Exemptions for Persons
If the bills are mailed after January 1, taxpayers have 3 months from the mailing date to file applications for exemptions.

30 State Treasurer Notification of Monthly Local Aid Distribution
To view distribution breakdown, click
<http://www.mass.gov/treasurer/cash-management/>

May

1 Taxpayer Quarterly Tax Bills – Deadline for Paying 4th Quarterly Tax Bill without Interest
According to [M.G.L. c. 59, §57C](#), this is the deadline for the 4th quarter tax payment.

1 Treasurer Deadline for Payment of Second Half of County Tax
(Not applicable to Charlton)

1 Accountant/Treasurer Notification of Amount of Debt Due in Next Fiscal Year
As required by [M.G.L. c. 44, §16](#), the Accountant or Treasurer must notify the Assessors of all debt due in the next fiscal year. The town is required to pay its debts, appropriated or not. Any debt service not covered by appropriations is added to the “Other Local Expenditures” category found on page 2 of the Tax Recap Sheet.

It is important that the Assessors have this information in order to avoid setting a tax rate lower than required and raising insufficient revenue to cover the town’s expenditures.

31 State Treasurer Notification of Monthly Local Aid Distribution
To view distribution breakdown, click
<http://www.mass.gov/treasury/cash-management/>

June

1 Clerk Certificate of Appropriations
Appropriations are certified immediately after Town Meeting so that the Town Accountant may set up accounts for each department in the town for the next fiscal year.

1 Assessors Determine Valuation of Other Municipal or District Land
In certain communities where land is owned by another community or district, the value of the land is determined by the Assessors in the year following a revaluation year, for in-lieu-of-tax payment.

1 DLS/BLA Notification of Proposed EQVs (even numbered years only)

1 DLS/BLA Notification of SOL Valuations (2017 and every 2 years after)

10 DLS/BLA Concludes Public Hearings on Proposed EOVs (even numbered years only)

- 10 DLS/BLA Concludes Public Hearings on SOL Valuations (2017 only)**
- 15 DLS/BLA Commissioner Determines and Certifies Pipeline Valuations**
- 15 DLS/BLA Commissioner Determines and Certifies Telephone and Telegraph Company Valuations**
- 15 Assessors Make Annual Preliminary Tax Commitment**
 For communities that issue tax bills on a quarterly basis, the Assessors should make the preliminary tax commitment. The commitment must be based on the prior year’s net tax on the property and may not exceed, with limited exceptions, 50% of that amount. This should be done early enough for the annual preliminary quarterly bills to be mailed by July 1.
- 20 Assessor Final Date to Make Omitted or Revised Assessments**
 As required by [M.G.L. c. 59, §§75 and 76](#), if a property is inadvertently excluded or mistakenly under-assessed on the warrant for property taxes, it is the Assessor’s role to correct the mistake and assess the property correctly. Such an assessment may not be made later than June 20 of the taxable year or 90 days after the date the tax bills are mailed, whichever is later.
- 30 Assessor Overlay Surplus Closes to Surplus Revenue**
 The Assessors may certify any balance in the overlay account in excess of the remaining amount of the warrant to be collected or abated. The transfer from overlay to the overlay surplus account is done on the Assessors’ initiative or within 10 days of a written request by the Selectmen. Once in the overlay surplus account, these funds may be appropriated for any lawful purpose. Any balance in the overlay surplus account at the end of the fiscal year will be closed to surplus revenue and eventually, free cash.
- 30 Assessor Physical Inventory of all Parcels for Communities that Accepted [M.G.L. c. 59, §2A \(a\)](#)**
- 30 Taxpayer Deadline for Applying to Have Land Classified as Forest Land, M.G.L. c. 61**
 According to [M.G.L. c. 61, §2](#), this is the deadline to apply to the State Forester to have land certified as forest land.
- 30 Assessor Submit Annual Report of Omitted or Revised Assessments**
- 30 Assessor Last Day to Submit Requests for Current Fiscal Year Reimbursements of Exemptions Granted Under the Various Clauses of [M.G.L. c 59, §5](#)**
 If an exemption is granted to a residential property owner, the property tax is lowered, and the town collects fewer tax revenues than anticipated. These exemptions are partially reimbursed by the state as indicated under “Exemptions” section B of the cherry sheet.

It is the responsibility of the Assessor to submit all exemptions to DLS so that the town may be reimbursed for statutory exemptions. If the Assessors fail to submit a request, the town’s loss of tax revenues will not be offset by exemption reimbursements from the state. These reimbursements may not be filed retroactively for any year.

If the tax bills are mailed late, the Assessor may submit requests for reimbursement until August 20.

- 30 State Treasurer Notification of Monthly Local Aid Distribution**
To view distribution breakdown, click <http://www.mass.gov/treasury/cash-management/>

Additional Information

Exception to Due Dates

M.G.L. c. 4, §9 states that if the date for any statutory action or payment falls on a Sunday or legal holiday, that action may be performed or payment made on the next succeeding business day. This rule also applies to actions required by or payments due on a Saturday in those communities that accepted M.G.L. c. 41, §§110A permitting public offices to remain closed on that date.

The due date for any local property tax payment or abatement or exemption application, is also extended by M.G.L. c. 59, §§57, 57C and 59 when municipal offices are closed due to a weather-related or other public safety emergency.

FINANCIAL POLICY – APPENDIX III – INDIRECT COST CALCULATION METHODOLOGIES

Accepted: June 4, 2019

1. **Actual cost** uses specific schedules to provide documentation of indirect costs, which generally include debt service and life, health and property insurance.
2. The **transaction-based** method is calculated based on the number transactions attributed to a service as a percentage of the whole. For example, the number of bills issued by the collector for water service as a percentage of the total bills issued. This percentage is applied against the collector’s total budget, including health and life insurance, Medicare, retirement and any workers’ compensation attributable to the department.

Number of transactions for the Water Department	Total budget plus benefits of the department	Indirect

Total number of transactions X processing = Department processed by the non-enterprise
Transactions for the Salaries department Enterprise

3. A department or official may be able to provide a reasonable estimate of support, or estimate of the average time spent to support a particular service. For example, the town administrator estimates that he/she spends on average four hours weekly or 10 percent of his/her time, on water-related activities (e.g., board meetings, water commitment/billing, administration of grants and clerical tasks). This percentage is applied against the department’s or official’s salary and benefits, including health and life insurance, Medicare, retirement and any worker’s compensation.

Hours worked on enterprise activities Per year by individual(s)	Salary and benefits of individual(s) working	Indirect
_____	X	= Departmental

Total hours worked per year by _____ on enterprise Salaries individual(s) activities

Any department’s or official’s expenses related to water activities are charged directly to the water budget.

4. The proportional method is a straightforward calculation of the water department’s direct budget as a percentage of the gross general fund and enterprise fund budgets. This percentage is applied against a town department’s budget, including employees’ benefits, that provides support to the water department.

FINANCIAL POLICY – APPENDIX IV – INVESTMENT POLICY STATEMENTS

Accepted: July 18, 2006

Amended: January 10, 2012; June 4, 2019

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.

1. 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 55B 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 amount** (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. MMDT seeks to obtain the highest possible level of current income consistent with the preservation of capital and liquidity by investing in a diversified portfolio of high quality money market instruments with an average dollar-weighted portfolio maturity of 90 days or less. MMDT investments are not guaranteed by the State, FDIC or other governmental agency.

- U. S. Treasuries that will be held to maturity: **Unlimited amount** (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 (“CDs”) **with final maturities up to the maximum term allowed under Massachusetts General Laws, Chapter 44, Section 44** which are fully collateralized through a third party agreement: **Unlimited Amounts**
- Bank accounts and CDs **with final maturities up to the maximum term allowed under Massachusetts General Laws, Chapter 55, Section 55** insured by the F.D.I.C. **up to the coverage limit.** All bank accounts and CDs 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% off 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.

- **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 State 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. (10% is a small amount – perhaps change to 25%)

E. Authorization

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

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 Finance Director, Town Administrator and Finance Committee as appropriate. The 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.

I. Restrictions

Chapter 44, Section 55, sets 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 Laws, Chapter 44, Section 55
Massachusetts General Laws, Chapter 44, Section 55A
Massachusetts General Laws, Chapter 44, Section 55B

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 Laws, 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 55B 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

Massachusetts General Laws, Chapter 44, section 54 states that money should be deposited into savings banks, 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 an 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 (1.5%) 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 (Massachusetts General Laws, Chapter 167, Section 15A**

The Treasurer may invest in the following instruments:

- U.S. Treasuries that may be sold prior to maturity: **Unlimited amounts (With no limit to the length of maturity from date of purchase)**
- U.S. Agency obligations that may be sold prior to maturity. **Unlimited amounts (With no limit to the length of maturity from date of purchase.)**
- Bank accounts or Certificates of Deposit (“CDs”) **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 CDs (**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 CDs 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 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 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 Massachusetts General Law, 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 Finance Director, Town Administrator and the Finance Committee, as appropriate. The 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 Laws, Chapter 44, Section 54

Massachusetts General Laws, Chapter 44, Section 55A

Massachusetts General Laws, Chapter 44, Section 55 B

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. Massachusetts General Laws, 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.

FINANCIAL POLICY – CAPITAL PLANNING

Accepted:

Amended:

PURPOSE

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

APPLICABILITY

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

POLICY

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

A. Definition of a CIP Project

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

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

B. Evaluation of CIP Projects

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

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

- Eliminates a hazard to public health and safety;

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

C. Multiyear Capital Plan

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

D. Capital Financing

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

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

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

E. Capital Project Closeouts

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

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

REFERENCES

M.G.L., c. 44, §20, M.G.L., c. 44, §33B

Division of Local Services Guidance: *Presenting and Funding Major Capital Projects*

FINANCIAL POLICY – DEBT MANAGEMENT

Accepted:

Amended:

PURPOSE

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

APPLICABILITY

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

POLICY

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

A. Debt Financing

In financing with debt, the Town will:

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

B. Debt Limits

The Town will adhere to these debt parameters:

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

Structure and Term of Debt

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

1. The Town will attempt to maintain a long-term debt schedule such that at least 50 percent of outstanding principal will be paid within 10 years.
2. The term of any debt shall not exceed the expected useful life of the capital asset being financed and, in no case, shall it exceed the maximum allowable by law.
3. The Town will limit bond maturities to no more than (10) years except for major buildings, sewer and waste water control facility projects, land acquisitions and other purposes in accordance with the [useful life borrowing guidelines](#) promulgated by the Division of Local Services.
4. The Town will work closely with its financial advisor to follow federal regulations and set time frames for spending borrowed funds to avoid committing arbitrage, paying rebates, fines and penalties to the federal government and jeopardizing the debt issuance's tax-exempt status.

C. Protection of Bond Rating

To protect its bond rating, the Town will:

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

D. Reporting

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

REFERENCES

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

[M.G.L. c. 44, §4](#); [M.G.L. c. 44, §6](#); [M.G.L. c. 44, §6A](#); [M.G.L. c. 44, §7](#); [M.G.L. c. 44, §8](#)

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

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

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

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

FINANCIAL POLICY – FINANCIAL RESERVES

Accepted: July 17, 2018

Amended:

PURPOSE

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

APPLICABILITY

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

POLICY

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

A. Free Cash

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

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

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

The Town will endeavor to transfer a minimum of 50 percent of the certified free cash to the general stabilization fund. As much as practicable, the Town will limit its use of free cash to funding one-time expenditures (like capital projects or emergencies and other unanticipated expenditures.) Alternately,

budget decision makers may reserve a portion of the remaining 50 percent to avoid fully depleting the Town's free cash so that the succeeding year's calculation can begin with a positive balance.

B. Stabilization Funds

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

General Stabilization

The Town will endeavor to maintain a minimum balance of (five) percent of the current operating budget in its general stabilization fund. Withdrawals from general stabilization should only be used to mitigate emergencies or other unanticipated events that cannot be supported by current general fund appropriations. When possible, withdrawals of funds should be limited to the amount available above the (five) percent minimum reserve target level. If any necessary withdrawal drives the balance below the minimum level, the withdrawal should be limited to (one-third) of the general stabilization fund balance. Further, the Town Accountant will develop a detailed plan to replenish the fund to the minimum level within the next (two) fiscal years.

Capital Stabilization

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

C. Retained Earnings

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

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

D. Overlay Surplus

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

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

REFERENCES

[M.G.L. c. 40, §5B](#)

[M.G.L. c. 59, §25](#)

[M.G.L. c. 44, §53F1/2](#)

DLS Best Practice: [Free Cash](#)

DLS Best Practice: [Reserve Policies](#)

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

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

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

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

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

FINANCIAL POLICY – FORECASTING

Accepted: June 4, 2019

PURPOSE

To assess the range of choices available to budget decision makers when determine how to allocate resources. This policy establishes guidelines for evaluating revenue sources and the requirement to determine an expenditure strategy as part of the annual budget process and longer range fiscal planning. Forecasting helps local officials understand the long-range implications of pending near-term decisions.

APPLICABILITY

This policy applies to the Board of Selectmen and Finance Committee in their budget analysis and decision-making responsibilities. It also applies to the job responsibilities of the Town Administrator, Finance Director and all the managers of revenue-generating departments, including the Town's Water and Sewer Department.

POLICY

A. Revenue Guidelines

The Town will continuously seek to diversify its revenue to improve the equity and stability of sources. Each year and whenever appropriate, the Town will reexamine existing revenues and explore potential new sources. A balance will be sought between elastic and inelastic revenues to minimize any adverse effects caused by inflation or other economic changes. Additionally, intergovernmental revenues (e.g., local aid, grants) will be reviewed annually to determine their short and long-term stability in order to minimize detrimental impacts.

The Town will avoid using one-time revenues to fund ongoing or recurring operating expenditures. These one-time revenue sources can include, but are not limited to, free cash, overlay surplus, sale of municipal equipment, legal settlements, insurance proceeds and gifts. Additionally, the Town hereby establishes the following priority order when appropriating one-time revenues:

- One-Time Capital Purchases needed immediately at Fall Town Meeting; General Stabilization Fund
- OPEB trust fund

Economic downturns or unanticipated fiscal stresses may compel reasonable exceptions to the use of one-time revenue. In such cases, the Town Administrator, in consultation with the Finance Director, can recommend to the Board of Selectmen its use for operational appropriations. Such use will trigger the Town Administrator to develop an action plan with the Finance Director to avoid continued reliance on one-time revenues.

Historically, bond premiums (net of issuance costs) have been considered general one-time revenue to be used as an available source. [Chapter 218 of the Acts of 2016](#) amends current law by allowing communities to either apply the proceeds to the issuance, thereby reducing the amount needed to borrow, or to place the money in a separate fund and appropriate it for a future capital project. (Note: Premiums received for excluded debt must still be used to offset the stated interest costs of financing the project.)

State laws impose further restriction on how certain types of one-time revenues may be used. The Town will consult the following General Laws when the revenue source is:

- Sale of real estate: [M.G.L. c. 44, §63](#) and [M.G.L. c. 44, §63A](#)
- Gift and grants: [M.G.L. c. 44, §53A](#) and [M.G.L. c. 44, §53A1/2](#)

This policy further entails the following expectations regarding revenues:

- The Assessing department will maintain property assessments for the purpose of taxation at full and fair market value as prescribed by state law.
- Town departments that charge fees will annually review their fee schedules and propose adjustments when needed to ensure coverage of service costs.
- The Water/Sewer department will set rates for the enterprise operations sufficient to cover all their direct, indirect and capital improvement costs on self-supporting bases.
- The Building department will notify the Town Administrator and Finance Director of any moderate-to-large developments that could impact building permit volume.
- Department heads will strive to seek out all available grants and other aid and will carefully consider any related restrictive covenants or matching requirements (both dollar and level of-effort) to determine the cost-benefit of pursuing them.
- Revenue estimates will be adjusted throughout the budget cycle as more information becomes available.

B. Expenditure Guidelines

Annually, the Town will determine a particular budget approach for forecasting expenditures, either maintenance (level service), level funded or one that adjusts expenditures by specified increase or decrease percentages (either across the board or by department). A maintenance budget projects the costs needed to maintain the current staffing level and mix of services into the future. A level funded budget appropriates the same amount of money to each municipal department as in the prior year and is tantamount to a budget cut because inflation is mandated costs and other fixed expenses still must be covered.

C. Financial Forecast Guidelines

To determine the Town's operating capacity for each forthcoming fiscal year, the Finance Director will annually create and provide the Town Administrator with a detailed budget forecast. The finance Director will also annually prepare a (five)-year financial projection of revenues and expenditures for all operating funds. These forecasts shall be used as planning tools in developing the following year's operating budget as well as the five-year capital improvement plan.

To ensure the Town's revenues are balanced and capable of supporting desired levels of services, forecasts for property taxes, local receipts and state aid will be conservative based on historical trend analyses and will use generally accepted forecasting techniques and appropriate data. To avoid potential revenue deficits, estimates for local receipts (e.g., inspection fees, investment income, license fees) should generally not exceed (90) percent of the prior year's actual collections without firm evidence that higher revenues are achievable.

Additionally, the Town's forecast model should assume that:

- The current level of services will be maintained;
- Property taxes (absent overrides) will grow at the limits of Proposition 2 ½;
- New growth will be projected conservatively, taking into account the Town's three-year average by property class;
- Local receipts and state aid will reflect economic cycles;
- Historical trends in the growth of specific operating expenses and employee benefits will prevail;
- Potential cost-of-living adjustment estimates for the impact of future contract settlements and compensation plan increases are included;

- Debt service on existing debt will be paid and Capital Planning and Debt policies will be followed;
- Annual pension contributions and appropriations to amortize its other postemployment benefit liabilities will continue;
- Reserves will be built and maintained in compliance with its Financial Reserves policy

REFERENCES

Chapter 218 of the Acts of 2016, Section 67

M.G.L. c. 44, §20

M.G.L. c. 44, §53A

M.G.L. c. 44, §53A ½

M.G.L. c. 44, §63

M.G.L. c. 44, §63A

Division of Local Services Best Practice: *Revenue and Expenditure Forecasting*

Division of Local Services Bulletin 2013-01B: *Bond Premiums and Debt Exclusions*

Government Finance Officers Association article: *Structuring the Revenue Forecasting Process*

Town of Charlton Capital Planning Policy

Town of Charlton Debt Management

Town of Charlton Financial Reserve Policy

FINANCIAL POLICY – INDIRECT COST ALLOCATION

Accepted: June 4, 2019

PURPOSE

To ensure all indirect costs associated with the Town's water and sewer enterprise funds are allocated in a manner that is reasonable and equitable, reflects true shared costs, and is easily replicable from year to year, this policy provides guidelines for the calculation, allocation and review of those costs.

As enterprise funds, the accounting of these funds is recorded and managed separately from the general fund. These operations have separate financial statements so that their revenues and expenses are not commingled with those of all other governmental activities. Consolidating each program's direct and indirect costs, debt service and capital expenditures into its own distinct, segregated fund allows the Town to demonstrate to the public the true, total cost of providing the particular utility.

APPLICABILITY

This policy applies to the Town Administrator, Finance Director and the Water/Sewer Commission.

POLICY

As part of the annual budget process, the Town Administrator and Finance Director will calculate the Indirect Costs to the general fund of the Town's Water and Sewer Enterprise Funds and will provide the calculation to the Water/Sewer Commissioners. The Indirect Cost calculation will remain methodology, will remain in place until there is a mutual agreement on the resultant totals and signify the agreement in writing. The calculation will take into account expenses for water and sewer related expenses of the Town departments that provide administrative services to the enterprise funds, which include the Town Administrator, Finance Director, Town Accountant, Treasure/Collector, Assessing, Human Resources, Legal Services and Information Technology departments.

The Finance Director will calculate the Indirect Cost using a Percentage Rate by using the prior year's voted appropriations from the Annual Town Meeting with no adjustments for any increases/decreases that may occur during the budgeted fiscal year (ex. For calculation of FY2020 Budgeted Indirect Costs, the FY2019 Voted Budgeted Amounts will be used to calculate the percentage rate for the FY2020 Indirect Costs). The Indirect Cost Percentage Rate will be calculated by dividing the Total Enterprise Budget divided by the Total Available for Appropriations from the Revenue Budget. The Indirect Cost Methodology will be to apply the amounts budgeted in the most recent voted fiscal year's appropriation with no increases/decreases that may occur during the budgeted fiscal year using each of the departments listed above including any related benefits for those indirect cost employees (including but not limited to Town Share of Health/Life Insurance, Medicare and Pension) by the Calculated Percentage Rate.

The Finance Director will calculate the following expenses as a Direct Cost based on the amount estimated for the upcoming Budget Year and provide that information for the inclusion in the Enterprise Budget:

- Benefits for active and retired Enterprise Fund direct employees, including insurances, Medicare tax, unemployment and workers' compensation;
- Pension Costs;
- Vehicle insurance;
- Property insurance;
- OPEB Contributions;

- Payment in Lieu of Taxes (Real and Personal Property);
- Other costs that may be considered and agreed to such as: materials, supplies, software, infrastructure and fuel.

The Finance Director will maintain written instructions detailing the calculation and shall record operating transfers annually between the relevant funds for the Budgeted Indirect Costs. A detailed explanation of the four different indirect cost allocation methods in included in Appendix III of this policy manual.

REFERENCES

Division of Local Services Guidance: [*Costing Municipal Services: Workbook and Case Study*](#)

Government Finance Officers Association (GFOA) Best Practice: [*Taking Advantage of Indirect Cost Allocations*](#)

GFOA Best Practice: [*Measuring the Full Cost of Government Service*](#)

FINANCIAL POLICY – OVERLAY

Accepted: August 1, 2006

PURPOSE

To ensure the proper treatment of the overlay account, this policy sets guidelines for determining the annual overlay amount in the Town's budget and for deciding whether any overlay balance can be certified as surplus. The allowance for abatements and exemptions, commonly referred to as the overlay, is an account to offset anticipated abatements and exemptions of committed real and personal property taxes. The account may also be charged in the event property taxes are deemed to be uncollectable.

Effective November 7, 2016, the Municipal Modernization Act ([Chapter 218 of the Acts of 2016](#)) (Municipal Modernization Act) provides for a single overlay account. Previously, a community had to maintain separate overlay reserves for each fiscal year and could not use the surplus from one year to cover another year's deficit without a multistep process involving the assessors, accounting officer and local legislative body. However, the Act allows all existing overlay balances to be transferred to a single account. Although this policy treats overlay as a single account, to continue historical information and facilitate reconciliations, the Town Accountant may elect to maintain subsidiary ledgers by levy year for overlay balances.

APPLICABILITY

This policy applies to the job duties of the Board of Assessors, Director of Assessing, Town Accountant, Town Administrator as well as to the Board of Selectmen and Finance Committee's role as budget decision makers.

POLICY

A. Annual Overlay

Each year, the Board of Assessors will vote in an open meeting to authorize a contribution to the overlay account as part of the budget process and to raise it without appropriation on the Town's Tax Recapitulation Sheet. The Director of Assessing will determine the amount to be added to the overlay account based on the following:

- Current balance in the overlay account
- Three-year average of granted abatements and exemptions
- Potential abatement liability in cases pending before or on appeal from, the Appellate Tax Board (ATB)
- Timing of the next certification review by the Division of Local Services

The Board of Assessors will notify the Town Administrator and the Town Accountant of the amount of overlay voted.

B. Excess Overlay

Annually, the director of Assessing and Town Accountant will conduct an analysis to see if there is any excess in the overlay account balance by factoring the following:

- Current balance in the overlay account after reconciling with the Town Accountant's records;
- Balance of the property tax receivables, which represents the total real and personal property taxes still outstanding for all levy years;

- Estimated amount of potential abatements, including any cases subject to ATB hearing or other litigation

Upon determining any excess in the overlay account, the Director of Assessing will present the analysis to the Board of Assessors for its review and will also notify the Town Administrator.

C. Overlay Surplus

If there is an excess balance in the overlay account, the Board of Assessors will formally vote in an open meeting to certify an amount to transfer to overlay surplus and will notify the Board of Selectmen, Town Administrator and Town Accountant in writing of its vote. If the Board of Selectmen makes a written request for a determination of overlay surplus, the Board of Assessors will vote on the matter within the next 10 days and notify the Board of Selectmen of the result in writing.

After being certified, Town Meeting may appropriate overlay surplus for any lawful purpose until the end of the fiscal year. However, the appropriation should be as prescribed in the Town's Forecasting policy (re: treatment of one-time revenues) and its Financial Reserves policy (re: overlay surplus). Overlay surplus not appropriated by year-end closes to the general fund's undesignated fund balance.

REFERENCES

[Chapter 218 of the Acts of 2016](#), Sections 131, 133, 152 and 249

[M.G.L. c. 59, §25](#)

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

Town of Charlton Forecasting Policy

Town of Charlton Financial Reserves Policy

FINANCIAL POLICY – PROCUREMENT CONFLICT OF INTEREST

Accepted: June 4, 2019

Amended: May 12, 2020

PURPOSE

To ensure integrity in the procurement and contract processes, to educate Town employees, consultants, uncompensated outside parties and any other person involved in decisions to award contracts about potential conflicts of interests and to establish a process for the screening of conflicts of interests

APPLICABILITY

The policy pertains to all the Town's procurement and contract processes governed under the provisions of the state's Uniform Procurement Act associated with, but not limited to: specification development, preparation and issuance of solicitations, evaluation of solicitations and submissions and other evaluations that lead to Town contract awards. This policy applies to the job responsibilities of the Town Administrator or his/her designee serving as the Town's procurement officer and to related functions of the Town Counsel and Town Accountant. It further applies to all Town employees, officials, and others working on the Town's behalf who are involved with any procurement and contract process and to the prospective contractors.

POLICY

The Town is committed to ethical business practices, professional integrity and compliance with all procurement laws and regulations. Charlton will provide fair opportunities to participants in competitive processes for the award of Town contracts. Process integrity will be reinforced by the practices outlined here to ensure confidentiality during the bid evaluation process and to assess and address conflicts of interest in all competitive solicitations. The Town will investigate all allegations of conflict of interest or misconduct brought to the attention of Town staff.

To comply with the state's [Uniform Procurement Act](#), any purchase for supplies or services ([with certain exceptions](#)) costing more than \$10,000 requires solicitation of three written quotes for contracts and those over (\$50,000) require competitive sealed bids or proposals for contracts.

A. Confidentiality during the Bid Evaluation Process

Town staff, consultants and outside evaluators who are participants in a bid evaluation process are required to sign confidentiality agreements, which bind them not to share any information about responses received and the evaluation process until the Town issues a Notice of Intended Award.

Departments must:

1. Identify all participants of an evaluation process who receive proposals or other documents used in the evaluation process, including non-evaluating observers.
2. Ensure that these participants sign confidentiality agreements.
3. Submit the confidentiality agreements to the Town Administrator or his/her designee.

The Town Administrator or his/her designee must:

1. Verify that signed confidentiality agreements for all participants in the evaluation process, including non-evaluating observers, are submitted.
2. Maintain signed confidentiality agreements on file.

B. Conflict of Interest in Procurement

To ensure decisions are made independently and impartially, Town employees and officials are expected to avoid any conflicts of interest and also avoid the appearance of conflicts of interest. A conflict of interest or the appearance of one, must be disclosed whenever a vendor, employee or officer has or can reasonably anticipate having an ownership interest, a significant executive position or other remunerative relationship with a prospective supplier of goods or services to the Town or knows that a family member or other person with whom they have a personal or financial relationship has such an interest.

According to the federal Office of Management and Budget's Omni Circular, a conflict of interest arises when: *"the employee, officer or agent, any member of his or her immediate family, his or her partner or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract."*

And it states that: *"The officers, employees and agents of the non-federal entity must neither solicit nor accept gratuities, favors or anything of monetary value from contractors or parties to subcontracts."*

The Omni Circular further requires that for any federal grant involving a parent, affiliate or subsidiary organization that is not a state or local government, the Town must also maintain written standards of conduct covering organizational conflicts of interest. An organizational conflict of interest means that due to a relationship with a parent company, affiliate, or subsidiary organization, the Town is unable or appears to be unable to be impartial in conducting a procurement action involving the related organization.

Any person with a conflict as described above will not participate in the preparing of specifications, qualifying vendors, selecting successful bidders on products or services in which they have an interest, or approving payment to those interests. The only exception to this arises if the person make full disclosure of a potential conflict and receives an advance, written determination from the State Ethics Commission that the interest is not so substantial as to be deemed likely to affect the integrity of the services the Town may expect from that individual.

Department heads and other officials are required to ascertain and disclose to the Town Administrator or his/her designee any potential conflict of interest affecting procurement transactions before a contract is signed, a commitment made or an order placed. Having satisfied this requirement, the Town Administrator or his/her designee will notify the Town Accountant who will verify the availability of funds before any order is placed with a vendor.

The following measures shall be taken to ensure the Town avoids any conflicts of interest in procuring Town contracts:

1. Employees, officials and others who regularly participate in contract activities on behalf of the Town must disclose relevant financial interest as required by state and federal laws and to annually review those statements in conjunction with this policy and other ethical standards.

Other persons involved in procurements must review this policy and other ethical standards and provide information in order to determine if there is a conflict of interest. Such persons will include, but are not limited to, authors of specifications; paid and unpaid evaluators; and paid and unpaid consultants who assist in the procurement process.

2. If a possible conflict of interest is identified, it must be documented and reviewed with Town Counsel.

Departments must:

1. Identify employees, consultants, outside uncompensated parties and any other persons who will be involved in a procurement, or contract activity, such as specification development, preparation and issuance of solicitations, evaluation of solicitations or submissions or other evaluations that will lead to an award of contract.
2. Provide conflict of interest forms to the identified participants.
3. Submit the completed forms to the Town Administrator or his/her designee prior to commencing any procurement or contract activity.

The Town Administrator or his/her designee must:

1. Review the submitted forms for potential conflicts of interest;
2. Discuss any potential conflicts of interest with Town Counsel and document the resulting determinations;
3. If a conflict or the appearance of one exists, take appropriate actions including but not limited to, removal of the employee, consultant or outside uncompensated party from the procurement or contract activity or cancelation of the solicitation.

C. Audit

The Town Accountant will conduct random audits of compliance with this policy. All practices associated with the Town's procurement also are subject to audit by the Town's independent auditor.

REFERENCES

[M.G.L. c. 30B](#)

[M.G.L. c. 268A](#)

State Ethics Commission's webpage [*Disclosure Forms for Municipal Employees*](#)
Inspector General's webpage [*Procurement Assistance*](#)

U.S. Office of Management and Budget, December 2013 [*Omni Circular*](#)
Town of Charlton Bylaws Part I, Chapter 20, Sections 1 and 2

FINANCIAL POLICY – RECONCILIATION

Accepted: June 4, 2019

PURPOSE

To ensure transactions are in balance, to mitigate fraud and to safeguard general ledger accuracy, financial officers must conduct regular reconciliations of their accounting records and these must be reconciled to the general ledger. Although each financial officer is responsible for maintaining independent records of his or her office's transactions, they are also collectively accountable for the overall accuracy of Charlton's financial records. Failure to reconcile cash, receivables and withholdings hampers the Town's ability to produce reliable reports, close its books, make timely submissions to the Division of Local Services and complete audits. In addition, unresolved variances reduce the amount of certified free cash and may result in significant deficiency findings by the independent auditor.

APPLICABILITY

This policy applies to the Town Accountant, Treasurer/Collector, Human Resource (HR) Director or their designees, and to any other department that has accounts receivable responsibilities (e.g. Police, Sewer, etc.)

POLICY

The Treasurer/Collector and all department heads with accounts receivable duties will internally reconcile their respective accounting records and subsequently reconcile them with the Town Accountant according to the guidelines and periodic time frames outlined in this policy.

A. Cashbook Reconciliation

To ensure an accurate accounting of all revenue activity, the Treasurer/Collector will maintain a cashbook that reflects up-to-date and accurate information for all cash and assets. To do so, the Treasurer/Collector will make certain that all cash receipts, disbursement, transfers and interest are recorded in the cashbook, within (two business days) of each transaction and will reconcile cashbook accounts to their corresponding bank accounts within (five days) of receiving bank statements. These will include zero-balance vendor and payroll bank accounts, whose balances must equal the outstanding checks at the end of any month.

Reconciling items, including deposits in transit, bounced and voided checks and discrepancies between the Treasurer's cashbook and financial institutions will be identified and corrected when appropriate. The Treasurer/Collector will forward a summary of the reconciled cashbook balances and when needed, an additional Schedule of Receipts reflecting any adjustments to the Town Accountant.

B. Payroll Withholdings Reconciliation

Payroll withholdings include federal and state taxes, child support and other wage assignments for legal obligations, deferred compensation, optional insurances, association dues, and other employer-sponsored options, which are all maintained in separate general ledger accounts. The HR Director will forward the employee and employer withholding summary report to the Town Accountant to record in the general ledger each pay period. To reduce the risk to the Town for liabilities in excess of withholdings, the HR Director will reconcile the payroll withholdings to the applicable vendor/recipient accounts payable on a monthly basis and identify any discrepancies. The HR Director will provide the results of these activities to the Town Accountant and to the HR Director to make any necessary changes or adjustments.

C. Accounts Receivable Reconciliation

Accounts receivable are outstanding monies owed to the Town, whether from committed bills (i.e., taxes, excise and utilities) or from uncommitted department invoices (e.g., police details, ambulance charges). To ensure these assets are accounted for and balanced, the Treasurer/Collector and the department head with accounts receivable duties (the “record-keeper”) will make certain that all cash receipts are recorded timely, maintain a control record for each receivable type and levy year and verify the detail balance agrees with the receivable control.

The receivable control is a record of original entry in which the record-keeper reduces a commitment according to collections, abatements and exemptions and increases it by refunds issued. To maintain accuracy, the record-keeper must review the detailed list of receivables, identify credit balances as prepaid amounts or investigate them for possible correction and reconcile the control balance to the detail.

Whenever these records do not agree, the record-keeper must determine the discrepancy by:

- Verifying the various transactions (commitments, abatements, refunds, chargebacks) against their supporting documents;
- Comparing the total amount of posted payments to the turnovers accepted by the Treasurer/Collector;
- Determining whether any revenues were incorrectly recorded as payments to the commitment such as interest and fees.

The record-keeper will forward a copy of the internally reconciled accounts receivable balances to the Town Accountant.

D. General Ledger Reconciliation

To achieve the core objective of maintaining the general ledger’s integrity, the Town Accountant must regularly reconcile it with the separately maintained accounting records outlined in Sections A-C above. In addition, it is the Accountant’s responsibility to review all accounts analytically from time to time for reasonableness and to identify unusual activity.

The general ledger’s cash accounts should reflect only those transactions reported to the Town Accountant by the Treasurer/Collector so that in theory, the general ledger should be in balance with the cashbook. However, errors may occur due to omitting transfers or transactions or applying them in the wrong amounts or to the wrong accounts. Whenever the Town Accountant identifies a discrepancy between the general ledger and the cashbook, the following steps must be taken in conjunction with the Treasurer/Collector to determine the cause(s):

- If the total amount of revenue reported in the cashbook does not agree with the amount recorded in the ledger for that month, the Treasurer/Collector must verify that the monthly Treasurer’s Schedule of Receipts agrees by detailed amount and classification with the cashbook and correct any errors.
- Compare the total amount of warrants paid during the month as recorded in the cashbook, with the total recorded in the ledger for the same period. The last warrant paid must be the last one recorded; otherwise, a timing problem will create a discrepancy.
- If the records still do not agree, the Treasurer/Collector and Town Accountant must trace each entry to the ledger until the variance is determined.

The Town Accountant will review the payroll withholdings reconciliation report provided by the HR Director against the general ledger and make corrections to the ledger as needed.

After receivable control sheets have been internally reconciled, committed and uncommitted accounts receivable records must also be reconciled to the Town Accountant's general ledger. Any discrepancy must be investigated to determine the source of the error.

Review the commitments, charges, payments, abatements, refunds, reclassifications and adjustments in the general ledger, as appropriate for the particular control.

- Verify whether receipts are recorded to the correct type and levy year
- Verify the dates that activities were recorded

The Town Accountant's receivable accounts in the general ledger should reflect the transactions provided by each particular record-keeper. Therefore, the above steps must resolve any discrepancies between the receivable control and the ledger. If they do not, the record-keeper and Town Accountant must trace each ledger entry until the variance is determined.

E. Time frames and Documentation

Finance department officers will complete reconciliation of their internal accounting records early each month so that subsequent reconciliations to the general ledger take place no later than (the 20th) of the month following the one being reconciled.

The financial officers who jointly complete each general ledger reconciliation, will sign reconciliation worksheets. In a given month, if any variance has not yet been fully resolved, this must be noted along with a work plan and timetable for resolution. The Town Accountant will collectively submit the reconciliation worksheets to the Town Administrator by each month's end. The completed reconciliations will be maintained by the Town Accountant as part of the Town's permanent financial records.

All fiscal year end reconciliations will be completed in order for the Town Accountant to submit all required forms to DLS for free cash certification no later than (September 15th).

F. Audit

All reconciliation documents are subject to audit by the independent auditor.

REFERENCES

DLS Best Practices, [*Reconciling Cash and Receivables*](#)

Massachusetts Collectors Treasurers Association, 2009: [*Treasurer's Manual*](#)

Massachusetts Collectors Treasurers Association, 2008 [*Collector's Manual*](#)

FINANCIAL POLICY – REVENUE TURNOVER

Accepted:

PURPOSE

To safeguard Town assets and maximize cash flow, the Town establishes this policy that provides guidelines for departments that turn over receipts to the Treasurer. Included are details of internal controls designed to provide reasonable assurance that the Town's revenues are properly and timely secured, recorded and deposited in Town bank accounts.

APPLICABILITY

This policy pertains to all cash, check, credit card and other forms of payment received by all Town departments for taxes, excise, fees, federal and state government receipts and charges. It applies to all individuals within each department assigned responsibility for handling payments as well as the Collector and Assistant Collector. It also applies to the related job duties of the Treasurer.

POLICY

The head of each department that receives payments is responsible for instituting and employing internal controls designed to ensure that all receipts are recorded accurately, kept secure from loss or theft, and turned over timely to the Treasurer. No town official will maintain a bank account other than the Treasurer. Each department must turn over at least weekly or immediately whenever receipts total (\$1,000) or more or whenever (\$250) in Cash. All current month turnovers must be completed at month-end no later than (11:00am) on the last business day of the month.

PROCEDURES

A. Receiving payments

Departmental staff should issue a receipt for every collection received, even when the payer refuses it. Employees in the Treasurer/Collector's office receiving taxes and other collections from the public need only issue receipts for cash payments, however, it is recommended to issue receipts for all collections. Without exception, all departmental staff must identify cash payments as such in their receipt books. All staff must immediately endorse each check "For Deposit Only". Every collecting department will secure all payments in a locked/fire resistant cashbox or safe until turned over to the Treasurer.

Each department head is responsible for overseeing the processing, recording, record retention, and turning over of collected receipts to the Treasurer. To the extent practicable, separate individuals should be tasked with receiving payments and turning receipts over to the Treasurer.

B. Turning Over Revenues

Department staff will create a turnover package by filling out a Schedule of Departmental Payments to the Treasurer, a/k/a the turnover form) making three copies of the turnover form and obtaining signatures of the department head on each of them. All individual receipts should correlate to the turnover form.

On a daily basis, the Collector will complete a turnover of the collections for all taxes, utilities and other committed receivables processed that day. This will consist of a turnover form showing all processed collections summarized by receipt type, which must reconcile to the bank deposits made the same day.

When the Treasurer's office has accepted the turnover, the department employee will receive two copies of the turnover form signed and dated by a Treasurer Staff member. The department employee will retain one turnover copy on file and is responsible for delivering the other to the Town Accountant. The Town Accountant will refuse to accept any turnover form that does not have a Treasurer Staff member signature.

All departments that receive payments should review their monthly revenue reports against their turnover copies to verify that all receipts turned over to the Treasurer are accurately recorded in the appropriate general ledger accounts. Any discrepancy must be reported to the Town Accountant immediately.

C. Receiving Turnovers

When presented with a turnover, Treasurer's staff will count the receipts in the presence of the remitting department. Any inaccuracies on the turnover form shall be corrected and initialed by both parties. The Treasurer's staff member will then sign two turnover copies and return them to the departmental employee. Upon receipt, the Treasurer will secure the receipts, which shall be recorded in the cashbook and deposited in the bank within 24 hours. At no time will a department leave a turnover with funds attached unattended in the Treasurer's Office, Mail Slot or anywhere else in the building.

To the extent practicable, separate individuals should be tasked with 1) receiving the turnovers, 2) recording the revenues in the cashbook and 3) depositing the money in the bank.

The Treasurer will provide the Town Accountant a weekly report of all turnovers processed (i.e. the Schedule of Receipts report) for their review, formal indication of agreement and changes and recording to the general ledger.

D. Reconciliation

In accordance with the /Town's Reconciliation policy, the Treasurer will reconcile the cashbook with bank statements and provide a summary of cashbook balances to the Town Accountant monthly.

E. Audit

All cash management activity is subject to review by the Town Accountant and the independent auditor.

REFERENCES

M.G.L. c. 41, §35

M.G.L. c. 41, §57

M.G.L. c. 60, §57A

Massachusetts Collectors Treasurers Association, 2009: [*Treasurer's Manual*](#)

Massachusetts Collectors Treasurers Association 2008: [*Collector's Manual*](#)

Town of Charlton Reconciliations Policy

Town of Charlton Bylaws, Part I, Chapter 5, Article IV, Section 5-4

FINANCIAL POLICY – TAX ENFORCEMENT

Accepted:

PURPOSE

To provide guidance for equitably enforcing tax obligations and set expectations for both the Town and taxpayers, this policy clearly defines when and how the Town will transition unpaid property taxes from tax title through to foreclosure. It is in the best interest of the Town of Charlton and its residents that property taxes be paid when due. The Town budget is set in anticipation of the collection of taxes and taxes not paid by some property owners, shift the cost burden onto others. The Town recognizes that individuals may go through periods of financial difficulty, but any taxpayer who becomes delinquent, will be encouraged to find alternative resources to pay in full as soon as possible.

APPLICABILITY

This policy applies to the job duties of the Treasurer/Collector, including those duties related to managing the Town's contracted services with a private deputy collector, tax title attorney, auctioneers or other related professionals. Tax enforcement applies to all owners of real or personal property in the Town of Charlton whose taxes are not exempt.

POLICY

The Town of Charlton intends to timely pursue all legal methods to collect taxes from delinquent property owners with the goal of achieving a target (98 percent) property tax collection rate by fiscal year-end. The Town will also periodically pursue foreclosure actions with the primary objective of receiving all monies due. Any costs for collection accrue against the taxpayer and may add to the property lien. Delinquent taxes represent a lien on property and remain in effect until all taxes, interest and fees have been paid in full.

A. Demands

Final taxes are due to be paid as of May 1st each year (the due date for the fourth quarter tax bill). Fifteen days later, the Treasurer/Collector will issue demand notices to all assessed property owners who have failed to pay in full and who have not been granted full exemptions. Taxpayers are responsible for notifying the Town in writing of any mailing address changes.

B. Tax Taking

The Treasurer/Collector will begin the tax taking process within (60 days) of the demand notice. State law allows the process to begin as soon as 15 days after the demand, but, in every case, the Treasurer/Collector must complete the takings within 3 ½ years from the end of the fiscal year for which the taxes were assessed to secure, or perfect, the tax liens.

The Treasurer/Collector will send at least one enforcement letter to delinquent property owners as a courtesy to potentially avoid a tax taking advertisement. If this does not result in full remittance by September 1st, the Town customarily publishes in the local newspaper and posts on the Town Collector webpage, at the Library and Town Clerk's office. From this point onward, only cash, certified check or cashier's check are acceptable forms of payment.

Within 60 days of the tax taking announcements, the Treasurer/Collector will prepare an Instrument of Taking for each delinquent property and record at the Registry of Deeds, which perfects the tax lien. After receiving the

recorded Instruments back from the Registry, the Treasurer/Collector will notify affected property owners of the liens by sending each of them a letter and photocopy of the Instrument.

The Treasurer/Collector will make two copies of the List of Recorded Takings and provide one each to the Board of Selectmen and Town Accountant.

C. Subsequent Taxes

After the demand bill and before August 31st each year, the Treasurer/Collector will certify all unpaid taxes and assessments for parcels of real estate taken into tax title for nonpayment of taxes in prior years and not yet redeemed and put them in a Subsequent Tax Takings list. The Treasurer/Collector will provide copies of the list to the Board of Selectmen and Town Accountant and retain one on file.

D. Interest, Fees and License Revocation

All delinquent taxpayers are subject to charges, which are added to their accounts by the Treasurer/Collector. These charges include interest accrued to the date of taking, advertising fees, certified mailing costs, legal fees and Instrument of Taking recording fees.

The Treasurer/Collector will provide a listing of all individuals who are delinquent in paying taxes or other charges to the Town departments, boards and committees that issue licenses and permits in accordance with the Town bylaw. These authorities will review the list to deny, suspend or revoke delinquent taxpayers' licenses and permits.

E. Payment Plan

The Treasurer/Collector will consider payment plans for parcels in tax title to allow delinquents to pay off their tax liens over a specified number of months. The Treasurer/Collector will actively monitor compliance with all payment plans, which will have the following features in common:

- Good faith payment of (25) percent of taxes owed
- Signed agreement between the Treasurer/Collector and taxpayer
- Specific amount to be paid each month
- Incorporation of payments for the current tax bill
- Statement that defaulting on the plan will immediately trigger foreclosure action by the Town

F. Redemption or Foreclosure

The primary policy goal of the Town's foreclosure process is getting outstanding amounts paid; however, it is also a policy goal to eventually achieve foreclosure on every persistently delinquent property on an annual basis.

On an annual basis, the Treasurer/Collector will identify all tax title properties older than 180 days that are not subject to a payment plan to initiate foreclosure procedures. The Treasurer/Collector is responsible for completing foreclosures for any properties below the "Land of Low Value" threshold, which is annually updated each spring by the Division of Local Services. The Treasurer/Collector will thoroughly review all other tax title properties before referring them to the tax title attorney for foreclosure processing in Land Court, beginning with those having the largest dollar value of taxes owed.

As manager of the service contract, the Treasurer/Collector will ensure the tax title attorney complies with the objectives laid out in this policy section. The Treasurer/Collector will work with the tax title attorney to prepare parcels in tax title status for foreclosure, beginning by providing each Instrument of Taking. The tax title attorney will research the tax title properties and also mail new collection enforcement letters to the taxpayers telling them of the importance of redeeming the property and warning of potential foreclosure action.

If a taxpayer or other party pays the outstanding amount on a tax title property, the Treasurer/Collector will prepare an Instrument of Redemption and file it at the Registry of Deeds, which removes the lien. Redemption can only be done prior to the property being foreclosed. If the obligation remains unpaid, the tax title attorney will proceed with foreclosure action in Land Court, possibly resulting in auctioning of the property.

REFERENCES

[M.G.L. c. 60, §6](#)

[M.G.L. c. 60, §50](#)

[M.G.L. c. 60, §54](#)

[M.G.L. c. 60, §61](#)

[M.G.L. c. 60, §63](#)

[M.G.L. c. 60, §77](#)

[M.G.L. c. 60, §80](#)

[M.G.L. c. 60, §16](#)

[M.G.L. c. 60, §53](#)

[M.G.L. c. 40, §57](#)

[M.G.L. c. 60, §62](#)

[M.G.L. c. 60, §76](#)

[M.G.L. c. 60, §79](#)

DLS Best Practice: [*Enforcing Collections*](#)

DLS Information Guideline Release on Land of Low Value Foreclosure Valuation Limit updated annually and posted to [DLS webpage](#).

FINANCIAL POLICY – TAX RECAPITULATION

Accepted:

PURPOSE

To ensure the Town timely and appropriately charges taxes to property owners in support of the annual budget, this policy sets forth the roles, responsibilities and deadlines associated with the tax recapitulation (recap) process. A timely and accurate annual recap helps ensure the Town complies with state statutes, avoids workflow disruptions in the Town's financial offices, and averts a cash shortfall and temporary borrowing costs.

APPLICABILITY

This policy applies to the Board of Selectmen and Town Administrator in their policymaking and management responsibilities and to the Board of Assessors in its role as principal overseer of the recap process. It also applies to the job responsibilities of the Director of Assessing, Town Accountant, Treasurer and Town Clerk.

BACKGROUND

The property tax levy is Charlton's largest source of revenue, which therefore makes the recap a vital component of the Town's fiscal operations. The Board of Assessors and Director of Assessing shepherd two core phases: the certification of property values and the setting of the tax rate. However, the full process begins with town meeting, involves many finance officials and requires careful management, teamwork and cooperation.

The four pages of the tax recap, along with its attached schedules, present the Town's annual budget plan for the fiscal year. These documents summarize all appropriations made by town meeting, since the previous year's tax rate was set and identify revenue sources other than property taxes, such as state aid, local non-tax revenues and reserves. The difference between budgeted appropriations and the revenue from these other sources must be raised through the property tax levy.

By completing the recap and submitting it to the Division of Local Services (DLS) for approval, the Town establishes its property tax levy and sets the tax rate for the year. The Town may issue actual tax bills only after DLS reviews the recap, verifies that it presents a balanced budget with a tax levy within Proposition 2 ½ limits, and approves the tax rate.

POLICY

At the Town Administrator's direction, Charlton's financial team will annually complete the tax recap process no later than November 30, provide the tax bill file to the print vendor no later than December 10 and mail the actual tax bills by December 31. The Director of Assessing along with the Board of Assessors oversee the preparation of the recap, but timely completion of the annual tax rate process requires teamwork and the cooperation of a number of municipal officials. The Town Administrator and the Assessors will develop a realistic plan and timetable and actively monitor the team's progress through completion of the tax rate process.

A. Preparation and Town Meeting

A successful tax recap process requires a balanced annual budget, appropriate funding sources, proper town meeting actions, established final values for all taxable real estate and personal property and a voted tax policy. Whereas, the budget is typically adopted at the spring town meeting, any expenditure authorized at this or other town meetings not recorded in the previous tax rate must also be included in the current recap process.

The Board of Selectmen, through the Town Administrator and Town Counsel, will assure the production of a properly written town meeting warrant, such that town meeting voters, under the Town Moderator's oversight, properly authorize annual budget appropriations that are funded by specific revenue sources (e.g., raise and appropriate, free cash, stabilization)

- The Board of Selectmen will ensure that any annual increase in the tax levy does not exceed the maximum amount allowed under Proposition 2 ½.
- The Town Accountant, Town Administrator and Board of Selectmen will verify that the proposed budget is balanced.
- The Town Accountant will prepare a schedule of available funds as authorized for appropriation by town meeting.
- The Treasurer and Town Counsel will ensure debt issuance authorizations are proper.
- The Board of Selectmen will ensure that any proposal for a general override, debt exclusion or capital exclusion is properly presented in the town meeting warrant and, if passed, put to a town-wide referendum.

B. Recording Legislative Action

To allow time for any required corrective measures, the following tasks will be completed within (two weeks) after town meeting:

- The Town Clerk will certify all appropriations approved since the last tax rate was set.
- The Town Accountant will reconcile all votes and authorized amounts.
- The Town Clerk, with the Town Accountant's assistance, will enter all town meeting appropriation votes by article (page 4 of the tax rate recap).
- From the certified town meeting authorizations, the Town Accountant will complete the following DLS forms:
 - Enterprise receipts and appropriations (Form A-2)
 - Free cash used (Form B-1)
 - Available funds used (Form B-2)
- The Treasurer will verify that any reserved amount of bond premium is reported as a funding source (Form B-2).
- The Treasurer will prepare the debt exclusion report, including any use of reserved bond premiums (Form DE-1).

C. Following Fiscal Year Close

Within (two weeks) of closing the books for the fiscal year, the Town Accountant will continue completing the recap by:

- Reporting and documenting all deficits or other expenditures that must be funded, including debt and snow and ice (page 2 of the tax rate recap)
- Recording the actual amounts received for each type of local receipt (page 3, column (a) of the tax rate recap)
- Entering the amounts expected to be collected as local receipts using the revenue projections from the final budget approved at town meeting (page 3, column (b) of the tax rate recap)
- Submit the balance sheet to DOR for certification of free cash

D. Property Value Certification

Assessors must value all taxable real and personal property and must classify all real property into one of four classes (i.e. residential, open space, commercial/industrial or personal) based on their use as of January 1. To do this, the Director of Assessing will:

- Complete the property sales report (Form LA-3) for all sales over \$1,000 and submit it to DLS for approval.
- Analyze market conditions, submit (Form LA-15) to DOR for approval of Interim year adjustments and set final property values in compliance with DLS certification standards.
- Report the total assessed valuation for real and personal property by class (Form LA-4) which is transferred to page 1 of the recap).
- Report fiscal year tax base growth used to determine the levy limit under Proposition 2 ½ (Form LA-13, which is transferred to the Levy Limit Worksheet).
- Update any prior-year omitted and revised assessments that included growth (Form LA-13A, which is transferred to the Levy Limit Worksheet)

The Director of Assessing will submit the above forms to DLS for review and certification.

E. Tax Rate Setting

After DLS has certified property values, the Board of Selectmen must hold a public hearing to decide tax policy. At the classification hearing, the Board of Selectmen may vote a single tax rate thereby allocating the tax levy proportionately across all property classes or vote to shift the tax burden between the four classes. Leading to this hearing, the following must be completed:

- The Director of Assessing and Town Accountant prepare an overlay analysis (Form OL-1)
- The Board of Assessors estimates and votes the amount of overlay to raise
- The Board of Assessors prepares a financial analysis of the various tax alternatives
- The Board of Selectmen votes on residential, small commercial and open space exemptions
- The Board of Selectmen acknowledges excess levy capacity (Form LA-5)
- The Town Clerk attests to notice being given to taxpayers regarding the public hearing (Form LA-5)

F. Review and Submittal to DLS

The Board of Assessors, working through the Director of Assessing, is responsible for submitting all forms to DLS for tax rate approval. All forms are submitted to DOR electronically through Gateway Online with additional written documentation attached to support disparities. All supporting documents must provide sufficient detail and be attached to the applicable forms.

- The Director of Assessing and Town Accountant will confirm and review that all values are finalized and approved, estimated receipts are reasonable, overlay is reasonable, budget is balanced, levy is within 2 1/2, verify all schedules are complete, verify signatures and verify that all proper documents are attached.
- The Town Accountant will ensure that all town meeting authorizations are represented and clearly reconcile to the amounts reported in the tax recap schedules.
- The Director of Assessing will submit all forms to DLS.

G. Tax Commitment Creation

After DLS notifies the Town that the tax rate has been approved, the Director of Assessing will create a tax commitment list and warrant duly signed by the Assessing Board members and refer it to the Town Collector to generate the actual tax bills.

REFERENCES

DLS Training [*New Officials Financial Handbook*](#)

DLS Training Assessors Handbook, [*Chapter 5: Setting the Tax Rate*](#)

Town of Charlton Forecasting Policy

Town of Charlton Overlay Policy

FINANCIAL POLICY – TRAVEL

Accepted:

PURPOSE: The Town of Charlton recognizes the need to reimburse employees who incur certain expenses essential to the transaction of official Town business. Approval must be given by the Department Head and Town Administrator prior to incurring the expense.

AUTHORIZATION: A Department Head or person in higher authority shall have the sole discretion in authorizing employees to expend personal funds for said purpose. Employees who have not received prior authorization from the correct authority will not be eligible to be reimbursed for expenses incurred.

APPROVAL: In order to be reimbursed for Travel, Lodging/Meals, and Airfare, an employee must submit travel reimbursement requests to the Town Accountant within 90 days of the date of travel and before the last AP Warrant is processed for the end of the Fiscal Year. The Town Accountant may require other additional proof of expenditure such as copies of notices, vouchers, receipts, and canceled checks, prior to reimbursement.

TRAVEL: Any employee who is authorized to use their personal motor vehicle in conjunction with conducting Town business shall be reimbursed for mileage expenses at the per mile rate as determined by the Internal Revenue Service on the preceding January 1st for the upcoming fiscal year. This rate will remain in effect for the entire Fiscal year. (Ex. Jan 1, 2019, IRS sets Mileage Reimbursement Rate at 0.58 cents/mile, for Fiscal 2020 (7/1/2019 – 6/30/2020) the Town of Charlton will also reimburse at the rate of 0.58 cents/mile.) Employees will be reimbursed for miles traveled to the location from/to work (Google Maps is acceptable for calculation of mileage). Employees who use other modes of transportation such as bus, taxi, airplane, motor rail or train will be reimbursed for the cost of the fare upon submission of a receipt for such expense(s). Travel expense may also include tolls and parking fees that are charged on route to the designated location and/or return trip (documentation is required). Parking or other traffic violations or maintenance charges do not apply.

LODGING/MEALS: Reimbursement for employee meals while traveling on Town Business may include gratuities up to 20% (excluding alcohol).

AIRFARE: Employees are required to use the lowest available coach accommodations for all flights.

FLAG DISPLAY FOR ALL TOWN OF CHARLTON BUILDINGS

Accepted: August 1, 2006

Amended: December 11, 2018; September 24, 2019

Statutory Requirements for Flag Display

- **Code Cities:** Code cities must prominently install, display and maintain the U.S. and Washington State flags on city buildings ([RCW 35A.21.180](#))
- **All Cities, Towns and Counties:** Every city, town and county must display the U.S. flag, the [Washington State flag](#) and the [POW/MIA flag](#) upon or near its principal building on the following days ([RCW 1.20.017](#), as amended in 2017 by [HB 1204](#)):
 - **April 9** (Former Prisoners of War Day)
 - **March 30** (Welcome Home Vietnam Veterans Day)
 - **Third Saturday in May** (Armed Forces Day)
 - **Last Monday in May** (Memorial Day)
 - **June 14** (Flag Day)
 - **July 4** (Independence Day)
 - **July 27** (Korean War Veterans Armistice Day)
 - **Third Friday in September** (POW/MIA Recognition Day)
 - **November 11** (Veterans Day)
 - **December 7** (Pearl Harbor Remembrance Day)
 - If the designated day falls on a Saturday or Sunday, the POW/MIA flag will be displayed on the preceding Friday.
- **Municipal, District and Superior Courts:** The U.S. and Washington State flags must be prominently installed, displayed and maintained in court rooms ([RCW 1.20.015](#)).

Flag Display Etiquette

The display of the American flag should generally follow the protocol in the United States Flag Code ([4 U.S.C. Ch. 1](#)). However, courts have interpreted the Flag Code to be advisory only; it is a protocol guide and expression of custom, rather than a law requiring compliance and there are no penalties for violating it.

In particular, the Flag Code requires that:

- The U.S. flag should be displayed every day of the year, except on days of inclement weather, on or near the main administration building of every public institution.
- It is custom to fly the U.S. flag only during daylight hours, but it may be flown permanently if properly illuminated at night.
- The U.S. flag should fly in the highest position of honor and no flag may be flown higher.
- The U.S. flag should be hoisted briskly and lowered ceremoniously.

According to the Washington Secretary of State, the Washington State flag should be displayed in the highest position of honor after the U.S. flag and the flags of any other nations. It should be displayed in a higher position of honor than the flags of other states, counties, cities or any other entity. For complete details on care, display and use, see the Washing Secretary of State's [State Flag](#) webpage.

When the U.S. Washington State and POW/MIA flags are flown on a single pole, the U.S. flag should be on top, followed by POW/MIA flag and then the state flag. (The state Department of Veterans Affairs changed this

protocol in 2017 – previously, the POW/MIA flag was flown under the state flag.) If there are two poles, the POW/MIA flag should be flown under the U.S. flag while the state flag is on the other pole. For more information, see the Department of Veterans Affairs' [POW/MIA Flag Display](#) webpage.

Lowering Flags to Half-Staff

State law provides no guidance on lowering flags to half-staff. Local governments have the authority to lower the U.S. and Washington State flags along with any other flags, although many local governments have no policy specifically addressing this issue. Generally, it is custom for local governments to follow the lead of the state and federal governments when the president or governor orders flags to be flown at half-staff. Whenever the U.S. flag is flown at half-staff, the state flag should also be flown at half-staff.

The governor orders flags lowered to half-staff to commemorate the passing of notable individuals as well as the following events:

- **May 15** (Peace Officers Memorial Day)
- **Last Monday in May** (Memorial Day) from sunrise to noon
- **September 11** (Patriots Day)
- **December 7** (Pearl Harbor Remembrance Day)

When lowering the flag to half-staff, the United States Flag Code says the flag should first be hoisted to its peak for an instant and then lowered to half-staff. At the end of the day, the flag should again be raised to its peak before being lowered for the day. For more details, see the Washington Secretary of State's page on [flag use during period of mourning](#).

Flag Authorization in Mourning for designated municipal officers

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

FUEL EFFICIENT VEHICLE POLICY

Accepted: October 25, 2016

APPENDIX A DEFINITIONS

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

$$=1/((0.43/City\ MPG)+(0.571/highway\ MPG))$$

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

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

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

POLICY STATEMENT

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

PURPOSE:

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

APPLICABILITY

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

GUIDELINES

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

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

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

Exemptions:

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

Inventory

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

Model	Make	Model Year	Year/month purchased	Drive System: 2WD, 4WD or AWD	>8500 pounds Y or N	Exempt or non-exempt	MPG Rating	Vehicle Function
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Note: Departments/Divisions may use EPA combined MPG estimates or actual combined MPG.

FUEL EFFICIENT VEHICLE REPLACEMENT PLAN

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

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

QUESTIONS/ENFORCEMENT

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

FUND BALANCE

Accepted: March 6, 2012

BACKGROUND

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

PURPOSE

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

DEFINITION OF FUND BALANCE

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

FUND BALANCE TYPES UNDER GASB 54

Non-spendable:	Funds cannot ever be spent
Example:	Trust fund principal
Restricted:	Expenditure restrictions are imposed by creditors, grantors, contributors, or laws
Example:	Future debt, capital projects, spendable trusts, special purpose grants, receipts reserved for appropriation
Committed:	Use is limited by town meeting action. Use can only be changed by town meeting action
Example:	Stabilization, Special purpose articles
Assigned:	Intended use is established by the Board of Selectmen or managers.
Example:	Encumbrances, Reserve for expenditures
Unassigned:	Excess of general fund balance over other types of funds.
Example:	General fund undesignated fund balance

POLICY

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

HEALTH INSURANCE FOR ELECTED OFFICIALS

Accepted: December 20, 2005

Amended: March 25, 2008

Elected Officials and Eligibility for group health benefits

All persons elected to compensated public office ¹ 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.

¹ 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.

HEALTH INSURANCE UNDER THE FEDERAL AFFORDABLE CARE ACT

Accepted: December 8, 2015

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

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

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

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

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

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

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

As mentioned previously, a Town of Charlton employee must average at least 130 hours of service over a 12-month period to be entitled to Town-sponsored health insurance. The following categories of service count

toward the 130 hours average: each hour worked for which an employee is paid; unpaid short scheduled breaks (not including unpaid lunch breaks of at least 30 minutes), paid time off due to vacation, holiday, illness, incapacity (including disability), layoff, jury duty, military duty or leave of absence. Generally, unpaid time off will not count toward the 130 hours of service.

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

Guidance

Should the Town of Charlton employees have any questions regarding this policy, please contact the Human Resources Department.

HIGHWAY DEPARTMENT WETLANDS OPERATING PROCEDURES

Accepted: January 20, 2015

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

DPW Superintendent or Foreman will work with the 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 DPW 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 the DPW Superintendent or Foreman to discuss potential adverse circumstances and also visit sites of proposed work.

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

Any Citizen inquiries or complaints will be treated with the utmost courtesy. No DPW 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.

INSPECTIONAL SERVICES FEE/FINE APPEAL

Accepted: August 26, 2008

Amended: December 11, 2018

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

The Selectmen shall respond to the Contractor/Owner in writing with a copy to the Inspectional Services Department within twenty (20) working days after the Board's receipt of the appeal. The Board of Selectmen's decision is final and binding.

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

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

INSPECTIONS, SERVING AND TRAINING FOR LIQUOR LICENSE HOLDERS

Accepted: September 14, 2004

Amended: August 26, 2005; December 11, 2018

I. ALCOHOLIC, BEER, WINE AND COMMON VICTUALLER LICENSES: INSEPCCTIONS

- A. Between October and November 15 of each year, an inspection of all places of businesses holding a liquor or common victualler license in the Town of Charlton shall be made by the Fire Department and the Building Commissioner in coordination with the Police Chief. Upon completion of said inspections, a written report shall be sent to the Board of Selectmen and the business establishments holding either or both of said licenses with regard to their findings.
- B. Should the findings of either of the inspectors be that violations of laws or regulations of the Commonwealth of Massachusetts, Town of Charlton codes or bylaws are in evidence, said offender would have until December 15 of that year to correct such violations. The Tax Collector shall report on any license or property owner in arrears for any tax, betterment or user fee. Failure to comply may be reason for the Board of Selectmen to disapprove the granting of a renewal license for the ensuing year.
- C. Upon request for a new all alcoholic, beer and wine or common victualler license, an inspection of the establishment in which said license would be used shall be made by the officials named in Subsection A and a written report shall be sent to the Board of Selectmen with regard to their findings within a month after said request. A license can then be issued if all laws and code regulations conform.
- D. Before granting a *Special Alcoholic Beverage License*, a favorable report from the Building Commissioner, Fire Chief and Police Chief as to the adequacy and safety of the premises or place where said license will be used shall be presented to the Board of Selectmen in writing within one (1) week of said request.
- E. The Building Commissioner or other inspecting officials may ask for assistance by the Plumbing, Wire and Health Inspectors to inspect said premises if they deem it necessary.
- F. No application for any new alcoholic and/or common victaller 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 license holding an all alcohol, including seasonal or reoccurring special or beer and wine license, shall participate in a program designed to train employees who engage in either package sales or pouring in methods of observation and detection to avoid selling or serving to intoxicated persons and/or minors. This program will be based on the type of license issued.
- B. Listed below are programs that are currently available which meet the requirements of this policy:
 - (1) Beverage Alcohol Training (BAT) sponsored by the Massachusetts Package Store Association, info@masspack.org;

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

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

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

- C. All personnel shall be required to participate in a training program based on the type of license issued. Establishments will have six (6) months to comply with this policy from the date of its adoption by having seventy-five percent (75%) of their eligible employees trained and certified. After that time, new employees of any establishment will have three months from the date of employment to complete one (1) of the training programs.
- D. All establishments must maintain during operating hours, in an accessible place, a roster or certificate of trained personnel. An updated roster shall be submitted with the annual application for renewal of the license. The roster shall include:
- (1) Employee Name
 - (2) Type of training (course)
 - (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.

LANDS POLICY AND PROCESS (MGL Chapters 61, 61A and 61B)

Accepted: February 1, 2010

Amended: April 28, 2015; April 24, 2018

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 foregoes 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 purpose 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) (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) *of a proper notice of intent to sell or convert, the Town, acting through the Board of Selectmen, after the required public hearing discussed below, must either:*

1. *A. Vote to exercise its right of first refusal option to purchase (to meet a bona fide purchase offer or, in the case of intended conversion by the landowner, an option to purchase at full and fair market value) and*
 - B. (1) Prepare and*
 - (2) Send to the owner by certified mail to the address specified in the notice of intent and*
 - (3) Record at the Registry of Deeds a notice of the exercise:*

- (a) signed by the Board of Selectmen and containing*
- (b) the name of the record owner of the land and*
- (c) a description of the premises adequate for identification of same and*
- (d) a copy of the purchase and sale agreement discussed in D. 1 below; 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; 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 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. Default provision...*
4. *Failure to record either the notice of exercise or the notice of assignment within the aforementioned 120 days is also considered conclusive evidence that the Town will not exercise its right of first refusal but since the term "shall" is used in the provision as to notice of non-exercise the procedure outlined in no. 3 immediately above should be followed rather than relying upon this statutory default provision.*

B. Requirements for Notice by Property Owner

1. *The 120-day right of first refusal time period begins with a notice of the landowner's intent to sell or convert a parcel for commercial, industrial or residential use. This notice must be sent by certified mail or hand delivered to the Board of Selectmen in care of the Town Clerk (with a copy to the Selectmen's Office if the landowner wishes), in addition to the Planning Board, Board of Assessors, Conservation Commission, Water/Sewer Commission and to the State Forester. This notice must include the following:*
 - a. A statement of intent to sell or convert,*
 - b. A statement of proposed use of the land,*
 - c. The location and acreage of land as shown on a map drawn at the scale of (municipal) Assessor's map of the town in which the land is situated,*
 - d. The name, address and telephone number of the landowner,*
 - e. In the case of an intent to sell, a certified copy of an executed purchase and sale agreement specifying the purchase price and all terms and conditions of the proposed sale, which is limited only to the property classified under the Chapter and must be a bona-fide offer,*
 - f. The purchase and sale agreement must be a bona fide offer, defined as a good faith offer not dependent upon potential changes to current zoning or conditions or contingencies relating to the potential for, or the potential extent of, 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 the landowner, the Board of Selectmen's office will ascertain that the Notice, with the required information, was also properly transmitted to the Planning Board, Board of Assessors, Conservation Commission and Water/Sewer Commission. Copies of the Notice may be provided by the Board of Selectmen to the Open Space Committee, Historic Commission and non-profit organization(s) as well as any other entities the Board of Selectmen deems appropriate.
2. The Board of Selectmen's office will also determine the final day of the 120-day period and the person assigned to keep track of the process should note and red-flag same and other deadlines mentioned in this policy in a calendar to be kept on the matter and may attempt to seek confirmation from the landowner or his/her representative regarding this date. (Note that the date of receipt should be excluded from such computation and the final day of the 120 day or other period to be computed should be included in same but that all reasonable efforts should be made to avoid waiting until the last, possible day for action under any such computation, so as to avoid issues and potential litigation as to same.)
3. The Board of Selectmen will consult with town counsel to review the notice, including the purchase and sale agreement, and determine whether the Town is being given the same opportunity as the buyer with regard to the terms of the agreement.
4. *If the Notice is determined to be insufficient, the Board of Selectmen will immediately, but in any event within 30 days from receipt of the Notice, notify the landowner by certified letter in writing that the proper notice has not been given and that the 120-day clock has not started.* A copy of this letter will be provided to the Planning Board, Board of Assessors, Conservation Commission, Water/Sewer Commission and other boards/officials mentioned in Paragraph C 1 above.
5. The Board of Selectmen may gather information on the property to determine its conservation value and other, pertinent information. The Board of Selectmen may also gather background information about the interests and perspectives of the landowner, abutters and the proposed buyer. The Board of Selectmen may also perform or have another board, commission or agent perform an analysis of the location of the property relative to other protected lands, along with an environmental assessment. A determination may be made whether the property contains any unique geological or other environmental features, important soils, a drinking water source, or was the site of an important historical event. An entry and inspection of the property by the Town or its agents shall occur at reasonable times and upon reasonable notice, with the Town enjoying all its statutory rights as well as all the rights designated as belonging to the buyer in the purchase and sale agreement contained in the notice of intent, including but not limited to surveying, soil testing and water testing.

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

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

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

D. Decision by Municipality

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

1. If the Town desires to exercise its option, the Board of Selectmen shall before expiration of the 120-day period:
 - *Record the notice to exercise the option, meeting the requirements set forth in A. 1 above, at the Registry of Deeds as part of an affidavit of a notary public, which shall contain the name of the record owner of the land and a description of the premises adequate for identification of same.*

 - *(a) Notify the landowner by letter signed by the Board of Selectmen, by certified mail at the address specified in the landowner's notice, of the Town's intent to exercise its option and (b) enclose with such notice a proposed purchase and sale agreement between the Town and the landowner, which if executed*

shall be fulfilled within a period of not more than (1) 90 days after the date of 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, non-profit 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 the 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 person 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.*

LICENSES

Accepted: November 26, 2002

Amended: March 3, 2015; December 11, 2018

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

General License Fees

Class I, II, III	\$ 100.00 each
Junk & Old Metals	\$ 75.00
Automated Amusement Devices	\$ 50.00 each
All Alcoholic Beverage (on premise)	\$1,000.00
All Alcoholic Beverage (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/food)	\$ 25.00
One Day Special License (all alcohol)	\$ 50.00
One Day Special License (wine/malt)	\$ 50.00
Auctioneer	\$ 50.00

MEETING POSTINGS

Accepted: June 8, 2004

Amended: March 25, 2008; December 11, 2018

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

Board members will be notified via email of the date and time of meeting.

MINUTES PUBLISHED FOR PUBLIC VIEWING

Accepted: March 24, 1998

Amended: June 21, 2005; March 25, 2008; November 12, 2013; December 11, 2018

In an effort to keep the public informed of Town Government issues, the Board of Selectmen would invite all departments to email meeting minutes once prepared and approved, to the Town Clerk as well as on the Town's website.

MOTOR VEHICLE USE POLICY

Accepted: November 9, 1989

Except as otherwise expressly provided below, each town-owned vehicle is to be used only for official, town business. Without limiting the forgoing, 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.

MUNICIPAL MEETING ROOM FACILITY USE

Accepted: March 25, 2008

Amended: December 11, 2018

Municipal meeting room facilities, as defined for this policy are: (1) Senior Center, (2) Fire Station Headquarters, 2nd Floor meeting room and (3) Town Hall Selectmen's Meeting Room.

Those facilities are available for use by municipal and non-profit entities free of charge when available. All other organizations and individuals will be charged a fee of \$25.00 per event Monday thru Thursday and \$35.00 for Friday, Saturday and Sunday.

Requests for use of the Municipal Meeting Room must be made by submitting the Municipal Meeting Room request 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 has vested final authority as to the approval or denial of such request. All other persons or organizations seeking permission to use the Senior Center must submit a request to the Board of Selectmen through the Town Administrator. Request 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 Municipal Meeting Room request 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.

NAMING OF TOWN PROPERTY

Accepted: June 18, 2019

NAMING OF TOWN PROPERTY INCLUDING BUILDINGS, ROADS, BRIDGES, ROOMS

The purpose of this policy is to establish the criteria and procedures for granting naming requests in relation to the Charlton town owned property. This policy does not cover schools.

POLICY

1. The Board of Selectmen maintains sole discretion and authority for approval of all naming of structures, signs, equipment, wall displays, rooms, etc. owned, operated or controlled by the Town of Charlton.
2. In granting naming requests, care will be taken to maintain an appropriate balance between commercial considerations and the Town's sense of mission and vision.
3. Each granting of naming rights shall be bound by an agreement as defined by this and all other applicable Board of Selectmen policies.
4. One of the following criteria must be fulfilled in order to grant Naming Rights in Recognition:
 - i. Recognition of outstanding service to the Town while serving in an administrative capacity; or outstanding service to the Charlton community.
 - ii. Recognition of a generous financial or other contribution from a donor, such a contribution being voluntary and not rendered in consideration of naming rights. The Town may solicit suitable donations from advocates of such recognition.

NEPOTISM (Employment of Relatives Policy)

Accepted: September 7, 2010

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.

NO SMOKING POLICY IN PUBLIC BUILDINGS

Accepted: December 24, 1997

Amended: June 3, 2008; June 17, 2008

The Town of Charlton is dedicated to providing a healthy and productive work environment for all employees. The United States Surgeon General, in his 1986 report, *The Health Effects of Involuntary Smoking* concluded that:

1. Secondhand smoke (ETS) is a cause of disease, including lung cancer, in healthy non-smokers.
2. The simple separation of smokers and non-smokers within the same air space may reduce, but does not eliminate the exposure of non-smokers to environmental tobacco smoke.
3. The success of this policy will depend upon the thoughtfulness, consideration and cooperation of smokers and non-smokers. 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.

PERSONNEL POLICY RE ADDITIONS/MODIFICATIONS TO SALARY OR WAGES

Accepted: 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 Bylaw; union agreements are in place if applicable; and a funding source has been identified.

PETITION TO AUTHORIZE REPAIRS TO PRIVATE ROADS

Accepted: July 18, 2006

Amended: January 11, 2011

We, the undersigned, pursuant to Article XXXXIII of the Town’s General Bylaws, which in accordance with M.G.L. c. 40, §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-surface 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 way(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 way(s) which we petition be repaired has been open to public use for five or more years as of the date of filling out this petition and is named:

2. We understand that before any such temporary repairs are made:
 - A. The Assessors must have verified that fifty-one (51%) of the owners of land abutting each way named in this petition have signed this petition, including the release and covenant not to sue set forth below.
 - B. The liability limit of the Town on account of damages sustained by any person other than an abutting owner caused by such repairs to zero.
 - C. This petition shall be effective for the fiscal year in which it is filed and for the next five (5) fiscal years immediately following such filing.
3. By signing this petition, we hereby each, jointly and severally, in both our individual and representative capacities, release the Town of Charlton and all its employees, servants, agents, officials and representative (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 the Board of Selectmen: July 18, 2006

Form approved by Board of Selectmen: January 11, 2011

By-law 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.

PROFESSIONAL CONDUCT POLICY

Accepted: December 11, 2018

Standards of Conduct

All persons employed by the Town of Charlton hold a position of public trust and as a result are expected to conduct themselves in a highly professional, ethical and appropriate manner conveyed through their behavior, attitude and demeanor. Town employees are expected to act honestly, conscientiously, reasonable and in good faith at all times, having regard for their responsibilities, the interests of the Town and the welfare of its residents and their fellow employees. Employees shall avoid any action that might create the impression of using public office for private gain, giving preferential treatment to any person other than for a legally permissible reason, or lacking impartiality in conducting Town business. Employees are expected to adhere to conduct established by the laws of the Commonwealth, including Massachusetts General Laws, Chapter 268A, the Commonwealth's Conflict of Interest Statute.

Every employee is responsible, as a condition of employment, for complying with all aspects of Town of Charlton Policies. Each employee is responsible for notifying his or her supervisor when there is reason to believe that a violation of a policy has or will occur. Each employee is responsible for seeking clarification of any policy if they are unsure about its meaning or application. Human Resources is responsible for administration of this policy. Supervisors are responsible for implementation of this policy. All are answerable to the Board of Selectmen and Town Administrator or his/her designee.

Personal Appearance and Demeanor

Employees are required to dress in attire appropriate to their position and to behave in a professional, business-like manner. As a Town employee, you are expected to use good judgment in your choice of work attire and to conduct yourself at all times in a way that best represents you and the Town of Charlton, particularly if your job involves interacting with the public. Employees are also required to keep their work environment clean and orderly. Before departing at the end of the workday, employees should place all confidential materials in a secure drawer or cabinet. The last person to leave an office at the end of the workday is to lock the office door.

Work Expectations

All employees have an obligation to:

- Be present at work as required and to be absent from the workplace only with proper authorization;
- Carry out their duties in an efficient and competent manner, and maintain specified standards of performance;
- Comply with reasonable instructions and policies and to work as directed;
- Respect the privacy of individuals and use confidential information only for the purpose for which it was intended;
- Expend no funds and incur no expense, debt or liability on the part of the Town without proper appropriation and authorization and except as authorized by applicable law (for example, Mass. Gen. Laws, Chapter 44, Section 53 and in the case of grants or gifts, Sections 53A, 53A ½); and,
- Maintain all qualifications necessary for the performance of their duties legally and efficiently.

In doing so, employees should conduct themselves in a friendly and collaborative manner. Employees are expected to fulfill their job duties with integrity and respect toward residents, customers, stakeholders and the community. They should strive to facilitate a work environment that limits disruptions and obstacles to colleagues' work. All employees are expected to be open to communication with their colleagues, supervisory and public officials as well as the public.

Technology Usage

Due to constant advances in technology, it is not possible to exhaustively list all types of technologies currently covered (or to come) in all computer, communication and information technology systems that are the Property of the Town of Charlton, that are used in the regular conduct of Town of Charlton business or that are reimbursed to the employee by the Town of Charlton. Any employee abusing the privilege and authorized uses of this technology will be subject to disciplinary action deemed appropriate by the Town's disciplinary policy up to and including termination. Please refer to the separate Electronic Communication Policy regarding Internet and E-Mail usage for further details regarding our technology policies.

Conflict of Interest

In accordance with Mass General Laws, Chapter 268A and the Standards of Conduct Statement, no employee shall maintain an outside business or financial interest, or engage in any outside business or financial activity which interferes with their ability to perform job responsibilities or provide services to the Town. Employees will receive and acknowledge the Conflict of Interest Statute upon hire and every year afterwards and be expected to complete training in the Conflict of Interest Laws on a regular, annual schedule as mandated by the Commonwealth.

Political Activity

Participation in political activities is to be carried on outside of normal working hours and shall be conducted in such a manner as to not adversely affect the performance of one's duties to the Town. Employees may not campaign or work for the election of a member of their governing body or appointing authority to any office, whether municipal, state or federal. (*Example: A Department Head may not campaign for any candidates for their governing board.*) No political activities will be conducted on Town owned property by employees during working hours or in any work areas.

Nepotism

The Town of Charlton's standards for employment decisions such as hiring, promoting, reappointing, evaluating, awarding salary, disciplining and terminating employees are based upon an individual's qualifications for the position, ability and performance. The Town strives to avoid favoritism, the appearance of favoritism and conflicts of interest in employment and reserves the right to take appropriate action when an employee's family or personal relationships may negatively affect the Town's mission and goals.

Employees and applicants for employment shall not be denied employment or advancement opportunities solely because of their status as a family or household member of another employee. Disclosure forms, available in Human Resources, will need to be completed and submitted to the employee's appointing authority. However, no person shall be employed, promoted, or transferred to a permanent position in a department where they would be the immediate supervisor of or receive direct supervision from a:

- Spouse, domestic partner or household co-habitant;
- Child, including adopted, parent, in-law or step or half parent;
- Grandchild, including adopted, in-law or step or half grandparent;
- Sibling, including in-law or step or half; or
- Any member of the employee's household whether or not related by blood or marriage.

In addition, except as otherwise permitted by Massachusetts Law, including MGL Chapter 268A, a person serving in a supervisory position may not participate in decisions regarding hiring, reappointment, placement, evaluation, rate of pay, salary increases, promotion, monetary awards or other personal interest regarding a relative or household member employed by the Town, even when the supervisor is not in the direct line of authority.

Furthermore, to avoid the risk of sexual harassment or any appearance of impropriety, employees shall not be allowed to retain supervisory responsibilities over subordinate employees whom they are dating.

A supervisor who becomes involved in a relationship covered by this policy shall notify the Human Resources Director within the later of: ten (10) working days after the start of this relationship, the adoption of this policy, or the employee beginning work with the Town of Charlton. The Human Resources Director will then document the relationship as deemed appropriate by the State Ethics Commission. All documentation will then be kept in the employee's file as mandated by State record keeping laws.

Guidelines for Appropriate Conduct and Discipline

Employees are expected to conduct themselves in a professional and respectful manner consistent with the high standards held by the Town. As it would be impossible to develop rules covering every possible situation, the list of infractions mentioned below, although not intended to be all-inclusive, illustrate some of the breaches of conduct that may result in disciplinary action, up to and including dismissal:

1. Violation of the Town's Safety Policy regarding Workplace Violence, Bullying, Discrimination and Sexual Harassment;
2. Use of abusive, threatening or obscene language including the use of profanity;
3. Disorderly conduct of any kind, fighting, wrestling or any such activity which could cause harm to person or property (See Safety Policy with regard to workplace violence);
4. Falsifying employment, timesheet or other Town of Charlton records;
5. Violating any Town of Charlton policies or applicable bylaws; or any section of Massachusetts General Law regarding municipal personnel;
6. Establishing a pattern of absenteeism or tardiness without good cause and/or documentation satisfactory to the Town;
7. Unauthorized absence from work while "on the clock";
8. Engaging in excessive, unnecessary or unauthorized use or appropriation of Town of Charlton property such as supplies, equipment or technology, particularly for personal purposes, including removing Town property from the premises;
9. Stealing property from a co-worker, a resident of the Town of Charlton or any other member of the general public;
10. Engaging in insubordination or refusal to follow the lawful directions of a person with supervisory or management responsibility;
11. Neglecting one's own job duties and responsibilities or refusing to perform work assigned;
12. Misappropriation of Town funds or property;
13. Failure to provide satisfactory customer service;
14. Unauthorized disclosure of information that the Town of Charlton regards as confidential or in violation of applicable law (see, for example, Town of Charlton Confidentiality Agreement which each employee is required to sign);
15. Use of alcohol, a controlled substance or drug (other than by prescription and as allowed by the Town's policy as the same) while on duty, or reporting to work while under the influence; and
16. Any other act, whether on or off the Town's premises, which is reasonably determined to have a sufficient connection to an employee's employment and to be detrimental to the legitimate interest of the Town of Charlton, its employees, its residents and/or the general public.

Once again, note that the examples cited above are for illustration purposes only and should not be considered comprehensive or as limiting the Town's right to discipline or dismiss employees, if, as and when it deems appropriate.

Discipline

Failure of an employee to behave in a manner consistent with the standards of professional conduct and all applicable policies may result in disciplinary action. The Town shall utilize a reasonable process in reviewing an employee's alleged violation of these standards and policies. Although the Town of Charlton supports the theory of progressive discipline, management retains the right to exercise discretion and take whatever disciplinary action it deems appropriate to the particular circumstances. Violations of rules or policies or poor performance may result in disciplinary action that may include, depending on the circumstances and discretion of management, verbal or written warnings, suspension (with or without pay) or immediate dismissal. These disciplinary measures do not constitute an exclusive list of possible actions and may be taken in any order. They are intended merely as a guide and are not intended to create a contract or modify the employment at will relationship.

REMOTE PARTICIPATION POLICY / OPEN MEETING LAW

Accepted: January 11, 2012

Amended: August 18, 2015; December 11, 2018

VOTED: To allow remote participation for meetings of Town Boards, Committees and Commissions, in accordance with the requirements of the applicable regulations, 940 CMR 29.10 subject to the following:

Pursuant to this Board's authority under 940 CMR 29.10 (8), the Board adopts the following policy conditions and limiting the use of remote participation:

1. Prior to using remote participation, the Chair and any subsequent Chair as well as any staff person assigned to such Board, Committee or Commission, shall review the requirements of the regulations with respect to remote participation; and
2. The Chair or staff person shall ensure there is a functioning phone or computer screen with speaker capability in the particular room where the meeting will be held. The member participating remotely must be audible to all persons present at the meeting.
3. A quorum must be physically present at the meeting and the presiding Chairman must determine that a member's physical attendance is unreasonably difficult because of one or more of the following: personal illness; personal disability; emergency; military service; and geographic distance.
4. Remote participants may vote as if they are present.
5. Procedures:
 - a. Member must inform Chair;
 - b. At the beginning of the meeting, the Chair announces who and reason for remote participation;
 - c. the remote participation will be noted in minutes;
 - d. all votes must be taken by roll call;
 - e. if in ex session, the member must state no one else can hear the discussion
6. This vote and policy applies to all Town public bodies that are subject to the Open Meeting Law. The Town can make bylaws or policies to restrict use of remote participation.

Violations will be under the jurisdiction of the Attorney General.

RETIRED EMPLOYEE HEALTH INSURANCE

Accepted: July 26, 2011

Amended: September 7, 2011

For the purposes of formalizing it's 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.

RETIREE INSURANCE PAYMENTS

Accepted: 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, other close to the due date and still others required multiple contacts.)

SAFETY

Accepted: September 25, 2018

WORKPLACE VIOLENCE, BULLYING, DISCRIMINATION AND SEXUAL HARASSMENT

Introduction

It is the Policy of Charlton (“the Employer”) to promote a professional and productive workplace in which all employees are treated with dignity and respect. Employees are expected to act in a positive manner and contribute to a productive work environment that is free from harmful, harassing or disruptive activity. This Safety Policy will address workplace violence, bullying, discrimination and sexual harassment.

WORKPLACE VIOLENCE AND BULLYING

Purpose

It is the intent of the Employer to provide a workplace that is conducive to personal safety and security and is free from intimidation, threats, or violent acts. Accordingly, the Town maintains a zero tolerance policy toward workplace violence or the threat of violence by any of its employees, former employees, elected officials, customers, the general public and/or anyone who conducts business with the Town.

Definition

Workplace violence is any behavior which is intended (or which a reasonable person may perceive is intended) to abuse or injure a person or damage or destroy property in the workplace including, but not limited to, bullying, threats, physical, verbal, written or visual attack, or property damage. The following definitions are incorporated to assist employees to more fully understand the nature of the behavior prohibited by this policy; however, violent behavior is not limited to the descriptions below.

Threat is the expression of intent to cause physical or mental harm regardless of whether the person communicating the threat has the present ability to carry out the threat and regardless of whether the threat is contingent, conditional or future.

Physical attack is intentional hostile physical contact with another person or an object such as hitting, fighting, pushing, shoving or throwing.

Verbal attack is intentional hostile communication (including recorded messages) with another person such as abusive outbursts, verbal tirades intended to offend, offensive comments or use of obscene or threatening language.

Written attack is the use of printed or electronic media, including notes, letters, drawings, pictures or computerized mail, to threaten, abuse, ridicule or harass people or to threaten property.

Visual attack is the use of bodily gestures that are threatening, obscene or abusive.

Property damage is intentional damage (as a reasonable person may presume by the nature of the damage) to property which includes property owned by the Town, employees or others.

Workplace bullying is repeated unreasonable or offensive actions in the workplace that impact or create a risk to the psychological or physical health, safety, or economic security of an employee. Workplace bullying is behavior that can intimidate, offend, degrade or humiliate an employee. Examples include: spreading malicious

rumors or insulting someone; copying memos that are critical about someone to others who do not need to know; ridiculing or demeaning someone; setting someone up to fail; exclusion or victimization; unfair treatment; overbearing supervision or other misuse of power of position; making threats or comments about job security; deliberately undermining a competent worker by overloading and constant criticism; preventing progress by intentionally blocking promotion or training opportunities. Bullying is not necessarily face to face. It may be by written communications, visual images, electronic email and phone.

Prevention of Workplace Violence

The Employer subscribes to the concept of a safe work environment and supports the prevention of workplace violence. Prevention efforts include, but are not limited to informing employees of this policy, instructing employees regarding the dangers of workplace violence, communicating the sanctions imposed for violating this policy, and providing a reporting hierarchy within which to report incidents of violence without fear of reprisal.

Any employee who applies for or obtains a protective or restraining order which lists the employment location as being a protected area must provide the Human Resources Director with a copy of the petition, the declarations used to seek the order, a copy of any temporary protective or restraining order which is granted and a copy of any protective or restraining order which is made permanent.

All suspicious individuals or activities on Town premises should also be reported as soon as possible to a supervisor and/or the Police Department. Employees should never place themselves in a position of peril. If an employee sees or hears a commotion or disturbance at work, he/she should not feel obligated in any way to intercede.

Procedure for Reporting Threats or Bullying Behavior

Employees are required to immediately or as soon as practically possible, report each incident of violent or bullying behavior, whether the incident is committed by another employee or an external individual such as a customer, vendor or citizen, to department management, Human Resources (HR), or the Town Administrator's office. In addition, employees are required to warn of any suspicious workplace activity, situations, or incidents of which they are aware that might lead to workplace violence. Department management will inform HR in writing and verbally of all reported incidents of workplace violence or bullying and will work with HR to assess and investigate the incident and determine the appropriate action to be taken, including notifying the Police Department where appropriate. For incidents involving violent behavior by non-employees, HR will maintain at a minimum, a written log of all reported incidents including the name of the individual, time and date of the incident, nature of the incident and outcome. In critical incidents in which serious threat or injury occurs, emergency responders such as Police, Fire and/or Ambulance personnel must be promptly notified. As necessitated by the seriousness of the incident, the Town Administrator may assemble a Management Response Team that consists of staff from the affected department, HR, public safety, the employee assistance program and others as deemed necessary.

Under such critical circumstances, the Management Response Team shall be responsible for establishing the response protocol that may include but is not limited to:

- Evaluating the potential for violence
- Assessing an employee's fitness for duty (through mental health professionals)
- Establishing a plan for the protection of co-workers and other potential targets
- Coordinating with affected parties such as victims, families, other employees or law enforcement personnel
- Referring victims to appropriate assistance and community service programs

Each step in this process will be carried out in as expeditious a manner as possible, recognizing the need to address any threat in a timely, yet thorough and appropriate manner.

Any employee who acts in good faith by reporting real or implied violent behavior will not be subject to any form of retaliation (including, but not limited to unwarranted discipline, demotion, reduction in pay or position and/or termination) or harassment. Any action of this type resulting from a report of violence must be reported to the appropriate management staff for investigation and decision regarding proper action.

Prohibited Actions and Sanctions

It is a violation of this policy to engage in any act of workplace violence, bullying or retaliation for reporting such behavior. The Town shall utilize a fair and equitable process in reviewing an employee's alleged violation of these standards and policies. Although the Town of Charlton supports the theory of corrective discipline, management retains the right to exercise discretion and take whatever disciplinary action is appropriate to the particular circumstances. Any employee who has been determined to be in violation of this policy, will be subject to disciplinary action including but not limited to verbal or written warnings, suspension (with or without pay) or immediate dismissal, according to the findings of the complaint investigation and depending upon the violent act, may be subject to criminal sanctions. These disciplinary measures do not constitute an exclusive list of possible actions and may be taken in any order. They are intended merely as a guide and are not intended to create a contract or modify the employment at will relationship.

Employee Assistance Program

Should an employee become the victim of an incident of workplace violence and/or bullying, the department manager should make sure the employee is aware of services available through the Employee Assistance Program (EAP) and may offer additional referral services to assist the employee and/or affected work group in coping with any effects of the incident. The Town's free and confidential EAP is AllOne Health through MIIA and the contact number is 800-451-1834. Should it be determined in the investigation of a reported incident that an employee did commit a violent act, the employee shall at a minimum be referred to the EAP by the department manager. In these cases, failure by the employee to keep an initial appointment with the EAP shall result in disciplinary action.

DISCRIMINATION AND SEXUAL HARASSMENT Purpose

It is the goal of the Employer to promote a workplace that is free of unlawful discriminatory harassment ("harassment") of any type, including sexual harassment. Harassment consists of unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law, such as gender, gender expression, race, color, national origin, ancestry, religion, age, disability, criminal records (inquiries only) genetics, military status, pregnancy, sexual orientation or participation in discrimination complaint-related activities (retaliation). The Employer will not tolerate harassing conduct that affects employment conditions, that interferes unreasonably with an individual's performance or that creates an intimidating, hostile, or offensive work environment.

Harassment of employees occurring in the workplace, in connection with work-related travel, and/or work-sponsored events will not be tolerated. Further, any retaliation against an individual for having complained about harassment or retaliation against individuals for having cooperated with an investigation of a harassment complaint will not be tolerated.

Because the Employer takes allegations of harassment seriously, we will respond promptly to complaints of harassment. Where it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such correcting action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting a workplace that is free of harassment as defined above, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfied the definition of harassment.

Definitions

Harassment means unwelcome conduct, whether verbal or physical, that is pervasive and severe and is based on a characteristic protected by law. Harassment includes, but is not limited to:

1. Display or circulation of written materials or pictures that are degrading to a person or group as previously described.
2. Verbal abuse, slurs, derogatory comments or insults about, directed at, or made in the presence of an individual or group as previously described.

In Massachusetts, the legal definition of Sexual Harassment is that it means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. Submission to or rejection of advances, requests or such conduct is made either explicitly or implicitly a term or condition of an individual's employment or as the basis for employment decisions; or
2. Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, humiliating or sexually offensive working environment.

Under this definition, for example, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment. The legal definition of sexual harassment is broad. In addition to the above examples, other unwelcome sexually oriented conduct that has the effect, whether intended or not, of creating a work environment that is hostile, offensive, intimidating or humiliating to either male or female workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances – whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities

The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant, regardless of gender, may be a witness to and personally offended by such conduct. The harasser may be anyone including a supervisor, a co-worker or a non-employee, such as a recipient of public services or a vendor. All employees should take special note that, as stated above, retaliation against an individual for

having complained about sexual harassment and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.

Complaint Procedures

All employees, managers and supervisors of the town share responsibility for avoiding, discouraging and reporting any form of discriminatory harassment. The primary responsibility for ensuring proper investigation and resolution of harassment complaints rests with the Board of Selectmen, acting through the Town Administrator, who will administer the policy and procedures described herein with the support of Human Resources.

If any of our employees believes that he or she has been subjected to discriminatory harassment, the employee has the right to file a complaint with our organization. This may be done in writing or orally. In addition, residents, visitors, applicants, vendors, contractors, their agents and employees, or other third parties who believe they have been subjected to discriminatory harassment may also file a complaint with our organization using the procedures described herein.

Furthermore, employees may also file a complaint if they have been subjected to harassment from residents, visitors, applicants, vendors, contractors, their agents and employees or any other third parties in the workplace, while performing work-related duties, or during other work-related activities. Prompt reporting of harassment is in the best interest of our organization and is essential to a fair, timely, and thorough investigation. Accordingly, complaints should be filed as soon as possible following the incident(s) at issue. If you would like to file a complaint, you may do so by contacting Andrew Golas, Town Administrator at 508-248-2206 or the Human Resources Director at 508-248-2243. The Human Resources Department is also available to discuss any concerns you may have and to provide information to you about our policy on harassment and our complaint process.

Complaint Investigation

When we receive a complaint, we will promptly investigate the allegation in a fair and expeditious manner to determine whether there has been a violation of our policy. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances, but confidentiality cannot be guaranteed. Our investigation may include private interviews with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed harassment. The complainant, the person alleged to have committed harassment and all witnesses are required to fully cooperate with all aspects of an investigation. Employees' attorneys are not permitted to be present or participate in the complaint investigation. When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the misconduct of the results of the investigation.

Notwithstanding any provision of this policy, we reserve the right to investigate and take action on our own initiative in response to conduct which may constitute harassment or otherwise be inappropriate, regardless of whether an actual complaint has been filed. If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct and where it is appropriate we will also impose disciplinary action.

Disciplinary Action

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment, or may include such other forms of disciplinary action as we deem appropriate under the circumstances. If it is determined that inappropriate conduct has been committed by a non-employee (vendor, contractor, resident, volunteer, visitor or any other third party) toward one of our employees, we will take such action as is appropriate under the circumstances to ensure the harassment terminates. Each course of action will be determined on a case by case basis dependent on the circumstances of the situation.

State and Federal Remedies

In addition to the above, if you believe you have been subjected to discriminatory harassment of any type, including sexual harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies requires that claims be filed within 300 days from the alleged incident or when the complainant became aware of the incident.

The United States Equal Employment Opportunity Commission (“EEOC”)

John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(800) 668-4000
TTY: (800) 669-6820

The Massachusetts Commission Against Discrimination (“MCAD”)

Boston Office:
One Ashburton Place
Suite 601
Boston, MA 02108
(617) 994-6000
TTY: (617) 994-6196

Springfield Office:
436 Dwight Street
Room 220
Springfield, MA 01103
(413) 739-2145

Worcester Office:
484 Main St.
Room 320
Worcester, MA 01608
(508) 990-2390

New Bedford Office:
800 Purchase St.
Room 501
New Bedford, MA 02740
(774) 510-5801

ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING:

I am in receipt of the **TOWN OF CHARLTON’S SAFETY POLICY**. I received this document on _____. (date) I had an opportunity to review and read the policy and have all questions answered.

I understand it is my responsibility to be familiar with and adhere to the provisions of this policy.

Name: _____ Signature _____ Date _____

Note: A copy of this acknowledgement form will be placed in the employee’s personnel file.

SENIOR TAX WORK-OFF POLICY

Accepted:

Amended: October 22, 2019

The Tax Work-Off Program offers Charlton seniors the opportunity to participate in a property tax relief program. Eligible residents may receive a maximum \$1,500.00 property tax credit per year in return for volunteer service to the Town. Each year, the program will run from January 1st to November 30th. The Town of Charlton has adopted the provisions of Massachusetts General Law, Chapter 59, Section 5K. The policy for the implementation of the Charlton Senior Citizen Tax Work-Off Program is issued by the Board of Selectmen as follows:

1. Any full-time, year-round resident homeowner and taxpayer who is at least sixty (60) years old in the Town of Charlton may receive, on a home that he/she owns and occupies, a Senior Citizen Property Tax Work-Off Credit.
2. Credit for property taxes will be paid at a rate equal to Massachusetts minimum wage, not to exceed one thousand five hundred dollars (\$1,500.00) in any fiscal year.
3. 1.45% for Medicare and 7.5% for deferred compensation will be deducted from the \$1,500.00 abatement for hours worked.
4. The program shall be coordinated through the Council on Aging Director and the Outreach Coordinator who shall oversee the program. The program will be administered through the coordinated efforts of the Council on Aging, the Treasurer/Collector, Assessor, Finance Director and Human Resources.
5. The program shall include the following information, which the Council on Aging Director and the Outreach Coordinator shall oversee:
 - a. The documentation of year-round residency and income of the participants.
 - b. Selection of participants.
 - c. Department Site Requests
 - d. The determination of the skills and assignment preferences of the applicant and assignment of the applicant to a Town department.
6. Applicants must submit to:
 - a. CORI Check (Criminal Offender Record Information)
 - b. All Applicable Town of Charlton policies
7. Applicants must complete the following forms:
 - a. Senior Tax Work-Off Program Application
 - b. Confidentiality Agreement
 - c. W-4 Federal Tax Return
 - d. Form I-9 Employment Eligibility Verification
 - e. Massachusetts Deferred Compensation SMART Plan Enrollment
 - f. Form SSA-1945 Town of Charlton
8. A volunteer may work in place of an applicant if approved by the Administrator(s) of the program and will be subject to a CORI check and all applicable Town of Charlton policies.

9. Applicants who exceed income restrictions will not be eligible for this program. HUD (Department of Housing and Urban Development) low-income guidelines per current year (for Worcester County) will be used to determine eligibility for single, couple and any additional household members.

10. Town of Charlton employees who conduct administration and/or applicant decision-making for the Senior Tax Work-Off will not be eligible for this program in accordance with regulation 930 CMR (6.17).*

***930 CMR: STATE ETHICS COMMISSION**

6.17: Exemption Related to Senior Tax Abatement Programs

(1) Purpose: The purpose of 930 CMR 6.17 is to allow participants in senior tax abatement programs to hold additional municipal positions and to have financial interests in municipal contracts and vice versa.

(2) Exemption. A participant in a senior tax abatement program may hold additional municipal positions and have financial interests in municipal contracts without violating M.G.L. c. 268A, §20, provided that the employee does not participate in or have official responsibility for the administration of such program or decision-making with respect to the award of benefits or relief under such program.

SEXUAL HARASSMENT

Accepted:

Amended:

1. Introduction

It is the goal of the Town of Charlton to promote a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by this organization. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve our goal of providing a workplace free from sexual harassment, the conduct that is described in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt with, if encountered by employees. Because the Town of Charlton takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate. Please note that while this policy sets forth our goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

II. Definition of Sexual Harassment

In Massachusetts, the legal definition for sexual harassment is this:

“Sexual Harassment” means sexual advances, requests for sexual favors and verbal or physical conduct of a sexual nature when:

(a) Submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions;

Or,

(b) Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits or continued employment, constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating or humiliating to male or female workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances – whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiring into one's sexual experiences; and
- Discussion of one's sexual activities

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.

III. Complaints of Sexual Harassment

If any of our employees believes that he or she has been subject 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 St., 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 months)

The United States Equal Employment Opportunity Commission (EEOC)
10 Congress Street – 10th Floor
Boston, MA 02114
(617) 565-3200

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)

SNOW PLOWING – TOWN BUILDINGS

Accepted: September 4, 2013

Amended: February 16, 2016

1. Town Buildings

After all roads have been plowed and maintained for the passage of motor vehicles, the Highway Department will service the following buildings as follows:

Business as usual – Highway Department – 100 Flint Road

Town Hall – 37 Main St.

Library – 40 Main St.

Community Center – 4 Dresser Hill

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 St.

2. Snow Plow Drivers

In emergency situations, the Town Administrator is authorized to appoint temporary special plow drivers.

SOCIAL MEDIA POLICY

Accepted: February 25, 2020

Applicability

The Town of Charlton has a need to augment traditional communication methods with the use of social media channels. The use of social media presents opportunity and risk to the Town and individual Town departments. In general, the Board of Selectmen supports the use of social media to further Town and department missions and goals, subject to certain caveats, conditions and safeguards.

The Board of Selectmen endorses the secure use of social media technology to: (a) enhance communication, collaboration and exchange of information; (b) streamline processes; and (c) foster productivity improvements. However, such use must not compromise data, confidentiality or integrity. The same standard of conduct, principles and guidelines that apply to Town of Charlton employees in the performance of their assigned duties generally also apply to employee social media technology use. This document establishes town-wide social media use policies, protocols and procedures intended to mitigate associated risks from use of this technology.

Policy

Use of social media technology by any town official or employee, subject to applicable law, shall conform to the policies, standards, protocols and procedures contained, or referenced herein.

1.0 Definitions

1.1 Social Media

The term “social media” includes the various activities that integrate technology, social interaction and content creation. Through social media, individuals or groups can create, organize, edit, comment on, combine and share content. Social media encompasses many technologies and forms, including social-networking, blogs, wikis, photo-sharing, video-sharing, podcast, social bookmarking, mash-ups, widgets, virtual worlds, microblogs, Really Simple Syndication (RSS) and more. Not all forms of social media may be appropriate for use by a Town official or employee.

1.2 Official Town Email Account

An email account provided by the Town and to be used for town business or a Town-approved mailbox to be used for official Town business.

1.3 Approved Town Social Networking Site

Approved Town social networking site refers to social networks that the Town Administrator (TA) with consultation from the Information Services Technician (IT) have assessed and approved for use by Town officials, employees or departments. Any such wishing to create and manage a social media account must request and receive permission from the Town Administrator.

1.4 User

A User is a member of the public that interacts with a town sponsored social media page.

1.5 Post

A message/blog in the form of, but not necessarily limited to, text, videos, photograph, graphics, links (hyperlinks), documents, computer applications, etc.

1.6 Comment

A user submitted response to an administrator's post.

2.0 Responsibility

2.1 Town Administrator

The Town Administrator is responsible for regulating and facilitating the terms of this policy in compliance with established rules and protocols. This includes responsibility and concomitant authority to audit use of social media and to enforce policy compliance.

2.2 Department Head

Within the terms of this policy, Department Heads have authority to determine and establish social media activity at the departmental level subject to prior review and approval of the Town Administrator.

2.3 Social Media Coordinator

The Social Media Coordinator is appointed by the Department Head and vested with authority to use social media on behalf of the department and responsibility to ensure the appropriateness of content. This individual acts as the "official spokesperson" for the department through social media.

3.0 Procedures

3.1 Town Social Media Technology Use

Use of social media shall conform to the policies, protocols and procedures contained, or referenced, herein, including but not limited to, that all such shall:

- A. Comply with all applicable federal, state and town statutes, bylaws, rules, regulations and policies. This includes but is not limited to, adherence to all laws and policies regarding copyright, trademark, records retention, Massachusetts Public Records Law, U.S. Constitution First Amendment, Americans with Disabilities Act (ADA), Health Insurance Portability and Accountability Act (HIPAA), privacy laws, employment related laws and Town established Policies such as, but not limited to, those regarding Professional Conduct, Sexual Harassment and Electronic Communication and Data Security Policy.

3.2 Requirements for Departments Using Social Media

Departments who choose to utilize social media shall designate and identify for the Town Administrator in writing, in advance, a Social Media Coordinator responsible for overseeing the department's social media activity, policy compliance and security protection.

3.3 Authorized Use

Department Heads are responsible for designating appropriate levels of use relative to the use of Social Media sites utilized by their department.

1. Social media network usage shall be limited only to those with a clear Town business purpose to use the forum.
2. Appropriate usage levels include identifying what sites the individual is approved to use as well as defining approved capability: publish, edit, comment or view only.
3. Only individuals designated by the Department Head and approved by the Town Administrator and Department Heads themselves, shall be considered authorized users and have permission to publish, edit and respond on behalf of the Town.
4. Each authorized user before commencing any such use shall review the Town's social media policies and procedures and acknowledge their understanding and acceptance of their scope of responsibility and limitations via signing an acknowledgement form and submitting same to the Town Administrator.

3.4 User Behavior

The same standards, requirements, policies, principles and guidelines that apply to Town of Charlton employees in the performance of their public duties or employment apply to use of social media technology use.

1. Authorized users shall do so only within the scope defined by their respective department head per section 3.3 and in compliance with this and all Town policies, practices and provider use agreements and guidelines.
2. Violations of this policy shall be reviewed on a case-by-case basis and may result in appropriate disciplinary actions.
3. This policy is not intended to infringe upon an individual's right to speak publicly on matters of public concern, or to communicate with fellow employees on workplace issues, so long as such communication adheres to appropriate time, place and manner restrictions and does not interfere with the performance of the employee's job duties. Additionally, this policy shall not supersede any collectively bargained labor agreements. However, when you speak via social networking sites or tools on matters concerning your work, you are speaking as an employee and not as a citizen and certain restrictions apply to your freedom to express yourself. Those restrictions are intended to preserve the public's safety and confidentiality, and to maintain your status as an employee who should: (a) receive the respect of the public, (b) be able to perform your duties in a professional manner and (c) remain objective with respect to the public.

3.5 Authenticity Establishment

Town department social media sites shall be created and maintained with identifiable characteristics of an official Town site that distinguishes them from non-professional or personal uses.

1. Town social media network accounts shall be created using an official Town email account.
2. Contact information should display an official Town email address, include something about being the “official Town account” and provide a link to the Town or department website.
3. The name “Town of Charlton” or the official Town seal or department logo must be displayed.
4. Link (hyperlink) to section 3.6.3: Town of Charlton Social Media User Responsibility Guideline must be displayed.

3.6 Site Content

Departments are responsible for establishing and maintaining content posted to their social media sites.

1. Social Media Coordinators shall review site activity regularly for exploitation or misuse.
2. Contents posted on Town social media sites may be considered public records subject to disclosure under Massachusetts Public Record Law. Requests for the production of posts on a Town social media site shall be referred to the Town Administrator’s Office as Records Access Officer for review and response. The IT Technician and Town Administrator may implement social media archival software. All Town Social Media accounts shall be appropriately archived in accordance with the procedures set forth.
3. Following forms of content posted by external and authorized users are subject to removal if they contain:
 - A. Profane language or content;
 - B. Content that promotes, fosters or perpetuates discrimination of protected classes;
 - C. Sexual harassment content;
 - D. Solicitations of commerce or advertisement including promotion or endorsement;
 - E. Conduct constituting, or encouragement of, illegal activity;
 - F. Information that may tend to compromise the safety or security of the public or public systems;
 - G. Content more likely than not having the effect of defaming, any person, group or organization;
 - H. Content that violates a legal ownership interest of any other party, such as trademark or copyright infringement;

- I. Making or publishing of false, vicious or malicious statements concerning any employee of the Town;
 - J. Violent or threatening content;
 - K. Disclosure of confidential, sensitive or proprietary information.
4. The Town Administrator, after consultation with the Department Head, shall make the final determination with respect to possible violations and any corrective action, if any, to be taken with respect to same. Content in violation of the standards set forth in paragraph no. 3 immediately above may be removed. See section 3.7 concerning content management and deletion.
 5. Departments, with the assistance and advice of the IT Department, shall have preventative measures in place against potential destructive technical incidents. See section 3.8 on network security.

3.7 Records Management

Each Department shall document and maintain in an easily accessible format its and its employees' use of social media that tracks accurate information. Subject to review and approval by the Town Administrator:

1. Each Department is responsible for the creation, administration and deactivation of social media accounts.
2. All content is to be fully accessible to any person requesting documents from the social media site.
3. Content deemed inappropriate per section 3.6.3 or technically destructive shall be promptly documented, saved pursuant to policies and procedures regarding record retention and then removed immediately.
4. Individuals (e.g., friends, fans or followers) who continue to post inappropriate content shall be removed.

3.8 Network Security

Each Department, with the assistance and advice of the IT Department, shall have security controls in place to protect Town information and technology assets against potential destructive technical incidents.

- Perceived or known compromises to the Town's internal network shall be promptly reported to IT Technician.
- Computers, laptops and mobile devices used to administer Town social media sites shall have up-to-date software to protect against destructive technical incidents, including but not limited to, cyber, virus and spyware/adware attacks.

SPECIAL ALCOHOLIC BEVERAGE LICENSE

Accepted: July 6, 2004

Amended: January 28, 2013; March 4, 2013; November 7, 2013

The Alcoholic Beverages Control Commission states that the Local Licensing Authorities may issue special licenses for the sale of wine and/or malt beverages to any enterprise, however, special license for the sale of all alcoholic beverages may be issued to non-profit organization(s) only.

The Local Licensing Authorities cannot grant special licenses to:

- Any person for more than a total of thirty (30) days per calendar year;
- To any person that has an on premise license application pending before it;
- Any premise that has an alcoholic beverage license

Special licenses must purchase alcoholic beverages from a licensed supplier. Special licensees **CAN NOT** purchase alcoholic beverages from a package store and **CAN NOT** accept donations of alcoholic beverages from anyone. (An updated list of suppliers can be found on the ABCC website)

1. Applicant received blank "Application for Special Alcoholic Beverage License" from the Board of Selectmen/Town Administrator's office or from the town's website at www.townofcharlton.net at least four (4) weeks prior to the event. (This allows enough time for all departments to review)
2. Applicant completes entire application. Applicant must get sign off from each department listed to ensure proper documents submitted.
3. Application shall be submitted to Selectmen/Town Administrator's office for processing upon completion by each department required to review.
4. Application will be placed on next available Selectmen's meeting for Board of Selectmen's consideration.
5. Once approved, copies of the application will be provided to the applicant, Police Department, Fire Department, Building Commissioner and the Alcoholic Beverage Control Commission.
6. Applicant agrees to adhere to all applicable rules, regulations, town bylaws, state and federal laws.
7. If the event sponsor (or any of its associated businesses, owners, shareholders, etc.) and venue are the same, no more than 30 days of special licenses can be approved in a calendar year. Within the 30 days, the day before the event and the day after the event are included within the 30 day limit per the ABCC.
8. If the event sponsor is different than the event venue (such as renting for a wedding, etc.) the event sponsor would be the applicant for the request.

The cost for this Special One Day Alcoholic Beverage License is:

\$50.00 for profit

\$0.00 for non-profit (must submit copy of 501c(3) to qualify

Attachments:

- Mandatory Crowd Manager(s) & Daily Fire & Building Safety Checklist information
- Authorized Sources of Alcohol for one day licenses from the ABCC

STAFF ID BADGES

Accepted: September 1, 1999

Amended: July 17, 2007

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 Commission) 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: _____ Date: _____

Signature of Employee: _____

Please Print Name: _____

cc: Personnel File

TAX INCREMENTAL FINANCING

Accepted: August 1, 2006

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:

I. 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 Business
 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 and 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 Incremental 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 (ie., % 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 (EAC) for review and final approval.

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 positions:

Professional

Management

Skilled

Unskilled

- Investment 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

TEMPORARY SIGN POLICY

Accepted: February 9, 1999

Amended: February 26, 2019

Board of Selectmen voted to allow non-profit organizations and candidates for election to place signs on town property at the corner of Main Street and Old Worcester Road with the stipulation that they must comply with the Zoning By-Law relative to signs.

Signs to be removed within seven (7) days of election.

NOTE: At the Board of Selectmen's meeting held on February 26, 2019, the board removed the language: and at the corner of Dresser Hill Road and Muggett Hill Road.

TOWN ADMINISTRATOR EVALUATION

Accepted: August 25, 2009

Reviewed on December 11, 2018 (BOS / HR & TA to update)

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 TIMELINE

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 he/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.

TOWN ADMINISTRATOR SIGNING OF BILL AND PAYROLL WARRANTS

Accepted: March 17, 2015

The Board of Selectmen having voted pursuant to Mass. General Laws, Chapter 41, sections 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. General 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.

TOWN COMMON PARKING – WEST SIDE ONLY

Accepted: October 15, 1996

Amended: 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.

TOWN HALL DISPLAY

Accepted: May 6, 2008

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.

TRAFFIC AND CROWD MANAGEMENT

Accepted: April 9, 2019

TRAFFIC AND CROWD MANAGEMENT PERMIT

The Town of Charlton recognizes from time to time, community groups, fraternal organizations, businesses and the town itself, will have occasions that impact normal traffic and/or have large numbers of participants out of the normal realm of the business or property operations.

Examples of qualifying occasions include but are not limited to:

- Voluntary toll stations
- Road closings
- Influx of traffic that may delay the normal flow of the streets or area of the event
- On street parking that may impede or restrict traffic flow on a street
- Over flow parking off paved surfaces near the event
- Remote parking for the event with shuttle service
- Grand openings
- Block parties
- Other temporary and/or occasional special event

The organizers of the occasion shall apply for and receive a Traffic and Crowd Management Permit by notifying the Town Departments and the Board of Selectmen when one or more of the following may occur:

- Traffic delays in or on to a public way
- Make use of a field, cleared lot or other area not directly associated with the business for parking
- Make use of a field, cleared lot or other area not directly associated with an existing use for an activity not customarily or accessory to the existing properties function
- Result in gathering of persons

Exempt from this policy:

- Family gatherings that do not obstruct normal traffic flows
- Family gatherings where neighbors agree to allow over flow parking on their properties
- Yard sales that do not obstruct normal traffic flows

Permission granted by this policy does not exempt the applicant from any other regulatory requirements such as:

- Special Alcoholic Beverage License
- Live Entertainment License
- Fireworks
- Sanitary Facilities
- Food Service

Entities that are unsure if this policy is applicable to them are encouraged to communicate with the municipal departments that may have input or regulations pertaining to the proposed occasion.

The Board of Selectmen may grant waivers from this procedure if they deem it necessary or advisable to effectuate the intent of the policy.

PROCESS

1. Applicant requests Application for a Traffic and Crowd Management Permit from the Board of Selectmen/Town Administrator's office or from the town's website, www.townofcharlton.net.
2. Applicant brings the paperwork in sequence to the departments at least eight (8) weeks prior to the event (This allows enough time for all departments to review.)
3. Applicant completes entire application. Applicant must get sign off from each department listed to ensure proper documents submitted.
4. Application shall be submitted to the Selectmen/Town Administrator's office at least four (4) weeks before the event dates for processing upon completion by all departments having reviewed.
5. Application will be placed on next available Selectmen's meeting for the Board of Selectmen's consideration.
6. Once approved, copies of the application will be provided to the applicant, Police Department, Fire Department and Building Commissioner.
7. Applicant agrees to adhere to all applicable rules, regulations, town bylaws, state and federal laws.
8. If the event sponsor (or any of its associated businesses, owners, shareholders, etc.) and venue are the same, no more than ten (10) days of special event licenses can be approved in a calendar year.
9. If the event sponsor is different than the event venue (such as renting for a wedding, etc.), the event sponsor would be the applicant for the request.
10. The cost for this Traffic and Crowd Management Permit is:

\$50.00 for profit

\$0.00 for non-profit (must submit copy of 501c(3) to qualify)

Attachments:

- Mandatory Crowd Manager(s) and Daily Fire and Building Safety Checklist Information

Provide drawings and maps of the building, land area and other supporting documents to show how the area under consideration will be affected and used.

Provide traffic management plan, parking plans, signed permission from other land owners for use of their property if applicable.

Any proposed signage for traffic direction, type and locations.

USE OF TOWN COUNSEL

Accepted: June 8, 2004

At the meeting of the Board of Selectmen held on June 8, 2004, the Board voted to limit Town Counsel access through the Board of Selectmen Chair and/or Town Administrator.

USE OF TOWN SAND / SALT

Accepted: November 17, 1995

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 Road. 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.

VETERANS WAR MONUMENT POLICY

Accepted: March 4, 2015

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, 2015. 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 Veteran's 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 1st, 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.

VIDEO RECORDING REQUEST OF MEETINGS

Accepted: December 11, 2018

1. Applicant to request copy of recording from Selectmen's Office.
2. Office to notify Cable Coordinator of same.
3. When copy of recording completed (within 2 to 3 weeks), office to notify applicant.
4. Applicant to pay a fee of \$10.00 upon pick up and Treasurer/Collector to post.

WINTER PARKING BAN

Accepted: November 8, 1999

Amended: November 15, 2013; January 8, 2014; December 11, 2018

A winter parking ban will be in effect during and 48 hours following a snowstorm of over three (3) inches for this upcoming and all ensuing winters on all streets in the Town of Charlton.

Clearing of sidewalks as approved in the Town's General Bylaws, state that every owner of land abutting a sidewalk shall cause all snow and ice to be removed to a width of not less than four feet from the portion of the sidewalk abutting his land.

Removal of snow onto public way: as approved in the Town's General Bylaws, no person shall plow or otherwise remove snow from private property onto a public way in such manner as to obstruct travel or snow removal operations on such way.

The Police Chief shall enforce the provisions of this bylaw. Any owner who continues to violate any provision of this bylaw after twenty-four (24) hours following receipt by him/her of written notice of such violation from the Police Chief shall be liable to a penalty not exceeding fifty dollars (\$50) for each offense. Each day that such violation continues after such twenty-four hour period shall constitute a separate offense.

COVID-19 EMERGENCY POLICIES

The following policies will expire upon the end of the COVID-19 Emergency put in place in March, 2020.

EMERGENCY FACE COVERING AND UNAUTHORIZED ACCESS POLICY

Accepted: April 21, 2020

**Town of Charlton
Emergency Face Covering and Unauthorized Access Policy
Pursuant to the Declaration of Emergency adopted March 18, 2020 and policy
adoption on April 21, 2020**

Introduction

The Town of Charlton is adopting this emergency policy in response to the unprecedented public health emergency related to the novel coronavirus and its related disease, COVID-19 in an effort to protect its valued employees. This policy is being issued in accordance with mandates issued by the Board of Health in line with current CDC Guidelines.

Duration

This policy is adopted as the result of the exigency created by the COVID-19 pandemic and following the Town of Charlton [Board of Selectmen] Declaration of Emergency on March 18, 2020. This emergency policy is in effect immediately. This policy shall remain in effect until a vote of the [Board of Selectmen] terminating the Declaration of Emergency or the further guidance is provided by the Board of Health and Town Administrator.

Policy

It is now required that all town hall employees wear a face mask while entering, leaving or socializing in the common areas of the town hall. Face masks are not required while conducting regular business in your respective office.

Additionally, outside personnel will not be permitted to enter the town hall unless authorized by the Town Administrator for essential purposes. Any in-person interaction with outside personnel will be conducted outside of the building while following proper physical distancing guidelines.

Amendment

The Town shall reevaluate this policy frequently as the public health emergency evolves over time. The Town may make amendments to this policy from time to time with notice to the employees.

EMERGENCY MODIFICATION TO THE SICK LEAVE POLICY

Accepted: April 14, 2020

Town of Charlton Emergency Modification to the Sick Leave Policy Pursuant to the Declaration of Emergency adopted **March 18, 2020**

I. Introduction

The Town of Charlton is adopting this emergency modification to its sick leave policy in response to the unprecedented public health emergency related to the novel coronavirus and its related disease, COVID-19 in an effort to provide its valued employees with as much flexibility as possible to enable them to care for themselves and family members. In addition, the federal government has enacted legislation impacting sick leave in response to the COVID-19 pandemic, known as the Families First Coronavirus Response Act (“FFCRA”) effective April 1, 2020. This emergency policy incorporates the new federal law requirements and extends the application of ordinary sick leave to situations not expressly covered by the FFCRA sick leave requirements.

The Town recognizes that its employees will be impacted by this public health emergency in numerous ways, including but not limited to the following: the employee may become symptomatic; the employee may be subject to quarantine due to exposure to a symptomatic individual; the employee may need to care for children due to the closure of schools and childcare centers; the employee may need to care for an adult family member who is sick, under quarantine, in isolation or otherwise unable to care for themselves as a result of the COVID-19 pandemic. This policy attempts to address as many iterations of the impact, but recognizes that unforeseen situations may arise necessitating a case-by-case determination consistent with the stated goal of extending flexibility to its employees.

II. Duration

This policy is adopted as the result of the exigency created by the COVID-19 pandemic and following the Town of Charlton [Board of Selectmen] Declaration of Emergency on March 18, 2020. This emergency policy is in effect immediately. This policy shall remain in effect until a vote of the [Board of Selectmen] terminating the Declaration of Emergency or the expiration of the FFCRA, now scheduled to expire on December 31, 2020 whichever is later. Upon termination of this policy, this policy shall not create a past practice or precedent.

III. Amendment

The Town shall reevaluate this policy frequently as the public health emergency evolves over time. The Town may make amendments to this policy from time to time with notice to the employees and their designated representatives for collective bargaining purposes.

IV. UTILIZATION OF LEAVE from 3/20/20 - 4/1/20

- a. Employees absent due to the COVID-19 pandemic will utilize paid time off in the following manner:
 - i. Sick time exhaustion- Employees shall utilize paid sick time first. The Town during this pandemic shall allow sick time to be utilized for care of a family member and/or childcare.
 - ii. Other paid time off exhaustion- Employees shall then utilize other paid time off such as personal and/or vacation time.

V. FFCRA: After 4/1/20, Employees are Eligible for FFCRA Leave

This does not apply to emergency responders and/or essential public health and safety personnel as listed in the Attachment A to this Policy. These employees are not eligible for FFCRA leave.

Under FFCRA, all full-time employees will be entitled to **two weeks (80 hours)** of emergency paid sick leave (hereinafter “FFCRA sick leave”). Part-time employees are granted FFCRA sick leave equivalent to their average hours worked in a two-week period. FFCRA sick leave is granted regardless of an employee’s actual available ordinary sick leave as a separate benefit. Employees who cannot work or telework may elect to be paid FFCRA sick leave if the employee is:

1. subject to a coronavirus quarantine or isolation order;
2. has been advised by a health care provider to self-quarantine due to coronavirus concerns;
3. is experiencing symptoms of coronavirus and is seeking a medical diagnosis;
4. is caring for an individual described in (1) or (2) above;
5. is caring for a child whose school or place of care is closed, or the childcare provider of the child is unavailable, due to coronavirus precautions; or
6. is experiencing any other substantially similar condition specified by Human Health Services (“HHS”) in consultation with the Treasury and Labor Departments.

FFCRA sick leave under categories 1, 2, or 3, entitles employees to their regular rate of pay, up to \$511 per day and \$5,110 in total.

FFCRA sick leave under categories 4, 5, or 6, entitles employees to receive two-thirds of their regular rate of pay, up to \$200 per day and \$2,000 in total.

VI. UPON EXHAUSTION OF FFCRA LEAVE

If an eligible Employee elects FFCRA, upon exhaustion of FFCRA leave, Employees absent due to the COVID pandemic shall utilize paid time off in the following manner:

- i. Sick time exhaustion- Employees shall utilize paid sick time first. The Town during this pandemic shall allow sick time to be utilized for care of a family member and/or childcare.
- ii. Other paid time off exhaustion- Employees shall then utilize other paid time off such as personal and/or vacation time.

VII. EXHAUSTION OF ALL PAID TIME OFF AND FFCRA LEAVE

In the event all leave is exhausted, Employees absent due to the COVID-19 pandemic shall notify Human Resources. The Town will allow borrowing against accruals for FY21.

VIII. MODIFIED TOWN SICK LEAVE POLICY

Employees shall notify their supervisor of any absence by phone or email as promptly as possible.

The supervisor shall inquire as to whether this absence is related to COVID-19 and, if so, a description of how it is related to COVID-19. The supervisor shall notify Human Resources in writing of the reason for the absence including a description of the relationship to COVID-19 so that a determination can be made as to the category of FFCRA that may cover the absence, if any.

An employee entitled to FFCRA sick leave may elect to use any ordinary sick leave to which they are entitled or elect to use FFCRA sick leave after 4/1/20.

If the employee is eligible for FFCRA sick leave and chooses to elect to use FFCRA sick leave initially, upon exhaustion of FFCRA sick leave, the employee will then be eligible to use their ordinary sick time, if any, until exhausted. Thereafter, any other available paid time off may be used by the employee as described above.

ATTACHMENT A

1. Police Officers
2. Fire Fighters
3. EMS employees
4. Dispatchers
5. Public health nurses

EMERGENCY PERSONNEL COVID-19 EXPOSURE PROTOCOL

Accepted: April 9, 2020

Town of Charlton Emergency Personnel COVID-19 Exposure Protocol During the Coronavirus Emergency 2020

I. Purpose & Applicability

This policy aims to dictate the protocol that the Town of Charlton (“Town”) will follow in the event that emergency personnel are exposed in the line of duty to an individual who is infected with COVID-19. “Emergency personnel” includes police, fire, EMS and dispatchers.

II. Duration

This policy is effective as of April 9, 2020. The Town reserves the right to terminate or amend this policy due to changes in State or Federal legislation. If legislation is passed entitling police or fire personnel to take leave under G.L. Ch. 41 § 111F for COVID-19 related reasons, this policy will be terminated. If no such legislation is passed, this policy will terminate upon a vote of the Board of Selectmen terminating the Declaration of Emergency. This policy shall not create a past practice or precedent.

III. Protocol

If emergency personnel is exposed to COVID-19 while in the line of duty without proper personal protective equipment as required by medical direction and/or Board of Health Director, the employee will be put on paid administrative leave (COVID Admin leave) for 14 days for the purposes of self-quarantine. During this time, the employee will receive their regular wages and will not be charged sick time or other paid time off. After 14 days, the Town will make a determination of whether the individual will continue to be on paid administrative leave, or if they will be charged sick time or other paid leave for any additional days that they are unable to work due to their exposure to COVID-19 in the line of duty.

EMERGENCY REASSIGNMENT OF DUTIES POLICY

Accepted: April 14, 2020

Town of Charlton Emergency Reassignment of Duties Policy Pursuant to the Declaration of Emergency adopted March 18, 2020

I. Purpose

This policy aims to dictate the terms by which Town of Charlton employees may temporarily be reassigned to perform essential duties for the Town, outside of the duties of their current position. The Town, and the United States of America generally, are experiencing an unprecedented public health emergency related to the novel coronavirus and its related disease, COVID-19. As such, the Town may reassign duties as necessary under these emergency circumstances in order to ensure the continuation of essential public health and safety functions.

II. Definitions

“Essential duties” are those that have been designated by the **Town Administrator/Board of Selectmen** as necessary for public health and safety and, the continuing operation of the Town. The Town Administrator/**Board of Selectmen** has continuing authority to modify the determination of which duties are essential, based on the evolving nature and length of the COVID-19 public health emergency.

III. Authority

The Town Administrator will work with Human Resources, Department Heads and/or other supervisors to determine which duties are essential duties for public health and safety, and the continuing operation of the Town. The Town Administrator will work with Human Resources, Department Heads and other supervisors to continually review and evaluate which duties are essential as this public health emergency evolves.

IV. Protocol

Employees who are reassigned to complete essential duties will be notified by Human Resources, their Department Head or their supervisor. Employees will only be reassigned to duties that are within their current work classification. For example, clerical workers will be reassigned to perform essential clerical duties, and laborers will be reassigned to perform essential labor duties.

Department Heads or supervisors will provide employees with specific instructions regarding the completion of reassigned duties. Employees who are reassigned to perform essential duties are expected to perform these new duties until they are notified by Human Resources, their Department Head or their supervisor.

EMERGENCY STAFFING OPERATIONS PROCEDURE

Accepted: April 14, 2020

Town of Charlton Emergency Staffing Operations Procedure

This policy is being enacted as part of the Town of Charlton's emergency declaration and as a response to the growing need to protect public health and prepare town staff and systems to maintain essential functions.

1. **Applicability:** The following policy is retroactive to Tuesday, March 17, 2020 and continue until lifted by the Board of Selectmen. The policy applies to all non-union and clerical union employees of the Town of Charlton.
2. **Facilities Access:** All Town buildings shall be **closed to the public**, however they will **remain open for Town staff as described below**. Members of the public seeking Town Hall assistance will need to contact (by phone or email) departments with requests. Department Heads shall develop a system by which their phones ring to a regularly monitored phone in the possession of clerical staff as assigned by the department head or a mailbox which messages are regularly checked, to ensure that they are being received and acted on. In the interim, any requests that can be fulfilled online or by mail shall be fulfilled in that fashion. If an employee is unsure what is or isn't an urgent request, please refer it your Department Head.
3. **Updating Contact Information:** Department Heads should verify employees' most up-to-date personal contact information in the event of need for emergency contact.
4. **Mail:** The Town Administrator's Office, will sort and place departmental mail in the respective mail slot in the temporarily established mail room in the Board of Selectmen Meeting Room. Each department is responsible to designate an employee who is able to check their mail slot on a daily basis, excluding weekends and holidays. Departments may work cooperatively with each other to merge resources.
5. **Telecommuting Categorization:** Personnel may be directed to telecommute partially or completely, unless otherwise dictated by this policy. Prioritization for telecommuting duties will follow the following categorization:
 - a. **Fully on-site** - These employees' job functions are not conducive to telecommuting and in order to provide continuity of services during the declared emergency, are expected to be physically present unless otherwise specified by their Department Head or Town Administrator.
 - b. **Partially off-site** - These employees will be providing critical continuation of services during the declared emergency with telecommuting as the primary modality of work, with some physical presence required at times when workflow needs arise.
 - c. **Fully off-site** - These employees will assist in continuity of services during the declared emergency, but should do so from home. Department Heads will be directing workflow for these employees during this period in order to maximize the Town's ability to return to normalcy at the end of the declared emergency and to meet work product requirements dictated by existing contracts, deadlines or other project needs. Employees may come into work for a brief period of time as the need arises for assisting in their off-site work. (e.g. picking up a document).
6. **Responsiveness:**
 - a. If an employee is working collectively with other employees, it is expected that the employees respond to each other immediately or schedule working blocks to make communication easier.
 - b. If an employee is working on a solo task and needs assistance from another employee, please respond in a timely fashion or communicate a time when you can assist them so that they can appropriately prioritize their time.

- c. Urgent questions will use phone calls or text messages. Emails are fine for all other communications. Employees are encouraged to communicate whenever they have questions or information to share.
 - d. Employees may be required to check in with their supervisor by phone call or video conference.
7. **Productivity measures:**
- a. Video conferences in the morning are strongly recommended to all Department Heads with staff telecommuting and throughout the day as needed. Phone conferences are also acceptable to ensure continuity of staff operations.
 - b. Employees must log accurate hours on Town issued timesheet. All breaks shall be accurately logged. Lunch period is 30 minutes.
 - c. All employees should turn in a daily report on accomplishments (2 -3 sentences) to their supervisor throughout the duration of this emergency.
 - d. The Department Head will compile these reports and send a weekly statement to the Town Administrator.
8. **Positions/Assignments/Work Duties/Shifts:**
- a. During a pandemic, employees may be reassigned or transferred to a different position, shift, work location/worksites as deemed necessary in order to maintain as many services as possible and mitigate the declared emergency. Such shifts will only happen as part of an informed discussion with each Department Head and employee.
 - b. More than ever, employees are expected to assist with other duties as assigned during these unique circumstances.
 - c. Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using the Town's standard timesheet form.
 - d. Throughout the duration of the emergency there will be no accrual of overtime hours, unless documented in writing by the employee's Department Head. Failure to comply with this requirement may result in disciplinary action, up to and including termination.
9. **Remote Access Infrastructure:** The Town will be providing all personnel eligible to telecommute with the required digital access resources commensurate with the job functions being discharged on a case-by-case basis.
10. **Security:** Consistent with the Town's expectations of information security for employees working at the office, employees telecommuting will be expected to ensure the protection of Town information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.
11. **Flexible Staffing:** To the extent needed, the Town may require the temporary shifting of workloads of limited staff members in order to meet the goals of mitigating the declared emergency. Such shifts will only happen as part of an informed discussion with each Department Head and employee.
12. **Employee Payment & Use of Time Off:** All employees will continue to be paid on a regular schedule during the declared emergency, without a requirement to use personal time off allotments, regardless of telecommuting categorization or health status, through May 4, 2020, at which time the policy will be re-evaluated. Employees eligible for telecommuting are expected to be in continuous communication with their supervisors regarding assigned workflow and be on-call during all regular work hours should the need arise for their services at municipal facilities. Employees who are unavailable to be on call or report on remote work due to travel or personal commitments will be required to use Vacation or Personal time.

This policy is subject to change at any time by a vote of the Board of Selectmen. Any questions on this policy should be directed to Town Administrator Andrew Golas or Interim HR Director Lynn Dyer.

REMOTE WORK AND TELECOMMUTING POLICY

Accepted: April 14, 2020

Town of Charlton Remote Work & Telecommuting Policy During the Coronavirus Emergency 2020

I. Purpose

This policy aims to dictate the terms by which Town of Charlton (“Town”) employees may temporarily work remotely/telecommute when approved by the Town. The Town, and the United States of America generally, are experiencing an unprecedented public health emergency related to the novel coronavirus and its related disease, COVID-19. As such, the Town may grant certain employees or those employees who hold certain positions the option to work remotely on a temporary basis. This privilege shall be evaluated frequently as the public health emergency evolves over time.

II. Definition

Telecommuting is a work arrangement in which some or all of the work is performed off-site at a remote work site such as the home or in office space near home. Communication may be by one of several means, such as phone or laptop computer. The equipment utilized while working remotely may be owned and maintained by the employee or by the Town.

III. Authority

The Town Administrator will work with Department Heads and/or supervisors to determine the feasibility of a specific employee or position’s ability to work from home. The ultimate authority to allow an employee to work remotely is held by the Town Administrator or his/her designee. Each employee allowed to work remotely must follow the appropriate procedure and sign an agreement dictating the parameters of their individual grant to telecommute.

IV. Procedure

Employees who wish to work remotely must follow the procedure outlined below:

1. An employee wishing to work remotely must submit a request to their Department Head. Department Heads shall work with the Town Administrator or his/her designee to determine whether to grant each request.
2. If approved, the employee will be presented with a telecommuting agreement that they must review and sign before remote work can begin. If denied, the employee will receive written confirmation of said denial.
3. Once the agreement is signed by all parties, the employee shall be given a copy of the signed agreement. All employees should be aware that telecommuting agreements are subject to change as the coronavirus emergency changes over time.
4. Any questions that arise through the duration of the remote work arrangement shall be directed to the Town Administrator or his/her designee.

Please note that the utilization of sick, vacation, personal or other paid leave are subject to all normal procedures. Employees who wish to use said paid leave should request it according to existing Town policies or controlling collective bargaining agreements.

RETURN TO WORK PROTOCOL DURING CORONAVIRUS/COVID-19 EMERGENCY

Accepted: April 14, 2020

Town of Charlton Return to Work Protocol During Coronavirus/COVID-19 Emergency

I. Purpose

In response to the public health emergency related to the novel coronavirus and its related disease, COVID-19, the Town of Charlton (“Town”) is providing this protocol for all those experiencing symptoms or who have tested positive for COVID-19. This protocol aims to establish a procedure for employees as they prepare to return to work.

This policy mirrors the Centers for Disease Control’s (CDC) Guidelines for return to work for healthcare workers who have experienced symptoms or who have tested positive for COVID-19.

II. Procedure

For employees who have tested positive for COVID-19 and plan to return to work, the employee may not do so until they meet **ALL** of the following criteria before returning to work:

- a. Resolution of fever without the use of fever-reducing medications; **and**
- b. Improvement in respiratory symptoms (e.g., cough, shortness of breath); **and**
- c. Negative results of COVID-19 tests from at least two consecutive nasopharyngeal swab (nasal swab) specimens collected 24 hours apart (**total of two negative tests**).

For employees who have exhibited symptoms of COVID-19 but have **not received a positive test**, said employee must meet **ALL** of the following criteria before returning to work:

- a. At least 3 days (72 hours) have passed since recovery defined as resolution of fever without the use of fever-reducing medications and improvement in respiratory symptoms (e.g., cough, shortness of breath); **and**
- b. At least 7 days have passed **since symptoms first appeared**.

III. Reporting

The criteria listed above for employees who have tested positive for COVID-19 and all those experiencing symptoms without a positive test shall be reported to the Human Resources prior to said employee’s return to work. **Please note:** the above criteria are based on CDC guidelines and are subject to change as the public health emergency continues to develop. Any changes to these criteria, or protocol in general, shall be communicated to the affected employees as soon as practicable.