



TOWN OF HANOVER
BOARD OF SELECTMEN
550 HANOVER STREET, SUITE 29
HANOVER, MASSACHUSETTS 02339
781-826-5000 ext. 1084

Brian Barthelmes, Chairman
Susan Setterland, Vice-Chair
Robert O'Rourke
David Delaney
John Tuzik

SPONSORSHIP/DONATION POLICY

POLICY # 17-01

Statement of Policy

The Hanover Board of Selectmen greatly appreciates offers of gifts, donations, sponsorships, and bequests, and further recognizes the importance of charitable giving to the well-being and future of the Town. In accepting or declining any such gift, the Board as a public entity, must make decisions that are in the best interest of both the Department and the community it serves.

This policy sets the standards, guidelines and approval criteria for solicitation, consideration and acceptance of sponsorships and donations. This policy is designed to protect the mission, image and values of the Town, to protect the image and value of its facilities and services, to protect the Town from risk and to uphold the Town's stewardship role to safeguard Town assets and interests. No financial or in-kind support shall be approved that will compromise or damage the public trust or conflict with or compromise the Town's reputation, mission, image, values or aesthetic interests.

Solicitation of Sponsorships and Donations

No departments, boards, or committees shall solicit gifts or donations on behalf of the Town without the prior approval of the Town Manager.

All proposals for solicitation of sponsorships, monetary or non-monetary gifts or donations shall be submitted in writing to the Town Manager and contain the following:

1. Statement of purpose for the solicitation
2. Funding goal
3. Target audience for solicitation
4. For capital project donations; the plan for funding ongoing maintenance
5. For non-monetary gifts; expected life of item and any operational or maintenance cost

Solicitations valued at greater than \$5,000.00 require approval of the Board of Selectmen.

1-1 Sponsorships

The purpose of this Section is to establish a procedure for the acceptance of sponsorships to the Town. This procedure will ensure an open and fair public process for soliciting and considering sponsorship opportunities. It provides the Town of Hanover with full and final decision making authority on any sponsorship opportunity, thus protecting its integrity and the integrity of its facilities and services.

The Town will seek sponsors that further the Town's mission by providing monetary or in-kind support for the Town in a manner that respects the noncommercial nature of Town property and services. Therefore, the Town permits certain sponsorship of certain Town property, facilities, events, activities, programs and services (collectively 'facilities and services') in limited circumstances. The Town maintains its sponsorship program as a nonpublic forum and exercises sole discretion over who is eligible to become a sponsor.

Whenever possible, sponsorships should be linked to a specific Town facility or service. The Town will neither seek nor accept sponsors that manufacture or provide services or products or take positions inconsistent with local, state or federal law or with Town policies, positions or resolutions. The establishment of a sponsorship does not constitute an endorsement by the Town of the sponsor, its organization, products or services.

1-2 Definition of Sponsorship

‘Sponsorship’ is financial or in-kind support from an outside person or entity, including other governmental or quasi-governmental organizations, (collectively “outside entity”) to associate outside entity’s name, logo, products or services with a Town facility or service. Sponsorship is a business relationship in which the Town and the outside entity exchange goods, services and/or financial remuneration for the public display of an agreed-upon sponsorship recognition message.

1-3 Authority Levels to Approve Sponsorships

The Town possesses sole and final decision-making authority for determining the appropriateness of a sponsorship. The Town shall act through its Town Manager, or designee(s) on financial or in-kind support up to \$5,000. All sponsorships over \$5,000 require Board of Selectmen approval. The Town has and reserves the right to refuse any offer of funds. All offers of sponsorships will be reviewed in accordance with this policy.

Each Department Head, in consultation with the Town Manager, shall be responsible for determining the facilities and services for which his or her department is responsible that are suitable for sponsorship (‘eligible facilities and services’).

The Town Manager may adopt a standard procedure by which sponsorships are sought, considered, and approved.

1-4 Sponsorship Term

Note: All procurement relevant to sponsorships must comply with Massachusetts General Law Charter 30B the Uniform Procurement Act.

Town Meeting Approval Required:

Offers of sponsorship that are for terms of more than three years shall require the approval of the Town Meeting.

Town Manager Approval Permitted:

Offers of sponsorship that are for terms of up to three years may be approved by the Town Manager (referred to hereafter as ‘Manager’). The Manager may refer any proposed offer of sponsorship or Sponsorship Agreement within the Manager’s authority level to the Board of Selectmen for approval.

1-5 Public Access to Sponsorship Opportunities

Public access to information about sponsorship opportunities is important:

1. To create an open and fair process and to protect against disputes related to sponsorships that are category exclusive;
2. To market available sponsorship opportunities in an open and efficient manner allowing both the potential sponsor and the Town to negotiate efficiently.

Unless other provisions are made by standard procedure, each department with sponsorship opportunities should endeavor to make information about potential sponsorship opportunities available through the Town's website and other appropriate means.

1-6 Criteria for Review of Sponsors and Offers of Sponsorship

No potential sponsor and no offer of sponsorship will be approved that might compromise the public trust or the public's perception of the Town's ability to act in the public interest, or that the Town deems might have a negative impact on its mission, image or values. The Town also intends to preserve its right and discretion to exercise full editorial control over the placement, content, appearance, and wording of all sponsorship recognition messages. The Town may make distinctions on the appropriateness of sponsors on the basis of the sponsorship recognition message but not on the potential sponsor's viewpoint.

Sponsorships and outside entities that the Town deems to be unsuitable for the specific audience or contrary to the community standards of appropriateness for the facility or service, are prohibited, including the following subject matters:

1. Alcoholic beverages, and establishments that are licensed to sell and primarily do sell alcoholic beverages, including bars; provided, however, that food service establishments or places of lodging may be authorized as sponsors only when the sale of alcohol is incidental to providing food service or lodging. Limited sponsorships that include alcohol pouring rights may be considered for events or facilities at which alcoholic beverages are sold.
2. Tobacco products.
3. Political and policy issues, candidates and campaigns.
4. Profanity, obscenity and hate speech.
5. Sexually oriented products, activities, or materials.
6. Depiction in any form of illegal products, activities or materials.
7. Any message that may adversely impact the mission, image and values and goals of the Town.

The following criteria shall also be considered in evaluating every offer:

1. The extent and prominence of the sponsorship recognition message.
 2. The aesthetic characteristics of the sponsorship recognition message.
 3. The importance of the sponsorship to the mission, values and image of the Town.
 4. The level of support proposed to be provided by the sponsor.
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5. The cooperation necessary and degree of support from other Town departments to implement the sponsorship.
6. The value of the resources that is provided to the Town in fulfilling its overall mission.
7. Other factors that might affect or undermine the public trust or public confidence in the Town's impartiality or interfere with the efficient delivery of Town services or operations, including, but not limited to, the existence of, or possibility for, conflicts of interest between the sponsor and Town officers, employees, or Town affiliates; the potential for the sponsorship to tarnish the Town's reputation or standing among its citizens, or the potential to otherwise impair the ability of Town to govern its citizens, or distract the Town and its officers and employees from its mission.

1-7 Potentially Acceptable Recognition Message Formats

Generally used forms of branding and advertising including, but not limited to, those set forth below are consistent with this policy:

- Field and building, in accordance with this policy;
- Signage including:
 - Fencing fabric and/or fence signage
 - Light pole and building banners
 - Certain interior walls
- Scoreboards
- PA audio and visual messages;
- Inclusion on printed materials of the Town;
- Inclusion on Town maintained facility web-pages;
- Inclusion on bulletin boards;
- Inclusion on information kiosks;
- Inclusion on pavers or other similar permanent fixtures;
- TV Shows;
- Inclusion in or on a facility or service marketing and promotional materials, items, and messages (including electronic messages, new media and other forms of communication that may arise in the future).

1-8 Permissible Recognition Messages

Sponsorship recognition messages may identify the sponsor or product, including the use of sponsor or product logos and marks, but should not promote or endorse the sponsor or its products or services. Except as otherwise permitted herein, statements that advocate, contain price information or an indication of associated savings or value, request a response, or contain comparative or qualitative descriptions of products, services, or organizations will not be accepted.

Other proposed forms of sponsorship recognition messages, other signage and other visible advertising will be considered on a case by case basis, consistent with this policy.

1-9 Which Sponsorship is Prohibited

Naming rights are reserved exclusively for Town Meeting approval, per Town of Hanover General By-laws *III, Town Meetings and Procedures, 3-2 Procedures at Town Meetings, Section 17*.

1-10 Sponsorship Agreement

Upon approval of an offer of sponsorship, the sponsor and Town shall enter into a Sponsorship Agreement.

The Town will not make any statements that directly or indirectly advocate or endorse a sponsor, their products, or services.

No materials or communications, including, but not limited to print, video, internet, broadcast, or display items developed to promote or communicate the sponsorship using Town's name, marks, or logo, may be issued without written approval from the Town Manager or designee(s).

2-1 Donations

The purpose of this section is to establish procedures for the acceptance of donations to the Town.

2-2 Definition of Gift or Donation

'Gift or Donation' — The terms "gift" and "donation" shall be synonymous and may be a monetary contribution and/or equipment, in-kind goods or services which a Town department or the Town has accepted and for which the donor has not received any goods or service in return.

2-3 Acceptance of grants or gifts of funds

All grants or gifts of funds donated to the Town shall be accounted for in accordance with Massachusetts General Law Chapter 44 Section 53A "Grants and gifts; acceptance and expenditure".

Chapter 44, Section 53A of the General Law provides:

- For the acceptance of gifts or grants of funds by a Town officer or department (committee or board also)
- For the deposit of the funds with the Town Treasurer
- For the expenditure of funds for the specific purpose of the gift without further Town Meeting appropriation, subject to the approval of the Board of Selectmen

The Town Manager, Department Heads, Committees, and Boards may accept gifts or grants of funds up to \$5,000. The Town Manager will announce the receipt of these donations at a public meeting of the Board of Selectmen. Gifts or grants of funds over \$5,000 must be accepted by the Board of Selectmen.

All cash gifts shall be deposited with the Treasurer and held as a separate account and shall be accompanied by an explanation of the donation's purpose.

Funds may be expended for the purposes of the donation with the approval of the Board of Selectmen.

2-4 Acceptance of Gifts: tangible personal property

All gifts of tangible personal property donated to the Town shall be accounted for in accordance with Massachusetts General Law Chapter 44 Section 53A ½.

Donations of tangible personal property, equipment, materials, and/or in-kind services can be accepted by the Town Manager if values are under \$1,000. Equipment or in-kind services or materials valued over \$1,000 by the donor must be accepted by the Board of Selectmen.

The Town Manager may, use said gifts, without specific appropriation thereof, for the purpose of such a gift or, if no restrictions are attached to the gift, for such other purposes as it deems advisable.

2-5 Acceptance or Rejections Guidelines

Staff shall work with the donor to assure that restrictions are reasonable and do not leave the donor with unrealistic expectations. The following are criteria which may be applied in determining if a donation is appropriate for acceptance:

1. Is the use of the item or money for a designated purchase consistent with existing Town policy and department/Town goals?
 2. Do restrictions upon the use of the item or funds make it impractical to accept?
 3. Do restrictions on disposal or retention of the item or funds make it impractical to accept?
 4. Is required accounting for the item or funds excessively difficult?
 5. Would equipment require extensive repair or maintenance, and if so, is maintenance support available?
 6. Does use of equipment or materials require the purchase of additional items to be useful?
 7. Does acceptance of funds, equipment or in-kind services or materials present a conflict of interest for the Town or its employees? Regardless of the value of the donation, if the donor is a contractor, potential contractor or if there is reason to believe there may be a conflict of interest, then the Town Manager will provide a written determination explaining if the gift should be accepted, rejected or submitted to the Board of Selectmen for approval.
 8. Will the donation result in an increase to the Town's budget? Recipients must bear in mind that donations are to be considered one-time supplements to departments and should not be used to develop new programs or services which would require budget supplements from the Town in the current or subsequent years, without concurrence from the Board of Selectmen.
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3-1 Reporting/Record Keeping

1. The Town Manager shall maintain a listing of all Sponsorships and gifts that includes at a minimum:
 - a. Donor/Sponsor name, description of gift or sponsorship, and intended use.
2. The Town Manager shall establish procedures for the Department Head, or Town Manager to acknowledge each gift by letter, thanking the donor for the gift.

This policy shall not apply to gifts for educational purposes donated to the Hanover Public Schools.

The Hanover School Committee has adopted the provisions of Massachusetts General Law Chapter 71, Section 37A as stated the in School Committee Policy – Public Gifts to the Schools dated June 8, 2006

Effective Date: January 30, 2017

Board of Selectmen



Brian E. Barthelmes, Chairman



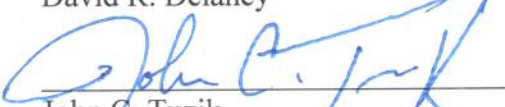
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