

# TOWN OF HANOVER



## SELECT BOARD

## POLICIES AND PROCEDURES

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## Select Board Policies and Procedures

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**Section 1: General Provisions Governing all Policies**

**1-1. Consolidation of Policies (December 17, 2018)**

All policies and procedures of the Select Board shall be consolidated into a single document with a table of contents. Each entry in the table of contents shall include the date when the Board most recently approved the associated content.

## **Section 2: Select Board Operations**

### **2-1. Select Board Operating Policies and Procedures (April 27, 2015)**

#### 1. Purpose

The Select Board of the Town of Hanover, recognizing the need to codify the traditional and accepted working relationships among the members of the Board, between the Board and the Town Manager, and between the Board, other Town Boards, committees, officials, employees, and citizens, hereby creates the Select Board Operating Policies and Procedures.

#### 2. Election and Qualification

The Board shall consist of five duly elected members. Before assuming official duties, each newly elected member shall be sworn to faithful performance of official duties and responsibilities by the Town Clerk.

#### 3. Organization

The Chairperson shall be elected annually at the first regular meeting following the Annual Town Election. The Board at any time may remove the Chairperson by a majority vote. The immediate past Chairperson shall preside as Chairperson pro temp until the Chairperson is elected. If there is no immediate past Chairperson, the immediate past Vice-Chairperson shall preside. If there is no immediate past Vice-Chairperson the member with the most seniority on the Board shall preside.

If a vacancy occurs in the office of Chairperson, the Board shall elect a successor. The Board shall further appoint a Vice-Chairperson under the same provisions stated for the Chairperson.

#### 4. Chairmanship

Although the Select Board retains the right to reorganize at their discretion, this Policy establishes the guideline of an annual rotation of the Chairperson position. It is also the intent of this Policy to not have a Board member serve as Chairperson in the final year of their term. However, the Board retains the right to elect any member of the Board to serve as Chairperson.

#### 5. Responsibilities of the Chairperson

The Chairperson of the Board shall:

- a. Be responsible for calling regular, emergency and Executive Session meetings of the Select Board, as needed.
- b. Preside at all meetings of the Select Board. In doing so, he/she shall maintain order in the meeting room, recognize speakers, call for votes and preside over the discussion of agenda items.

- c. Sign official documents that require the signature of the Chairperson.
- d. Represent the Board at meetings, conferences and other events determined by the Board or delegate to another Board member.
- e. Serve as spokesperson of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated to another member.
- f. Recommend liaison assignments and assigns overview responsibilities for projects and tasks to Board members. The final decision on liaison assignments is by a majority of the Board members.
- g. Nominate Board members to Board Sub-Committees. Final appointment is by a majority of the Board members.

6. Responsibilities of the Chairperson

The Chairperson of the Board shall:

- a. Act in the place of the Chairperson during his/her absence at meetings.
- b. Should the Chairperson leave office, the Vice-Chairperson shall assume the duties and responsibilities of the Chairperson until the Board elects a new Chairperson.

7. Select Board Liaisons

The purpose of establishing Select Board liaisons to the various Departments is to maintain good communication and effective working relationships between other Boards, Committees and Commissions and the Select Board.

Liaison assignments shall be established by the Select Board on a yearly basis.

It is the Select Board's intention that every Board, Committee or Commission will have an assigned Select Board liaison each year.

Select Board Liaisons shall:

- a. Attend as many meetings of the Board, Committee and Commission as possible.
- b. Assist the Board, Committee or Commission where there is a problem with attendance of any member.
- c. Act as a resource person for the liaison Board, Committee or Commission regarding Selectpersons' issues.
- d. To particularly understand and communicate to the full Select Board issues which affect budgets and other areas of concern of the Board, Committee or Commission.

Select Board as a whole, by majority vote shall:

- a. Approve overall goals, objectives and policy setting for the Town to be discharged by the Town Manager within the constraints of the Hanover Town Manager Act, another applicable local Bylaws and Federal and State statutes and regulations.
- b. Select the Town Manager and establishes the rate and manner of compensation. The Town Manager serves as the equivalent of the Chief Executive Officer for the Select Board with the ultimate authority and responsibility for the operation and the management of the Town, under the direction and control of the Select Board. Except for actions contrary to decisions or written policies made by the Select Board as a whole, the Town Manager is authorized to take whatever actions are required to operate and manage the Town. The Town Manager is the designated representative for the Select Board regarding collective bargaining negotiations. The Town Manager may utilize other Town personnel as needed to carry out these responsibilities.

Serve as an appeal body for residents on matters arising from the Select Board's operations.

- c. Approve:
  1. The Annual Report of the Select Board.
  2. All correspondence on Select Board letterhead that is written by the Board to other elected or appointed Boards or Committees.
  3. All collective bargaining agreements. Also establishes the goals and objectives for the Town Manager to meet in bargaining new or amended collective bargaining agreements.
  4. All presentations made by the Select Board to other elected Boards or Committees.
  5. Initiation of litigation or its settlement.
  6. The appointment of members to Boards, Committees or Commissions under the jurisdiction of the Select Board or as authorized by Town Bylaws or the Town Manager Act.
- d. Select Board Subcommittees: Subcommittees serve as a mechanism for the Board to review and consider specific issues. Subcommittees may recommend, but not approve, a course of action to the Board.

## 8. Town Manager Evaluation

A comprehensive performance evaluation will take place at least annually. The annual evaluation may be used as the basis in determining any merit based increase or bonus for the Town Manager. However, the result of the annual performance review does not obligate the Board to grant a merit increase or bonus.

- a. The performance evaluation period will run from April 1st to March 31st.



If a Town Manager is hired during the performance evaluation period, the evaluation will still be conducted by March 31st provided the Town Manager has been in the position a minimum of six months.

- b. The Select Board will establish a schedule to complete the Town Manager Evaluation and vote on any salary increase or bonus prior to the annual Town election.
- c. Prior to June 30th, the Board shall:
  - Review & update the Select Board and Town Manager goals for the next fiscal year.
  - Review and update the criteria that the Town Managers performance will be evaluated on for the next fiscal year.

## 9. General Operating Policies

It is the policy of the Select Board:

- a. To operate in accordance with the spirit, as well as the letter of all laws affecting its business and its employees.
- b. All Board members, members of Boards, Committees and Commissions appointed by the Select Board, Town staff and employees are required to act with the highest level of integrity, business ethics and objectivity in any transaction where a Selectperson or employee represents the Select Board. No Selectperson or employee is allowed to misuse the authority or influence of their position.
- c. To operate in a businesslike and efficient manner in all aspects of operating and managing the Select Board.
- d. To be supportive of a good working relationship between management and employees including Unions.
- e. To hold regular open and public meetings to allow residents to provide direct input on any open session matter before the Board and to offer the opportunity at all regular sessions of the Select Board for residents to comment upon any issue that is on the agenda for that meeting.
- f. To affirmatively and courteously respond to all requests for public information. All requests will be arranged through the Town Manager.
- g. To advocate for the use of technology, training, personnel and flexible work and administrative processes to maintain an efficient municipal government serving the best interests of residents.
- h. To operate in the best interests of the Town in all matters.
- i. Refrain from the use of texting, emailing, and phone calls during meetings.

#### 10. Regular Board Meetings

Regular Board meetings are held on Mondays. The Board shall not meet on days designated as legal holidays. The Board may establish an alternative schedule by a majority vote.

#### 11. Special Meetings

A meeting called for any time other than the regular meetings shall be known as a “Special Meeting”. The same rules as those established for regular meetings will apply. Special meetings may be called provided that a majority of the members agree to meet and all Board members who are available are notified.

#### 12. Workshop Meetings

The Board may conduct informal “workshops” from time to time as the situation warrants. At such meetings, which will be posted in accordance with the Open Meeting Law, no official action will be taken.

#### 13. Executive Session

If practicable, Executive Sessions, other than a few minutes in duration will be scheduled only at the end of the open meeting. Only items clearly allowed under the Open Meeting Law shall be included in Executive Session. The mover must specify in the motion to enter Executive Session the reason the session is sought.

A majority of the members present must vote to enter Executive Session by roll call vote. The Chairperson must state whether or not the Board will reconvene into open session.

#### 14. Limit of Hours for Regular Meetings

The regularly scheduled meetings of the Select Board shall be limited by having discussion limited to agenda items taken up or tabled prior to 11:00 p.m. All remaining items will be deferred to a subsequent meeting. In order to facilitate the above policy efficiently, the Chairperson will:

- a. Limit the time of speakers from the floor especially during public hearings.
- b. Call for votes on major issues or policy changes prior to 11:00 p.m., or defer final vote to subsequent meetings
- c. Request staff to prepare motions for Board action in advance.

#### 15. Minutes

The Selectpersons’ secretary is responsible for preparing minutes of all Board meetings. Minutes shall contain a full statement of all actions taken by the Board and of the disposition of all proposals for action.

16. Declassifying Confidential Executive Session Minutes

In accordance with the provisions of the Open Meeting Law, Chapter 39, Section 23, the Town Manager, acting as clerk to the Select Board, will review approved confidential minutes of the Select Board's Executive Sessions on a regular basis. It is the intent of the Select Board to withhold minutes only for as long as the publication of the record would defeat the original purpose of a lawfully convened Executive Session.

At least once a month, the Town Manager will review all approved minutes still in confidential status, and will release for publication those segments that need not be confidential any longer.

This action will be part of a report on the "Town Manager Update" of the Select Board's meeting agenda.

17. Identification of a Person Addressing the Select Board

Each person appearing before the Select Board who wishes to speak will, upon recognition by the Chairperson of the Board, identify him/herself by name and address of residence. Failure to identify him/herself will result in the Chair withdrawing permission for that individual to speak to the Select Board.

18. Continuity of Business

It shall be the policy of the Select Board to conduct the business on its agenda at the meeting for which it is listed, unless a particular member of the Board is essential to the topic of discussion by virtue of special background or expertise, and is not able to be present at the meeting for which that item is listed.

19. Select Board Communication

It is important to the public and to the Select Board itself to make it clear when an individual member is speaking for the Board as a whole, or when he/she is speaking for him/herself as an individual. In order to ensure this clarity of communication, the following shall be the policy of the Select Board:

- a. Members of the Select Board shall be given a Town email account for their use. Board members shall use their Town email account for correspondence relative to Town business or matters. Correspondence of this type shall be copied to all of the other members of the Select Board and to the Town Manager. Any such correspondence shall state that the views expressed are those of that member of the Select Board only.
- b. The Select Board stationery, naming all five members of the Board, will be used only for correspondence from the full Select Board. This will be used to communicate positions of the full Select Board based on consensus of the full Board or based upon actually voted positions of the Board.

- c. The Select Board may take votes on recommendations on Warrant Articles appearing before Town Meeting, and the Chairperson of the Select Board or his/her designee will be responsible for communicating those recommendations to Town Meeting based on votes of the Board.
- d. If a Board member rises to speak at Town Meeting, he/she shall identify whether he/she is speaking for the full Board or as an individual.

In today's society, much of the correspondence to the Select Board is electronic, and often is copied to all members of the Board. The Select Board acknowledges that correspondence in electronic form that is made and/or received by it and its individual members are "public records". Additionally, the Select Board acknowledges that the manner in which it deals with electronic correspondence may raise concerns relative to the Open Meeting Law. The Board also feels it is important to ensure that a proper response is given to an email request.

Electronic correspondence will be handled in the following manner:

- a. Correspondence about a particular service that needs attention from Town staff. The Town Manager will respond to this electronic correspondence, with an electronic copy to all members of the Select Board, and this correspondence will be listed on the next Select Board agenda.
- b. Correspondence addressed to the Select Board expressing an opinion or comment on a matter before the Select Board. The Town Manager will respond to acknowledge this electronic correspondence, with an electronic copy to all members of the Select Board, and this correspondence will be listed on the next Select Board agenda.
- c. Correspondence addressed to the Select Board asking the Board for action on a particular matter. The Secretary to the Select Board (or designee) will draft a form letter, acknowledging the receipt of the correspondence, outlining that the Open Meeting Law prohibits the Select Board as a whole from commenting on the matter outside of a public meeting, and that the Board will consider at a future meeting whether to schedule agenda time on that matter.
- d. Acknowledging that it is possible that private one on one electronic communications may reach a quorum of members without the knowledge of all participants, members of the Select Board shall only comment in electronic form on any correspondence received by referring the matter to the Town Manager.
- e. Members of the Select Board may communicate electronically on housekeeping matters such as the scheduling, cancellation and time of meetings and requests to put matters on its agenda.
- f. Documents may be distributed via email from the Select Board to all members of the Town's boards, commissions and committees to permit advance review of materials to be discussed at upcoming meetings.

- g. The Board shall have as a resource an “Executive Dashboard” which is an electronic repository for all information provided by the Town Manager, including updates on weekly activities, personnel actions, and legal developments.

## 2-2. Warrant Articles (April 1, 2019)

### 1. Purpose:

The purpose of this policy is to provide guidelines for acceptance of articles for the Annual Town Meeting and Special Town Meeting warrants. This policy does not limit the Select Board's authority over the final content of the warrants. This policy is effective immediately.

### 2. Schedule:

The Select Board shall endeavor to open the Annual Town Meeting and Special Town Meeting warrants at the first meeting in December with the Annual Town Meeting warrant closing on January 25 at noon, or the following business day at noon if January 25 is not a business day, and the Special Town Meeting warrant closing on February 22 at noon, or the following business day at noon if February 22 is not a business day.

The Town Manager shall present draft warrant articles to the Select Board by the second meeting in December. The Select Board shall endeavor to identify any articles it may not support and notify the article sponsors by the first meeting in January to allow the sponsors the opportunity to resubmit the article as a petition article. The Select Board shall endeavor to vote on the content of the Annual Town Meeting warrant at the first meeting in February and of the Special Town Meeting warrant at the first meeting in March. The Select Board shall endeavor to vote motions and commentary no later than the first meeting in April.

### 3. Article Name and Listed Sponsor:

Articles should be submitted with a brief descriptive name (title) to aid in preparation of the warrant table of contents. If no name is provided, the Select Board will assign an appropriate name. Each article will list the sponsor(s) and each listed sponsor must provide written confirmation to the Select Board that they are a sponsor and have executed any necessary votes to be a sponsor.

### 4. Bylaw Amendments and Additions:

General Bylaw 4-20 establishes a Bylaw Review Committee and charges the Committee with holding public hearings to provide a forum for interested parties to engage in discussion and clarification of all proposed amendments or new additions to the existing Bylaws. In support of this charge, all proposed warrant articles that amend or make additions to the existing Bylaws should be submitted to the Bylaw Review Committee by December 1, or as soon thereafter as reasonably possible.

The Town Manager shall ensure that submissions to the Bylaw Review Committee comply with the Committee's guidelines and shall provide the guidelines to any person or entity interested in submitting a warrant article that amends or makes an addition to the existing Bylaws. The Town Manager shall assist the Bylaw Review Committee where needed, including by coordinating the scheduling of public hearings with the Committee Chair and interested parties, and by overseeing publishing of the required public hearing notices.

5. Additional Role of the Town Manager:

The Town Manager should, where possible, work to assist any potential sponsor. This assistance may include: explaining the process for submittal; connection to the Town Moderator for assistance in article draft language; connection to the Advisory Committee; and connection to any other relevant town entities such as the Bylaw Review Committee, Planning Board or others.

**2-3. Recognition (March 18, 2019)**

The Select Board endeavors to recognize the hard work and commitment of employees and volunteers who have made a substantial commitment to the Town. In furthering this goal, the Board shall issue Anchor Awards to all employees and volunteers at five-year service intervals. The Board shall include a listing of the Anchor Award recipients in the Annual Report of the Select Board.

The Board shall endeavor to approve employee recognitions at the second meeting in September for recognition at a public event in October. The Board shall endeavor to approve employee recognitions at the second meeting in March for recognition at a public event in April.

This policy does not limit the Board's authority to issue other recognitions and awards.



## **2-4. Flags and Signs on Town Property (September 14, 2020)**

### **1. Purpose**

This policy is intended to maintain the Town of Hanover's local government as an apolitical entity under the rules, laws, values, and ideals of the United States of America and the Commonwealth of Massachusetts.

### **2. Scope**

The only flags and signs authorized to be flown or placed on Town property are the American Flag, Massachusetts State Flag, Town of Hanover Flag, Hanover Schools' Flag, and the Military Flags at the Veterans Memorial. At the request of a department head, flags and signs not listed as authorized may be flown or placed on Town property for exceptional occasions, and for a limited period of time which shall be mutually agreed upon by the department head and Town Manager. Informational signs, (including electronic signage), related to health, safety, general welfare, opening and closing information, school/town events and ceremonies may be placed on Town property at the direction of department heads without the prior approval of the Town Manager. This policy does not pertain to commonly used emblems, such as but not limited to, police, fire, ambulance, and DPW logos and/or color schemes and selections used to identify apparatus and/or facilities.

## **2-5. Select Board Owned Land Disposal Policy (April 25, 2022)**

### **1. Purpose**

The purpose of this policy is to enact a standard set of procedures and criteria to be followed for the sale and disposition of vacant town-owned land controlled by the Select Board.

### **2. Pre – Evaluation**

- a. The Town of Hanover shall make available a master-list of all vacant town-owned land controlled by the Select Board on the Town website and at Town Hall.
- b. At the second Select Board meeting each October, the Town Manager will present the Select Board with a list of properties owned and controlled by the Select Board as potential candidates for disposal.
  - i. The Town Manager shall utilize the process laid out in §III & §IV of this policy when providing the Select Board with parcels as potential candidates for disposal.
  - ii. If the Select Board indicates, via majority vote, an interest in disposing of any of the properties presented by the Town Manager they shall commence the evaluation process as described in §III of this policy.

### **3. Evaluation**

- a. Requests from public bodies, individuals and entities shall commence with the formal submission of the Town of Hanover Land Disposition Request Form (attached).
- b. Once the evaluation form is submitted the Finance Director, Town Assessor, Town Planner, and Conservation Agent will review the request and submit a report and recommendation to the Town Manager.
- c. Upon receiving the reports and requests the Town Manager shall initiate a second review, if deemed appropriate.
- d. Upon completion of the review by the Town Manager all information related to the request shall be submitted to the Select Board and Board of Assessors.
- e. The Board of Assessors and Select Board shall hold a joint public hearing to consider the request.
- f. Notice of the dates, time and location of the public hearing shall be sent to the requestor and abutting property of owners within a 500' radius at least fourteen days (14) in advance.

4. Evaluation Criteria

- a. Assessed and market values of the property;
- b. Current and foreseeable Town or other public use of the property;
- c. Financial impact to the Town upon disposition or retention of property;
- d. Impact of sale and proposed use of the property on the abutting land owners and surrounding neighborhood;
- e. Alternatives to title transfer such as easements or lease;
- f. Environmental impact of proposed or current use;
- g. Restrictions that may be placed upon the property prior to sale, such as conservation restrictions, public access easements etc.;
- h. Other identified advantages and/or disadvantages of disposal.

5. Recommendation(s)

- a. During the Public Hearing, the Select Board and Board of Assessors shall (i) review the evaluation(s) completed by the Finance Director, Town Assessor, Town Planner, and Conservation Agent (ii) review the evaluation completed by the Town Manager if there is one (iii) consider additional information presented by the Requestor (iii) consider additional comments made by the public and other Town officials or public bodies (iv) consider any other information germane.
- b. Upon closing the Public Hearing, the Select Board and Board of Assessors shall make a formal recommendation and decision if the Request should be placed on the Annual Town Meeting Warrant.
- c. Outside of the process described in this policy, a Petition Article submitted in accordance with the Town Bylaws and Massachusetts General Laws could go to the Town Meeting voters for consideration without this formal review.

6. Land Disposal

- a. If Town Meeting voters provide the Select Board with the authority to dispose of Town owned land pursuant to this policy, a vote of the Select Board to dispose of the above-mentioned land shall be required in order for the disposal of the land to be finalized;
- b. If the Select Board votes to dispose of the land, pursuant to §VI(a) of this policy, the Town Manager and Chief Procurement Officer shall move forward with the land disposition on behalf of the Select Board following all applicable laws, policies, and regulations.

Town of Hanover Land Disposition Request Form

Requestor Information:

Name of Requestor: \_\_\_\_\_

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

Home Phone: \_\_\_\_\_ Other Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Land Information:

Land Address: \_\_\_\_\_

Assessor's Map and Lot Number \_\_\_\_\_ - \_\_\_\_\_ Acres/Sq. Feet \_\_\_\_\_ Zoning District \_\_\_\_\_

Assessor: Assessed Value of Property \$ \_\_\_\_\_

Any Structure on the Property?  Yes  No

If yes, describe the type and condition of each structure

\_\_\_\_\_  
\_\_\_\_\_

Tax Status of Property (please indicate any back taxes or fees owed):

\_\_\_\_\_  
\_\_\_\_\_

Description of Parcel (topography, natural features, water resources, etc.):

\_\_\_\_\_  
\_\_\_\_\_

Current Use:

\_\_\_\_\_

Intended Use:

\_\_\_\_\_

Nature of Requested Disposition (i.e., do you want an easement, or do you wish to purchase the property?)

\_\_\_\_\_

Please attach any additional information you may have regarding the property and your intended use of the property.

*I/We understand that disposition of Town property is subject to the approval of Town Meeting and the provisions of Chapter 30B of the Massachusetts General Bylaws and such other conditions and covenants as Town Meeting or the Select Board may impose.*

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

## **2-6. Select Board Public Comment Policy (September 5, 2023)**

### **1. Introduction**

The Hanover Select Board encourages all residents to attend its meetings and welcomes their views whether expressed in person, virtually, or by written communication. The Select Board highly encourages the public to uphold civil discourse and not engage in behavior that may impede the meeting. Public Comment periods are scheduled at the discretion of the Chair. All public comments shall be addressed directly to the Select Board.

### **2. Scope**

This policy shall apply to members of the Select Board, Staff, and Members of the Public, appearing to speak during the Public Comment period of a Select Board meeting.

### **3. Authority of the Chair**

The Chair of the Hanover Select Board is the designated individual to preside over Select Board meetings. Pursuant to MGL CH. 30A, §20(g), no person shall address a meeting of a public body without permission of the Chair, and all persons shall, at the request of the Chair, be silent.

### **4. Provisions**

The Chair shall read the following statement at the beginning of each Select Board Meeting Public Comment period:

“We will now be moving into the public comment section of this meeting. There is a time limit of 3 minutes per individual once you are recognized by the Chair. The Select Board highly encourages the public to uphold civil discourse and not engage in behavior that may impede the meeting. This applies to those appearing before the Board in person and those appearing virtually. We request that when you speak during the public comment period, you introduce yourself with your name and address. Public comments shall be directed to the Select Board. Generally, there will be no response from the Board.”

### **5. Effective Date**

This policy was adopted by the Hanover Select Board on September 5, 2023, and is effective immediately.

### **Section 3: Town Manager**

#### **3-1. Acting Management Appointments (June 6, 2011)**

##### 1. Purpose of Policy

This policy establishes guidelines for the duration of any, and all, acting management appointments made by the Town Manager to provide an efficient and timely transfer of responsibilities in the event that permanent appointment to a management position is unable to be made.

##### 2. Scope

This policy applies to all acting appointments for management positions under the supervision and control of the Town Manager in accordance with the 2009 Acts and Resolves, c. 67, An Act Establishing a Town Manager Form of Government for the Town of Hanover.

##### 3. Provisions

Acting management appointments are not to exceed six (6) months in duration. The Town Manager may extend the acting management appointment for an additional six (6) month period, by a majority vote of the Select Board, if a permanent management appointment cannot be made at the expiration of the previous six (6) month period.

If deemed necessary, or in an extreme circumstance, the acting management appointment may remain in place beyond the twelve (12) months with majority approval of the BOS.

**Section 4: Boards, Committees, and Commissions**

**4-1. Committee Collaborations (July 16, 2012)**

1. Purpose of Policy

A stated strategic goal of the Select Board is to strengthen relationships; and to foster communication and partnerships between the Town's Boards and Committees.

2. Objective

By unanimous vote of the Select Board, related to that goal is to, "draft a policy for the Board's approval regarding appointed Committees meeting annually with the Select Board to foster communication and partnerships". The Select Board, who, by the Town Manager Act, "serve as the chief policy making body of the Town". The Board appoints various Boards and Committees and aspires to strengthen the communication and association with these vital volunteers; and expects to communicate and collaborate with these Boards and Committees.

NOW THEREFORE, We, the Select Board, hereby adopt the following Policy:

"Each Board or Committee appointed by the Hanover Select Board shall annually submit a written report summarizing the committee's work during the past year and provide a prospective look at the tasks, challenges, and solutions for the coming year. The report shall be delivered in person at a meeting of the Select Board, providing the opportunity for a dialogue with the Board and the public.

Elected Boards, in the spirit of cooperation and enhanced communication, are also encouraged to attend joint meetings with the Select Board to foster similar collaboration and communication."

#### **4-2. Alternate Public Meeting Posting (January 1, 2015)**

##### **1. Purpose**

The purpose of this policy is to set forth the guidelines under which Town Boards/Committees most effectively inform the public of a meeting of a local public body. In 2009, the Attorney General's Office approved alternative posting methods for meeting notices for local public bodies. According to 940 CMR 29.03 (2) (b), public bodies may post notices of meetings on the municipal website if the Selectpersons designate the website as an "alternate posting location".

##### **2. Applicability**

The provisions of this policy apply to all "public bodies" in the Town of Hanover, as defined by Massachusetts General Laws. The current definition within the Attorney General's Open Meeting Law guide reads in part, "While there is no comprehensive list of public bodies, any multi-member board, commission, committee or subcommittee within the executive or legislative branches 1 of state government, or within any county, district, city, region or town, if established to serve a public purpose, is subject to the law."

##### **3. General Provisions**

In keeping with the provisions of 940 CMR 29.03 (2) (b), public bodies may post notices of meetings on the municipal website as an "alternate posting location". In conjunction with this practice, a computer kiosk will be made available outside the Town Clerk's Office so that members of the public without access to a computer may view notices during normal business hours. The Board directs the Town Manager to allocate approximately \$500 to provide a dedicated public computer outside the Town Clerk's Office for the purpose of viewing meeting notices during normal business hours beginning January 1, 2015. All public bodies within the Town of Hanover must post meetings in accordance with the Open Meeting Law, M.G.L. Ch. 30A, Sec. 19 (a).

- With this policy, the Select Board now directs, effective January 1, 2015 that the Town of Hanover's website be designated an alternate posting location.
- It no longer will be necessary for public bodies to post paper notices outside the Town Clerk's Office for public body meetings, the computer outside the Clerk's Office will meet the needs of those without home computer access.
- Upon the enactment of this policy, the Town Clerk will inform the Division of Open Government of the Selectpersons' vote implementing the new notice posting method.
- Beginning January 1, 2015 all public bodies shall consistently use the most current notice posting method on file with the Division.
- A description of the alternative posting method must also be posted on or adjacent to the main and handicapped accessible entrances to the building where the Town Clerk's Office is located.
- Instructions regarding how to upload meeting notices/agendas so they meet the



requirements of the Open Meeting Law will be provided by the Town Clerk's office.

- Department Heads will inform their respective Boards and Committees of this policy.

#### 4. Exemption

The only exemption to this policy will be regional public bodies (such as GATRA or South Shore Vo-Tech) which do not have access to the Town of Hanover's website; those notices shall still be posted by the Town Clerk's Office on the inside bulletin board as allowed by the Open Meeting Law.



**Section 5: Employment**

**5-1. Personnel Regulations (December 3, 2018)**

1. Title

The Town Manager Act, Section 4 (B)(6), charges the Town Manager with the responsibility to, “develop and administer a personnel system, including, but not limited to, determination of rates of pay, the development and implementation of an ongoing training program, evaluation process, personnel and hiring policies, practices and regulations for town employees...” This updated version of the former Hanover Personnel Regulation, now issued as regulations by the Town Manager, documents the employment, compensation and benefits policies for the employees of the Town of Hanover covered under this regulation. Policies, practices, and provisions included in this regulation may be changed at any time with the approval the Town Manager.

Throughout this regulation, “Town” refers to the Town of Hanover. This regulation is a guide to working conditions for the employees of the Town of Hanover covered under this regulation. The Personnel Regulation is not meant to be all-inclusive but to provide general information and answer questions. This Personnel Regulation is not intended to create any contractual rights in favor of the Town. Any statements to the contrary are disavowed and should not be relied on by any prospective or existing Town employee.

2. Persons covered Under This Regulation

The personnel policies, procedures, and provisions contained in this regulation apply to all employees of the Town except those who are elected by popular vote or who are represented by a recognized bargaining agent, or under contract with the Town. This Regulation, however, may be used as a reference in determining employment practices, payment of wages/salaries, and provision of benefits for those Town employees not covered by the Regulation.

3. Effective Date

The Personnel Regulation and amendments shall become effective upon acceptance by the Town. The Regulation and amendments will take effect on July 1 following acceptance, unless an alternate effective date is established by vote of the Select Board and Town Meeting. This Regulation may be amended, revised or revoked by the affirmative vote of those present and voting at any Town Meeting.

4. Employment Policy

The Town selects applicants for employment and candidates for promotion and job transfer on the basis of their ability to perform the job and does not discriminate against

any individual because of race, creed, color, national origin, ancestry, religion, marital

status, age, handicap, or sex.

5. Employee Records

All employment records are considered confidential. They are kept by the Town Manager or designee and may not be viewed by anyone other than the applicable employee or his/her immediate supervisor on strictly a need to know basis. An employee may view his/her employment records by requesting access from the Town Manager or designee.

6. Compliance

The Town Manager or designee shall, for all Town employees, covered, and not covered, by the Hanover Personnel Regulation, be fully authorized to organize the administrative personnel practices, information and files, and compliance efforts required of the Town, in any manner needed to best administer authorized personnel practices of the Town. Further, in regard to compliance efforts required of the Town by the Federal or State Government, the Town Manager or designee shall be authorized to direct the efforts of any personnel in any department, notwithstanding any regulation, or other governing authority to the contrary, to achieve the required compliance. (May 1993)

7. Recruitment

Department Heads must notify the Town Manager or designee when job openings occur. Written notification must be accompanied by a job description, required qualifications, and the number of regularly scheduled weekly working hours.

Within three working days a notice of vacancy will be posted on the Town Hall bulletin board and on bulletin boards in the following areas: School Department, Fire Department, DPW, and the Library. Qualified Town employees are encouraged to apply to the appropriate department to fill a job vacancy. Job vacancies may also be advertised in newspapers or professional publications or may be advertised using other methods to find appropriate applicants. For management positions, the website of the MA Municipal Association ([www.mma.org](http://www.mma.org)) is strongly encouraged. All external applicants must complete a job application. The standard job application should include a voluntary disclosure form for EEO purposes.

Each applicant's qualifications will be reviewed by the appropriate Department Head or Board. Hiring decisions will be made by the appropriate Department Head or Board within established procedures.

8. Veterans' Re-employment

Provisions shown below for Veterans' re-employment are designed to be consistent with federal law. If any part of the Town's Veterans' Re-employment Policy is found to conflict with federal law or state law that law shall govern.

A full-time or permanent part-time employee who leaves employment with the Town to become a member of the armed forces of the United States, may be entitled to his/her job held at the time of induction or to a job of similar pay and status without loss of seniority providing that the Town's employment situation has not changed to the extent that re-employment would be impossible or unreasonable.

To qualify for re-employment a veteran must have been separated from the military under honorable conditions and be qualified to perform the duties of the job. If the veteran has been disabled during military service, (s)he will be offered a job comparable in status and pay to his/her job at the time of induction provided that the Town's employment situation allows this job placement.

A veteran must apply to the Town for re-employment within ninety days of discharge from active service. For Reservists and National Guard members returning from initial active duty or training of three consecutive months or more, the period for reapplication is thirty-one days.

#### 9. Promotions

A promotion is a change from an employee's current job grade to a higher grade. This change may involve a reclassification from part time to full time.

An employee who is promoted to fill a job vacancy will be paid at the next salary step which is more than their current rate of pay, unless otherwise approved by the Department Head and Town Manager.

Depending on the requirements for his/her new job, an employee may be required to submit evidence of a satisfactory physical examination to the Town Manager or designee.

#### 10. Transfers

A transfer is a change of job in the same pay grade as the current job or a change to a job in a lower pay grade. A transfer may also involve changing status from part time to full time.

A transfer does not guarantee a salary review.

Depending on the requirements for his/her new job, an employee may be required to submit evidence of a satisfactory physical examination to the Town Manager or designee.

#### 11. New Employees

Under the provisions of the Immigration Reform and Control Act of 1986, all new employees are required within three (3) days of beginning work to present evidence to the Town Manager or designee of their legal right to work in the United States. All new employees are also required to complete various forms, such as those required for tax withholding, and other records required for benefits eligibility. Depending on the requirements for his/her job, a new employee may also be required to submit evidence of a

satisfactory physical examination to the Town Manager or designee. Pre-employment physical examinations must be conducted according to the Town's Pre-Employment Physical Policy.

Upon acceptance of employment with the Town, each new employee will receive a welcome packet, which will include all payroll, health insurance, and wellness information. This packet will also include a copy of the Employment Evaluation Form to be used for the annual performance review.

A new employee will be subject to a six (6) month probationary period in a full-time or regular part-time position. During this probationary period, he/she may be terminated without benefit or recourse through any provisions of the laws of the Town of Hanover or the Commonwealth of MA.

#### 12. Hours of Work

Work schedules are set by Department Heads and/or Boards and may be changed to meet Town needs.

#### 13. Meal Breaks

Each employee working six (6) or more continuous hours during a shift is entitled to an uncompensated meal break. Times for meal breaks are set by Department Heads and/or Boards to meet the needs of the department/board.

#### 14. Employee Classification

The nature and hours of work are determined by the positions held. Permanent, full-time administrative support employees are scheduled for 35 hours per week. Others, including Department Supervisors and Department Heads, are scheduled for 40 hours per week.

Permanent part-time employees are expected to fill jobs for an indefinite period of time and are paid an hourly wage. Permanent part-time employees are regularly scheduled to work less than a full-time schedule and have worked that schedule for 16 or more consecutive weeks.

Temporary part-time employees are expected to fill a job for a short time and are paid an hourly wage, as determined by the Town Manager.

#### 15. Overtime

All employees are expected to work the hours assigned by their Department Head. Any time worked over 40 hours in one week is overtime work. Employees classified as exempt through the Fair Labor Standards Act (FLSA) are not eligible for overtime. Exemption and non-exemption from required overtime payments is defined by state and

federal laws concerning compensation, hours worked, and scope of responsibility. The Classification of Positions shows each job covered under this regulation as “Exempt” or “Non-Exempt”.

Exempt employees, such as Department Heads and professional and administrative employees, are not paid overtime. Non-exempt employees are paid 1 1/2 times their regular rate for hours actually worked over 40 hours in one week. A non-exempt employee who is required to work more hours than his/her regular schedule but less than 40 hours during a week will be paid his/her regular rate for the additional hours. If a non-exempt employee is called back to work during any period of time not considered a regular work shift, the employee will be paid 1 1/2 his/her regular rate. All overtime must be authorized by the appropriate Department Head.

#### 16. Compensatory Time

Depending on the needs of the department, non-exempt employee may be eligible to receive compensatory time in lieu of overtime pay for overtime work. Compensatory time is calculated at the rate of 1 1/2 time the actual number of hours worked over 40 in one week. Compensatory time must be approved by the Department Head prior to being accrued and must be used within 60 days of its accrual, as approved by the Department Head. Compensatory time may not be accumulated.

#### 17. Payroll Reporting

State and federal laws require that employers keep accurate records of hours worked by non-exempt employees. Department Heads are responsible for completing required records of their employees’ time worked. Payroll records are retained by the Town’s Treasurer. The Town reserves the right to track time through electronic or other means, as determined by the Town Manager.

#### 18. Code of Ethics

Town employees, volunteers, and others who conduct Town business are bound by codes of professional and State ethics, including MGL Ch. 268A, which provides clear guidelines for ethical and proper behavior by public officials. Violators may be subject to disciplinary action up to and including termination.

#### 19. Tardiness

All employees are expected to report to work at the time determined by their Department Heads. Excessive and/or habitual tardiness may result in disciplinary action up to and including termination.

20. Attendance

Regular attendance is an essential condition of employment. The Town considers more than seven instances of absence during a 12-month period for any reason other than vacation, holidays, or approved Leave of Absence to be excessive.

Instances of absence are consecutive days out. An instance of absence may be one day out or many consecutive days out for a long-term illness. An employee with excessive absences may be subject to disciplinary action up to and including termination.

An employee must report his/her absence to his/her supervisor or designee within 1/2 hour of his/her scheduled starting time.

21. Job Classification

Town jobs are placed into job classifications after a job evaluation. Job descriptions for all jobs are classified according to an evaluation system that weighs such factors as the knowledge, problem solving, and accountability required to perform each job.

22. Wage/Salary Merit Increases

Annual increases are determined annually by the Department Head and approved by the Town Manager, per section 4 (B)(6) of the Hanover Town Manager Act.

23. Longevity

Effective July 1, 2014, the Longevity Award will be as follows:

5 years of continuous service	500.00
10 years of continuous service	1,000.00
15 years of continuous service	1,500.00
20 years of continuous service	2,000.00
25 years of continuous service	2,500.00

Employees who had achieved longevity steps (service awards) in place before July 1, 2014 will still be eligible at previous award levels for 2014.

Longevity awards will be awarded in the year of attainment only. In addition, each award will be accompanied by a week of paid vacation in the year of attainment only.

For employees governed by these regulations who were employed by the town as 35 or 40 hour per week employees prior to April 7, 2014, longevity awards shall be calculated per the following chart (retroactive to July 1, 2018):

35 hour per week employees	40 hour per week employees
\$ 400/1827= .22	\$ 400/2088= .19
\$ 850/1827= .47	\$ 850/2088= .41



\$1,500/1827= .82  
\$2,000/1827=1.09  
\$2,900/1827=1.59

\$1,500/2088= .72  
\$2,000/2088= .96  
\$2,900/2088=1.39

Longevity awards for those hired prior to April 7, 2014 shall not have their award(s) limited to the year of attainment only (retroactive to July 1, 2018).

#### 24. Performance Evaluation

Annually, every employee will be provided a performance evaluation by his/her Department Head. An employee's overall performance may be evaluated in concert with a multi-member body if that employee works directly with said Board or Committee. As of July 1, 2013, all employees covered by this bylaw will be provided with annual increases based on merit alone. A copy of the evaluation form to be used is provided as an appendix to this bylaw.

An employee with a performance evaluation of "needs immediate improvement" may be subject to disciplinary action up to and including termination.

#### 25. Disciplinary Procedure

If an employee's performance, attendance, or behavior is not satisfactory, his/her Department Head may issue a documented warning stating the issue and giving suggestions for improvement. The warning must also include measurable goals, a timetable for improvement, and a statement that the employee will be subject to further disciplinary action up to and including termination if goals for improvement are not met. A copy of the warning is given to the employee and a copy sent to the Town Manager or designee for inclusion in the employee's file.

#### 26. Appeals

An employee aggrieved by any disciplinary event has the right to appeal. Within five (5) working days of the alleged event or after the employee becomes aware of the alleged event, the employee must file a written complaint with his/her Department Head. The Department Head must respond in writing within five (5) working days after receiving the complaint. If the employee is not satisfied with the response, (s)he may, within five (5) working days, file a written appeal with the Town Manager or designee. The Town Manager or designee will respond with a written decision within ten (10) working days.

#### 27. Sick Leave and Personal Days

A full-time employee or a permanent part-time employee regularly working 20 or more hours per week who is unable to work due to injury from an accident that is not work related, illness, or important personal business may be eligible for paid Sick Leave.

All full-time employees, hired April 7, 2014 or after, will be given ten (10) days, three

(3) to be used as personal, with no cap on accrual.

All full-time employees hired prior to April 7, 2014, shall earn 1 ¼ sick days per month, and be awarded three (3) personal days per year (retroactive to July 1, 2018).

A permanent part-time employee regularly working 20 or more hours per week accrues paid sick time at the rate of ½ paid sick time day for each completed month of work at 20 or more hours per week, up to a maximum of five days per year. Paid sick time may be accrued up to 200 paid days.

An employee accrues paid time during vacation and paid sick leave but does not accrue paid Time when absent from work without pay from the Town or when receiving Workers' Compensation benefits.

An employee who must conduct important personal business during working hours may be granted an excused absence from work by his/her Department Head. Employees are authorized up to three personal days per year at the discretion of the Department Head.

Generally, an employee who has no accrued paid sick time and requires days off because of illness, non-employment related injury, or personal business, will not be paid. In the event of an illness exceeding the allotted and accumulated sick time, the Town may, at the sole discretion of the Department Head, authorize leave in excess of accumulated amounts.

A Department Head may require a physician's certificate during an employee's absence or before his/her return to work.

When an employee with 25 years or more of service dies or becomes a participating retiree in the Plymouth County Retirement Plan as verified by the County Treasurer or becomes a participating retiree in a Selectpersons approved retirement plan, (s)he or his/her estate will receive 75% of his/her accrued paid sick time up to a maximum of 113 paid sick days. When an employee with less than 25 years of service dies or becomes a participating retiree in the Plymouth County Retirement Plan as verified by the County Treasurer or becomes a participating retiree in a Selectpersons approved retirement plan, (s)he or his/her estate will receive 50% of his/her accrued paid (Accident, Illness, Personal) AIP Time up to a maximum of 75 paid days. Payment will be made no later than 30 days following retirement or death.

For employees whose start date is between July 1, 2006 and January 1, 2013, a maximum sick leave buyback cap of \$7,500 shall exist. Also, for employees hired on or after that date, a divisor of 260 will be used for purposes of calculating the sick leave buyback. (May 15, 2006). Employees hired after January 1, 2013 shall not be entitled to any sick leave buyback benefits.

## 28. Workers' Compensation

An employee who is injured on the job or who is exposed to a contagious or infectious disease in the line of duty and is certified by a physician as contracting that disease may be eligible for Workers' Compensation benefits.

An employee who has an employment related injury and is receiving Workers' Compensation lost wages payments or comparable disability benefits may elect to be paid accrued sick time to make up the difference between disability payments and his/her regular base wage/salary. These supplemental payments will be charged against the employee's accrued time. Employees receiving Workers' Compensation lost wages benefits do not accrue paid time.

#### 29. Health Insurance

Group health insurance coverage is administered by the Town Treasurer and is offered to regular Town employees who work full-time, according to the provision of MGL Ch. 32B as amended and accepted by the Town, various Federal regulations such as COBRA, and policies established by the Select Board.

#### 30. Continuation of Health Insurance

When an employee who is a member of the Town's group health insurance plan ceases his/her employment, (s)he and his/her eligible dependents may be eligible to continue health insurance under the provisions of COBRA.

#### 31. Group Life Insurance

Regular Town employees are eligible for life insurance according to the provisions of MGL Ch. 32B and its amendments as accepted by the Town.

#### 32. Retirement

Membership in the Plymouth County Retirement Plan or other Town approved plans is provided for regular Town employees according to the provisions of MGL Ch. 32 and its amendments as accepted by the Town.

#### 33. Catastrophic Illness and Major Disabilities

The Town is committed to providing fair treatment and a safe working environment for all employees.

Employees may use their accrued paid AIP Time if they are unable to perform an essential function of their jobs because of illness or non-job-related injury. An employee unable to work because of a work-related injury may be eligible for Workers' Compensation benefits.

### 34. Privacy and Confidentiality

A strict policy of employee privacy and confidentiality will be followed in connection with any illness, disability, leave of absence, or other personnel issue. All information pertaining to employee health is considered confidential. Such information will not be disclosed to anyone in the workplace unless they have a legitimate right to know. The Town Manager or designee will determine when such a disclosure should be made.

The Town considers employee privacy to be a serious matter and will take all reasonable steps to ensure an employee's privacy. Any employee who discloses confidential information in violation of this policy will be subject to disciplinary action up to and including termination. Any breach of privacy should be reported immediately to his/her Department Head.

### 35. Maternity Leave of Absence

For female employees who have successfully completed the probationary period specified when they were hired, the Town provides up to eight weeks of unpaid leave of absence for childbirth or adoption of a child under age 18 or a child under 23 if the child is mentally or physically disabled according to the provisions of MGL Ch. 149. 105D, as amended. All expectant mothers must notify their Department Heads or Boards in writing at least two weeks in advance about the reason for and the approximate dates of their maternity leave.

Expectant mothers may use their accrued paid AIP Time if they will be disabled during their maternity leaves. A physician's certificate of disability including the reason for the disability and the inclusive dates when the employee will be disabled must be submitted to the Town Manager or designee before use of accrued paid AIP Time will be considered for approval.

When an employee returns to work, she will be restored to her previous position or a similar one. There will be no loss of seniority or benefits to which she was entitled when she began her leave.

### 36. Leave of Absence

Full-time and permanent part-time employees, who have completed 12 months of continuous employment immediately preceding their request, may request an unpaid leave of absence. There is no guarantee that a position will be available at the end of the leave. However, every effort will be made to place the employee in the same position or a similar position.

Requests for leaves of absence must be made to the appropriate Department Head. Requests for leaves of absence will be considered by the appropriate Department Head or Board and approved or disapproved depending on the needs of the Town. All requests for leaves of absence that have been approved by Department Heads or Boards must also be approved by the Town Manager.

Employees on leaves of absence are responsible for contributions to benefit plans that would be deducted from their paychecks. Sick time and vacation time are not accrued while on leave. Holidays are not paid.

37. Bereavement Pay

In the event of the death of an employee's spouse, child, grandchild, parent, grandparent, parent-in-law, brother, sister, brother or sister-in-law, stepchild, stepparent or sole survivor responsible for funeral arrangements of a close relative, the employee's Department Head may authorize up to four days absence with pay. In the event of the death of an employee's aunt, uncle, cousin, or grandparent-in-law, the Department Head may authorize a one day leave of absence with pay.

38. Jury Duty

The Town will provide the difference between an employee's base wage/salary and jury duty pay for a maximum of 30 calendar days when an employee is called to serve on a jury. The employee must notify his/her supervisor immediately that (s)he has been called to jury duty. In order to receive the difference in pay, the employee must provide the Finance Director with the court's verification voucher.

39. Witness and Other Fees

Any employee who receives a fee for service because (s)he is a Town employee must pay the fee into the Town Treasury according to General Regulation Provisions 5-1 Section 9.

40. Military Leave

Military leave will be granted for annual two-week reserve training in the armed forces of the United States. A written request for leave and a copy of the employee's military orders must be presented to the employee's Department Head or Board as soon as the employee is informed of his/her schedule.

The Town will pay the difference between an employee's military pay and his/her base wage/salary. An employee may request this payment by presenting a copy of his/her paymaster voucher to the Finance Director.

In addition, employees who are members of The Reserve and/or National Guard units who are called to active duty will continue to receive full pay and benefits while actively serving the United States of America.

#### 41. Holidays

Full-time employees will be paid for the following Town holidays that are observed on their regularly scheduled work days:

New Year's Day	Memorial Day
Independence Day	Thanksgiving Day
Presidents' Day	Labor Day
Martin Luther King Day	Columbus Day
Patriots' Day	Christmas Day
Veterans' Day	

Part-time employees will receive holiday pay if a Town holiday falls on one of their regularly scheduled work days. A part-time employee's holiday pay will be figured according to the number of hours (s)he is regularly scheduled to work on that day.

A Town holiday that falls on a Saturday will be celebrated on Friday; a Town holiday that falls on a Sunday will be celebrated on Monday.

A full-time employee filling a job classified as "non-exempt" who is required to work on one of the above holidays will be paid 1 1/2 times his/her regular rate plus straight time holiday pay for the hours worked during his/her regular shift. Additionally, an employee who works hours in excess of his/her regularly scheduled shift will be paid 1 1/2 times his/her regular base rate for those excess hours but will receive no additional holiday pay.

#### 42. Vacations

Full-time and permanent part-time employees are eligible for paid vacation time according to the following schedule. July 1 of the calendar year of hire shall be used for purposes of calculating the beginning of 5, 10, and 15 years of service employed for vacation benefits.

Aggregate Employment Time in the 12 months Prior to July 1	Weeks of Vacation as of July 1
20 - 29 weeks	1
30 weeks - 4+ years	2
5 years - 9+ years	3
10 years - 19 years	4
20 + years	

Full-time and permanent part-time employees who were hired prior to April 7, 2014, shall earn vacation time according to the following chart (retroactive to July 1, 2018):

Aggregate Employment Time in the 12 months Prior to July 1	Weeks of Vacation as of July 1
20 - 29 weeks	1
30 weeks - 4+ years	2
5 years - 9+ years	3
10 years – 14+ years	4
15 + years	

Full-time employees and permanent part-time employees are paid their regular base rate for vacation weeks.

Vacation schedules must be approved in advance by Department Heads. A maximum of five (5) vacation days may be carried into the next fiscal year with the approval of the Town Manager. This vacation time must be used within the first quarter of the next fiscal year or the vacation time will be forfeited.

Employees who are out of work on July 1 for any reason other than vacation are not eligible to receive vacation benefits until they return to work. Time out of work will be deducted from the aggregate time worked in the previous twelve months to compute the length of paid vacation time for each employee.

#### 43. Termination

A termination occurs when an employee ceases to be employed by the Town. The employee’s final paycheck will reflect the hours worked during the final pay period, as well as any other payment owed to the employee.

A terminated employee’s group health insurance is canceled as of the end of the last month worked. A terminated employee and/or his/her spouse and/or eligible children may be eligible to continue group coverage under COBRA provisions.

A terminated employee’s group life insurance coverage ceases after employment terminates. A terminated employee may apply for continuation of coverage if eligible.

#### 44. Resignation

Resignation is at the employee’s discretion. The Town requests that employees give two weeks’ written notice. The Town Manager or designee and/or the employee’s Department Head will meet with the employee to discuss the reasons that the employee is leaving. At the discretion of the Town Manager, the Town Manager, Department Head, or a designee will conduct an exit interview with departing employees.

#### 45. Release

Release is a permanent separation initiated by the Town as the result of the elimination of a job or of a reduction in force. The qualification of employees whose jobs are being eliminated or who are affected by a reduction in force will be considered and, if possible, those employees will be placed to fill vacancies in other Town jobs. Employees who are released will be recalled according to their qualifications to fill vacant positions.

#### 46. Discharge

Discharge is a permanent separation initiated by the Town. With the exception of employees hired under a regulation or statutory requirement for a defined period of time, the Town may discharge an employee at any time for any reason or for no reason.

Discharge of any employee may be warranted by, but not exclusive to:

- destroying, defacing, or damaging Town property or the property of another employee;
- theft, pilferage, or unauthorized removal of property;
- erroneous judgment that results in loss of equipment or money or that puts the Town in jeopardy;
- possession of or being under the influence of alcohol or illegal substances on Town property or during the workday;
- misrepresentation or falsification of employment or medical records;
- possession of unauthorized weapons on Town property or during the workday;
- refusing to perform assigned tasks or performing in an insubordinate manner.

Employees who are discharged for cause are not eligible for termination pay or rehire.



20A CLASSIFICATION OF POSITIONS/20B PAY SCHEDULE

PERSONNEL REGULATION  
20A CLASSIFICATION OF POSITIONS - EFFECTIVE JULY 1, 2010

<u>POSITION TITLES*</u>	<u>PAY SCHEDULE</u>	<u>CLASS**</u>
PLAYGROUND ASSISTANT	HOURLY	B
LIBRARY PAGE	HOURLY	B
ELECTION WORKER	HOURLY	B
CLERICAL INTERMITTENT	HOURLY	C
VAN DRIVER	HOURLY	C
TRANSPORTATION COORDINATOR	HOURLY	C
INSPECTOR OF ANIMALS	HOURLY	C
TEMPORARY ASSISTANT REGISTRAR	HOURLY	C
SEASONAL LABORER	HOURLY	D
ASSIST. RECREATION DIR.	HOURLY	D
REGISTRAR OF VOTERS, ASST. REGISTRAR	HOURLY	D
INTERN	HOURLY	D
GRANT AGENT	HOURLY	D
ASISTANT ANIMAL CONTROL OFFICER	HOURLY	D
DEPUTY INSPECTOR OF WEIGHTS & MEASURES	HOURLY	E
INSPECTOR OF WEIGHTS & MEASURERS	HOURLY	E
ANIMAL CONTROL OFFICER	HOURLY	E
SENIOR CLERICAL INTERMITENT	HOURLY	E
OUTREACH COORDINATOR	HOURLY	E
FIELD MEASURER	HOURLY	E
CONSTABLE	HOURLY	E
ACTIVITIES ASSISTANT	HOURLY	E
CALL FIREFIGHTER, CALL LIEUTENANT, STATION LIEUTENANT	HOURLY	E
DIRECTOR OF VETERANS' SERVICES	HOURLY	F
ADMINISTRATIVE ASSISTANT	HOURLY	F

PUBLIC HEALTH NURSE	HOURLY	F
MATRON	HOURLY	F
ELECTRICIAN, CARPENTER, PLUMBER, PAINTER, HVAC TECHNICIAN	HOURLY	G
ADMINISTRATIVE ASSISTANT	HOURLY	G
REGISTERED NURSE	HOURLY	G
INSPECTORS; WIRING, GAS, PLUMBING	HOURLY	G
SENIOR ADMINISTRATIVE ASSISTANT SEL.	HOURLY	G
RECREATION PROGRAM DIRECTOR	HOURLY	G
COMPUTER SUPPORT SPECIALIST	HOURLY	G
COMMUNITY PRESERVATION COORDINATOR	HOURLY	G
ASSISTANT TOWN ACCOUNTANT	SALARY	G
ASSISTANT TREASURER	SALARY	G
RECREATION ADMINISTRATOR	SALARY	H
ELDERLY SERVICES DIRECTOR	SALARY	H
PERSONNEL ADMINISTRATOR	SALARY	H
MUNICIPAL INSPECTOR/ ASSISTANT. HEALTH AGENT	HOURLY	H
LOCAL INSPECTOR	HOURLY	H
FOOD INSPECTOR	HOURLY	H
CONSERVATION AGENT	SALARY	H
ASSISTANT ASSESSOR/ APPRAISER	SALARY	H
TOWN PLANNER	SALARY	H
NURSE ADMINISTRATOR	SALARY	H
CHILDREN'S LIBRARIAN	SALARY	H
REFERENCE LIBRARIAN	SALARY	H
DEPUTY SUPERINTENDENT OF PUBLIC WORKS	SALARY	I
HEALTH AGENT	SALARY	I
CHIEF LIBRARIAN	SALARY	I
BUILDING COMMISSIONER	SALARY	I
TOWN TREASURER/COLLECTOR	SALARY	I
COMPUTER COORDINATOR	SALARY	I
ENGINEERING MANAGER	SALARY	I

PERSONNEL REGULATION 20B PAY  
SCHEDULE EFFECTIVE JULY 1, 2007

\*\*\*\*\*RANGE\*\*\*\*\*

CLASS	Minimum		Midpoint		Maximum	
A	16,704 8.00					
B	16,704 8.00	HR	21,653 10.37	HR	26,601 12.74	HR
C	17,226 8.25	HR	25,217 12.08	HR	33,028 15.90	HR
D	17,748 8.50	HR	26,267 12.58	HR	34,786 16.66	HR
E	20,880 10.00	HR	30,903 14.80	HR	40,925 19.60	HR
F	24,012 11.50	HR	35,538 17.02	HR	47,064 22.54	HR
G	27,144 13.00	HR	40,173 19.24	HR	53,202 25.48	HR
H	32,886 15.75	HR	48,672 23.31	HR	64,457 30.87	HR
I	41,760 20.00	HR	61,805 29.60	HR	81,850 39.20	HR

\*HOURLY WAGES ARE CALCULATED BY THE FOLLOWING  
FORMULA: ANNUAL SALARY DIVIDED BY 2088 HOURS. (NON-  
LEAP YEARS)

# Employee Performance Appraisal

Employee Name: \_\_\_\_\_ Job Title: \_\_\_\_\_

Date of Hire: \_\_\_\_\_ Department: \_\_\_\_\_ Supervisor: \_\_\_\_\_

Effective date of review: \_\_\_\_\_ Date of last review: \_\_\_\_\_ Date of next review: \_\_\_\_\_

\*\*\*\*\*

**Performance Rating Categories:** Consider the employee's performance in each category and designate the level of performance that most accurately describes his/her job performance. Give careful consideration to each category before choosing the rating. The following is a description of each level of performance:

- 1 - NEEDS IMMEDIATE IMPROVEMENT** - Not performing to the requirements of the job. Needs a high degree of supervision and direction. May not have background to grasp the work. Needs to be aware of performance deficiencies and work immediately to correct.
  
- 2 - APPROACHING STANDARDS** - Usually performs at or close to job requirements, however, needs supervision for complete and on time results. Could result from being new to the position.
  
- 3 - CONTRIBUTORY PERFORMANCE** - Performance is what is expected of a fully qualified and competent person in the position. Sometimes performs with excellence, but not consistently.
  
- 4 - OUTSTANDING** - Far exceeds normal expectations. Seldom equaled in overall contribution to the Town of Hanover and/or its programs.

*The "prompts" shown next to the numerical ratings are meant to be a guide and should not be used as strict or explicit statements.*

\*\*\*\*\*

**EVALUATORS MUST ADD COMMENTS REGARDING EACH CRITERION TO EXPLAIN OR ILLUSTRATE THE JOB BEHAVIOR.**

Manager Rating/Employee Rating

**COMMUNICATION/TEMPERAMENT** - Consider level of communication skills.

Also consider ability to adjust skills to multitude of personalities and circumstances

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

- 1 Exhibits poor communication skills. Needs substantial improvement to be effective. Fails to notify others of critical issues or incidents. Has difficulty maintaining emotional balance.
- 2 Communication requires effort. Is not comfortable with some interactions. Unsure when others should be notified of events. Retains even emotional keel in most circumstances.
- 3 Effective in expressing and understanding ideas and instructions. Communicates clearly with staff, management, vendors, and customers. Maintains good behavior balance even when situation is difficult.
- 4 Exceptional communication skills. Relates positively with everyone. Outstanding capacity to maintain sense of humor, perspective, and is a calming influence.

Supervisor's Comments:

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Employee's Comments:

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**ACCURACY/QUALITY** - Consider correctness and thoroughness of work results when compared to established procedures and methods.

Manager Rating/Employee Rating

- 1 - Makes errors in judgment and work is inconsistent with desired quality.
- 2 - Usually accurate. Makes occasional mistakes.
- 3 - Requires little checking. Is exact, precise and complete most of the time.
- 4 - Requires virtually no checking. Accuracy and quality of work are a priority.

Supervisor's Comments:

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Employee's Comments:

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**LEARNING CAPABILITY** - Consider speed with which new routines and explanations are understood, and the ability to retain new knowledge.

Manager Rating/Employee Rating

- 1 - Requires repeated and detailed instructions and explanations.
- 2 - Grasps instructions after explanation and opportunity to try out.
- 3 - Learns rapidly and retains instructions. Readily agreeable to change.
- 4 - Exceptionally fast to learn and adjust to changing conditions.

Supervisor's Comments:

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Employee's Comments:

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**ATTENDANCE** - Consider faithfulness in coming to work daily, on time, and conforming to work hours.

Manager Rating/Employee Rating

- 1 - Lax in attendance and/or reporting for work on time.
- 2 - Usually present and on time.
- 3 - Promptness and attendance at standard.
- 4 - Exceptionally reliable in this area.

Supervisor's Comments:

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Employee's Comments:

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**INITIATIVE** - Consider the tendency to contribute, develop, and/or carry out new ideas or methods.

Manager Rating/Employee Rating

- 1 - Rarely initiates or suggests new approaches. Prefers no change.
- 2 - Shows initiative occasionally. Needs to improve.
- 3 - Is resourceful, suggests or implements change and improvements.
- 4 - Frequently suggests new methods. Is very imaginative and creative.  
Acts on own initiative to accomplish assignments or identify work to be done.

Supervisor's Comments:

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Employee's Comments:

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**QUANTITY OF WORK** - Consider the volume of work an individual does during a shift as compared to the volume of the whole job.

Manager Rating/Employee Rating

- 1 - Unable to keep pace with expected workload.
- 2 - Meets standards of output on some occasions, but not on consistent basis.
- 3 - Meets requirements of work expected.
- 4 - Usually completes more than expected without any sacrifice of quality.

Supervisor's Comments:

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Employee's Comments:

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**JOB KNOWLEDGE** - Consider the depth and breadth of information concerning work duties, processes and [ORGANIZATION] procedures which are required for competent performance.

Manager Rating/Employee Rating

- 1 - Lacks understanding of many aspects. Makes little effort to upgrade self.
- 2 - Lacks knowledge of some procedures and/or duties. Makes an effort to improve.
- 3 - Has necessary knowledge level and works to keep it current.
- 4 - Has broad knowledge base of own job and (ORGANIZATION) as a whole. Takes advantage of every opportunity to improve self.

Supervisor's Comments:

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Employee's Comments:

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**SERVICE ORIENTATION** – Consider willingness to assist others, contribute to harmony, and work towards common goals.

Manager Rating/Employee Rating

- 1 - Does not demonstrate interest in others' needs, concerns, or work.
- 2 - Occasionally places operational tasks above others' needs or concerns. Needs to value people more highly.
- 3 - Interacts well with others. Acts effectively and cooperatively to solve problems in a timely fashion. Knows value of good service and positive interactions.
- 4 - Treats others as top priority. Clearly communicates their importance. Demonstrates effort to meet all requests and needs.

Supervisor's Comments:

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Employee's Comments:

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**COOPERATION/TEAMWORK** - Consider willingness to assist others, contribute to harmony, and work toward common goals.

Manager Rating/Employee Rating

- 1 - Exhibits unwillingness to work with others. Not seen as a team player, can be obstacle to accomplishing goals.
- 2 - Prefers to work independently. Not quick to share information, resources, or efforts, but will when asked.
- 3 - Understands and supports concept of teamwork and is quick to volunteer to assist others.
- 4 - Exceptional at building work teams and consensus. Always has time and energy to give to others. Creates very harmonious work environment.

Supervisor's Comments:

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Employee's Comments:

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**MANAGING CHANGE/INNOVATION** - Consider level of understanding why change is necessary and what will be required. Also consider ability to ask for input to clear up misunderstandings and to offer ideas on how to make change go as smoothly as possible.

Manager Rating/Employee Rating

- 1 - Unable to innovate or foster change.
- 2 - Some understanding of the change process. Often uncomfortable with cooperatively approaching change.
- 3 - Recognizes needed change and takes responsibility for an effective change and innovation process.
- 4 - Innovative thinking. Exceptional ability to foster positive climate of change.

Supervisor's Comments:

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Employee's Comments:

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**PLANNING/ORGANIZATION** - Consider level of planning, organizing information, prioritizing tasks, and utilizing resources to meet needs; level of dependability in meeting deadlines.

Manager Rating/Employee Rating

- 1 - Crisis work style. No planning evident. Poor utilization of resources. Misses important deadlines.
- 2 - Deals with current situation only. Needs more planning to meet deadlines and handle multiple tasks.
- 3 - Not only thinks ahead, sees needs and reacts quickly to new priorities. Good at planning for future situations. Work is completed on time.
- 4 - Thinks strategically and is able to combine resources and information with exceptional skill to deal with current and future work. Efficiency and effectiveness at the highest level.

Supervisor's Comments:

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Employee's Comments:

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**TOTAL RATING SCORE**

Manager Rating/Employee Rating

**NARRATIVE SUMMARY:**

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Overall Rating: Put an "X" where description most closely approximates this person's total impact on the Town of Hanover. Do not average; rather, consider the overall contribution.

( ) Falls below standards      ( ) Approaching standards      ( ) Contributory Performance      ( ) Outstanding

Supervisor Signature:	Date:
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Supervisor/Manager:	Date:
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**EMPLOYEE COMMENTS:** (use additional paper if necessary for full detail)

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Your signature does not imply you agree with any or all of the evaluation remarks, only that you have been given an opportunity to participate in the process and have seen this review.

Employee Signature:	Date:
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PLANNING FOR FUTURE PERFORMANCE (to be completed by both employee and supervisor during the appraisal discussion)

List mutually agreed upon specific areas which represent opportunities for improvement or growth in performance. Establish and list here specific objectives for achieving this improvement or growth. Discuss the action steps to accomplish each objective. Include resources committed by the supervisor and/or the Town Manager to support this growth where applicable.

Targeted Areas	Objectives	Date of Achievement

What training, support, actions, or resources are necessary or desirable to complete the above performance plan or to build skills for the future?

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### **5-1A. Town of Hanover COVID-19 Travel Order Policy (August 1, 2020)**

In accordance with the Travel Order implemented by Governor Baker, this policy is effective August 1, 2020 and remains in effect until rescinded by the Town Manager. Governor Baker's executive order requires all travelers arriving to Massachusetts from out-of-state non-exempt areas, including Massachusetts residents returning home, to self-quarantine for fourteen (14) days, unless the travel is covered by an exemption. The Travel Order is available for review online: <https://www.mass.gov/info-details/covid-19-travel-order>

All Town of Hanover employees who engage in personal travel to any area not specifically exempt from the Governor's executive order regarding travel must complete the Massachusetts Travel Form (<https://www.mass.gov/forms/massachusetts-travel-form>) and self-quarantine for fourteen (14) days upon return to Massachusetts. As an alternative to quarantining an employee may provide the results of a negative test(s) administered no earlier than 72 hours before the employee returns to Massachusetts and done in accordance with the Governor's order.

Employees traveling to any area not specifically exempt from the Governor's executive order regarding travel must complete and submit the Town of Hanover Staff Travel Form (attached) to their direct supervisor and the Assistant Town Manager/HR Director.

All employees are required to inform the Department Head of the travel plans a reasonable period of time – at least five (5) business days unless it is an emergency situation – before departing.

Employees who are not able and/or authorized to perform their job remotely during their fourteen (14) day self-quarantine shall be required to use sick or personal time in accordance with the procedures set forth by the Town, including Town policies and applicable collective bargaining agreements.

Employees who are advised to self-quarantine following their trip must also discuss and outline the self-quarantine period with their Department Head and the Assistant Town Manager/HR Director prior to traveling so that the Department Head may make necessary work arrangements.

**TOWN OF HANOVER  
STAFF TRAVEL FORM**

Date of Submission:

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Employee Name:

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Department:

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Title:

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Contact Phone Number:

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Supervisor's Name and Contact information:

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Location(s) of travel:

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Projected dates of travel:

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

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Assistant Town Manager/HR Director Signature

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Town Manager Signature

\_\_\_\_\_  
DATE

Within 48 hours of return from travel, the employee shall provide confirmation of compliance with the details of this form and terms of the executive order.

## 5-2. **Anti-Discriminatory Harassment (June 4, 2018)**

### 1. Purpose and Scope

The purpose of this document is to outline the Town of Hanover's policy on discriminatory harassment, and to ensure compliance with applicable federal laws, state statutes, and town by-laws. Please note that while this policy sets forth the Town's goals of promoting a workplace that is free of unlawful discrimination and harassment of any type, this policy is neither designed nor intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether or not that conduct satisfies the definition of discriminatory harassment. Nothing in this policy limits or replaces other Town policies that address employee conduct, such as the Town's Professional Conduct or Sexual Harassment Policy.

### 2. Applicability

This policy applies to all employees of the Town of Hanover including full and part time employees, elected or appointed employees, and those employees under the supervision and control of the School Committee.

Those employees whose positions are covered by Civil Service Law or a collective bargaining agreement are subject only to the portions of this policy which are not separately regulated by Civil Service Law or a collective bargaining agreement.

This policy is intended to be consistent with any and all applicable laws, and does not replace any and all applicable laws, including Public Employee Ethics Laws.

This policy applies in addition to applicable laws. If any part of this policy is inconsistent with the law, that part of the policy shall be considered invalid, and the remaining provisions of the policy shall be construed so as to be consistent with the law.

### 3. Definitions and Examples

*Discriminatory Harassment:* Discriminatory harassment consist of unwelcome conduct, verbal, physical and / or visual, that is pervasive and severe and is based on a characteristic protected by law, such as gender, race, color, national origin, ancestry, religion, age, disability, genetics, military status, veteran status, parental leave, sexual orientation, gender identity, gender expression, any other group deemed protected by a government agency and/or against participants in discriminatory harassment complaint-related activities (retaliation).

Discriminatory Harassment includes, but is not limited to:

- display or circulation of written materials or pictures that are degrading to a person or group as described above;
- sexual harassment;

- workplace bullying; and
- verbal abuse, slurs, derogatory comments, and/or insults about, directed at, or made in the presence of an individual or group as described above.

*Sexual Harassment:* That conduct which includes unwelcome sexual advances; requests for sexual favors; and other verbal or physical conduct of a sexual nature which may be considered sexual harassment when:

- submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- 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 learning or working environment.

General examples of such behavior may include:

- unwelcome sexual flirtations, advances, propositions, cornering or physical contact;
- verbally abusive comments about a person's body;
- graphic verbal comments about a person's body;
- sexually degrading words used to describe a person;
- the display in the workplace of sexually suggestive objects, pictures, cartoons;
- inquiries into one's sexual experiences;
- discussions of one's sexual activities; and,
- unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.

While it is not possible to list all circumstances that may constitute discriminatory harassment, the lists above are examples of conduct which violates our policy and may also constitute sexual harassment under the law.

#### 4. Policy

The Town of Hanover embraces and encourages our employees' differences in age, gender, race, religion, disability, ethnicity, family or marital status, gender identity or expression, national origin, physical and mental ability, sexual orientation, veteran status, and other characteristics that make our employees unique. The Town is committed to fostering, cultivating and preserving a culture of diversity and inclusion, and encourages and enforces respectful communication and

cooperation between all employees. Discriminatory and harassing conduct is in violation of this policy and will not be tolerated.

All employees should take special note that retaliation against an individual for having complained about discriminatory harassment, and or retaliation against individuals for

cooperating with an investigation of a discriminatory harassment complaint will not be tolerated by the Town of Hanover.

5. Procedures

The Town takes allegations of discriminatory harassment seriously. Therefore, the Town will promptly investigate all claims of employee discriminatory harassment. Where it is determined that discriminatory harassment has occurred, the Town will act promptly to eliminate the conduct and impose such corrective action as is necessary. Such action shall include, but not be limited to, remedial and/or disciplinary action ranging from mandatory training and/or counseling, up to and including termination of employment.

A. Department heads, hiring managers and appointing authorities are responsible for the following:

- complying with all applicable federal, state, and local laws governing nondiscrimination in employment;
- designating at least two employees to function as Harassment Complaint Officers;
- ensuring that all Harassment Complaint Officers receive training, and that they adopt and implement the Town of Hanover's procedures for receiving, investigating, and resolving allegations of discriminatory harassment;
- disseminating this policy to employees under their supervision;
- ensuring new employees receive a copy of the policy;
- informing employees that discriminatory harassment is prohibited conduct which will not be tolerated or condoned, and that disciplinary action will be taken against any person who engages in discriminatory harassment;
- advising employees of their right to complain to one of the Town's Harassment Complaint Officers, the Massachusetts Commission Against Discrimination (MCAD), and the U.S. Equal Employment Opportunity Commission (EEOC) (See Attachment A);
- informing employees that it is advisable to report conduct which the employee believes to be discriminatory harassment in a timely manner (The Massachusetts Commission Against Discrimination, under Employment Rights, defines timely manner to be within six (6) months of alleged discrimination.); and
- assisting all parties in the complaint resolution process.

B. Each employee is personally responsible for:

- that his/her conduct does not discriminatorily harass any other employee, applicant for employment, or other individual in the workplace;
- treating others with dignity and respect at all times;
- cooperating in any investigation of a report or complaint of alleged discriminatory harassment; and
- cooperating with the Town's efforts to maintain a learning or working environment free from such unlawful discrimination.



### C. Sanctions

Any employee found to have engaged in discriminatory harassment or retaliation against participants in discriminatory harassment complaint-related activities in violation of this policy shall be subject to remedial and/or disciplinary action ranging from mandatory training and/or counseling, up to, and including termination of employment.

### 6. Complaint Resolution Process

- Any employee who believes that he/she has been discriminated against in violation of this policy should file a complaint in writing or orally to one of the Town's Harassment Complaint Officers. The addresses and telephone numbers of these people are listed on Attachment A. An employee who does not feel comfortable with bringing a complaint to one of the Harassment Complaint Officers is always free to bring such a complaint to the attention of his/her supervisor or any other supervisory/ managerial employee of the Town who in turn will ensure that the complaint is processed appropriately. Regardless of whether the complaint is brought to a Harassment Complaint Officer or to the employee's supervisor, or any other managerial position of the Town, all complaints will be reviewed by a second, or possibly a third Harassment Complaint Officer to ensure that the complaint is processed appropriately.
- All such complaints shall be kept as confidential as possible, subject to review by the Chief Executive Officers of the Town. At the discretion of the person(s) conducting the investigation, the Department Head(s) will be notified that an investigation is taking place. Documents pertaining to such complaint will not be included in the personnel file of the employee filing the complaint. It may not be possible to withhold the complainant's identity from the alleged harasser.
- The Harassment Complaint Officer(s) shall keep a complete record of all complaints, their supporting documentation and their resolution in files separate from official personnel files.
- Once a complaint is received, it shall be put in writing by either the complaining party, one of the Harassment Complaint Officers, or the supervisor to whom it was reported. The individual, who received the complaint, or Harassment Complaint Officer, shall initiate a prompt investigation of the complaint of discriminatory harassment in a fair and expeditious manner. Such investigation may include interview(s) with the alleged harasser, further interviews with the complainant, interviews with the employees, former employees or other individuals identified by either the complainant or the alleged harasser as possessing information about the matter, review of documentation and/or any other actions necessary to thoroughly investigate the complaint.
- The investigation shall be completed as soon as possible given the circumstances. When the investigation is completed, the person(s) conducting the investigation shall draft a full report. The complainant's allegations of harassment, including a record of the date of the report and the date of occurrence(s) and outlining the following:

- i. the response of the alleged harasser to the complaint
- ii. the details of the investigation, including all witness statements
- iii. supporting documentation
- iv. finding and recommended resolution

Possible findings include but are not limited to: a substantiated complaint, an unsubstantiated complaint, or a knowingly false claim.

- The Harassment Complaint Officer(s) shall inform the complainant and the alleged harasser of their conclusions.
- If the Harassment Complaint Officers determines that the allegations, or any part of the allegations, are credible, the Department Head shall be notified with any recommended disciplinary action (warning, reprimand, demotion, suspension, up to and including discharge). The Department Head and/or appointing authority shall take prompt disciplinary/remedial action designed to end the harassment and prevent future harassment. Imposition of discipline shall not preclude other courses of action in addition to the discipline; such other courses of action may include mandatory counseling, training and the like.
- If the Harassment Complaint Officer(s)' finding is that no discriminatory harassment has occurred, then the file will be closed and not be a consideration in any other employment decisions relative to any of the parties involved.
- An employee who is unwilling to make a complaint to the Town's Harassment Complaint Officers may file a complaint directly with the MCAD or EEOC. These agencies may investigate the situation and may or may not issue a complaint. The addresses and telephone numbers of these agencies are included on Attachment A.

## 7. Considerations

The Town's view of discriminatory harassment includes, but is not limited to, the following considerations:

- A man or a woman may be the victim of discriminatory harassment, and a man or a woman may be the harasser;
- The harasser does not have to be the victim's supervisor. He or She may be a supervisory employee who does not supervise the victim, a co-worker, an employee, or even a non-employee, such as a board member;
- The victim does not have to be of the opposite sex from the harasser;
- The victim does not have to be the person at whom the unwelcome conduct is directed. He or She may also be someone who is affected by such conduct when it is directed toward another person. The discriminatory harassment of one employee may create an intimidating, hostile, or offensive learning or working environment for another employee, or may unreasonably interfere with the co-worker's performance.

- Discriminatory harassment does not depend on the victims having suffered a concrete economic injury as a result of the harasser's conduct. Improper conduct which does not result in the loss of a promotion by the victim, or the discharge of the victim, nonetheless may constitute discriminatory harassment by unreasonably interfering with the victim's work or by creating a hostile or offensive work environment.

ANTI-DISCRIMINATORY HARASSMENT POLICY

POLICY 18-06

Please be advised if you refuse to acknowledge receipt of this policy by signing below, your refusal will be documented, and you are still obligated to follow and comply with this policy.

This policy outlining appropriate conduct enabling the right of each employee to work in a professional atmosphere that promotes equal opportunities and prohibits discriminatory practices, including harassment on the basis of race, color, sex, age, religion, national origin, ancestry, ethnicity, sexual orientation, gender identity or expression, disability or handicap, pregnancy/pregnancy related medical condition, veteran status, genetic information, membership in or application for uniformed military service or any other classification protected by law, has been written to provide information and guidance for our employees. The Town reserves the right to change, add to or delete any part of this policy, at any time, as it deems appropriate. The Town reserves the right to waive or vary any term of this policy, as it deems appropriate at any time in order to achieve its desired, including zero tolerance for any form of harassment in workplaces under the Town control.

If changes are made to this policy, the Town will notify employees as soon as possible after the appropriate public hearing is held. Changes which are required by law will be effective with or without notice to employees.

This policy does not and may not be construed to; create a contract with any employee. With your signature below, you represent that you have read this acknowledgement, that you have received a copy of the Town’s Policy Against Harassment, and that you have read and understand this policy.

I acknowledge that I have received and read the Town’s POLICY AGAINST HARASSMENT. I understand my responsibilities concerning the goal of the Town of Hanover in promoting a workplace that is free of any form of harassment.

\_\_\_\_\_  
Employee Name (please print)

Dated \_\_\_/\_\_\_/\_\_\_

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

Employee \_\_\_\_\_ was unwilling to sign this document.  
(print name of employee)

Department Head \_\_\_\_\_

Dated \_\_\_/\_\_\_/\_\_\_

**ATTACHMENT A**

**Harassment Complaint Officers - Appointed by the Town Manager**

Joseph Colangelo  
Town Manager  
Town Hall  
(781) 826-5000

Thomas Raab  
Business Manager  
Hanover Schools  
(781) 878-0786

Gregory Nihan  
Police Lieutenant  
Police Station  
(781) 826-5000

Ann Lee  
Executive Assistant  
Selectpersons' Office  
(781) 826-5000

Deborah St. Ives  
Assistant Superintendent  
for Curriculum  
Superintendent's Office  
(781) 871-1122

Janet Tierney  
Administrative Assistant  
Selectpersons' Office  
(781) 826-5000

Chelsea Stevens Town  
Accountant Town Hall  
(781) 826-5000

**Massachusetts Commission Against Discrimination (MCAD)**

Boston Office: One Ashburton Place, Room 601  
Boston, MA. 02108  
(617) 994-6000

Springfield Office: 424 Dwight Street, Room 220  
Springfield, MA 01103  
(413) 739-2145

**United States Equal Employment Opportunity Commission (EEOC)**

Boston Office: One Congress Street, 10th Floor  
Boston, MA 02114  
(617) 565-3200

### 5-3. Diversity (June 4, 2018)

#### 1. Purpose and Scope

The purpose of this document is to outline the Town of Hanover's policy on diversity, setting forth the Town's goal of fostering a culture of diversity and inclusion, and to ensure compliance with applicable federal laws, state statutes, and town by-laws. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training. Nothing in this policy limits or replaces other Town policies that address employee conduct for example the Town's Professional Conduct or Discriminatory Harassment Policy.

#### 2. Applicability

This policy applies to all employees of the Town of Hanover including full and part time employees, elected or appointed employees and those employees under the supervision and control of the School Committee.

Those employees whose positions are covered by Civil Service Law or a collective bargaining agreement are subject only to the portions of this policy which are not separately regulated by Civil Service Law or a collective bargaining agreement.

This policy is intended to be consistent with any and all applicable laws, and does not replace any and all applicable laws, including Public Employee Ethics Laws.

This policy applies in addition to applicable laws. If any part of this policy is inconsistent with the law, that part of the policy shall be considered invalid, and the remaining provisions of the policy shall be construed so as to be consistent with the law.

#### 3. Definitions and Examples

**Diversity:** The condition of being composed of different elements or qualities. For example, differences in gender, race, color, national origin, ancestry, religion, age, disability, genetics, military status, veteran status, parental leave status, sexual orientation, and/or gender identity within the Town's employees.

**Discriminatory Harassment:** Discriminatory harassment consists of unwelcome conduct, verbal, physical and / or visual, that is pervasive and severe and is based on a characteristic protected by law, such as gender, race, color, national origin, ancestry, religion, age, disability, genetics, military status, veteran status, parental leave, sexual orientation, gender identity, gender expression, any other group deemed protected by a government agency and/or against participants in discrimination and or discriminatory harassment complaint-related activities (retaliation).

#### 4. Policy

The Town of Hanover embraces and encourages our employees' differences in gender, age, race, religion, disability, ethnicity, family or marital status, gender identity or expression, national origin, physical and mental ability, sexual orientation, veteran status, and other characteristics that make our employees unique. The Town is committed to fostering, cultivating and preserving a culture of diversity and inclusion, and encourages and enforces respectful communication and cooperation between all employees. Discriminatory and harassing conduct which has an adverse effect on employment conditions, interferes unreasonably with an individual's performance, and/or creates an intimidating, hostile and/or offensive work environment is in violation of this policy and will not be tolerated.

#### 5. Procedures

The main goal of the Town of Hanover's hiring practices is to fill vacancies with the most qualified candidates available for the position, based upon the skills required for the most effective performance of the job. The Town provides equal employment opportunities to all employees without regard to gender, age, race, national origin, ancestry, religious creed, disability, genetics, military status, veteran status, sexual orientation, gender identity or gender expression. The Town takes allegations of discrimination and discriminatory harassment seriously. Therefore the Town will promptly investigate all claims of discrimination and or employee discriminatory harassment. Where it is determined that discrimination and or discriminatory harassment has occurred, the Town will act promptly to eliminate the conduct and impose such corrective action as is necessary. Such action shall include, but not be limited to, remedial and/or disciplinary action ranging from mandatory training and/or counseling, up to and including termination of employment.

A. Department heads, hiring managers and appointing authorities are responsible for the following:

- complying with all applicable federal, state, and town policies and by-laws governing nondiscrimination in employment;

B. Each employee is personally responsible for:

- treating others with dignity and respect at all times;
- ensuring that his/her conduct does not discriminate or discriminatorily harass any other employee, applicant for employment, or other individual in the workplace;
- cooperating in any investigation of a report or complaint of alleged discriminatory harassment; and
- cooperating with the Town's efforts to maintain a working environment free from unlawful discrimination.

C. Sanctions

- Any employee found to have engaged in discrimination and or discriminatory harassment or retaliation against participants in discrimination and or discriminatory harassment complaint–related activities in violation of this policy shall be subject to remedial and/or disciplinary action ranging from mandatory training and/or counseling, up to, and including termination of employment.



**DIVERSITY POLICY**  
**18-05**

Please be advised if you refuse to acknowledge receipt of this policy by signing below, your refusal will be documented, and you are still obligated to follow and comply with this policy.

I acknowledge that I have received and read the Town of Hanover's DIVERSITY POLICY.

I understand my responsibilities concerning the goal of the Town of Hanover in promoting diversity among its employees and fostering a workplace that is free of any form of discrimination and or discriminatory harassment.

With your signature below, you represent that you have read this acknowledgement, that you have received a copy of the Town's Policy, and that you have read and understand this policy.

\_\_\_\_\_  
Employee Name (please print)

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

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date

-----

Employee \_\_\_\_\_ was unwilling to sign this document.  
(print name of employee)

Department Head \_\_\_\_\_

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date

## 5-4. Professional Conduct (June 4, 2018)

### 1. Purpose and Scope

The purpose of this document is to outline the Town of Hanover's policy on professional conduct, indicating conduct expected of the employees of the Town of Hanover while conducting business with residents, vendors, visitors, fellow employees as well as the public at large. Town employees are expected to act honestly, conscientiously, reasonably and in good faith, at all times having regard to their responsibilities, the interests of the Town and the welfare of its residents. Nothing in this policy limits or replaces other Town policies that address employee conduct, such as the Town's Anti-Discriminatory Harassment Policy or Sexual Harassment Policy. This policy extends to employee's private conduct; to the extent the law has additional requirements on public employees.

### 2. Applicability

This policy applies to all compensated employees of the Town of Hanover, including full and part time, elected and appointed compensated employees.

Those employees whose positions are covered by Civil Service Law or a collective bargaining agreement are subject only to the portions of this policy which are not separately regulated by Civil Service Law or a collective bargaining agreement.

This policy is intended to be consistent with any and all applicable laws, and does not replace any and all applicable laws, including Public Employee Ethics Laws.

This policy applies in addition to applicable laws. If any part of this policy is inconsistent with the law, that part of the policy shall be considered invalid, and the remaining provisions of the policy shall be construed so as to be consistent with the law.

### 3. Definitions

*Ethical* – acting or behaving in accordance with commonly accepted standards appropriate.

*Nominal Value* – means monetary worth not exceeding twenty-five dollars (\$50.00).

*Conflict of Interest* – a situation in which an employee's private interest conflicts or raises a reasonable question of conflict with his or her employee's duties and responsibilities.

*Commission* - where used in this policy, "Commission" refers to the State Ethics Commission.

*Disclosure* - where used in this policy, “Disclosure” means a written statement on a form prescribed by the Commission, or in another writing that otherwise complies with State Public Employee Ethic Laws, of all relevant facts as required by the circumstances and the provisions of the law, which disclosure will generally be public records for purposes of the law and shall be made and filed in accordance with regulations.

#### 4. Policy

The way employees conduct themselves in the workplace, as well as while representing the Town in business meetings and/or on business travel, has an effect on fellow employees, residents, visitors and ultimately the Town of Hanover.

Upon acceptance of employment with the Town of Hanover, among other things, employees have a responsibility to the Town, its employees and residents to:

- act with fundamental honesty and integrity in all Town dealings;
- comply with all laws and regulations that govern the Town;
- maintain an ethical and professional work environment;
- comply with all Town policies;
- treat fellow employees, customers, vendors, and visitors with respect, dignity, honesty, fairness and integrity, respecting the personal space of others, and treating others as you would expect to be treated;
- create and maintain a work environment characterized by cooperation and contribution to the common good of the Town;
- show respect for, and appropriate use of the Town’s property and the property of others;
- respect co-workers’ ideas, suggestions, and opinions – accepting and valuing differences;
- maintain a professional appearance, appropriate for a business setting, (e.g. clean and neat clothing and personal grooming);
- contribute to a safe and sanitary work environment;
- show enthusiasm, optimism, team spirit and a willingness to assist others in need;
- adhere to Massachusetts General Laws governing Conflict of Interest;
- not disclose any confidential or personal information acquired as part of your employment with the Town; and
- not disclose any confidential or personal information concerning the Town’s employees, visitors or residents. This includes, but is not limited to any complaints, medical information, financial information and or the results of internal or external investigations.

Employees of the Town of Hanover are expected to conduct themselves in their official relations with the

Public and with their fellow employees in a manner which will enhance public respect for, and confidence in, the employee and the Town of Hanover as a whole. A violation of any aspect of this policy can damage the integrity and harm the reputation of the Town of

Hanover and its employees. Additionally, it may discipline the employee for violations of Massachusetts Law.

As further described in State Public Employee Ethics Laws, and among other requirements set forth in the law, employees may not, directly or indirectly, ask, demand, exact, solicit, seek, accept, receive or agree to receive anything of value for himself or for any other person or entity for or because of any official act performed or to be performed by the employee, to influence any official act performed or to be performed, to influence or attempt to influence any official act performed or to be performed.

Examples of conduct that is considered inappropriate and/or unprofessional under this policy may be physical and/or verbal and include, but are not limited to, the following:

1. Asking or requiring another individual to act unethically or violate the Town's Professional Conduct Policy or the law;
2. Disparaging or misrepresenting the Town or any Town employee;
3. Engaging in gambling, such as sports pools, card games, games of chance, and raffles while conducting Town business or representing the Town;
4. Discriminating against others on the basis of race, sex, sexual orientation, age, handicap, religion or national origin in the course of your employment;
5. Engaging in any behaviors that are harassing, including sexual harassment or offensive comments or jokes; and
6. Consuming and/or using alcohol, non-prescribed narcotics or controlled substances during work time, or reporting to work under the influence of alcohol, intoxication, non-prescribed narcotics or controlled substances in any form. You should inform Human Resources or your supervisor at the start of the workday if you are taking medication which might impair your work performance in order that proper accommodations can be considered and made where reasonable

Employees shall obey the laws of the United States and the Commonwealth of Massachusetts. Any employee who is convicted of a crime relating to his or her employment or impacting his or her employment, or crimes which may disqualify them from holding necessary certifications or licenses, may be subject to disciplinary action, up to and including termination. Employees are, where applicable, subject to meeting CORI background screening requirements, subject to Town requirements and applicable law, including the law governing CORI.

Although the Town of Hanover encourages its employees to pursue their own political ideologies in their private lives, public employees cannot use public resources, including, but not limited to, internet, computers, emails, bulletin boards or office equipment, for political purposes.

Employees shall comply with all of the policies and operating procedures of the department in which they work and the Town of Hanover. Employees shall respond forthright to the work-related directives of their supervisor.

Employees are expected to conduct themselves in their official relations with the public and with their fellow employees in a manner which will enhance public respect for, and confidence in, the employee and in the Town as a whole. Employees must not only perform their duties in a wholly impartial manner but must avoid any conduct which gives a reasonable basis for the impression of acting otherwise. Specifically, all employees shall avoid any action which may result in or create a reasonable basis for the impression of:

1. Using public office for private gain;
2. Giving preferential treatment to any citizen;
3. Making work-related decisions contrary to departmental/town policy; and
4. Using one's official position to harass or intimidate any person or entity.

The necessity for the fair and impartial administration of town government and the enforcement of its policies/bylaws/regulations makes the avoidance of any conflict of interest of primary importance.

No municipal employee shall, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly receive or request compensation from anyone other than the town or municipal agency in relation to any particular matter in which the same town is a party or has a direct and substantial interest.

No person shall knowingly, otherwise than as provide by law for the proper discharge of official duties, directly or indirectly give, promise or offer such compensation.

No municipal employee shall, otherwise than in the proper discharge of his official duties, act as agent or attorney for anyone other than the city or town or municipal agency in prosecuting any claim against the town, or as agent or attorney for anyone in connection with any particular matter in which the same town is a party or has a direct and substantial interest.

All employees shall to the extent necessary to comply with 268B MGL section 5 file the necessary statements of financial interest on an annual basis.

Gifts, Gratuities, Benefits and Items of Value:

1. General Rule

Employees shall not solicit or accept, directly or indirectly, any gift or benefit, including any gratuity, favor, entertainment, loan, or any other item of value, from a person who or

entity which the employee knows or has a reason to know:

- a. Has, or is seeking to obtain contractual or other business or financial relations with his/her department or the Town;
- b. conducts business or other activities which are regulated or monitored by the department or the Town, except as permitted by statute or regulation;
- c. has interests that may be substantially affected by the employee's performance or nonperformance of his/her duties or has the appearance of being substantially affected; or
- d. seeks to influence the employee in performance of his official acts or any act within his official responsibility.

## 2. Exceptions

the restrictions set forth in the previous section do not apply to the following gifts provided that such gift or benefit has not been solicited by the public employee, and is not for any of the purposes identified as prohibited above, and/or in the State Public Employee Ethics Laws:

- a. *De Minimis Gifts*. Anything with a value of less than \$50, other than cash. De minimis gifts include multiple gifts or benefits given or offered to a public employee within a calendar year by one person or by an organized group of persons having a common interest in a particular matter or legislation before that public employee, if the aggregated value is less than \$50;
- b. *Inheritance*. Anything received by intestate inheritance;
- c. *Gifts from Immediate Family and Relatives*. Anything received by a public employee from a member of the public employee's immediate family or from a great grandparent, great grandchild, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, step-parent, stepchild of the public employee or of the employee's spouse and given for reasons unrelated to the public employee's official position or duties;
- d. *Informational material*. Informational material relevant to a public employee's official functions and intended for use by the public employee in the exercise of official duties or solicited for the purpose of promulgating, administering and enforcing agency regulations, such as books, pamphlets, reports, documents, periodicals, or other information that is recorded in a written, audio, electronic, or visual format;
- e. *Professional Organization Membership Fees*. Reduced or waived membership or other fees offered by a professional organization if the only requirements for membership relate to professional qualifications;

- f. *General Discounts*. A rebate, discount or promotional item available to the general public or to a class consisting of all public employees from a city or town, county or state on the same terms as offered to the general public;
- g. *Display Items for Meritorious Public Service*. An item intended for display and given by a civic, charitable, professional, religious, or fraternal organization in recognition of meritorious public service that has no or de minimis resale value. Such items shall include but not be limited to trophies, plaques, bowls, and certificates
- h. *Honoraria*. An employee who is invited to participate in a legitimate speaking engagement in whole or in part because of his official position or actions, is not prohibited from accepting an honorarium, (that is, a voluntary, unsolicited payment) customary to the practice of the entity awarding the honorarium only if:
- delivering the speech is not part of the public employee's official duties;
  - public resources are not used in the preparation of the speech;
  - public time is not taken for the preparation or delivery of the speech; and
  - neither the sponsor of the address nor the source of the honorarium is a person or entity with whom the public employee has had or reasonably expects to have dealings in his or her official duties; and
  - the public employee makes a prior written disclosure concerning the honorarium.
- i. *Honorary Degrees*. A public employee is not prohibited from accepting an honorary degree from a public or private educational institution given in whole or in part for the employee's official actions or position, provided that the degree does not include a monetary award of substantial value. The public employee who is receiving the degree may also accept payment or reimbursement of reasonable travel expenses related to any conferral ceremony given to the employee and guests accompanying the employee in accordance with the criteria and policies of the educational institution. If a particular matter involving the giver came before the public employee during the six months prior to such acceptance or comes before the public employee during the six months following such acceptance, the employee must make a written public disclosure pursuant to M.G.L. c. 268A, § 23(b)(3).
- j. *Gifts between Employees*. Gifts appropriate to the occasion given to a public employee by another public employee at a state, county, or municipal agency in recognition of infrequent and irregularly occurring occasions of personal significance such as marriage, illness, or the birth or adoption of a child; or upon occasions that terminate a professional working relationship, such as retirement, transfer, or resignation;
- k. *Ceremonial Functions*. Free or discounted admission of substantial value to a widely attended event open to the general public, when the free or discounted admission is provided to the public employee directly by the organization or committee and not

through an intermediary who has purchased admission to the event and where the public employee is expected to perform a ceremonial function directly related to his official position.

- l. the acceptance of food or refreshments of nominal value on infrequent occasions in the ordinary course of a breakfast, luncheon, dinner, or other meeting attended for educational, informational or other similar purpose. However, employees, while on official business, are specifically prohibited from accepting free food or other gratuity, except non-alcoholic beverages (coffee, tea, etc.), from persons with whom they have contact in the performance of their duties. Employees are not permitted to accept standing offers of meals or refreshments, nor are they permitted to accept several instances of offers of food or refreshments from the same person or entity which, in the aggregate, would exceed the definition of nominal value during a calendar year.
- m. acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans, automobile loans, personal loans, etc., provided that the employee does not deal with that institution in the course of his or her official duties. However, if dealing with such banks or financial institutions is unavoidable, the employee must make all appropriate disclosures as set forth in 930 CMR 5.00 et. Seq, and in accordance with the requirements of these regulations, activity Town Clerk's office, prior to engaging in such dealings.
- n. acceptance of unsolicited advertising or promotional materials such as pen, pencils, note pads, calendars, and other items of nominal value may be permitted, subject to law and regulations.
- o. the acceptance of an award or gift for participation in a conference, or some public contribution or achievement given by a charitable, religious, professional, social, fraternal, educational, recreational, public service or civic organization provided that the award is part of a program that makes such awards on a regular basis pursuant to established standards developed by the awarding entity.

#### Gifts and Benefits Requiring Disclosure or Prohibited:

Other gifts or benefits may in some instances be permissible but will also require "Disclosure". Please see the Public Employee Ethics Laws for a description. Otherwise, gifts and benefits are impermissible.

Questions about whether a gift or benefit is permissible or must be disclosed, or any other instances that may violated this policy, should be directed to the HR Department.

#### Actual or Potential Conflicts of Interest, Violations of this Policy, or Violations of the Law:

Employees should immediately report and make inquiry about questionable items, gifts, benefits, or matters. Inquiries can be made with the Town or employees may go directly to



the HR Department or to the Ethics Commission on 1-888-485-4766 (Attorney of the Day).

5. Procedures / Investigations

Any employee found to have failed in conducting his or herself in a manner consistent with the standards of the Town of Hanover's Professional Conduct Policy may be subject to remedial and/or disciplinary action ranging from mandatory training and/or counseling, up to, and including termination of employment.

A violation of any aspect of this policy can damage the integrity and harm the reputation of the Town of Hanover and all employees and may additionally place the employee in violation of Massachusetts law. The Town is fully committed to reviewing and/or investigating, as necessary, any and all reported incidents. Employees who become aware of inappropriate conduct should report it to their Department Head or HR Director.

When local management becomes aware of an incident, he/she shall document the incident as soon as possible and forward said information to his/her supervisor.

A decision to deal administratively with the employee and/or to have the employee consult with EAP shall be made as promptly as possible by the Human Resources Director or the Town Manager, and local management should continue an on-going review.

Employees have separate reporting requirements under the Massachusetts Ethics Law, which are in addition to those described in this policy. Employees must be aware of when they must make Disclosures and are required to make Disclosures as required by the State law as well, including as directed by State law.

**POLICY 18-04**

**PROFESSIONAL CONDUCT POLICY**

Please be advised if you refuse to acknowledge receipt of this policy by signing below, your refusal will be documented, and you are still obligated to follow and comply with this policy.

This policy requiring appropriate/professional conduct in the workplace has been written to provide information and guidance for our employees. The Town reserves the right to change, add to or delete any part of this policy, at any time, as it deems appropriate. The Town reserves the right to waive or vary any term of this policy, as it deems appropriate at any time in order to achieve its desired goals, including zero tolerance for any form of inappropriate/unprofessional conduct in workplaces under the Town control.

If changes are made to this actual policy, the Town will notify employees as soon as possible. However, changes will be effective with or without notice to employees.

This Policy does not and may not be construed to create a contract with any employee.

I understand my responsibilities concerning the expected professional conduct of the employees of the Town of Hanover when conducting business with residents, vendors, visitors, fellow employees and the public at large.

With your signature below, you represent that you have read this acknowledgement, that you have received a copy of the Town's Professional Conduct Policy, and that you have read and understand this policy.

\_\_\_\_\_  
Employee Name (please print)

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date

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

-----  
Employee \_\_\_\_\_ was unwilling to sign this document.  
(print name of employee)

Department Head \_\_\_\_\_

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date

**5-5. Special Municipal Employees (April 9, 2018)**

**SPECIAL MUNICIPAL EMPLOYEES**

This group of positions now supersedes the prior listing individually approved on May 18, 2009 by the Select Board. The following list of Special Municipal Employees is effective immediately.

Advisory Committee	Historical Commission
Affirmative Action Committee	Information Technology Study Committee
Affordable Housing Trust Board of Trustees	Local Emergency Planning Committee
Board of Appeals	Moderator
Board of Assessors	Multi-Use Recreational Facility Study Committee
Board of Health & Board of Health Nurse	North River Commission
Board of Library Trustees	Open Space & Recreation Planning Committee
Board of Registrars	Overseers of the Stetson House
Board of Trust Fund Commissioners	Parks & Recreation Committee
By-Law Review Committee	Permanent Part-Time Employees
Center/Sylvester Committee	Planning Board
Community Access & Media Committee	Representative of the South Shore Regional School
Community Preservation Committee	School Committee Sealer of Weights & Measurers
Conservation Committee	Special Counsel
Constables (Town/Public)	Special Police - Hanover Mall Officers
Council on Aging Advisory Board	Special Police - Annual appointees (Details) excluding elected officials
Cultural Council	Special Police for North River Patrol in Hanover
Deputy Civil Defense Director	Permanent Part-Time Police Officers (uncompensated)
Deputy Plumbing Inspector	Sylvester/Salmond School Redevelopment Committee
Deputy Wiring Inspector	Taxation Aid Committee
Design Review Board	Town Clerk
Dog Park Committee	Town Counsel
Education Fund Committee	Town Manager Act Review Committee
Election Workers	Veterans' Agent/Burial Agent
Emergency Communications Center Committee	Veterans' Memorial Committee
Emergency Management Agency	Visiting Nurse Board
Fireworks Site Focus Committee	

## 5-6. Sexual Harassment (January 2, 2018)

### 1. Purpose and Scope

The purpose of this document is to outline the Town's policy on sexual harassment, and to ensure compliance with applicable federal laws, state statutes, and town by-laws. Please note that while this policy sets forth the Town of Hanover's 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 or not that conduct satisfies the definition of sexual harassment.

### 2. Applicability

This policy applies to all employees of the Town of Hanover including those employees under the supervision and control of the School Committee.

### 3. Definitions and Examples

**Sexual Harassment:** That conduct which includes unwelcome sexual advances; requests for sexual favors; and other verbal or physical conduct of a sexual nature which may be considered sexual harassment when:

- submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- 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 learning or working environment.

General examples of such behavior may include:

- Unwelcome sexual flirtations, advances, propositions, cornering or physical contact;
- Verbally abusive comments about a person's body;
- Graphic verbal comments about a person's body;
- Sexually degrading words used to describe a person;
- The display in the workplace of sexually suggestive objects, pictures, cartoons;
- Inquiries into one's sexual experiences;
- Discussions of one's sexual activities; and,
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.

#### 4. Policy

Sexual harassment is illegal, and therefore, the Town of Hanover will not tolerate sexual harassment in the workplace. The duty to prevent such harassment arises from MGL Chapter 151(B), and from Title VII of the U.S. Civil Right Act of 1964 which includes sexual harassment as a form of unlawful discrimination.

All employees should take special note that 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.

#### 5. Procedures

A. Department heads and appointing authorities are responsible for the following:

- designating at least two employees to function as Sexual Harassment Officers;
- ensuring that all Sexual Harassment Officers receive training, and that they adopt and implement the Town of Hanover's procedures for receiving, investigating, and resolving allegations of sexual harassment;
- disseminating this policy to employees under their supervision;
- ensuring new employees receive a copy of the policy;
- informing employees that sexual harassment is prohibited conduct which will not be tolerated or condoned, and that disciplinary action will be taken against any person who engages in sexual harassment;
- advising employees of their right to complain to one of the Town's Sexual Harassment Complaint Hearing Officers, the Massachusetts Commission Against Discrimination (MCAD), and the U.S. Equal Employment Opportunity Commission (EEOC) (See Attachment A);
- informing employees that it is advisable to report conduct which the employee believes to be sexual harassment in a timely manner (The Massachusetts Commission Against Discrimination, under Employment Rights, defines timely manner to be within six (6) months of alleged discrimination.); and
- assisting all parties in the complaint resolution process.

B. Each employee is personally responsible for:

- ensuring that his/her conduct does not sexually harass any other employee, applicant for employment, or other individual in the workplace;
- cooperating in any investigation of a report or complaint of alleged sexual harassment; and
- cooperating with the Town's efforts to maintain learning or working environment free from such unlawful discrimination.

### C. Sanctions

- Any employee found to have engaged in sexual harassment in violation of this policy will be subject to remedial and/or disciplinary action ranging from mandatory training and counseling, up to, and including termination from Town service.

### 6. Complaint Resolution Process

Any employee who believes that he/she has been discriminated against in violation of this policy should file a complaint in writing or orally to one of the Town's Sexual Harassment Complaint Hearing Officers. The addresses and telephone numbers of these people are listed on Attachment A. An employee who does not feel comfortable with bringing a complaint to one of the Sexual Harassment Complaint Hearing Officers is always free to bring such a complaint to the attention of his/her supervisor or any other supervisory/managerial employee of the Town who in turn will ensure that the complaint is processed appropriately. Regardless of whether the complaint is brought to a Hearing Officer or to the employee's supervisor, or any other managerial position of the Town, all complaints will be reviewed by a second, or possibly a third Hearing Officer to ensure that the complaint is processed appropriately.

All such complaints shall be kept as confidential as possible, subject to review by the Chief Executive Officers of the Town. At the discretion of the person(s) conducting the investigation, the Department Head(s) will be notified that an investigation is taking place. Documents pertaining to such complaint will not be included in the personnel file of the employee filing the complaint. It may not be possible to withhold the complainant's identity from the alleged harasser.

The Sexual Harassment Complaint Hearing Officer(s) shall keep a complete record of all complaints, their supporting documentation and their resolution in files separate from official personnel files.

Once a complaint is received, it shall be put in writing by either the complaining party, one of the Sexual Harassment Complaint Hearing Officers, or the supervisor to whom it was reported. That member, or other Sexual Harassment Complaint Hearing Officer, shall initiate a prompt investigation of the complaint of sexual harassment in a fair and expeditious manner. Such investigation may include interview(s) with the alleged harasser, further interviews with the complainant, interviews with the employees, former employees or other individuals identified by either the complainant or the alleged harasser as possessing information about the matter, review of documentation and/or any other actions necessary to thoroughly investigate the complaint.

The investigation shall be completed as soon as possible given the circumstances. When the investigation is completed, the person(s) conducting the investigation shall draft a full report. The complainant's allegations of harassment, including a record of the date of the

report and the date of occurrence(s) and outlining the following:

- the response of the alleged harasser to the complaint
- the details of the investigation, including all witness statements
- supporting documentation
- finding and recommended resolution

Possible findings include but are not limited to: a substantiated complaint, an unsubstantiated complaint, or a knowingly false claim.

The Complaint Hearing Officer(s) shall inform the complainant and the alleged harasser of their conclusions.

If the Sexual Harassment Complaint Hearing Officers determines that the allegations, or any part of the allegations, are credible, the Department Head shall be notified with any recommended disciplinary action (warning, reprimand, demotion, suspension, up to and including discharge). The Department Head and/or appointing authority shall take prompt disciplinary/remedial action designed to end the harassment and prevent future harassment. Imposition of discipline shall not preclude other courses of action in addition to the discipline; such other courses of action may include mandatory counseling, training and the like.

If the Hearing Officer(s)' finding is that no sexual harassment has occurred, then the file will be closed and not be a consideration in any other employment decisions relative to any of the parties involved.

An employee who is unwilling to make a complaint to the Town's Sexual Harassment Complaint Hearing Officers may file a complaint directly with the MCAD or EEOC. These agencies may investigate the situation and may or may not issue a complaint. The addresses and telephone numbers of these agencies are included on Attachment A.

## 7. Considerations

The Town's view of sexual harassment includes, but is not limited to, the following considerations:

- A man or a woman may be the victim of sexual harassment, and a man or a woman may be the harasser;
- The harasser does not have to be the victim's supervisor. She/He may be a supervisory employee who does not supervise the victim, a co-worker, or even a non-employee, such as a board member;
- The victim does not have to be of the opposite sex from the harasser;

- The victim does not have to be the person at whom the unwelcome sexual conduct is directed. She/He may also be someone who is affected by such conduct when it is directed toward another person. The sexual harassment of one employee may create an intimidating, hostile, or offensive learning or working environment for another employee, or may unreasonably interfere with the co-worker's performance.
- Sexual harassment does not depend on the victims having suffered a concrete economic injury as a result of the harasser's conduct. Improper sexual advances which do not result in the loss of a promotion by the victim, or the discharge of the victim, nonetheless constitute sexual harassment by unreasonably interfering with the victim's work or by creating a hostile or offensive work environment.



Please be advised if you refuse to acknowledge receipt of this policy by signing below, your refusal will be documented, and you are still obligated to follow and comply with this policy.

I acknowledge that I have received and read the Town's Policy. I understand my responsibilities concerning the goal of the Town of Hanover in promoting a workplace that is free of any form of sexual harassment. With your signature below, you represent that you have read this acknowledgement, that you have received a copy of the Town's Policy, and that you have read and understand this policy.

\_\_\_\_\_  
Employee Name (please print)

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

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date

-----

Employee \_\_\_\_\_ was unwilling to sign this document.  
(print name of employee)

Department Head \_\_\_\_\_

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date

**ATTACHMENT A**

**Sexual Harassment Complaint Hearing Officers - Appointed by the Town Manager**

Joseph Colangelo  
Town Manager  
Town Hall  
(781) 826-5000 ext. 1084

Thomas Raab  
Business Manager  
Hanover Schools  
(781) 878-0786

Gregory Nihan  
Police Lieutenant  
Police Station  
(781) 826-5000 ext. 2026

Ann Lee  
Executive Assistant  
Town Hall  
(781) 826-5000 ext. 1033

Deborah St. Ives  
Assistant Superintendent  
for Curriculum  
Superintendent's Office  
(781) 871-1122

Chelsea Stevens  
Town Accountant  
Town Hall  
(781) 826-5000 ext. 1037

**Massachusetts Commission Against Discrimination (MCAD)**

Boston Office:                    One Ashburton Place, Room 601  
Boston, MA. 02108  
(617) 994-6000

Springfield Office:            424 Dwight Street, Room 220  
Springfield, MA 01103  
(413) 739-2145

**United States Equal Employment Opportunity Commission (EEOC)**

Boston Office:                    One Congress Street, 10th Floor  
Boston, MA 02114  
(617) 565-3200

## 5-7. Travel & Expense (May 1, 2017)

### 1. Purpose

It is the purpose of this policy to provide the Town Manager's direction to Department Heads regarding what employee expenses are reimbursable, under what circumstances, and the procedures to request such reimbursement.

It is the responsibility of the traveler to make prudent travel decisions in compliance with the policy, to keep costs within reasonable limits, and to report expenses according to established expense reporting policy. Failure to comply with these policies may result in the employee incurring personal charges and/or reduced reimbursement, and may lead to disciplinary action, up to and including termination. Employees need to submit documentation when necessary.

It is the responsibility of each manager to review expenses, authorize expenditures and exceptions under this policy.

### 2. Allowed Reimbursable Expenses

- a. Generally, allowed reimbursable expenses are those that employees must incur as a result of completing their normally assigned duties and responsibilities for the Town, including conferences, meetings and seminars, and shall be conducted in the most reasonable, cost-efficient manner possible.
- b. Such expenses may include meeting refreshments, postage, copying, auto mileage, conference registration fees, airplane tickets, food and beverages while at professional meetings, parking charges, tolls, valet services, customary tips, taxi charges, rental cars, internet connection fees or similar incidental expenses.
- c. Reimbursements should be made only for charges reasonably needed to conduct Town business and not for the purpose of personal convenience.

### 3. Prohibited Expenses

Expenditures of a personal nature, unreasonable or excessive expenses, and those not specifically related to the Town are not reimbursable. The following are examples of the type of expenditures which are prohibited:

- a. Payment of spouse or personal guest travel
- b. Excessive or extravagant costs (exclusive restaurants, first class travel)
- c. Personal entertainment
- d. Fines for traffic or parking violations
- e. Unexplained or undocumented expenses
- f. Personal expenses such as alcohol, room service, movies, laundry, dry cleaning, gym fees

#### 4. Procedures to Request Reimbursement

- a. An original itemized receipt, invoice, or bill is required.
- b. The invoice or receipt must state a minimum of the following:
  - The provider of the service or goods
  - Dates of service and/or invoice date
  - Itemized list of what was purchased
  - Itemized amount of what is owed
- c. It is recognized that in rare circumstances it may not always be possible to obtain such a receipt, e.g., a “fast lane” toll. In that case, the timing, reasonableness and setting of the requested reimbursement will be considered.
- d. Reimbursements which are not validated with a receipt will be paid only if deemed reasonable by the Town Accountant.
- e. If it is not clear from the receipt/invoice documentation who actually paid the bill, then additional documentation, such as a charge card statement, will be required.
- f. When a credit card payment is being reimbursed:
  - If the receipt displays the last 4 digits of the card used, then submit a legible copy of the credit card showing the name and matching 4 digits.
  - If the receipt does not display the credit card number, then submit a copy of the credit card statement showing the charge to be reimbursed.
- g. The Town cannot legally, and will not, reimburse or pay sales tax. It can, however, pay meals and hotel/motel excise taxes.
- h. The reimbursement requests shall be submitted and approved within 60 days via a submitted signed receipt that contains:
  - Authorized signature (Department Head or a majority of the related Board)
  - Department to be charged
  - Vendor to be paid
  - Invoice date, invoice number and due date
  - Appropriate accounts and amounts to charge
  - Description field completed for each line item

5. Guidelines

- a. Mileage reimbursement for use of private vehicles will be made at the current IRS rate. Mileage shall be reimbursed only if a Town-owned vehicle is not available on the day of travel. Mileage shall be calculated from the employee's office location to the destination points. Mileage to or from an employee's place of residence is not reimbursable. Expenses for tolls and parking shall not be included in this mileage rate but may be submitted for reimbursement according to the provisions of section II. B of this policy. A completed Town mileage reimbursement form shall be submitted as supporting documentation for the miles being reimbursed for.
  - 1. The Town of Hanover will reimburse personal car use when, in the opinion of the employee's manager, this mode of travel is more efficient and more cost effective than air, rail travel, town share vehicle or other ground transportation.
  - 2. Use of alternative transportation (air, rail travel, car rental, town share vehicle) should always be considered for longer distances or travel times since these alternatives are typically more cost effective. The most economical transportation that achieves the required business result should be chosen.
- b. Food reimbursements, including tips, will not exceed the United States General Services Administration daily per diem guidelines (M&IE Rate) for the county or city in which the expense was incurred. Please note the individual meal allowances.

<b>Meal</b>	<b>Maximum Allowance</b>	<b>Applicable Period</b>
Breakfast	\$ 7.00	On work status before 8:00 a.m.
Lunch	\$11.00	On work status from 8:00 a.m. to 4:00 p.m.
Dinner	\$18.00	On work status after 4:00 p.m.

- c. If charges for meals exceed this guideline it will be reimbursed in full, only if the meals charges are required as a part of a professional meeting.
- d. Employee should not claim reimbursement when meal(s) are included as part of a conference fee.
- e. Reimbursement rates shall be consistent with collective bargaining agreements.
- f. If conference sponsored hotel lodging rate exceeds amounts listed below the conference rate will be accepted.
- g. Lodging selected must not exceed the maximum nightly rates listed below (before taxes) without prior approval from the Town Manager:

**United States:**       **\$275** - New York City  
                                  **\$250** - Washington D.C.  
                                  **\$150** - All other U.S. locations, except Seattle  
                                  **\$180** - Seattle

- h. At times, when demand is high, and hotels are sold out, the hotel rooms still available are priced higher than the foundation's stated maximum rate. In this case, employees shall book the most reasonable option and retain a record of why the maximum rate was exceeded.

## **5-8. Drug & Alcohol-Free Workplace (March 27, 2017)**

### 1. Purpose

To maintain an alcohol-free and drug-free workplace and comply with the requirements of the Drug-Free Workplace Act of 1988. This POLICY applies to all employees of the Town except for employees in a collective bargaining unit that has a negotiated Drug and Alcohol Policy in existence that covers all employees in the bargaining unit.

### 2. Policy

#### A. Covered substances.

This policy covers the following substances:

- Alcoholic beverages of any kind.
- Controlled or illegal drugs or substances, which include all forms of narcotics, hallucinogens, depressants, stimulants, and other drugs whose use, possession, or transfer is restricted or prohibited by state or federal law.

#### B. Exceptions

Drugs prescribed by a physician, dentist, or other person licensed to prescribe or dispense controlled substances or drugs used in accordance with their instructions are not subject to this policy, however, each employee is obligated to inform his/her immediate supervisor or department head of the use of any medications which may cause drowsiness or other side effects which may impair an employee's ability to perform their job properly or safely. It is the position of the Town that both medical and recreational marijuana are prohibited under this policy in all cases regardless of the status of marijuana under state law. The Town does reserve the right on a case by case basis to approve, or deny, the use of medical marijuana. Any employee who is prescribed medical marijuana must notify the Town of the prescription prior to ingesting any marijuana. The Town will review each specific situation and determine whether or not to permit the ingestion of the medical marijuana. If an employee is found to possess or have ingested marijuana with the prior approval of the Town, the employee will be determined to have violated this policy regardless of the existence of a prescription.

#### C. Use prohibited on Town premises.

The following activities are prohibited while an employee is on the Town's premises or otherwise engaged in Town business:

- The manufacture, possession, use, sale, distribution, dispensation, receipt, or transportation of any controlled substance or illegal drug.

- The consumption of alcoholic beverages on Town premises or while otherwise engaged in Town business. Unless authorized by the Town Manager.
- Being under the influence of alcohol, marijuana or illegal substances during business hours.
- Performing duties while under the influence of alcohol, marijuana or controlled and/or illegal substances whether on or off Town premises

An employee who engages in such behavior will be subject to disciplinary action, up to and including immediate dismissal, or, as a condition of continued employment, may be required to successfully complete drug or alcohol abuse counseling or rehabilitation program. Any discipline imposed under this Policy shall be for a violation of this Policy. The Town retains the right to independently impose discipline, up to and including the termination of employment, for any underlying conduct, misconduct or actions that is in any way related to a violation of this Policy.

#### D. Counseling.

Any employee who wishes to receive information about counseling, rehabilitation and the Town's Employee Assistance Program may request the information from their supervisor.

#### E. Testing employees for substance abuse.

The Town may require employees to undergo appropriate tests designed to detect the presence of alcohol or drugs (e.g., blood test or urinalysis) where the Town has reasonable suspicion that an employee may appear to be under the influence of or impaired by alcohol or drugs. For the purposes of this policy “under the influence” is a management determination based on the judgment and or observation that an employee is showing observable signs and symptoms that lead the employee’s supervisor to believe that an employee may pose a danger to him/herself, other employees or the public. The Town also may require such tests whenever necessary to protect the safety and health of its employees - for example, when an employee is involved in an accident during the performance of Town business or on Town property that result in injuries to the employee or others or damage to property.

If there is reason to believe an employee is suspected of drug or alcohol abuse while on Town premises or otherwise engaged in Town business, he/she will be transported by their supervisor (after obtaining coverage), immediately to the testing facility for testing. The time away from the job will be paid for by the Town until a determination is made. If the testing results are positive, the employee will be placed on leave of absence, using his/her accumulated sick, vacation, personal and/or compensatory time to take corrective measures or to enter rehabilitation.

Consent to submit to such tests as the Town may require constitutes a condition of employment. Refusal to consent to a test when such test is required, based on reasonable suspicion, will result in disciplinary action in accordance with the applicable



rules, regulations, contracts, or policies, which the employee is under. An Employee will be subject to the same consequences of a positive test if he/she:

- Refuses the testing
- Adulterates or dilutes the specimen
- Substitutes the specimen with that from another person
- Refuses to cooperate in the testing process in such a way that prevents completion of the test

All drug and alcohol testing will be conducted in accordance with applicable federal, state, or local laws.

All drug and alcohol testing will be conducted by the Town's physician, at the Town's expense.

### 3. Alcohol Policy

*Voluntary Disclosure* by an employee who is not in violation of this policy.

If an employee of the Town of Hanover admits to having a dependence on alcohol it shall be treated as an illness and the employee shall be placed on administrative leave with pay. The employee shall be required to attend a rehabilitation program at the expense of the employee's health insurance and the Town of Hanover. Upon successful completion of the prescribed program and medical clearance given, the employee will return to work.

If an employee who has disclosed he/she has a dependence on alcohol, successfully completed the prescribed program, has been given medical clearance to return to work, and subsequently tests positive, it shall be treated as a First Offense under the terms of this Alcohol Policy.

#### *First Offense:*

If an employee of the Town of Hanover tests positive for alcohol in violation of this policy that employee shall be suspended for four (4) days without pay and be required to attend a rehabilitation program at the expense of the employee's health insurance and the Town of Hanover. Said employee will be required to use all accumulated sick, compensatory, personal and/or vacation time to attend medical treatment. Upon successful completion of the prescribed program and medical clearance given, the employee will return to work. Follow up testing will continue for one (1) year.

#### *Second Offense:*

If an employee of the Town of Hanover tests positive for alcohol in violation of this policy that employee shall be suspended for eight (8) days without pay and be required to attend a rehabilitation program at the expense of the employee's health insurance and the Town of Hanover. Said employee will be required to use all accumulated sick, compensatory, personal and/or vacation time to attend medical

treatment. Upon successful completion of the prescribed program and medical clearance given, the employee will return to work. Follow up testing will continue for two (2) years.

*Third Offense:*

If an employee of the Town of Hanover tests positive for alcohol in violation of this policy that employee shall be subject to disciplinary action, including suspension without pay for a minimum of twelve (12) days, up to and including termination. If the Town of Hanover in its discretion chooses not to terminate the employee's employment with the Town of Hanover, said employee will be required to attend a rehabilitation program at the expense of the employee's health insurance and the Town of Hanover. Said employee will be required to use all accumulated sick, compensatory, personal and/or vacation time to attend medical treatment. Upon successful completion of the prescribed program and medical clearance given, the employee will return to work. Follow up testing will continue for three (3) years

3. Drug Policy

*Voluntary Disclosure* by an employee who is not in violation of this policy.

If an employee of the Town of Hanover admits to having a dependence on drugs it shall be treated as an illness and the employee shall be placed on administrative leave with pay. The employee shall be required to attend a rehabilitation program at the expense of the employee's health insurance and the Town of Hanover. Upon successful completion of the prescribed program and medical clearance given, the employee will return to work.

If an employee who has disclosed he/she has a dependence on drugs, successfully completed the prescribed program, has been given medical clearance to return to work, and subsequently tests positive, it shall be treated as a First Offense under the terms of this Drug Policy.

*First Offense:*

If an employee of the Town of Hanover tests positive for drugs in violation of this policy that employee shall be suspended for eight (8) days without pay and be required to attend a rehabilitation program at the expense of the employee's health insurance and the Town of Hanover. Said employee will be required to use all accumulated sick, compensatory, personal and/or vacation time to attend medical treatment. Upon successful completion of the prescribed program and medical clearance given, the employee will return to full duty work. Follow up testing will continue for eighteen (18) months.

*Second Offense:*

If an employee of the Town of Hanover tests positive for drugs in violation of this policy that employee shall be suspended for twelve (12) days without pay and be required to attend a rehabilitation program at the expense of the employee's health insurance and the Town of Hanover. Said employee will be required to use all accumulated sick, compensatory, personal and/or vacation time to attend medical treatment. Upon successful completion of the prescribed program and medical clearance given, the employee will return to work.

Follow up testing will continue for two (2) years.

*Third Offense:*

If an employee of the Town of Hanover tests positive for drugs in violation of this policy that employee shall be subject to disciplinary action, including suspension without pay for a minimum of sixteen (16) days, up to and including termination. If the Town of Hanover, in its discretion, chooses not to terminate the employee's employment with the Town of Hanover, said employee will be required to attend a rehabilitation program at the expense of the employee's health insurance and the Town of Hanover. Said employee will be required to use all accumulated sick, compensatory, personal and/or vacation time to attend medical treatment. Upon successful completion of the prescribed program and medical clearance given, the employee will return to work. Follow up testing will continue for three (3) years.

3. Procedure

Each current employee is to be provided with a copy of this policy and the attached acknowledgment form and be asked to sign the form and return it immediately to the employee's supervisor.

Each new employee shall, at the time of hire, be provided with a copy of the policy and acknowledgment form. The new employee is to read the policy and sign the form before being permitted to work.

**POLICY ACKNOWLEDGEMENT FORM**

I have received and read a copy of the Town's Drug & Alcohol—Free Workplace Policy.

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Employee's Name Printed: \_\_\_\_\_

## **5-9. Criminal Offender Record Information (January 19, 2016)**

### **1. Purpose**

The Town of Hanover recognizes the need to ensure a safe environment for those we serve. As one means of providing a safe and credible environment, the Town has implemented this revised Criminal Offender Record Information (CORI) Policy.

### **2. Applicability**

This policy is applicable to the criminal history screening of prospective and current employees, contractors, volunteers and interns, and professional licensing applicants. Where CORI and other criminal history checks may be part of a general background check for employment, volunteer work, or licensing purposes, the following practices and procedures will be followed.

This policy applies to any Town position paid, or unpaid, or contracted that may in the course of its duties have access to vulnerable populations such as the elderly, the disabled, or children or any other position that the Town must or is authorized to perform CORI checks on pursuant to law or regulation.

### **3. General Provisions**

#### **a. Conducting CORI Screening**

CORI checks will only be conducted as authorized by the Department of Criminal Justice Information Services (DCJIS) and MGL c. 6, § 172, and only after a CORI Acknowledgement Form has been completed and signed by the applicant, and the appropriate identification has been reviewed.

#### **b. Access to CORI**

All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have a “need to know”. This may include, but not be limited to, hiring managers, staff submitting the CORI requests, and staff charged with processing job applications. The Town of Hanover must maintain and keep a current list of each individual to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

#### **c. Cori Training**

An informed review of a criminal record requires training. Accordingly, all personnel authorized to review or access CORI at the Town of Hanover will review, and be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

Additionally, if The Town of Hanover is an agency required by MGL, c. 6, § 171A, to maintain a CORI Policy, all personnel authorized to conduct criminal history background checks and/or to review CORI information will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

d. Use of Criminal History in Background Screening

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied.

Unless otherwise provided by law, a criminal record will not automatically disqualify and applicant. Rather, determinations of suitability based on background checks will be made consistent with this policy and any applicable law or regulations.

e. Verifying subjects Identity

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant.

If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

f. Inquiring About Criminal History

In connection with any decision regarding employment, volunteer opportunities, housing or professional licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about his or her criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

g. Determining Suitability

If a determination is made, based on the information as provided in Section V of this policy, that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, 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:

- Relevance of the record to the position sought;
- The nature of the work to be performed;
- Time since the conviction;

- Age of the candidate at the time of the offense;
- Seriousness and specific circumstances of the offense;
- The number of offenses;
- Whether the applicant has pending charges;
- Any relevant evidence of rehabilitation or lack thereof; and
- Any other relevant information, including information submitted by the candidate or requested by the organization.

The applicant is to be notified of the decision and the basis for it in a timely manner.

h. Adverse Decisions Based on CORI

If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified immediately. The applicant shall be provided with a copy of the organization's CORI policy and a copy of the criminal history. The source(s) of the criminal history will also be revealed. The subject will then be provided with an opportunity to dispute the accuracy of the CORI record. Subjects shall also be provided a copy of the DCJIS' *Information Concerning the Process for Correcting a Criminal Record*.

i. Secondary Dissemination Logs

All CORI obtained from the DCJIS is confidential and can only be disseminated as authorized by law and regulation. A central secondary dissemination log shall be used to record any dissemination of CORI outside the Town of Hanover, including at the request of the subject.

j. For Contractors/Vendors

For the purposes of contract or vendor work, CORI checks will only be conducted as authorized by the DCJIS.

All contractors or vendors who in the course of their duties would be exposed to vulnerable populations such as the elderly, the disabled or children, and any other contractors or vendors who may be required or authorized to obtain CORI information under law or regulation may be required to undergo and pass a CORI check through the Town.

k. For the Purpose of Licensure

CORI checks will only be conducted as authorized by the DCJIS.

To the extent permitted by law, any person applying for any license or appointment as authorized by the DCJIS will be required to undergo a CORI check through the Town of Hanover and in such circumstances will be provided access to the Town's full CORI Policy via the web at [www.hanover-ma.gov](http://www.hanover-ma.gov), under the Committees/Boards heading click Select Board, then under Links click Policies.

## 5-10. Vehicle Use (January 7, 2013)

### 1. Purpose

The purpose of this policy is to set forth the guidelines under which Town vehicles will be authorized to Town personnel and the guidelines under which Town vehicles may be operated and used.

### 2. Applicability

The provisions of this policy apply to all general government employees, who operate and/or use municipal vehicles. This policy supersedes all other relative policies including Policy 91-2 adopted by the Select Board on September 23, 1991.

### 3. General Provisions

It is the policy of the Town of Hanover to authorize the acquisition and utilization of vehicles for use by officials of the Town in the conduct of their employment responsibilities, either during the work shift or on a twenty-four (24) hour on-call basis. Town vehicles are for use by Town employees only.

Town vehicles are assigned on a departmental basis to be used by that department only. Other departments are not to use vehicles not assigned to them unless given permission by the department who has primary possession of such vehicle. Town vehicles are not intended for personal use. Town vehicles should be viewed as belonging to the citizens of Hanover and are assigned solely for purposes consistent with providing services to those citizens. When Town vehicles are not conducting town business, they are to be garaged at the appropriate Town department office.

The Town will provide a pool vehicle for general use and attendance at meetings, trainings and seminars. Use of this vehicle shall be the primary option for employees. Reimbursement for mileage for the use of privately owned vehicles will be authorized only in cases when the Town pool vehicle is not available.

Assignment of Town Vehicles for 24 Hour Use (Vehicles Approved for Commuting Purposes)

- a. The assignment of vehicles for twenty-four (24) hour use will be made in writing by Department Heads to the Selectpersons, and will only be considered for employees who require a vehicle for the ordinary and necessary discharge of their job functions, including:
  - officially designated on-call status;
  - requirement for emergency availability;
  - emergency or other equipment contained in the vehicle;
  - Such assignment may be rescinded with reasonable notice by the Town Manager for work-related reasons.



- b. When commuting, vehicle use is limited to travel to and from the residence and place of work. The vehicle should not be utilized for travel outside a direct commuting route for personal reasons, unless otherwise authorized by the Town Manager.
- c. Whenever a position becomes vacant, the authorization for 24-hour use for commuting shall be evaluated by the Town Manager and reported to the Select Board.
- d. Employees assigned vehicles for 24-hour use involving a commute of more than twenty (20) miles one way shall reimburse the Town for the additional operational or maintenance cost as determined by the Select Board.
- e. Employees assigned municipal vehicles on a 24-hour basis will be given a copy of this policy and will be required to sign a confirmation of receipt.

#### 4. Vehicle Use and Operation

- a. Municipal vehicles must have the Town seal or department insignia patches affixed on the drivers and passenger side doors (except for unmarked Police and Fire vehicles), and may only be used for legitimate municipal business.
- b. Municipal vehicles will not be used to transport passengers who are not directly or indirectly related to municipal business, as determined by the Department Head.
- c. Vehicles should contain only those items for which the vehicle is designed. The Town shall not be liable for the loss or damage of any personal property transported in the vehicle.
- d. Vehicles are to be kept clean. Any damage or malfunction shall be reported to a supervisor immediately.
- e. The transport of animals in municipal vehicles is prohibited unless they are service animals or transport is a job related function such as the Animal Control Officer's vehicle.
- f. Employees shall not be allowed to smoke in municipal vehicles.
- g. Employees and other vehicle passengers must wear seatbelts in Town vehicles so equipped during operation of the vehicle (except for Police who must respond to an incident where the use of a seat belt may present an unsafe situation for the vehicle operator and/or occupant).
- h. The use of cell phones is discouraged while driving, except for emergency purposes. Texting while driving is strictly prohibited.
- i. Employees shall not operate municipal vehicles under the influence of alcohol, illegal

drugs, or prescription drugs or medication that may interfere with effective and safe operation of the vehicle.

- j. Employees who operate municipal vehicles must have a valid motor vehicle license issued by the state of their current residence and may be required to provide proof of valid motor vehicle license once every six (6) months.
- k. Employees driving municipal vehicles shall obey all applicable traffic and parking regulations, ordinances, and laws.
  - Employees who incur parking or other fines in municipal vehicles will generally be personally responsible for payment of such fines unless the Department Head approves the payment of such fines by the Town.
  - Employees who are issued citations for any offense while using a municipal vehicle must notify their supervisor immediately when practicable, but in no case later than 24 hours. Failure to provide such notice may be grounds for disciplinary action.
  - An employee who is assigned a municipal vehicle and who is arrested for or charged with a motor vehicle offense for which the punishment includes suspension or revocation of their motor vehicle license, whether in his or her personal vehicle or in a municipal vehicle, must notify his or her supervisor no later than the beginning of their next work shift. Conviction for such an offense may be grounds for loss of municipal vehicle privileges and/or further disciplinary action.
  - An employee who is involved in any motor vehicle accident involving a municipal vehicle shall contact their supervisor immediately who will contact the Police.
- l. No employee may use a municipal vehicle for out of state use without advance approval of the Department Head.

Failure to comply with any and all provisions of this policy may result in disciplinary action up to and including removal of Town vehicle privileges, suspension, and/or termination.

**Taxable Fringe Benefit**

Employees authorized to use a 24-hour Town vehicle may be subject to imputed income tax regulations as set forth by the Internal Revenue Service, which considers a certain portion of the vehicle use (namely the commute) to be income for the purposes of income taxation. The Town will use the IRS Publication 15-B, Employers Tax Guide to Fringe Benefits, Section 3, Commuting Rule in determining any tax liability and automatically update changes to the rate made by the IRS. The rule establishes a \$1.50 per one-way commute value as the non-cash taxable fringe value. This value will be includable in the employee's gross income reported on their W2 at FYE and is subject to all federal withholding taxes. Employees who are assigned marked police and fire vehicles, unmarked police vehicles or specialized vehicles carrying tools and meeting certain other eligibility criteria established by the IRS will not be subject to the commuting valuation.

-----  
**CONFIRMATION RECEIPT:**

I \_\_\_\_\_ have received a copy of the Town of Hanover,  
(print name here)  
Vehicle Use and Operation Policy, adopted by the Select Board on January 7, 2013

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## 5-11. Family and Medical Leave Act (February 22, 2010)

### 1. Purpose and Scope

To outline the conditions under which an employee may request time off without pay for a limited period with job protection and no loss of accumulated service if the employee returns to work. FMLA entitles eligible employees to take unpaid, job-protected leave each year for specified family and medical reasons. An eligible employee's right to FMLA leave began on August 5, 1993; any leave taken before that date does not count as FMLA leave. The new regulations implement two new military family leave entitlements for eligible specified family members:

### 2. Policy

Under the Family and Medical Leave Act, eligible employees are generally entitled to an unpaid leave for up to a total of 12 workweeks or 26 weeks for the care of a covered servicemember during a 12-month period for one or more of the following reasons:

#### Basic Leave Entitlement (of up to 12 weeks)

- The birth of an employee's son or daughter, and to care for the newborn child;
- The placement with the employee of a son or daughter for adoption or foster care, and to care for the newly placed child;
- To care for the employee's spouse, son, daughter or parent with a serious health condition;
- The employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of his/her position.

#### Military Family Leave Entitlements

- Eligible employees with a spouse, son, daughter or parent on active duty or call to active duty status in any component of the Regular Armed Forces may use their 12-week leave entitlement to address certain "Qualifying Exigencies". Qualifying Exigencies relates to when a member of the regular or reserve components of the Armed Forces is deployed to any foreign country.
- FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness that was incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. Also included are veterans who were members of the Regular Armed Forces (including the National Guard or Reserves) within five years of the date of the medical treatment, recuperation, or therapy for which the care is required. Furthermore, the definition of "serious injury or illness" adds that the injury

or illness may manifest itself before or after the member became a veteran.

In general, leaves of absence granted under this policy are unpaid leaves of absence. Exceptions may be covered under explicit provisions of the various Town of Hanover Collective Bargaining Agreements. For example, an employee of the Department of Public Works as part of the Collective Bargaining Agreement for July 1, 1999 to June 30, 2002 "may at his/her option, use sick leave, in increments of no less than one day at a time, towards Family/Medical leave under FMLA." Absence based on the employee's own serious health condition may qualify as paid absence under the Town's sick leave plan. All persons absent from their position with the Town must be absent pursuant to approved leave, be it pursuant to the Family Medical Leave Act or other extended leave. The Town specifically reserves the right to designate both retroactively and prospectively any leave taken by an employee as FMLA leave should the Town determine that such leave qualifies as FMLA leave.

A. Eligibility Requirements:

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the Town

B. Leave Duration:

Eligible employees are entitled up to a total of 12 workweek of leave during a 12-month period. The 12-month period is measured backward from the date an employee uses any FMLA leave. Thus, each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the 12 weeks that has not been used during the immediately preceding 12 months. Employees with more than 12 weeks of sick leave may at the Town's discretion be placed on an extended medical leave at the conclusion of 12 weeks and be subject to the Town's normal policy governing employees on leave who have exhausted their 12-week entitlement. An eligible employee is entitled to 26 workweeks of leave to care for a covered servicemember with a serious injury or illness during a "single 12-month period." The Town reserves the right to determine that FMLA leave shall run in parallel with any available non-FMLA leave which an employee has under a collective bargaining agreement or a relevant Town policy.

C. Leave Conditions

- *Employee notice requirements.* Employees requesting leave must provide at least 30 days advance notice before leave is to begin, or if the need for leave is unanticipated, as much advance notice as practicable; normally, notice must be given within one or two business days of when the need for the leave becomes known. Employees must, when feasible, provide their department reasonable notice of their intent to return to work. In all cases, when a decision is made by the employee not to return to work, the employee must notify their department immediately.
- *Birth of a child and in order to care for the newborn; adoption; placement of a foster child.* Leave for these purposes must be taken in consecutive workweeks and

completed within the 12-month period following the birth or placement of the child with the employee.

- *Leave to care for a child spouse, or parent with a serious health condition or the employee's own serious health condition.* Employees may take leave for these purposes on a consecutive basis or intermittently, or the employee may request to be placed on a reduced workweek or reduced workday. For exempt employees, this will be calculated on a percentage basis.
- *Nonconsecutive periods of leave.* If an employee requests an intermittent or reduced leave schedule due to a serious health condition (either his or her own or that of a covered family member, i.e., child spouse or parent), the department may require the employee to transfer temporarily to an alternative position for which the employee is qualified, to better accommodate the recurring periods of leave the employee will require. Employees transferred under such circumstances will receive equivalent salary and benefits. Employees requesting intermittent or reduced-schedule leaves for planned medical treatment for the employee or a covered family member should make a reasonable effort to schedule the treatment so as not to disrupt unduly the department's operations.

#### D. Request for Leave

Employees requesting leave are required to complete the appropriate U.S. Department of Labor's Family and Medical Leave Act forms and submit them to their department prior to the time the leave is requested.

#### E. Certification Requirements

The Town/Department may require certification from a health care provider substantiating the employee's leave request. Certification requirements differ according to whether the leave is for the employee's own serious health condition or that of a covered family member. When an employee foresees the need for the leave, and has provided, at least 30 days notice, such certification should be provided before the leave begins. When this is not possible, the employee must provide the certification within 15 days of the Town's/Department's request. Failure to provide certification on a timely basis may delay leave.

The employee's Department may require a second, and in some cases a third medical opinion, at the Town's expense, depending upon the circumstances. During the course of the leave, the department may under certain circumstance require additional medical recertification every 30 days. In addition, if the circumstances giving rise to the need for leave have changed significantly, or if the department has reason to doubt the validity of the stated reason for the absence, the department reserves the right to request recertification at any time.

When the leave was for the employee's own serious health condition, the Town/Department may require medical clearance indicating that the employee can return to work and perform the essential functions of his/her position, with or without

reasonable accommodation. The Town/Department will consider making a reasonable accommodation for any disability an employee may have where required by law. Medical certification will also be required for any employee who claims he/she is unable to return to work at the scheduled conclusion of a leave or who requests a leave extension.

F. Use of Accrued Sick, Vacation and Personal Leave

An employee may at his/her option use sick, vacation, and/or personal leave in increments of no less than one day at a time, towards Family and Medical leave. For purposes of counting the FMLA 12- workweek entitlement, at the discretion of the Town/Department, all FMLA leave may run concurrently with other applicable state or local law mandated leaves.

G. Employment Protection

Upon return from FMLA leave, most employees must be restored to their original or equivalent position with equivalent pay, benefits, and other employment terms. However, no employee is entitled under this policy to any right, benefit, or position other than that to which the employee would have been entitled had he/she not taken leave. Thus, for example, if a layoff or reduction in force or some other extenuating circumstance or condition arises that affects the employee's position, reinstatement may not be possible. Exceptions may also apply for certain highly compensated, "key" employees under certain conditions. A "key" employee is a salaried eligible employee who is among the highest paid ten percent of employees within 75 miles of the work site. Employees on an extended medical leave (i.e., beyond the 12-or 26 {for the care of a covered servicemember} work week period) are not guaranteed reinstatement. Such employee's reinstatement privileges are the same as described in paragraph 10 of this policy.

H. Benefits Continuation while on Statutory Leave

During a covered family/medical leave, the Town will continue to provide full coverage for health, basic life, and dental insurance at the level and under the conditions coverage would have been provided had the employee been continuously employed. Normal employee contributions for group health and dental benefits, as well as for any voluntary supplemental life insurance, will be deducted from any payments made to the employee while on leave. If the employee has exhausted all pay for time-not worked benefits and his/her leave becomes unpaid, he/she should contact the Town Treasurer's Office and review the available options for continuation for such benefits. Other benefits such as pensions will be governed by the terms of each benefit plan.

All benefits that operate on an accrual bases, e.g., vacation, and sick leave will cease to accrue during any period of unpaid family/medical leave.

I. Both Spouses Employed by the Department

During a covered family/medical leave, the Town will continue to provide full coverage

for health, basic life, and dental insurance at the level and under the conditions coverage would have been provided had the employee been continuously employed. Normal employee contributions for group health and dental benefits, as well as for any voluntary supplemental life insurance, will be deducted from any payments made to the employee while on leave. If the employee has exhausted all pay for time-not worked benefits and his/her leave becomes unpaid, he/she should contact the Town Treasurer's Office and review the available options for continuation for such benefits. Other benefits such as pensions will be governed by the terms of each benefit plan.

All benefits that operate on an accrual bases, e.g., vacation, and sick leave will cease to accrue during any period of unpaid family/medical leave.

#### J. Leave for Ineligible Employees

*Employees ineligible due to service requirements.* Employees with less than one year service and/or who have not completed a minimum of 1,250 hours of service during the 12-month period prior to their leave, may be granted medical leave subject to the requirements contained in paragraphs 3 to 6, and any contractual or other agreements, for up to 12 weeks.

#### K. Employment Protection

Reinstatement will not be guaranteed to any employee ineligible for leave under this family/medical leave policy and who are granted leaves under this paragraph 10. The Town/Department will, however, endeavor to place employees returning from leave to their position or a position comparable in status and pay, subject to budgetary restrictions, the department's need to fill vacancies, and the ability to find qualified temporary replacements. Benefits coverage during a period of leave taken by employees ineligible for leave under this policy will be governed by the terms and conditions contained in the applicable benefit plans maintained by the Town.

#### L. Other Leave Resources

An employee whose situation is not covered by the Family and Medical Leave Act should consider unpaid leave as provided by the Commonwealth of Massachusetts "Small Necessities Act". Other leave options may be under the various Collective Bargaining Agreements.



### 3. Administration

All questions about leaves of absence should be directed to the Department Head or the Personnel Administrator. Leave of absence request forms are available through the Treasurer's Office, Personnel Office, or online at [www.dol.gov/whd/fmla/index.htm](http://www.dol.gov/whd/fmla/index.htm).

- WH-380-E Certification of Health Care provider for Employee's Serious Health Condition
- WH-380-F Certification of Health Care Provider for Family Member's Serious Health Condition
- WH-381 Notice of Eligibility and Rights & Responsibilities
- WH-382 Designation Notice
- WH-384 Certification of Qualifying Exigency for Military Family Leave
- WH-385 Certification for Serious Injury or Illness of Covered Servicemember — for Military Family Leave

POLICY ACKNOWLEDGMENT FORM

I have read and received a copy of the Town of Hanover's Family and Medical leave Act Policy.

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

## 5-12. Sworn Weighers P.A. Landers, Inc (June 15, 2009)

### 1. Purpose of Policy

To outline the rules and regulations applicable to those employees of P. A. Landers, Inc. who have been appointed Sworn Weighers by the Select Board by virtue of the authority in us vested under M.G.L. c. 41, § 85.

### 2. Scope

This policy applies to all Sworn Weighers at the P. A. Landers, Inc. facility in Hanover, their supervisors and the management of P. A. Landers, Inc.

### 3. Provisions of Policy

- a. All Sworn Weighers must be active employees, in good standing, of the P. A. Landers, Inc. facility in Hanover.
- b. Sworn Weighers appointed by the Hanover Select Board may take weights & measures under this appointment only at the P. A. Landers facility in Hanover.
- c. All Sworn Weighers must keep permanent and accurate records, in the form prescribed by the Massachusetts Division of Standards, and any and all applicable laws of the Commonwealth.
- d. All records shall be made available, at all reasonable times, for inspection and compliance review by the Hanover Sealer of Weights and Measures.
- e. All Sworn Weighers are subject to the rules and regulations as set forth in M.G.L.
- f. 41, § 85-86, M.G.L. c. 94, § 244, the Massachusetts Division of Standards and all other applicable laws of the Commonwealth.
- g. P. A. Landers, Inc. must provide written notice to the Select Board if any employee who is a Sworn Weigher ceases to be employed by P. A. Landers, Inc.
- h. All Sworn Weighers must be sworn in by the Hanover Town Clerk prior to performing their duties.
- i. All weighing and measuring devices will be made available annually for inspection by the Hanover Sealer of Weights and Measures.
- j. All taxes, fees, and other obligations due the Town shall be kept current, including any fees established by the Select Board for activities related to Sworn Weighers.
- k. P. A. Landers, Inc., without cost to the purchaser of goods/materials for use in road construction, shall cause the goods/materials to be weighed and a signed certificate issued. See M.G.L. c. 94, § 244 for further requirements.

### **5-13. Vacation Accrual and Payoff (April 22, 2008)**

#### 1. Purpose of Policy

To define the retirement or death benefit to employees or their beneficiaries. All accrual rates as specified in the individual or collective bargaining agreements remain in effect.

#### 2. Scope

This policy applies to all employees of the Town of Hanover except School Department employees.

#### 3. Provisions of Policy

Vacation time is earned during the fiscal year from July 1st through June 30th. Vacation time is then granted on July 1st of the following fiscal year, provided the employee remains an active employee on that date. When appropriate notice of retirement is received, as defined within the various contracts, following twenty years of continuous Town employment, and if the separation of service is prior to the award date of July 1, vacation time accrued will be paid off on a pro-rated basis calculated at the same rate of pay during which it was earned and paid on the July 1st award date. Upon an employee's death, the same benefit will be paid to his/her beneficiaries.

## **5-14. Hiring and Job Description Approval (June 6, 2007)**

### **1. Purpose of Policy**

This policy is intended to establish guidelines for hiring decisions and job description approval.

### **2. Scope**

This policy applies to all employees of the Town of Hanover except School Department employees.

### **3. Provisions of Policy**

In accordance with good hiring practices, the Select Board is formalizing the practice that all hiring decisions and job description approvals be subject to confirmation by the next higher level of appointing authority in a timely manner. For example: an appointment by a Department Head would be subject to Town Administrator approval, an appointment by the Town Administrator would be subject to Select Board approval.

This policy will ensure that no single person will be able to make hiring decisions alone. Elected boards that are the highest hiring authority, by virtue of having multiple members, do not have a single person making these decisions. Appointed boards with hiring authority must have their hiring decisions approved by the Select Board.

Further, all hiring, disciplining, firing, and creating or updating of job descriptions shall be done using appropriate personnel practices as determined by the Personnel Administrator.

**5-15. Use of Laptop Computers, Cellular Telephones, Mobile Communications Devices, and other Technology Devices (July 15, 2019)**

1. Purpose

This policy is intended to establish a uniform guideline for Town employees and officers of the town regarding the use of and subsidization of laptop computers, cell- phones, and other communication/technology devices.

2. Provisions

- a. The Select Board recognize that it has become universally expected that certain officers and employees of the Town are equipped with the ability to communicate and be available 24/7/365;
- b. The Select Board shall provide Town of Hanover owned devices and associated subscription plans to the Town Manager;
- c. The Town Manager shall have discretion to provide town owned devices and subscription plans for Town employees and officers of the town, excluding those who fall under the School Committee/Department;
- d. If an employee or officer of the town covered by this policy would like to use their personal device(s) for town business the Town Manager may consider that request;
  - If this request is granted a reimbursement of no more than \$35 per month will be provided to the employee or officer of the town, in accordance with IRS regulations
  - §(e),(f),(g),(h),(i),(j),(k) apply to personal device(s)
- e. Any officer or employee of the town who is provided a town owned device(s) and associated subscription plan(s) shall be responsive 24/7/365 minus reasonable exceptions such as family gatherings, vacations, outdoor activities, etc.;
- f. Any officer or employee of the town covered by this policy shall make their cell-phone number and email address known publicly on the town's website<sup>1</sup>;
- g. The device(s) and subscription(s) may be recalled by the approving entity at any time if responsiveness or proper use becomes an issue;
- h. Users of town owned device(s) may use them for personal matters so long as said use(s) do not interfere with town business, generate additional cost(s) to the town, or deemed illegal;
- i. All emails, texts, photos, files, notes, etc. sent to, sent from, stored in, etc. a town owned device shall be considered public records unless the Select Board, pursuant to consultation with Town Counsel, determine otherwise;
- j. Internet use on town owned devices shall be consistent with Select Board Policy #5-17

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<sup>1</sup> This provision may be waived by the Town Manager for certain positions in town such as the Chief of Police and other positions where the sensitive nature of work could be jeopardized

- k. Email use on town owned devices shall be consistent with Select Board Policy #5-18

- l. Upon separation from employment with the town all devices owned by the Town of

- Hanover must be returned to the Town Manager;
- m. The Town Manager shall be responsible for keeping a master list of all Town employees and officials who receive a benefit from this policy;
  - n. In the event any laptop, telephone or other communication/technology equipment is damaged in the course of business under reasonable circumstances, the item should be brought to the employee's supervisor for direction as to contacting the vendor for repair or replacement. Lost or stolen cellular equipment shall be immediately reported to the employee's supervisor so the service may be cancelled.

In the event that the Town will be providing replacement equipment, the Town Manager must authorize the replacement request and provide an account to which the replacement will be charged. Employees may be financially responsible for the replacement if:

- 1. Equipment is lost or damaged while in the care of an employee as a result of the employee's gross negligence.
- 2. Equipment is not returned by an employee within the specified period of time or is damaged upon its return.
- 3. Equipment is damaged due to failure to adhere to maintenance or operational policies.

3. Violations

- a. Violations of this policy may result in the immediate obligation to turn- over any and all town owned device(s) to the Town Manager or to the Select Board and the cancellation of any associated use subscription(s) for said device(s);
- b. Violations of this policy may also result in discipline as provided for in the personnel policies

#### **5-16. Use of Animal Control Van (October 29, 2004)**

The Animal Control Van is to be primarily used by the Animal Control Officer, or any of his or her assistants, for picking up animals or for routine patrol within the Town of Hanover. Any other use needs to be authorized by the Town Administrator in advance. Additionally, the Town Hall Custodian is authorized to use the van for trash disposal at the Transfer Station and DPW garage.

The van shall be kept at the Town Hall parking lot when not being used. Operator shall have a valid Massachusetts Driver's License and operate in accordance with all local, state, and federal driving regulations. All individuals riding in the van must be employees of the Town, must be seated in a seat, and shall wear a seat belt.

Any accident shall be reported immediately (orally) and a written report shall be made within 24 hours to the Town's insurance company and copied to the Town Administrator or Chairperson of the Select Board.

When filling up with gasoline, oil and water shall also be checked and maintained at a safe level. The Animal Control Officer shall make arrangements for oil changes, antifreeze and seasonal maintenance with the Department of Public Works or a qualified private vendor (if necessary).

The van shall be kept in a clean and sanitary condition with regular cleanup performed by the Animal Control Officer after animals are removed from the vehicle for delivery to a veterinarian or kennel.

This policy is subject to addition, deletion or alteration by the Select Board should it be necessary to do so. Failure to comply with this Policy may result in disciplinary.



## **5-17. Internet Access and Use (September 16, 2019)**

### 1. Purpose

This policy is intended to establish a guideline for the access and proper use of the internet by Town employees while engaged in town business or while using Town owned or sponsored equipment.

### 2. Scope

This policy applies to employees and officers of the Town of Hanover, excluding School Department employees and officers;

### 3. Provisions

a. Internet use is restricted to job related functions of the municipal government.

- De Minimis personal use is allowed
- Personal use of the internet can result in disciplinary action if it is deemed inappropriate and/or disruptive by supervisors, co-workers, and/or members of the public.
- Illegal uses are strictly prohibited

b. The Town reserves the right to examine all town-owned or town-financed computer, cell-phone, tablet, and other mediums of internet use to ensure users are in compliance with this policy;

c. All users/employees are required to comply with the directives of the IT Director in order to prevent computer viruses, hacking, the release of sensitive information such as medical records and personnel files, etc.

### 4. Violations

Violations of this policy may also result in discipline as provided for in the personnel policies

## **5-18. Electronic Mail “E-Mail” (September 16, 2019)**

### **1. Purpose**

This policy is intended to establish a guideline for the access and proper use of Town of Hanover (@hanover-ma.gov) and (@ocln.org) for Town of Hanover library sponsored electronic mail “e-mail” by town employees and officers.

### **2. Scope**

This policy applies to employees and officers of the Town of Hanover, excluding School Department employees;

### **3. Provisions**

- a. But for exemptions provided for in law, all email messages and attachments maintained, stored, received, sent, or obtained to or from Town of Hanover sponsored email addresses shall be considered public records and shall remain the property of the Town and shall be subject to monitoring and/or disclosed at any time by the Town Manager, or other Town officials such as Town Counsel, and members of the Select Board;
- b. Town of Hanover email is managed by the Town in order to conduct Town business.
- c. Town of Hanover employees and officials must use their town sponsored email to conduct town business;
- d. Town of Hanover sponsored email shall not be used to transmit messages, images, or the like that include language or visuals that may be construed as harassment, disparagement, threatening, or demeaning to others. Messages with derogatory or inflammatory remarks about an individual or group’s race, age, religion, national origin, physical attributes, or sexual preference will not be transmitted or tolerated. Town of Hanover employees and officers of the town shall not use their town sponsored email accounts to intentionally distribute, release, or otherwise transmit confidential and/or privileged information belonging to the Town without the consent of the Town Manager, Town Counsel, or by majority vote of the Select Board.

### **4. Violations**

Violations of this policy may result in discipline as provided for in the personnel policies.

## **5-19. Pre-Employment Physical (June 29, 1998)**

### 1. Purpose of Policy

This policy is intended to establish a consistent Town-wide guideline for pre-employment medical examinations for new Town employees; to ensure that each new hire can perform the essential functions of the position for which he/she was hired; with or without reasonable accommodation, in compliance with the Americans with Disabilities Act and the Civil Rights Act of 1991.

### 2. Scope

This policy is intended to cover all new, permanent employees who will work 20 or more hours per week for at least 16 consecutive weeks, or, those employees for whom it would be appropriate, based on their essential job functions.

### 3. Provisions of Policy

In compliance with federal laws, employers have the right to require employees to submit to a pre-employment medical examination, as long as the examinations are administered in a nondiscriminatory manner. Massachusetts state law prohibits pre-employment medical examinations being administered until after an offer of employment has been extended to an applicant. The results of such examination are to be kept confidential. Job-related, physical requirements have been furnished to South Shore Hospital's Wellness Works, 55 Fogg Road, South Weymouth, MA. 02190-2455, MA.; so that it may conduct pre-employment physical examinations for the Town, in a nondiscriminatory manner. The expense of a pre-employment physical is to be covered by the employing department.

## **5-20. Interdepartmental Employment (August 14, 1995)**

### 1. Purpose of Policy

This policy is intended to establish a consistent Town-wide guideline for interdepartmental employment as it affects overtime and compliance with the Fair Labor Standards Act (FLSA) and to supersede Policy 92-2 on the same issue. Specifically, Town employees are once again allowed to also become Call Firefighters if they qualify.

### 2. Scope

This policy is intended to cover all employees.

### 3. Provisions of Policy

All non-exempt employees as defined by the U. S. Department of Labor shall be allowed to work in a different department only in a non-job-related category as long as it is occasional and sporadic. It is each Department's responsibility to be accountable for its own overtime pay and to keep up good communication with any other department involved in such decisions.

## **5-21. Life Insurance Under Chapter 130 of the Acts of 1994 (May 5, 1995)**

### **1. Purpose of Policy**

This policy is intended to establish which employees are to be covered by the \$5,000.00 Life Insurance Policy purchased by the Town under the authority of Chapter 130 of the Acts of 1994. It is not intended to duplicate any like coverage referenced in Town Union, or individual contracts. On the contrary, the special legislation was created to fulfill and replace only written or verbal obligations the Selectpersons have made relative to Life or A.D. & D. Insurance coverage beyond what is generally provided for in Massachusetts General Law, Chapter 32B.

### **2. Scope**

This policy covers all Town Employees.

### **3. Eligibility**

Town employees who work 20 hours or more per week are intended to be covered, if they sign the necessary form and return it to the Treasurer's office.

- Including all Town Union members.
- All other Town employees (including 20A-20B) who work twenty hours or more per week.
- But not including school personnel.

### **4. Provision of Policy**

The Town will purchase a term life, and/or A.D. & D. insurance policy for all eligible employees in the amount of \$5,000.00 with the entire premium paid for by the Town. The policy itself, in the custody of the Town Treasurer, is incorporated herein by reference.

## 5-22. **Accrued Compensated Absences (August 17, 1992)**

### 1. Purpose of Policy

This Policy is intended to identify the method by which the liability of accrued compensated absences is calculated. It will enable the Town's auditors to quantify the cumulative liability and record this long-term liability in the Town's financial statements in accordance with generally accepted accounting principles.

### 2. Scope

This Policy is intended to cover all employees (excluding school personnel) of the Town of Hanover. Employees earn vacation and sick leave, as they provide services, in accordance with various contractual agreements.

Vacation time must be used in the year following the year in which it was earned, except for up to 5 earned vacation days, which may be carried into the next fiscal year, if approved by the appropriate Department Head or Board, and which must be used in the first quarter of that fiscal year, otherwise it is forfeited.

Employees may accumulate and be compensated for unused sick leave in accordance with employment contracts or the Personnel By-law.

### 3. Provisions of Policy

The per diem rate for payment of accrued compensated absences shall be 1/365 of the then current salary upon retirement or death.

## **5-23. Commuting Valuation for Municipal Vehicles (September 23, 1991)**

### **1. Purpose of Policy**

This Policy is intended to establish guidelines for use of municipally owned vehicles by municipal employees, and also serve to help meet the substantiation requirements called for in using the Commuting Valuation rule (\$1.50 value one-way commute) in the Internal Revenue Code (Fed. Tax Reform Act of 1984, as amended by PL99-44) Publication 917.

### **2. Scope**

This Policy potentially applies to all Town of Hanover employees.

### **3. Provisions of Policy**

- a. The vehicle at issue must be owned by the Town of Hanover and provided to the Town employee for use in connection with his/her duties.
- b. The Town must require the employee to commute to and/or from work in the vehicle.
- c. The Vehicle at issue must not be used for personal purposes other than commuting or de minimis personal use.
- d. The employee(s) required to use the vehicle for commuting is not a control employee (elected official or employee paid more than an amount determined by IRS-\$75,500 in 1990) of the Town of Hanover.
- e. The value attached to this vehicle use shall be in accord with the IRS Commuting Valuation rule (presently set at 1.50 one-way commute) and will be considered income for the purposes of Income Tax assessment, and the employee involved will be taxed accordingly and notified as is required by the IRS.

## 5-24. Group Health Insurance (September 23, 1991)

### 1. Purpose of Policy

This Policy is intended to clarify employee eligibility to be part of the Town of Hanover's Group Health Insurance as authorized under MGL Ch. 32B.

### 2. Scope

This Policy covers all Municipal employees. Provision of Policy

- a. For purposes of this Policy, MGL Ch.32B is incorporated herein by reference. Nothing in this policy is intended to contradict anything in this Statute, and the Statute shall prevail in any such situation. Specific definitional reference is made to Ch.32B, Section 2(d) and Section 7(b).
- b. Exceptions to this Policy may be made by the Select Board if allowed under statute.
- c. "Regular" and "regularly" as used in the Statute shall be further defined as follows: The Town, through its Treasurer, has the right to declare an individual not "regular" or ineligible should the employee not be hired for a position that schedules at least 20 hours of work for seven out of eight weeks. The individual can be on the Group Health Plan and later declared ineligible should the employee fail to work 20 hours per week during any 7 out of 8 weeks. Since 20 hours per week is the statutory minimum, any employee who does not meet the minimum shall not be considered eligible for coverage. In normal circumstances, the eighth week should also be a 20-hour week. Should an employee clearly be scheduled to work less than 20 hours a week in any of an eight-week cycle, then that employee is not regular, and therefore is ineligible for coverage.

Any employee who is not entitled to receive any salary wages or other compensation for a calendar month shall be required to make payment for the entire cost of the health benefit premium to the Town Treasurer in a manner agreeable to the Treasurer; provided, however, that an employee who is not entitled to receive any salary wages or other compensation for a calendar month due to illness, shall be deemed, for this purpose only, to have been granted a leave of absence, and may, upon payment of the employee's share of the health benefit premium, continue under the Town Group Health Plan.

The Town Treasurer has the affirmative duty of requesting all information which is reasonably required of him to properly perform his duties. If the Treasurer questions whether or not certain employees will regularly work for 20 hours per week, then at a minimum, it would be appropriate for the Treasurer to request a written list of weekly employee duties, accompanied by an estimate of the time required to complete said duties.



- d. Weekly hours cannot be averaged to obtain the minimum 20 hours per week.
- e. Exceptions to the eight-week cycle will include the Summer Vacation months of July and August for School Teachers, and School Cafeteria Workers who will retain their positions the following school year. If there is some question as to continuing employment the following school year, the Treasurer may accept the Superintendent of Schools' or the Assistant Superintendent of Schools' best estimate of such employment as a basis to justify a continuation of coverage during July and August.
- f. Employee share of the Health Insurance payment for any month, including July and August, shall be made before the month of coverage in a manner agreeable to the Town Treasurer.
- g. For those Teachers and School Cafeteria workers who will not continue their employment after the end of the school year, the Town will continue the practice of offering coverage effective July 1, under the COBRA program after the employee makes appropriate arrangements with the Treasurer's Office.
- h. Seasonal workers are not eligible for Health Insurance and are defined as follows: "Employment for a short duration, usually for six (6) months or less, in the performance of duties of a recurring nature".

The administration of implementing the Statute and this Policy lies with the Town Treasurer. The Authority for final decisions on exceptions or changes to this Policy resides with the Select Board as Chief Executive Officers and Contracting Authority of the Town.

**5-25. Vacation Time (March 4, 1991)**

1. Purpose of Policy

This Policy is intended to clarify the increments which may be allowed to use and record the use of Vacation Leave.

2. Scope

All Town Employees except School Employees come under this Policy.

3. Provisions of Policy

Vacation Time must be taken in periods of days, or half days. No Contract provides for the use of hourly component for Vacation Leave.

Effective this date, there will be a minimum of one -half (1/2) day charged for any such period of Vacation L

## 5-26. Senior Tax Work-Off Program Policy (March 16, 2020)

### 1. Purpose of Policy

This policy is intended to add further structure to the Senior Tax Work-Off Program, which allows residents over 60 years old to work up to 125 hours a year at the state's minimum wage rate and receive payment for their work through a reduction in their real estate taxes. M.G.L. Chapter 59 Section 5K, as adopted by Annual Town Meeting on May 6, 2013 and expanded at the May 6, 2019 Special Town Meeting, further governs this program.

### 2. Goals

- a. In an effort to further the community's goal of keeping housing affordable for the senior citizens of Hanover, the Senior Tax Work-Off Program will allow senior citizens the opportunity to receive a property tax abatement in return for their participation in the program; and
- b. To recognize and promote our senior citizens' ability to contribute their skills and knowledge in support of enhancing municipal government operations and services for residents and the Town of Hanover.

### 3. Provisions of Policy

- a. The Community Services Director shall annually poll all Department Heads to determine the need for Senior Tax Work-Off Employees (STWOE's). The number of positions for any calendar year, and the details of each specific position, will then be determined. Department Heads or their designee(s) will be provided with STWOE applications and interview prospective applicant(s) for STWOE position(s);
- b. Each STWOE will be provided a job description which shall be developed by the relevant Department Head and approved by the Town Manager;
- c. Each STWOE shall complete required new hire paperwork, including an IRS Form W-4, with the Payroll & Benefits Office before commencing any work for the Town through the Senior Tax Work-Off Program;
- d. Each STWOE will be provided supervision consistent with all employees within the various departments; those assigned directly to the elected Town Clerk will report to the elected Town Clerk;
- e. The STWOE shall be required to work the appropriate number of hours and perform the appropriate tasks, as determined by their job description, in order to receive the abatement on their property taxes, thus creating a benefit for both the STWOE and the Town of Hanover;

- f. The supervising town employee shall be required to track hours worked and tasks completed by the STWOE, and shall, in addition to the STWOE, sign STWOE timesheets, consistent with personnel procedures, certifying the number of hours worked and assigned tasks completed;
- g. The STWOE shall typically perform tasks at town-owned facilities but may be granted the opportunity to work remotely in certain instances;
- h. The STWOE shall be provided reasonable accommodations, appropriate equipment, and resources to perform their tasks safely;
- i. The STWOE shall be considered an “at-will” employee and shall not be guaranteed continued employment; and
- j. The Council on Aging Division shall maintain a record for each STWOE which includes the timesheets signed by the STWOE and their direct supervisor demonstrating the total number of hours worked and the total amount by which the real property tax shall be reduced and shall provide a copy of these records to the Assessing Division in order that the actual tax bill reflect the reduced rate.

4. Eligibility

- a. The STWOE must be over the age of 60 years;
- b. Must be the owner of record of a residential property in Hanover, and must provide a copy of their most recent property tax bill proving this at the time of their application;
- c. The Town of Hanover shall not establish a property valuation minimum/maximum or income requirement for participation in this program;
- d. Should the Town of Hanover receive more applications for STWOE positions than STWOE positions available, preference will be given to applicants with a greater financial need. Financial need shall be determined by the Community Services Director, Finance Director, HR Director, and Town Manager on a case-by-case basis during a confidential meeting with the STWOE. Applicants may be required to provide financial information associated with annual income, investment income and/or other assets at the above-mentioned confidential meeting;
- e. The program shall be limited to no more than twenty (20) STWOE’s per program year, and may be further limited by the availability of staff to provide proper supervision;
- f. The Senior Tax Work-Off Program year shall run from November 1st to October 31st.

**Section 1: Public Information**

## **6-1 Town-Wide Update (January 22, 2018)**

### **1. Purpose**

The purpose of this policy is to improve transparency and communication among Town employees, boards, committees, volunteers, and residents by providing ongoing publicly-available Town-wide activity updates. The goal is to provide interested persons with the ability to stay updated on Town-wide activity through a quick review of a single report. This policy is effective immediately.

### **2. Policy**

The Town Manager shall assign an employee Liaison to each Board and Committee. The Town Manager shall obtain a monthly report from each Liaison by the end of each calendar month for the assigned Board or Committee. Each Liaison Report shall summarize activity of the Board or Committee since the last Report, activity expected over the next thirty calendar days, and expected upcoming major issues or projects. The Liaison Reports are intended to be an executive summary, are not intended to be as detailed as meeting minutes and shall not be a substitute for meeting minutes.

The Town Manager shall obtain a monthly report from each Department Head by the end of each calendar month. Each Department Head Report shall summarize major activity in the Department since the last Report, major activity expected over the next thirty calendar days, and expected upcoming major issues or projects. Major activity is not considered to be daily activity, i.e. a police log or a list of fire department call volume, but instead is meant to be a summary of projects, initiatives, upcoming training, etc.

The Town Manager shall prepare a monthly report by the end of each calendar month. The Town Manager Report shall summarize the major activity in the Town Manager's office since the last Report, major activity expected over the next thirty calendar days, and expected upcoming major issues or projects.

The Town Manager shall compile the Liaison, Department Head, and Town Manager Reports into a single Town-wide Report and shall upload the Town-wide Report to the Town website in a searchable format no later than thirty days from the date of the last Town-wide Report.

## 6-2 Open Data (May 19, 2014)

### 1. Purpose

The purpose of this policy is to ensure that, in an increasingly technological age, the Town of Hanover (the “Town”) is committed to providing the public with a high level of transparency, engagement and collaboration in Town government. The Town anticipates that making government data open in easy to find and usable formats will create effective and meaningful opportunities for the Town and members of the public to work collaboratively to generate new ideas to solve complex challenges. An open data initiative will allow a more diverse body of expertise to develop new analyses, insights and findings that will allow the Town to provide more efficient and effective government services. This initiative must be balanced with the Town’s obligation to protect private and confidential information and to ensure public safety and security, and the need to conduct Town operations in an efficient and effective manner.

### 2. Applicability

The provisions of this policy apply to all Town employees.

### 3. Definitions

A. “Data” or “Data Sets” shall mean a collection of final versions of relevant statistical facts or data that are:

- Collected in an alphanumeric form reflected in a list, table, graph, or chart form that can be digitally transmitted or processed; and
- Regularly created or maintained by or on behalf of and owned by the Town that records a measurement, transaction, or determination related to the business of the Town.

Data or Data Sets shall not include information provided to the Town by other governmental entities, nor shall it include image files, such as designs, drawings, maps, photos, or scanned copies of original documents. Nothing in this Policy shall be deemed to prohibit the Town from voluntarily disclosing information not otherwise defined in this section as “Data” or “Data Sets,” including, when appropriate, narrative in machine readable text, as long as it is not Protected Data.

B. “Machine Readable” means in a format that is reasonably structured to allow automated processing.

C. “Massachusetts Public Records Law” shall mean M.G.L. c. 4, § 7(26), M.G.L. c. 66, § 10, and 950 CMR 32.

D. “Protected Data” means any Data or Data Set:

- that is exempt from disclosure pursuant to the Massachusetts Public Records Law; or
- that contains a significant amount of Data and the disclosure of such Data would impose an undue financial or administrative burden on the Town; or
- that reflects the internal deliberative or administrative process(es) of the Town, including, but not limited to, Data and Data Sets relating to negotiating positions, future procurements or pending or reasonably anticipated legal or administrative proceedings; or
- that is subject to privacy laws, student records laws or subject to copyright, patent, trademark or trade secret protection, or to a confidentiality agreement, or that are otherwise protected by law or contract; or
- that includes or constitutes proprietary applications, computer code, software, operating systems or similar materials; or
- that includes or constitutes employment records, internal employee-related directories or lists, facilities data, information technology, internal service- desk data or any other Data related to the internal administration of the Town; or
- which, if disclosed by the Town, might in the Town’s discretion, raise privacy, confidentiality or security concerns or jeopardize or have the potential to jeopardize public health, safety or welfare.

E. The “Open Data Review Committee” refers to a taskforce established by the Town Manager to develop, under the direction of the Town Manager, internal rules and standards for implementation of an open data policy.

An Open Data Review Committee will be established by the Town Manager to develop under the direction of the Town Manager internal rules and standards for implementation of an open data policy, including a means by which to determine the Data or Data Sets that are appropriate for public disclosure and a timeline for policy implementation. When reviewing which Data or Data Sets are suitable for release, the Open Data Review Committee shall make determinations about what fields are appropriate for release. The Open Data Review Committee will be comprised of no fewer than five members selected by the Town Manager, including at least one member of the public selected by the Town Manager on an annual basis. The Town Manager will report annually to the Select Board and the public on the status of the implementation of this Policy in an open format.

#### 4. Open Data Accessibility

- a. For the purpose of identifying Data or Data Sets for inclusion on the Town’s website, the Town may consider whether the information in the Data or Data Set:
  - improves public knowledge of the operations of the Town or furthers the goals of

- the Town; or
  - increases Town accountability, efficiency, responsiveness or delivery of services; or
  - adds to the public knowledge about Hanover, residents of the Town or the Town's economy.
- b. The Town shall make reasonable efforts to make the Data or Data Sets available in a schedule determined by the Town Manager in consultation with the Open Data Review Committee as established.
- c. Such efforts must be consistent with the rules and standards set forth by the Open Data Review Committee and with applicable laws, including Massachusetts Public Records Law and all applicable privacy and student records laws.
- d. The disclosure of Protected Data shall be prohibited.
- e. Data or Data Sets must be updated in a reasonable manner to preserve the integrity and usefulness of the Data or Data Sets.
- f. Data or Data Sets must be published in a format that is Machine Readable as defined by Section 2.126.020(E) and at a level of granularity accepted by the Open Data Review Committee. The Open Data Review Committee may select which output formats are accepted as Machine Readable.

#### 5. Public Data Access

- a. The Town shall provide and manage a website to make Relevant Data and Data Sets accessible. The website will include a catalogue of all available Data and Data Sets.
- b. Relevant Data and Data Sets will be accessible to external search capabilities.
- c. Relevant Data or Data Sets will be accessible without the use of a user account or password. Data or Data Sets shall be free of charge.

#### 6. Procurement

The Town's Chief Procurement Officer/Town Manager will make best efforts to ensure that relevant new software purchased by the Town includes capabilities that allow the Town to comply with this Policy when fiscally and operationally attainable, as determined by the Town Manager. The Chief Procurement Officer/Town Manager shall stipulate in contracts and agreements with external vendors, where appropriate, provisions to ensure that the Town retains ownership of all Town data.

#### 7. Open Data Legal Policy

- a. Data or Data sets made available on the website are provided for informational



purposes only. The Town does not warranty the completeness, accuracy, content or fitness for any particular purpose or use of any Data or Data Set made available on the website, nor are any such warranties to be implied or inferred with respect to the Data or Data Sets furnished therein.

- b. The Town is not liable for any deficiencies in the completeness, accuracy, content or fitness for any particular purpose or use of any Data or Data Set, or application utilizing such Data or Data Set, provided by the Town or any third party.
- c. This Policy shall not be construed to create a private right of action to enforce its provisions. Failure to comply with this Policy shall not result in any liability of the Town or its employees.

**6-3. Electioneering (February 4, 2019)**

For any time period during which absentee or early voting ballots are available for a given election in the Hanover Town Clerk's Office or Hanover Town Hall, no electioneering, as defined by Chapter 54, Section 65 of the Massachusetts General Laws, shall be allowed inside Hanover Town Hall or within 50 feet of any building entrance door to Hanover Town Hall.

The Hanover Town Clerk's Office is located in Hanover Town Hall, 550 Hanover Street in Hanover. Early voting and absentee voting in Hanover also currently occur at 550 Hanover Street in Hanover. Should that location change due to any relocation, renovation or repair, this policy shall also apply to any temporary location.

## **Section 7: Finance**

### **7-1. Budget Process (September 17, 2018)**

#### 1. Purpose

The purpose of this policy is to establish a process and timeline for developing the Town's capital and operating budgets in such a manner that encourages participation, allows for iteration, and places the highest value on transparency. This policy shall supersede Policy 11-03 where in conflict.

#### 2. Policy

The Town Manager will cause the development of proposed capital budget requests for each Department and review each request with all related or effected Boards and Committees no later than October 1. The Town Manager will present the proposed capital budget requests at the second Select Board meeting in October.

The Town Manager will cause the development of the annual operating budget and the review of the budget with all related or effected Boards and Committees no later than December 31. The Town Manager will present budget scenarios at the first Select Board meeting in January for each department, except for the Schools, and for the budget as a whole without the Schools, as compared to the current fiscal year budget. As required by Section 4(C)(1)(a) of the Town Manager Act, the Town Manager shall prepare and submit at a public meeting to the Select Board and Advisory Committee, not later than 90 days prior to the annual town meeting, a written proposed balanced budget for town government, including the school department, for the ensuing fiscal year.

**7-2. Procurement Card (PCard) (August 20, 2018)**

1. Purpose and Scope

The Town of Hanover has established a procurement card program. This program allows the designated users to make purchases by phone, fax, online or in person and relieve employees of the financial burden of paying for work-related expenses themselves and subsequently seeking reimbursement. The purpose of these cards is principally for use in the purchase of lodging, transportation and travel expenses, and conference registration costs. These cards may also be used when they are the only form of payment acceptable to the vendor.

The Town of Hanover has contracted to provide credit cards, called procurement cards. The procurement cards are to be used solely to purchase goods and services for the Town of Hanover.

The purpose of these policy and procedures is to establish guidelines to govern the issuance and use of procurement cards.

2. Policy

It is the policy of the Town of Hanover to allow the issuance and use of procurement cards to Department Heads. Procurement cards are to be issued at the discretion of the Town Manager in accordance with this policy.

3. Procedures

Issuance of Procurement Cards and Established Credit Limits

The authorized cards as of the adoption of this policy are as follows:

<u>Issued to:</u>	<u>Credit Limit</u>	<u>Issued to:</u>	<u>Credit Limit</u>
Town Manager	\$5,000	Community Services Director	\$2,500
Chief of Police	\$2,500	Fire Chief	\$2,500
Director of Public Works	\$2,500	Facilities Engineering Manager	\$2,500
Finance Director	\$2,500	Superintendent of Schools	\$2,500
Library Director	\$2,500	Community Development and Municipal Inspections Director	\$2,500
Assistant Superintendent of Schools for Business & Finance	\$2,500		

All cards will be mailed to the Finance Director for distribution.

The Town Manager shall not issue any additional cards, nor increase the credit limits of any existing cards, without first notifying the Select Board in writing.

#### 4. Use of Procurement Cards

##### Allowable Uses

- Cards are to be used for Town of Hanover business only.
- Reservation and payment of travel arrangements.
- Conference registrations that are required to be done via the internet.
- Payment for goods/services via the internet.
- Payment for goods/services from a vendor that does not accept other forms of payment.
- Emergency purchases related to storm or catastrophic events.

##### Prohibited Uses

- Personal charges – at no time are personal charges allowed on the Town credit card
  - Cash advances
  - Alcoholic beverages
  - Entertainment of any kind
- a. Authorized use of procurement cards – Only an authorized cardholder may use a procurement card, except when another staff member is given explicit authority to use it by the cardholder for a specific purchase. In this instance the card shall be returned to the cardholder immediately after the purchase.
  - b. At the time of a transaction, the cardholder shall advise the vendor of the Town's tax-exempt status and provide the vendor with the Town's tax ID# embossed on the card.
  - c. At the time of transaction, the cardholder must obtain an original, detailed transaction receipt that is marked by the vendor as "paid". The receipt should include the following information: vendor's name, date of transaction, description of each item purchased, unit cost and extension, and the cardholder's name and signature.

Food or restaurant receipts must be itemized and detailed with the reason for the purchase. Restaurant receipts must include a detailed slip of the food served, along with the signed transaction receipt. Alcoholic beverages may not be charged to the procurement card.

Purchase over the Internet: If the procurement card is used to purchase a good or service

over the internet, the card user must print the confirmation page from the website showing the details of the order. In the case of a good purchased, upon receipt of the good, the packing slip should be attached to the confirmation page before transmittal to the program manager.

Purchase by Phone: If the procurement card is used to purchase a good or service over the phone, the card user should ask for confirmation of the order by email. In addition, the vendor should be asked to include an original, detailed receipt with the packing slip that accompanies the good at delivery.

#### 5. Payment of Credit Card Statement

Cardholders must turn in original receipts to the Accounting office weekly. The cardholder is responsible for ensuring receipt of materials and services purchased with the card. The credit card statement will be mailed directly to the Finance Director. Once the statement has been received, the Town Accountant will match up all receipts with the statement activity. The statement will be paid within 25 days of receipt in full as to avoid all late fees and penalties on the account.

The cardholder is responsible for initially working with vendors on any erroneous charges, disputed items, or returns. These issues may be brought to the Finance Director for assistance in resolving.

#### 6. Card Security

All employees authorized to possess a Town credit card shall always treat the card with a level of care that will secure the card and the account number to help prevent fraudulent use.

Storage of Credit Card – The card should be kept in an accessible but secure location at all times.

Card account number – The account number should be guarded carefully and should not be written down or posted within the office.

Lost or stolen cards – In the event that a card is lost or stolen, the employee shall immediately notify the Town Manager and the Finance Director so that the appropriate action may be taken with the credit card company.

7. Penalty for Wrongful Use

Any employee who violates the provisions of this policy shall be subject to disciplinary action up to, and including, dismissal, and may be subject to civil or criminal action.

The Finance Director reserves the right to conduct random audits of the procurement card program to ensure compliance with this policy.

The Town reserves the right to suspend or cancel any employee's card without warning at any time.

### **7-3. OPEB Liability Trust Investment Policy Statement (August 6, 2018)**

#### **1. Purpose**

The purpose of this Investment Policy Statement (IPS) is to provide a clear understanding between the Town of Hanover and its Investment Manager regarding the objectives, goals, risk tolerance, and investment guidelines established for the OPEB (Other Post-Employment Benefits) Liability Trust Fund.

#### **2. Scope and Introduction**

This IPS applies to all funds that are separately designated as long-term OPEB funds. The account is established as a pooled investment portfolio unless otherwise stated. Any additional contributions to the account will be maintained in the same manner.

Creating an investment policy is the most critical phase of the entire investment process. The effects of a properly drafted vs. ineffective investment policy statement can be more important than the effects of good or poor investment management. To be successful, an investment policy needs to be appropriate for its setting and intended purpose.

Under GASB 75, the discount rate is based on many factors including but not limited to the Trust's Investment Policy, Funding Policy, expected benefit payments, and the rates on long-term municipal bonds. For a well-funded plan, the discount rate should be the long-term expected yield on the investments to be used to pay benefits as they come due. For a lesser funded plan, the discount rate is a blend of the long-term expected yield on plan investments and the 20-year municipal high-grade bond index rate. Investments within an OPEB Trust will closely approximate pension fund-type investment securities.

The policy statement is also designed to withstand "trustee risk" - the possibility that, at some stress point (most frequently an extreme decline in the stock or bond markets), those who oversee the funds may react in a manner detrimental to the long-term health of the Trust Fund.

#### **3. Authority**

Massachusetts General Law Chapter 32B, Section 20 allows a city, town, district, county, or municipal lighting plant to set up a special trust fund, the Other Post Employment Benefits (OPEB) Liability Trust Fund. The governmental unit's treasurer is the custodian of the fund or in the case of a light plant, an officer designated by the board. Investment of fund monies by the custodian must be consistent with the prudent person standard set forth



in Massachusetts General Law Chapter 203C for private trust funds. Interest earned on the investment of fund monies belongs to the fund.

#### 4. Objective

OPEB funds are long-term investments. Given a stated discount rate target, this long-term approach enables the Governmental Unit to invest in long-term assets, such as equities, which tend to have high returns over many years but whose price volatility precludes their use by those with shorter time horizons. By keeping a long-term focus in mind at all times, we hope to weather the periodic bad times.

The Governmental Unit expects this long-term view to provide better results than will be earned by those who pick short-term investments or who liquidate securities during turbulent times. We also expect that equities will serve as a hedge against eroding trust fund values due to long-term inflationary trends.

#### 5. Strategy

The investment allocation will be determined periodically by the Select Board in consultation with the Treasurer and Investment Manager and pursuant to the most recently executed Investment Portfolio Strategy form to be retained with this IPS.

#### 6. Diversification

The following asset classes can be included in the Trust in order to construct a diversified investment portfolio that is both prudent and appropriate given the Town's actuarial assumed discount rate, target rate of return, investment objective, and risk tolerance. The investment parameters that will govern the Investment Manager of the diversified portfolio are included in the addendums to this IPS.

##### A. Equities

The primary objective of the Trust's equity allocation is to provide long-term total returns that are, at a minimum, consistent with appropriate broad market indexes through full market cycles.

The Investment Manager of the diversified portfolio can purchase and manage the equity allocation using individual equities, such as domestic common stocks, preferred stocks, and/or American-Depository Receipts (ADRs).

The Investment Manager can also utilize other investments such as mutual funds,

exchange traded funds, closed-end funds, etc. Total equity exposure is able to include both domestic and international equities, developed and emerging countries and geographic regions, as well as large-, mid-, and small-market capitalization weighted companies. Direct holdings of common stock preferred

stock, and/or ADRs in any one company should not exceed 5% of the market value of the invested portfolio.

Investing directly in real estate, private placements, letter stock, or initial public offerings is strictly prohibited. The Investment Manager of the diversified portfolio shall not engage directly in margin transactions, short sales, or any other leveraged or inverse investment vehicles. Mutual funds, exchange-traded funds, and closed-end funds, however, may engage in margin, leverage, and/or short sales. Investing directly in unit-investment trusts (UITs) and business development companies (BDCs) are strictly prohibited.

## B. Fixed Income

The primary objective of the Trust's fixed income allocation is to preserve capital and generate a reasonable level of cash flow. The secondary objective is to provide price returns that exhibit lower correlation to the broad global equity markets in order to reduce the overall risk of the portfolio.

The Investment Manager of the diversified portfolio can purchase and manage the fixed income allocation using individual bonds that are United States Dollar denominated only. Issuer selection can include domestic corporate bonds and any obligations of the United States Government and/or its agencies.

The Investment Manager can also utilize other investment vehicles such as mutual funds, exchange traded funds, closed-end funds, etc. Total fixed income exposure is able to include both domestic and international bonds, developed and emerging countries and geographic regions. Direct holdings of individual corporate bonds in any one company should not exceed 5% of the market value of the invested portfolio; however, this is not applicable to the United States Government and/or its agencies. Lower-quality investments may only be held through diversified vehicles, such as mutual funds or exchange-traded funds.

Investing directly in real estate, mortgages, collateral or non-collateral loans, private placements, fixed income or interest rate futures, or any other specialized fixed income ventures is strictly prohibited. Investing directly in unit-investment trusts (UITs) and

business development companies (BDCs) is strictly prohibited.

#### C. Alternate Investments

The primary objective of the Trust's alternative allocation is to provide long-term capital appreciation that is less correlated to broad global equity and fixed income indexes.

The Investment Manager of the diversified portfolio can only purchase those strategies that are deemed to be alternative through daily-liquid diversified investment vehicles such as mutual funds, exchange-traded funds, closed-end funds, etc.

Investing directly in unit-investment trusts (UITs) and business development companies (BDCs) is strictly prohibited.

#### D. Cash and Cash Equivalents

Cash will be maintained to provide periodic cash distributions, if and when necessary. Cash will not normally be held as a strategic investment asset, although the Investment Manager may seek to allow cash to build to the maximum level in times of market uncertainty.

### 7. Specific Risks

#### A. Credit Risk

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

The Investment Manager will purchase investment grade securities with a high concentration in securities rated A or better at time of purchase. Lower-quality investments may only be held through diversified vehicles, such as mutual funds or exchange-traded funds. There will be no limit to the amount of United States Treasury and United States Government Agency obligations.

## B. Custodial Risk

The custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, the Governmental Unit 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.

## C. Concentration or Credit Risk

Concentration of credit risk is the risk of loss attributed to the magnitude of a town's investment in a single issuer. The Investment Manager will diversify the investment portfolio so that the impact of potential losses from any one type of security or issuer will be minimized. Securities of a single corporate issuer (with

the exception of the United States Government and its Agencies) will not exceed 5% of the portfolio value.

## D. Interest Rate Risk

Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The Investment Manager will manage interest rate risk by managing duration in the account.

## E. 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 Investment Manager will mitigate foreign currency risk.

## 8. Standards of Care

M.G.L. Chapter 203C, known as the Massachusetts Prudent Investor Act, generally states that a trustee shall invest and manage trust assets as a prudent investor would, considering the purposes, terms, and other circumstances of the trust, including those set forth in subsection c. In satisfying this standard, the trustee shall exercise reasonable care, skill,

and caution. A trustee's investment and management decisions respecting individual assets shall be considered in the context of the trust portfolio as a part of an overall investment strategy reasonably suited to the trust.

As stated in Section 3, “among circumstances that a trustee shall consider in investing and managing trust assets are such of the following as are relevant to the trust or its beneficiaries: 1) general economic conditions; 2) the possible effect of inflation or deflation; 3) the expected tax consequences of investment decisions or strategies; 4) the role that each investment or course of action plays within the overall trust portfolio; 5) the expected total return from income and appreciation of capital; 6) other resources of the beneficiaries; 7) needs for liquidity, regularity of income, and preservation or appreciation of capital; and 8) an asset's special relationship or special value, if any, to the purposes of the trust or to one of the beneficiaries”.

Also, as stated in Section 4, “a trustee shall reasonably diversify the investments of the trust unless, under the circumstances, it is prudent not to do so”.

The Treasurer acting in accordance with written procedures and this IPS, 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 IPS.

#### 9. 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 the ability to make impartial investment decisions. The Treasurer shall disclose to the Town Manager 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.

#### 10. Relationship with Financial Institutions

Financial institutions should be selected first and foremost with regard to their financial soundness and stability. Brokers should be recognized, reputable dealers. All cash and securities shall be held in either a bank that is allowable for the deposit of public funds, provided funds on deposit are insured by the Federal Deposit Insurance Corporation (FDIC), or in an Investment Brokerage Account that is insured by the Securities Investor Protection Corporation (SIPC).

## 11. Performance Measurement and Evaluation

The Fund's performance will be measured by comparison with the stated objectives in comparison to respective benchmarks. The individual and custom benchmarks that will be monitored for performance reporting and analysis of the Trust's portfolio are stated and described in the addendums to this IPS.

It is expected that the respective asset classes of the Trust's diversified portfolio will outperform their respective benchmarks, net of fees and expenses, on a long term (market cycle) basis.

Rebalancing of the portfolios should happen at least annually or more frequently if appropriate.

The Treasurer will meet with the Investment Manager at least annually to monitor the performance of the Fund and the compliance with these guidelines.

The Investment Policy Statement will be reviewed at least every 3 years to ensure it remains appropriate and complete.

I Lincoln Heineman, Treasurer of the Town of Hanover, have reviewed this IPS and will manage the Town's OPEB Liability Trust under my control in accordance with this IPS and any attached addendums.

\_\_\_\_\_  
Treasurer's Signature

\_\_\_\_\_  
Date

I \_\_\_\_\_ have reviewed this IPS and confirm that \_\_\_\_\_ will manage the Town's OPEB Liability Trust under our control in accordance with this IPS and any attached addendums.

\_\_\_\_\_  
Signature of Investment Manages  
Authorized Representative

\_\_\_\_\_  
Date

## INVESTMENT PORTFOLIO STRATEGY

The investment objective for this account should be broadly defined as:

- **Capital Preservation** – (0%-30% cash, 70%-100% fixed income, 0% equities)  
For municipalities seeking a steady stream of income, with no exposure to the equity markets. They seek safety for their investments and are willing to accept fluctuations in price due to interest rate changes. Fixed income securities provide competitive levels of returns as well as liquidity.
- **Conservative Income** - (0%-10% cash, 75%-100% fixed income, 0-25% equities)  
For municipalities willing to accept a minimal exposure to the equity markets. They are conservative and willing to accept minimal fluctuations in equity prices to offset fixed income interest rate risk and provide diversification.
- **Income & Growth** - (0%-10% cash, 60%-80% fixed income, 20%-40% equities)  
For municipalities requiring above-average current income both now and in the future. They are willing to accept modest volatility with the exposure to the equity markets in exchange for their long-term growth potential.
- **Moderate** - (0%-10% cash, 50%-70% fixed income, 30%-50% equities)  
For municipalities who seek growth through equity investment and are also concerned about market volatility. This objective skew more towards bonds and is designed to deliver a higher amount of current income from the portfolio.
- **Balanced** - (0%-10% cash, 35%-55% fixed income, 45%-65% equities)  
For municipalities seeking capital appreciation. This strategy uses fixed income securities to reduce risk and equities to provide diversification. They are comfortable with a portfolio that consists of both stocks and bonds and are willing to accept moderate volatility.
- **Growth** - (0%-10% cash, 15-35% fixed income, 65%-85% equities)  
For municipalities seeking growth of their investments to pursue long term goals and are willing to accept reasonable volatility in pursuit of this goal. Equity markets offer the best opportunity for growth while fixed income securities are included to provide stability and diversification.

The investment portfolio strategy is subject to change at the discretion of the Select Board.



**Addendum #1  
Town of Hanover OPEB Liability Trust  
Investment Parameters  
As of August 6, 2018**

The information contained herein shall dictate the long-term asset allocation targets as well as the minimum and maximum parameters, when applicable, that will govern the management of the investable portion of the Trust. The methodology for determining specific security and investment security and investment strategy definitions is detailed in Addendum #2.

Asset Class	Target Allocation	Approved Range
<b>Equity</b>	<b>65%</b>	<b>55%-75%</b>
<b>Domestic</b>	<b>50%</b>	<b>40%-60%</b>
<b>International</b>	<b>15%</b>	<b>10%-20%</b>
<b>Fixed Income</b>	<b>25%</b>	<b>15%-35%</b>
<b>Domestic</b>	<b>20%</b>	<b>15%-30%</b>
<b>International</b>	<b>5%</b>	<b>0%-10%</b>
<b>Alternatives</b>	<b>10%</b>	<b>5%-20%</b>
<b>Cash</b>	<b>0%</b>	<b>0%-10%</b>

**Addendum #2**  
**Town of Hanover OPEB Liability Trust**  
**Performance Reporting**  
**As of August 6, 2018**

The information contained herein shall dictate the individual and blended benchmark(s), when applicable, to be utilized in monitoring the performance of the investable assets of the Trust.

Category	Index	Percentage
<b>Equity</b>		<b>65%</b>
<b>Domestic</b>	<b>S&amp;P 500 TR USD</b>	<b>50%</b>
<b>International</b>	<b>MSCI EAFE NR USD</b>	<b>15%</b>
<b>Fixed Income</b>	<b>Bloomberg Barclays Aggregate</b>	<b>25%</b>
<b>Domestic</b>		
<b>International</b>		
<b>Alternatives</b>	<b>HFRI Fund of Funds Composite</b>	<b>10%</b>
<b>Cash</b>		<b>0%</b>

## 7-4. Fraud Risk Assessment (April 2, 2018)

### 1. Introduction

Like all municipalities, ours is faced with the risks from wrongdoing, misconduct, dishonesty and fraud. We must be prepared to manage these risks and their potential impact in a professional manner. The impact of misconduct and dishonesty may include:

- Financial loss
- Damage to the reputation of our Town and our employees
- Negative publicity
- Cost of investigation
- Loss of employees
- Loss of public confidence
- Damaged relationships with our contractors and suppliers
- Damage to employee morale
- Litigation

Our goal is to establish and maintain an environment of fairness, ethics and honesty for our employees, our citizens, our suppliers and anyone else with whom we have a relationship. To maintain such an environment requires the active assistance of every employee and manager every day.

Our municipality is committed to the deterrence, detection and correction of misconduct and dishonesty. The discovery, reporting and documentation of such acts provides a sound foundation for the protection of innocent parties, the taking of disciplinary action against offenders up to and including dismissal where appropriate, the referral to law enforcement agencies when warranted by the facts, and the recovery of assets.

### 2. Purpose

The purpose of this document is to communicate municipal policy regarding the deterrence and investigation of suspected misconduct and dishonesty by employees and others, and to provide specific instructions regarding appropriate action in case of suspected violations.

### 3. Definitions of Misconduct and Dishonesty

For purposes of this policy, misconduct and dishonesty include but are not limited to:

- Theft or other misappropriations of assets, including assets of the Town, our citizens, suppliers or others with whom we have a business relationship
- Misstatement and other irregularities in municipal records, including the misstatement of the results of operations
- Wrongdoing
- Forgery
- Alteration of documents

The municipality strictly prohibits these and any other illegal activities in the actions of its employees, managers, administrators and others responsible for carrying out the Town's activities.

#### 4. Policy and Responsibilities

##### A. Reporting

It is the responsibility of every employee, supervisor, manager and administrator to immediately report suspected misconduct or dishonesty to their supervisor or those that exercise authority over the supervisor. Supervisors, when made aware of such potential acts by subordinates, must immediately report such acts to the Town Manager or his/her designee. Any reprisal against any employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden.

Due to the important yet sensitive nature of the suspected violations, effective professional follow up is critical. Managers should not in any circumstances perform and investigate or other follow up on their own. All relevant matters, including suspected but unproved matters, should be referred immediately to the Town Manager or direct supervisor.

##### B. Additional Responsibilities of Supervisors

All employees have a responsibility to report suspected violations, however employees with supervisory and review responsibilities at any level have additional deterrence and detection duties. Specifically, personnel with supervisory or review authority have three additional responsibilities.

First, you must become aware of what can go wrong in your area of authority.

Second, you must put into place and maintain effective monitoring, review and control procedures which will prevent acts of wrongdoing.

Third, you must put into place and maintain effective monitoring, review and control procedures which will detect acts of wrongdoing promptly should prevention efforts fail.

Authority to carry out these additional responsibilities may not be delegated to subordinates.

Assistance in effectively carrying out these responsibilities is available upon request through the Finance Director and Town Manager.

##### C. Responsibility and Authority for Follow Up and Investigations

The Police Department and/or Town Manager have the primary responsibility for all

investigations involving the Town and all Departments. The Police Department and/or Town Manager may request the assistance of the Finance Director in any investigation, including access to periodic examinations and evaluations of internal controls.

Property designated members of the investigative team will have:

- Free and unrestricted access to all municipal records
- The authority to examine, copy and/or remove all or any portion of contents of files, desks, cabinets and other storage facilities (whether in electronic or other form) without the prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of the investigative or related follow up procedures

All investigations of alleged wrongdoing will be conducted in accordance with applicable laws and Town procedures.

#### D. Reported Incident Follow Up Procedures

Care must be taken in the follow up of suspected misconduct and dishonesty to avoid acting on incorrect or unsupported accusations, to avoid alerting suspected individuals that follow up and investigation is underway, and to avoid making statements which could adversely affect the Town, employee, or other parties.

Accordingly, the general procedures for follow up and investigation of reported incidents are as follows:

1. Employees and others must immediately report all factual details as indicated above under Policy.
2. The Police Department and/or Town Manager have the responsibility to follow up and, if appropriate, investigate all reported incidents.
3. All records related to the reported incident will be retained wherever they reside.
4. No communication with the suspected individuals or organizations should occur while the matter is under investigation.
5. The Police Department and/or Town Manager will also notify the Finance Director of all reported incidents so that it may be determined whether this matter should be brought to the attention of the Auditors.
6. The Police Department and/or Town Manager may also obtain legal advice at any time throughout the course of an investigation or other follow up activity on any matter related to the report, investigation or other follow up activity on any matter related to the report, investigation steps, proposed disciplinary action or any anticipated litigation.
7. Neither the existence nor the results of investigations or other follow up activity will be disclosed or discussed with anyone other than those persons who have a legitimate need to know in order to perform their duties and responsibilities

effectively.

8. All inquiries from an attorney or any other contacts from outside of the municipal government, including those from other law enforcement agencies or from the employee under investigation, should be referred to the Police Department and/or Town Manager.

Investigative or other follow up activity will be carried out without regards to the suspected individual's position or level, or relationship with the municipality.

E. Questions or Clarifications Related to this Policy

All questions or other clarifications of this policy and its related responsibilities should be address to the Town Manager, who shall be responsible for the administration, revision, interpretation, and application of this policy.

## 7-5. Federal Awards (November 20, 2017)

This manual sets forth the policies and procedures used by Town of Hanover to administer federal funds. The manual contains the internal controls and grant management standards used by the Town to ensure that all federal funds are lawfully expended. It describes in detail the Town's financial management system, including cash management procedures, procurement policies; inventory management protocols; procedures for determining the allowability of expenditures; time and effort reporting; record retention; and sub-recipient monitoring responsibilities. New employees of the Town, as well as incumbent employees, are expected to review this manual to gain familiarity and understanding of the Town's rules and practices.

### 1. Financial Management System

The Town maintains a proper financial management system in order to receive both direct and state-administered grants and to expend funds associated with a grant award. Certain fiscal controls and procedures must be in place to ensure that all financial management system requirements are met. Failure to meet a requirement may result in return of funds or termination of the award.

#### A. Financial Management Standards

##### *Identification*

The Town must identify, in its accounts, all federal awards received and expended and the federal programs under which they were received. Federal program and award identification must include, as applicable, the CFDA title and number, federal award identification number and year, name of the federal agency, and, if applicable, name of the pass-through entity.

##### *Financial Reporting*

Accurate, current, and complete disclosure of the financial results of each federal award or programs must be made.

##### *Accounting Records*

The Town must maintain records which adequately identify the source and application of funds provided for federally-assisted activities. These records must contain information pertaining to grant or subgrant awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

##### *Internal Controls*

Effective control and accountability must be maintained for all funds, real and personal property, and other assets. The Town must adequately safeguard all such property and must assure that it is used solely for authorized purposes.

“Internal controls” are tools to help program and financial managers achieve results

and safeguard the integrity of their program. Internal controls should be designed to provide reasonable assurance that the following objectives are achieved:

- Effectiveness and efficiency of operations;
- Adequate safeguarding of property;
- Assurance property and money is spent in accordance with grant program and to further the selected objectives; and
- Compliance with applicable laws and regulations.

#### *Budget Control*

Actual expenditures or outlays must be compared with budgeted amounts for each federal award.

#### *Cash Management*

The Town must maintain written procedures to implement cash management requirements.

Please see page 9 for these written cash management procedures.

#### *Allowable Costs*

The Town must maintain written procedures for determining allowability of costs.

Please see page 9 for these written allowability procedures.

### B. Overview of the Financial Management / Accounting System

The Town of Hanover utilizes SoftRight Financial Management software. SoftRight is the primary system for purchasing; budget and accounting; and fixed assets. Separate inventory systems exist for payroll; information technology; and instructional materials. Payroll is managed by the Payroll & Benefits Supervisor in conjunction with the Finance Director and School Business Manager. The Director of Technology is responsible for the inventory of all hardware and software Town-wide. Inventory for instructional materials is the responsibility of the respective Department Head. Grant managers are responsible for the inventory of items purchased with grant funds from the time of purchase through their disposal.

Once a grant award notice (GAN) is received, the Town Manager and grant manager meet to review the planned expenditures in light of the approval. The Town Accountant will assign the appropriate account codes and provide a copy to the Department Head and grant manager. The Town must track the CFDA title and number, federal award identification number and year, name of the federal agency, and, if applicable, name of the pass-through entity. Once the Town Accountant establishes the account codes in SoftRight, the grant budget is posted and is available for use. All grant expenditures must be within the dates of the grant award (start and end dates). Budgeted amounts in SoftRight must match the current grant award notice.



## C. Budgeting

### The Planning Phase: Meetings and Discussions

*Before Receiving the Grant Award Notice (GAN):* Once a grant opportunity has been identified, the Town Manager is notified of the potential grant funds. A memo should be sent with the following information:

1. Source of funds;
2. Purpose of grant;
3. Benefits and pitfalls of the grant for Town of Hanover;
4. Benefits to the residents;
5. Identification of grant manager;
6. Timeline for application and approval;
7. Match requirements, if applicable; and
8. Potential amount and length of funds.

The Town Manager must review and approve all grant applications. If the concept of applying for the grant is approved, the grant manager should meet with the Finance Director. These meetings are designed to review the timeline, match requirements, grant reporting requirements, budget development/projections and potential concerns. If the grant could impact other departments, a list of individuals is developed for the grant manager to have a follow-up discussion with. For instance, if an application could result in technology purchases, the Director of Technology would be involved in the planning process.

Grant funds can supplement the Town of Hanover budget but cannot supplant budgeted funds. Therefore, when possible, it is critical that the grant application be developed in conjunction with the Town's annual budget.

*Reviewing and Approving the Budget:* Before the grant application is completed (preferably 14 days in advance of the grant application deadline), the Finance

Director and the grant manager review the items in the budget to ensure allowability. See Section I for a discussion on performing allowability determinations. If it is determined that a cost is not allowable, then the grant application is returned to the grant manager noting the items that are ineligible and suggestions for modification. The grant manager, in conjunction with the Finance Director, will collaboratively revise the grant budget to ensure all items meet the allowability determination.

Once it is determined that all budgeted items are allowable, and the budget is approved, the grant application is forwarded to the Town Manager for final approval. A copy of the full grant application is submitted to the Town Accountant once signed by the Town Manager. The application is filed in the Department's grant binder for the appropriate fiscal year.

*After Receiving the GAN*

After receiving the GAN, the approved budget can be loaded into SoftRight. If the GAN mirrors the grant submission budget, the GAN amounts are loaded into SoftRight without additional discussions. If the GAN amounts vary from the submission (whether increased or decreased), the grant manager and Finance Director meet to review the differences and implications for the variance. A revised budget is developed based on the GAN and program objectives. The revised amounts, in sync with the GAN, are then loaded into SoftRight by the Town Accountant.

*Amending the Budget*

The Town ensures grant amendments are submitted and approved in advance of the needs. Grant amendments can be made for financial and/or programmatic purposes. Grant amendments must be submitted in advance of need; implementation of the amendment (either financial or programmatic) is reliant on the amendment approval date.

*Budget Control*

The Town monitors its financial performance by comparing and analyzing actual results with budgeted results. The Town Accountant runs year-to-date budget reports for all grant funds on a monthly basis. If significant variances exist between the grant manager's records and the year-to-date budget reports, or a trend that may lead to a significant variance is determined, the Finance Director or School Business Manager and grant manager are notified. The grant manager and / or the Finance Director or School Business Manager will determine if an amendment is appropriate.

D. Accounting Records

Accounting records are kept in hard copy. The Accounting Office is responsible for the maintenance of all related accounting records in conformance with the Municipal Records Retention Schedule. The web address for the retention schedule is:  
[http://www.sec.state.ma.us/arc/arcpdf/MA\\_Municipal\\_Records\\_Retention\\_Manual.pdf](http://www.sec.state.ma.us/arc/arcpdf/MA_Municipal_Records_Retention_Manual.pdf).

Relevant definitions in this section include the following:

- An asset is: anything owned by an individual or a business, which has commercial or exchange value. Assets may consist of specific property or claims against others, in contrast to obligations due others.
- A liability is: a loan, expense, or any other form of claim on the assets of an entity that must be paid or otherwise honored by that entity.

- Revenue is: the inflows of assets from selling goods and providing services to customers; including the reduction of liabilities from selling goods and providing services to customers.
- An expense is: the amount of assets or services used during a period.

If an error is found while reviewing the grant tracking sheet, the individual will notify the Town Accountant. The Town Accountant will research the potential error, and if necessary, generate a journal entry with supporting documentation. The Town Accountant then enters the information into SoftRight. The journal entry is then reviewed by the Finance Director. Upon approval, the journal entry document is forwarded to the Town Accountant to be finalized.

The Chart of Accounts for the grant fund organization codes was set up so that an individual could track expenses by fund, fiscal year, award year, and source of funds. Below is an outline detailing the structure of the organization codes for grant funds:

Grant Fund Code	Fiscal Year	Fund Code
2 Digits	4 Digits	3 Digits

**Town Grant Fund:**

This two-digit code designates the account as a Town federal grant. The Town grant fund is “20.”

**Fiscal Year:**

The four-digit code designates fiscal year representing the year the grant was awarded. All grants awarded in FY’18 would be 2018.

**Fund Code:**

The three-digit code designates the fund code of the grantor.

**Object Codes:**

The object codes are the same used by the general fund accounts.

**E. Spending Grant Funds**

As the recipient of federal funds, Town of Hanover is responsible for administering the grant consistent with the grantor’s terms and conditions.

Although each grant may have specific allowable and unallowable costs, Town of Hanover adheres to the federal cost principles when developing and administering the budget. Federal cost principles require costs to be allowable, reasonable, and allocable.

To meet the definition of “allowable,” a cost must be:

1. Be necessary and reasonable to carry out the grant;

2. Be consistent with the policies and procedures that apply uniformly to federal and non-federally financed expenses;
3. Not be included as part of a match of federal funds; and
4. Be adequately documented.

To meet the definition of “reasonable,” the cost of the good or service does not exceed the amount a prudent person would spend on an item at the time the decision was made to incur the cost. Reasonable is further defined as:

1. Use of sound business practices, adherence to federal, state and local laws and regulations; and the terms and conditions of the Federal award.
2. Use of market prices in the geographic area for comparing the costs of goods and services.

To meet the definition of “allocable,” the cost of the goods or services involved are chargeable or assignable to that Federal award or cost objective in accordance with relative benefits received. Allocable is further defined as:

1. Costs are incurred specifically for the Federal award.
2. Costs can be distributed in proportions that may be approximated using reasonable methods.
3. Costs necessary to the overall operation of the non-Federal entity.

These definitions are copied from the Code of Federal Regulations (CFR).

While developing and reviewing the grant budget, the Finance Director should keep in mind the difference between direct costs and indirect costs.

#### *Direct and Indirect Costs*

Determining Whether a Cost is Direct or Indirect: Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy. Indirect costs are those that have been incurred for a common or joint purpose benefiting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Costs incurred for the same purpose in like circumstances must be treated consistently as either direct or indirect costs.

Identification with the federal award rather than the nature of the goods and services involved is the determining factor in distinguishing direct from indirect costs of Federal awards. Typical costs charged directly to a Federal award are the compensation of employees who work on that award, their related fringe benefit costs, the costs of

materials and other items of expense incurred for the Federal award. The salaries of administrative and clerical staff should normally be treated as indirect costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:

- Administrative or clerical services are integral to a project or activity;
- Individuals involved can be specifically identified with the project or activity;
- Such costs are explicitly included in the budget or have the prior written approval of the federal awarding agency; and
- The costs are not also recovered as indirect costs.

*Determining Allowability of Costs*

Expenditures must be aligned with approved budgeted items. Any changes or variations from the state-approved budget and grant application need prior approval from the state.

When determining how the Town will spend its grant funds, the Finance Director will review the proposed cost to determine whether it is an allowable

use of federal grant funds before obligating and spending those funds on the proposed good or service.

*Be Necessary and Reasonable for the performance of the federal award.*

Town of Hanover staff must consider these elements when determining the reasonableness of a cost. A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision to incur the cost was made. For example, reasonable means that sound business practices were followed, and purchases were comparable to market prices.

When determining reasonableness of a cost, consideration must be given to:

- Whether the cost is a type generally recognized as ordinary and necessary for the operation of the Town or the proper and efficient performance of the federal award.
- The restraints or requirements imposed by factors, such as: sound business practices; arm's-length bargaining; federal, state and other laws and regulations; and terms and conditions of the federal award.
- Market prices for comparable goods or services for the geographic area.
- Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the Town, its employees, its residents, the public at large, and the federal government.

Necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the district can demonstrate that the cost addresses an existing need, and can prove it. For example, the district may deem a language skills software program necessary for a limited English proficiency program.

When determining whether a cost is necessary, consideration may be given to:

- Whether the cost is needed for the proper and efficient performance of the grant program.
- Whether the cost is identified in the approved budget or application.
- Whether there is an educational benefit associated with the cost.
- Whether the cost aligns with identified needs based on results and findings from a needs assessment.
- Whether the cost addresses program goals and objectives and is based on program data.

Necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the Town can demonstrate that the cost addresses an existing need, and can prove it.

When determining whether a cost is necessary, consideration may be given to:

- Whether the cost is needed for the proper and efficient performance of the grant program.
- Whether the cost is identified in the approved budget or application.
- Whether there is an educational benefit associated with the cost.
- Whether the cost aligns with identified needs based on results and findings from a needs assessment.
- Whether the cost addresses program goals and objectives and is based on program data.

*Allocable to the federal award.*

A cost is allocable to the federal award if the goods or services involved are chargeable or assignable to the federal award in accordance with the relative benefit received. This means that the federal grant program derived a benefit in proportion to the funds charged to the program. For example, if 50% of an employee's salary is paid with grant funds, then that teacher must spend at least 50% of his or her time on the grant program.

Consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the Town.

Conform to any limitations or exclusions set forth as cost principles in Part 200 or in the terms and conditions of the federal award.

*Consistent treatment.*

A cost cannot be assigned to a federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been assigned as an indirect cost under another award.

Adequately documented. All expenditures must be properly documented.

Be determined in accordance with general accepted accounting principles (GAAP).

Not included as a match or cost-share, unless the specific federal program authorizes federal costs to be treated as such. Some federal program statutes

require the non-federal entity to contribute a certain amount of non-federal resources to be eligible for the federal program.

*Be the net of all applicable credits.*

The term “applicable credits” refers to those receipts or reduction of expenditures that operate to offset or reduce expense items allocable to the federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the state relate to the federal award, they shall be credited to the federal award, either as a cost reduction or a cash refund, as appropriate.

Purchases for goods and services paid for with grant funds shall be net of all applicable credits. To avoid the earning of “credits” where the benefits are not reimbursable or credited to the federal grant, personal reimbursements are discouraged for purchases made with federal grant funds. The district will take advantage of all prompt pay discounts. All payments from federal grants shall be processed through the Town’s accounting system either through the invoice payment process or Town credit card.

*Frequent Types of Costs*

Travel: Travel costs are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of a grant recipient. Such costs may be charged on an actual cost basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not selected days of the trip, and results in charges consistent with those normally allowed in like circumstances in the recipient’s non-federally funded activities and in accordance with the recipient’s written travel reimbursement policies.

Costs incurred by employees and officers for travel, including costs of lodging, other subsistence, and incidental expenses, must be considered reasonable and otherwise allowable only to the extent such costs do not exceed charges normally allowed by the Town in its regular operations as the result of its written travel policy. In addition, if these costs are charged directly to the federal award, documentation must be maintained that justifies that (1) participation of the individual is necessary to the federal award; and (2) the costs are reasonable and consistent with the Town's established policy.

In addition to the federal guidelines regarding travel, employees and officers must adhere to the Town of Hanover's travel policy. The travel policy covers single day travel, overnight travel, and out-of-state travel. The policy can be found on the Town's website.

*Helpful Questions for Determining Whether a Cost is Allowable*

In addition to the cost principles and standards described above, this section can be referred to for a useful framework when performing an allowability analysis. In order to determine whether federal funds may be used to purchase a specific cost, it is helpful to ask the following questions:

- Is the proposed cost allowable under the relevant program?
- Is the proposed cost consistent with an approved program plan and budget?
- Is the proposed cost consistent with program specific fiscal rules?
- For example, the Town may be required to use federal funds only to supplement the amount of funds available from nonfederal (and possibly other federal) sources.
- Is the proposed cost consistent with specific conditions imposed on the grant (if applicable)?

As a practical matter, the Finance Director and the grant manager should also consider whether the proposed cost is consistent with the underlying needs of the program. The recipients cannot use federal funds to supplant nonfederal funds that would otherwise have been used for the expenditure in question.

Also, funds should be targeted to address areas of weakness, as necessary. To make this determination, the department should review data when making purchases to ensure that federal funds to meet these areas of concern.

F. Federal Cash Management Policy/Procedures

The Town will comply with applicable methods and procedures for payment that minimize the time elapsing between the transfer of funds and disbursement by the Town. Generally, the Town receives payment on a reimbursement basis. However, if the Town receives an advance in federal grant funds, the Town will remit interest earned on the advanced payment quarterly to the federal agency. The Town may retain



interest amounts up to \$500 per year for administrative expenses.

G. Timely Obligation of Funds

*When Obligations are Made*

Obligations are orders placed for property and services, contracts and subawards made, and similar transactions during a given period that require payment by the non-Federal entity during the same or a future period.

The following table illustrates when funds are determined to be obligated under federal regulations:

<b>If the obligation is for:</b>	<b>The obligation is made:</b>
Acquisition of property	On the date which the Town makes a binding written commitment to acquire the property
Personal services by an employee of the Town	When the services are performed
Personal services by a contractor who is not an employee of the Town	On the date which the Town makes a binding written commitment to obtain the services
Public utility services	When the Town receives the services
Travel	When the travel is taken
Rental of property	When the Town uses the property

**Period of Performance of Federal Funds**

All obligations must occur on or between the beginning and ending dates of the grant project. This period of time is known as the period of performance. The period of performance is dictated by statute and will be indicated in the GAN. Further, certain grants have specific requirements for carryover funds that must be adhered to.

State-Administered Grants: As a general rule, state-administered federal funds are available for obligation within the year that Congress appropriates the funds for.

Direct Grants: In general, the period of availability for funds authorized under direct grants is identified in the GAN.

For both state-administered and direct grants, regardless of the period of availability,

the Town must liquidate all obligations incurred under the award not later than 90 days after the end of the funding period unless an extension is authorized. Any funds not obligated within the period of availability or liquidated within the appropriate timeframe are said to lapse and must be returned to the awarding agency. Consequently, the Town closely monitors grant spending throughout the grant cycle.

## H. Program Income

### *Definition*

Program income means gross income earned by a grant recipient that is directly generated by a supported activity or earned as a result of the federal award during the grant's period of performance.

Program income includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under federal awards, the sale of commodities or items fabricated under a federal award, license fees and royalties on patents and copyrights, and principal and interest on loans made with federal award funds. Interest earned on advances of federal funds is not program income. Except as otherwise provided in federal statutes, regulations, or the terms and conditions of the federal award, program income does not include rebates, credits, discounts, and interest earned on any of them. Additionally, taxes, special assessments, levies, fines, and other such revenues raised by a recipient are not program income unless the revenues are specifically identified in the federal award or federal awarding agency regulations as program income. Finally, proceeds from the sale of real property, equipment, or supplies are not program income.

## 2. Procurement System

### A. Responsibility for Purchasing

The Department Head is the purchasing agent for each Town department. As such, the Department Head retains the authority to review and approve all purchases. Once purchases are approved for payment, they are submitted to the Accounting department, so the invoices may be paid.

### B. Purchase Methods

The type of purchase procedures required depends on the cost of the item(s) being purchased.

In addition to these rules, subrecipients must also follow both state and local procurement rules. State and local procurement rules are often stricter than federal requirements. Accordingly, this section should be revised to account for the appropriate thresholds and purchasing procedures within each threshold amount in accordance with any state and local procurement rules.

*Purchases \$9,999 or less (Sound Business Practices)*

Procurement of supplies and services under \$10,000 are governed by Massachusetts General Law, Chapter 30B. The procurement procedure for purchasing supplies and services under \$10,000 require sound business practices. This is defined as ensuring the receipts of favorable prices by periodically soliciting price lists or quotes. No formal advertising is required. The contract is awarded to the vendor offering the best price. Software licenses can only be purchased for one-year at a time. A written contract is no required. A contract cannot exceed three years unless Town Meeting authorizes a longer contract period.

*Purchases between \$10,000 and \$50,000 (Solicit Quotes)*

Procurement of supplies and services between \$10,000 and \$50,000 are governed by Massachusetts General Law, Chapter 30B. The procurement procedure for purchasing supplies and services between \$10,000 and \$50,000 requires soliciting three written or oral quotes.

Weston Public Schools recommends a written description / terms be provided to all vendors to ensure an ‘apples to apples’ comparison of prices. No formal advertising is required. The contract is awarded to the responsible and responsive person offering the best price. A responsible vendor is defined as a person who has the capability to perform fully the contract requirements, and the integrity and reliability which assures good faith performance. A responsive bidder is defined as a person who has submitted a bid or proposal which conforms in all respects to the invitation for bids or requests for proposals. A written contract is required. A contract cannot exceed three years unless Town Meeting authorizes a longer contract period.

*Purchases over \$50,000 (Sealed Bids or Proposals)*

Sealed Bids (Formal Advertising): For purchases over \$50,000, bids are publicly solicited, and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. If a Request for Proposal is issued, the most advantageous proposal from a responsible and responsive proposer taking into consideration price and no-price proposals.

The sealed bid method is the preferred method for procuring construction, if the following conditions apply:

- A complete, adequate, and realistic specification or purchase description is available;
- Two or more responsible bidders are willing and able to compete effectively for the business; and
- The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

- Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for state, local, and tribal governments, the invitation for bids must be publically advertised;
- The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
- All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;
- A firm fixed price contract award must be made in writing to the lowest responsive and responsible bidder.

Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of. Any or all bids may be rejected if there is a sound documented reason.

Advertising is required once in a newspaper of general circulation and on Town of Hanover web site at least two weeks before bids or proposals are due. If \$100,000 or more, advertise once in the Goods and Service Bulletin maintained by the Massachusetts Secretary of State's Office.

*Competitive Proposals:* The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

- Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
- Proposals must be solicited from an adequate number of qualified sources; and
- Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The Town may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

### C. Purchase Cards

The Town of Hanover has credit cards that have been issued by the Town of Hanover to each Department Head. The credit limit is \$2,500 for Department Heads and \$5,000 for the Town Manager.

All detailed receipts must be retained and attached to the invoice prior to payment. When the invoice is received, the information is provided to the Town Accountant's office and the statement is paid with all receipts kept as back-up.

### D. Full and Open Competition

All procurement transactions must be conducted in a manner providing full and open competition. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

- Placing unreasonable requirements on firms in order for them to qualify to do business;
- Requiring unnecessary experience and excessive bonding;
- Noncompetitive pricing practices between firms or between affiliated companies;
- Noncompetitive contracts to consultants that are on retainer contracts;
- Organizational conflicts of interest;
- Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
- Any arbitrary action in the procurement process.

#### *Geographical Preferences Prohibited*

The Town must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

#### *Prequalified Lists*

The Town must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified

sources to ensure maximum open and free competition. Also, the Town must not preclude potential bidders from qualifying during the solicitation period.

#### *Solicitation Language*

The Town must ensure that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

#### E. Federal Procurement System Standards

##### *Avoiding Acquisition of Unnecessary or Duplicative Items*

The Town must avoid the acquisition of unnecessary or duplicative items. Additionally, consideration is given to consolidating or breaking out procurements to obtain a more economical purchase. And, where appropriate, an analysis must be made of leases versus purchase alternatives, and another other appropriate analysis to determine the most economical approach.

These considerations are given as part of the process to determine the allowability of each purchase made with federal funds. Please see page 9 for written procedures on determining allowability.

##### *Use of Intergovernmental Agreements*

To foster greater economy and efficiency, the Town enters into state and local intergovernmental agreements where appropriate for procurement or use of common or shared goods and services.

##### *Use of Federal Excess and Surplus Property*

The Town considers the use of federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

##### *Debarment and Suspension*

The Town awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement.

Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

The Town may not subcontract with or award subgrants to any person or company who is debarred or suspended. For all contracts over \$25,000 the Town verifies that the vendor with whom the Town intends to do business with is not excluded or disqualified.

#### *Maintenance of Procurement Records*

The Town must maintain records sufficient to detail the history of all procurements. These records will include but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.

#### *Time and Materials Contracts*

The Town may use a time and materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract mean a contract whose cost to the Town is the sum of: the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the Town must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

#### *Settlements of Issues Arising Out of Procurements*

The Town alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the Town of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

#### *Protest Procedures to Resolve Dispute*

The Town maintains protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency. Contract disputes arise from a belief the procurement process was not conducted properly.

A vendor has three options to seek a remedy:

1. Contact the local jurisdiction;
2. Contact the state agency in charge of enforcing the law (i.e. Inspector General's Office for Chapter 30B contracts); and/or
3. Superior Court.

If a vendor contacts the Town with a complaint regarding the procurement or award of contract, the complaint should be forwarded to the Town Manager. The Town Manager, Finance Director, and the individual responsible for contract will offer to meet with the vendor. The meeting should seek all information as to the complaint of the vendor. Once the meeting has concluded, and the concerns reviewed, the Town Manager will issue a written report to the complainant with a determination.

If there is a potential error in the way the procurement was conducted, or the district seeks advice on correcting the error, the Finance Director will ask the advice of the applicable state agency. If the vendor files a complaint in Superior Court, the district will seek the advice of legal counsel.

#### F. Conflict of Interest Requirements

##### *Standards of Conduct*

The Town maintains the following standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise 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.

The officers, employees, and agents of the Town may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, unless the gift is an unsolicited item of nominal value. Massachusetts General Law, Chapter 268A, governs the state's conflict of interest law. There are three main provisions of the law:

- Public employees are prohibited from seeking or accepting anything of substantial value for or because of their official acts or any act within their official responsibilities.
- Public employees are prohibited from using or attempting to use their position to obtain for themselves or others unwarranted privileges of substantial value that are not properly available to similarly situated individuals.



- The conflict of interest law will require public employees to disclose to their appointing authority the gift and their relationship to the giver.

The Massachusetts State Ethics Commission interprets the conflict of interest law and publishes advisories. The Ethics Commission interprets substantial value to mean anything with a value of \$50 or more. Gifts less than \$50 that may have an appearance of a conflict of interest should be disclosed. Disclosures should be made in writing and given to their appointing authority.

Massachusetts defines “immediate family” as spouse, parent, brother, sister, child or a spouse of your parent, brother, sister, or child. The financial disclosure law which, like the conflict of interest law, is interpreted and enforced civilly by the State Ethics Commission. Chapter 268B, of the Massachusetts General Law, is the financial disclosure law. This statute requires public officials, political candidates and certain public employees to disclose their and their immediate family member's private business associations and other financial interests on their Statements of Financial Interests or SFIs. The law covers all elected state and county officials and candidates for these positions as well as all state and county employees who are designated as holding major policymaking positions.

Every municipal employee (with few exceptions) must complete the Ethic Commission's online training program once every two years. New employees must complete the online training program within 30 days of becoming such an employee, and once every two years thereafter.

#### *Organizational Conflicts*

Town of Hanover will comply with Massachusetts General Law, Chapter 268A conflict of interest law and disclosure. Additionally, the Town may not be operated for the benefit of an affiliated or unaffiliated organization or an individual in his or her own private capacity or individuals related to any employee of Town of Hanover or members of its management, unless the private benefit is considered merely incidental. The private benefit preclusion will extend to the following:

- The sale, exchange or leasing of property between the district and an affiliated or unaffiliated organization or a private or related individual.
- Lending money or other extension of credit between an agency and an affiliated or unaffiliated organization or a private or related individual.
- Furnishing of goods, services, or facilities between the district and an affiliated or unaffiliated organization or a private or related individual except for the rental of district facilities as specified in the Town of Hanover policy manual.
- Payment of compensation, unless authorized by the Select Board, by the district to an affiliated or unaffiliated organization or a private or related individual.
- The transfer to, use by or for the benefit of a private or related individual of the income of assets of Town of Hanover unless specifically voted by the Select Board.

- Thus, the Town of Hanover will be guided by the principle of arms-length standards with all affiliated or unaffiliated organizations or with a private or related individual(s). Related party transactions shall include transactions between a school/district and members of the Weston School Committee, administration, employees, related individuals and affiliated companies.

Related individuals within the scope of this definition include spouses, parents, children, spouses of children, grandchildren, siblings, fathers-in-law, mothers-in-law sisters-in-law and brothers-in-law of a committee member or Town employee.

#### *Disciplinary Actions*

All associated entities must comply with the policies and procedures of the Town.

#### *Mandatory Disclosure*

Upon discovery of any potential conflict, the Town will disclose in writing the potential conflict to the federal awarding agency in accordance with applicable federal awarding agency policy.

### G. Contract Administration

The Town maintains the following oversights to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. See the Property Management section on page 22.

The contract manager for the Town of Hanover varies based on the type of contract. For example, facility related contracts are overseen by the Director of Facilities. When a contract does not clearly fall within a department, Assistant Town Manager will act as the contract manager. The contract manager is responsible for the following:

1. Coordinate communications with the vendor;
2. Evaluate the qualifications of contract personnel for compliance with contract requirements;
3. Determine acceptability of reports and deliverables produced by the contractor;
4. Approve or reject contractor payment requests;

The accounting office maintains all contract files.

### 3. Property Management Systems

#### A. Property Classifications

*Equipment* means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the Town for financial statement purposes, or \$10,000.

*Supplies* means all tangible personal property other than those described in Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the Town for financial statement purposes or \$10,000, regardless of the length of its useful life.

*Computing devices* means machines used to acquire, store, analyze, process, and publish data and other information electronically, including accessories (or “peripherals”) for printing, transmitting and receiving, or storing electronic information.

*Capital assets* means tangible or intangible assets used in operations having a useful life of more than one year which are capitalized in accordance with GAAP. Capital assets include:

- Land, buildings (facilities), equipment, and intellectual property (including software) whether acquired by purchase, construction, manufacture, lease-purchase, exchange, or through capital leases; and
- Additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance).

#### B. Inventory Procedure

Inventory will be maintained on all information technology hardware and software; and fixed assets. The department placing an order will add the appropriate ship to address. At the time of receipt, the package is inspected to ensure the ordered materials were received in good order and the items mirror the order placed through the purchase order system. Items are inventoried at the time they are unpacked. Inventory records are inputted by a member of the technology staff (hardware and software), and the accounting office (fixed assets).

#### C. Inventory Records

For each equipment and computing device purchased with federal funds, the following information is maintained by the grant manager in a spreadsheet:

- Date of purchase;
- Serial number or other identification number;
- Source of funding for the property;
- Who holds title;
- Acquisition date and cost of the property;
- Percentage of federal participation in the project costs for the federal award under which the property was acquired;
- Location use and condition of the property; and
- Any ultimate disposition data including the date of disposal and sale price of the property.

On an annual basis, the grant manager will review the inventory list and note changes. Changes to the inventory based on property being sold, lost, stolen or broken will be noted. If the item was stolen, a copy of the police report should be included in the file. The updated inventory spreadsheet should be printed annually and provided to the Finance Director.

#### D. Physical Inventory

A physical inventory of the property must be taken, and the results reconciled with the property records at least once every two years. Prior to the start of the school year in odd numbered years, a physical inventory will be conducted. If there is a discrepancy between the previous physical inventory and the current inventory, a report detailing the discrepancies will be provided to the accounting office.

#### E. Maintenance

The Town maintains adequate maintenance procedures to ensure that property is kept in good condition. The Town does not place restrictions on computer devices for employees. Employees who are issued a device(s) are responsible for maintaining and securing the equipment. When a device is not working properly, the employee will submit a help desk ticket. A member of the technology staff will work with the employee to identify and repair the computer as quickly as possible. A loaner computer is available for faculty upon request.

#### F. Lost or Stolen Items

The Town maintains a control system that ensures adequate safeguards are in place to prevent loss, damage, or theft of the property. Employees are required to file a police report when equipment is determined to be missing. A copy of the report must be provided to the Director of Technology and the Town Manager within 24 hours of filing the police report. In the next physical inventory, the item is listed as missing with the

date of the police report. If the item continues to be missing on the second inventory, the item is removed from the list.

#### G. Use of Equipment

Equipment must be used in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by the federal award, and the District will not encumber the property without prior approval of the federal awarding agency and the pass-through entity.

During the time equipment is used on the project or program for which it was acquired, the equipment will also be made available for use on other projects or programs currently or previously supported by the federal government, provided that such use will not interfere with the work on the projects or program for which it was originally acquired. First preference for other use must be given to other programs or projects supported by the federal awarding agency that financed the equipment. Second preference is given to programs or projects under federal awards from other federal awarding agencies. Use for non-federally funded programs or projects is also permissible.

When no longer needed for the original program or project, the equipment may be used in other activities supported by the federal awarding agency, in the following order of priority: (1) activities under a federal award from the federal awarding agency which funded the original program or project; then (2) activities under federal awards from other federal awarding agencies.

#### H. Disposal of Equipment

When it is determined that original or replacement equipment acquired under a federal award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the grant manager will contact the awarding agency (or pass-through for a state-administered grant) for disposition instructions. Generally, disposition of equipment is dependent on its fair market value (FMV) at the time of disposition. If the item has a current FMV of \$5,000 or less, it may be retained, sold, or otherwise disposed of with no further obligation to the federal awarding agency. If the item has a current FMV of more than \$5,000, the federal awarding agency is entitled to the federal share of the current market value or sales proceeds.

If acquiring replacement equipment, the Town may use the equipment to be replaced as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property.

#### 4. Written Compensation Policies

##### A. Time and Effort

###### *Time and Effort Standards*

All employees who are paid in full or in part with federal funds must keep specific documents to demonstrate the amount of time they spent on grant activities. This includes an employee whose salary is paid with state or local funds but is used to meet a required “match” in a federal program. These documents, known as time and effort records, are maintained in order to charge the costs of personnel compensation to federal grants.

Charges to federal awards for salaries and wages must be based on records that accurately reflect the work performed. These records must:

- Be supported by a system of internal controls which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
- Be incorporated into official records;
- Reasonably reflect total activity for which the employee is compensated, not exceeding 100% of compensated activities;
- Encompass both federally assisted, and all other activities compensated by the District on an integrated basis;
- Comply with the established accounting policies and practices of the District and
- Support the distribution of the employee’s salary or wages among specific activities or costs objectives.

###### Reconciliation and Closeout Procedures

It is critical for payroll charges to match the actual distribution of time recorded on the monthly certification documents. Budget estimates or other distribution percentages determined before the services are performed do not qualify as support for charges to federal awards but may be used for interim accounting purposes provided that the system for establishing the estimates produces reasonable approximations of the activity actually performed.

The reconciliation process is conducted by the Administrative Assistant to the Department Head in conjunction with the Town Accountant. At the beginning of each grant year, the grant manager creates a spreadsheet with the following information:

1. Federal grant name;
2. Federal grant account number;
3. Employee’s name;
4. Employee’s number;

5. Position Title;
6. Days schools are in session by month;
7. Budgeted number of hours by month; and
8. Variance (number of hours and percent).

On a quarterly basis, the federal grant timesheets are collected and scanned into a folder on the shared directory. The Administrative Assistant enters in the number of hours worked into the spreadsheet. The completed sheet is provided to the grant manager quarterly.

Annual adjustments will be made only if (1) the quarterly comparisons show the differences between budgeted amounts and actual costs are less than ten percent; and (2) the budget estimates or other distribution percentages are revised at least quarterly, if necessary, to reflect changed circumstances. If not performed annually, quarterly adjustments should be made. All necessary adjustments must be made such that the final amount charged to the federal award is accurate, allowable, and properly allocated.

#### B. Human Resources Policies

The allowability of various types of personnel compensation costs is dependent on whether they are spent in accordance with written policies and procedures. For example, the cost of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as annual leave, sick leave, or holidays, is allowable if, among other criteria, the costs are provided under established written leave policies. Therefore, ensure that the Town has human resource policies which at least cover (1) how employees are hired; (2) the extent to which employees may provide professional services outside the Town; (3) the provision of fringe benefits, including leave and insurance; (4) the use of recruiting expenses to attract personnel; and (5) reimbursement for relocations costs.

### 5. Record Keeping

#### A. Record Retention

The Town maintains all records that fully show (1) the amount of funds under the grant or subgrant; (2) how the subgrantee uses those funds; (3) the total cost of each project; (4) the share of the total cost of each project provided from other sources; (5) other records to facilitate an effective audit; and (6) other records to show compliance with federal program requirements. The Town also maintains records of significant project experiences and results. These records and accounts must be retained and made available for financial audit.

At the state level, records retention is overseen by the Massachusetts Secretary of State's Office ([www.mass.gov/sec](http://www.mass.gov/sec)). The department head of any office that creates,

receives or stores public records must designate a custodian of records. The custodian of records is the point of contact for all public records requests; ensures record security and follows proper destruction of records protocol.

Maintaining an inventory of records will allow for the identification of records that may be at the end of the retention period. Prior to the destruction of records, a written request must be made to the Supervisor of Records. Once the written request is approved, each district can choose a method of destruction or recycling. Districts are advised to choose the method of destruction carefully

#### B. Collection and Transmission of Records

Most records may be maintained in either paper or electronic form, based on the current practices in the Town. Electronic storage will provide an easier means to share documents upon request i.e. auditors, records inquires, etc. In either case, care must be taken to ensure the materials chosen to create the record will last through the records retention period. Minutes of governmental bodies must be maintained in a paper format. Proper storage of the records is the responsibility of the district. The municipal records retention schedule provides recommended storage standards

#### C. Access to Records

The Town provides the awarding agency, Inspectors General, the Comptroller General of the United States, and the pass-through entity, or any of their authorized representatives the right of access to any documents, papers, or other records of the Town which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the Town's personnel for the purpose of interview and discussion related to such documents.

#### D. Privacy

The Town of Hanover must follow guidelines put forth in the Public Records Guide when it comes to public records requests or requests for information. The Guide can be found here:

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

### 6. Subrecipient Monitoring

In the event that the Town awards subgrants to other entities, it is responsible for monitoring those grant subrecipients to ensure compliance with federal, state, and local laws. Monitoring is the regular and systematic examination of all aspects associated with the administration and implementation of a program. Each program office that awards a subgrant must have its own monitoring policy. This policy must ensure that any monitoring findings are corrected.



## 7-6. Ambulance Billing, Collection, & Rate Setting Process Policy (February 3, 2020)

### 1. Purpose

It is the policy of the Select Board to bill all patients for services provided for emergency medical treatment and transportation to a medical facility, and to pursue reasonable measures to collect billed amounts except where waiver of the fee is warranted due to financial hardship. The Town of Hanover Ambulance Billing, Collection & Rate Setting Process Policy apply to all transported users or responsible parties, charged rates as approved by the Select Board. The following policy is established to provide uniform collection and/or abatement of payments due the Town of Hanover and the Hanover Fire Department, for ambulance services, and provides for the annual review and setting of rates. This policy supersedes prior policies.

### 2. Scope

This policy is applicable to all users or responsible parties, regardless of the existence of third-party coverage.

### 3. Provisions

The Town Manager is hereby designated to act on behalf, and as an agent, of the Select Board in administering this policy, may further assign official responsibilities to other staff members such as the Fire Chief and Finance Director.

- a. The Town's ambulance billing provider shall endeavor to collect on any amounts due, by issuing written statements and past due notices to delinquent parties. The requirements found in this policy shall be included as part of the ambulance billing notices.
- b. Upon exhaustion of reasonable efforts by the ambulance billing provider to collect delinquent accounts, it shall, on a monthly basis, submit to the Town those accounts that it deems are uncollectible and therefore are candidates for removal from the Town's books (writing-off) or further collection efforts by a licensed collection agent.
- c. The Town Manager, upon recommendation of the Ambulance Billing Review Committee, comprised of the Fire Chief, Deputy Fire Chief, Finance Director, Town Accountant and Director of the Council on Aging, shall declare an account(s) uncollectible, authorize the ambulance billing provider to write the account(s) off its books, and shall concurrently notify the Town Accountant of such authorization, who, in turn, will write them off the Town's books.
- d. Upon declaration of an account as uncollectible, the ambulance billing provider shall be authorized to refer the account(s) to a licensed collection agent. (Only accounts exceeding \$200 dollars shall be sent to a collection agent, unless a different amount is approved by the Town Manager.
- e. The Town of Hanover shall authorize the collection agent, after reasonable efforts, as defined and agreed upon between the Town and ambulance billing provider, to report unpaid account to a Credit Bureau. The ambulance billing provider shall notify the Fire

Chief, Finance Director and Town Accountant of those accounts concurrent with their being reported to a Credit Bureau.

4. Policy for Waiver of Payment Due to a Financial Hardship

The Ambulance Billing Committee may establish that a financial hardship exists, justifying a waiver of the amount due. The following process and guidelines will be used to determine if a financial hardship exists:

1. All communications with accounts, whether verbally or in writing, shall include a notification that amounts owed may be waived upon demonstration of financial hardship.
2. The Town's ambulance billing provider issues an invoice to the patient, which covers the cost of the ambulance transport. The reverse side of the invoice asks for insurance information to be provided by the patient. The billing company would then bill the insurance company. If no insurance information is provided, the patient is responsible for payment of the bill unless payment will create a financial hardship.
3. Included on each invoice is a table of current Hill Burton poverty guidelines (schedule of rates is attached) and a questionnaire requesting family size and income. If the family income falls within the Hill Burton guidelines, this information would be provided on the form and then signed under penalty of perjury, by the patient. The charge could then be abated by the Ambulance Billing Committee.
4. The Town Manager, upon recommendation of the Committee, shall declare a financial hardship and will authorize the ambulance billing provider to abate the account(s).
5. The Fire Chief shall mail a letter notifying the applicant of the disposition of their request, as well as the ambulance billing provider and the Town Accountant.

5. Policy for Employees of the town of Hanover who are injured while working for the town

Employees of the Town of Hanover who are injured while working transported by a Town of Hanover ambulance shall not be balance billed.

6. Policy for Setting Ambulance Rate

- a. At the first Select Board meeting in June, the Town Manager through applicable staff members such as the Fire Chief and the Finance Director shall provide the Select Board with a presentation relevant to the (i) Basic Life Support (BLS) Non-Emergency Base Rate (ii) BLS Emergency Base Rate (iii) Advanced Life Support (ALS) Non-Emergency Base Rate (iv) ALS 1 Emergency Base Rate (v) ALS 2 Emergency Base Rate (vi) Mileage Rate structure (vii) and any other relevant rates.
- b. In June, prior to the start of the new fiscal year, the Select Board shall adopt the (i) Basic Life Support (BLS) Non-Emergency Base Rate (ii) BLS Emergency Base Rate (iii) Advanced Life Support (ALS) Non-Emergency Base Rate (iv) ALS 1 Emergency Base Rate (v) ALS 2 Emergency Base Rate (vi) Mileage structure (vii) and any other relevant rates, to be effective on July 1 of the

upcoming fiscal year.

- c. The (i) Basic Life Support (BLS) Non-Emergency Base Rate (ii) BLS Emergency Base Rate (iii) Advanced Life Support (ALS) Non-Emergency Base Rate (iv) ALS 1 Emergency Base Rate (v) ALS 2 Emergency Base Rate (vi) Mileage structure (vii) and any other relevant rates will be made available to the public on the town webpage.

## 7-7. Sponsorship/Donation (January 30, 2017)

### 1. Statement of Policy

The Hanover Select Board 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.

### 2. 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:

- Statement of purpose for the solicitation
- Funding goal
- Target audience for solicitation
- For capital project donations; the plan for funding ongoing maintenance
- 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 Select Board.

### 3. 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.

#### 4. 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.

#### 5. 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 Select Board 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.

#### 6. 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 Select Board for approval.

7. Public Access to Sponsorship Opportunities

Public access to information about sponsorship opportunities is important:

- a. To create an open and fair process and to protect against disputes related to sponsorships that are category exclusive;
- b. 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.

8. 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:

- a. 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.
- b. Tobacco products.
- c. Political and policy issues, candidates and campaigns.
- d. Profanity, obscenity and hate speech.
- e. Sexually oriented products, activities, or materials.
- f. Depiction in any form of illegal products, activities or materials.

- g. 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:

- a. The extent and prominence of the sponsorship recognition message.
- b. The aesthetic characteristics of the sponsorship recognition message.
- c. The importance of the sponsorship to the mission, values and image of the Town.
- d. The level of support proposed to be provided by the sponsor.
- e. The cooperation necessary and degree of support from other Town departments to implement the sponsorship.
- f. The value of the resources that is provided to the Town in fulfilling its overall mission.
- g. 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.

#### 9. 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).

#### 10. 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.

#### 11. 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.

#### 12. 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).

#### 13. Donation

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

#### 14. Definitions

*'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.

#### 15. Acceptance of Grants or Gift 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 Select Board

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 Select Board. Gifts or grants of funds over \$5,000 must be accepted by the Select Board.

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 Select Board.

#### 16. 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 Select Board.

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.

#### 17. 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:

- a. Is the use of the item or money for a designated purchase consistent with existing Town policy and department/Town goals?
- b. Do restrictions upon the use of the item or funds make it impractical to accept?
- c. Do restrictions on disposal or retention of the item or funds make it impractical to accept?
- d. Is required accounting for the item or funds excessively difficult?
- e. Would equipment require extensive repair or maintenance, and if so, is maintenance support available?
- f. Does use of equipment or materials require the purchase of additional items to be useful?
- g. 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 Select Board for approval.
- h. 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 Select Board.

#### 18. Reporting/Record Keeping

- a. The Town Manager shall maintain a listing of all Sponsorships and gifts that includes at a minimum:
  - Donor/Sponsor name, description of gift or sponsorship, and intended use.
- b. 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 in School Committee Policy – Public Gifts to the Schools dated June 8, 2006*

## 7-8. Tax Title (September 21, 2015)

### 1. Purpose

This policy and procedure will clearly define when and how the Town of Hanover will transition unpaid real estate taxes into the tax title status. The creation of a tax title has proven to be the most effective remedy for enforcement of the collection of taxes on real property. The foreclosure process constitutes a very effective payment enforcement tool available to the Town. Through utilizing this tool, a Treasurer/Collector can either induce a delinquent taxpayer to redeem a tax title by paying the necessary tax and charges or to forfeit title to the property by action of the Land Court.

### 2. Time of Taking

The Treasurer/Collector will process the initial tax taking for each levy year during April of the following year. The Town has the option of initiating the process as early as 14 days after the demand has been issued, but must complete the taking within 3½ years from the end of the fiscal year for which the taxes were assessed.

### 3. Collection Efforts Prior to Taking

The Town of Hanover issues a demand two weeks after the fourth quarter due date each fiscal year. The demand notice is sent out to property owners during the middle of May. The Town accepts payments for another two weeks through the Treasurer/Collector's office. After 30 days have passed, the listing of delinquent accounts is given to the Deputy Collector. The Deputy Collector, at that point, takes over the collection of funds on behalf of the Town. However, not all outstanding taxes are collected.

### 4. Procedure for Tax Taking

Courtesy letters will be sent out by the Treasurer/Collector to property owners in February reminding them of the previous year's unpaid taxes and informing them that if the taxes remain unpaid that the tax title process will take place in April.

Before moving forward with preparing for the tax taking, the Treasurer/Collector's office confirms that a demand notice has been issued to the property owner at least 14 days before preparing the Notice of Taking. The Town of Hanover does not begin the tax taking process until ten (10) months after the demand has been sent allowing taxpayers a greater amount of time to satisfy the tax obligation.

The Treasurer/Collector will prepare a Notice of Tax Advertising for each parcel. The Notice of Tax Advertising includes the names of all owners known, property location, bill number, parcel number and book/page. If the owner of the parcel as shown by the Assessor's records at the time of the taking is different from the owner who was assessed for the delinquent taxes, the name of that subsequent owner should be included in the notice of intent to take. This communication makes the property owner aware of when the legal

notice of parcels with outstanding taxes for the levy year approaching tax title will be published in the Hanover Mariner. The letter also lists the total amount due and the acceptable forms of payment.

At least 14 days before the tax taking, the Notice of Tax Advertising will be published in a local newspaper and two or more convenient and public places. Hanover posts the notice on the Treasurer/Collector webpage, Town Hall bulletin board and at the John Curtis Free Library.

During the 14-day notice period, partial payments cannot be accepted. Any payments made in full must be made by either: cash, certified check or bank check during the notice period.

At the designated time and place, the Treasurer/Collector announces that he/she takes the property for the Town.

After the taking announcement, an Instrument of Taking is prepared for each parcel. The Instrument must be recorded at the Registry of Deeds within 60 days of the date of taking. The date of the Instrument of Taking should be the date of the actual taking, not the date in which the form is being prepared or recorded. Land identified with a certificate or document number, rather than a book and page, is registered land and must be recorded in the land court section of the Registry of Deeds.

The Treasurer/Collector will prepare a list of Recorded Takings. A copy is provided to the Town Accountant and a copy is filed in the office.

The Treasurer/Collector will work with the law offices of the Town's attorney to prepare the parcels that went into tax title status for foreclosure. A copy of each Instrument of Taking is provided to the attorney for review and research. The attorney's office sends out letters to the taxpayers as well for collection.

A listing of all individuals in tax title status will be provided to all Departments, Boards and Committees which issue licenses or permits pursuant to Massachusetts General Laws (hereinafter "MGL") Chapter 40, Section 57 and Hanover By-Laws 4-7 Section 5. The Departments, Boards and Committees shall review the list and to implement provisions of the above referenced statute and by-law against any delinquent taxpayers to whom they have issued or are in the process of issuing a license or permit.

5. Additional Fees and Interest on Tax Title Account

The tax title obligation will include the original tax, interest accrued to the date of taking, legal fees, advertising fees, certified mailing costs and the fee amount to record the Instrument of Taking.

6. Payment Plans

The Treasurer/Collector will consider payment plans only after a parcel has been placed into tax title. The lien that is recorded protects the Town's interest and allows the Town at some future time to collect the taxes owed or take ownership of the property. The Town's attorney assists in communicating with the taxpayer to arrange the details of the payment plan. All payment plans require a good faith payment of 25% of taxes owed as well as a commitment to keep the current year's taxes up to date. In collaboration with the taxpayer, a monthly payment amount will then be determined. The goal of payment plans is to assist the tax payer to become current on taxes owed. The monthly amount needs to be an amount that the taxpayer can afford. It should not be set at such a level where the payment plan is doomed to fail.

7. Certification of Subsequent Tax Takings

The Treasurer/Collector by September 1st will certify all unpaid taxes and assessments for parcels of real estate taken into tax title for nonpayment of taxes in prior year(s) and not yet redeemed.

The Treasurer/Collector prepares a list of Subsequent Tax Takings. A copy is provided to the Town Accountant and a copy is filed in the office.

8. Payment of Tax Title Obligation

Upon payment of the amount outstanding on a tax title property, the Treasurer/Collector will prepare a Certificate of Redemption. This will be filed with the Registry of Deeds and removes the lien that was originally placed on the property. Payment of the tax title obligation may only be made up until the point that a petition to foreclose has been filed in the Land Court.

9. Foreclosures Proceedings

The law offices of the Town's attorney will mail letters to all the delinquent taxpayers and present owners of properties that were placed in tax title informing them of the importance of redeeming the property and that the next step if the obligation remains unpaid is to begin foreclosure proceedings. The payment amount changes on a daily basis and an exact amount should be obtained before coming to Town Hall.

## 7-9. Investment Policy Statement (March 16, 2015)

The primary purpose of this Investment Policy Statement (IPS) is to provide a clear understanding regarding the Town of Hanover's (the "Town") Long Term Funds and, General Fund objectives, goals, risk tolerance, and investment guidelines established for the investment of town funds.

### 1. The Investment of General Funds, Special Revenue Funds, Enterprise Funds, and Capital Projects Funds

#### A. Scope

This section of the IPS applies only to short term operating funds such as general funds, special revenue funds, enterprise funds, bond proceeds and capital project funds. A separate Contributory Retirement Board, either local or county, is responsible for the investment of the pension funds.

#### B. Investment Instruments

Note: Public investments in Massachusetts are not protected through provisions in State law.

The Treasurer may invest in the following instruments:

- Massachusetts State pooled fund: Unlimited amounts (Pool is liquid) The Massachusetts Municipal Depository Trust (MMDT), an investment pool for state, local, county and other independent governmental authorities, is under the auspices of the State Treasurer. It invests in Bankers Acceptances, Commercial Paper of high quality, Bank Certificates of Deposit, Repurchase agreements (Repos), and U. S. Treasury Obligations. It has Federal Deposit Insurance Corporation (F.D.I.C.) pass-through insurance on the CD's up to the standard limits and takes delivery on the Repos and Treasuries. Under Government Accounting Standards Board Regulation (GASB III), it is not considered an uncollateralized product.
- U. S. Treasuries that will be held to maturity: Unlimited amounts (Up to one-year maturity from date of purchase)
- U.S. Agency obligations that will be held to maturity. Unlimited amounts (Up to one-year maturity from date of purchase)
- Bank accounts or Certificates of Deposit ("CDs") (Up to one year) which are fully collateralized through a third-party agreement: Unlimited Amounts
- Bank accounts and CDs (Up to one year) insured by 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% of an institution's assets and no more than 25% of a municipality's cash may be comprised of unsecured bank deposits. This percentage may be increased for not more than 30 days during times of heavy collection or in anticipation of large payments that will be made by the entity in the near future. For example, 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. CDs will be purchased for no more than one year and will be reviewed frequently.
- Money Market Mutual Funds that are registered with the Securities and Exchange Commission that have received the highest possible rating from at least one nationally recognized statistical rating organization and as otherwise referenced in the Massachusetts General Law Chapter 44 Section 55.

#### C. 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 25% of the Community's investments shall be invested in a single financial institution.

#### D. Authorization

The Treasurer has authority to invest entity funds, subject to the statutes of the Commonwealth Massachusetts General Law Chapter 44 Section 55, 55A, & 55B.

#### E. Restrictions

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

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

- Purchases under an agreement with a trust company, national bank or Banking Company to repurchase at not less than original purchase price of said securities on a fixed date shall not exceed ninety days

#### F. Legal References

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

## 2. The Investment of Long-Term Funds

### A. Scope

This section of the IPS applies only to funds that are designated as long term, i.e. trust funds, stabilization funds, cemetery perpetual care, community preservation act and other funds the town may have set aside for long term use. All accounts will be maintained separately receiving their proportionate interest and any realized and unrealized gains or losses. The account may be established as a pooled investment portfolio unless otherwise stated. Any additional accounts will be maintained in this same manner.

### B. Authority

Massachusetts General Law Chapter 44, section 54 pertains to the investment of Trust Funds, Chapter 40 Section 5B pertains to the investment of Stabilization Funds and, Chapter 44B section 7 pertains to the investments of Community Preservation Funds. All trust funds shall fall under the control of the entity's Treasurer unless otherwise provided or directed by the donor.

If the trust fund results from a gift, grant or bequest from a private donor, and the private donor specifies how the trust shall be invested; the trust fund shall be invested in accordance with the terms of the gift, grant or bequest. If there is a conflict between such donor terms and this Section II, the donor terms shall govern, subject to the general principles of prudence set forth in the Policy.

### C. Investment Instruments

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



Additionally, the Community 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 ½%) of such funds be invested in the stock of any one bank or insurance company.

The Treasurer may invest in the following instruments:

- U. S. Treasuries that maybe sold prior to maturity: Unlimited amounts (With no limit to the length of maturity from date of purchase)
- U.S. Agency obligations that maybe sold prior to maturity. Unlimited amounts (With no limit to the length of maturity from date of purchase)
- Bank accounts or Certificates of Deposit (“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 increase for not more than 30 days during times of heavy collection or in anticipation of large payments that will be made by the Community in the near future. These payments maybe for such items as debt service payment or regional school assessments. Their credit worthiness will be tracked by Veribanc, or other bank credit worthiness reporting systems. They will be diversified as much as possible. CDs 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.

#### D. 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 IPS, 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 IPS and the associated Massachusetts General Laws.

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

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

#### E. 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.

#### F. Legal References

Massachusetts General Law Chapter 40, Section 5B  
Massachusetts General Law Chapter 44, Section 54  
Massachusetts General Law Chapter 44, Section 55A  
Massachusetts General Law Chapter 44, Section 55B  
Massachusetts General Law Chapter 44B, Section 7

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

### 3. General Provisions

#### A. Objective

Massachusetts General Laws, Chapter 44, section 55B requires the Entity’s Treasurer to invest all public funds except those required to be kept uninvested 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.

## B. Risk Tolerance

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

The Community will manage credit risk several ways. There will be no limit to the amount of United States Treasury and United States Government Agency obligations. In regard to other investments, the Community will only purchase investment grade securities with a high concentration in securities rated A or better. The Community may invest in the Massachusetts Municipal Depository Trust (MMDT) with no limit to the amount of funds placed in the fund. The Community may place funds in banking institutions as stated in Section C of this IPS.

- 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 Community will review the financial institution's financial statements and the background of the Advisor. The intent of this qualification is to limit the Community'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 Community, will be held in the Community'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 Community 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 Community 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 Community will limit investment in any instrument exposed to foreign currency risk.

### C. 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 Finance Director any material financial interest in financial institutions that do business with the Community. They shall also disclose any large personal financial investment positions or loans that could be related to the performance of the Community's investments.

#### D. Relationship with Financial Instructions

Financial institutions should be selected first and foremost with regard to their financial soundness and stability. The Community may subscribe 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 Community 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 Community 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 depositor's insurance. If a rating moves to red all money should be immediately collateralized or covered by some form of depositor's 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:

- Annual Financial statements
- If acting as a Registered Investment Advisor, copy of their most recent Form ADV Part II report
- Errors & Omissions insurance amounting to, at a minimum, the total fair market value of the Trust Fund Portfolio
- A statement that the Advisor has read the municipality's IPS and will comply with it on an annual basis
- Annual review all advisors through [www.finra.org](http://www.finra.org): Broker Check

#### E. Reporting Requirements

On a quarterly basis, a report containing the following information will be prepared by the Treasurer and distributed to the Finance Director, as appropriate. The quarterly report will include the following information, as a minimum requirement:

- A listing of the individual accounts and individual securities held at the end of the reporting period.

- A listing of the short-term investment portfolio by security type and maturity to ensure compliance with the diversification and maturity guidelines established in the "Diversification" section of this IPS.
- 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 entity's cash position.
- The report should demonstrate the degree of compliance with the tenets set forth in the IPS.

I \_\_\_\_\_, Treasurer of the Town of Hanover, have reviewed this IPS and will manage the Town's funds under my control in accordance with this IPS.

\_\_\_\_\_  
Treasurer's Signature

\_\_\_\_\_  
Date

## 7-10. Receipt/Turnover Policy (June 7, 2021)

### 1. Purpose

This document is intended to provide guidelines to assist all Town departments when handing receipts of any kind to properly safeguard, promptly deposit, and accurately record all receipts into the SoftRight financial system. This will shorten the period of movement from cash collection to investment and will provide sound internal controls over cash. In addition, it will help to prevent the mishandling of Town funds and to protect town employees from inappropriate charges or accusations of mishandling funds.

### 2. Applies to

- All department heads, managers and staff responsible for collecting funds, cash or check.
- All department heads, managers and staff responsible for delivering funds, cash or check, to the Treasurer/Collector's office

#### Cash Handling within Offices

When receiving cash or checks for payment employees must give the customer a pre-numbered receipt, permit, ticket or invoice form and retain a duplicate for the department records. This must include the date, individual or business making the payment, type of payment (cash or check) and employee that took in the funds. A log must be maintained that keeps track of all sequentially numbered receipts. If a receipt is not needed or an error is made, it should be signed by the manager or department head with a notation as to why the receipt is being voided. Checks or money orders need to be made payable for the amount due. No cash back is allowed at any time. Postdated checks should not be accepted. Each office must identify a secure place, not accessible to unauthorized office staff, to keep funds until they are turned over to the Treasurer/Collector's office. Funds should never be kept in an unlocked draw.

### 3. Frequency of Turnovers

Funds must be turned over or deposited to the Treasurer/Collector's office daily if funds on hand exceed \$100 or once a week if the \$100 daily threshold is not met. (See separate procedure for School Lunch)

Part Time, Temporary, and senior worker employee's funds must be turned over to the Treasurer/Collector's office daily in a shared locked bag.

### 4. Secured Bags

The Treasurer/Collector's office will supply a secured bag to each department transporting turnovers to the Treasurer/Collector's office. This may be in the form of a locked deposit bag or disposable deposit bag.



5. Departmental Turnover Sheets (See Attached Example)

The Accounting department will issue to each department a turnover sheet that is to be used whenever funds are being brought to the Treasurer/Collector's office. No funds will be taken by the Treasurer/Collector's office without a completed turnover sheet.

Three (3) Copies of the turnover sheet need to be completed.

- Department copy
- Accounting copy
- Treasurer/Collector copy

When preparing the turnover sheet please follow these steps:

- Fill in the date you are bringing the turnover to the Treasurer/Collector's office
- Keep a log of your turnovers so that you can assign a number to each one
- Fill in from whom the funds were received
- For each category fill in the total collected in the amount column
- For items that had several people you should attach a list as back up documentation to the turnover sheet with the detail.
- The totals for cash and check should be segregated where indicated
- Two individuals need to count the cash in the deposit and sign the turnover sheets before they are placed into the secured bag for delivery to the Treasurer/Collector's office.

6. Process at the Treasurer/Collector's Window

The person delivering the bag needs to stay at the window until the entire transaction has been completed. The secured bag will be opened by the Treasurer/Collector staff at the window and all funds, whether cash or check, will be verified.

If the Treasurer/Collector's staff agrees with the total on the turnover sheet the information will then be entered into the Town's financial software system. Once this has been completed, the Treasurer/Collector's staff will sign all three copies of the turnover. This serves as the receipt to the department. The Treasurer/Collector's office will keep their copy of the turnover and the department should deliver the Accounting copy to the Accounting office. The Accounting copy is not to be left with the Treasurer/Collector's office.

If the Treasurer/Collector's staff does not agree with the total on the turnover sheet, the person that delivered the funds will be asked to recount the funds. The turnover will be

updated and signed by the person delivering the funds and the Treasurer's office, if necessary. The rest of the process outlined above will be followed.

7. Departmental Reconciliation of Revenue to Turnover Sheets

On a monthly basis, departments will receive revenue reports and be asked to verify that all activity got posted to the general ledger correctly. The department should use their office copy of the turnovers to compare receipts posted to the accounting system.

If errors have occurred, the Accounting office should be contacted so that a correction can be made.

## ACKNOWLEDGEMENT

I, \_\_\_\_\_, have received, read and understand the receipt/turnover procedure implemented by the Finance Department on June 7, 2021.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## 7-11. Cash Receipt Handling Policy (January 11, 2021)

### 1. Purpose:

This document is intended to provide clear procedural guidelines for the Treasurer/Collector staff when they are opening their cash drawer for the day, receiving and processing receipts and proving out their work for the closing of their cash drawer. It is also intended to provide clear guidance on how online payments should be processed.

### 2. Applies:

- Treasurer/Collector Senior clerk
- Assistant Treasurer
- Deputy Collector

### 3. Access to Cash Drawers:

Each cash drawer is unique, and each employee is expected to retain their key on their person at all times. The cash drawers are to be locked when leaving the office. The duplicate key will be kept by the Finance Director. The Finance Director does not have unlimited access to enter the Treasurer/Collector's office.

In addition, all employees MUST lock their PC when they are out of view of their cash drawer.

### 4. Cash Drawers Funds – Oversight Storage

Each employee will store their cash/checks in a disposable sealed bank bag overnight in the safe. This will provide security so that no one can access anyone else's bank.

### 5. Emergency Cash Drawer Closing:

If any employee needs to leave as a result of an emergency (sick or other), they are to communicate with the Treasurer/Collector their need to leave. The Treasurer/Collector will, in the presence of another employee, count the cash and checks, perform the close out process and post the packet. The funds will be prepared for bank deposit as usual.

### 6. Beginning Bank for Cash Drawers:

Each drawer will begin with a bank that consists of one hundred dollars (\$100) broken down as follows (when possible):

\$20 in coin

\$10 - one roll of quarters

\$5 – one roll of dimes

\$4 – two rolls of nickels

\$1 – two rolls of pennies

\$25 in ones

\$25 in fives

\$30 in tens

7. Cash Worksheet:

The attached cash worksheet will be used by each employee to document and verify their beginning \$100 bank and to close out their cash drawer.

8. Maintaining Cash Drawer During Workday:

On days that transactions are larger or there is a higher volume of activity, employees should prepare their drawer for close out as much as possible. While there are no customers, or through coordination between staff, employees should count out their cash and bundle when possible according to the following:

\$20's = bundles of \$500

\$10's = bundles of \$250

\$5's = bundles of \$100

\$1's = bundles of \$25

Also, checks can be tallied up, banded together and attached to the calculator tape so that at the end of the day the totals of each bundle may be added together.

This should significantly speed up the close out process.

9. Cash Drawer Close Out:

The attached cash worksheet will be used by each employee to document and tally the cash and checks within their cash drawer. This worksheet is to accompany the “daily work” and SoftRight reports required in order to have a bank deposit prepared. If the total cash and total checks do not agree between the cash worksheet and SoftRight reports, the bank deposit is prepared with funds in hand. The employee that entered the payments will be asked to review the processing documents so that the error will not continue in daily processing. If the error continues, it will be addressed accordingly as a performance issue and progressive disciplinary action will be taken.

10. Monthly Audits:

At least once a month, the Treasurer/Collector and Finance Director will conduct an audit of the cash drawer close out procedure. The employee will be asked to watch as the funds are counted, and the daily work is tallied up. This will be done in a manner so that each employee within the office will be audited at least once every three months.

11. Cash Drawers Overage/Shortage:

Each employee will be responsible for maintaining a balanced cash drawer. In the event that the cash drawer for the day is either over or under when compared to the daily work, a copy of the cash out worksheet and SoftRight report “Cash Register Deposit Report” will be provided to the Treasurer/Collector. The Treasurer/Collector will generate a receipt to be posted to the liability account ‘Cash Over/Short’.

Each employee is to be held accountable for their cash drawer and daily work. When variances occur, employees can expect the following to take place based on either the threshold or the frequency of mistakes.

Up to \$25

1st error	Review of cash counting and use of currency counting equipment in office
2nd error	Verbal warning and review of cash counting and use of currency counting equipment
3rd error	Written warning
4th error	Written warning with disciplinary action to be taken including possible termination

\$25-\$100

1st error	Review of cash counting and use of currency counting equipment in office
2nd error	Verbal warning and review of cash counting and use of currency counting equipment
3rd error	Written warning with disciplinary action to be taken including possible termination

\$100 or more

1st error	Review of cash counting and use of currency counting equipment in office
2nd error	Verbal warning and review of cash counting and use of currency counting equipment
3rd error	Written warning with disciplinary action to be taken including possible termination

12. Frequency of Errors:

Each employee will be allowed no more than a total of \$200 annually in over and short errors. If this threshold is exceeded, they may receive verbal, written, or disciplinary action.

13. Schedule for Cash Drawer Close Out:

The cash drawers should be closed out, as assigned, and daily worked prepared for transition to the Assistant Treasurer.

14. Process at the Treasurer/Collector's Window:

The Senior Clerk will be the position primarily responsible for receiving both tax payments and departmental turnovers at the Treasurer/Collector window.

The Deputy Collector will be the secondary.

The Assistant Treasurer will be the last option. The Assistant Treasurer will prepare all bank deposits (other than their own – this will be done by Deputy Collector) and therefore encouraged not to handle receipts unless absolutely necessary.

The person delivering the bag needs to stay at the window until the entire transaction has been completed. The secured bag will be opened by the Treasurer/Collector staff at the window and all funds, whether cash or check, will be verified.

If the Treasurer/Collector's staff agrees with the total on the turnover sheet the information will then be entered into the Town's financial software system. Once this has been completed, the Treasurer/Collector's staff will sign all three copies of the turnover. This serves as the receipt to the department. The Treasurer/Collector's office will keep their copy of the turnover and return two copies back to the department so that they can deliver the Accounting copy to the Accounting office. The Accounting copy is not to be left with the Treasurer/Collector's office.

If the Treasurer/Collector's staff does not agree with the total on the turnover sheet, the person that delivered the funds will be asked to recount the funds. The turnover will be updated and signed by the person delivering the funds and the Treasurer's office, if necessary. The rest of the process outlined above will be followed.

15. Types of Transactions and How to Process:

All departmental turnovers and tax payments (including water bills) received over the counter are to be entered into a single cash drawer receipt packet and funds are to be secured in cash drawer.

Water bills are to be provided to the Assistant Treasurer and entered throughout the day into the old system so that too is kept up to date and the bills may be returned to the daily work of the person that entered the activity into SoftRight. The batch worksheet will be used to verify the entry throughout the day.

Electronic transactions – advice of credit from bank, wire transfers, credit card payments and Unibank should be entered into a separate packet either through a desktop receipt packet in the collector's module or with a treasury receipts packet since there are no cash/checks associated with the transaction.

Mail – the Assistant Treasurer or Deputy Collector will open the office mail and organize it for entry to be done by Senior Clerk.

Student Activity Funds/Cultural Council – a separate cash drawer packet will need to be opened because these funds are deposited into a separate bank account.

16. Online Transactions:

Payments for non-tax related fees and services may be made by residents and other customers through an online platform. In the event an online payment platform used by the Town requires direct access to the Town's bank account(s), the Town shall establish a separate sweep bank account to be used only for this purpose.

17. Manual Process if System is Down for All:

If in the event that SoftRight is not available for anyone in the office, payments will need to be accepted and a handwritten receipt will be provided. These receipts are to be from the pre-numbered receipt books. A copy of the receipt is given to the customer (tax payer or department) and a copy is to be retained with the work taken in. Each employee will need to manually open their cash drawer with their key to secure the funds until cashing out. The cash out worksheet will be used and verified against the daily work. Once the system is available, the processing of the payments will take place.

18. Effective Date:

This policy was approved by the Select Board on January 11, 2021 and is effective immediately.



## **7-12. Warrant Approval Process (May 14, 2012)**

### **1. Purpose of Policy**

To increase efficiency, yet maintain checks and balances, in our financial systems.

### **2. Scope**

This policy is applicable to all warrants or vouchers, including payroll warrants, under the jurisdiction of the Select Board and Town Manager.

### **3. Provisions**

It is the policy of the Town of Hanover that the Town Manager approves all warrants or vouchers, including payroll warrants, for payment of Town funds submitted by the Town Accountant; provided that any warrants generated by the Town Manager shall be signed by the Select Board. For purposes of this policy, warrants generated by the Town Manager are defined as those relating to a direct expense of the Town Manager's office, e.g. travel for a conference for the Town Manager or a related professional development expense.

## **7-13. Budget and Financial Management Policies (December 12, 2011)**

### **1. Introduction**

The Town of Hanover has an important responsibility to carefully account for public funds, to manage municipal finances wisely, and to plan and provide for the adequate funding of services desired by the public and as required by laws, rules, or regulations, including the provision and maintenance of public facilities and improvements. The budget and financial goals and policies set forth by the Select Board in this document are intended to establish guidelines for the continued financial strength and stability of the Town of Hanover.

### **2. Goals**

Goals are broad, fairly timeless statements of the financial position the Town seeks to attain. The financial goals for the Town of Hanover are:

- To provide full value to the residents and business owners of Hanover for each tax dollar by delivering quality services efficiently and on a cost- effective basis.
- To preserve our quality of life by providing and maintaining adequate financial resources necessary to sustain a sufficient level of municipal services, and to respond to changes in the economy, the priorities of governmental and non-governmental organizations, and other changes that may affect our financial well-being.
- To maintain our existing credit rating and strive for a top level bond rating.
- To guide Town decision makers on management and policy decisions that will have significant fiscal importance.
- To set forth operating principles that minimizes the cost of government and financial risk.
- To employ balanced and fair revenue policies that provides adequate funding for desired programs.
- To maintain appropriate financial capacity for present and future needs.
- To promote sound financial management by providing accurate and timely information on the Town's financial condition.
- To ensure the legal use of financial resources through an effective system of internal controls.
- To achieve these goals, the Select Board adopts the following policies.

### 3. Operating Budget Policy

Sound financial practice and the desire to maintain a strong credit rating dictate that our budgets be balanced, constantly monitored, and responsive to changes in service demands. With these concepts in mind, the Town of Hanover has adopted the following budget policy statements:

- On or before October 1 of each year, the Town Manager will submit to the Select Board and Advisory Board a budget overview and calendar for the next fiscal year.
- The Town Manager will prepare a comprehensive budget for the Town of Hanover, covering all major cost centers, all spending plans and all anticipated revenues. This comprehensive budget will be submitted to the Advisory Board and to the Select Board 90 days prior to Town Meeting or earlier if circumstances warrant.
- The annual operating budgets will be appropriated on a balanced basis, where operating revenues (estimated revenues) are used to fund operating expenditures/expenses (appropriations).
- Operating revenues include property taxes, motor vehicle excises, charges for services, interest earnings, license and permit fees, fines and forfeitures, regularly recurring governmental aid, and transfers in from other funds established for operating purposes.
- Operating expenditures/expenses include salaries and wages, employee benefits, materials, supplies, and contractual costs.
- The Town will avoid relying on one-time revenues (Free Cash) to fund on- going operating expenses.
- To the extent possible, one-time revenues that are not required by law or agreement to be expended for a particular purpose will only be used for capital purposes, augmenting of Town reserves or emergency expenditures/expense.
- The Town Manager will annually estimate the costs of the Town's obligations for providing benefits for Town and Hanover Public School employees as part of the preparation of the annual operating budget.
- The operating budget will not be subsidized by the Stabilization Fund.

### 4. Revenue Policy

Revenues determine the capacity of the Town to provide services. To ensure that revenues for the Town are balanced and capable of supporting desired levels of services, the Town of Hanover has adopted the following revenue policy statements:

- The Town Manager and Finance Director are responsible for estimating revenues for the upcoming fiscal year. They will consult with other officials of the town as well as state officials and others with knowledge of state and local finance.
- Revenue forecasts for local receipts and state aid shall be conservative, using generally

accepted forecasting techniques and appropriate data. Revenue deficits will be avoided at all costs. To avoid any potential for such a deficit, estimates for local receipts will be budgeted conservatively.

- The Town Manager and Finance Director will project revenues for the next three years as part of a three-year financial forecast.
- Each year and whenever appropriate, existing revenues will be re-examined, and possible new sources of revenues will be explored to ensure that we are maximizing our revenue potential.
- Legally restricted revenues will be avoided when they adversely affect the short or long-term financial health of our government.
- The Town will strive to be informed and aware of all grants and other aid that may be available to us. All potential grants and other aid shall be carefully examined for matching requirements (both dollar and level-of- effort) and restrictive covenants, to ensure that our participation in such grants will be beneficial and cost-effective.
- Each year and whenever appropriate, intergovernmental revenues will be reviewed to determine their short and long-term stability, to minimize the impact of any adverse changes. Intergovernmental revenues shall be used as legally prescribed or otherwise set forth by policy.
- A balance will be sought in the revenue structure between elastic and inelastic revenues, to minimize any adverse effects caused by inflationary or economic changes.
- One-time revenues will be used for capital improvements, additions to reserves or as legally restricted to a specific purpose.
- The Town will carefully and routinely monitor all amounts due the Town. An aggressive policy of collection will be followed for all receivables, including property taxes.
- Recreational user charges and fees will be set to recover approximately 100% of total direct and indirect costs generated by revolving fund recreation programs.
- Enterprise fund user charges and fees will be set to recover all direct costs and associated with the activities of these funds as well as the indirect costs.

##### 5. Expenditure/Expense Policy

Expenditure/expenses are a rough measure of a local government's service output. While many expenditures/expenses can be easily controlled, emergencies, unfunded mandates, and unanticipated service demands may strain our ability to maintain a balanced budget. To ensure the proper control of expenditures/expenses and provide for a quick and effective response to adverse financial situations, the Town of Hanover has adopted the following expenditure/ expense policy statements:

- Expenditures/expenses and purchase commitments will be made in a form and process

that is legal, appropriate, funded, authorized and sufficiently documented.

- Expenditures/expenses and will be recorded in an accurate and timely fashion.
- The balances in appropriation accounts will be monitored regularly to ensure that the total of expenditures/expenses and in any account do not exceed the authorized budget for that account.
- Requests for competitive bids, proposals, formal and informal quotes, and other methods of seeking and encouraging vendor competition will be obtained as required by law and as otherwise established by the Town Manager or Town Counsel.
- Arrangements will be encouraged with other governments, private individuals, and firms, to contract out or cooperatively deliver services, in a manner that reduces cost and/or improves efficiency and effectiveness while maintaining service quality.
- The full direct and indirect costs will be calculated for any service provided for a fee or charge, or where there is a potential for the reimbursement of such costs.
- All appropriations shall lapse at the close of the fiscal year to the extent that they shall not have been expended or encumbered.

#### 6. Reserves and Risk Management Policy

A municipality's fiscal policies should include a plan for maintaining reserves. Operating reserves (or fund balance) are a prudent fiscal management tool and an important credit factor in the analysis of financial flexibility.

The Town of Hanover will maintain a level of reserves that protect the Town from emergency conditions that require financial flexibility, contribute to sufficient liquidity to pay all Town expenses without short-term borrowing, and contribute to the high credit rating that the Town currently holds and leads to the highest rating possible.

To provide for adequate levels of reserves to protect the Town's financial condition over the long-term, the Town of Hanover has adopted the following financial reserves policy statements.

##### A. Risk Management

- The Town will maintain an effective risk management program that provides adequate coverage, minimizes losses, and reduces costs.
- The Town will annually work with the Town's insurance carrier to update all listings of Town owned assets and the value of such covered assets.
- As the Town is self-insured for some of the benefits programs it offers, the Town will maintain adequate reserves for its Workers Compensation and Unemployment Compensation.

## B. Stabilization Fund

- The Town will maintain a general-purpose stabilization fund as its main financial reserve in the event of an emergency or a (one time) extraordinary financial need.
- The Town will strive to maintain a stabilization fund balance that is approximately 5% of the Town's operating revenues.
- Interest earned on Stabilization Fund balances will be retained in the Stabilization Fund.
- The excess overlay reserve shall be a dedicated funding source for the stabilization fund.
- The Town Manager, with Advisory Committee approval, will consider an amount to be appropriated into the stabilization fund after the annual budget process is completed.

## 7. Capital Budgeting and Planning Policy

Capital assets include land, improvements to land, buildings, building improvements, vehicles, machinery, equipment, works of art and historical treasures, infrastructure, construction in progress and all other tangible and intangible assets that are used in operations and have initial useful lives extending beyond a single reporting period. Infrastructure assets are long-lived capital assets that normally are stationary in nature and can be preserved for a significantly greater number of years than most capital assets. Examples of infrastructure assets owned by the Town of Hanover include roads, bridges, tunnels, dams and drainage systems.

The Town of Hanover has a capital planning and budget bylaw and process that require the following:

- The Town Manager will submit a capital program to the Capital Improvement Planning Committee 90 days prior to Town Meeting or earlier if circumstances warrant.
- The proposed program will detail each capital project, the estimated cost, description and funding source.
- The Town will update and readopt annually a five-year capital improvement plan ("CIP"), including the upcoming annual capital improvement budget ("CIB") and a four-year projection of capital needs and expenditures which details the estimated cost, description and anticipated funding sources for capital projects.
- The first year of the five-year CIP will be the basis of formal fiscal year appropriation request during the annual budget process.
- Per the Town's capital bylaw, the capital improvement budget and plan will generally address those capital assets with a value of more than \$10,000 and a useful life of over

five (5) years.

- The Town will emphasize preventive maintenance as a cost-effective approach to infrastructure maintenance. Exhausted capital goods will be replaced as necessary.
- The capital improvements plan should be tied to the Town's master facilities study to ensure that the capital items requested meet the future growth needs for the Town.
- Capital items will be funded with one-time revenues.

#### 8. Debt Management Policy

Debt is an effective way to finance capital improvements or to even out short-term revenue flows. Properly managed debt preserves our credit rating, provides flexibility in current and future operating budgets, and provides us with long-term assets that maintain or improve our quality of life. To provide for the appropriate issuance and responsible use of debt, the Select Board of the Town of Hanover have adopted the following debt management policies.

- Long-term debt will be issued only for objects or purposes authorized by state law under Chapter 44, section 7 and 8.
- The Town will maintain good communications with bond rating agencies, bond counsel, banks, financial advisors and others involved in debt issuance and management.
- The Town will strive to maintain level debt service as to not drastically increase the tax levy in any given year. When debt decreases new debt will be issued, either short or long term, in order to achieve a level debt service goal.
- The Town's annual Town Report, Town Manager's budget request and Annual Town Meeting Warrant will give comprehensive summaries of the debt obligations of the Town.
- The Town will attempt to vote all significant debt questions (over \$500,000) exempt from the limits of Proposition 2 ½.

#### 9. Protection of Credit Rating Policy

Maintenance of the highest-level credit rating possible is important to the continued financial health of Hanover as it reduces the costs of issuing debt. Credit rating firms consider management practices to be very important factors. There are several management practices that can inadvertently jeopardize the financial health of a local government. To be proactive in assuring the Town of Hanover does not engage in these practices, the Select Board of the Town of Hanover has adopted the following credit rating protection policies.

- The Town will not rely on reserves to sustain operating deficits. Use of such reserves will be limited to helping the Town deal with short-term or emerging financial stress, but then the Town will either reduce spending to within the limits of recurring revenues

or seek approval for additional revenues from the voters of the Town.

- As part of the budget process the Town will account for their unfunded liability and address future funding.
- The Town will analyze the full-life costs of multi-year decisions. For example, acquiring or construction of new buildings will be conducted with an assessment of the operating costs of the building. Lease agreements will be conducted with an assessment of future budgets and the ability to make annual payments.
- The Town will follow the policies as outlined in this policy statement



## 7-14. Capitalization (January 17, 2001)

### 1. Purpose of Policy:

This policy establishes the method that the Town uses to report capital assets for financial statements prepared in accordance with generally accepted accounting principles (GAAP). Capital assets will be reported at cost or estimated historical cost and amortized over their useful lives. Such costs will include all expenses required to place the asset into operation, including architectural and engineering fees, land preparation, installation charges, transportation, and interest expense during construction.

### 2. Scope:

This policy applies to all purchases of land, improvements to land, buildings, machinery, equipment, automobiles, trucks, and infrastructure having an estimated useful life of more than one fiscal year and a unit cost of \$100,000 or more.

The Town does not intend to capitalize and depreciate art works and historical treasures. All works of art and historical treasures are held for the purpose of exhibition to the public and to further education and research. It is the Town's intent to preserve and protect such items to ensure their availability to future generations. If any items are sold from any collection, the proceeds will be set aside for future acquisitions for the collection.

### 3. Provision of Policy:

Effective July 1, 2001, the actual costs of new capital acquisitions will be recorded and reported. For existing capital assets on that date, historical cost will be determined from invoices, contracts or other documentation. Where such information is not available, historical cost will be estimated.

The straight-line method will be used to calculate depreciation. Where depreciation expense can be identified with a specific function, or accurately apportioned to functions, it will be charged to that function or functions on the statement of activities.

**7-15. Disposal of Nominally Valued Surplus Property (Less than \$10,000)  
(June 17, 2019)**

1. Purpose

M.G.L. c. 30B sets out procedures to ensure that good value is obtained when disposing of supplies that a local jurisdiction no longer needs. These rules apply to all tangible surplus supplies with a resale or salvage value, including motor vehicles, machinery, computer equipment, furniture, and other materials and supplies. The term “supplies” does not include real property. Local jurisdictions must have a written procedure for surplus supplies valued less than \$10,000.

2. Procedure

- a. The Town of Hanover’s Chief Procurement Officer shall be responsible for the disposal of all surplus property owned by the Town of Hanover valued under \$10,000 using ‘sound business practices’;
- b. ‘Sound business practices’ are defined as activities including but not limited to: posting items for sale on the Town’s website and social media pages, hosting a yard sale or silent auction, or trading items in – such as vehicles – to reduce the purchase price of new, replacement vehicles;
- c. The Chief Procurement Officer must be able to provide documentation from a credible source for surplus vehicles disposed indicating its value prior to disposal;
- d. The Chief Procurement Officer will be granted the discretion to give away items that are customarily given away for free such as chairs, desks, etc.;
- e. The Chief Procurement Officer must (i) document the method used for the disposal of each item (ii) document price received by the Town of Hanover for each item disposed of (iii) report annually all activities associated with this policy in the Annual Town Report;
- f. This policy does not apply to items such as pens, office supplies, or other items of de minimis value and importance.

**7-16. Insurance Minimums for Hanover Based Non-Profits for Use of Town Facilities (November 4, 2019)**

1. Purpose

The purpose of this policy is for the Select Board to establish clear guidance regarding minimum insurance coverage requirements for non-municipal users of town facilities; in particular those that are small, Hanover based non-profits or similarly organized groups. This policy shall be administered through the Town Manager.

2. Scope

This policy shall pertain to all municipal and educational buildings, facilities, and lands owned by the Town of Hanover including those under shared responsibility with the School Committee, Parks & Recreation Committee, Council on Aging, Library Trustees.

3. Provisions

In order to limit liability and protect the Town of Hanover from third party claims, the Town of Hanover shall obtain Certificates of Insurance (COI) from all contractors, vendors and service providers working on behalf of or on the premises of the municipality. COIs should be obtained prior to any work beginning, the start of a contract or an event. The following minimums will be strictly enforced:

- a. General Liability of at least \$1,000,000 Bodily Injury and Property Damage Liability with a \$3,000,000 Annual Aggregate Limit. The municipality should be named as an "Additional Insured".
- b. Automobile Liability (applicable for any automobile operating exposure) of at least
- c. \$1,000,000 Bodily Injury and Property Damage Combined Single Limit per accident. The municipality should be named as an "Additional Insured".
- d. Workers' Compensation Insurance statutory limits and as required by law.
- e. Umbrella Liability of at least \$2,000,000 per occurrence and a \$2,000,000 annual aggregate. The municipality should be named as an "Additional Insured".
- f. Professional Liability limits of \$1,000,000 per occurrence and a \$3,000,000 annual aggregate where professional services are provided to the municipality. Examples would include architects and engineers, health care services and legal services.
- g. Builders Risk coverage is available through MIIA. Please contact your account manager.

#### 4. Exemptions

In some instances, only applicable to Hanover based community group(s) and/or Hanover based small non-profit(s); limits and coverage minimums may be reduced by Town Manager.

- a. The Town Manager is authorized to use discretion regarding insurance coverage appropriate to the risk to the Town under this section of the policy.
- b. When a Hanover based community group or Hanover based small non-profit is granted an exemption to the provisions established in Section 3 of this policy, the sponsor group should provide reasonable coverage as well as an indemnity or hold harmless provision.
- c. The Town Manager is authorized by the Select Board to require that participants in activities may also be required to agree to an indemnity or hold harmless agreement.
- d. The Town Manager's decision under this section of the policy may be appealed to the Select Board by the organization applying for an exemption under this policy. Such an appeal would be scheduled at a regular or special Select Board meeting.

#### 5. Miscellaneous

- a. Generally, well established business and non-profit entities like MBTA, National Grid, AT&T, Verizon, YMCA's, Boy Scouts of America, etc. shall be required to meet the minimums established Section 3 of this policy.
- b. Nationally sponsored association programs designed to offer coverage for PTA's and PTO's and like groups shall be mandatory when applicable.
- c. Whenever possible, the Town of Hanover shall remove any requirements where the town is obligated to agree to "waiver of subrogation".
- d. The above requirements in Section 3 are the minimum insurance coverage. If the Town Manager believes more coverage is required for a certain event or from a certain group, organization, or business, the Select Board shall consider such a proposal.

## 7-17. Water Rate Setting Process (January 21, 2020)

### 1. Purpose:

The Select Board is responsible for setting the (i) quarterly rate for water meter connection charges (ii) water usage rates (iii) water usage rate structure. Similar in nature to the municipal tax rate – which is set every year – the Select Board should take official action to set the water rates for which they have responsibility over.

### 2. Procedure:

- a. At the first Select Board meeting in June, the Town Manager through applicable staff members such as the Director of Public Works and the Finance Director shall provide the Select Board with a presentation relevant to the (i) quarterly water meter connection charges (ii) current water usage rates (iii) rate structure as they relate to the water enterprise budget adopted by Annual Town Meeting voters – typically in the previous month of May.
- b. In June, prior to the start of the new fiscal year, the Select Board shall adopt the (i) quarterly water meter connection charges (ii) the water rates (iii) water usage rate structure for the upcoming fiscal year.
- c. The (i) quarterly rate for water meter connection charges (ii) water usage rates (iii) water usage rate structure will be made available to the public on the town webpage.

## **Section 8: Legal**

### **8-1. Use of Town Counsel (December 18, 2017)**

#### 1. Purpose

The purpose of this policy is to provide guidelines and expectations on the accessibility of Town Counsel to Town boards, commissions, committees, the Town Manager, and employees. It is not the intent of this policy to explicitly or implicitly deny anyone access to Town Counsel but rather to control and monitor accessibility to Town Counsel, thereby understanding and controlling the cost of legal services as well as eliminating redundancy. This Policy supersedes Policy 04-01 and is effective immediately.

#### 2. Use of Alternative Resources

Any person or entity seeking advice from Town Counsel shall endeavor, where appropriate, to first resolve the question through use of the Town Manager's office, internal resources, or publicly available resources such as the Attorney-Of- The-Day with the Legal Division of the State Ethics Commission.

#### 3. Boards, Commissions and Committees

- a. Chairs of all boards, commissions, or committees, other than the Select Board, shall have direct access to Town Counsel to obtain legal advice, including a request for a written opinion, or to request Town Counsel to attend a meeting of such board, committee, or commission. Any member of a board, commission or committee may request a written opinion from Town Counsel, provided that said member obtains a majority vote of said board, committee, or commission at a public meeting authorizing the request of such opinion. After obtaining a majority vote as set forth in the preceding sentence, said request shall be submitted to Town Counsel with a copy to the Chair of the Select Board for notification purposes.
- b. Town Counsel will refer all requests for opinions received from individual members of boards, commissions, or committee to the chair of said committee, who will schedule the request for a vote of the board, commission, or committee on the matter of approving such a request at the next meeting of said committee, when feasible. Town Counsel will copy the Chair of the Select Board on all such requests.
- c. Boards, commissions, or committees may vote to authorize one member of the board, commission or committee to communicate directly with Town Counsel on a specific matter they have explicitly voted for that member to have responsibility for. For example, if a board appoints one member of the board to work on an item to be considered by the board, the board may include in their designation that this includes

the ability to seek an opinion from Town Counsel as part of the work to be undertaken by that board member. Such vote of the board, commission, or committee must clearly reflect an authorization for the Town Counsel to speak directly with less than a quorum of the board, commission or committee on the specific matter. Such a vote must be filed with the Town Counsel and the Chair of the Select Board.

- d. The chairs or vice-chairs of all boards, committees, and commission shall have direct access to Town Counsel to request advice or assistance in preparation of the agenda for an upcoming meeting or for advice regarding chairing an upcoming meeting. They do not need to copy the Chair of the Select Board on such inquiries.
- e. The chairs or vice-chairs of boards, committees, or commissions with the Town shall have direct access prospectively to Town Counsel to request opinions, advice or information concerning the Open Meeting Law codified at G.L. c. 39, section 23B or to receive guidance with respect to the rules governing responses to public records requests. They do not need to copy the Chair of the Select Board on such inquiries.
- f. Officers of the Town, including all members of boards, commissions, and committees requesting Ethics Opinions (Conflict of Interest Law) shall have direct access to Town Counsel. They do not need to copy the Chair of the Select Board on such inquiries.
- g. The Moderator shall have direct access to Town Counsel to obtain legal advice, including a request for a written opinion, in relation to her/his duties as Moderator.

#### 4. Select Board

- a. The chair of the Select Board, or the Select Board through a majority vote, shall have direct access to request Town Counsel attend a meeting of the Board.
- b. Any member of the Select Board shall have direct access to Town Counsel to obtain legal advice or request a written opinion. Any requests for a written opinion shall be submitted in writing to Town Counsel with a copy to the chair of the Select Board for notification purposes. The chair of the Board shall ensure that other Board members are informed of such requests and Town Counsel shall provide any response to the entire Board.
- c. All members of the Select Board shall endeavor to keep the rest of the Select Board updated, where appropriate, on advice and communications with Town Counsel.
- d. All members of the Select Board requesting Ethics Opinions (Conflict of Interest Law) shall have direct access to Town Counsel. They do not need to copy the chair of the Select Board on such inquiries and Town Counsel shall respond to the member directly without copies to other members of the Board.

5. Town Manager and Employees

- a. The Town Manager shall have direct access to Town Counsel in relation to her/his duties as Town Manager.
- b. Employees shall have email access to Town Counsel as needed for general advice on issues concerning the operation of their offices but must copy the Town Manager on the request to Town Counsel. If the request involves generation of a written opinion from Town Counsel, Town Manager shall approve that request before the opinion is written.
- c. Employees of the Town requesting Ethics Opinions (Conflict of Interest Law) shall have direct access to Town Counsel. They do not need to copy the Town Manager on such inquiries.

6. Town Meetings Issues

- a. Sponsors of warrant article(s) for the Annual or Special Town Meetings, excluding petition articles, shall submit draft wording for articles or general background information to Town Counsel for review before submission to the Select Board. To obtain such legal review, draft petition articles must be submitted to the Select Board's office and staff in the Select Board's office shall forward the draft petition article to Town Counsel for review.
- b. Sponsors of petition articles for Annual or Special Town Meetings may submit draft articles to Town Counsel for legal review and guidance. To obtain such legal review, draft petition articles must be submitted to the Select Board's office and staff in the Select Board's office shall forward the draft petition article to Town Counsel for review.

7. Special Town Counsel

All Special Counsel cases require approval by the Select Board.

8. Confidentiality of Attorney-Client Communications

- a) The attorney-client privilege shields from the view of third parties all confidential communications between a client and its attorney undertaken to obtain legal advice. As a matter of policy, the Select Board hereby requires that the confidentiality of communications between Town officials, departments, boards, committees, commissions, and employees and Town Counsel or Special Town Counsel be maintained and preserved. The scope of privileged communications includes communications from Town officials, departments, boards, committees, commissions,



or employees seeking legal advice, as well as opinions and advice received from Town Counsel or Special Town Counsel, whether in formal written opinions, email, in person, or by telephone.

- b) The attorney-client privilege belongs to the Town of Hanover, acting through its Select Board. The Select Board is the chief policy making body of the Town and is responsible, in conjunction with Town Counsel, for managing the legal affairs of the Town. Accordingly, only the Select Board, acting as a Board at a duly noticed meeting, is authorized to waive the attorney-client privilege on behalf of the Town. Should any town official, department, board, committee, commission, or employee believe that it is in the best interests of the Town to waive the attorney-client privilege with respect to any privileged attorney-client communication received from Town Counsel or Special Town Counsel, they should request to discuss the matter with the Select Board in executive session to obtain a vote by the Select Board as to whether said privileged communication may be released. No town official, department, board, committee, commission, or employee is permitted on his, her, or its own volition to release any confidential attorney- client communications to third parties or otherwise purport to waive the Town's attorney-client privilege.

## **Section 9: Licensing and Permitting**

### **9-1. Rules and Regulations for Holders of Alcoholic Beverage Licenses (July 10, 2017)**

#### 1. Definitions

- a. “ABCC”, means the “Alcoholic Beverages Control Commission” established under M.G.L. c. 10, § 70.
- b. “Alcoholic Beverage”, means any liquid intended for human consumption as a beverage and containing one half of one per cent or more of alcohol by volume at sixty degrees (60°) Fahrenheit pursuant to M.G.L. c. 138, §1.
- c. “Last Call”, shall be announced at least fifteen (15) minutes before the Official Closing Hour.
- d. “LLA””, as used herein shall mean the Hanover Select Board who serve as the “Local Licensing Authority”.
- e. “Malt Beverage”, means all alcoholic beverages manufactured or produced by the process of brewing or fermentation of malt, with or without cereal grains or fermentable sugars, or of hops, and containing not more than twelve percent (12%) of alcohol by weight pursuant to M.G.L. c. 138, §1.
- f. “M.G.L.”, means “Massachusetts General Law”.
- g. “Official Closing Hour”, means the time stated in a License when a Licensee must cease serving Alcoholic Beverages.
- h. “Official Opening Hour”, means the time stated in a License when a Licensee may begin serving Alcoholic Beverages.
- i. “Wine”, means all fermented alcoholic beverages made from fruits, flowers, herbs or vegetables and containing not more than twenty-four (24%) percent of alcohol by volume at sixty degrees (60°) Fahrenheit, except cider containing not more than three (3%) percent, or containing more than six (6%) percent, of alcohol by weight at sixty (60°) degrees Fahrenheit pursuant to M.G.L. c. 138, §1.

## 2. General

- a. The Select Board of the Town of Hanover, sitting as the LLA in and for the Town, has sole responsibility, in the first instance, for the issuance of all alcoholic beverage licenses within the Town. No license can be issued, transferred, sold, amended or altered without the prior written approval of the LLA and ABCC who have power of approval of same.
- b. No Licensee shall dispense or sell alcoholic beverages to any person less than twenty-one (21) years of age pursuant to M.G.L. c. 138, §64.
- c. No Licensee shall store or sell any alcoholic beverages at any location or in any part of the premises at a given location not specified in the description of premises stated on the License.
- d. The License to sell or store alcoholic beverages must be posted in a conspicuous location, clearly visible and accessible to the public, upon the licensed premises.
- e. No physical alteration, the effect of which would be to constitute a change in the description of the licensed premises as shown on the license (i.e., that results in any increase or decrease in the size, change in the character of the licensed premises or changes in the entrance/exit locations), shall be made without prior written approval of the LLA and ABCC who have power of approval of same.
- f. The licensed premises shall be subject to inspection at any time by the Hanover Police Department, LLA, ABCC, or by their duly authorized agent(s).
- g. A Licensee who sells alcoholic beverages to be consumed on the premises must have a kitchen and offer food for purchase by patrons unless otherwise approved by the LLA and ABCC. The kitchen and premises must be kept clean, neat, and sanitary, to the satisfaction of the LLA, the Hanover Board of Health, or their duly authorized agent(s).
- h. The Licensee shall take efforts to prevent any disorder, disturbance, or illegality of any kind to take place in or upon the licensed premises including without limitation the parking lot in direct control of the Licensee. Where such activity has come to the attention of the Licensee, it is the Licensee's responsibility to take immediate steps to attempt to cease any such disorder or disturbance and, if necessary, notify the Hanover Police Department. In such circumstances where the Licensee has failed to act, the Licensee may be held in violation of its License and subject to a hearing by the LLA.
- i. Each Licensee shall have an appointed Manager who shall have complete and unqualified authority and control over the licensed premises, whether he/she may be present upon said premises at any given moment in time. Such Manager shall be duly appointed and authorized by legally established corporate vote or permission of the owner, and must be acceptable to the LLA and ABCC, who shall have power of

- approval of same.
- j. Any individual appointed Manager of an establishment by the owner/corporation and approved by LLA and ABCC must be a citizen of the United States and must take an active role in the management of the premises.
  - k. No absentee managers shall be allowed.
  - l. No on duty Manager or employee of a Licensee shall consume any alcoholic beverage during working hours except de minimus sampling, from time to time, by an employee with specific responsibilities that include the preparation of menus, wine lists, food and beverage pairings, or in connection with beverage tasting/trainings authorized by the Manager of Record.
  - m. The Licensee shall, in all cases, be responsible for acquiring all permits, licenses, or certifications necessary to the conduct of his/her business.
  - n. The Licensee shall be responsible for the enforcement of all Rules and Regulations of the LLA, ABCC, and M.G.L.'s pertaining to the operation of an establishment possessing an alcoholic beverages license and shall be responsible for any violations, infractions, and alcohol related disorders or disturbances of any kind which take place on the licensed premises, without limitation, including the actions of employees whether or not the Licensee is present.
  - o. No Licensee shall make any distinction, discrimination, or restriction of service, access, or treatment on account of race, color, religious creed, national origin, sex, sexual orientation, or ancestry.
  - p. Bona fide employees of the licensed establishment may remain or enter upon the licensed premises, outside of regular hours of operation, if engaged in cleaning, opening, closing, preparing for next day's business, or for the purpose of renovations, remodeling, or emergency repairs. However, they may not dispense or consume any alcoholic beverage on the licensed premises during such non-public hours, nor may they remain upon the premises outside of the regular hours of operation any longer than necessary to complete their work pursuant to M.G.L. c. 138, §12.
  - q. No alcoholic beverage may be served or consumed in any area outside the licensed premises such as, without limitation, a patio, roof garden, or sidewalk, unless such area is contained in the description of said licensed premises, approved by the LLA and ABCC who have power of approval of same.
  - r. A Licensee shall ensure that patrons or employees do not leave the premises with alcoholic beverages other than a resealed wine bottle as allowed pursuant to M.G.L. c. 138, §12.
  - s. No Licensee shall knowingly allow any agent or independent contractor of the Licensee to carry a firearm on the licensed premises while said premises is open to the public.

However, this provision shall not apply to a Hanover Police Officer on privately paid detail nor to any Licensee who has received written permission from the Hanover Police Chief to allow specified agents or contractors of the Licensee to carry firearms while the licensed premises is open to the public.

- t. All illuminated advertising signs shall be extinguished at the Licensee's Official Closing Hour.
- u. All patrons shall be off the licensed premises within (15) fifteen minutes of the Licensee's Official Closing Hour.
- v. Each new employee who handles alcohol shall obtain server training within thirty (30) days of commencing employment.
- w. This policy is in conjunction with the Select Board "Special License Policy – Policy 11-02".
- x. No Licensee or employee shall:
  - Offer or deliver any free drink to any person or group of persons;
  - Deliver more than two (2) drinks to one person at one time;
  - Sell, offer to sell, or deliver to any person or group of persons any drinks at a price less than the price regularly charged for such drinks during the same calendar week;
  - Offer to sell or deliver malt beverages or mixed drinks by the pitcher containing more than sixty (60) ounces except to two (2) or more persons;
  - Increase the volume of alcoholic beverages contained in a drink without increasing proportionally the price regularly charged for such drink during the same calendar week;
  - Allow any drinking game or contest that involves drinking or the awarding of drinks as prizes;
  - Make sale or delivery of any alcoholic beverage to an intoxicated person.

### 3. Sanctions for License Violations

If the LLA, after a hearing conducted pursuant to M.G.L. c. 138, §64, determines that a Licensee has violated or permitted a violation of the License or any law of the Commonwealth of Massachusetts, the LLA may modify, suspend, revoke or cancel such License. In carrying out its responsibility, the LLA may consider the following guidelines:

1st Violation: Letter of reprimand and/or suspension of up to three (3) days or both.

Optional: With the hours for serving alcoholic beverages ending at 11:00 pm for ten (10) days.

2nd Violation: Suspension of License from three (3) to ten (10) days.

Optional: With the hours for serving alcoholic beverages ending at 11:00 pm for thirty (30) days.

3rd Violation: Suspension of License from ten (10) to thirty (30) days.

Optional: With the hours for serving alcoholic beverages ending at 11:00 pm for thirty (30) days.

4th Violation: Revocation of Alcoholic Beverages Licenses.

Licenseses shall post notices on the front door and on the cooler doors (where applicable) that states their liquor license has been suspended and the purpose for which it was suspended. The doors to the cooler also have to be locked and the premises shall be checked by the Hanover Police Department during the day(s) of suspension to confirm the doors are locked and notices posted.

For the purpose of calculating Violations, prior actions on other occasions taken by the LLA and/or ABCC taken against the Licensee will be counted as Violation(s) that will be applied to the guidelines above.

For the purpose of calculating a Violation, if it is found that multiple violations occurred within a single business day (opening time until after two (2) hours of closing time), such may be counted as a single Violation when determining the number of violations to be counted and applied to the guidelines above.

Only violations that have occurred within the past three (3) years (counted from the date of the last violation) will be counted.

#### 4. Operating Hours for Alcoholic Beverage Licenses

To Holders of Section 12 licenses: (restaurants, taverns, general on premise, hotels, clubs, veterans' clubs & continuing care facilities)

Unless the Licensee is requesting later opening or earlier closing hours, the following rules and regulations govern the opening and closing hours throughout the Town of Hanover:

HOURS: Monday – Saturday 8:00 a.m. until no later than 1:00 a.m.  
the following day

Sunday 10:00 a.m. until no later than 1:00 a.m. the following day

To Holders of Section 15 licenses: (package stores)

Unless the Licensee is requesting later opening or earlier closing hours, the following rules

and regulations govern the opening and closing hours throughout the Town of Hanover:

HOURS:      Monday – Saturday 8:00 a.m. until 11:00 p.m.  
                 Sunday 10:00 a.m. until 11:00 p.m.

## 9-2. Special License (July 2, 2012)

### 1. Purpose of Policy

The policy of the Select Board is to provide consistent and uniform application and review processes for all applicants submitting a request to the Board for a Special License, commonly referred to as a “One-Day Liquor License”. This Policy updates Policy #11-02 dated October 17, 2011 to reflect the May 8, 2012 Annual Town Meeting vote to charge a fee of \$40.00 for non-profit Special Licenses.

### 2. Scope

This policy is applicable to any individual applying on behalf of a non-profit or for-profit organization for a Special License under the provisions of M.G.L. c. 138, § 14 in the Town of Hanover.

### 3. Provisions

All applications will undergo a public safety review (Fire, Police, and DPW) prior to being heard by the Select Board. The applicant must contact the Hanover Police Department directly upon submission of their request to arrange for a Police Detail for the event. Exceptions to this requirement for a Police Detail can only be made by the Police Chief upon written request of the applicant.

The applicant named on the Special License Application shall, at all times during which alcoholic beverages are being sold, be available to the licensing authorities unless some other person similarly qualified, authorized and satisfactory to the licensing authorities, and whose authority to act in place of such applicant shall first have been certified to the licensing authorities in the manner aforesaid, is present in the premises and is acting in the place of such applicant.

Applications must be filled out completely, all required documentation attached, and filed at least 21 days prior to the event date in order for the application to be considered by the Select Board. Acceptance of any applications filed less than 21 days prior to the event date are at the Select Board’s discretion.

The hours during which sales of alcoholic beverages may be made under a Special License shall be between 11:00 AM to 11:00 PM, Monday through Saturday, and from 12:00 Noon to 11:00 PM on Sundays, Christmas Day (or the day following when Christmas Day is on a Sunday), or Memorial Day. A maximum of five hours is allowed per event.

All beverages/glasses/bottles or other containers must be removed from tables and service



bar area one-half hour after closing time or by 11:00 PM, whichever first occurs. Patrons must be off premises one-half hour after closing time.

The full name, residential address, business and home telephone numbers of said applicant must appear on the Special License Application. Failure to have such information on file and current shall alone be sufficient cause for revocation or suspension of such license, as well as future licenses.

The Select Board, at their discretion, may require proof of \$1,000,000 Liquor Liability Insurance naming the Town of Hanover as additional insured. If you are requesting a license for an event being held on Town-owned property, proof of \$1,000,000 Liquor Liability Insurance must be provided with the Town of Hanover named as additional insured.

Please see Attachment A for the Rules and Regulations of the Alcohol Beverages Control Commission.

4. Fee Per Event Schedule

Non-profit	\$ 40.00	For-profit	\$75.00
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## **SPECIAL LICENSE POLICY (July 2, 2012) - ATTACHMENT A**

### **RULES AND REGULATIONS OF THE ALCOHOL BEVERAGES CONTROL COMMISSION**

The individual purchasing/providing the liquor and servers of the liquor must request the license.

Only non-profits may apply for an All Alcohol Special License. For-profits may only apply for a Wine and Malt Special License. No 3rd Party Special Licenses can be issued.

No one under 21 years of age may be served alcoholic beverages. Licensees are responsible for ensuring that minors are not being served, or consuming, alcoholic beverages on the licensed premises, whether served to them by an employee or handed to them by any other patron.

All servers and wait staff clearing up bottles, glasses, serving, handling, etc. of alcoholic beverages must be at least 18 years of age.

Anyone holding a Special License must purchase alcoholic beverages from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder. Purchasing alcoholic beverages from a package store is prohibited by the ABCC. A list of authorized sources to purchase alcohol can be found on the ABCC website [www.mass.gov/abcc](http://www.mass.gov/abcc) or you can contact the ABCC directly at (617) 727-3040.

A Special License shall not be granted to any applicant while their application for a license under M.G.L. c. 138, § 12 (Restaurant) is pending before the licensing authorities.

Not more than one license can be issued for a premise at one time.

The ABCC prohibits liquor sales between the hours of 2:00 AM and 8:00 AM.

A Special License can be issued for indoor and/or outdoor events.

### **9-3. Common Victuallers License Policy**

#### **1. Purpose of Policy**

The policy is to make food licensing operations more efficient for the license holder and the issuing authority.

#### **2. Scope**

This Policy covers both Common Victuallers and Food Handlers License for the Town of Hanover.

#### **3. Provisions of Policy**

The Select Board hereby votes to centralize food related licenses and authorized the Town Manager and the Director of Community Services to work with the Board of Health (Department of Municipal Inspections) to take on the responsibility of licensing Common Victuallers licenses in conjunction with food handler permits.

Per the Manager Act section 2 (C) (5) "The Select Board under this act may delegate or reorganize any local licensing authority or process notwithstanding any general laws relating to local governance to the contrary."

The Board of Health currently issues food handler permits and the Department of Municipal Inspections does inspections for restaurants and other food establishments twice a year. In one visit the Department can incorporate Common Victuallers licenses into an onsite premises license check.

#### **9-4. Renewal of Liquor License (December 9, 1991)**

1. Purpose of Policy:

The Policy is intended to establish guidelines concerning the renewal of a liquor license in the Town and to further the intent of General Bylaw 4 - 7, Section 5 (attached.)

2. Scope:

The Policy shall apply to holders of the following-described licenses:

Restaurant - All Alcoholic Beverages

Restaurant - Wines & Malt Beverages

Package Goods Store - All Alcoholic Beverages

Package Goods Store - Wines & Malt Beverages.

3. Provisions of Policy:

All real estate and personal property taxes assessed on the property where such licensee is doing business shall be paid up to date as of the last day prior to renewal of the liquor license, namely, December 31st of each year.

Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the local licensing authority to issue a certificate indicating said limitations to the license, and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

## 9-5. Road Race (January 19, 2016)

The Select Board in order to promote the safety of the residents and visitors of the Town during Road Races declares that the following administrative procedures are to be followed in permitting Road Races in any part of the Town.

### 1. Definitions

- a. “*Race Organizer*” – any person acting individually or on behalf of an organization sponsors promotes, staffs, schedules or arranges a Road Race.
- b. “*Road Race*” – any organized event occurring on one specific day characterized by voluntary participation of numerous individuals either on foot, wheelchairs or on bicycles for the purpose of traveling along public ways in the Town with the intent of crossing a finish line.

### 2. Application

- a. Race Organizers who wish to hold a Road Race on a certain day within the Town must obtain a permit from the Select Board. Application for the permit shall be made on the Road Race Application at least four weeks in advance of the date on which the Race Organizer wishes to schedule the event. In addition to the information required on the application, the following specific information must also be provided:
  - The starting and expected finishing time of the Road Race. The course that is to be traveled including its length, all street intersections, the start and finish line locations, all stops/rest areas, including a map.
  - The number of toilet facilities and locations (if applicable) which the Race Organizer will provide and remove, at the expense of the Race Organizer. The Race Organizer shall provide approval from the Board of Health for toilet facilities when filing the Road Race Application.
  - A description of the type of non-permanent markings or signs which will be used and removed upon completion of the race. NOTE: Permanent markings of any type, including painted symbols on street pavement are strictly prohibited.
  - The expected number of participants and expected parking requirements.
- b. *Discretion of the Board:* The Select Board shall have the sole discretion in granting or denying the permit and may impose reasonable conditions on the permit as to the date of the Road Race, the designation of the area for public parking, the location of the start

and finish lines, the location and number of public toilets, the number of police officers required to ensure traffic safety and where they will be assigned, the number of firefighter EMTs required to ensure prompt emergency medical service, the time the Road Race starts, the location of the first aid station, the streets to be blocked off and how that is to be done, and indicate all stops and/or rest areas.

- c. *Liability:* The Race Organizer shall sign a statement that he/she is the agent for and has delegated authority to file this application and to bind any organization that is sponsoring the Road Race for costs incurred as follows:
- The cost of removing any permanent markings from public ways.
  - Any clean-up costs.
- d. *Emergency Medical Services:* If any participant in the Road Race requires medical care or transport from the Town's EMT's, the cost of such will be billed directly to the person receiving the medical care or transport.
- e. *Hold Harmless Clause:* The Race Organizer shall execute a "Hold Harmless Agreement" which shall guarantee the Town will be held harmless against liability claims for personal injury or property damage made against it by participants in the Road Race, or from any such claims for personal injuries or property damage made by any third party. Additionally, if the Race Organizer requires that Releases shall be executed by participants in the Road Race as a condition of entry or participation in such race, it shall require that such a release or waiver of liability include the Town.
- f. *Scheduling the Application for the Road Race Permit:* Upon completion of the application and release, the application will be forwarded to the Police Chief, Fire Chief and Director of Public Works for comment. The application will be placed on the agenda for the next regularly scheduled Select Board meeting for review and determination.

If approved, the Race Organizer will be expected to pay in advance for the Police/Fire Details assigned to the Road Race by check made payable to the Town and delivered to the Town. Following clean-up, a determination will be made by the Department of Public Works, and the Race Organizer will be advised of a satisfactory/unsatisfactory clean-up before leaving the scene.

- g. Any race which will traverse or cross any portion of Route 139 shall be coordinated with the MASSDOT Highway Division which will issue its own permit.

## **9-6. 24 Hour Business Operations Policy (June 18, 2012)**

### **1. Provisions**

It is the policy of the Town of Hanover that business may operate on a twenty-four (24) hour cycle consistent with the following protocol:

- Before initiating a 24-hour operation, proponents shall meet with the Chief of Police and Town Manager to discuss operations.
- Upon concurrence of the Chief of Police, the proponent and Chief of Police shall attend a meeting of the Select Board to discuss expanded hours and any limitations recommended by the Police Department.
- If the premise is licensed by the Select Board or Board of Health, a duly advertised hearing shall be held to change the hours of operation and inform abutters and the public.
- The issuance of a 24-hour license will be reviewed by the Select Board and/or the licensing board after a six-month trial period to provide the Town and the community the ability to provide feedback.
- The Select Board and/or the licensing board reserve the right under the bylaws of the town and the laws of the Commonwealth to suspend or revoke any license after the proper due process.

**9-7. Waiving of Municipal Building Permit Fees (July 1, 1998)**

1. Purpose:

It is the Boards intention to waive building permit fees relative to construction of Town buildings.

2. Scope:

All Town Buildings.

3. Provision of Policy:

Each department is advised that it needs to make its request specifically in writing and to do so prior to the issuance of the bid documents so that all bidders may be aware of this waiver of fees and bid accordingly. Each request will be handled on an individual basis by the Board and so voted.



## **9-8. Use of Town Hall (October 23, 1989)**

### 1. Purpose of Policy

- a. This Policy is intended to establish guidelines for the use of the Town Hall by groups other than elected or appointed Boards, Committees, Commissions.
- b. Due to limited meeting space and large number of requests, it is necessary to restrict the use of the building to groups which are directly connected with government, such as Town Boards, Committees, Commissions, State Representatives or Senators, or U.S. Representatives or Senators, for meeting with constituents in this district. No fee is charged for use of building.
- c. The schedule for use of Hearing Rooms and empty offices by Committees, Boards and Commissions is kept in Selectpersons' office, where the Custodian may consult it in order to open rooms and regulate temperatures according to the season of the year.
- d. During the regular work week, when Town Hall is open for regular business, the Hearing Room may be used by groups such as the Visiting Nurse Association, for clinics and monthly meetings, or similar group, provided prior approval has been granted.
- e. The Town Hall is open only Monday and Wednesday evenings, 7-10 PM, for scheduled meetings.
- f. Requests for use of the building, other than as covered in #4 & #5, must be submitted in writing to the Select Board by Noon on Friday for inclusion in Monday's Agenda. A Custodian must be employed and paid for by the group using building on a day when it is not regularly open. The Custodian will be paid at times the regular pay rate. Payment should be made to the Town of Hanover within 10 days of use of building.
- g. Exceptions to the above policy must be decided by a vote of the Select Board, after receipt of a written request stating nature of use.

## 9-9. Licensing Process (March 18, 2019)

### 1. Purpose

The purpose of this policy is to provide guidance for the Select Board when considering license applications and provide guidance to applicants regarding the Board's expectations. This policy shall supersede previous policies where in conflict.

### 2. General Provisions

The Select Board is the Local Licensing Authority for the Town. Under the general direction of the Town Manager, the coordination of all license applications shall be managed by the Licensing Coordinator within the Department of Community Development and Municipal Inspections as provided for in the Town of Hanover General By-Laws 4-21 "Consolidated Department of Municipal Inspections".

Prior to issuing or renewing a license, the Licensing Coordinator shall transmit the applicable portion(s) of each application to the following Town departments/divisions for review. Each of the following department/division heads shall make every reasonable effort to check compliance with all applicable approvals and supply, in writing, their evaluation of each application:

- a. Department of Community Development & Municipal Inspections
  - Buildings
  - Conservation
  - Health
  - Planning
- b. Finance Department/Tax Collector
- c. Fire Department
- d. Police Department
- e. Department of Public Works

The department/division head is expected to make note of concerns of which they have knowledge. No license shall be issued or renewed unless all taxes and applicable fees due to the Town are current. No new license applications or changes to existing licenses of any kind will be accepted during the month of December.

The Town of Hanover will provide all applicable information regarding licensing

applications and renewals on the Town website at [www.hanover-ma.gov](http://www.hanover-ma.gov), including application forms and instructions, with the exception of alcoholic beverage license applications which can be found through the link on the Town's website to the Alcoholic Beverages Control Commission (ABCC) or directly on the [mass.gov/abcc](http://mass.gov/abcc) website along with FAQ's.

### 3. Specific Provisions: Alcoholic Beverage Licenses

#### New License Applications

- a. The Applicant must submit a completed application to the satisfaction of the Licensing Coordinator, and the Licensing Coordinator shall date-stamp the application once it is deemed complete.
- b. If the application does not require a published hearing or notice to abutters:
  - i. The Licensing Coordinator shall coordinate a hearing with the Applicant and the Select Board, through the Town Manager.
  - ii. The Licensing Coordinator shall prepare a transmittal to the ABCC and prepare the license for the Select Board signature, if approved.
  - iii. The Select Board shall consider the application during a public hearing.
- c. If the application requires a published hearing or notice to abutters:
  - i. The Applicant and the Select Board shall adhere to the ABCC schedule provided for in GL c.138.
  - ii. The Licensing Coordinator shall coordinate a hearing with the Applicant and the Select Board, through the Town Manager.
  - iii. The Licensing Coordinator shall prepare and send a hearing notice and instructions to the Applicant along with the determined newspaper for publication.
  - iv. If the application requires notice to abutters, the Applicant shall obtain a certified abutters list from the Assessor's office.
  - v. The Applicant shall send the legal notice to the determined newspaper for publication no less than ten days prior to the hearing date.
  - vi. The Applicant shall notify all abutters by Registered Mail, as required in GL c.138.
  - vii. The Licensing Coordinator shall prepare a transmittal to the ABCC and prepare the license for the Select Board signature, if approved.

- viii. The Applicant shall deliver to the Licensing Coordinator confirmation of advertising publication and the affidavit of notice to abutters prior to the Select Board hearing.
- ix. The Select Board shall consider the application during a public hearing.

#### Renewal License Application

- i. As required by GL c.138, the Licensee shall submit a license renewal during the month of November that is signed by an authorized representative of the Licensee, or the Licensee will be required to file an application for a new license.
- ii. The Select Board shall endeavor to consider the license renewals at the first meeting in December.
- iii. In addition to the department/division reports stipulated in the General Provisions section of this policy, the Select Board will strongly consider any violations of the Select Board's Rules and Regulations for Holders of Alcoholic Beverage Licenses (Policy 9-1) when reviewing applications for license renewals.
- iv. See Select Board Rules and Regulations for Holders of Alcoholic Beverage Licenses (Policy 9-1) for further guidance.

#### 4. Specific Provisions: Special License (One-Day Liquor License)

- a. The Applicant shall submit a completed application to the satisfaction of the Licensing Coordinator at least twenty-one days before the event date. The Select Board may consider an application submitted less than twenty-one days before the event date at their sole discretion.
- b. The Applicant shall contact the Hanover Police Department directly upon submission of their request to arrange for a Police Detail. The Police Chief has sole discretion in determining whether a Police Detail is required. Exceptions to this requirement for a Police Detail can only be made by the Police Chief upon written request of the applicant.
- c. The Select Board may, at their sole discretion, require proof of \$1,000,000 Liquor Liability Insurance naming the Town of Hanover as additional insured.
- d. If the Applicant is requesting an event being held on Town-owned property, proof of \$1,000,000 Liquor Liability Insurance must be provided with the Town of Hanover named as additional insured.
- e. The Town Manager shall notify the members of the Select Board through blind-copied email of the application.

- f. If any member of the Select Board notifies the Town Manager within two business days of a desire to conduct a public hearing the Select Board shall consider the application at a public meeting.
- g. If no member of the Select Board notifies the Town Manager within two business days of a desire to conduct a public meeting:
  - i. The Town Manager shall consider the application administratively.
  - ii. The Town Manager may require proof of \$1,000,000 Liquor Liability Insurance naming the Town of Hanover as additional insured.
  - iii. If the Town Manager approves the application, the Town Manger shall notify the members of the Select Board of the approval through blind-copied email and shall also report the approval to the Select Board at the next Board meeting.
  - iv. The Select Board shall have the authority to override the Town Manager’s approval at a public meeting before the event date, which shall require the Select Board to consider the application at a public meeting.
  - v. If the Town Manager does not approve the application, the Select Board shall consider the application at a public meeting.
  - vi. The Town Manager may not consider an application administratively if the application has been submitted less than twenty-one days before the event date.
- h. See Select Board Special License Policy (Commonly referred to as “One- Day Liquor License”) (Policy 9-2) for further guidance.

5. Specific Provisions: Junk Dealer Licenses (Gold, Silver, Precious Metals)

- a. License Applications - as provided for in the Town of Hanover General By-Laws § 6-3 “Junk Dealers”.
  - i. The Applicant shall submit a completed application to the satisfaction of the Licensing Coordinator.
  - ii. All licenses are subject to the conditions and requirements as set forth in GL c.266, § 142A.
- b. Renewal License Applications
  - i. The Licensee shall submit a license renewal to the Licensing Coordinator that is signed by an authorized representative of the Licensee.

- ii. The Select Board shall endeavor to consider the license renewals at the second meeting in April.

6. Specific Provisions: Automobile Dealer License (CLASS I, II, and III)

- a. License Applications - as provided for in the Town of Hanover General By-Laws § 6-7 “Car Dealers” – All Classes.

- i. The Applicant shall submit a completed application to the satisfaction of the Licensing Coordinator.
- ii. The Licensing Coordinator shall forward the application to the Planning Board for approval through the Planning process.
- iii. If the Planning Board approves the application through the Planning process, the Select Board shall consider the application at a public meeting.

- b. Renewal License Applications

- i. The Licensee shall submit a license renewal to the Licensing Coordinator that is signed by an authorized representative of the Licensee.
- ii. The Select Board shall endeavor to consider the license renewals at the second meeting in December.

7. Specific Provisions: Auto Lease/Rental

- a. License Applications - as provided for in the Town of Hanover General By-Laws § 6-7A “Licensing of Automotive Leasing Facilities”

- i. The Applicant shall submit a completed application to the satisfaction of the Licensing Coordinator.
- ii. The Select Board shall consider the application at a public meeting.

- b. Renewal License Applications

- i. The Licensee shall submit a license renewal to the Licensing Coordinator that is signed by an authorized representative of the Licensee.
- ii. The Select Board shall endeavor to consider the license renewals at the second meeting in December.

8. Specific Provisions: Flammables

a. In accordance with provisions of GL c. 148, § 13 certain amounts of flammable and combustible liquids, flammable solids or flammable gases may be kept, stored, manufactured or sold without obtaining a license, however, a permit MUST be issued by the Hanover Fire Chief.

b. New License Applications

- i. The Applicant shall obtain a certified abutters list through the Assessor's office that must include owners of real estate abutting on said land or directly opposite said land on any public or private land.
- ii. The Applicant shall submit a completed application along with the certified abutters list to the satisfaction of the Licensing Coordinator. The owner of the property must be identified as the Applicant and the street address must be accompanied by the property's map and lot number.
- iii. The Licensing Coordinator shall forward the application to the Fire Chief for approval.
- iv. If the Fire Chief approves the application, the Select Board shall consider the application at a public meeting.

c. Renewal License Applications

- i. All annual renewals of Flammable Licenses are processed through the Town Clerk's office.

9. Specific Provisions: Carnival

License Applications - as provided for in the Town of Hanover General By-Laws Part 6-2. § 12 "General Policing Regulations"

a. The Applicant shall submit a completed application to the satisfaction of the Licensing Coordinator including but not limited to:

- i. the Applicant's current CORI Policy as required by the MA Department of Public Safety;
- ii. the number, with a complete description, of all State permitted amusements to be operated on the dates requested;

- iii. the Carnival operator’s current and valid “License to Operate Amusement Devices” issued by the MA Department of Public Safety;
  - iv. a site plan drawn to scale showing the placement of amusements, walking paths and vendors; and
  - v. a description of how electricity and water will be provided and where those sources are located.
- b. The Select Board shall consider the application at a public meeting.

10. Specific Provisions: Entertainment

- a. Entertainments may include such diversions as live piano, guitar, patron dancing, bands, patron dancing, recorded music, DJ’s, comedy shows or other special events, karaoke, trivia games, amplification systems, movie theater screens and other amusements. Please contact the Licensing Coordinator for further clarification.
- b. New License Applications
  - i. The Applicant shall submit a completed application to the satisfaction of the Licensing Coordinator.
  - ii. The Select Board shall consider the application at a public meeting.
- c. Renewal License Applications
  - i. The Licensee shall submit a license renewal to the Licensing Coordinator that is signed by an authorized representative of the Licensee.
  - ii. The Select Board shall endeavor to consider the license renewals at the second meeting in December.

11. Specific Provisions: All Other Licenses

The Licensing Coordinator shall recommend specific provisions for all other licenses under the purview of the Select Board on a case-by-case basis and shall deliver such applications and recommendations to the Select Board for consideration at a public meeting.



## **9-10. Temporary Outdoor Dining Policy (April 25, 2022)**

### **1. Purpose**

The purpose of this policy is for the Select Board to enable the licensing and permitting of a temporary extension of licensed premise permitting of outdoor – or expanded outdoor – dining opportunities for local dining establishments during the phased (re)opening of the economy in response to the COVID-19 crisis.

### **2. General Provisions**

In response to the COVID-19 crisis, and consistent with the governor’s phased (re)opening plans, the Select Board, acting as the Local Licensing Authority for the Town of Hanover, hereby grants authority to the Town Manager to approve on behalf of the Select Board, Temporary Outdoor Dining License Applications without the Select Board’s prior consent.

Such approval shall be granted pursuant to the submission of a satisfactorily completed Temporary Outdoor Dining Application<sup>1</sup>, hereby adopted.

The Board shall ratify such approvals at a subsequent Select Board meeting.

### **3. Enforcement**

This policy shall be enforced through the Town Manager, Health Agent, Building Commissioner, Fire, DPW and Police Departments per the approval(s) granted.

### **4. Dissolution**

This policy and approvals of any licenses and permits granted through it, shall remain in effect until April 1, 2023, or such earlier date established in the Town of Hanover’s granting of the approval, whichever is sooner, at which time any approved licenses and permits issued through the Temporary Outdoor Dining Policy shall become null and void and the license and permits shall revert back to their original status prior to any approval issued through this Policy and/or any amendments or updates thereto.

## **Section 10: Planning and Public Safety**

### **10-1. Traffic Zone Review (April 9, 2018)**

#### **1. Introduction:**

In response to numerous inquiries for reduced speed limits in the Town of Hanover, as well as the Hanover Police Department's duty to enhance public safety throughout the Town of Hanover, the Select Board implements the following policy upon the recommendation of the Hanover Safety Committee as to the evaluation and criteria to implement a thickly settled/Business District (25 MPH) or Safety Zone (20 MPH) in the Town of Hanover.

#### **2. Purpose:**

The Hanover Police Department is committed to continuously improving and enhancing public safety throughout the Town and to the prevention and deterrence of criminal activity. Reduced speeds on thickly settled or Business Districts streets as defined in M.G.L. c.90 s.17C or areas to be deemed to meet the criteria of a Safety Zone as defined in M.G.L. c. 90, s. 18B are seen to benefit certain streets within the Town of Hanover and enhance pedestrian and vehicular safety.

Citizen requests for reduced speed zones, i.e. thickly settled/Business District and Safety Zone will also be assessed and reviewed in accordance with this policy. After the review of such requests, a recommendation will be made either approving or denying such citizen request.

#### **3. Scope:**

This policy outlines the procedure for the evaluation of reduced speed zones throughout the Town. While the Hanover Safety Committee will make recommendations based on this policy, a multi-departmental review of the necessity of establishing a safety zone will be performed. The final authority to approve or deny the approval of a safety zone will rest with the Select Board.

#### **4. Evaluation:**

The Select Board in conjunction with the Hanover Safety Committee has developed this policy to evaluate and assess the need for the implementation of a thickly settled district or a safety zone throughout the Town. The Police Department, in conjunction with the Department of Public Works, and other municipal departments as designated by the Town Manager, will evaluate and assess areas throughout the Town by identifying potential public safety risks where the adoption of the thickly settled/Business District or Safety Zones are being proposed. Citizen requests will be evaluated using established criteria. While the criterion to be used encompasses many factors, the two most important factors

are the enhancement of public safety and motor vehicle crashes.

5. Procedure for Evaluating a Request

- a. The thickly settled/Business District or Safety Zone request will be forwarded to the Hanover Safety Committee for review. Such requests will be reviewed within 30 calendar days of receipt of the request.
- b. The Hanover Safety Committee will evaluate the following for a Safety Zone:
  - Review crash data in the area of the request over a five (5) year period.
  - Identify the proximity of bus stops on the street or streets in question.
  - Identify the proximity of crosswalks in the requested area.
  - The Hanover Safety Committee will make sure that any requests for a Safety Zone meet the following minimum criteria:
    - The street should be adjacent to a land use that is likely to attract vulnerable road users.
    - The Safety Zone should contain one or more areas that have potential conflicts between motor vehicles and vulnerable road users that warrant a reduction in speeds such as crosswalks, driveways, or side streets.
    - The minimum length of the Safety Zone should be at least one quarter (1/4) of a mile and it should not extend more than 500' beyond a side street unless an applicable land use continues along the adjacent block.
- c. The Hanover Safety Committee will evaluate the following for a thickly settled or Business District:
  - Identify the proximity of bus stops on the street or streets in question.
  - Review crash data in the area of the request over a five (5) year period.
  - Identify the proximity of crosswalks in the requested area.
  - In order to declare a thickly settled or business district, the territory contiguous to any way which is built up with structures devoted to business, or the territory contiguous to any way where the dwelling houses are situated at such distances as will average less than two hundred feet between them for a distance of a quarter of a mile or over. (M.G.L. c. 90 Section 1)
- d. The Hanover Safety Committee will take all of the criteria above as well as input from

- abutters and residents on the proposed street and then make their recommendation to the Select Board.
- e. The approval or denial recommendation will be forwarded to the Select Board
  - f. The Select Board will advertise for each of the two weeks preceding the public hearing in a newspaper of general circulation where the proposed thickly settled/Business District or Safety Zone will be discussed with the residents of the affected street.
  - g. If a Safety Zone is approved by the Select Board, then in accordance with
  - h. M.G.L. c. 85 Section 2, an engineering study will be ordered to validate the posting of the appropriate signage. The engineering study shall include an analysis of the current speed distribution of free-flowing vehicles. This study will also identify the proper demarcation sign locations showing where the Safety Zone begins and ends.

**10-2. Complete Streets (March 28, 2018)**

WHEREAS, stated goals in the Hanover Master Plan are to provide pedestrian and bicycle access along existing roadways and utilize traffic calming strategies to make roadways safer; and

WHEREAS, Complete Streets is an approach to community transportation using design principles to ensure the safety, comfort, and accessibility for users of all ages, abilities, and income levels and for all the users of our streets, trails and transit systems, including pedestrians, bicyclists, transit riders, motorists, users of wheelchairs and other power-driven mobility devices, commercial and emergency vehicles; and

WHEREAS, Complete Streets can reduce congestion by providing safe travel choices that encourage non-motorized transportation options, increasing the overall capacity of the transportation network as well as decreasing consumer transportation costs and overall carbon footprint; and

WHEREAS, Complete Streets support economic growth and community stability by providing accessible and efficient connections between home, school, work, recreation and retail destinations by improving the pedestrian and vehicular environments throughout communities; and

WHEREAS, Complete Streets enhance safe walking and bicycling options for school- age children, in recognition of the objectives of the national Safe Routes to School program and Physical Activity Guidelines; and

WHEREAS, Complete Streets can help reduce crashes and injuries and their costs. NOW, THEREFORE, the Select Board adopts this Complete Streets Policy.

1. Vision and Purpose:

The purpose of the Town of Hanover's Complete Streets Policy is to accommodate all road users by creating a roadway network that meets the needs of individuals utilizing a variety of transportation modes. It is the intent of the Town of Hanover to formalize the plan, design, operation, and maintenance of streets to contribute toward the safety, health, economic viability, and quality of life and so that streets are safe for users of all ages, all abilities and all income levels as a matter of routine. This Policy directs decision- makers to consistently plan, design, construct, and maintain streets to accommodate all anticipated users including, but not limited to pedestrians, bicyclists, equestrian, motorists, emergency vehicles, and freight and commercial vehicles.

## 2. Core Commitment:

The Town recognizes that all roadway projects (including municipal road repairs, upgrades, and expansions) are potential opportunities to apply Complete Streets design principles. The Town will, to the maximum extent practical, design, construct, maintain, and operate streets to provide for a comprehensive and integrated network of facilities for people of all ages and abilities.

Complete Streets design recommendations will be incorporated into all publicly and privately funded projects, as appropriate, including: new transportation infrastructure and street design projects requiring funding or approval by the Town of Hanover, projects funded by the State and Federal government (including but not limited to Chapter 90 funds, city improvement grants, Transportation Improvement Program (TIP), MassWork.

Infrastructure Program, Community Development Block Grants (CDBG), Capital Funding and other state and federal funds for street and infrastructure design), and privately funded subdivision developments. 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.

These transportation infrastructure projects may be excluded from review upon approval by the Complete Streets Working Group, where documentation and data indicate that any of the following apply:

- Roadways where specific users are prohibited by law, such as interstate freeways or pedestrian malls. An effort will be made, in these cases, for accommodations elsewhere.
- Cost or impacts of accommodation are excessively disproportionate to the need or probable future use.
- Other Town policies, regulations, or requirements contradict or preclude implementation of Complete Streets principles.

In addition, Town Departments, in consultation with a Complete Streets Working Group (described below), will use best judgment regarding the desirability and feasibility of applying Complete Streets principles for routine roadway maintenance and projects, such as repaving, restriping, and so forth. The Complete Streets Working Group will make recommendations to the Town Manager and the Select Board for their approval.

### 3. Best Practices:

The Town of Hanover Complete Streets Policy will focus on developing a connected, integrated network that serves all road users. Complete Streets will be integrated into policies, planning, and design of all types of public and private projects, including new construction, reconstruction, rehabilitation, repair, and maintenance of transportation facilities on streets and redevelopment projects. As practicable, recommendations from the Complete Streets Working Group for incorporating complete streets elements will occur in projects' beginning stages prior to design.

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 giving significant consideration to stakeholder and community values. 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.

Implementation of the Town of Hanover Complete Streets Policy will be carried out cooperatively within all relevant departments in the Town of Hanover and, to the greatest extent possible, among private developers, and state, regional, and federal agencies.

The Town of Hanover 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. The Town also recognizes that approaching projects as part of the overall network and not just single segments is vital for enhancing safe access to destinations.

The latest design guidance, standards, and recommendations available will be used in the implementation of Complete Streets, including the most up-to-date versions of:

- The Massachusetts Department of Transportation Project Development and Design Guidebook
- 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 (Latest Edition)
- American Association of State Highway Transportation Officials (AASHTO) A Policy on Geometric Design of Highway and Streets (Latest Edition)
- Americans with Disabilities Act (ADA)

- The Architectural Access Board (AAB) 521CMR Rules and Regulations
- Documents and plans created for the Town of Hanover, including but not limited to:
  - a. Master Plan
  - b. Sidewalk Prioritization Plan
  - c. Town Center Design Plan
  - d. Open Space Plan

4. Implementation:

The Town shall make complete streets practices a routine part of everyday operations, shall approach every transportation project and program as an opportunity to improve 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 shall form a Complete Streets Working Group to implement the Complete Streets initiative. The working group will be a multidisciplinary team and members will include representation from: Select Board, Department of Public Works, Planning Board, and other committees, departments or organizations as appropriate. The group shall elect a chair, vice chair and clerk to organize and run meetings.

Key responsibilities of the Complete Streets Working Group will be to:

- Increase communication and forge partnerships among the various stakeholders.
- Ensuring the implementation of the Complete Streets Policy and, where necessary, alter existing practices and overcoming barriers that may act as impediments to implementation.
- Regularly update and solicit feedback on potential projects with the general public to ensure that the perspectives of the community are considered and incorporated, as appropriate.
- Work to integrate Complete Streets principles in all new planning documents, as applicable (master plans, open space and recreation plan, etc.), laws, procedures, rules, regulations, guidelines, programs, and templates and make recommendations for zoning and subdivision code.

The Town will secure training for the Complete Streets Working Group, pertinent Town staff and decision- makers on both the technical content of Complete Streets principles and



best practices, as well as community engagement methods for implementing the

Complete Streets Policy. Training may be accomplished through workshops and other appropriate means.

The Town will utilize inter-department coordination to promote the most responsible and efficient use of resources for activities within the public way.

The Town will maintain a comprehensive inventory of pedestrian and bicycle facility infrastructure that will highlight projects that eliminate gaps in the sidewalk and bikeway network.

The Town will evaluate projects, as appropriate, within the Capital Improvement Plan to encourage implementation of this Policy.

The Town will seek out appropriate sources of funding and grants for implementation of Complete Streets policies.

5. Evaluation of Effectiveness:

The Complete Streets Working Group will develop performance measures to periodically assess the rate, success, and effectiveness of implementing the Complete Streets Policy. The group will determine the frequency of assessment and utilize appropriate metrics for analyzing the success of this policy. These metrics may include the total number of new bicycle lanes, the linear feet of new pedestrian accommodation, number of retrofitted pedestrian facilities or amenities, number of intersection improvements made to improve Level of Service (LOS) and safety for vehicles, pedestrians and bicyclists, rate of crashes by mode, rate of children walking or bicycling to school, and/or number of trips by mode. These metrics will be compiled into a report by the working group and presented as needed, but no less than annually. While the Town works on the metrics for now we plan to simply measure the following projects:

- Sidewalk Installation: Congregational Church to Birchwood Road - 1,950 Linear Feet
- Sidewalk Installation: Birchwood Road to Jay's Lane - 800 Linear Feet
- Sidewalk Installation: Main Street: Center of Town to Larchmont - 4,400 Linear Feet
- Sidewalk Installation: Main Street: Larchmont to Cedar Street - 1,900 Linear Feet
- Sidewalk Installation: Main Street: Cedar Street to Stone Meadow - 3,750 Linear Feet
- Sidewalk Installation: Main Street: Stone Meadow to Webster Street - 3,200 Linear Feet

### **10-3. Street Light Review (November 9, 2015)**

1. Introduction:

In response to numerous street light inquiries as well as the Hanover Police Department's duty to enhance public safety throughout the Town of Hanover, the Select Board implements the following policy upon the recommendation of the Hanover Police Department as to the evaluation and criteria for the installation of municipal street lights.

2. Purpose:

The Hanover Police Department is committed to continuously improving and enhancing public safety throughout the Town and to the prevention and deterrence of criminal activity. Street lighting plays a role in both of these areas. As such, this agency will be identifying areas throughout the Town where lighting could be utilized to enhance pedestrian and vehicular safety as well as assisting in deterring crime.

Citizen requests for street lights will also be assessed and reviewed in accordance with this policy. After the review of such requests, a recommendation will be made either approving or denying such citizen request.

3. Scope:

This policy outlines the procedure for the evaluation of street light necessity throughout the Town. While the Police Department will make recommendations based on this policy, a multi-departmental review of the necessity of a street light will be performed. The final authority to approve or deny the installation of a municipal street light will be vested in the Town Manager.

4. Evaluation

The Select Board in conjunction with the Police Department has developed this policy to evaluate and assess the need for the installation of municipal street lighting throughout the Town. The Police Department, in conjunction with the Department of Public Works, and other municipal departments as designated by the Town Manager, will evaluate and assess areas throughout the Town by identifying potential public safety risks where lighting is necessary to enhance public safety. Citizen requests will be evaluated using established criteria. While the criterion to be used encompasses many factors, the two most important factors are the enhancement of public safety and the prevention of crime.

5. Procedure for Evaluating a Request

A. The street light request will be forwarded to the Safety Officer & Crime Prevention Officer for review. Such requests will be reviewed with 30 calendar days of receipt of request.

B. The Safety Officer will evaluate the following:

a. Review crash data in the area of the request over a five (5) year period.

- b. Identify the proximity of bus stops to the requested location.
  - c. Identify the proximity of crosswalks in the requested area.
  - d. The Safety Officer will conduct a physical survey of the area to include the following:
    - Identify the speed limit in the area.
    - Identify potential road hazards in the area to include road curvature, steep grades, intersections, assess roadway conditions, and various other potential safety hazards.
    - Evaluate the volume of pedestrian traffic.
    - Evaluate the volume of vehicular traffic.
    - Identify public parking areas.
    - Evaluate the average speed of vehicular traffic.
    - The Safety Officer will then generate a written report of their findings and make a recommendation based on such findings either recommending approval or denial of the request.
    - The written report will be submitted to the Chief of Police for review.
- C. The Crime Prevention Officer will evaluate the following:
- a. Review crime data in the area over a five (5) year period.
  - b. Identify the types of criminal activity in the area, if any.
  - c. Perform a physical survey of the area to include the following:
    - The proximity of critical infrastructure and/or facilities in the area.
    - Identify public parking areas and assess the need for security lighting.
    - Evaluate the potential security risks to the area.
  - d. The Crime Prevention Officer will then generate a written report of their findings and make a recommendation based on such findings either recommending approval or denial of the request.
  - e. The report will then be submitted to the Chief of Police for review.
- D. The Chief of Police will review the reports submitted by the Safety and Crime Prevention Officers and make a final determination as to whether the Department approves or denies the request for street lighting.

- E. The approval or denial recommendation will be forwarded to the Town Manager for review.

*References*

U.S. Department of Transportation Federal Highway Administration – FHWA Lighting Handbook, August 2012

<http://safety.fhwa.dot.gov/roadwaydept/lightinghandbook/#a21>

Public Roads Magazine Vol. 65 No. 6 “Roadway Lighting Revisited” by Patrick Hasson & Paul Lutkevic, May/June 2002

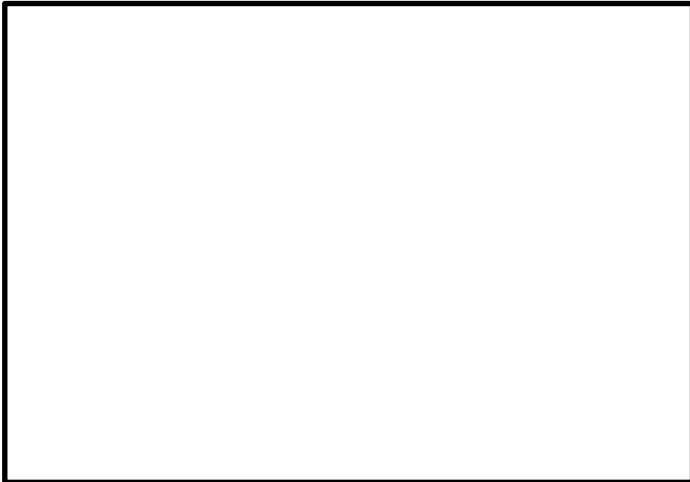
<http://www.fhwa.dot.gov/publications/publicroads/02may/07.cfm>

Massachusetts Department of Transportation – The Massachusetts Manual on Uniform Traffic Control Devices 2009 & Standard Municipal Traffic Codes 2012

U.S. Department of Transportation Federal Highway Administration – Manual of Uniform Traffic Control Devices 2009



<b>Street Light Evaluation Criteria</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
Are there sidewalks in the area?			
Is there a crosswalk in the area?			
Is area located within 100' of a traffic merge point or intersection?			
Is the area located on a roadway that is heavily used by commercial truck traffic?			
Is the roadway surface in good condition?			
Is the speed limit 40 mph or greater?			
Are the roadway markings in good condition?			
Is there a steep grade of hill in the area that reduces visibility?			
Is the area located near a retention pond or other body of water?			
If near a body of water, are there sufficient physical barriers to this area (fence/ guardrail/etc....)?			
Is there some type of ongoing construction project in the area that creates an unsafe condition for pedestrians or vehicular traffic?			
Is the area located near an access/egress driveway of a commercial area or apartment complex that would cause pedestrians to walk across traffic traveling at speeds greater than 5 mph?			
Is the area free from obstructions that lessen pedestrian, motorist, and school bus driver visibility including shrubbery, utility poles, walls, fences, trees, parked vehicles, and or other obstructions?			
Does the area allow for sufficient water run-off/drainage during wet weather?			
Is there a bus stop in the area?			
Is there a higher than normal motor-vehicle crash rate in the area? (5 years)			
Is there a high volume of pedestrian or bicycle traffic in the area?			
Are there public parking or recreational areas nearby?			
Are there other factors that impact the area or support the need for a light? (If yes, please note the factor in the comments section.)			



Comments/Recommendations:

Street Light Request	YES	NO
Assessment made in response to a citizen request for a street light?		
Is there sufficient evidence to conclude that a street light should be installed for <u>safety</u> related reasons?		

Safety Officer - Hanover Police Department:	Date
Signature:	

**STREET LIGHT REQUEST SECURITY ASSESSMENT**

Evaluated by: _____ Agency: _____ Reason for Evaluation: _____ _____ _____ _____ Location of Light Request: _____ _____	<b>PHOTO(S) (IF AVAILABLE)</b>	
Date Evaluated: ____/____/____      Time Evaluated: ____:____ a.m. <input type="checkbox"/> p.m. <input type="checkbox"/> Area Type: <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Other: _____		

Street Light Evaluation Criteria	YES	NO	N/A
Is the area located near critical facilities or infrastructure?			
Is the area known to have a high rate of criminal activity? (five years)			
Is the area located near a public parking area or municipal building?			
Does the area pose any known potential security risks to the general public?			
Is the area known for frequent nighttime activities? (Concerts, Gatherings, etc.)			
Are there public parks or recreational areas nearby?			
Are there other factors that impact the area or support the need for lighting? (If yes, please note the factor in the comments section.)			



Comments/Recommendations:

Street Light Request	YES	NO
Assessment made in response to a citizen request for a street light?		
Is there sufficient evidence to conclude that a street light should be installed for <u>security</u> related reasons?		

Crime Prevention Officer - Hanover Police Department:	Date
Signature:	

#### 10-4. Emergency Closing of Facilities (October 5, 2015)

##### 1. Purpose and Scope:

The purpose of this document is to outline the Town's policy on the emergency closing of Town buildings and facilities. The Town of Hanover will make every effort to provide essential services to its residents, even in cases of extreme adverse weather or other emergency. Therefore, the Town will keep its offices open during regularly scheduled hours unless extreme inclement weather, extraordinary conditions or unforeseen circumstances necessitate closure.

The Emergency Closing of Facilities Policy was created to provide efficient and consistent standards and procedures for the closing of Town facilities during emergency situations for the safety of employees and the public. Emergency situations include but are not limited to snow or other weather-related events. Closing of Town facilities is done in the interest of both public and employee safety.

##### 2. Applicability:

This information applies to all Town of Hanover management, administrative, professional and support personnel, regardless of work location. It does not apply to the School Department, essential custodial and maintenance personnel, Public Safety personnel, essential Department of Public Works personnel and essential call-in personnel. Essential personnel are defined by the Department Head and/or the Town Manager or his/her designee and may change for each situation, as determined by the emergency.

##### 3. Background:

The Town of Hanover will provide timely information to Town employees concerning the opening and closing of Town offices as a result of a declared emergency, weather or otherwise. It is the policy of the Town to compensate employees who cannot report for work when the municipal building they work in is closed due to an emergency situation. Employees who had pre-scheduled time off or called in sick will still be charged for that absence.

In the event non-exempt employees are required to remain at work or report to work after the municipal building in which they work has been closed, they will be entitled to receive, in addition to their regular pay for that day, banked compensatory time for time worked after the designation. This compensatory time must be used at an agreed-to time with the Department Head as to not cause overtime.

4. Procedures:

A. Inclement Weather Which Begins BEFORE Working Hours

- i. If inclement weather occurs, which makes travel difficult, before or during the morning commute hours, employees should take a reasonable amount of time necessary to arrive at work safely. Employees who prefer to use accumulated vacation or compensatory leave time, in lieu of reporting to work, should be allowed to do so. In general, if Hanover Schools are closed or delayed as a result of the weather, Town employees may use up to one extra hour in the morning beyond their normal start time to ensure a safe arrival at work, without loss of pay or use of accumulated leave time.
- ii. Unless municipal buildings are closed by the Town Manager or his/her designee, employees who do not report to work must use their vacation or compensatory accumulated leave for all hours they were scheduled to work for the day.
- iii. In the event that a decision is made by the Town Manager or his/her designee to not open a municipal building, employees are responsible for checking the Town's website or voice mail on the Town's main phone number, as described on the following pages.
- iv. Appropriate notification shall also be made on voice mails, website and entrances to Town buildings. Employees will be compensated for the period that the municipal building in which they work is closed.

B. Limited Work Force

- i. When an event begins during the day and is forecasted to impact driving conditions, or otherwise impact operation of a Town facility, the Town Manager or his/her designee may call for a Limited Work Force. This shall mean, if possible, at least one employee in each department should remain in the office until the close of business, or until the building is closed by the Town Manager or his/her designee.
- ii. As a practical matter, employees who live the furthest driving distance away, who are most at risk of injury during a weather-related event, or who must arrive somewhere at a specified time, such as to a child care facility, or who are otherwise concerned about driving, should be the first employees to be released. Employees so released will be paid for the remainder of their regular work day. To the extent possible the Limited Work Force should rotate.
- iii. When a Limited Work Force is designated by the Town Manager or his or her designee, non-exempt employees who are required to work when other employees are released will be entitled to receive, in addition to their regular pay for that day, banked compensatory time for time worked after the designation. This compensatory time must be used at an agreed- to time with the Department Head

as to not cause overtime.

- iv. The Town Manager or his/her designee, at his/her discretion, may close certain offices during a Limited Work Force situation. If an office is closed at the discretion of the Town Manager or his/her designee, no employees of any closed office need to remain during the Limited Work Force designation.

#### C. Change of Work Location

- i. In the event that a decision is made by the Town Manager or his/her designee not to open a particular building, or to schedule a late opening, employees of that particular building may be required to report for duty at a secondary location if their function can be accommodated at a secondary location.
- ii. Employees who are required to work from a secondary location will not receive additional compensation.

#### D. Change of Work Duties

- i. During an emergency, employees may be required to perform additional or different duties than outlined in their job description. This includes, but is not limited to, answering phones in the Emergency Communications Center and other operations as directed by the Town Manager or his/her designee or the Emergency Management Director.

#### E. Availability of Employees

- i. In the event that a decision is made by the Town Manager or his/her designee not to open a municipal building, or to schedule a late opening, employees shall be accessible by phone for immediate needs. If a Department Head is on a scheduled vacation, a subordinate shall be accessible by phone for immediate needs. The Town Manager or his/her designee shall be notified in advance of the subordinate assigned to cover for the Department Head.

#### F. Decision to Close Town Offices

- i. Decisions to close the Town Offices will be made by the Town Manager or his/her designee. Closing offices may be made in consultation with other management staff as needed; including, but not limited to Public Safety officials.
- ii. Notification of the closing of Town Offices will be available through the following sources:
  - The Town's website – [www.hanover-ma.gov](http://www.hanover-ma.gov)
  - Employee information line – (781) 826-5000, press 0 to hear the announcement.

The Town Manager or his/her designee will update the message by 6:30 a.m. on the day of a weather or unusual event. If there is no updated message, employees should report to work as scheduled.

- Employee e-mail system.
- Town of Hanover's Facebook page (for closing and delays).
- Town of Hanover's Twitter page (for closing and delays).

Although every attempt will be made to provide closing information at the aforementioned locations/sites, not all of these sources may be operational in the event of a power failure.

#### 5. Essential Personnel:

Essential personnel are identified by job title and department listed below. These employees should keep a copy of this information in their vehicles to identify themselves to authorities during emergencies.

Non-essential employees that are asked to report to work by their supervisors should receive an e-mail or a hard copy notification to identify themselves to authorities during emergencies whenever possible.

The following employees have been identified as essential personnel:

- Administration – Town Manager
- Administration – Acting or Assistant Town Manager
- Public Safety – Chief of Police
- Public Safety – Acting Chief of Police (or next command staff)
- Public Safety – Officers
- Public Safety – ECC Employees
- Public Safety – Fire Chief
- Public Safety – Deputy Fire Chief (or next command staff)
- Public Safety – Firefighters
- Public Safety – Building Inspector (as determined by emergency)
- Public Services – Director of Public Works
- Public Services – DPW Deputy Superintendent – Field Operations
- Public Services – DPW Deputy Superintendent – Water Operations
- Public Services – DPW Deputy Superintendent – Facility Operations
- Public Services – DPW Highway Division Staff

- Public Services – DPW Public Grounds Division Staff
- Public Services – DPW Transfer Station Staff
- Public Services – DPW Water Distribution Staff
- Public Services – Water Treatment Plant Staff (as determined by emergency)
- Public Services – Facilities Maintenance Staff - all Maintenance and Custodial personnel (except Administrative staff)
- Public Services – Health Agent (as determined by emergency)
- Public Services – Elder Affairs Director (as determined by emergency)
- Emergency Services – Emergency Operations Center Director

Custodians: As custodians are essential to snow clearing operations at School and Town buildings, they are required to be available to report to work prior to and remain beyond their normally scheduled shifts. In the event of extreme snowfall or other condition requiring closure of School or Town buildings for the day, evening custodians, at the direction of the Facilities Engineering Manager, will be required to report to work on the day shift to perform snow clearing operations. In such circumstance's custodians shall work in locations as assigned and shall not depart until released by the Facilities Engineering Manager or his/her designee.

I acknowledge that I have received and read the Town's Emergency Closing of Facilities Policy. With your signature below, you represent that you have read, received and understand this policy.

\_\_\_\_\_  
Employee Name (please print)                      Employee Signature                      Date

\_\_\_\_\_  
Employee \_\_\_\_\_ was unwilling to sign this document.  
(print name of employee)

Department Head \_\_\_\_\_                      \_\_\_\_\_  
Date

## 10-5. Sidewalk and Curbing Reconstruction (April 14, 2014)

### 1. Purpose of Policy:

This policy is intended to establish financially sustainable guidelines for the reconstruction of existing sidewalks and curbing on Town accepted roads in Hanover.

### 2. Scope:

This policy applies to all accepted roads in the Town of Hanover.

### 3. Provisions of Policy:

#### *Main Roads:*

Main roads shall be defined as existing on a list defined and maintained by the Select Board. Where sidewalks and/or curbing exist on main roads, they shall be evaluated at the time of reconstruction and/or overlay, and where necessary and where financially feasible the curbing shall be reset and or sidewalks reconstructed to provide a safe lane for people to walk, segregated from the traffic.

#### *Subdivision Roads, greater than 500 feet:*

Where sidewalks and/or curbing exist on subdivision roads greater than 500 feet, they shall be evaluated at the time of reconstruction and/or overlay. Where curbing needs to be reset it shall be removed and replaced with monolithic Cape Cod berm. Where financially feasible the sidewalks shall be reconstructed to provide a safe lane for people to walk, segregated from the traffic. The back of the berm and sidewalks shall be loamed and seeded to blend with existing adjacent grades.

#### *Subdivision Roads, less than 500 feet:*

Where sidewalks and/or curbing exist on subdivision roads less than 500 feet, they shall be evaluated at the time of reconstruction and/or overlay, and where reconstruction is necessary, the curbing and sidewalks shall be removed. Where curbing exists, it shall be replaced with monolithic Cape Cod Berm. Where curbing doesn't exist, the placement of a Cape Cod berm shall be at the discretion of the Town Manager. The back of the berm shall be loamed and seeded to blend with existing adjacent grades.

### 4. Financial Feasibility:

The financial feasibility of sidewalk and curbing reconstruction on main roads and subdivision roads greater than 500 feet in length shall be at the discretion of the Town Manager.



## **10-6. Fuel Efficient Vehicles (April 5, 2010)**

### 1. Purpose of Policy:

To establish a requirement that all departments in the Town of Hanover, including the School Department, purchase only fuel-efficient vehicles for municipal and school use whenever such vehicles are commercially available and practicable.

In an effort to reduce the Town of Hanover's fuel consumption and energy costs, the Select Board and School Committee hereby adopts a policy to purchase fuel efficient vehicles as guided by and identified in Criteria 4, Fuel Efficient Vehicles from the Massachusetts Department of Energy Resources, Green Communities Grant Program Guidance. (See attached)

### 2. Scope:

This policy applies to all departments of the Town of Hanover including the School Department.

### 3. Provisions:

The Town of Hanover will maintain an annual vehicle inventory for non-exempt vehicles and a plan for replacing these vehicles with vehicles that meet the fuel efficiency ratings as provided for in Criteria 4.

### 4. Exemptions:

Heavy-duty vehicles (GVW of more than 8,500 pounds) such as fire-trucks, ambulances, and public works trucks are exempt from this criterion.

Police cruisers are exempt from this criterion. However, the Town of Hanover will commit to purchasing fuel efficient cruisers when they become commercially available. Police Department administrative vehicles must meet fuel efficient requirements.

### 5. Fuel Efficient Vehicle Replacement Plan:

The Town of Hanover shall develop a plan to replace all non-exempt vehicles with fuel efficient vehicles as defined above. Said plan shall outline the process by which the Town of Hanover will replace vehicles, set goals for when the existing fleet will be replaced, and review said plan on an annual basis.

## **10-7. Installation of Telephone/Utility Poles into Sidewalks (March 14, 2006)**

### 1. Purpose of Policy:

This policy is intended to establish a guideline for installation of telephone/utility poles into sidewalks.

### 2. Scope:

This policy applies to all parties who wish to install telephone/utility poles on Town owned land, specifically into sidewalks.

### 3. Provisions of Policy:

New or replacement telephone/utility poles are not to be installed into sidewalks within the Town of Hanover. Permission of the Select Board may be sought only when all available options have been exhausted.

## **10-8. Traffic Safety Committee (March 18, 2019)**

### **1. Purpose:**

The purpose of this policy is to form a committee to address roadway safety, signs in the Town right of way, and operating conditions of public roads. This policy shall supersede previous policies where in conflict.

### **2. General Provisions:**

There shall be a Traffic Safety Committee with no more than seven members. The Town Manager shall act as the Chair of the Committee and shall appoint all members. The Committee shall meet on a regular schedule and operate under all applicable Open Meeting Law requirements of a public body. The Committee shall review, vet, and publicly discuss all physical changes or proposed changes made to Town roadways and rights-of-way, including but not limited to: the placement of new signage that could be considered intrusive or aesthetically unpleasing by the common person, including any and all illuminated or blinking signs, substantive modifications to the roadway, all changes to speed limits, and changes to driving conditions, such as provided for in Select Board Policy 10-1.

If required by Massachusetts General Law or Town Bylaw, the Committee will make recommendations to the Select Board for their consideration. The Committee shall endeavor to make recommendations and grant deference to the Select Board for decisions that may not be under the purview of the Select Board by a strict reading of the law, in order to ensure full public participation and knowledge of proposed changes to the physical status of Town roadways and their rights-of-ways.

Changes to Town roads and rights-of-ways required for emergency precautions shall remain vested with the Town Manager, DPW Director, and the Chief of Police, and are outside of the intended reach of this policy. The placement of temporary/mobile signs such as electronic messaging signs and electronic speed carts shall not require action from the Committee or Select Board.

The Committee shall provide quarterly reports to the Select Board.

## **10-9. Neighborhood Traffic Calming, Traffic Safety, and Pedestrian Infrastructure Augmentation Policy (March 16, 2020)**

### **1. Purpose:**

In response to the Planning Board's review of the Hanover Crossing project (2019) and the emphasis placed on the Walnut Hill neighborhood, the Select Board adopts this policy to provide general guidance to staff, residents, business owners, the Planning Board, Advisory Committee, Town Meeting voters, and other stakeholders clarifying (i) the types of improvements the town will support (ii) types of improvements the town will not support (iii) the decision-making mechanism, process, and timeline (iv) general guidance on funding.

### **2. Scope:**

This policy outlines the procedure which will be used for evaluating and implementing traffic calming, traffic safety, and pedestrian infrastructure improvements/modifications in all collector and local roads and their rights-of-way in Hanover<sup>1</sup>.

This policy recognizes the responsibilities granted to the Select Board over public ways specifically identified in the Town of Hanover General Bylaws §5-2 and §6-1, and the responsibilities granted to the Town Manager as stated in §6-12.

### **3. Evaluation:**

The Traffic Safety Committee<sup>2</sup> shall evaluate all requests that would result in an augmentation to the travel portion of the roadway, pedestrian facilities, changes within the rights-of-ways, and driving conditions (stop signs, etc.) that rise above a de Minimis level.

In general terms, the types of improvements that will be considered appropriate for consideration under this policy include the following:

- a. Tightening/widening of turning radius
- b. Narrowing/expansion of travel lanes
- c. Bump-outs
- d. Median Islands
- e. Clarified pedestrian areas such as trails, sidewalks, protected pedestrian facilities, etc.
- f. Signage
- g. Line painting
- h. Guardrails
- i. Raised Medians/Traffic Tables

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<sup>1</sup> A map will be created [examples of roads not included: Webster, Rte 139, Rte 53

<sup>2</sup> Select Board Policy 10-8

j. Surface treatments

k. Line of Sight Improvements

- l. Landscaping improvements
- m. Roadway and Intersection Closures/Openings

In general terms, these types of improvements will not be treated as acceptable for consideration under this policy:

- a. Speed Bumps
- b. Speed Enforcement Cameras
- c. Law Enforcement Activities<sup>3</sup>
- d. Street Tress in the Town Right of Way
- e. Speed Limits
- f. Significant sidewalk projects beyond provided for by (III)(1)(e) of this policy

4. Process for Evaluation:

All requests shall originate through the Traffic Safety Committee at a public meeting of the committee. The Traffic Safety Committee shall make an initial determination if the request falls under the 'acceptable for consideration' section of this policy.

- a. Requests should be submitted to the Town Manager for inclusion at the next scheduled quarterly meeting.
- b. Requests should utilize the standard form attached to this policy.<sup>4</sup>

The Traffic Safety Committee shall advance said request to the furthest point it can within existing resources. This step will likely take between 3-9 months subject to the complexity of the recommendation, workload of town staff, availability of OCPC/MAPC, engineering services, etc. Activities could include:

- a. Initial data collection and analysis
- b. Departmental review
- c. Preliminary engineering (if affordable)
- d. Neighborhood/Stakeholder meeting(s)
- e. Implementation of temporary/low-cost/pilot projects
- f. Follow-up data collection
- g. Public education and awareness
- h. Other as applicable and within budget

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<sup>3</sup> It shall be recognized that the Chief of Police is solely responsible for the deployment of law enforcement resources

<sup>4</sup> See Attachment A

The Traffic Safety Committee shall bring forward recommendations to the Select Board based on the evaluation performed in §IV (2) of this policy.

Prior the showing up on an agenda for the Select Board, a letter shall be sent from the Traffic Safety Committee to the affected property owners most adjacent to the proposed project.

- a. Other forms of communication are encouraged but not required under this policy

The Traffic Safety Committee portion of the website shall remain updated with all information germane to all requested improvements.

5. Process of Approval:

The Select Board must approve, by majority vote, the recommended infrastructure changes, in order for changes to be implemented.

- a. If the proposed recommendations meet the threshold(s) established in §5-2 of the Town of Hanover General Bylaws the Select Board shall follow said requirements.

Once approved by the Select Board, the recommended project may be implemented by the Town Manager if funding exists. If funding does not exist at the time of Select Board approval, the proposed recommendation shall be included, if it is not already, in the 5-yr capital improvement plan, and shall receive further vetting by the Advisory Committee, and ultimately Town Meeting, if necessary. Grants, Chapter 90 monies, and other sources of funding should be pursued to the extent they are available.

**Attachment A - Traffic Safety Committee Request Form**

1. Contact Information

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

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

Contact Phone Number: \_\_\_\_\_

Contact Email: \_\_\_\_\_

2. Please describe the location of the traffic concern. Attach a map or visual if necessary:

3. Please describe the nature of the neighborhood traffic problem you are concerned with:

4. Please list possible solutions to the problem you would like the Town of Hanover to consider:

## **Section 11: Transfer Station**

### **11-1 Transfer Station Rules & Regulations (June 7, 2021)**

#### 1. Purpose

The Select Board formally adopts this policy in order to address issues related to but not limited to (i) escalating costs borne by the property tax payers for the continued operation of the municipal transfer station (ii) mitigating the amount of waste disposed at the facility (iii) providing staff the ability to enforce the rules & regulations of Hanover's Transfer Station appropriately.

#### 2. Scope

This policy applies to Hanover's Transfer Station Facility located at 118 Rockland Street. This policy shall be administered through the Town Manager, DPW Director, and Chief of Police.

#### 3. Rules and Regulations

##### A. Permit Eligibility

- a. Hanover residency shall be required for all permit holders.
- b. Property and/or business ownership without residency is not sufficient for permit eligibility.
- c. Permits shall only be issued to individuals who conclusively prove their principal residence in Hanover that the vehicle to which the permit is to be issued is principally garaged at the same address, pays automobile excise taxes to Hanover and has an automobile registration that exactly matches the address shown on the receipt issued by the Treasurer/Collectors Office.
- d. Permits may be issued to residents using a rented, leased, or employer owned vehicle on a permanent basis upon presentation of the lease/rental agreement, current vehicle registration, and another document deemed acceptable as proof of residency (i.e. utility bill, credit card bill, etc.).

##### B. Temporary

The Director of Public Works or his authorized designee may issue temporary permits to access the Transfer Station upon presentation of sufficient evidence that said permit is needed to:

- a. Access the station when a vehicle that has been issued a sticker is undergoing significant repairs for an extended period of time;
- b. That the permit will be used to service an elderly or incapacitated Town resident;



- c. When sufficient evidence has been presented to the Director that a special permit is needed for a residential clean out using a rented or borrowed vehicle. In this instance the resident shall certify that the waste being delivered to the station is residential waste from the resident's house only and the resident shall be present in the vehicle delivering the waste. Clean-outs of materials from rental units by a landlord are considered commercial waste and are not accepted at the station;
- d. When a new resident moves to town and has not yet registered his/her vehicle in Hanover.
- e. Said permits will be issued to a specific vehicle, will have an expiration date, must be kept with the vehicle, and must be shown to the gate attendant or other Transfer Station employee upon request.

#### C. Permits

- a. Valid permits must be displayed on the lower driver's side of the front windshield.
- b. Permits are non-transferable.
- c. Technology permitting, Valid permits may be issued in any manner that can be universally applied and enforced
  - i. Due to the COVID-19 pandemic the eventual solution should reduce or eliminate the human-to-human contact of issuing valid permits.

#### D. Waste

- a. Acceptable waste is normal municipal solid waste as defined by the State Department of Environmental Protection and will be allowed subject to exclusions as noted or deemed necessary by Town Personnel.
- b. Construction and Demolition(C&D) materials are allowed subject to the adopted fee schedule established by Town Meeting and the presence of an attendant at the pay station.

#### E. Recycling

- a. All Transfer Station users shall separate materials from their waste and deposit them in the designated containers or space at the Transfer Station. Some examples include:
  - Newspaper, magazines, junk mail, office paper, and telephone books;
  - Glass bottles & jars (with caps removed);
  - Metal of all types, including articles containing primarily metal;
  - Clean plastic containers & bottles;

- Waste lubricating oil, antifreeze, and automotive batteries;
- Vehicle tires (limited to two per week);
- Mercury thermometers and mercury bearing products;
- Clean cans (tin & aluminum);
- Cardboard;
- Cement and/or bituminous concrete pavement or material. A special permit is needed for residential disposal of these items. Please contact the DPW Administrative Office at 40 Pond Street.

#### F. Excluded Materials

- a. The following articles and materials will NOT be accepted for disposal or recycling at the Transfer Station:
  - Automobile, truck and motorcycle mechanical and electrical parts;
  - Furnaces, boilers, and oil tanks;
  - Tree stumps, limbs, or brush;
  - Solvents, inks, dyes or other flammable liquids;
  - Cleaning compounds;
  - Motor vehicle fluids such as brake fluid, degreasers;
  - Pathological waste;
  - Hazardous materials, including radioactive, explosive, toxic and other waste deemed environmentally hazardous by the Department of Environmental Protection;
  - Any waste deemed hazardous to Transfer Station employees.
  - Any item banned for disposal under Mass DEP regulations or the Town's current waste ban compliance plan.
  - Batteries
  - Any commercial waste. Waste from rental properties shall be considered commercial waste.

#### G. Fees

- a. No fee will be charged for permits to eligible permits holders.
- b. Per-Item fees approved by Town Meeting shall be charged without exception.

#### H. Operating Hours

- a. In general, the Transfer Station shall be open from 8:00 AM to 4:30 PM, except for Wednesdays and Thursdays.
- b. The Transfer Station will be closed on the following holidays: New Year's Day Independence Day Martin Luther King Day Labor Day President's Day Columbus

Day Patriot's Day Veteran's Day Memorial Day Thanksgiving Day Easter  
Christmas Day

- c. The DPW Director, Town Manager, Chief of Police, or authorized designee may close or modify operations within the Transfer Station at any time and without prior notice for indefinite periods of time for reasons such as but not limited to:
  - Inclement weather
  - Power or mechanical failures
  - Activities or demonstrations disruptive to the operation and the cause of decreased safety to the public and staff
  - Other unforeseen emergencies

#### I. Safety

- a. All users of the Transfer Station are expected to behave in a safe manner while in the facility. The required nature of vehicle movements, both automobile and truck, together with the congested design of the Transfer Station Facility mandates that all users and employees proceed with caution and common sense as well as following these specific safety procedures:
- b. Doors will be removed from all refrigerators, freezers or other large items that may present the risk of trapping a person or animal.
- c. The speed limit in all areas of the Transfer Station shall not exceed ten (10) MPH.
- d. Any vehicle larger than a pick-up truck will use a ground guide when backing up.
- e. Users of the Transfer Station shall not be permitted access to those areas designated as "No Access by Unauthorized Personnel" or "Access Restricted to Authorized Personnel Only".
- f. All Children and pets are to remain in the vehicle

#### J. Swap Shop

- a. Only valid permit holders are allowed access to the Swap Shop
- b. The purpose of the Swap Shop is to encourage permit holders to dispose of reusable items
- c. The Hours of Operation shall be determined by the DPW Superintendent
  - The Swap Shop must be staffed by a DPW employee or qualified volunteer in order to be open to the public.
  - The Department of Public Works shall post hours of operation on its website.
- d. Approval must be granted by DPW personnel prior to dropping items off.

- If items are not deemed acceptable by DPW staff it shall be the full responsibility of the permit holder to dispose of the item properly.
- Items must be in good, usable condition.
- Items must be dropped off in a neat and orderly manner
- Items may only be dropped off or picked up from the Swap Shop when it is open and operational
- A list of generally prohibited items shall be posted on the town's website and posted at the Transfer Station. This list shall be determined by the DPW Director

#### 4. Enforcement, Violations, and Penalties

1. The DPW Superintendent, or his authorized representative, may suspend or revoke permits, or privileges issued hereunder for cause.
2. The Town Manager may reinstate permits that have been revoked only after a hearing with the violator. The Town Manager will hold a hearing within ten (10) business days after receipt of a written request for reinstatement of a permit.
3. The revocation of the right to use the Transfer Station permanently excludes the legal entity as well as the individual officers named on the original application together with their successors, heirs and assigns from use of the Transfer Station.
4. The Chief of Police shall, when requested by the Department of Public Works or its authorized Transfer Station Representatives, cooperate in all ways in the enforcement.
5. Unpermitted users or any permitted user of the facility who are in violation of the rules and regulations established in this policy, behave or act in an indecent or disorderly manner, use any profane or indecent language, or causes disturbance(s) may be subject to the suspension and revocation of their permits and privileges,
6. Unpermitted users or permitted users of the facility who do not immediately disperse from the facility or leave the area when ordered by a Police Officer, may be subject to arrest and may be subject to a fine not to exceed fifty dollars, pursuant to §6-2(11) of the Town of Hanover General Bylaws
7. Due to COVID-19, Hanover should ultimately adopt an enforcement method utilizing technology which reduces or eliminates the need for human-to-human in

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