TOWN OF HARVARD

BOARD OF SELECTMEN

POLICIES & PROCEDURES

PURPOSE:

The Board of Selectmen of the Town of Harvard, recognizing the need to codify the traditional and accepted working relationships among the members of the Board, between the Board and the Town Administrator, and the Board and other Town boards, committees, officials and citizens, and also recognizing the need to systemize and reduce to writing the Town's public policies and procedures, hereby undertake to create operating procedures for the Board of Selectmen.

NATURE OF POLICIES & PROCEDURES:

These policies and procedures contain items relating to topics that cannot be addressed elsewhere. Subjects that would more appropriately be addressed in a statute, by-law or regulation are not addressed in this format.

When one of these policies or procedures prohibits taking action on a specific item at a meeting, the Board may suspend it by unanimous consent. This will only be done when it is necessary to act upon the item at that meeting and there are no conflicts with any other law or regulation.

PROCEDURE FOR ESTABLISHING POLICIES AND PROCEDURES:

Draft policies and procedures will be placed on the agenda for any regularly scheduled meeting of the Board. Drafts will be in writing, and may be introduced only by a member of the Board or the Town Administrator. Upon receipt of a draft, the Board may choose to discuss the policy immediately or schedule the discussion for a future meeting. The Board may schedule any hearings or meetings it deems necessary for discussion. The Board may distribute a draft for comment to appropriate officials as it deems necessary.

The Board will not vote on a policy at the same meeting that it is first introduced. A unanimous vote of a three member board or four votes of a five member board is necessary for adoption.

The Town Administrator will be responsible for implementation of all policies and procedures.

AUTHORITY:

The Board of Selectmen is an elected Board and derives its authority and responsibilities from the statutes of the Commonwealth of Massachusetts and the By-Laws of the Town of Harvard.

ELECTION AND QUALIFICATION:

In accordance with the Town Meeting vote of November 21, 1992, the Board consists of five duly elected members. Before assuming official duties, each newly elected member shall be duly sworn in by the Town Clerk.

VACANCIES ON THE BOARD:

When a vacancy occurs in the membership of the Board of Selectmen, the Board or its remaining members shall call a special town election to fill the unexpired term or terms in accordance with the Massachusetts General Laws.

ROLE OF THE BOARD OF SELECTMEN:

The Board is responsible for policy development, and review for compliance Therefore, the Board is responsible for supervising the departments of the general government that are not supervised by the other elected officials. Authority to supervise these departments is delegated to the Town Administrator, and the Board will refrain from involvement in day to day operations. Concerns and questions about the operation of departments, and suggestions for improvements should be addressed to the Town Administrator. The responsibility for addressing these issues is thus carried out through the Town Administrator. Selectmen may be called upon to resolve disputes that are unable to be resolved on the staff level. The Selectmen may follow up on concerns or issues addressing these approved policies.

ROLE OF THE TOWN ADMINISTRATOR:

The Board appoints a Town Administrator who functions as the Town's Chief Administrative Officer. The primary duties of the Town Administrator shall be the day-to-day administration of the general government as outlined in the position's job description. The Town Administrator will also assist and work under the direction of the Selectmen in the formulation of policy.

The Town Administrator must maintain a close working relationship with all members of the Board. He/she shall regularly brief the Board on all important issues.

In order to provide the Town with continuity of management, the Selectmen are committed to maintaining an employment agreement with the Town Administrator that delineates his/her responsibilities and condition of employment as permitted by statute.

BOARD POLICIES AND STANDARDS OF CONDUCT:

1. A member of the Board of Selectmen, in relation to his or her community should:
   A. Realize that his or her basic function is to carry out its mandated responsibilities and develop Town policy related thereto, with administration delegated to the Town Administrator.
   B. Realize that he or she is one of a team and should abide by board decisions once they are made.
   C. Be well informed concerning the duties of a board member on both local and state levels.
   D. Remember that he or she represents the entire community at all times.

E. Accept the office of Selectman as a means of unselfish service, not benefit personally or politically from his or her board activities.
F. In all appointments, avoid political patronage by judging all candidates on merit, experience, and qualifications only.
G. Abide by the ethics established by the State and not use the position to obtain inside information on matters which may benefit someone personally.

2. A member of the Board of Selectmen, in his or her relations with administrative officers of the Town, should:
   A. Endeavor to establish sound, clearly defined policies that will direct and support the administration for the benefit of the people of the community.
   B. Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
   C. Give the Town Administrator appropriate responsibility for discharging his or her disposition and solution.
   D. Members of the Board of Selectmen may only access legal counsel with the approval of the Chair or the Town Administrator. All other Town officials, board members and employees may only access legal counsel with the approval of the Town Administrator.

3. A member of the Board of Selectmen, in his or her relations with fellow board members, should:
   A. Recognize that action at official legal meetings is binding and that he or she alone cannot bind the board outside of such meetings.
   B. Reserve any final decision on matters that will come before the board until he or she had had an opportunity to hear the pros and cons of the issue.
   C. Uphold the intent of executive session and respect the privileged communication that exists in executive session.
   D. Make decisions only after all facts on a question have been presented and discussed.
   E. Treat with respect the rights of all members of the board despite differences of opinion.

ORGANIZATION OF THE BOARD:

The Chairman shall be elected annually at the first regular meeting following the Annual Town Election. The Board may remove the Chairman at any time. The Chairman may serve up to two consecutive terms. A majority vote shall constitute an election. Nominations require no second. The immediate past Chairman shall preside as Chairman pro tem until the Chairman is elected. If there is no immediate past Chairman, the senior member in terms of current service shall serve as Chairman pro tem. In the case of members with the same amount of seniority, the member receiving more votes in the most recent election shall serve. If a vacancy occurs in the office of Chairman, the Board shall elect a successor. The Board shall further appoint a Vice-Chairman and Clerk under the same provisions stated for the Chairman.

RESPONSIBILITIES OF THE CHAIRMAN:

The Chairman of the Board shall:

1. Preside at all meetings of the 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.
2. Sign official documents that require the signature of the Chairman.
3. Call special meetings in accordance with the Open Meeting Law.
4. Prepare agendas with the Town Administrator.
5. Arrange orientation for new members.
6. Represent the Board at meetings, conferences and other gatherings unless otherwise determined by the Board or delegated by the Chairman.
7. Serve as spokesman of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated by the Chairman.
8. Make liaison assignments and assign overview responsibilities for project and tasks to Board members unless otherwise determined by the Board.

The Chairman shall have the same rights as other members to offer motions and resolutions, to discuss questions and to vote thereon.

RESPONSIBILITIES OF THE VICE-CHAIRMAN:

The Vice-Chairman of the Board shall act in the place of the Chairman during his/her absence at meetings. Should the chairman leave office, the Vice-Chairman shall assume the duties of Chairman until the Board elects a new Chairman.

RESPONSIBILITIES OF THE CLERK:

The Clerk shall be responsible to ensure meeting minutes are properly kept in accordance with applicable portions of Massachusetts General Law.

REGULAR BOARD MEETINGS:

Regular Board Meetings are held the first and third Tuesdays of each month unless changed by the majority of the Board. The Board shall not meet on days designated legal holidays.

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 are notified.

WORKING MEETINGS:

The Board may conduct informal "working sessions" 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. A synopsis of transactions of informal meetings will be made a part of the minutes of the following regular meeting.

STRATEGIC PLANNING SESSION:

The Board shall conduct a "strategic planning session" by their first regular scheduled meeting in June. The session is conducted for the new board to determine and develop their goals for the upcoming year.

MEETING PROCEDURES:

Meetings are to be conducted in accordance with generally accepted rules of parliamentary procedure and the Open Meeting Law. It is the practice that application of such procedure be on a relatively informal basis, due to the size of the group and the desirability of flexibility in the expression of opinion. Robert's Rule of Order is used as a guide in matters requiring clarification of definition.

A quorum shall consist of three members of the Board. As a practical courtesy, action on critical or controversial matters, the adoption of policy or appointments shall be taken, whenever practicable, with the full Board in attendance. Actions and decisions shall be by motion, second and vote. Split votes will be identified by name.

The Town Administrator is expected to be in attendance at all meetings of the Board unless excused by the Chairman. The Town Administrator shall attend in order to keep the Board informed and advised and recommend in all matters that fall within the jurisdiction of his/her office. He/she shall carry out the actions of the Board as they relate to the conduct and administration of Town affairs under his jurisdiction.

Absentee Member Participation

All Board members will strive to attend regularly-posted meetings. Board member participation in Harvard is dependent upon physical presence; a condition which we acknowledge is more restrictive than the current Open Meeting Law parameters. Participation at meeting by phone, and other electronic means shall be permitted if required to comply with the procedure on full board participation in important matters.

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

AGENDA PROCEDURES:

The responsibility for coordinating and planning the weekly agenda is that of the Town Administrator. Each of the Board Members and the Town Administrator may place items on the agenda. The Town Administrator, in consultation with the Chairman, shall schedule a realistic time period for each appointment, interview, conference or other scheduled item of business.

All items for the agenda must be submitted to the Town Administrator by 9:00 a.m. on the Thursday preceding the meeting. Items of emergency or strictly routine nature that develop after closing of the agenda may be considered under "other business".

Agenda items normally include:

1. Call Meeting to Order
2. Accept Minutes
3. Public Communication & Selectmen Reports
4. Scheduled Appointments (resident/committee presentations)
5. Town Administrator's Report
6. Action Items (appointments, licensing, permits)
7. Issues and Discussion Items
8. Old/New Business & Information
9. Executive Session as needed.
10. Adjournment

Members of the Board, staff, Town Administrator or others who prepare background material for the meeting should make an effort to have such material available for Thursday afternoon. If background information is insufficient or complicated or if complex memos or motions are presented at the meeting which were not in the Board's meeting packet, any member should feel free to request the tabling of the item to allow careful study of the material presented or the motion proposed.

The agenda shall be available to the public 48 hours prior to the meeting excluding Saturday, Sunday and legal holidays and posted on the town website and with the Town Clerk to be posted at the Town Office bulletin board. Copies of the minutes of the previous meeting and all important correspondence, reports and other pertinent background materials shall be forwarded with the agenda to Board members.

The Board shall not begin discussion of or act on an agenda item after 10:00 P.M. of a regularly scheduled meeting. This rule may be waived by a unanimous vote of a three or four member meeting and four votes of a five member meeting.

MINUTES:

The Town Administrator shall record open meetings of the Board by tape recorder in the event the Executive Assistant is not present. The Executive Assistant shall draft minutes from for the meeting.

Minutes circulated to members of the Board on or before any Friday shall be in order for approval at the next regular meeting of the Board. By unanimous consent, minor corrections may be made to the minutes without advance circulation of such corrections. Minutes will be circulated to members of the Board for their input and a final version will be included with the agenda packet.

Minutes must include the date, time, place, the members present or absent, a summary of the discussions on each subject, a list of documents and other exhibits used at the meeting, the decisions made and the actions taken at each meeting, including the record of all votes. Approved minutes shall be recorded in a Minutes Book which shall be bound when filled to capacity. Minutes of Executive Sessions shall be separately kept and recorded in accordance with the above procedures. Minutes (other than of executive sessions) are open for public inspection.

APPOINTMENTS:

The Board makes numerous appointments each year. Appointments are generally made for one or three years in length. In no case, may appointments be made for more than three years unless specifically allowed by State Law. Appointments generally are made June 30th of each year. In the case of appointments, no second to the nomination or motion will be required prior to Board action.

Whenever possible the Board will seek variety in backgrounds, interests, ages, sex and geographic areas of residents, so that a true cross section of the community will be reflected. In order to attract qualified and interested persons, vacancies will be made public as far in advance of appointment as practicable. Vacancies could be advertised in the local paper as well as on Cable TV. Appointments should be based on merit and qualifications rather than political merit.

The Executive Assistant will:

1. Provide by May 1st a list of the appointment vacancies to be filled by the Board.
2. Notify the chairman of the appropriate board or committee requesting recommendations regarding reappointment or the filling of vacancies.
3. Notify incumbents and request their statements of availability regarding reappointment.

If a vacancy occurs or is expected within 30 days on a Board of Committee appointed by the Board of Selectmen (BOS) the following procedures will be used to fill the vacancy. (It is the responsibility of the chairman of the Board or Committee to notify the BOS of all vacancies.)

1. The vacancy will be announced during the selectmen's reports at the next regularly scheduled selectmen's meeting; notice of the vacancy along with a deadline for the

submission of applications to fill the position(s) will be sent to the Town Clerk, local media outlets, posted on the Town's website and posted on the cable access bulletin board.

2. Individuals who wish to be considered to fill the vacancy must complete a "Volunteer Application" (available at Town Hall and on the town website) with all requests being delivered to the Executive Assistant or Town Administrator either in writing or by email. The application should contain all their contact information including an email address, the name of the board they are interested in joining, why they are interested and provide a brief personal background/outline. If a "Volunteer Application" is currently on file from a previous vacancy, the individual(s) will be contacted to see if they wish to be considered for the current vacancy. If so, the Volunteer Application on file shall suffice as their expression of interest in the position.

3. The Town Administrator's office will distribute copies of the Applicant's "Volunteer Application" to all Selectmen and to the Chairman of the prospective Board or Committee for their review. By the next Board of Selectmen meeting, at least one week after the deadline for the submission of applications, the BOS will schedule time on the agenda of their next regular meeting to act on the applications it has received.

4. The Selectmen will hold an interview to meet all new Applicant(s) (interviews may be requested by the BOS, but are not required, for re-appointments). All interviews/appointments will appear on the agenda of a regularly scheduled Selectmen's meeting. It is the responsibility of the office of the BOS to notify the Applicant(s) and Chairmen of the prospective Board or Committee of the time and place of the interview/appointment. Except for reappointments, the candidate(s) and a representative(s) of the prospective Board or Committee shall be present as may be necessary to facilitate the appointment.

5. The BOS will review/discuss all nominees in public session, make the appointment(s) and notify the following parties of their selection; all Applicant(s), the Board or Committee to which they are appointed, and the Town Clerk. All appointments shall run until June 30th in the year that the term expires unless otherwise noted at the time of appointment or in the case of an elected office which shall expire at the time of the next town election.

ADVISORY COMMITTEES OF THE BOARD OF SELECTMEN:

On May 20, 2008 the Board voted to adopt a policy whereby no member of the Board of Selectmen should serve on any other Board of Selectmen appointed board or committee, except for the Municipal Affordable Housing Trust Fund (amended 10/20/2015), within the town as a voting member or as Chairman unless there is statutory requirement that a member of the Board of Selectmen be a voting member of the Board or Committee.

The Board may appoint standing or ad hoc advisory committees to aid on matters under the Board's jurisdiction. The use of such advisory committees provides greater expertise and more widespread citizen participation in the operation of government.

Charges to advisory committees will be in writing and shall include the work to be undertaken, the time in which it is to be accomplished and the procedures for reporting to the Selectmen. Each committee must report in writing semi-annually to the Selectmen. The Selectmen's Office will be sent copies of all committee agendas and minutes. The Board will discharge committees upon the completion of their work. In addition, each Committee shall be provided with a Committee Handbook addressing issues such as conduct and law.

The charges and membership of standing advisory committees will be reviewed periodically (at least annually) to assess the necessity and desirability of continuing the committee. Reappointments will be based on an evaluation of the member's contribution, the desirability of widespread citizen involvement and the changing needs of the committee and the town.

It is the policy of the Selectmen to appoint qualified citizens representing all sections of the town to all such advisory committees. In order to attract qualified and interested persons, vacancies will be made public as far in advance of an appointment as practicable.

RELATIONS WITH OTHER TOWN BOARDS, COMMITTEES AND COMMISSIONS:

The Board of Selectmen is aware that coordination and cooperation is needed among the town's major boards, committees and commissions not only in the day to day operations of government but also to: 1.) set town wide goals and priorities, 2.) identify and anticipate major problems and working together towards their resolution, and 3.) develop a process for dealing with state government.

Therefore, as the executive board historically responsible for the overall leadership and coordination of town affairs, the Selectmen will:

1. Annually schedule meetings with the chairmen of major boards and committees to carry out functions 1-3 listed above.

2. Regularly schedule meetings of the Selectmen, finance committees and school committee with Harvard's State Legislators to discuss legislative issues which affect Harvard.

3. The Town Administrator is responsible for inter-board communication in the day to day operations of government. The Town Administrator will develop a process for exchange of information and the provision for advice and recommendations among the boards, committees and commissions with common interest, which will include but not be limited to the exchange of minutes, the establishment of a central repository for data, studies and reports and the appointment of members or staff of boards, committees or commissions as liaison with one another around common projects such as housing needs, revitalization of the center.

4. Appoint members of the Board of Selectmen to act in a liaison role with departments, boards and committees. The responsibility of a liaison is to maintain communication with

his/her assigned departments on behalf of the Board of Selectmen. The liaison should periodically call upon the chairman of the committee or the department supervisor to review goals and objectives. The liaison should carry back to the Board and the Town Administrator concerns or requests that the department may have. A liaison acts on behalf of the Board of Selectmen and will not interject personal opinion or requests. A liaison shall refrain from giving direction on administrative or procedural matters.

RELATIONS WITH CITIZENS:

The Board recognizes that it both represents and is accountable to all the citizens of the town. It is the Board's policy to make every effort to strengthen communications with citizens. Measures will be instituted to increase citizen participation, encourage citizen input into governmental decisions and to keep citizens informed of all actions contemplated or taken by the Board and the town meeting which will affect them. To this end the following steps will be taken:

1. An individual citizen or group of citizens may request an appointment before the Board by contacting the Town Administrator, stating precisely the reason for the appearance and the action desired and naming a spokesman for the group. Participants shall be given the opportunity to make a reasonable presentation through the spokesman and to express opinions and ask for pertinent information. Background data shall be prepared by the boards and departments concerned prior to the appointment insofar as possible, so that all parties involved can have a reasonable understanding of the subject matter. Citizens are encouraged to have written materials submitted for the Board's meeting packet.

2. Persons who will be directly affected by proposed Board discussion and/or action will be notified by the Executive Assistant of the date and time of meeting at which the matter will be discussed or acted upon by the Board.

3. If the Board in considering matters of citizen concern at a regular meeting, the public will be allowed to ask questions or make statements relative to the matter under consideration at the discretion of the Chairman or upon request of any member of the Board.

4. All citizen questions and complaints are to be answered promptly. Questions and concerns relating solely to the Office of Selectmen will be answered promptly by the Chairman, after consulting with the Board, or at the discretion of the Chairman, the Town Administrator. Those needing prompt attention by the Board should be referred to the Chairman for inclusion in the next meeting agenda.

5. All other questions and all complaints are to be referred to the Selectmen's Office for action or recommendations. In those instances where common sense dictates that the Board member receiving the complaint deal directly with a department head, the Board member shall inform the Town Administrator of the issue and its disposition.

6. It shall be the policy of the Board of Selectmen to provide timely responses to questions and/or comments made to the Board of Selectmen via the Town of Harvard website, email or letter. As such, the Town Administrator or the Assistant Town Administrator, if designated by the Town Administrator, will respond promptly to the originator. Depending upon the nature of the questions/comments, the designated responder will provide requested information (if readily available or direct the originator to the proper source); directly take action (if appropriate); or bring the originator's questions/comments to the Board. The responder will tell the originator that their questions/comments are being provided to all Selectmen and indicate to the originator that individual Selectmen may follow up on their questions/comments

EMPLOYEE GRIEVANCES:

These are to be handled as delineated in the Town's Personnel By-Law and Policies and Procedures. Under the Personnel By-Law, the personnel practices are formulated by the Personnel Board with the approval of the Selectmen. If employee grievances are brought to the attention of a Board member it shall be Board policy to proceed as follows:

Selectmen will not intercede or interfere with the process. The employee will be shown the administrative process to be followed. A meeting with the Board may be requested by any employee; the Board may defer such meeting until other remedies have been exhausted.

HEARINGS BEFORE THE BOARD:

1. NOTICE. Verify with Town Administrator that adequate notice of the hearing has been given to the applicant and to the public. (Notice will vary depending on legal requirements and in no case will less than 48 hours, excluding Saturdays, Sundays and legal holidays, notice be acceptable.) Notice of public hearings must be posted outside the meeting room. The Selectmen are prohibited from holding a public hearing for which notice has not been posted.

2. CALL THE HEARING TO ORDER. The Chair will open the hearing by stating the purpose of the hearing, reading the hearing notice aloud, and explaining the rules to be followed during the Hearing.

3. INTRODUCTION OF THE APPLICANT AND THE PROPOSED PLAN/PROJECT. The Chair will introduce the Applicant and the Applicant will state his/her name and address for the record and then describe the proposal to the Board and the public.

4. QUESTIONS. No questions will be permitted until after the speaker(s) for the applicant has finished the presentation. Questions will be accepted first from board members and then from the public. Parties in interest (i.e., persons entitled by law to notice other than by legal ad) shall be heard first followed by other persons. All public questions will be addressed through the Chair. Questioners will identify themselves (Name and Address) to the Chair, state their

questions, and specify to whom they are addressed. Any disagreement with answers is restricted to Public Participation In Favor or In Opposition.

5. PUBLIC PARTICIPATION IN FAVOR. At the conclusion of #4 the Chair will open the hearing to those of the Public who wish to speak in favor of the plan/project. Individuals shall state their name and address for the record and if they are representing someone other than themselves, they shall identify the person(s) whom they are representing.

6. PUBLIC PARTICIPATION IN OPPOSITION. Once members of the public have spoke in favor the Chair will then open the hearing to those members of the public who wish to speak in opposition of the plan/project. Individuals will have to state their name and address for the record and if they are representing someone other than themselves, they shall identify the person(s) whom they are representing.

7. WRITTEN COMMUNICATIONS. The Chair will have any written communication received from the public read into the record at this time. Any such written communications received after the hearing is closed will not be accepted as part of the hearing record.

8. CLOSE THE PUBLIC PARTICIPATION PORTION OF THE HEARING. At the conclusion of the reading of the written communication the Chair will then close the public participation portion of the hearing.

9. BOARD DELIBERATIONS. Once public input is received via 4,5,6 and 7 above the Board will then begin deliberations regarding the proposed plan/project. The Board may wish to begin deliberations immediately or continue the hearing to a date and time specific in the future. During the deliberations portion of the hearing the Board may ask clarifying questions of the applicant.

10. BOARD DECISION. The final act by the board will be a call for a vote followed by the Board voting in favor or against the plan/project. The Board's decision may be based only upon information received during the hearing and matters of common knowledge to the Board.

PROCEDURE FOR CONDUCTING DOG HEARINGS

A written complaint must be filed with Board of Selectmen. The complaint should describe and name the dog and fully identify the owner. The complaint should further specify why and how the dog is considered to be vicious. Specify all times, dates and reasons.

Upon receipt of a request for a hearing, the hearing will be included in the agenda for a regular meeting. The Executive Assistant will notify the Dog Officer and all involved persons.
Hearings will be held in open session. The procedure for conducting a hearing is as follows:

1. Read complaint - fully identify and describe dog, present picture when available. *Note: that the hearing is being conducted under Chapter 140 of the MGL's.*
2. Swear in the complainant that all information and statements are the whole truth and

nothing but the truth.

3. Hear reports from dog officer and/or health officer make sure dog are fully identified here.
4. Take testimony from complainants - directly question as to why dog is considered vicious or dangerous. Are they fearful of dog? Is there excessive barking, etc.?
5. Take testimony from owner and/or others speaking on his behalf.
6. At the conclusion of the hearing the Board may render its decision or take the matter under advisement, announcing the intended date of decision.
7. Unless requested by the Board, the dog shall not attend the hearing.

TOWN MEETINGS:

Town Meeting serves as the legislative branch for local government. The Board of Selectmen is responsible for providing leadership by presenting requests to Town Meeting and making presentations on those requests. It is the responsibility of each Board member to assure prior to each presentation that the Board has taken a position, by vote, on the intent of the article and promises that will be made. The Board shall be in session during Town Meeting and will be consulted when an issue or question arises which dictates an response on the floor.

1) Annual Town Meetings

The Town Meeting warrant is the Selectmen's warrant by Statute. The Selectmen may insert articles in the warrant on their own initiative or by written petition signed by ten (10) registered voters for the Annual Town Meeting. It has been the practice of the Town of Harvard to hold its Annual Town Meeting on or before April 30th so as to avoid conflict with spring school vacation. The Selectmen may the call the Annual Town Meeting for any time allowed by the Massachusetts General Laws.

2) Special Town Meetings

The Selectmen will call a Special Town Meeting when deferment of the particular matter(s) proposed for inclusion on the warrant for the Special Town Meeting will not serve the interest of the Town. The Selectmen must call a Special Town Meeting if they receive a written request, signed by two hundred (200) registered voters. It is the practice of the Town of Harvard to address major issues at the Annual versus a Special Town Meeting.

3) It shall be the policy of the Board of Selectmen to place articles originated by another elected body, the Finance Committee or the Capital Planning and Investment Committee and indicate on the warrant "Inserted by (*name of originating entity*)". The BOS may place articles originated by a body appointed by the Board by majority vote and indicate on the warrant "Inserted by the Board of Selectmen for the (*name of appointed board*)". It is incumbent upon the originating appointed body to ensure the Board is familiar with the proposed article well in advance of requesting placement on the warrant. If the BOS does not support the article, the BOS may elect not to place it on the warrant.

4) It shall be the policy of the Board of Selectmen to take a position on each warrant article unless, by majority vote, the BOS chooses to take no position. When the BOS takes a position on an article, a member of the Board of Selectmen will state the BOS's position on and their vote for/against the article at the Town Meeting.

The Selectmen may insert articles in the warrant on their own initiative or by written petition signed by one hundred (100) registered voters for Special Town Meeting. The Selectmen may also insert articles in the warrant upon request of another committee.

Notwithstanding the above, in the interest of economy of operations and imposition on the voters the Selectmen will strive to limit the calling of Special Town Meetings to the minimum necessary as is otherwise in the Town's best interest. In determining whether to call a Special Town Meeting, the Selectmen may consult with other town committees, officials, and staff as appropriate. It is strongly recommended that the Moderator and Town Clerk be consulted for each Town Meeting.

APPENDIX

A) - PERMIT FEES

B) - RECORDS RETENTION

C) - MISCELLANEOUS POLICIES

D) - TRAFFIC ORDINANCES & REGULATIONS

E) - LICENSING POLICIES & FEES

F) - INSPECTION OF PUBLIC RECORDS

APPENDIX A HARVARD
INSPECTION FEES

1. <u>BUILDING</u> (effective April 23, 2003)

A) New Construction

House ---------- $0.60/Square Foot
Attached Garage Area - $0.30/Square Foot
Porch/Deck Areas --------$0.15/Square Foot
Walk up Attics ----------$0.30/Square Foot

B) Additions ----------$0.05/Square Foot
$360.00 minimum fee

*Additions with an estimated construction cost greater than $72,000.00 will be charged a permit fee of $5.00/$1000.00 of construction cost.

C) Renovations ---------- $4.40/Square Foot
$250.00minimum fee

*Renovations with an estimated construction cost greater than $50,000.00 will be charged a permit fee of $5.00/$1,000.00 of construction cost.

D) Barn/Detached Garage ---------$0.30/Square Foot
$215.00 minimum fee

* *Barns and detached garages with an estimated construction cost greater than $50,000.00 will be charged a permit fee of $5.00/$1,000.00 of construction cost.

E) Porches/Decks ----------$0.25/Square Foot
$215.00 minimum fee

F) Re-Siding ----------Whole House $150.00
(No structural work) Partial House $ 75.00

G) Window & Exterior Door Replacement
1 to 5 units --------$ 120.00
6 + units additional $ 10.00

H) Roofing ----------$60.00

I) Wood Stoves ----------$40.00

J) Storage Sheds ----------$60.00

K) Swimming Pools ----------$215.00

L) Demolition Work ----------$100.00

M) Party Tents ----------$25.00

N) Sheet Metal ----------$ 450 new house - $120 other

COMMERCIAL CONSTRUCTION

Fee is based on the total estimated construction costs
$120.00/1,000.00 of construction cost
$360.00 minimum

SIGNS

$120.00 minimum, additional signs on same application $25.00 each
*Signs costing in excess of $10,000.00 will be charged at $12/$1,000.00 of total cost.

WIRELESS COMMUNICATIONS TOWER

Initial tower installation ----------$3,000.00
Co-locators ----------$ 500.00 each

2. ELECTRICAL (effective March 1, 2003)

New Single Family Dwelling
100 Amp Service ----------$110.00
200 Amp Service ----------$150.00
400 Amp Service ----------$200.00

Service Change ----------$ 55.00
Temporary Service --------- $ 55.00

Remodel/Addition
1 – 10 outlets/fixtures -------$45.00
10 + outlets/fixtures ---------$55.00
Swimming Pools----------$55.00
Single Appliance ----------$45.00
Re-inspection Permit --------$45.00
Security System ----------$45.00

Commercial (effective February 15, 2005)
Existing Building - $2/hundreds of electrical cost
$220.00 minimum fee
New Building ------ $2/hundreds of electrical cost
$110.00 minimum fee
Annual Maintenance
Permit----------$110.00
Return Visit----------$ 45.00
Security System----------$ 55.00

3. PLUMBING (effective January 22, 2003)

First Fixture (Water Piping) -----$80.00 (Includes 2 visits)
Each Additional Fixture ---------$ 8.50
Each Return Visit ----------$35.00
Solar Heat ----------$50.00
Hot Water/Steam Boiler --------$40.00
Minor Repairs or
Direct replacement----------$40.00
Replacement of water heater-----$40.00

4. GAS (effective January 22, 2003)

First Fixture ----------$40.00
Additional Fixtures ----- $8.50
Solar Heat ---------- $50.00
Gas Conversion ----------$50.00
Gas piping over 500 feet --$50.00
L.P. tank install < 500 gallons---$50.00
L.P. tank install 500+gallons-----$60.00
Each Return Visit ----------$35.00

5. ROAD CONNECTION

Per Connection to Town Way-----$50.00
Per Connection not timely filed---$75.00

HARVARD INSPECTOR RATES

(Effective April 23, 2003)

1. BUILDING

Building Inspector - 50% of fees collected
Data Input - To be part of service for fees
Office Hours – Monday 3 hours to be part of service for fees
Evening calling hour – 6-7pm Monday - Thursday

2. ELECTRICAL

80% of all fees collected
100% of all re-inspections

3. PLUMBING

65% of all fees collected
100% of re-inspection fees

4. GAS (1 permit per meter)

65% of all fees collected
100% of re-inspection fees

APPENDIX B

RECORDS RETENTION

The following is a list of standard records mandated for use by the Board of Selectmen in carrying out their statutory responsibilities. To destroy records included in this retention schedule, a letter with two copies shall be submitted to the Supervisor of Public Records requesting approval. Upon receipt of approval, records may be destroyed.

Series Number	Description of Record	Length of Time Required to Retain Record	MGL / CMR
22.001	Accounts and Receipts of Collector	Retain until administrative use ceases. Permission from Supervisor not required for destruction.	c. 60 s. 94
22.002	Administration, Appeal to Appellate Tax Board (ATB); retention after final settlement.	Retain 3 years.	c. 59 s. 7
22.003	Administration, Appointment Certificate; retention after termination of appointment.	Retain 3 years.	c. 41 s. 23C
22.004	Administration, Appropriation forms for the payment of unpaid bills of previous years (a) Certificate of Order; retention after completion of satisfactory audit.	Retain 7 years.	c. 44 s. 64
22.005	Administration, Appropriation forms for the payment of unpaid bills of previous years (b) Certificate of Delivery; retention after completion of satisfactory audit.	Retain 7 years.	c. 44 s. 64
22.006	Administration, Appropriation forms for the payment of unpaid bills of previous years (c) Certificate of Receipt; retention after completion of satisfactory audit.	Retain 7 years.	c. 44 s. 64
22.007	Administration, Appropriation forms for the payment of unpaid bills of previous years (d) Certificate of Services Rendered; retention after completion of satisfactory audit.	Retain 7 years.	c. 44 s. 64
22.008	Administration, Civil Service Forms	Permanent.	
22.009	Administration, Employment Applications (a) hired employee.	Permanent.	
22.010	Administration, Employment Applications (b) unhired.	Retain 3 years.	
22.011	Administration, Rules for Police Stations, Lockups, Jails, etc.; retention until superseded.	Retain until administrative use ceases. Permission from Supervisor not required for destruction.	c. 111 s. 21
22.012	Administration, Schedule of Departmental Bills Payable	Retain until administrative use ceases. Permission from Supervisor not required for destruction.	c. 41 s. 51
22.013	Administration, Special Town Meeting Petitions	Permanent.	c. 39 s. 10
22.014	Administration, Treasury Warrants	Retain until administrative use ceases. Permission from Supervisor not required for destruction.	c. 41 s. 60
22.015	Animal Control, Complaint against vicious or barking dog	Retain 5 years.	c. 140 s. 157
22.016	Animal Control, Warrant returned from police officer, constable and/or dog officer	Retain 5 years.	c. 140 s. 152

22.017	Animal Control, Warrant to police officer, constable and/or dog officer	Retain 5 years.	c. 140 s. 153
22.018	Boundary Records, Boundary Triangulation Points (as determined by State D.P.W.)	Permanent.	c. 42 s. 9
22.019	Boundary Records, Descriptions of Obliterated Town Markers	Permanent.	c. 42 s. 10
22.020	Boundary Records, Perambulation Records	Permanent.	c. 42 s. 2 (as amended by c. 231 Acts of 1973)
22.021	Boundary Records, Plan of Boundary Change	Permanent.	c. 42 s. 7
22.022	Boundary Records, Proposal for Boundary Change	Permanent.	c. 42 s. 7
22.023	Boundary Records, Ratification and Acceptance of Boundary Change by General Court	Permanent.	c. 42 s. 7
22.024	Boundary Records, Receipts for registered notices to contiguous towns.	Retain until administrative use ceases. Permission from Supervisor not required for destruction.	c. 42 s. 2
22.025	Education, Regional School District Annual Report	Permanent.	c. 71 s. 16
22.026	Education, Regional School District Organization Proposal	Permanent.	c. 71 s. 15
22.027	Education, Regional School District Planning Board Report	Permanent.	c. 71 s. 15
22.028	Elections, Education, Notice of Vacancy in General Court	Retain 1 year from filling of vacancy.	c. 54 s. 141
22.029	Elections, Notice of Vacancy in County Office	Retain 1 year from filling of vacancy.	c. 54 ss. 143, 144
22.030	Elections, Notice of Vacancy in Municipal, County or State Office Caused by Retirement	Retain 1 year from filling of vacancy.	c. 50 s. 6A
22.031	Employment Service Record	Retain 20 years following termination of employment.	
22.032	General, Deeds/Leases	Permanent.	
22.033	General, Jury Service Questionnaire	Retain until administrative use ceases. Permission from Supervisor not required for destruction.	c. 234 s. 4
22.034	General, Notice of Strike or Lockout	Retain 5 years.	c. 150 s. 3
22.035	General, Report of Insurance Commissioner Relating to Retirement Board	Permanent.	c. 32 s. 21
22.036	General, Report of Insurance Commissioner Relating to Weighing and Measuring	Permanent.	c. 32 s. 32
22.037	General, Report of Violations Relating to Weighing and Measuring	Permanent.	c. 92 s. 32
22.038	Licenses and Permits, Application for License (a) License Granted	Retain 3 years past duration of license.	
22.039	Licenses and Permits, Application for License (b) License Denied	Retain 3 years.	
22.040	Licenses and Permits, Application for Permit (a) License Granted	Retain 3 years past duration of license.	
22.041	Licenses and Permits, Application for Permit (b) License Denied	Retain 3 years.	
22.042	Licenses, Alcoholic Beverages, Application for License	Permanent.	c. 138 s. 15A

22.043	Licenses, Alcoholic Beverages, Application for Transfer of License	Permanent.	c. 138 s. 15A
22.044	Licenses, Alcoholic Beverages, Change of Location or Manager Position	Permanent.	c. 138 s. 15A
22.045	Licenses, Alcoholic Beverages, Club License	Retain 7 years after termination.	c. 138 s. 12
22.046	Licenses, Alcoholic Beverages, Common Victualer License	Retain 7 years after termination.	c. 138 s. 12
22.047	Licenses, Alcoholic Beverages, Letter of Approval to ABCC	Permanent.	c. 6 s. 44
22.048	Licenses, Alcoholic Beverages, Retail Package Goods License	Retain 7 years after termination.	c. 138 s. 15
22.049	Licenses, Tavern License	Retain 7 years after termination.	c. 138 s. 12

APPENDIX C
MISCELLANEOUS POLICIES

1) TOWN HALL - SMOKING

At its meeting of February 20, 1991, the Board of Selectmen voted the following "No Smoking" policy for the Harvard Town Hall (including the Police Station).

The program shall be a phased approach over a two year period to eliminate smoking in Town Hall completely.

Step 1: Effective July 1, 1991
No smoking in any public access areas including office space frequented by the public.

Step 2: Effective July 1, 1991
Smoking shall be allowed in employee work areas which are not open to the public. If a complaint is filed by another employee as to the smoking affecting them, smoking shall then be disallowed in that area.

Step 3: Effective July 1, 1993
No Smoking allowed in the building.

Complaints in regards to this policy shall be filed with the Board of Selectmen's Office.

2) TOWN HALL HOURS

Town Hall public hours effective July 2016 will be as follows:

Monday	8:00 - 4:30
Tuesday	8:00 - 4:30
Wednesday	8:00 - 4:30
Thursday	8:00 - 4:30

Town Hall will also be open the second Tuesday or the month until 7pm.

Salaried full-time personnel will be expected to work on Fridays although these personnel will attempt to schedule as many of their out-of-office activities as possible for that day.

3) MILEAGE REIMBURSEMENT

Effective January 9, 1995, the Town rate for mileage reimbursement shall be in line with the state reimbursement amount. The Finance Director shall approve all mileage rates at this amount only. This rate applies to employees, officials, and volunteers who are eligible to submit for reimbursement.

4) OUT OF STATE AND OVERNIGHT TRAVEL POLICY

Authorization for Travel and Travel Related Expenses

Any Town Department Head or employee that wishes to attend a work related educational conference or seminar which requires an overnight stay must submit travel plans in writing to the Town Administrator, along with a brief description of the date(s), location and reason for attending the conference or seminar, and a budget including conference fees, lodging, food, transportation and incidental costs. Any brochures or written material available regarding the educational conference or seminar, where available, should be attached to any travel request.
The Department Head shall have the authority to approve in-state travel for work related educational conferences or seminars for staff persons, subject to budgetary constraints, contractual agreements, or Town travel policies. If there is an employee, that is not a Department Head, that wishes to travel out of state they must get the approval of the Department Head, the Town Administrator and the Board of Selectmen. Department heads who wish to travel out of state need to get the approval of the Town Administrator and the Board of Selectmen for out of state travel. Where there is no contractual agreement to the contrary, the employee must adhere to this policy.

Documentation for Reimbursement

Town employees shall be reimbursed for expenses incurred, which are incidental and necessary to approved travel, subject to the policies listed below. Reimbursement shall be made only to the person who actually made payment for the expense, and any request for reimbursement shall be signed under the pains and penalties of perjury. Town employees must submit any and all receipts for reimbursement no later than twenty (20 working) days after returning from Town related travel. Unless otherwise approved by the Board of Selectmen or their designee no reimbursement shall be paid for receipts submitted beyond the twenty-day period. All expenses must be paid with funds in the fiscal year in which the expenses were incurred. Travel Arrangements

When making travel arrangements, business or government rates should be secured where available. Upgrades and special amenities are not reimbursable expenses.

Meals

Employees who attend overnight work related educational seminars and/or conferences shall be reimbursed for the cost of meals based on the following schedule: (Breakfast $10.00; Lunch $15.00; and Evening Dinner $25.00). Should the conference registration include meals then there will be no additional reimbursement for meals.

Lodging

All reservations for hotel accommodations should be made in advance, utilizing the single person, standard room rate. The cost for any extended stay beyond that which is authorized shall not be reimbursed by the Town. The Town shall reimburse the employee for the cost of lodging at the standard room rate. If the employee chooses alternative lodging at a site not designated by the

conference or seminar, the employee shall be responsible for the cost in excess of the designated conference hotel(s).

If two employees of the same gender are attending the same conference or seminar then they must get a single room with double occupancy.

Transportation

When traveling by airline, the employee must make reasonable efforts to book the lowest coach fare available. The Town will not reimburse for first class airfare.

When traveling by personal automobile, the employee shall be reimbursed for mileage consistent with approved town mileage reimbursement rates, tolls and parking. Documentation must be provided.
When traveling by a Town provided vehicle, the employee shall be reimbursed for gasoline purchases and reasonable automobile expenses as incurred. Documentation must be provided.

When two or more employees are traveling together they must use one automobile. Only one employee will be reimbursed for using his/her automobile, or if it is a Town vehicle, only one town vehicle is to be used to travel to the conference or seminar.

The Town Administrator or his designee shall review, on a case-by-case basis, whether a rental car is necessary and incidental to any particular Town-related travel. The employee shall accept the optional insurance coverage for any rental vehicle, and he/she shall be reimbursed for said expense. Any motor vehicle accidents that occur while using a rental car on Town-approved travel must be reported as soon as practicable and in writing to the proper authorities. Copies of any reports and/or documents filed in relation to said motor vehicle accident must also be filed with the Town. The employee is personally responsible for any fines or other expenses related to traffic violations associated with Town travel.

Miscellaneous Expenses

An employee may seek reimbursement for miscellaneous expenses included but not limited to non meal gratuities paid in accordance with local custom, telephone expenses limited to Town or business related calls, internet connections, charges for faxing and costs associated with the reproduction of documents, and reasonable calls to home. There shall be no reimbursement for personal calls. An employee shall not be reimbursed for personal expenses associated with travel, such as in-room movies, gym fees, entertainment or recreational expenses, laundry and dry cleaning or any payments for personal services, except in such circumstances as the Town Administrator or his designee deems appropriate and necessary. All in room food service charges will be applied against the meal rate as stated in the section of this document titled “Meals”.

In accordance with MGL Chapter 44, Section 58, The Town of Harvard will not reimburse any official for the purchase of any alcohol or tobacco products. Cash Advances

Employees shall not receive cash advances associated with anticipated travel-related expenses.

Personal Travel Combined with Town Related Travel

Any employee that has combined personal travel with Town-related travel must segregate the personal expenditures from the Town portion. Should the employee combine personal vacation with authorized travel, the employees' record of attendance and time off should properly reflect the allocation of business (marked "CNF" on payroll attendance sheets for the conference time and "V" or otherwise for the personal portion).

Compensatory Time Associated with this Travel Policy

Exempt employees are not eligible for compensatory time associated with travel and conference attendance.

5) COMMUNITY USE OF TOWN FACILITIES (Approved 12/15/2009)

It is the Selectmen's desire that use of town property be enjoyed by the townspeople. It is the Selectmen's intent that such use will maintain safe conditions and preserve the property for municipal use. Availability of town facilities may be reduced during periods of high maintenance and usage.

Use of town buildings and other facilities by organizations will be permitted only when a worthy educational, civic, or charitable purpose will be served; or a substantial group of citizens from the community will be benefited.

Town facilities will be used according to the rules, regulations and rental fee schedules approved by the Selectmen. Permission for the use of facilities must be obtained at Town Hall through the office of the Selectmen where applications are available for this purpose.

Eligibility
Town facilities will be available free of charge for the following:

1. Official town public hearings and political activities
2. Meetings and activities sponsored by the Selectmen, School Committee, town elected and appointed boards, committees and staff
3. Activities related to metropolitan civic, educational, recreational, social, and religious organizations if a substantial portion of the members are residents of the town and no fee is charged specifically for the event.

Town facilities may be available for a fee for the following:

4. All Fundraising related activities.

5. Use by other organizations (different from those listed above), when approved by the Town Administrator which may include: local home based businesses, independent professionals who Reside in Harvard, local nonprofit and local commercial enterprises.
6. Cleaning fees or fines may be charged at the discretion of the Town Administrator to any Organization for any loss or damage to town buildings, damage to furniture or for lost keys used to access town facilities.

School and Town Preference
The priority given requests for use of town facilities will be as follows:

1. Town Government related activities
2. Town meetings and elections over other community activities
3. Other community activities

Priority for the use of buildings and grounds for other than Town use will be given to official Town activities. All State laws must be observed, no alcoholic beverages may be consumed on town property and smoking is not permitted.

Approval Procedure
The procedures to obtain approval to use town buildings and grounds and the regulations for this use will be contained in the "Town Building Rental Application" which is available from the Selectman's office. Except in unusual circumstances, town property shall not be reserved for use by any one group for an unspecified period of time. The Town Administrator shall be the authorizing agent of the Selectmen for all public building usage outside of the jurisdiction of the Harvard Public Schools.

Draft submitted November 20, 2009 LEGAL REFS: M.G.L. Chapter 40 section 3

6) U-PICK SEASONAL SIGN POLICY (Approved 12/1/2009)

The Board of Selectmen grants the Town Administrator the authority to give permission to post temporary signs for U-Pick/U-Cut signs during the seasonal picking and tree cutting season.

- A written request must be received indicating the number of signs to be posted & locations.
- A written authorization will be issued by the Town Administrator granting permission to post temporary signs. It will list all conditions for signs as specified below.

All signs must be in compliance with conditions below:

- Signs shall not be placed on utility poles or traffic sign posts.
- Signs must be removed by December 31st of each year.

- Signs must be no larger than 4 square feet in area.
- Signs will remain within the town right of way and not be placed to block the line of sight
- Signs placed in the right of way in front of a residence must be removed if the resident requests the removal.
- The Town of Harvard accepts no liability for any sign and may remove any sign that it feels does not comply with the conditions.

7) SPECIAL EVENT POLICY (Approved 3/24/2015)

1. **Introduction:** The Town of Harvard is pleased to welcome a variety of events, from community festivals to concerts and athletic competitions. It is the goal of the Town to work with event managers and organizers to ensure that the events taking place in our community are safe and successful, while minimizing the impact on our residents and businesses. In order to achieve these goals, the Town maintains a calendar.
2. **Definition:** A Large Scale Event (LSE) is any organized activity, with 100 or more expected participants, occurring upon public or private property that affects the ordinary use of public property such as parks, playgrounds, fields, buildings, streets or the street's right-of-way. Events may include festivals, fairs, concerts, holiday celebrations, parades, athletic tournaments, road races, etc.
   a. Private events, such as wedding receptions, church hosted events or graduation celebrations, occurring on private property that only require use of public property for parking, are not considered an LSE. Depending upon the nature of these private events, other permits such as an Entertainment License may be required.
   b. Individuals or organizations wishing to hold events on public property, or on private property but with an impact on the ordinary use of public property, as described above, must have their event placed on the calendar which is described below. Event sponsors should submit a request to have their event included on the calendar at least 90 days before the event.
3. **LSE Calendar**: The LSE calendar serves as both the method to approve scheduling the event and to provide information to our residents about the event. It consists of two sections.
   a. A monthly display showing all scheduled events for the next twelve months. This will be displayed on the town's website.
   b. The Application & Requirement Sheet (ARS) for each event which shows pertinent information about the event and lists all requirements for the event to be placed upon the calendar. Included in the ARS are:
      i. Contact information for the event organizer (entity/individual name/phone numbers).
      ii. Details of the event including expected participants
      iii. A Schedule of Events along with requested dates. Indicate if this will be an annual event and provide expected future dates (i.e. Columbus Day Weekend, third Saturday in August).

iv. A Site Plan (for a road race or walk, provide a map of the route) which shows the location of the event and also shows (as applicable).
    1. Location of trash receptacles and/or dumpsters.
    2. Location of temporary toilet facilities.
    3. Accessible routes for the disabled.
    4. Location(s), size, and number of any tents, trailers, or temporary structures.
    5. Proposed parking, including how you will handle overflow parking.

v. Any proposed road closures.

4. **Procedures and Policies:** The following describes how the LSE program is administered and explains the policies established by the Board of Selectmen.

a. In order to achieve a balance between event scheduling and the impact on our residents, events affecting the same area of town will not normally be added to the on the calendar more than twice in a three week period. Preference will generally be given based upon the degree of benefit to the general public and in the following order:

i. Traditionally scheduled Harvard community events such as the Apple Blossom Festival, Fall Festival and Flea Market.

ii. Events held to raise funds for charitable purposes.

iii. Events held by other non-profit entities.

iv. Other events (must be organized by or consist of mostly Harvard residents).

b. The Town will deny permission for any event based on a finding that the organizer has not provided reasonable safeguards, adequate to protect the safety and welfare of event participants, bystanders, and the general public. In addition to safety and welfare concerns, the Town reserves the right to deny an event request based on conflicts with other events/activities, and any other reason that it deems in the best interest of the public.

c. It is the responsibility of each event organizer to comply with all General Requirements and the Specific Requirements listed in the ARS. The Town Police, Fire, or other staff so designated by the Town Administrator may require that a resident, event employee, or participant leave any park or public facility for failure to comply with the requirements listed in the ARS.

d. Depending upon the event, additional permits may be required by Town departments. These may include permits for temporary food preparation, entertainment licenses, and raffle licensing.

e. The Town Administrator will prepare and maintain the ARS form, which must be used for all applications.

f. Applications will be acted on by the Board of Selectmen within 30 days of submission.

g. Each LSE currently on the calendar will be reviewed annually in November or December by the Board of Selectmen. The review will encompass any necessary changes to the ARS and determine if the event will remain on the calendar. Normally, no action (other than indicating a desire to remain on the calendar) will be required of event organizers.

h. LSE's that have been scheduled for two consecutive years prior to adoption of this policy will be automatically be placed on the LSE calendar. The Town Administrator with assistance from the organizers of these events will prepare an ARS for each event prior to the first annual LSE review.

5. **General Requirements:** The following requirements apply to each LSE.

   a. All event organizers must provide a Certificate of Insurance in the minimum amount of $1M for commercial general liability as a precondition for conducting the event. The Certificate of Insurance must include all coverage deemed necessary for the event, as specified by the Town and Town Attorney, including an indemnification and hold harmless clause. The Certificate of Insurance must name the Town as an additional insured on all applicable policies. This must be submitted to the Town Administrator's office no later than **10 business days** prior to the event. The event will not be allowed without the submission of a Certificate of Insurance which is valid for the duration of the event.

   b. Event activities are prohibited before 9:00 a.m. and after 11:00 p.m. in residential areas. Hours may be modified to ensure the harmony of the neighborhood. Loudspeakers, amplified music, bullhorn, or public address systems during event hours are strictly regulated and are part of the Entertainment License permit.

   c. Trash must be disposed of in approved containers; daily trash pickup and disposal is required. The applicant must clean the right-of-way or any public property of rubbish, returning it to its pre-event condition at the conclusion of the event. The event organizer may be required to arrange with the Department of Public Works for trash pickup and disposal, and to pay all costs associated with this requirement. If the applicant fails to clean up trash within the specified period, cleanup will be arranged by the Town and all costs will be charged to the applicant.

   d. Alcohol is prohibited on all Town of Harvard public property, including parks, playgrounds, beaches, and fields.

   e. Permits are not required for temporary signs, but must conform to the Town's sign by-laws. No signs may be affixed to street fixtures. All signs must be removed within 48 hours after the event is over.

   f. Parking is permitted in designated areas only. The Police Department will provide signage for posting as required in the ARS. Signs may be picked up the day before the event, and must be returned at the completion of the event. The Police and Fire Department require that all entries, exits, and fire lanes be maintained.

6. **Specific Requirements:** Depending upon the nature and/or the scope of the event, additional specific items may be required of the event organizer. These will be listed on the ARS.

   a. Entertainment License. *If required, this must be separately approved by the Board of Selectmen.*

b. Tents and/or trailers. These require and inspection from the Fire Department. Appropriate fire extinguishers must be on-site., No smoking, fireworks, or open flames will be permitted in any tent or trailer.

c. Fireworks. These are not permitted without the prior approval of the Town's Fire Department and require a Fire Department detail.

d. Temporary toilet facilities which must be cleaned daily.

e. Police officers to provide for security and/or traffic control. This will be determined by the Chief of Police. *Only Police Officers or Traffic Detail Officers may direct traffic on town streets.*

f. Provisions for first aid and medical personnel, including but not limited to the Town of Harvard Ambulance Service.

g. A permit to serve food (if food will be served or sold at the event). *Contact the Board of Health to discuss specific food and beverage regulations*.

h. Other. Any items specific to the event that may be necessary will be included.

8) UPPER TOWN HALL USE POLICY (Approved 6/7/2016)

SCHEDULING:

Scheduling for the use of the Upper Town Hall at Harvard Town Hall will be done through the Town Administrator's office Monday through Thursday, 8:30AM – 4:00PM, holidays excluded.

TIMES FOR USE:

1. Upper Town Hall is generally available to be scheduled from Friday noon to Sunday at midnight, as well as on holidays.
2. Upper Town Hall is expected to be used by town boards and commissions on most Monday through Thursday evenings. Other groups may schedule an event but will risk being bumped for a special meeting.
3. When employees are downstairs during the days on Monday through Thursday and on Friday morning, Upper Town Hall is only available to be scheduled for quiet uses that do not disturb those on the first floor.

PRIORITY FOR USE:

Upper Town Hall is available for the use by groups in the following order of priority:

1. Meeting of Town Boards, Commissions, and Committees.
2. Use by town based non-profit organizations
3. Town resident private events
4. Other non-profit organizations
5. For profit organizations

FEE SCHEDULE:

1. Meetings of Town Boards, Commissions, and Committees – No charge.
2. Use by groups 2, 3 and 4: $30 per use, plus insurance certificate up to 4 hours, $75 beyond 4 hours.
3. Use by group 5: $75 per use up to 4 hours, $150 beyond 4 hours.

Fees are payable by check, in advance, at the Town Administrator's Office. Checks should be made payable to the Town of Harvard.

REQUIREMENTS & RESTRICTIONS:

1. The facility is for the use by groups listed above.
2. Certificate of Insurance is required naming the Town of Harvard as an "additional insured" and providing evidence of no less than $1,000,000 per claim/$3,000,000 aggregate, in liability coverage.
3. Activities that have potential to cause damage to the Upper Town Hall will not be permitted.
4. Alcoholic beverages – not permitted, except as per Harvard Board of Selectmen Liquor Policies.
5. Smoking is prohibited.
6. Groups that would like audio/visual support should contact Harvard Cable TV
7. No helium balloons are permitted in the upper Town Hall.
8. Total number of people not to exceed 160. Note the Board of Selectmen Large Scale Event Policy may apply.

CLEAN UP PROCEDURES:

1. The premises, including tables and chairs, are required to be left in the order and condition in which they were found.
2. All trash and rubbish to be removed from the premises.
3. The bathrooms are to be left clean.
4. Shut off all lights
5. Make sure the doors are locked upon leaving.

APPENDIX D
TRAFFIC ORDINANCES AND REGULATIONS

1) VOTED - SEPTEMBER 27, 1990

The Board of Selectmen voted to locate stop signs at the following locations. The Highway Department has been authorized to erect with the Police Department authorized to enforce.

Stop Sign
Old Littleton & Fairbank

Stop Sign
4-way at Old Littleton & Pinnacle

Stop Sign
Pinnacle & Oak Hill

Stop Sign
Littleton County at 111

2) VOTED - NOVEMBER 19, 1990

The Board of Selectmen voted to locate a stop sign at the following location. The Highway Department has been authorized to erect with the Police Department authorized to enforce.

Stop Sign
Fairbanks & Old Littleton - Corner of the Intersection
at the Library diagonally across from the Library

3) VOTED - AUGUST 20, 1996

The Board of Selectmen voted to institute the following 20 mile per hour zones.

Littleton County Road from Mass Ave. To Oak Hill Rd.
A School zone for the Village Nursery School on Poor Farm Road.

4) VOTED - APRIL 21, 1998

The Board of Selectmen voted the following ordinances.

Harvard Depot Road -	Establish 25 MPH speed limit.
Pattee Road -	Stop entering Harvard Depot Road.
Craggs Road -	Yield entering Harvard Depot Road.
	Stop entering Old Shirley Road.
Underpin Hill Road -	Stop entering Harvard Depot Road.
	Stop entering Still River Road.
Prospect Hill Road -	Establish 35 MPH speed limit.
South Shaker Road -	Yield onto Shaker Road

	Littleton County Road - Establish 25 MPH speed limit between Oak Hill Road and town line. Southbound Littleton County Road traffic yields at the intersection of Littleton County Road and Oak Hill Road.
Cleaves Hill Road -	Yield entering Oak Hill Road.
Slough Road -	Yield entering Oak Hill Road Establish 25 MPH speed limit between Massachusetts Avenue and Bolton Road.
Westcott Road -	Establish 25 MPH speed limit.
	Yield entering Stow Road
Cameron Road -	Yield entering Westcott Road
Armstrong Road -	Yield entering East Bare Hill Road.
	Yield entering Bolton Road.
West Bare Hill Road -	Establish 25 MPH speed limit.
Lancaster County Road -	Establish 30 MPH speed limit.
Blanchard Road -	Establish 30 MPH speed limit.
Old Mill Road -	Establish 30 MPH speed limit.
Brown Road -	Establish 25 MPH speed limit.
Warren Avenue -	Yield entering Tahanto Trail
Finn Road -	Establish 25 MPH speed limit.

APPENDIX E

LICENSING POLICIES & FEES

The Selectmen are designated the local licensing authority for most general projects and purposes. State law refers to over 50 types of licenses which may be issued by the Selectmen.

Applications for licenses and permits will be made available in the Selectmen's Office. In the interest of all concerned, it is recommended that persons requesting the licenses or permits be in attendance at the Board meeting when the request is reviewed. The Executive Assistant will notify all interested parties of the date and time of such review.

Following is a list of licenses most frequently issued by the Harvard Selectmen, where they appear in General Law, and the fee charged by the Town. Policies and Procedures are also included.

LICENSE TYPE		**M.G.L.**	**FEE**
AUTO AMUSEMENT		140-183A	$20.00/machine
CLASS I AGENTS/SELLERS (NEW)		140-59	$100.00
CLASS II AGENTS/SELLERS (USED)		140-59	$100.00
CLASS III AGENT/SELLERS (JUNK)		140-59	$100.00
COMMON VICTUALLER'S		140-2	$25.00
ENTERTAINMENT		140-181	$25.00
INNHOLDER'S		140-2	$25.00
LIQUOR LICENSES *(Effective May 12, 2009)*			
ALL ALCOHOL:	on premise	138 - 12	$2,500.00
	off-premise	138 – 15	$1,500.00
WINE & MALT:	on-premise		$1,750.00
	off-premise		$1,250.00
ONE DAY LIQUOR LICENSE			$50.00
FARMERS MARKET LICENSE			$50.00
CARRY-IN (BYOB)			$50.00
VENDOR LICENSE			$25.00

Common Victualler Policies and Procedures

(adopted 03/04/2008) (MGL Chapter 140)

Under Massachusetts General Law the Board of Selectmen, acting as the Licensing Authority, has a broad range of controls that they can impose on a license holder. The board can control the hours of operation, outdoor seating, trash, parking, signage and other items as it sees fit. These conditions can change from one applicant to another except the board makes every effort to be consistent in their application of conditions with similar type entities. Applicants for said license should be aware that State law, in Section 2 of Chapter 140, does not require a license to be granted as it states that "This section shall not require the licensing authorities to grant either of said licenses if, in their opinion, the public good does not require it."(emphasis added).

This is an annual license which is renewed in December for the following calendar year. The Licensing Authority has the ability to review and if necessary amend any license as they see fit during the renewal process.

The following are the steps required to be taken by applicants who seek a Common Victualler License.

- The applicant must fill out the attached application and provide a detailed description of the business for which they need this license.
- The applicant is required to pay the application fee at the time of submitting the application.
- Upon the receipt of a complete application, the Board of Selectman shall request a "compliance report" indicating any violations during the previous year from the Nashoba Associated Boards of Health, Agent for the Harvard Board of Health, prior to the annual renewal of any Common Victuallers License. If upon reviewing this report and other relevant information, the Board of Selectmen find that there is sufficient "cause" to hold a Public Hearing, then they shall notify the applicant.
- Within 30 days of receipt of the completed application, the Board of Selectmen shall determine if they will review the application at a regularly scheduled meeting or order a Public Hearing.
- If the Board of Selectmen determine that a Public Hearing is required, the applicant will be notified and is responsible for publishing a legal notice in a newspaper serving the Town of Harvard (such as: The Harvard Press, The Harvard Post or the Harvard Hillside) once at least two weeks prior to the Public Hearing, at which time the Board of Selectmen will review the application, hear from the applicant, as well as any citizens who will be able to voice their concerns or praise for the holder of the Common Victuallers license which is up for renewal.
- A Public Hearing will be required of all applicants should the premises for which the License pertains to be located in an Agricultural Residential (A/R) zoning district and any of the following conditions occur: (1) the initial time that the

application is filed after January 1, 2008; (2) at the annual renewal of this license if there are any changes at all from the prior year issued license use(s); (3). there have been any violations of law regarding the applicant in the previous twelve months or since the last renewal; and in conjunction with publishing a legal notice the applicant will also be required to send certified copies of a Notice of Public Hearing to all abutters within 300 feet of the property at which the Common Victuallers License will be used.

- Any conditions the Selectmen impose on the license will be the responsibility of the Zoning Enforcement Officer for enforcement and any violation of these conditions will require a hearing before the Selectmen and continued infractions could result in loss of license.

Entertainment License Policies and Procedures

(adopted 03/04/2008) (revised 4/17/2012)

(MGL Chapter 140 § 181) (MGL Chapter 136 § 4)

Under Massachusetts General Law the Board of Selectmen is responsible for the issuance of licenses for public entertainment as explained in the MGL chapters referenced above. The Selectmen shall issue a license within thirty days of the application or may order a Public Hearing. The Selectmen may impose conditions upon a license that directly relate to compliance with applicable State or Local laws, public safety, public health, public order, to guard against the creation of a public nuisance, or to insure adequate safety for patrons and the public. These conditions can change from one applicant to another except the board makes every effort to be consistent in their application of conditions with similar type entities and similar type functions. Applicants for said license should be aware that State law, in Section 181 of Chapter 140, does not require a license to be granted and there are specific reasons for denial outlined in the law.

Depending on the function or event, this license may be an annual license for recurring events or an individual license for a specific event. If the license issued was an annual one, then the license is to be renewed in December for the following calendar year. The Selectmen have the ability to suspend or revoke said license after issuance.

The following are the steps required to be taken by applicants who seek an Entertainment License under Chapter 140 or Chapter 136:

- The applicant must fill out the attached application and provide a detailed description of the function for which they need this license.
- The applicant is required to pay the application fee at the time of submitting the application.
- Upon the receipt of a complete application and prior to any determination of said license, the Board of Selectmen shall require a written report of the Harvard Police

Department as to whether there have been any complaints or violations of law regarding the applicant in the previous twelve months or since the last renewal, whichever is longer. If upon reviewing this report and other relevant information, the Board of Selectmen find that there is sufficient "cause" to hold a Public Hearing, then they shall notify the applicant.

- At the next regularly scheduled meeting, the Board of Selectmen shall determine if they will review the application at a regularly scheduled meeting or order a Public Hearing. If the BOS do not order a public hearing, the applicant's intent to secure an entertainment license will be announced by the Town Administrator and noted on a Selectmen's agenda at least one regularly-scheduled BOS meeting prior to the Board's vote to approve or reject said application.
- If the Board of Selectmen determine that a Public Hearing is required, the applicant will be notified and is responsible for publishing a legal notice in a newspaper serving the Town of Harvard (Such as: The Harvard Press, The Harvard Post or the Harvard Hillside)
- If an annual license is being renewed and there have been any violations of law regarding the applicant in the previous twelve months or since the last renewal, then the Selectmen must require that the application be reviewed at a Public Hearing
- A Public Hearing will be required of all applicants should the premises for which the License pertains to be located in an Agricultural Residential (A/R) zoning district and any of the following conditions occur: (1) the initial time that the application is filed after January 1, 2008; (2) at the annual renewal of this license if there are any changes at all from the prior year issued license use(s); (3). there have been any violations of law regarding the applicant in the previous twelve months or since the last renewal; and in conjunction with publishing a legal notice the applicant will also be required to send certified copies of a Notice of Public Hearing to all abutters within 300 feet of the property at which the Entertainment License will be used.
- Any conditions the Selectmen impose on the license will be the responsibility of the Zoning Enforcement Officer and/or Police Department to enforce and any violation of these conditions will require a hearing before the Selectmen at which they can suspend or revoke the license. Continued infractions would result in loss of license.
- It is the Board of Selectmen's intent to act within all applicable laws and to insure public safety and peace when dealing with these licenses.

Liquor License Policies, Procedures, and Regulations

(Adopted 03/02/2010 – last revision 9/8/2015)

The Town of Harvard has voted affirmatively to allow liquor licenses for the sale therein of alcoholic beverages On Premise and Off Premise (M.G.L. Ch. 138 Ch. 12).

In issuing regulations, the Board of Selectmen, as the liquor licensing authority of the Town of Harvard, is setting forth the expectations of the citizens of Harvard as to the conduct of the Town's liquor license holders.

Under Massachusetts General Law, the LLA acts on behalf of the State (the Alcohol Beverage Control Commission (ABCC) which authorizes the issuance of a liquor license. As the LLA, the Selectmen both follow the regulations set forth in the law and may add or amend requirements as long as it is within their powers to do so. The ultimate authority to issue the licenses resides with the ABCC. However, the LLA has a broad range of conditions that they can impose on a license holder, ranging from hours of operation, outdoor seating, trash, parking, signage and other items as appropriate. The board makes every effort to be consistent in their application of conditions with entities of a similar type.

The Town Administrator is the designated Licensing Agent of the Board of Selectmen (the LLA). The Licensing Agent has the authority to accept and reject applications that do not meet the minimum requirements of the ABCC and/or the Town of Harvard.

Applications regarding premises not actually in existence at the time of application will not be approved unless and until a building permit has been issued by the Town of Harvard and the applicant has filed with the application a plan showing the actual dimensions of the premises which are to be constructed on which the licensee is to be exercised. If construction of the premises is not completed at the time the license is approved, the license may be approved on the condition that construction shall be completed and as-built plans shall be filed prior to the issuance of the license.

Approvals of applications by the Licensing Board are valid for six months from the date of approval by the ABCC. If such time expires before the license is issued, due to the applicant's failure to meet all of the conditions imposed by the Local Licensing Board, the license will be declared invalid and not be issued, and the license fee will not be refunded. Applicants who wish to re-apply shall be considered "new applicants" and not as a renewal and be reheard by the Licensing Board.

General License Types and Definitions

a) **Types of Alcohol Licenses that can be granted by the Harvard Board of Selectmen via the ABCC**:
    a. On premise pouring license.
    b. Off premise license which is defined as a "package store license."

b) **Additional licenses** that can be granted exclusively by the Harvard Board of Selectmen:

a. A “Carry In” license. The Commonwealth allows licensed food establishments, through local control, the ability to have patrons carry in alcoholic beverages for their consumption on premises.
b. A Special License (One Day). A special license may be issued for the sale of wines and/or malt beverages to any enterprise however, special licenses for the sale of all alcoholic beverages may be issued to non-profit organizations only.
c. A Farmer's Market License. A Farmer’s Market license may be issued for the sale of wine manufactured by a licensed Farmer-Winery at approved agricultural events in Massachusetts.

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i. **Knowledge of Rules and Regulations**: The licensee is responsible for ensuring that all employees who work in the public areas of the premises read the Rules and Regulations of the LLA, and comply with all rules and law.
ii. **Filing of Application**: All license applications must be accompanied by payment of the required filing fee and must be deemed complete by the Town Administrator, in order to be processed by the LLA.
iii. **Filing fees**: Annual license fees must be paid prior to the issuance of any new or existing license. The licensee must also be up to date on taxes (MGL c.40, §57) and all appropriate permits must be current.
iv. **Posting and Signs of License**: Licenses issued by the LLA shall be posted in a conspicuous place easily viewed by the public where they can read without difficulty and without the assistance of employees at the premise.
v. **Cessation of Operation**: Any licensee intending to close a place of business, whether on a temporary or permanent basis, must notify the LLA.
vi. **Change of Manager**: Any licensee intending to change managers, whether on a temporary or permanent basis, must notify the LLA and follow the ABCC process.
vii. **Employees**: No manager or employees shall consume any alcoholic beverages while on duty.
viii. **Hours of Operation**: The hours of operation shall be restricted to those set by the LLA and stated on the face of the license.
ix. **Inspection of the Premise**: The licensed premise shall be subject to inspection by the members of the LLA and its duly authorized agents, the Zoning Enforcement Officer, and Public Safety officers. It is the responsibility of the licensee to ensure that procedures are in place.
x. **Illegal activity**: Licensees shall make all reasonable and diligent efforts to ensure that illegal activities not occur at the licensed premise.
xi. **Carry-In**: The Town of Harvard, the local licensing authority, requires that any establishment wishing to have patrons bring in ***only*** beer and wine fill out the application form, and pay the filing fee.

Licensing Process

Step I

1. All forms required by the town and/or the ABCC
2. Workers Compensation Affidavit and Insurance Certificate
3. Liquor Liability Insurance Certificate
4. Checks made payable to the Town of Harvard (see fee schedule) and ABCC.
5. For on-premises license *only*: All employees serving alcohol go through a TIPS training and provide proof of TIPS training.
6. For off-premises license *only*: All employees selling alcoholic beverages shall be trained to the satisfaction of the Chief of Police on requirements for age verification and proper age-verification methods.

Step II

1. Once the required application materials and forms are deemed complete by the Town Administrator, the applicant must submit all completed forms and other required documentation to office of the Board of Selectmen.
2. A hearing will be scheduled at a regular or special meeting of the Board. The applicant is required to provide proof that all abutters have been properly notified of the proceedings. Hearings typically address such issues as noise, trash, parking, traffic, overall operations of the facility and character of the applicant and manager. (Renewals will not need a public hearing but will need selectmen approval at a regular meeting.)
3. At the hearing, the Board of Selectmen will approve or disapprove the application.
4. If approved, the Board of Selectmen will forward the application to the ABCC for final approval.
5. If disapproved, the Board of Selectmen will notify the applicant in writing within five days of the denial including the reasons for the denial.
6. The ABCC is a state agency that issues final approval or disapproval. Upon reaching a decision, the application is forwarded back to the Board of Selectmen.
7. Upon ABCC approval, the Board of Selectmen will issue an approval letter explaining remaining fees, inspection approvals, and required certificates due before a license is issued.

Step III

1. The Building Commissioner will then inspect the premises for compliance with all zoning, and building, and, if approved, will provide copies of all required permits to the Board of Selectmen via the Town Administrator.
2. The Board of Health will likewise inspect the premises, forward a copy of the Title V Certificate of Compliance, and all public health related permits along with a letter indicating their final approval.

Step IV

1. The Fire Department and Police Department will inspect the site, if approved, and will submit a letter confirming compliance with any conditions or regulations that apply to the premise to the Board of Selectmen, via the Town Administrator.

Step V

1. The liquor license will be issued.

Enforcement

Any conditions the Selectmen impose on the license, once issued, will be the responsibility of the Zoning Enforcement Officer and/or Public safety officers to enforce any violation of these conditions. Upon report of an violation, a hearing is required before the Selectmen can vote to suspend or revoke the license. Continued infractions will result in loss of license.

The LLA and any enforcement designees (the Police Department) may at any time make investigation on its own initiative as to the compliance with license requirements.

Disciplinary Remedies

In general, in matters of the first offense, the Board shall consider the issuance of a letter of reprimand to the owner and his representative (if there is one), a copy of which shall be placed on file in the license record of the office of the Town Administrator.

In matters of a second offense within the period of 12 calendar months, the Board shall consider the issuance of a suspension for a period of 1-14 calendar days and shall state the period of suspension.

In matters of a third or subsequent offense within 12 months, the board shall consider a second suspension for a period of 1-30 calendar days and/or revocation of the license.

All of the above considerations shall serve as *guidelines* to the Board of Selectmen in their deliberations regarding charges brought against the establishment, owner, proprietor, or other operators concerning infractions of the liquor laws of the Commonwealth and the Town of Harvard. Each case shall be considered upon its individual merits.

APPENDIX F
INSPECTION OF PUBLIC RECORDS

This section complies 950 CMR 32.00: Public Records Access for the guidance of supervisory and administrative personnel, and to insure that disputes regarding access to particular records are resolved expeditiously and fairly.

Every person has the right to inspect or receive copies of public records in the custody of the Selectmen's departments without unreasonable delay. Every effort shall be made to provide such public records in a timely fashion consistent with current workloads.

1. Definitions:

Custodian shall mean the Department Head for the purposes outlined herein.

Public Records means all books, papers, maps, photographs, financial statements, statistical tabulations, or other documentary materials or data, regardless of physical form or characteristics, made or received by any employee of the Selectmen's departments. Records specifically excluded from "public" records: under the provisions of Chapter 4, Section 7 (26), of the Mass. General Laws include:

a. personnel files and any other material relating to a specifically named individual whose disclosure may constitute an unwarranted invasion of personal privacy.

b. memoranda relating to policy development, internal or to the Board of Selectmen; however, backup for all studies or reports may not be reasonably withheld.

c. commercial or financial information voluntarily provided by contractors or individuals for use by the Selectmen's departments in developing policy.

d. proposals and bids to enter into a contract or agreement prior to the time schedule for public opening of such bids or proposals; information provided by others relating to contractor's previous performance used in evaluating bidders qualifications prior to a decision on the award of a contract.

e. appraisals of real property acquired or to be acquired until a final agreement is entered into or litigation has been completed or the time to commence litigation has expired.

f. water bills or water consumption information pertaining to any specific household or address other than that of the person making the request.

g. investigatory materials, the disclosure of which materials would probably so prejudice the possibility of effective law enforcement or pending disciplinary action that such disclosure would not be in the public interest.

Search time means the time needed to locate, pull from the files, copy and refile, and when applicable, address and mail a public record. However, it shall not include the time expended to create the original record.

Segregation time means the time used to delete or expunge data which is excluded under the definition of public records.

2. Procedures:

a. Inspection. Public records may be inspected at all times during regular business hours of the department. Personnel are encouraged to assist the public by answering questions about factual information; however, care must be exercised not to offer opinions which are not clearly supported by available data. Originals or only copies of documents will not be removed from the Office premises for any reason by members of the public.

b. Promptness of Access. Every effort shall be made by personnel to provide on-the-spot access to persons wishing to inspect public records, and similarly, to provide in-hand copies of one or two page documents and additional copies when the employee servicing the request is able. However, when the employee is presented with requests for numerous copies or ten minutes or more search time is required, or the employee is working on other departmental priorities or deadlines, the request for copies may be serviced at a later time. The goal shall be to fulfill all requests for copies within three working days, but in no instance shall the time exceed the ten days allowed by State regulations.

c. Fees. A fee schedule for the most frequently requested public records is provided in Section 4. In addition, whenever search time and/or segregation time exceeds thirty minutes, a prorated fee based on the lowest hourly compensation rate of an employee capable of fulfilling the request for information will apply.

Fees will be waived for public records provided to members of legally constituted boards, commissions and committees containing information within the purview of the body in which the membership exists. In addition, the Department Head may waive fees whenever such action will clearly benefit the public interest.

When requests for copies of public records are received by telephone or mail, the requestor will be notified of the appropriate fee in advance. If copies are to be mailed, the requisite payment must be received prior to mailing.

d. Interpretation. All questions regarding the application of these policies and procedures will be referred to the Town Administrator.

e. Denials. When, in the opinion of an employee who receives a request for information, the requested information is not a public record, or of a nature which is exempt, the request will be referred to the Department Head for a determination. With the concurrence of the Town Administrator, if the Department Head determines that the requested material is not a public record, or of a nature which is exempt, he shall proceed in accordance with the CMR 32.08 by furnishing the requestor with a written response specifying the basis for denial of the request. The Department Head shall advise the person denies access of his or her remedies under 950 CMR 32.00 and M.G.L. c66 Sec. 10(b).

3. References:
M.G.L. Ch. 4, Sect. 7 (26) 950 CMR 32.00

4. Fees:

1. Photocopies 11" X 8 1/2", 11" X 14", 11" X 17"
$ .25/pg
2. Zoning By-Law w/map
3. Assessor's Maps

NOTE: When search time/segregate time exceeds 30 minutes per request, a per hour prorated charge based on the lowest hourly compensation rate of a departmental employee capable of fulfilling the request for information will be added to the copying fees above.