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1  MISSION STATEMENT

Adopted March 5, 2002
Reaffirmed August 2, 2005
Reaffirmed February 8, 2011

The Town of Wrentham is a municipal government that seeks to promote and support a high quality of life for its citizens. Through the development and contribution of all employees to the maximum of their potential, the Town will provide quality service that result in the highest achievable levels of customer satisfaction and recognition for excellence. Service delivery will be cost effective, based on the needs of the community and the requirements of local ordinances, and state and federal laws. Our goal is to be the best local government for our size in Massachusetts and to be recognized throughout the Eastern United States for providing quality service to citizens and visitors.

2  STATEMENT OF VALUES

Adopted March 5, 2002
Reaffirmed June 3, 2008
Reaffirmed February 8, 2011

The quality of life and environment in the Town of Wrentham depends upon a partnership between the citizens, elected officials' and Town employees. To protect and enhance the quality of life and environment of the Town, the Town of Wrentham will promote the following values:

• Service is our only product. We value providing the best possible service and will consider the needs of all segments of the community in setting the priorities of the Town for services.
• The Town values balanced growth because it leads to fiscal stability, which benefits all citizens. The Town will, therefore, endeavor to make decisions that provide service levels, economic benefits and long-term solutions that promote balanced growth.
• The Town will be cost conscious. As a local government, we are expected to spend tax dollars wisely and effectively for the benefit of all.
• The Town will make and support good, sound public policy and uphold the values of the democratic process.
• In the Town of Wrentham, all citizens and employees will be treated with dignity, respect and fairness.
• The Town of Wrentham will achieve and maintain excellence through a team work approach to problem solving.
• The Town of Wrentham values new ideas and creative thinking and will continue to be in the forefront of the municipal field.
• The Town of Wrentham values access to the public decision-making process by the citizens of Wrentham. Decisions made by the Town will be honest, ethical and fair.
• We are committed to planning for the future and, therefore, value the provision of infrastructure and maintenance of the facilities within the Town of Wrentham.
• Employees are the most important asset of Town government. The Town will, therefore, endeavor to attract and retain the best employees possible. The Town values personal and professional growth of all employees and will work to improve the quality of life of the employees and the community.

3 POLICIES AND PROCEDURES

3.1 PURPOSE
The Board of Selectmen (hereinafter referred to as the Board) of the Town of Wrentham, 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.

3.2 NATURE OF POLICIES AND 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, bylaw or regulation are not addressed in this format.

3.3 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. This rule may be waived if the Board unanimously votes that prompt action is necessary. 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.

3.4 AUTHORITY
The Board is elected and derives its authority and responsibilities from the statues of the Commonwealth of Massachusetts and the Charter and Bylaws of the Town of Wrentham.
3.5  **Election and Qualification**
In accordance with the Town Meeting vote of April 25, 1978, 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.

3.6  **Policies and Standards of Conduct**
A member of the Board in relation to his or her community should:

- Realize that his or her basic function is to carry out its mandated responsibilities and develop Town policies related thereto, with administration delegated to the Town Administrator.
- Realize that he or she is one of a team and should accept the board decision once they are made.
- Be well informed concerning the duties of a board member on both local and state levels.
- Remember that he or she represents the entire community at all times.
- Accept the office of Selectmen as a means of unselfish service, not to seek to benefit personally or politically from his or her board activities.
- In all appointments, avoid political patronage by judging all candidates on merit, experience and qualifications only.
- Abide by the ethics established by the state and not use the position to obtain inside information matters which may benefit someone personally.
- A member of the Board, in his or her relations with administrative officers of the Town, should:
  - Endeavor to establish sound, clearly defined policies that will direct and support the administration for the benefit of the people of the community
  - Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
  - Give the Town Administrator appropriate responsibility for discharging his or her disposition and solution.

A member of the Board, in his or her relations with fellow board members, should:

- Recognize that action at official legal meetings is binding and that he or she alone cannot bind the board outside of such meetings.
- Not make statements or promises of how he or she will vote on matters that will come before the board until he or she has had an opportunity to hear the pros and cons of the issue.
- Uphold the intent of executive session and respect the privileged communication that exists in executive session.
- Make decisions only after all facts on a question have been presented and discussed.
- Treat with respect the rights of all members of the board despite differences of opinion.
3.7 **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 as provided in the Town Charter, By-Laws and in the position's job description. The Town Administrator will also assist and work under the direction of the Board 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 Board is committed to maintaining an employment agreement with the Town Administrator that delineates his/her responsibilities and conditions of employment as authorized by the Charter or by general law.

The Town Administrator has the responsibility to solely approve and sign Expense and Payroll Warrants.

3.8 **Signing of Contracts by the Town Administrator**

Adopted February 4, 2014

The Town Administrator as Chief Procurement Officer and pursuant to the Town Charter and By-Laws, shall have the authority to make all purchases of supplies and services for all town departments, except the school department, and to award and execute all contracts on behalf of the Town.

The Town Administrator is the Board of Selectmen’s agent for collective bargaining.

3.9 **Role of the Board**

The Board is responsible for policy development, and review for compliance. Authority to supervise departments is delegated to the Town Administrator. 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.

3.10 **Organization of the Board**

The Chairperson shall be elected annually at the first regular meeting following the Annual Town Election. The Board may remove the Chairperson at any time. A majority vote shall constitute an election. Nominations require no second. The immediately past Chairperson shall preside as Chairperson pro tem until the Chairperson is elected. If there is no immediate past Chairperson, the senior member in terms of current service shall serve as Chairperson 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 Chairperson, the Board shall elect a successor. The Board shall further appoint a Vice-Chairperson and Clerk under the same provisions stated for the Chairperson.
3.11 **Chairperson’s Responsibilities**  
The Chairperson of the Board shall:

- 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.
- Sign official documents that require the signature of the Chairperson.
- Call special meetings in accordance with the Open Meeting Law.
- Arrange orientation of new members.
- Represent the Board at meetings, conferences and other gatherings unless otherwise determined by the Board or delegated by the Chairperson.
- 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 Chairperson.
- Make liaison assignments and assign overview responsibilities for projects and tasks to Board members unless otherwise determined by the Board.

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

3.12 **Vice-Chairperson’s Responsibilities**  
The Vice-Chairperson of the Board shall act in the place of the Chairperson during his/her absence at meetings. Should the Chairperson leave office; the Vice-Chairperson shall assume the duties of Chairperson until the Board elects a new Chairperson.

3.13 **Clerk’s Responsibilities**  
The Clerk of the Board shall:

- Act as the Chairperson in the absence of the Chairperson and Vice-Chairperson.
- Read all Public Hearing Notices.
- Take minutes of Meetings when the Board’s Secretary is absent.
- Perform other duties as requested.

3.14 **Office Correspondence**  
Adopted September 17, 1996  
Revised October 15, 2002  
Revised March 15, 2011  

All directives, correspondence and/or comments issued by the Board’s office that reflect a board policy, decision, vote and/or consensus or that in any way could reflect action of the Board will be given verbatim to anyone requesting it by completing a Request for Public Information form, as per the Freedom of Information Act, with the following exceptions:

3.14.1 **Executive Session Material**  
Communication marked confidential either by the sender or if deemed confidential by a member of the Board or the Town Administrator.
Compliance of this policy is expected by the Town Administrator, members of the Board, as well as administrative and clerical staff.

3.15 **Borrowed Items**

Anything taken from the Board’s Office should be agreed upon by the Board.

3.16 **Chronological File**

Adopted May 23, 1995
Revised October 3, 2000

All correspondence leaving the office will be numbered and filed for quicker accessibility and a copy of said correspondence place in the Correspondence file.

3.17 **Correspondence File**

The Board will be responsible for reading and initialing the correspondence in the Correspondence file. The file will be brought to each Board meeting after which, the correspondence will then be filed.

3.18 **Procedure for Responding to e-mails received by BOS e-mail account**

1. All e-mails to BOS are auto forwarded to the Town Administrator, Executive Assistant, and Administrative Assistant to the Board.
2. Administrative Assistant has primary responsibility to respond, if absent response is handled by the Executive Assistant or Town Administrator in that order.
3. Responder forwards e-mail to Board in instances where it is an issue requiring Board involvement or a matter of interest or information to the Board.
4. Responder acknowledges receipt of e-mail to the sender and answers any questions asked or refers sender to the proper department.
5. In the case of a referral responder requests that the department delegated with the reply copy responder.
6. No response is required to e-mails which appear to be junk or spam.

3.19 **Purging of Files**

Purging of files shall be completed by the office staff at the end of each fiscal year, or when otherwise deemed necessary. When necessary, the appropriate letter will be sent to the Secretary of State’s Office requesting authorization to destroy records. Upon receipt of approval, all records will be shredded.
3.20 **TOWN/LABOR COUNSEL PURCHASE ORDER/ REQUEST FOR LEGAL SERVICES**

Revised July 7, 1996  
Revised March 15, 2011

Anyone requiring the use of Counsel will be required to contact the Town Administrator for a purchase order number by completing a Request for Legal Services form. The Board and the Finance Committee's Chairpersons will be granted the privilege of direct contact with counsel, after consulting with the Town Administrator. However, you must first identify the purpose of the discussion that the purchase order will address, while not necessarily giving away its confidentiality. This will be done to avoid duplications. Please be advised that the Chairperson must make the telephone call to the Town Administrator directly. If a secretary or Board member calls the office they will be questioned as to the content of the request.

Again, this is only done to avoid duplication and to keep the expense of this budget down to a minimum.

In the event of the Town Administrator's absence the only other person authorized to give out a purchase order number is the Finance Director, who can be reached through the Board’s office.

3.21 **INSURANCE CERTIFICATES**

Adopted January 10, 1989

All Departments in Town file with the Town Accountant, insurance certificates for all conditions of work being done for the Town. The only exceptions are to be in writing from the Town Administrator.

3.22 **INSURANCE REPORTS**

Adopted January 21, 1975

All Accidents involving insurance be it automobile accidents, workmen’s compensation, public liability etc. be reported to the Insurance Agent through the Board.

3.23 **GENERAL COMPLAINTS**

Adopted November 10, 1981

All complaints being submitted to the Board must be submitted to the Board in writing. Citizens coming before the Board on a meeting night with a complaint will follow the verbal complaint with one in writing, as well as being included in the Minutes of the meeting.

3.24 **ANIMAL COMPLAINTS**

Adopted June 26, 1979

The Animal Control Officer shall submit in writing to the Board, an investigation when any violation of the Dog Laws that has resulted from a formal complaint filed with the Board.
3.24.1 Dog Hearings

A written complaint must be filed with the Board. 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 or a nuisance. Specify the times, dates, places and reasons.

Upon receipt of a request for a hearing, the hearing will be included in the agenda for a regular meeting. The Board's Secretary will notify the Animal Control Officer and all involved persons. Hearing will be held in open session. The procedure for conducting a hearing is as follows:

1. Open Public Hearing and read Public Hearing Notice.
2. Read complaint - fully identify and describe dog, present pictures when available. Note that the hearing is being conducted under M.G.L. Chapter 140.
3. Have the Board's Chairperson swear in all parties that will be testifying and that all the information and statements are the whole truth and nothing but the truth.
4. Hear reports from the Animal Control Office and/or health officer; make sure dog is fully identified here.
5. Take testimony from complainants - directly question as to why dog is considered vicious/nuisance. Are they fearful of dog? Is there excessive barking, etc.?
6. Take testimony from owner and/or others speaking on his/her behalf.

At the conclusion of the hearing, the Board may render its decision or take the matter under advisement, announcing the intended date of decision.

Unless requested by the Board, the dog shall not attend the hearing.

3.25 Copies

All individuals will be charged the fee allowed by law for records. There is no charge for copies requested by Town Departments, Committees or Commissions.

3.26 Miscellaneous Requests

All requests of the Board shall be directed to the Board's Chair or the Town Administrator. If necessary, said request will then be delegated accordingly amongst office staff for completion.

3.27 Acceptance of Gifts – Authority of the Town Administrator

The Town Administrator may accept gifts of funds offered to the Town of $250.00 or less. Such funds when received shall be promptly deposited with the Town Treasurer and shall be promptly acknowledged by a letter to the donor. The Town Administrator shall make a quarterly report of all gifts received under this authority to the Board of Selectmen at their first regular meeting held in the months of July, October, January and April. If such gift is made for a
particular purpose such funds may not be expended without the approval of the Board of Selectmen.

Gifts of tangible personal property or of interests in real estate, or gifts or more than $250.00 may only be accepted by the Board of Selectmen.

3.28 **USE OF TOWN FACILITIES APPROVED BY TOWN ADMINISTRATOR**
Adopted February 10, 2009

All request for the use or rental of Town facilities or property may be approved or denied by the Town Administrator. The Town Administrator shall keep the Board advised of events using Town property.

3.29 **MEETINGS**
Adopted October 18, 2005

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 is 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.

The Town Administrator is expected to be in attendance at all meetings of the Board. 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.

3.30 **REGULAR BOARD MEETINGS**

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

3.31 **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 by the Chair provided that a quorum of the members agree to meet and all Board members are notified.
3.32 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.

3.33 Private Meetings
No one member of the Board shall set up a private meeting with any local, state or federal official or agency that would in any way have the appearance of representing the Town of Wrentham without prior approval of the majority of the Board.

3.34 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 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 Chairperson must state whether or not the Board will reconvene into open session.

3.35 Meeting Notifications
All individuals who submit information / requests to go before the Board are to be notified when said issue will be discussed and / or acted upon by the Board.

3.36 Meeting Hours
Board meetings shall end no later than 11:00 p.m. A majority vote of the Board is required to go beyond that hour.

3.37 Agendas
The responsibility for coordinating and planning the weekly agenda is that of the Town Administrator and staff: in coordination with the Chairperson. Each of the Board Members and the Town Administrator may place items on the agenda. The Town Administrator and staff 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's Office by 12:00 noon on the Thursday preceding meeting. Items of emergency or strictly routine nature that develop after the closing of the agenda may be considered under "other business" (refer to “Adding Items to the Agenda after the Agenda is Closed”). Agenda items normally include:
• Call Meeting to Order
• Appointments
• Accept Minutes
• Announcements and Good News
• New Business
• Town Administrator's Report
• Tabled Items
• Liaison Reports
• Public Forum
• 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 by each person who requests that an item be included on an agenda must: (A) submit all such background material to the office of the Town Administrator before 12:00 noon the Thursday before the scheduled meeting; and, (B) indicate the action that is being requested of the Board. The Town Administrator may defer an item to an agenda for a later meeting whenever he/she determines that the background material is insufficient. If background information is insufficient or complicated or if complex memos or motions are presented at the meeting which was 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 Board's packets shall be ready by the close of business on the Friday before the meeting.

The agenda shall be available to the public and the press at the Board's office the Friday afternoon prior to the meeting date and shall be posted at the Town Office bulletin board that same day. 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 or act on an agenda item after 11:00 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.

3.38 Adding Items to the Agenda after the Agenda is Closed
In the event that an item is added to the agenda after the closing time of the Agenda set forth above, all Board members are to be notified by e-mail of the new item upon that item being added.

The Board shall be asked at the opening of the meeting to consent to add that item to the Agenda. If there is unanimous consent of the members present the item shall be treated as an item for discussion and action at the meeting.

If there is not unanimous consent, the item shall be placed on the Boards next regular or special meeting Agenda.

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3.39 **Hearing Urgent Matters Not Posted on the Agenda**

Every effort must be made to abide by the posted agenda. However, there are times when it is necessary to take up un-posted matters. In these circumstances the Board will use the guidelines specified in MGL Open Meeting Law, c. 30A, §§ 18-25 for its definition of an emergency or defensible urgent matter.

As with placing items on the agenda, all members have the right to exercise this option by forwarding a copy of the request either in writing or by electronic mail, when practical, to The Office of the Selectman. The office will make every reasonable effort to notify all members of the Board prior to the meeting.

Before taking up a matter, the Chair or the member requesting the discussion will provide a brief explanation for the request. Then the Chair will take a roll call vote before proceeding. If a super majority of the members consent, the matter will be heard (e.g., 4 of 5; 3 of 4; and 2 of 3)

3.40 **Minutes**

The Clerk may record open meetings of the Board by tape recorder. The Board's Secretary shall draft minutes of the meeting.

Minutes circulated to members of the Board with their meeting packets on 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 shall contain a full statement of all actions taken by the Board and of the disposition of all proposals for action. Approved minutes shall be recorded in a Minutes Book which shall be bound when filled to capacity. A copy of approved minutes shall be posted with the Town Clerk's Office. 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.

3.41 **Posting of Meeting Notices**

All requests for the posting of Notice of a Public Meeting shall be delivered to the Town Clerk for posting accompanied by the form required by the Town Clerk.

All meeting notices shall be posted by the Town Clerk on:

- The bulletin board in the Town Hall designated by the Town Clerk for such purpose
- On the Town’s website ([www.wrentham.ma.us](http://www.wrentham.ma.us))

In the event that the website is unavailable, the Town Clerk may designate an alternative location in conformity with the Open Meeting Law and the regulations of the Attorney General.
Such designation shall be communicated to the Attorney General and to the public as required by the regulations of the Attorney General.

In the event of the absence of the Town Clerk or Assistant Town Clerk, the Town Clerk shall designate an acting Clerk for the purpose of the posting of notices of public meetings.

The Town Clerk shall cause a notice of the methods of posting to be itself posted in a manner conspicuously visible to the public on the main and handicapped entrances to the Town Hall in conformity with 940 CMR 29.03 (2)(a).

3.42 **Website Postings**

Approved March 15, 2011

All Board of Selectmen Agendas, Approved Open Session Minutes, Approved and Released Executive Session Minutes and Town Administrator Reports will be posted to the Town’s website in a timely fashion.

3.43 **Mullin’s Rule**

Adopted November 13, 2009

Pursuant to Mass General Laws Chapter 39, Section 23D, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member’s absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.

3.44 **Pager and Cell Phone Use**

There will be no pagers or cell phones allowed at any Board’s meeting.

3.45 **Remote Participation**

Adopted February 6, 2018

This policy shall apply to all Town Committees, Commissions, Sub-committee and any other groups; whether appointed or elected; that are subject to the provisions of the Open Meeting Law, M.G.L. c.30A, §§ 18-25. The policy is authorized by the Board of Selectmen in accordance with the requirements of 940 CMR 29.10 and applies to all subsequent meetings of all local bodies in Wrentham unless an opt out vote is taken by an individual body per the procedures described in Section IV below.

This policy is implemented to allow for remote participation at meetings subject to the Open Meeting Law for those individuals who are not able to attend when specific circumstances prevent them from physically being present. It only applies to members of elected or appointed
Boards, Commissions, Committees or Sub-committees. It is not a means for non-members to participate.

The Board of Selectmen through this policy authorize individuals serving on elected or appointed Boards, Committees, Commissions, Sub-committees and any other groups that are subject to the Open Meeting Law to participate remotely at meetings only if physical attendance would be unreasonably difficult. A quorum of the body, including the Chair or, in the Chair’s absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c.30A sec.20(D). Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c.39 sec.23(D).

The full policy to include the required procedures to utilize remote participation are available at http://wrentham.ma.us/boards-committees/wrentham-ma-board-of-selectmen/documents-and-town-reports

4 **TOWN MEETINGS**

Town Meeting serves as the legislative branch for local government. The Board 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 a response on the floor.

4.1 **ANNUAL**

The Town Meeting warrant is the Board's warrant by M.G.L. The Board may insert articles in the warrant as provided in the Town Charter, or on their own initiative or by written petition signed by ten (10) registered voters for the Annual Town Meeting.

4.2 **SPECIAL**

The Board 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.

In the interest of economy of operations and imposition on the voters, the Board 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 Board 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.

Board of Selectmen Policies - Page 14
4.3 **Article Submission**

Adopted March 15, 1996

It is the policy of the Board that all articles requested are submitted on a Warrant Article Request Form.

5 **Public Hearings**

The following will be the procedure/policy for any and all requests submitted to the Board’s Office that require a public hearing.

5.1 **Applications**

Appropriate documentation (i.e. letter, application etc.) must accompany the request.

5.2 **Scheduling of Date and Time**

The Town Administrator and staff will schedule a date/time/place for a public hearing to be held and will notify the applicant/petitioner.

5.3 **Advertisement**

The Town Administrator or staff will advertise the public hearing; however, the applicant/petitioner will be responsible for payment of said advertisement.

5.4 **Abutter Notification**

The applicant/petitioner is responsible for the completion of an abutter’s list and notification of abutters of the public hearing (a copy of the advertised public hearing notice can be used for notification). Abutters shall be notified by certified mail, return receipt requested and all certification slips shall be submitted to the Board’s Office prior to the public hearing.

Hearings before the Board will be conducted in accordance with the following procedures. Variations may be necessary to comply with statutory requirements applicable to particular matters. The procedure for conducting hearings is hereinafter outlined:

Notice: The Board's Secretary will advertise the hearing and notify interested persons, such as abutters, as required by statute or as directed by the Chairperson in absence of statutory requirements.

Hearings will be in open session unless otherwise voted by the Board in compliance with the Open Meeting Law.

The Chairperson will announce the nature and purpose of the hearing, identify the particular matter, and recite the notice given. Where appropriate, the Chairperson will outline the procedure to be followed. All questions shall be addressed to the Chairperson. The Chairperson will also ask the Board's Secretary if she has received evidence of the certified mailing and payment of the advertising bill.
5.5 **Conducting a Hearing**

The order of presentation will be:

- Presentation of proposer;
- Receipt of recommendations from any Town agency or officer;
- Statements by proponents;
- Statements by opponents;
- Rebuttal statements by proponents and opponents; and
- Where appropriate, questions may be asked of any person making a statement after the statement is finished. Questions will be accepted first from members of the Board.

The Board may permit persons not desiring to speak to record themselves as in favor or against the proposal. At the discretion of the Board, a show of hands may be taken.

At the conclusion of the hearing, the Board may render its decision or take the matter under advisement, announcing the intended date of decision.

6  **Appointments**

The Board makes numerous appointments each year. Appointments are generally made for one or three years in length. Appointments are generally made in April or June of each year.

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 practical. 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 Board’s Secretary will:

- Provide a list of the appointment vacancies to be filled by the Board.
- Notify the Chairperson of the appropriate board or committee requesting recommendations regarding reappointment or the filling of vacancies.
- Notify incumbents and request their statements of availability regarding reappointment.

All candidates seeking appointment for the first time to a position shall submit a short written statement or resume. This statement/resume or complete application for appointment shall be included in the Board agenda packet made available in advance of the meeting. The Board may consider reappointments to positions at its pleasure. A statement/resume or complete application for appointment will only be requested from a candidate seeking reappointment by specific request of a member of the Board.
The Board will interview candidates seeking an appointment for the first time to boards with permitting authority, positions with more than one (1) candidate, and all elected positions being filled due to a vacancy.

Notice of candidates being interviewed shall be included in the agenda available to the Board. The Board may request that candidates for a position not listed above be interviewed. Those candidates not being interviewed will be considered upon receipt of a statement/resume or completed application for appointment.

Appointments will normally be made only when all members of the Board are present. Appointments will be made by a majority vote of the Board. A 4/5 vote of the Board may suspend any portion of this section.

6.1 Resignations

The Board voted unanimously to have all resignations from Boards, Committees, Commissions, etc., read into the public record of Board meetings.

6.2 Advisory Committees of the Board

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 Board. Each committee must report in writing at least annually to the Board. The Board's Office will be sent copies of all committee agendas and minutes. The Board will discharge committees upon completion of its work.

The charges and membership of standing advisory committees will be reviewed periodically 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 Board 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.

6.3 Relations with Other Town Boards, Committees and Commissions

The Board is aware that coordination and cooperation is needed among the Town's major boards, committees and commissions 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 Board will:

- Annually schedule meetings with the chairmen of major boards and committees to carry out functions 1-2 listed above.
- Regularly schedule meetings of the Board, Finance Committee and School Committee with Wrentham's State Legislators to discuss legislative issues which affect Wrentham.

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.

Members of the Board may be appointed by the Board to act in a liaison role with independent boards and committees. The responsibility of a liaison is to maintain communication with his/her assigned departments on behalf of the Board. The liaison should periodically call upon the Chairperson of the committee or the department supervisor to review goals and objectives. A liaison acts on behalf of the Board and will not interject personal opinion or requests. A liaison shall refrain from giving direction on administrative or procedural matters.

6.4 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:

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.
Persons who will be directly affected by proposed Board discussion and/or action will be notified by the Board's Secretary of the date, time and place of the meeting at which the matter will be discussed or acted upon by the Board.

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 Chairperson or upon request of any member of the Board.

All citizen questions and all complaints are to be referred to the Board's Office for action or recommendation. 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.

7  **TOWN EMPLOYMENT**

In all cases, the appointing authority and any other person who is involved in the hiring process shall comply with all relevant statues and by-laws of the Town and observe the Town's affirmative action policies.

7.1  **TRANSIENT OR EMERGENCY (LESS THAN SEVEN [7] CALENDAR DAYS)**
The appointing authority shall conduct an appropriate search, and appoint the most qualified candidate. He/she shall report such action in a timely manner to the Board.

7.2  **SEASONAL OR TEMPORARY**
Seasonal (less than three continuous months) or Temporary (authorized by Town Meeting for a specific period of time greater than three continuous months or dependent on a funding source that cannot reliably be expected to be renewed).

The appointing authority shall conduct an appropriate search, and recommend the most qualified candidate to the Board.

7.3  **CORI POLICY**

This policy is applicable to the criminal history screening of prospective and current employees, subcontractors, volunteers and interns, professional licensing applicants, and applicants for the rental or leasing of housing.

Where Criminal Offender Record Information (CORI) and other criminal history checks may be part of a general background check for employment, volunteer work, licensing purposes, or the rental or leasing of housing, the following practices and procedures will be followed.

Board of Selectmen Policies - Page 19
I. CONDUCTING CORI SCREENING

CORI checks will only be conducted as authorized by the DCJIS and MGL c.6, s. 172, and only after a CORI Acknowledgement Form has been completed.

With the exception of screening for the rental or leasing of housing, if a new CORI check is to be made on a subject within a year of his/her signing of the CORI Acknowledgement Form, the subject shall be given seventy two (72) hours’ notice that a new CORI check will be conducted.

If a requestor is screening for the rental or leasing of housing, a CORI Acknowledgement Form shall be completed for each and every subsequent CORI check.

II. ACCESS TO CORI

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

III. CORI TRAINING

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

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

IV. USE OF CRIMINAL HISTORY IN BACKGROUND SCREENING

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

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

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

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

VI. INQUIRING ABOUT CRIMINAL HISTORY

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

VII. DETERMINING SUITABILITY

If a determination is made, based on the information as provided in section V of this policy, that the criminal record belongs to the subject, and the subject does not dispute the record’s accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to, the following:

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

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

VIII. ADVERSE DECISIONS BASED ON CORI

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

IX. SECONDARY DISSEMINATION LOGS

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

7.4 PRE-EMPLOYMENT PHYSICALS

Adopted January 10, 1984

Effective immediately, a pre-employment physical shall be required for all employees hired in any department, prior to the hiring of any employee, either full-time or part-time.

The Town will be responsible for the payment of the bills, and the Board's office will make all arrangements for these physicals.

7.5 VACATION FOR DEPARTMENT HEADS APPOINTED BY THE BOARD

Revised July 28, 1998
Revised September 19, 2000

All employees must take at least 2 weeks of vacation time per year.

Vacation is a time for you to rest, relax and pursue special interests. The Town of Wrentham has provided paid vacation as one of the many ways in which we show our appreciation for your loyalty and continued service.

Only regular full-time employees are eligible for paid vacation. You are not eligible for paid vacation during your Introductory Period, nor are you eligible for paid vacation if you are a part-time or temporary employee.

Every effort will be made to grant you your vacation at the time you desire. However, vacations cannot interfere with you department's operation and therefore should be approved by the Town Administrator (for the Town Administrator, the Board) at least one (1) month in advance (except as listed in paragraph 3).

You may not receive advance vacation pay (for vacation time taken in excess of your vacation accrual balance).

One week of vacation time must be taken in a full week increment; all other weeks can be taken as individual days, but nothing less than four hours. Even a one day vacation or
single/increments must be approved in advance with as much notice as possible through the Town Administrator (for the Town Administrator, the Board).

In the case of an emergency request, the employee shall notify the Town Administrator of the need who shall have authority to approve or disapprove the request (for the Town Administrator, the Chair of the Board or acting Chair).

The request will be granted as long as your absence will not seriously affect the Town of Wrentham’s operations.

If you are on an approved leave of absence for less than thirty (30) days, your vacation eligibility will not be affected at all. Should the leave extend beyond thirty (30) days, vacation time will not continue to accrue.

7.5.1 Accumulation Rights
No more than 5 days of vacation time may be carried over and accumulated in subsequent calendar years. This must be approved before the end of the fiscal year, by the Town Administrator (for the Town Administrator, the Board).

7.6 Overtime Wages or Salaries
As of this date, a policy has been established relative to record keeping concerning payments of overtime wages or salaries.

In any of the departments which report to the Board, a record will be kept of all overtime worked and the reason for it.

At least once per month, the Department Head will submit a full report of all overtime worked during the preceding reporting period. Said report will indicate the names of the employees who have worked overtime, the number of hours worked, and the reason for the necessity of working overtime.

7.7 Policy for Temporary Service as a Department Head
In the event of a vacancy in a department head position or in the event of a prolonged absence of a department head, the Town Administrator may designate a subordinate employee to perform the duties and responsibilities of a department head during such vacancy or absence. Such designation shall be for a period not to exceed thirty days. The Town Administrator may thereafter periodically extend such designation in increments of not more than sixty days, but in no event for longer than the vacancy or absence shall continue. Whenever, any subordinate employee is designated by the Town Administrator to temporarily serve as the head of a Town Department for a period in excess of 30 calendar days such employee performing the duties of a department head shall be paid at the minimum rate established in the Town compensation plan for such Department Head position beginning on the 31st day.
In the event that said employee’s regular salary rate exceeds said minimum department head rate the employee shall be paid at least 10% over said employees regular rate but shall in no event be paid in excess of the maximum rate established for said department head position.

The employee designated under this policy may waive the salary provisions provided herein.

The payment at the rate of pay provided herein shall only continue during the employee’s actual active service as a department head and shall not apply during such employee’s own absence from work during which the employee shall revert to their regular rate of pay.

7.8 GROUP HEALTH INSURANCE REGULATIONS

(Participation in the Town’s Group Health Insurance Program by Compensated Elected Officials who do not Regularly Work Twenty Hours per Week in the Service of the Town)

Effective May 21, 2002, no employee who does not regularly work at least twenty (20) hours per week in the service of the Town may participate in the Town’s group insurance program. Upon the expiration of his/her term, said compensated elected official shall (unless he/she at that time regularly works at least twenty (20) hours per week in the service of the Town) become ineligible for continued participation in the group insurance program, irrespective of whether he/she seeks election to the same or a different compensated elected position.

7.9 CLAIMS TO PERSON OR PROPERTY

Any and all claims for damages to person or property arising out of any alleged defect in a public way shall be referred directly to the Town Administrator acting on behalf of the Board and any comments relative to the claim shall be declined pending the Board's investigation of the claim.

If an employee of the Town is approached with a complaint of injury to person or property, he/she shall (1) inform the complainant of the need to reduce the claim to writing and submit it to the Town Administrator, (2) record any information offered relative to the data location and nature of the injury and forward it to the Town Administrator, and (3) refuse further comment.

If, after receiving a written claim and conducting its own investigation, the Town Administrator determines that the Town may be liable for any or all the damages claimed, the Board may settle the claim as it deems appropriate. Pending such action, employees should exercise care not to prejudice the Town’s defense of such claims by offering admissions that have not been properly verified by the Board.

Adopted May 29, 1992
7.10 **Damage Caused by a Town Employee or a Town-Hired Contractor**

Adopted January 19, 1994
Reaffirmed February 8, 2011

It is the policy of the Wrentham Board that any damage caused by a Town employee or a Town-hired contractor, to any structure or property (i.e., mailboxes, newspaper stands, fences and the like, located within the Town right-of-way) will not be repaired/replaced by the Town.

7.11 **Safety**

Adopted 1979

The Wrentham Board hereby recognizes that SAFETY is an essential ingredient in our Town for humanitarian, economical and legal reasons.

The Board has dedicated itself to providing the active leadership and support necessary to develop and maintain a successful SAFETY program with these objectives:

- Provide a safe and healthful work environment for all employees.
- Minimize the rise of human and economic loss resulting from unnecessary personal injury and property damage.
- Insure the security protection and well-being of the personnel, property and vehicles or our Town.
- Compliance with all existing safety and health laws that apply to the work place.

The success of the SAFETY program requires the full, earnest cooperation of each employee. SAFETY must be considered a vital part of every job in our Town.

7.12 **Employee Grievances**

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

The Board 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 and/or have the Town Administrator handle.

7.13 **Workplace Violence Prevention**

Adopted January 6, 2009

It is the intent of the Town of Wrentham to provide a workplace for its employees that is free from workplace violence, as defined below, by establishing preventative measures, holding perpetrators of workplace violence accountable, and by providing assistance and support to those who have been exposed to workplace violence. Committing violent acts, whether while at the workplace or away from it, has the potential to impact an employee’s ability to perform...
his/her job. It is intended that all management tools be employed to accomplish the purposes of avoiding and/or reducing the effect of workplace violence on victims and providing consequences to those who perpetrate workplace violence. It is also intended that management utilize available resources such as the Town’s Employee Assistance Program, law enforcement, and applicable personnel policies and procedures.

7.13.1 Definitions

Workplace Violence: The phrase “Workplace Violence” for purposes of this policy includes, but is not limited to, acts of intimidation, harassment, threats, physical attack, domestic violence or property damage, and includes acts of violence committed by or against an employee or other affected individual (refer to definition) within the context of that individual’s involvement with the Town.

Employee or Other Affected Individual: Employees or other affected individuals for purposes of this policy refer to any individuals who serve in the capacity of an elected official, appointed member to a board, commission or committee, volunteers working for the Town, those employed by the Town in a full-time, part-time, temporary, or seasonal capacity, consultants or contractors retained by the Town, or visitors who are engaged in some form of business or activity with the Town.

Intimidation: Acts of intimidation include, but are not necessarily limited to, stalking or behavior intended to frighten, coerce, or induce duress or fear.

Threat: Threat is the expression of an intention to cause physical or mental harm. An expression constitutes a threat without regard to whether the party communicating the threat has the present ability to carry it out and without regard to whether the expression is contingent, conditional or future. A threat of violence is any act of physical aggression, any verbal or written statements, harassing telephone calls, harassing email messages, gestures, expressions, or behaviors such as stalking that could be perceived as an intention to cause physical or mental harm to any employee or other affected individual.

Physical Attack: The phrase “Physical Attack” is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving, and sexual assault, assault with a weapon or other device used as a weapon, or throwing objects.

Domestic Violence: The phrase “Domestic Violence” in the context of the workplace as it relates to this policy is the use of abusive or violent behavior, including threats and intimidation, between people who have an ongoing or prior intimate relationship. This could include people who are married, live together or date, or who have been married, lived together or dated.

Property Damage: Property Damage is intentional damage to property and includes property owned by the Town, elected officials, appointed board, commission, or committee members, employees, volunteers, visitors, vendors, consultants, or contractors.
Weapons: Weapons are defined to include all devices that are intended to inflict harm, injury or death to an individual, such as, but are not necessarily limited to, firearms, knives, throwing devices, chemical and inert sprays or agents, stun guns, clubs, or types of devices that are designed to discharge some type of projectile, as well as any other type of device used to inflict injury to another individual, or to threaten to do so.

7.13.2 Policy
The Town of Wrentham is committed to providing a safe, healthy workplace that is free from violence. Individuals who engage in workplace violence (as defined within this policy) may be removed from the premises, and may be subject to dismissal or other disciplinary action, arrest and/or criminal prosecution. This policy applies to all work locations, including offices, work sites, vehicles, and other Town-owned property and/or facilities, or places visited by employees while conducting their job responsibilities.

Further, the Town of Wrentham takes reports of workplace violence seriously. Employees, supervisors, managers, department heads, elected or appointed officials are expected to follow and adhere to the Town of Wrentham's Workplace Violence Prevention Policy. Whenever an employee, supervisor, manager, department head, elected or appointed official encounters a report of an actual or alleged incident of workplace violence that individual is required to follow the Workplace Violence Report/Response Procedures.

7.13.3 Prohibited Actions and Sanctions
The Town of Wrentham does not tolerate behavior, whether direct or through the use of Town facilities, property or resources, that involves the following:

- violence as defined herein;
- Unlawfully using, possessing, or threatening to use a weapon while engaged in the performance of an employee’s work activity or those events that have a causal connection to the workplace;
- Possession of a weapon is prohibited unless granted permission or exemption under the “Authorized Exceptions to Policy” section below;
- Interfering with an individual’s legal rights of movement or freedom of expression;
- Disrupting the workplace or the Town’s ability to provide service to the public;
- Misusing authority vested to any elected or appointed official, or employee of the Town of Wrentham in such a way that it violates this policy.
- Used by a sworn police officer of the Wrentham Police Department
- Required as a part of the employee’s job duties with the Town of Wrentham.

Workplace violence, as defined herein, may be grounds for disciplinary action, up to and including dismissal. An act outside the scope of the working hours for the Town involving intimidation, harassment, threats, physical attack, domestic violence or property damage may also be grounds for disciplinary action, up to and including dismissal. In these situations, the Town must demonstrate that the disciplinary action, suspension or dismissal is supported by
the existence of a rational nexus between the type of conduct committed and the potential adverse impact on a Town’s elected or appointed official, or employee’s ability to perform the assigned duties and responsibilities\(^{(1)}\).

### 7.13.4 Authorized Exceptions to Weapons Possession Policy

An employee may only possess a weapon during the course of working hours under the following circumstances.

In compliance with Massachusetts General Laws and specific written authorization by the Town Administrator where the employee has a demonstrated need to possess a weapon while working\(^{(2)}\).

### 7.13.5 Support and Protections

The Town of Wrentham shall make efforts to protect victims of workplace violence by offering security measures. Victims may also need special accommodations or adjustments to their work schedule, location or working conditions in order to enhance their safety. The Town of Wrentham shall accommodate these requests and needs whenever possible and appropriate. The Town of Wrentham shall work closely with victims to ensure that both the needs of the victims and the workplace are addressed. Management is expected to offer support to victims of workplace violence, which includes domestic violence that adversely impacts an employee’s ability to perform assigned duties and responsibilities. This support should include encouragement of the victim to use the services of the Town’s Employee Assistance Program (EAP). In addition, management shall use their discretion (as allowed by applicable Personnel Policies and/or collective bargaining agreements) to grant a victim leave time for medical, court, or counseling appointments related to trauma and/or victimization.

The following options should be considered:

- Flex Scheduling
- Administrative Leave with Pay
- Sick Leave
- Vacation Leave
- Leave of Absence without Pay

\(^{(1)}\) Advisory Notice: When a threat has been reported or management determines that a potential for violence exists, management may require an employee to undergo an assessment to determine the risk of danger. The Employee Assistant Program (EAP) will assist management by facilitating a referral to an appropriate resource for this assessment. The EAP will maintain a network of appropriate professionals trained to conduct a risk assessment.

\(^{(2)}\) Advisory Notice: All municipal employees, except sworn police officers and the animal control officer who possess a weapon on the workplace must demonstrate the need and obtain written permission which is to be filed in the employee’s personnel file.
7.13.6 Retaliation
This policy prohibits retaliation against any elected or appointed official, or employee who, in good faith, reports a violation of this policy. Reasonable effort will be made to protect the safety and anonymity of anyone who comes forward with concerns about a threat or act of violence; however, there is no guarantee of complete confidentiality.

7.13.7 Reporting Responsibilities
All employees and officials are encouraged to be alert to the possibility of violence on the part of employees, former employees, or other individuals. Employees shall place safety as their highest concern, and shall report all acts of violence and threats of violence. All reports of violence will be handled in a confidential manner, with information released only on a need-to-know basis. Management shall be sensitive and responsive to the reporting employee’s fear of reprisal.

Employees who report incidents of workplace violence may request to do so confidentially. Such requests will be honored to the degree reasonable under the circumstances; however, there is no guarantee of complete confidentiality.

Each municipal department is responsible for reporting incidents of workplace violence or possible workplace violence involving all Town elected or appointed officials or employees as follows:

- Supervisors and managers who receive reports of workplace violence or possible workplace violence must notify the department head.
- It is the responsibility of the department head receiving a report of workplace violence or possible workplace violence to notify the Town Administrator.

The Town Administrator will involve the appropriate resources and assist department heads in their response to allegations of workplace violence or possible workplace violence. If allegations of workplace violence are made against elected or appointed officials, or employees, the Town Administrator will be responsible for notifying the appropriate board or commission having authority over that individual.

7.14 Sexual Harassment Rules
7.14.1 Introduction
It is the goal of the Town of Wrentham to promote a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by the Town. Further, any retaliation against and individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve our goal of providing a workplace free from sexual harassment, the conduct that is
described in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt with, if encountered by employees.

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

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

The Town is concerned with allegations of sexual harassment in the workplace, whether by superiors, coworkers or even non-employees. A copy of this Policy will be given to a new employee at the start of employment and annually to all employees.

7.14.2 Definition of Sexual Harassment

In Massachusetts, the legal definition for sexual harassment is this: "sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

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

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable review, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment. Sexual harassment is not, by definition, limited to prohibited conduct by a male employee toward a female employee. Rather:

- A man as well as a woman may be the victim of sexual harassment, and a woman as well as a man may be the harasser.
- The harasser does not have to be the victim's supervisor. (S)he may also be an agent of the supervisor, a supervisory employee who does not supervise the victim, a non-supervisory employee (coworker), or, in some circumstances, even a non-employee.
- The victim does not have to be the opposite sex from the harasser.
- The victim does not have to be the person at whom the unwelcome sexual conduct is directed. (S)he may also be someone who is affected by such conduct when it is directed toward another person. For example, the sexual harassment of one female (or male)
employee may create an intimidating, hostile, or offensive working environment for another female (or male) coworker or interfere with the coworker's work performance. The belief that such interference has occurred must be objectively reasonable.

Sexual harassment does not depend on the victims having suffered an actual economic injury as a result of the harasser's conduct. For example, improper sexual advances, which do not result in the loss of a promotion by the victim may nonetheless, constitute sexual harassment where they interfere with the victim's work or create a harmful or offensive work environment. The belief that such interference occurred must be objectively reasonable.

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

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

- Demanding sexual favors accompanied by overt threats concerning one's job, performance evaluation, promotion, etc.
- Engaging in reprisals (not granting promotions, assigning undesirable tasks, making negative statements about the victim's personal or work conduct, etc.), as a result of an individual's refusing to engage in social/sexual behavior.
- Contact with any sexual part of a coworker's body (e.g. touching, patting or pinching).
- Unwelcome sexual advances- whether they involve physical touching or not.
- Touching any non-sexual part of the body (e.g. shoulder, etc.) after that person has verbally or otherwise indicated that such touching is unwanted.
- Refusing to take action or to enforce disciplinary measures against a person who has been sexually harassing another staff member or otherwise condoning such behavior.
- Inquiries into one's sexual experiences.
- Continuing to ask a person to socialize after work when that person has verbally or in writing indicated no interest in such activities.
- Displaying sexually suggestive pictures, objects, cartoons or posters.
- Subtle pressure for sexual activities; e.g., continuing to write suggestive notes or letters after being informed they are unwelcome.
- Verbal harassment or abuse; e.g. referring to or calling a person an endearing, demeaning or sexualized term, or making reference to a person's physical characteristic (e.g. pregnancy) when that person has verbally or in writing indicated to the harasser or the Town (s)he does not wish to be addressed or referred to in that manner.
• Unwelcome leering, whistling, brushing against the body, sexual gestures suggestive or insulting comments.
• Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess.
• Language in another's presence or conduct even if not directed to said individual once it is known that (s)he objects.
• Discussion of one's sexual activities.

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

7.14.4 Complaints of Sexual Harassment
If any of our employees believes that he or she has been subjected to sexual harassment, the employee has the right to file a complaint with our organization. This may be done in writing or orally.

If you would like to file a complaint, you may do so by contacting the Town Administrator at 79 South Street, Wrentham, MA 02093 Tel: (508) 384-5400. This person is available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment and our complaint process.

7.14.5 Sexual Harassment Investigation
When we receive the complaint we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed sexual harassment. When we have completed our investigation, we will, to the extent appropriate inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

7.14.6 Disciplinary Action
If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment, and may include such other forms of disciplinary action as we deem appropriate under the circumstances.
7.14.7 State and Federal Remedies

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC 180 days; MCAD 6 months).

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

The Massachusetts Commission Against Discrimination (MCAD)
424 Dwight Street, Room 220
Springfield, MA 01103

7.15 NON-DISCRIMINATION

It is the policy of the Town of Wrentham to provide all current employees and applicants for employment equal opportunity in employment without discrimination on the basis of race, color, religious creed, national origin, sex, sexual orientation, ancestry, disability, or Vietnam-era veteran or disabled-veteran status. This policy of non-discrimination applies to all aspects of the employment relationship.

7.16 AMERICANS WITH DISABILITIES ACT NOTICE

The Town of Wrentham, as a public entity, is prohibited from discriminating in its employment practices, including every aspect of recruitment, hiring, promotion, demotion, layoff and return from layoff, compensation, job assignments/classifications, paid or unpaid leave, fringe benefits, training, and employee sponsored activities. To this end, applicants are considered for all positions without regard to race, color, religion, sex, national origin, age, marital or veteran status, or the presence of non-job related medical condition or handicap. Individuals having concerns about ADA issues are encouraged to bring those concerns to the attention of the Town Administrator and ADA Coordinator at the address listed below.

The Town further recognizes its responsibility under the Americans with Disabilities Act (ADA) to ensure effective communication with persons with disabilities in the delivery of municipal services and programs. This includes, but is not limited to, provision of auxiliary aids such as qualified sign interpreters, assistive listening devices, readers, taped text and Braille or large print materials.
Individuals requiring communications aids under the ADA should submit a request, in writing, not less than fifteen (15) working days prior to the event or meeting. Requests should be addressed to: Town Administrator / ADA Coordinator, 79 South Street, Wrentham, MA 02093.

7.17 **CIVIL SERVICE TRANSFERS**

Adopted April 18, 1992

The appointing authority has the authority to approve Civil Service Transfers.

7.18 **INJURED POLICE AND FIREFIGHTERS MILEAGE REIMBURSEMENT**

Adopted June 21, 2005
Amended and Approved January 17, 2006

Injured firefighters and police officers shall notify and get permission from their respective chiefs who then shall notify the Town Administrator to seek primary and follow up treatment and therapy for any injuries sustained while on duty.

The firefighter and police officer making claims for mileage reimbursement necessarily incidental to the provision of adequate and reasonable medical services shall be accompanied, where applicable, with the following:

- an itemized bill confirming the date and location of treatment;
- an affidavit from the firefighter and police officer attesting to the exact mileage from the firefighter's and police officer's home to the site of the treatment and back stating the purpose of the treatment and reason for trip; and
- copies of parking receipts, cancelled checks or receipts, together with documentation from the medical care provider relating the service to the on duty injury deeming it reasonable and necessary.

Once all the above steps have been satisfied, the Town Administrator may approve for payment the claim for mileage reimbursement for the injured firefighter and police officer. The rate for mileage reimbursement claims shall be the current IRS rate.

7.19 **DRUG FREE WORKPLACE**

In accordance with the federal Drug Free Workplace Act (41 USCS Sec. 701-707), the Town of Wrentham strives to provide a drug free work environment. The purpose of establishing a policy statement about a drug free workplace is to inform employees about:

A. The serious dangers of drug abuse in the workplace;
B. The Town’s policy of maintaining a drug free workplace;
C. The availability of drug counseling and rehabilitation;
D. The potential consequences of employee drug in workplaces.

Consistent with the intent and practice of the Town of Wrentham, this Drug Free Workplace Police Statement states that:

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A. All employees of the Town of Wrentham will review and retain a copy of this statement;
B. All employees are notified that unlawful manufacturing, distribution, dispensation, possession, or use of a controlled substance is prohibited when working:
C. Any employee found in violation of the above statement will be subject to action, up to and including termination;
D. As a condition of employment, all employees must abide by the terms of this statement and notify the Department Head or Town Administrator within five (5) days of any criminal drug statute conviction.
E. The Town of Wrentham will, within thirty days of receiving any such notice under (D) above, take appropriate personnel action with an employee, which may include disciplinary action up to and including termination; and/or may provide the opportunity for said employee to participate satisfactorily in an approved drug abuse or assistance program.
F. The Town of Wrentham will make a good faith effort to maintain a drug free workplace through implementation of this policy statement.

7.20 ELECTRONIC COMMUNICATION TO THE PUBLIC

7.20.1 Basic Principles

The Town’s goal in all communication is

Consistency Accuracy Clarity
of Records, Information and Message.

A positive communication informs the townspeople while a negative communication confuses the townspeople. The Town is always better off having no communication if the alternative is negative communication.

7.20.2 Roles and Responsibilities

All employees are responsible for consistent, accurate and clear communication with the public and with each other.

Department Heads are responsible for the official records maintained and for the messages disseminated by their departments by whichever medium and for the choice of what medium from those available.

The Information Technology Manager is responsible for the media available for the dissemination of messages and for suggesting to department heads and to the town administrator media to be used and also information the communication of which may be useful.
The Town Administrator is responsible for deciding the overall message of the town and for insuring that others conform to the basic principles and perform their roles and responsibilities. The Town Administrator may delegate this supervision to subordinate staff.

Elected and appointed boards and commissions performing a governmental function should communicate through their department’s assigned staff under the general supervision of the town administrator. Non-staffed committees should assign a member to oversee communication with the public under the general supervision of the town administrator.

7.20.3 Communication Tiers

First: Matter of Public Health or Safety - These are matters which require immediate dissemination, but as to which particular care must be taken to insure consistency, accuracy and clarity. Notification may be undertaken at the Department head level if speed in notice is required, but they should be sent directly to the town administrator, selectmen and department heads so that they are aware of the dissemination of this information to the public. This Tier may require use of Reverse 911, Nixle, e-mail alerts, etc.

Second: Matter of Public Convenience – A routine notice triggered by an event which may occur at any time which effects a public service. These may be communicated without consultation.

Third: Matter of Public Interest: These are routine matters which may be communicated in a standard matter without consultation.

7.20.4 Communication Media

- Town Web Site
- Nixle Alert
- E-mail alert
- Mailing
- Legal Notice
- Posting Notice
- Signage
- Public media – press release
- Social media

7.20.5 Information Matrix

* where time is of the essence Department Head may proceed without Town Administrator approval, but must give notice to all as soon as practicable.
<table>
<thead>
<tr>
<th>Tier</th>
<th>Content Development</th>
<th>Content Approver</th>
<th>Action to Post (per platform)</th>
<th>Coordination Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Matter of Public Health or Safety</td>
<td>Department Head</td>
<td>Town Administrator *</td>
<td>Technician</td>
<td>Prior Notification to Selectmen and Department Heads preferred before communication is posted.*</td>
</tr>
<tr>
<td>Matter of Public Convenience</td>
<td>Department Head</td>
<td>Committee of Affected</td>
<td>Technician</td>
<td>Prior Notification of all affected departments and all department heads must approve content</td>
</tr>
<tr>
<td>Matter of Public Interest</td>
<td>Department Head</td>
<td>Department Head</td>
<td>Technician</td>
<td>Department Head</td>
</tr>
</tbody>
</table>

7.20.6  Common Triggers
Matters of Public Convenience or Public Interest; department responsible for notice, media to be identified through consultation with the Information Technology Manager and other town staff

- Town Election – Town Clerk
- Town Meeting – Town Clerk
- Public Hearings – Board Staff
- Trash Pick Up – Public Works Staff
- Street Closings – Department closing the Street (Police, Fire or Public Works
- Water Restrictions – Public Works
- Emergency or Special Meetings – Board Staff
- Media Events – Town Administrator or Department Head

7.20.7  Approval for Use of Media
The following particular media may only be used with the approval of the indicated responsible person

- Web Site – Town Administrator for front page general announcement; department head for individual department page
- Nixle – Town Administrator
- Social Media – department head for disseminating departmental information only (it is recognized that the Police Department social media program is used for information gathering as well as information dissemination).
- Signage – town administrator
• Public Media – town administrator for formal press releases or statements, department head for routine information requests or public notices

7.21 Use of Electronic Mail

Adopted January 17, 2006

7.21.1 Policy/Purpose
The term "public records" is defined by statute to include all documentary materials or data regardless of physical form or characteristics, made or received by an officer or employee of any agency or municipality of the Commonwealth, unless falling within a statutory exemption (M.G.L. CA, 8.7). Therefore, the Secretary of the Commonwealth advises that the Public Records Law clearly applies to government records generated or received electronically. Electronic mail is a Town of Wrentham resource and is provided as a business communications tool. All electronic mail sent, and all electronic mail received by principal addressees (not received as a "cc") at a Town-issued address, or any address when in an official capacity, should be considered a public record subject to inspection and disclosure and scheduled retention and disposition. Employees and committee members acting in their official capacity should have no expectation of privacy in their use of electronic mail.

7.21.2 Responsibilities
It is the responsibility of all department heads to implement this e-mail policy as appropriate. These procedures should:

• specify whether e-mail documents should be filed electronically or as paper;
• establish appropriate use of e-mail within this policy;
• establish procedures, where applicable, for providing public access to electronic files and collecting appropriate fees charged for materials; and
• monitor compliance with Town policy and department procedures.

It is the responsibility of Information Services Supervisors to support and maintain the Town's e-mail system and provide routine backup and off-site storage of e-mail files for disaster recovery purposes.

It is the responsibility of all employees and committee members to comply with Town policy and departmental procedures.

7.21.3 Committee Use of Electronic Mail
In order to assist members of governmental bodies to comply with the Open Meeting Law in the use of this technology, the District Attorney's Office has established guidelines for committees' use of electronic mail. The guidelines reaffirm that no substantive discussion by a quorum of members of a governmental body about public business within the jurisdiction of the governmental body is permissible except at a meeting held in compliance with the requirements of the Open Meeting Law. Like private conversations held in person or over the telephone, e-mail conversations among a quorum of members of a governmental body that
relate to public business violate the Open Meeting Law, as the public is deprived of the opportunity to attend and monitor the e-mail "meeting."

Despite the convenience and speed of communication by e-mail, its use by members of a governmental body carries a high risk of violating the Open Meeting Law. Not only do private e-mail communications deprive the public of the chance contemporaneously to monitor the discussion, but by excluding non-participating members, such communications are also inconsistent with the collegial character of governmental bodies. For these reasons, the District Attorney cautions that e-mail messages among members of governmental bodies are best avoided except for matters of a purely housekeeping or administrative nature.

7.21.4 Privacy/Public Access
The Town Administrator reserves the right to monitor e-mail messages and to access all e-mail residing on Town of Wrentham equipment or property. No employee shall read another employee's e-mail, and no employee shall access another employee's electronic files when there is no business purpose for doing so and when no case-specific supervisory approval has been granted.

No employee shall send e-mail under another employee's name without authorization. No employee shall change any portion of a previously sent e-mail message without authorization.

7.21.5 Appropriate Use
E-mail shall be used for business matters directly related to the operational activities of the Town of Wrentham and as a means to further the Town's objective of providing services that are efficient, complete, accurate, and timely. While e-mail shall not be used for personal gain or to conduct personal business, it may be used for limited personal communication subject to the review and discretion of the department head.

E-mail shall not be used to promote discrimination on the basis of race, color, national origin, age, marital status, sex, political affiliation, religion, disability or sexual preference; to promote, result in, or contribute to sexual harassment; or to promote personal, political or religious business or beliefs.

7.21.6 Filing and Retention
This Policy is intended to provide for efficient retention of e-mail communications. E-mail communications are considered public records and retention and disposition of public records are authorized by retention schedules issued by the Secretary of the Commonwealth. Transmission data contained in an e-mail communication (including the sender, addressee, date and time of transmission, and receipt) should be retained as part of the record whether the record it printed out or stored electronically.

Departments may retain e-mail in hard copy, electronically, or by a combination of these two means. E-mail should not be retained electronically for longer than two years; after that time,
the record should be printed and retained in paper form. Departments are responsible for
developing filing systems that include e-mail and are responsible for instructing employees on
appropriate use of these systems.

When appropriate, e-mail messages may be filed with program records and assumes the same
retention as the records they are filed with. When e-mail records do not relate obviously or
directly to a program, they may be filed as correspondence. If a particular record is not
described on an existing records retention schedule, the appropriate department head may
apply to the Supervisor of Public records for authority to dispose of that record, and to add
records to existing schedules. Only when e-mail messages are clearly conversational and do not
add in any way to the operational records of the department, may they be discarded without
adhering to retention schedules. Examples of this form of e-mail include: "Sorry I missed you via
telephone. Please call me when you have a minute."; "I will be out of the office at a conference
this Thursday, so please mark your calendar."; or "This is a reminder of this Friday’s staff
meeting. Please send along any agenda items you may have."

Some e-mail systems enable users to enclose or attach records to messages. These enclosed or
attached records need to be filed according to their function and content, and they will assume
the retention schedule of the records they are filed with.

7.22  USE OF INTERNET POLICY

Adopted January 17, 2006

7.22.1  Use of the Internet by Town Staff
In compliance with law and the guidelines provided herein, employees are encouraged to use
the Internet to its fullest potential to further the Town’s mission, to provide service of the
highest quality to the Town’s citizens and customers, to discover new ways to use resources to
enhance service, and to promote staff development.

GUIDELINE 1: Employees should use the Internet, when appropriate, to accomplish job
responsibilities more effectively.

The Internet provides access to a wide variety of information resources that can aid employees
in the performance of their jobs. Examples of job-related use of the Internet include: accessing
external databases and files to obtain information or conduct research; searching online public
access catalogs; corresponding with citizens when appropriate; disseminating documents to
individuals or groups; and participating in and reading electronic mail discussion groups on job-
related topics.

GUIDELINE 2: Employees may use the Internet for professional activities and career
development.

Use of the Internet facilitates pursuit of professional and career development goals. Examples
of professional use include: communicating with fellow members of a professional
organization; collaborating on articles and other writing; connecting to resources that provide information relating to education opportunities; and participating in and reading electronic mail discussion groups on professional development topics.

Supervisors shall determine the appropriateness of using the Internet for professional activities and career development during working hours, and to ensure that employees do not use equipment and facilities or private gain.

GUIDELINE 3: Supervisors are encouraged, to a reasonable extent, to identify job-related Internet training needs and resources, to support staff attendance at training sessions, and to permit use of official time for maintaining skills.

While there is a cost for permitting employees to attend classes, in the long term such training will provide benefits—employees will be better informed about valuable Internet resources and how to use them. Supervisors should determine the appropriateness of attending hands-on training courses, keeping in mind the job requirements and the department-related development needs of employees.

GUIDELINE 4: At the discretion of their supervisors, employees may use official time to attend meetings and programs related to the Internet.

Programs and workshops help to: increase awareness of the valuable resources available over the Internet. These programs supplement the knowledge that can be gained through formal training courses, serve as an avenue for continuing education and career development, and provide a forum for employees to meet others with similar problems and needs in order to share information and solutions.

GUIDELINE 5: Employees have an obligation to learn about network etiquette, customs, and courtesies. Accepted procedures and guidelines should be followed when using electronic mail communications, participating in electronic mail discussion groups, using remote computer services, transferring files from other computers, or disseminating information to others on the Internet. Employees also have an obligation to be aware of computer security and privacy concerns and guard against computer viruses.

Any training program developed for the Internet should include discussion of responsible network use.

GUIDELINE 6: Use of the Internet by employees is a privilege, not a right, which may be revoked at any time for inappropriate conduct. All employees are responsible for complying with the guidelines and standards of conduct contained in this policy, as in other policies addressing employee behavior and the use of Town property. Violations may result in a revocation of Internet access privileges and any other applicable disciplinary action.
Employees shall respect intellectual property rights at all times when obtaining information over the Internet. The Town has the right to monitor its employees' Internet activities, and monitoring will occur when there are indications that an employee is involved in activities that are prohibited by law, that violate Town policy, that might jeopardize the technical systems of the town, or that violate these guidelines.

7.22.2 Standards of Conduct
Employees have an obligation to use their access to the Internet in a responsible and informed way, conforming to network etiquette, customs, and courtesies. Use of the Internet encompasses many different interconnected networks and computer systems.

Many of these systems are provided free of charge by universities, public service organizations, and commercial companies. Each system has its own rules and limitations, and guests on these systems have an obligation to learn and abide by the rules.

Users should identify themselves properly when using any Internet service. They should also be careful about how they represent themselves, given that what they say or do could be interpreted as Town opinion or policy. Users should be aware that their conduct can reflect on the reputation of the Town and its employees.

As noted in Guideline 6, use of the Internet is a privilege which may be revoked at any time for inappropriate conduct. Examples of inappropriate conduct include (but are not limited to):

- use of the Internet for unlawful activities
- use of abusive or objectionable language in either public or private messages
- misrepresentation of oneself or the Town
- sending chain letters
- using official dissemination tools to distribute personal information
- other activities that could cause congestion and disruption of networks and systems
- unauthorized use of Internet for personal gain during work time

7.23 Social Media Policy

7.23.1 Purpose

The Town of Wrentham encourages the use of social media to further the goals of the Town and promote the missions of its departments where appropriate. Social media offers the opportunity for the Town to transmit information efficiently and cost effectively, increase transparency, and provide effective lines of communication to its citizens.

The Town has an overriding interest and expectation in deciding what messages are communicated on its behalf on its social media sites. Through this policy, the Town seeks to
ensure that social media is used responsibly, productively, securely, and in a manner that projects an appropriate public image and complies with legal requirements.

7.23.2 Policy

All existing and future Town of Wrentham social media accounts are subject to approval by the Director of IT in consultation with the Town Administrator.

This policy applies to all social media accounts posted by Town departments, programs, employees, officials, and others acting on the Town’s behalf. These social media accounts are Town property, subject to public records laws and retention schedules, open meeting laws, ethics laws, copyright and intellectual property laws, and laws regarding confidentiality of proprietary, non-public, sensitive, or personally identifiable information.

The Personal Conduct portion of this policy also addresses participation by Town employees and officials in other social media activities that concern the Town of Wrentham.

This policy may be updated from time to time and amended at the discretion of the Town Administrator.

7.23.3 Definitions

Social media is any form of web or mobile platform used in publishing user-generated content, including conversations and other types of media. Examples of some common social media sites and tools include:

- social or business networks (Facebook, LinkedIn)
- blogs or microblogs (Wordpress, Twitter, tumblr)
- topical sharing (Reddit, Pinterest)
- media sharing (YouTube, flickr, Vimeo, Instagram, WhatsApp)
- crowd funding (Kickstarter, IndieGogo)

Content includes statements, comments, information, articles, posts, graphics, pictures, audio, videos, links or other communications posted or submitted for posting on Town social media sites.

Site Administrator is the designated point of contact at the department or program level responsible for generating the content and regularly maintaining the operation and publication to an approved social media account. The Site Administrator should be knowledgeable and able to answer questions about the topic, and when posting feedback about questions or comments that may be posted by the public; and be aware of content that is re-tweeted, re-posted or linked in any way.
7.23.4 Requirements and Approvals for Establishing a Town Social Media Account

Requests for establishing any Town social media account must be made by submitting a completed Social Media Request Form to the Director of IT.

The Social Media Request Form must designate a Site Administrator, include a detailed reason for establishing a social media account, and identify requested tools or functionality. A deputy Site Administrator should be identified to avoid gaps when the Site Administrator is away or there is a change in personnel.

Applications can cause security risks and generally will not be approved. When requesting applications (to stream video and music, post photos, view and subscribe to RSS feeds, etc.), include a detailed reason.

The Town’s Social Media sites generally are not intended as a public forum for communication and debate, but for one-way communication to the public. Include a detailed reason when requesting two-way communication or activation of any tools (turning on Facebook comments, for instance) or social sharing functionality (Google+ for instance).

As with the establishment of the social media account, to request subsequent activation of two-way communication or any application, tool or social sharing functionality, a new or updated Social Media Request Form must be submitted to the Director of IT.

The Director of IT will only approve accounts under this policy for the following forms of social media, and will generally will approve only one of each for each department of program:

- Facebook
- Twitter
- Youtube
- LinkedIn

If a Site Administrator wishes to establish an account using a social media platform not on this pre-approved list, the Director of IT and Town Administrator will consider a proposal for use of the platform and make a determination after investigation and consultation as needed.

7.23.5 Account Profile

Each social media account must contain the following content in the profile:

- A statement that the account is maintained by the Town and follows the Town’s Social Media Policy
- A link to the Town’s Social Media Policy
- A statement of the department or program mission and the purpose and scope of the Social Media site
- Clearly-branded department name or function (Twitter: start with “WREN”)
• Appropriate visual identity: an official logo, or in the event a department lacks a logo, an appropriate representative photo
• A link to official http://www.wrentham.ma.us/ departmental homepage for forms, documents, online services, and other information necessary to conduct business with the Town
• If appropriate the following will be added:
  “This site may not be not monitored - call 911 for emergencies”
• Where comments or posting is permitted, the site should clearly indicate that:
  o Content posted on the site, other than those posted by the Town of Wrentham, do not reflect the opinions and position of the Town or its officials and employees
  o Lists of followers and any content posted or submitted for posting is subject to public disclosure
  o The user grants a non-exclusive, irrevocable, royalty-free license to the rest of the world for their submissions to the site

**Security Requirements**
All information required to access account, including registered (originating) email account, login information, passwords and account administration privileges must filed with the Director of IT, and immediately updated when any changes are made.

A wrentham.ma.us registered email address must be used to register the account and as the recovery email.

A “strong” password is required. Passwords must not be shared with anyone else without prior approval of the Director of IT or the Town Administrator.

The Director of IT (or designee) has the right and ability to change any password in his or her discretion, including when the Site Administrators of the account are changed for any reason.

The Director of IT (or designee) has the right and must have the ability to access any account for administration, archiving, backup, and coverage, and in order to amplify content, distribute emergency information, or address compliance with federal, state, and local laws, rules, regulations and policies.

**Site Administrators are required to read, understand and follow:**
• Terms of service and permissions for the individual social media sites, prior to creating an approved social media account, and at reasonable intervals thereafter
• The Town’s Social Media policy and other policies, especially as pertains to appropriate content and the expected frequency of posting

Approval of a social media account or Site Administrator designation may be revoked and other disciplinary action taken in the event of improper or unauthorized operation.
7.23.6 Using Town Social Media

Content
Content posted by the Site Administrator should consist of factual information that has been verified, and not opinions of the Site Administrator, and must comply with the User Content provisions in this policy. Links to credible sources may be included if available and relevant. Information the Town has communicated that is later found to be in error should be promptly corrected.

Town Social Media is not to be used for personal gain; to develop personal contacts; to endorse other people, products or services; or in a manner that may create a conflict of interest or an appearance of a conflict of interest. The federal, state, and local laws, rules, regulations and policies that apply to Town employees and officials extend to Town social media. These include but are not limited to:

- Code of Ethics
- Conflict of Interest
- Open Meeting Laws
- Public Record Laws
- Town by-laws and policies

User Content
As a public entity, the Town seeks to abide by certain standards to serve all its constituents in a civil and unbiased manner. The Town expects communications to follow the standards of polite discourse, and asks that visitors and participants treat each other, as well as Town employees and officials, with respect.

Town Social Media are not intended as an open public forum. Where public comments or two-way communications are permitted, the Social Media is limited to the specific subject matter of the particular social media posting or article being commented upon. The Town reserves the right to monitor the content on Town Social Media, to advise legal authorities of activities that may be illegal or unlawful, and to restrict or remove content that is deemed in violation of this policy or any applicable law, rule, regulation or policy. The Town strives to apply these standards as consistently as possible.

Users are encouraged to edit, update, or clarify posted material in lieu of removal or restriction. Any content removed or restricted based on the Town’s policy will be retained, including the time, date and identity of the poster when available.

Town Social Media is not to be used to write, post, display, or link to any content that:

- Strays from or is not topically related to the particular social media posting or article being commented upon
- Is pornographic, obscene, threatening, intimidating, harassing
• Violates Town policies against discrimination, harassment or retaliation, or fosters or promotes discrimination on the basis of age, sex, sexual orientation, gender identity, race, religion or religious creed, color, national origin, ancestry, disability or medical condition, military or veteran status, or other characteristic or status protected by federal, state or local law

• Involves matters that are or are threatened to be in litigation

• Defames any person or organization

• Constitutes an unwarranted invasion of privacy

• Contains personal, confidential or other information that has not been approved for public distribution

• Solicits business (other than for the Town of Wrentham) or promote commercial services or products

• Supports or opposes political campaigns/ballot questions

• Violates the legal ownership interest of another party

• Promotes or encourages violence or illegal activity

• May tend to compromise the safety or security of an individual, the public or public systems

There is NO personal privacy right in any content posted, submitted for posting, or stored on Town Social Media.

Removal or Restriction of Content
When a Site Administrator removes or restricts any content based on the Town’s User Content policy, and the removed or restricted content must be retained (electronically, printed, screenshot), including the context and time, date and identity of the poster when available. When circumstances permit, the Site Administrator should consult with the Director of IT and Town Administrator prior to removing or restricting the content. In all cases, the Site Administrator must promptly send the details about the removed or restricted content to the Director of IT and Town Administrator to maintain a record of deletions and for other action as necessary.

Public Records and Archive Requirements
Town Social Media accounts are subject to Massachusetts public records and record retention laws, rules, regulations and policies. Content on social media accounts, including communications posted or submitted for posting, and a list of subscribers, are public records and may be subject to disclosure, in whole or in redacted part. Records retention schedules apply to social media formats and social media content as well. Content must be archived to the fullest extent possible in a format that preserves the integrity of the original record and is easily accessible, given limitations related to the particular form of social media.

The Site Administrator is responsible for promptly forwarding or referring any public records request for content or subscriber information on the Social Media site to the Town Administrator for appropriate handling of any request or legal process. The Site Administrator
must not release or reveal content or subscriber information unless instructed by the Town Administrator.

7.23.7 Personal Conduct by Town Employees and Officials

The Town understands that its employees and officials may maintain or contribute to social media other than Town Social Media. Town employees and officials should use good judgment, consult with their department head, the Director of IT or the Town Administrator with any questions, and observe the following guidelines. These guidelines are not intended to restrict lawful activities, but to protect and promote compliance with legal and ethical obligations when using personal social media.

- Employees should not engage in personal social media activities during work time without prior written authorization.
- Do not disclose confidential or other non-public information. Official Town information approved for release should be publicized first through the Town’s website or officially established and approved Town social media.
- Constituent service communications should be managed using officially established and approved Town accounts, not a personal account (if a personal account is used to manage constituent services, the account will be subject to all expectations of Town policies)
- Do not post comments or display information about the Town or its employees or officials that are pornographic, obscene, or threatening; that may violate Town policies against discrimination, harassment, or retaliation; that may be an unwarranted invasion of personal privacy; or that violate the law.
- Recognize that a personal online presence may reflect on Town, and be aware that information published on a personal site or profile, including images, posts, or comments, can reflect on the employee or official, the Town, and others.
- Do not “speak” on behalf of the Town without prior authorization.
- Be clear and write in first person, and remember that respect for oneself and others should be the guide.
- Be aware that “truth-in-advertising principles” apply to on-line activities, and comments regarding the Town and its services should include a disclosure of employment or other relationship with the Town.
- Be careful when writing recommendations or referrals to not give the appearance that the Town endorses the person, products or services being recommended.
- Respect proprietary information, copyright and other intellectual property laws.
- Comply with Town by-laws and policies and other standards of business and personal conduct, and remember that the same types of conduct that would be impermissible in the workplace are likely to be inappropriate online.
- Read, understand and comply with the terms of service of the sites used.

If you have any questions or concerns about the Town of Wrentham Social Media Policy, please contact the Town Administrator or the Director of IT at (508) 384-5400.

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Town of Wrentham Social Media Request Form

Requested by: _____________________________________________________________

Department: ______________________________________________________________

Date: _____________________________________________________________________

Designated Site Administrator: ______________________________________________

Deputy Site Administrator: _________________________________________________

Type of social network account (submit a separate request form for each that apply):

☐ Facebook
☐ Twitter
☐ Youtube

Account credentials: (immediate notice must be given in the event of any change)

Registered (originating) email account: ______________________________________

Login ID: ___________________________ Password: _____________________________

Other account administration information: _____________________________________

Description and Purpose of Site: _____________________________________________

___________________________________________________________________________

Functionality Requested (two-way communication, tools, social sharing): ________

___________________________________________________________________________

Department Head Approval: ___________________________ Date: ________

I have read, understand, and agree to the Town of Wrentham Social Media Policy.

Site Administrator (Printed Name): ___________________________________________

Signature: ___________________________ Date: ______________

Deputy Site Administrator (Printed Name): _____________________________________

Signature: ___________________________ Date: ______________

Director of IT Approval: ________________________________________ Date: ________
7.24 Drug and Alcohol Testing Policy for Services Provided as a Grantee of the Greater Attleboro Taunton Regional Transit Authority

Adopted May 17, 2016

7.24.1 Purpose
The Town of Wrentham provides public transit and paratransit services for the residents of the Town of Wrentham. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, the Town of Wrentham declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.

Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath alcohol testing for safety-sensitive positions, and prohibits performance of safety-sensitive functions when there is a positive test result. The U. S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath specimens.

Any provisions set forth in this policy that are included under the sole authority of the Town of Wrentham and are not provided under the authority of the above named Federal regulations are underlined. Tests conducted under the sole authority of the Town of Wrentham will be performed on non-USDOT forms and will be separate from USDOT testing in all respects.

7.24.2 Applicability
This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full- or part-time) when performing safety sensitive duties. Town of Wrentham employees that do not perform safety-sensitive functions are also covered under this policy under the sole authority of the Town of Wrentham. See Attachment A for a list of employees and the authority under which they are included.

A safety-sensitive function is operation of public transit service including the operation of a revenue service vehicle (whether or not the vehicle is in revenue service), maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, dispatchers or person controlling the movement of revenue service vehicles and any transit employee who operates a vehicle that requires a Commercial Driver’s License to operate. Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment used in revenue service. A list of safety-sensitive positions who perform one
or more of the above mentioned duties is provided in Attachment A. Supervisors are only safety sensitive if they perform one of the above functions. Volunteers are considered safety sensitive and subject to testing if they are required to hold a CDL, or receive remuneration for service in excess of actual expense.

7.24.3 Definitions

**Accident:** An occurrence associated with the operation of a vehicle even when not in revenue service, if as a result:
- An individual dies;
- An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,
- One or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, disabling damage means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

**Adulterated specimen:** A specimen that has been altered, as evidence by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

**Alcohol:** The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation or medication.

**Alcohol Concentration:** Expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under 49 CFR Part 40.

**Aliquot:** A fractional part of a specimen used for testing, It is taken as a sample representing the whole specimen.

**Canceled Test:** A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is cancelled. A canceled test is neither positive nor negative.

**Confirmatory Drug Test:** A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or metabolite.

**Confirmatory Validity Test:** A second test performed on a different aliquot of the original urine specimen to further support a validity test result.
Covered Employee Under FTA Authority: An employee who performs a safety-sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function.

Covered Employee Under Company Authority: An employee, applicant, or transferee that will not perform a safety-sensitive function as defined by FTA but is included under the company’s own authority as follows:

<table>
<thead>
<tr>
<th>Department</th>
<th>Job Title</th>
<th>Testing Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council On Aging</td>
<td>Van Driver</td>
<td>Federal Transit Administration</td>
</tr>
<tr>
<td>Council On Aging</td>
<td>Substitute Van Driver</td>
<td>Federal Transit Administration</td>
</tr>
</tbody>
</table>

Designated Employer Representative (DER): An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

Department of Transportation (DOT): For the purposes of Drug and Alcohol regulatory oversight, DOT is the department of the federal government which includes the Federal Transit Administration, Federal Railroad Administration, Federal Aviation Administration, Federal Motor Carriers’ Safety Administration, Pipeline & Hazardous Materials Safety Administration, United States Coast Guard, and the Office of the Secretary of Transportation.

Dilute specimen: A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Disabling damage: Damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

Evidentiary Breath Testing Device (EBT): A Device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations. Approved devices are listed on the National Highway Traffic Safety Administration (NHTSA) conforming products list.

Initial Drug Test (Screening Drug Test): The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.
Initial Specimen Validity Test: The first test used to determine if a urine specimen is adulterated, diluted, substituted, or invalid

Invalid Result: The result reported by a Department of Health & Human Services (HHS)-certified laboratory in accordance with the criteria established by the HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted results cannot be established for a specific drug or specimen validity test.

Laboratory: Any U.S. laboratory certified by HHS under the National Laboratory Certification program as meeting standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

Limit of Detection (LOD): The lowest concentration at which a measure can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

Limit of Quantitation: For quantitative assays, the lowest concentration at which the identity and concentration of the measure and can be accurately established.

Medical Review Officer (MRO): A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history, and any other relevant bio-medical information.

Negative Dilute: A drug test result which is negative for the five drug/drug metabolites but has a specific gravity value lower than expected for human urine.

Negative result: The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen.

Non-negative test result: A urine specimen that is reported as adulterated, substituted, invalid, or positive for drug/drug metabolites.

Oxidizing Adulterant: A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or metabolites, or affects the reagents in either the initial or confirmatory drug test.

Performing (a safety-sensitive function): A covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.
**Positive result:** The result reported by an HHS-Certified laboratory when a specimen contains a drug or drug metabolite equal or greater to the cutoff concentrations.

**Prohibited drug:** Identified as marijuana, cocaine, opiates, amphetamines (including ecstasy), or phencyclidine at levels above the minimum thresholds specified in 49 CFR Part 40, as amended.

**Reconfirmed:** The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary specimen.

**Rejected for Testing:** The result reported by an HHS-Certified laboratory when no tests are performed for a specimen because of a fatal flaw or a correctable flaw that has not been corrected.

**Revenue Service Vehicles:** All transit vehicles that are used for passenger transportation service.

**Safety-sensitive functions:** Employee duties identified as:
- The operation of a transit revenue service vehicle even when the vehicle is not in revenue service.
- The operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Driver’s License (CDL).
- Maintaining a revenue service vehicle or equipment used in revenue service.
- Controlling the movement of a revenue service vehicle; and
- Carrying a firearm for security purposes.

**Split Specimen Collection:** A collection in which the urine collected is divided into two separate bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

**Substance Abuse Professional (SAP):** A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed marriage and family therapist, or drug and alcohol counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol and other Drug Abuse (ICRC) or by the National Board for Certified Counselors, Inc. and Affiliates/Master Addictions Counselor (NBCC)) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

**Substituted specimen:** A urine specimen with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.

**Test Refusal:** The following are considered a refusal to test if the employee:
1. Fails to appear for any test (excluding pre-employment) within a reasonable time, as determined by the employer, after being directed to do so by the employer.

2. Fails to remain at the testing site until the testing process is complete.

3. Fails to provide a urine or breath specimen for any drug or alcohol test required by Part 40 or DOT agency regulations.

4. In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of your provision of a specimen.

5. Fails to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.

6. Fails or declines to take a second test the employer or collector has directed you to take.

7. Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER as part of the “shy bladder” or “shy lung” procedures.

8. Fails to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process).

9. If the MRO reports that there is verified adulterated or substituted test result.

10. Failure or refusal to sign Step 2 of the alcohol testing form.

11. Failure to follow the observer’s instructions during an observed collection including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.

12. Possess or wear a prosthetic or other device that could be used to interfere with the collection process.

13. Admit to the collector or MRO that you adulterated or substituted the specimen.

**Vehicle:** A bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel. A public transit vehicle is a vehicle used for public transportation or for ancillary services.

**Verified negative test:** A drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

**Verified positive test:** A drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

**Validity testing:** The evaluation of the specimen to determine if it is consistent with normal human urine. Specimen validity testing will be conducted on all urine specimens provided for...
testing under DOT authority. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

7.24.4 Education and Training

Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.

All supervisory personnel who are in a position to determine employee fitness for duty will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

7.24.5 Prohibited Substances

Prohibited substances addressed by this policy include the following.

- Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1300.11 through 1300.15 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes, but is not limited to: marijuana, amphetamines (including methamphetamine and ecstasy), opiates (including heroin), phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. Also, the medical use of marijuana, or the use of hemp related products, which cause drug or drug metabolites to be present in the body above the minimum thresholds is a violation of this policy.

- Federal Transit Administration drug testing regulations (49 CFR Part 655) require that all employees covered under FTA Authority be tested for marijuana, cocaine, amphetamines (including methamphetamine and ecstasy), opiates (including heroin), and phencyclidine as described in Section 7.23.6 of this policy. Employees covered under company authority will also be tested for these same substances. Illegal use of these five drugs is prohibited at all times and thus, covered employees may be tested for these drugs anytime that they are on duty.

  a. Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a Town of Wrentham supervisor and the employee is
required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions.

b. Alcohol: The use of beverages containing alcohol (including any mouthwash, medication, food, candy) or any other substances such that alcohol is present in the body while performing safety-sensitive job functions is prohibited. A random or reasonable suspicion alcohol test can only be performed on a covered employee under 49 CFR Part 655 just before, during, or just after the performance of safety-sensitive job functions. Under Town of Wrentham authority, a non-DOT alcohol test can be performed any time an employee is on duty.

7.24.6 Prohibited Conduct

• All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds defined in 49 CFR PART 40, as amended.

• Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline.

• The Town shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol.

• Each covered employee is prohibited from reporting to work or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.02 or greater regardless of when the alcohol was consumed.

• No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.

• No covered employee shall consume alcohol within four (4) hours prior to the performance of safety-sensitive job functions.

• The Town of Wrentham under its own authority also prohibits the consumption of alcohol at all times the employee is on duty.

• Consistent with the Drug-free Workplace Act of 1988, all Town of Wrentham employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the workplace including transit system premises and transit vehicles.

7.24.7 Drug Statute Conviction

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify the Town of Wrentham management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in Section 7.23.17, No. 10 of this policy.
7.24.8 Testing Requirements

1. Analytical urine drug testing and breath testing for alcohol will be conducted using the testing methodologies and thresholds defined in 49CFR part 40 as amended. All employees covered under FTA authority shall be subject to testing prior to performing safety-sensitive duty, for reasonable suspicion, following an accident, and random as defined in Section 7.23.11; 7.23.12; 7.23.13; and 7.23.14 of this policy, and return to duty/follow-up. All employees covered under company authority will also be subject to testing for reasonable suspicion, post-accident, random and return to duty/follow up using non-DOT testing forms.

2. A drug test can be performed any time a covered employee is on duty. A reasonable suspicion and random alcohol test can be performed just before, during, or after the performance of a safety-sensitive job function. Under Town of Wrentham authority, a non-DOT alcohol test can be performed any time an employee is on duty.

3. All employees will be subject to urine drug testing and breath alcohol testing as a condition of ongoing employment with the Town of Wrentham. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and subject to discipline as defined in Section 7.23.17 of this policy.

7.24.9 Drug Testing Procedures

1. Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.

2. The drugs that will be tested for include marijuana, cocaine, opiates (including heroin), amphetamines (including methamphetamine and ecstasy), and phencyclidine. After the identity of the donor is checked using picture identification, a urine specimen will be collected using the split specimen collection method described in 49 CFR Part 40, as amended. Each specimen will be accompanied by a DOT Chain of Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. The specimen analysis will be conducted at a HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary urine specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the GC/MS test are above the minimum thresholds established in 49 CFR Part 40, as amended.

3. The test results from the HHS certified laboratory will be reported to a Medical Review Officer. A Medical Review Officer (MRO) is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The
MRO will attempt to contact the employee to notify the employee of the non-negative laboratory result, and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will subsequently review the employee’s medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to the Town of Wrentham Drug and Alcohol Program Manager (DAPM). If a legitimate explanation is found, the MRO will report the test result as negative to the DAPM.

4. If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.

5. Any covered employee who questions the results of a required drug test under paragraphs L through P of this policy may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee’s request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. The Town of Wrentham will ensure that the cost for the split specimen are covered in order for a timely analysis of the sample, however the Town of Wrentham will seek reimbursement for the split sample test from the employee.

6. If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled. If the split specimen is not available to analyze the MRO will direct the Town of Wrentham to retest the employee under direct observation.

7. The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is negative, the split will be discarded. If the primary specimen is positive, it will be retained in frozen storage for one year and the split specimen will also be retained for one year. If the primary is positive, the primary and the split will be retained for longer than one year for testing if so requested by the employee through the Medical Review Officer, or by the employer, by the MRO, or by the relevant DOT agency.

8. Observed collections
   a. Consistent with 49 CFR part 40, as amended, collection under direct observation (by a person of the same gender) with no advance notice will occur if:
i. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to the Town of Wrentham that there was not an adequate medical explanation for the result;

ii. The MRO reports to the Town of Wrentham that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;

iii. The laboratory reported to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the specimen to you as negative-dilute and that a second collection must take place under direct observation (see §40.197(b)(1)).

iv. The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;

v. The temperature on the original specimen was out of range;

vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with.

vii. All follow-up-tests; or

viii. All return-to-duty tests

7.24.10 Alcohol Testing Procedures

1. Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). Alcohol screening tests may be performed using a non-evidential testing device which is also approved by NHSTA. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test must occur on an EBT. The confirmatory test will be conducted no sooner than fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHTSA-approved EBT operated by a trained BAT. The EBT will identify each test by a unique sequential identification number. This number, time, and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner as required by 49 CFR Part 40, as amended. The procedure will be followed as prescribed to protect the employee and to maintain the integrity of the alcohol testing procedures and validity of the test result.

2. An employee who has a confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. The consequences of a positive alcohol test are described in Section 7.23.17 of this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the work day whichever is longer and will be subject to the consequences described in Section 7.23.17 of this policy. An alcohol concentration of less than 0.02 will be considered a negative test.
3. The Town of Wrentham affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.

4. The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

7.24.11 Pre-Employment Testing
All applicants for covered transit positions shall undergo urine drug testing prior to performance of a safety-sensitive function.

1. All offers of employment for covered positions shall be extended conditional upon the applicant passing a drug test. An applicant will not be allowed to perform safety-sensitive functions unless the applicant takes a drug test with verified negative results.

2. An employee shall not be placed, transferred or promoted into a position covered under FTA or company authority until the employee takes a drug test with verified negative results.

3. If an applicant fails a pre-employment drug test, the conditional offer of employment shall be rescinded and the applicant will be referred to a SAP. Failure of a pre-employment drug test will disqualify an applicant for employment for a period of at least one year. Before being considered for future employment the applicant must provide the employer proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.

4. When an employee being placed, transferred, or promoted from a non-covered position to a position covered under FTA or company authority submits a drug test with a verified positive result, the employee shall be subject to disciplinary action in accordance with Section 7.23.17 herein.

5. If a pre-employment test is canceled, the Town of Wrentham will require the applicant to take and pass another pre-employment drug test.

6. In instances where a FTA covered employee does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.

7. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.

8. Applicants are required (even if ultimately not hired) to provide the Town of Wrentham with signed written releases requesting FTA drug and alcohol records from all previous, DOT-covered, employers that the applicant has worked for within the last two years. Failure to do so will result in the employment offer being rescinded. The Town of
Wrentham is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a DOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a DOT covered employer, the applicant must provide the Town of Wrentham proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

7.24.12 Reasonable Suspicion Testing

1. All Town of Wrentham FTA covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee’s appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under the Town of Wrentham’s authority, a non-DOT reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the covered employee is on duty. All employees covered under the sole authority of the Town of Wrentham will also be subject to non-USDOT reasonable suspicion testing procedures modeled off the provisions in 49 CFR Part 40.

2. The Town of Wrentham shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in Section 7.23.17 of this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish his or her shift and shall immediately be placed on administrative leave pending disciplinary action as specified in Section 7.23.17 of this policy.

3. A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to the Town of Wrentham department head with a copy to the Town Administrator.

4. When there are no specific, contemporaneous, articulate objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in his/her chain of command, the employee shall be referred for assessment and treatment consistent with Section 7.23.17 of this policy. The Town of Wrentham shall place the employee on administrative leave in accordance with the provisions set forth under Section 7.23.17 of this policy. Testing in this circumstance would be performed...
under the direct authority of the Town of Wrentham. Since the employee self-referred to management, testing under this circumstance would not be considered a violation of this policy or a positive test result under Federal authority. However, self-referral does not exempt the covered employee from testing under Federal authority as specified in Sections 7.23.12 through 7.23.14 of this policy or the associated consequences as specified in Section 7.23.17.

7.24.13 Post-Accident Testing

1. FATAL ACCIDENTS - All employees covered under FTA authority will be required to undergo urine and breath testing if they are involved in an accident with a transit vehicle regardless of whether or not the vehicle is in revenue service that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance could have contributed to the accident.

2. NON-FATAL ACCIDENTS - A post-accident test of the operator will be conducted if an accident results in injuries requiring immediate transportation to a medical treatment facility; or one or more vehicles incurs disabling damage, unless the operator’s performance can be completely discounted as a contributing factor to the accident.

   a. As soon as practicable following an accident, as defined in this policy, the transit supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the best information available at the time of the decision.

   b. The appropriate transit supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours of the accident for alcohol, and no longer than 32 hours for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not conducted within (8) eight hours, or the drug test within 32 hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

   c. Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test.

   d. An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

   e. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

   f. In the rare event that the Town of Wrentham is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), The Town of Wrentham may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA test. The local law
enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

7.24.14 Random Testing

1. All covered employees will be subjected to random, unannounced testing. Employees covered under FTA authority will be selected from a pool of DOT-covered safety-sensitive employees. Employees covered under company authority will be selected from a pool of non-DOT-covered employees. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of employees.

2. The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.

3. The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates established by Federal regulations for those safety-sensitive employees subject to random testing by Federal regulations. The current random testing rate for drugs established by FTA equals twenty-five percent of the number of covered employees in the pool and the random testing rate for alcohol established by FTA equals ten percent of the number of covered employees in the pool.

4. Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.

5. Covered transit employees that fall under the Federal Transit Administration regulations will be included in one random pool maintained separately from the testing pool of non-safety-sensitive employees that are included solely under the Town of Wrentham’s authority.

6. Random tests can be conducted at any time during an employee’s shift for drug testing. Alcohol random tests can be performed just before, during, or just after the performance of a safety sensitive duty. However, under the Town of Wrentham’s authority, a non-DOT random alcohol test may be performed any time the employee is on duty. Testing can occur during the beginning, middle, or end of an employee’s shift.

7. Employees are required to proceed immediately to the collection site upon notification of their random selection.

7.24.15 Return-to-Duty Testing

All covered employees who previously tested positive on a drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional before returning to work. For an initial positive drug test a Return-to-Duty drug test is required and an alcohol test is allowed. For an initial positive alcohol test a Return-to-Duty alcohol test is required and a drug test is allowed. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the
individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol-free and there are no undo concerns for public safety.

7.24.16 Follow-Up Testing
Covered employees will be required to undergo frequent, unannounced drug and/or alcohol testing following their return-to-duty. The follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests (beyond the minimums) will be determined by the SAP reflecting the SAP’s assessment of the employee’s unique situation and recovery progress. Follow-up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing.

In the instance of a self-referral or a management referral, the employee will be subject to non-USDOT follow-up tests and follow-up testing plans modeled using the process described in 49 CFR Part 40. However, all non-USDOT follow-up tests and all paperwork associated with an employee’s return-to-work agreement that was not precipitated by a positive test result (or refusal to test) does not constitute a violation of the Federal regulations will be conducted under company authority and will be performed using non-DOT testing forms.

7.24.17 Result of Drug/Alcohol Test
1. Any covered employee that has a verified positive drug or alcohol test, or test refusal, will be removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, and referred to a Substance Abuse Professional (SAP) for assessment. No employee will be allowed to return to duty requiring the performance of safety-sensitive job functions without the approval of the SAP and the employer.
2. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
3. Refusal to submit to a drug/alcohol test shall be considered a positive test result and a direct act of insubordination and shall result in termination and referral to an SAP. A test refusal includes the following circumstances:
   a. Fails to appear for any test (excluding pre-employment) within a reasonable time, as determined by the employer, after being directed to do so by the employer
   b. Fails to remain at the testing site until the testing process is complete
   c. Fails to provide a urine or breath specimen for any drug or alcohol test required by Part 40 or DOT agency regulations
   d. In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of your provision of a specimen
   e. Fails to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure
   f. Fails or declines to take a second test the employer or collector has directed you to take

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g. Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER as part of the “shy bladder” or “shy lung” procedures
h. Fails to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process)
i. If the MRO reports that there is verified adulterated or substituted test result
j. Failure or refusal to sign Step 2 of the alcohol testing form
k. Failure to follow the observer’s instructions during an observed collection including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
l. Possess or wear a prosthetic or other device that could be used to interfere with the collection process
m. Admit to the collector or MRO that you adulterated or substituted the specimen

4. For the first instance of a verified positive test from a sample submitted as the result of a random, drug/alcohol test (≥ 0.04 BAC), disciplinary action against the employee shall include:
   a. Mandatory referral to Substance Abuse Professional for assessment, formulation of a treatment plan, and execution of a return to duty agreement;
   b. Failure to execute, or remain compliant with the return-to-duty agreement shall result in termination from Town of Wrentham employment.
      i. Compliance with the return-to-duty agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; in the judgment of the SAP the employee is cooperating with his/her SAP recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as defined in Section 7.23.16 of this policy.
   c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination.
   d. A periodic unannounced follow-up drug/alcohol test which results in a verified positive shall result in termination from Town of Wrentham employment.

5. The second instance of a verified positive drug or alcohol (≥ 0.04 BAC) test result including a sample submitted under the random, reasonable suspicion, return-to-duty, or follow-up drug/alcohol test provisions herein shall result in termination from Town of Wrentham employment.

6. A verified positive post-accident, or reasonable suspicion drug and/or alcohol (≥ 0.04) test shall result in termination.

7. An alcohol test result of ≥0.02 to ≤ 0.039 BAC shall result in the removal of the employee from duty for eight hours or the remainder of the work day whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to an alcohol test with a result of less than 0.02 BAC
8. The cost of any treatment or rehabilitation services will be paid directly by the employee or their insurance provider. The employee will be permitted to take accrued sick leave or administrative leave to participate in the prescribed treatment program. If the employee has insufficient accrued leave, the employee shall be placed on leave without pay until the employee has successfully completed the required treatment program and has been released to return-to-duty. Any leave taken, either paid or unpaid, shall be considered leave taken under the Family and Medical Leave Act.

9. In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:
   a. Mandatory referral for an assessment by an employer approved counseling professional, formulation of a treatment plan, and execution of a return to work agreement;
   b. Failure to execute, or remain compliant with the return-to-work agreement shall result in termination from Town of Wrentham employment.
      i. Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; the employee is cooperating with his/her recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as described in Section 7.23.16 of this policy; however, all follow-up testing performed as part of a return-to-work agreement required under this Section (7.23.17) of this policy is under the sole authority of the Town of Wrentham and will be performed using non-DOT testing forms.
   c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination. All tests conducted as part of the return to work agreement will be conducted under company authority and will be performed using non-DOT testing forms.
   d. A self-referral or management referral to the employer's approved counseling professional that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in this Section (7.23.17) of this policy.
   e. Periodic unannounced follow-up drug/alcohol test conducted as a result of a self-referral or management referral which results in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in this Section (7.23.17) of this policy.
   f. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with the Town of Wrentham.
   g. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.

10. Failure of an employee to report within five days a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.
7.24.18 Grievance and Appeal
The consequences specified by 49 CFR Part 40.149 (c) for a positive test or test refusal is not subject to arbitration.

7.24.19 Proper Application of the Policy
The Town of Wrentham is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

7.24.20 Information Disclosure
1. Drug/alcohol testing records shall be maintained by the Town of Wrentham’s Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.
2. The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to SAP follow-up testing plans.
3. Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other transit system management personnel on a need to know basis.
4. Records will be released to a subsequent employer only upon receipt of a written request from the employee.
5. Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the preceding.
6. Records will be released to the National Transportation Safety Board during an accident investigation.
7. Information will be released in a criminal or civil action resulting from an employee’s performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.
8. Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
9. Records will be released if requested by a Federal, state or local safety agency with regulatory authority over the Town of Wrentham or the employee.
10. If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken.

11. In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

### 8 TOWN OWNED PROPERTY

#### 8.1 ACCIDENT INVESTIGATION POLICY

Adopted November 21, 2007

All accidents involving damage to town property and/or injury to town employees and accidents involving town employees and town equipment (vehicles) with private property and private persons shall be investigated by the Wrentham Police Department immediately or as soon as practicable and a written report forwarded to the Board of Selectmen’s Office by the Wrentham Police Department immediately within 72 hours from the time of the accident. If an accident takes place involving town employees and/or town equipment outside of town, the accident shall be investigated by the police department where the accident took place and a copy of the accident report will be requested by the town employee involved with the accident and forwarded to the Board of Selectmen’s office within 72 hours.

#### 8.2 ALCOHOLIC BEVERAGES

Adopted August 20, 1991

No alcoholic beverages to be served or consumed on Town Property.

#### 8.3 CENTER SCHOOL PARKING LOT SIGN

Adopted April 14, 1992
Revised October 15, 2002

The Town Administrator will manage the sign located at the Center School Parking lot. The main purpose of the sign is for information for municipal and recreational events, with final approval through the Town Administrator.

#### 8.4 VEHICLES

Adopted August 15, 2006
Amended April 16, 2013
Amended January 5, 2016

It is the policy of the Town of Wrentham that certain positions require employee access to Town vehicles, either during the work shift or on a 24 hour on-call basis. Town vehicles are not personal vehicles and are not for personal use. Town vehicles should be viewed as belonging to the citizens of Wrentham and are assigned solely for purposes consistent with providing services to those citizens.
8.4.1 Assignment of Town Vehicles
The assignment of vehicles may be rescinded at any time by the Town Administrator.

The following positions are currently assigned a Town vehicle:

- Police Chief
- Fire Chief
- Deputy Police Chief
- Deputy Fire Chief
- Superintendent of Public Works
- Assistant DPW Superintendent/Water Superintendent
- Recreation Director
- Board of Assessor - Appraiser
- Public Health Nurses
- Building Commissioner

8.4.2 Assignment of Town Vehicles for 24 Hour Use (Vehicle Use Approved for Commuting Purposes)
The assignment of vehicles for 24 hour use will be made in writing by the Town Administrator, and will only be considered for employees who require a vehicle for the ordinary and necessary discharge of their job functions. Criteria which will be used in the determination of eligibility for 24-hour vehicle use include:

- Officially designated on-call status;
- Requirement for frequent emergency availability;
- Issuance of a pager or other communication device; and/or
- Emergency or other equipment contained in the vehicle.

Such assignment may be rescinded in writing at any time by the Town Administrator.

Positions currently authorized for 24 hour use:

- Police Chief
- Fire Chief
- Deputy Police Chief
- Deputy Fire Chief
- Superintendent of Public Works
- Assistant DPW Superintendent/Water Superintendent
- Recreation Director
- Building Commissioner
Vehicle use is limited to travel to and from the residence and place of work. The vehicle should be driven over the most direct route taking into account road and traffic conditions. The vehicle should not be utilized for travel outside a direct commuting route for personal reasons.

Whenever a position becomes vacant, the authorization for 24 hour use shall be re-evaluated.

Employees assigned vehicles for 24 hour use involving a commute of more than 10 miles one way shall reimburse the Town for the additional fuel cost as determined by the Director of Finance. Employees who have been assigned a Town vehicle and have established commuting patterns of more than 10 miles prior to this policy revision shall be exempt from this provision.

Employees assigned Town vehicles will be given a copy of this policy and will be required to sign a confirmation of receipt.

8.4.3 Imputed Income Taxation
Employees who are assigned marked and unmarked police vehicles, and/or marked Town vehicles carrying tools and meeting certain other eligibility criteria will not be subject to imputed income taxation as a result of the vehicle assignment.

Other employees authorized to commute in a Town vehicle may be subject to imputed income regulations as set forth by the Internal Revenue Service, which considers a certain portion of the vehicle use (namely the commute) to be income for the purposes of income taxation.

The Finance Department shall be responsible for determining any tax liability and will be provided with the names of all employees authorized to use Town vehicles for commuting purposes, and the normal, one-way commuting distance, each December 1st.

8.4.4 Non-Assigned Town-Owned Vehicles
Town-owned vehicles not specifically assigned to a Town employee, such as DPW vehicles, police cruisers, etc., are not to be used for personal use. There will be no exceptions.

8.4.5 General Rules Governing Town Vehicle Use
1. Town vehicles may only be used for legitimate Town business. Exceptions to this policy are limited to use for personal reasons incidental while the operator is on duty, i.e. going to lunch in Town, a local doctor’s appointment, etc., and limited to 6 miles from the center of Town. Any requests for exceptions must be submitted in writing to the Town Administrator for approval beforehand. Any exception may also be subject to financial reimbursement to the Town.
2. Town vehicles will not be used to transport any individual who is not directly or indirectly related to Town business. Passengers shall be limited to Town employees and individuals who are directly associated with Town work activity (committee members, consultants, contractors, etc.). Family members shall not be transported in Town vehicles.
3. Vehicles should contain only those items for which the vehicle is designed. The Town
shall not be liable for the loss or damage of any personal property transported in the vehicle.

4. Employees are expected to keep Town vehicles clean, and to report any malfunction or damage to their supervisors within 24 hours.

5. Employees’ assigned vehicles for commuting purposes are expected to park such vehicles in safe locations.

6. Employees must wear seatbelts in vehicles so equipped during operation of the vehicle.

7. Employees may not operate Town vehicles under the influence of alcohol, illegal drugs, or prescription drugs or medications which may interfere with effective and safe operation.

8. Employees who operate Town vehicles must have a valid motor vehicle license issued by the state of their current residence and may be required to provide proof of valid motor vehicle license once every six (6) months.

9. Employees driving Town vehicles shall obey all applicable traffic and parking regulations, ordinances, and laws.
   a. Employees who incur parking or other fines in Town vehicles will be personally responsible for payment of such fines.
   b. Employees who are issued citations for any offense while using a Town vehicle must notify their supervisor immediately when practicable, but in no case later than 24 hours. Failure to provide such notice will be grounds for disciplinary action in accordance with Section VIII of this policy.
   c. An employee who is assigned a Town vehicle and who is arrested for or charged with a motor vehicle offense for which the punishment includes suspension or revocation of the motor vehicle license, whether in his or her personal vehicle or in a Town vehicle, must notify his or her supervisor immediately when practicable, but in no case later than 24 hours. Conviction for such an offense may be grounds for loss of Town vehicle privileges and/or further disciplinary action.

10. No employee may use a Town vehicle for out of state use without advance approval of the Town Administrator.

11. There will be no smoking in Town vehicles.

8.5 BUSINESS TRAVEL AND MEALS POLICY

8.5.1 Prior Approval
Officials and Employees of the Town may attend conferences and meetings out of Town as necessary to conduct the business of the Town, or to obtain information or training relevant to their duties, necessary to their obtaining or maintaining licenses or certification required by their Town employment, or necessary to the business of the Town.

Prior to such attendance or travel all employees shall first obtain the approval of their department head, all department heads or boards, committees and commissions appointed by the Board of Selectmen shall first obtain the approval of the Town Administrator; and all
elected officials shall obtain the approval of their full Board, Committee or Commission; individual elected department heads shall approve their own travel.

Where a department reasonably anticipates travel or meal expenses in the regular course of operations on a daily or a seasonal basis the department may obtain a general approval for such activities by adoption of a written department policy to that effect.

8.5.2  Proper Expenses
The Town will reimburse for reasonable and necessary expenses incurred with the prior approval required in Section 1.

The Town will not reimburse for expenditures for alcoholic beverages. The Town will not reimburse for meals and travel expenditures for those who are not an official or an employee of the Town unless the meals are provided in the context of a public meeting or public emergency. The Town will not reimburse for meals provided to Town employees within the Town of Wrentham or within any abutting Town.

The Town will reimburse for light refreshments served at all-day training programs, planning meetings, clinics, elections and other such day long events. The Town will also reimburse for meals provided in the context of a conference, a circumstance where public need or public duty prevent the officer or employee from leaving their duties in order to obtain a regular meal including but not limited to an election, public meeting or public emergency.

8.5.3  Submission of Expenses
Expenses for business travel shall be paid by the Town subject to appropriation if prior approval was obtained as set forth in Section 1, upon submission of receipts found to be sufficient by the Town Accountant to demonstrate actual reasonable and necessary expenditure on Town business. The accountant shall require original dated receipts with documentation regarding the associated conference or meeting to be submitted with a meal or travel reimbursement request.

8.5.4  Rate of Mileage Reimbursement
The Town shall reimburse officers and employees for travel by their personal vehicle for public business at the rate established by the Internal Revenue Service for business use of a personal vehicle. Individuals using their personal vehicle for travel for work related medical reasons shall be reimbursed at the rate established by the Internal Revenue Service for medically related travel using a personal vehicle.

Odometer readings or automated mapping services mileage reports must be submitted with mileage reimbursement requests.

Multiple trips may be included in the same reimbursement request. Requests for reimbursement should be submitted at least monthly.
The Board may establish, by agreement with the officer or employee, a lump sum reimbursement for use of a personal vehicle on Town business in lieu of the mileage reimbursement provided herein.

8.5.5  Rate of Meal and Lodging Reimbursement
The Town will use as a guide for determination of what expenses are reasonable the rates recommended by the U.S. General Services Administrator for meals, lodging and incidentals.

8.6  SPECIAL CIRCUMSTANCES
This policy is intended to provide a basic framework governing the use of personal and town vehicles in the Town of Wrentham, and, as such, cannot contain procedures governing every situation that might arise. Employees seeking clarification of or exemption from the provisions of this policy should contact the Town Administrator in writing who will then bring the matter before the Board of Selectmen to authorize exceptions to the policy under mitigating circumstances.

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

8.8  TOWING OF VEHICLES
That no vehicle shall be towed unless a Police Officer or DPW personnel is present to establish that the vehicle is on Town Property.

8.9  TOWN COMMON
The Board voted that any time permission is granted to use the Town Common by any organization or person that each be responsible for the disposal of the rubbish and that any decorations attached to the gazebo be done in such a way as not harm the gazebo and that said decorations be removed after the close of the function.

8.10  RECREATIONAL FIELDS
All requests for the use of recreational fields shall come before the Recreation Committee.

8.11  PUBLIC PARKS
The Board, under the Authority of Chapter 45, § 1 of the G.L. hereby declares the following rules relating to Public Parks in the Town of Wrentham, effective August 17, 1973:

• No person shall remain within any Public Park after being requested to leave by a police officer.
• No person shall drink any alcoholic beverages in any Public Park unless the sale of alcoholic beverages on the premises is licensed by the Board.
• No person shall have in his possession any alcoholic beverage in any Public Park in a container that is or has been opened unless the sale of alcohol on the premises is licensed by the Board.
• No person shall bring any alcoholic beverage onto any Public Park with intent to consume the same on the premises, or with intent to give away or deliver any such beverage to another person for consumption on the premises unless the sale of alcohol on the premises is licensed by the Board.
• No person in a Public Park shall dispose of any trash, cans, bottles, papers or other litter except by placing the same in containers designated for disposal purposes.
• No person in a Public Park shall take part in wrestling, boxing or sparring activities or engage in any game or other activity which will endanger the public.

8.12 CENTRE CEMETERY

8.12.1 Placement of Flowers and Sod

After all burials, the flowers shall be placed on the Graves and left in place one (1) full day. After this time they will be removed at the convenience of the Cemetery Personnel.

Further, at the time the flowers are removed, the Grave will be compacted to eliminate settlement. The sod will be replaced at this time.

No sod will be replaced and flowers re-set on the Graves UNLESS arrangements have been made to do so in advance, through the Funeral Director WHEN THE FUNERAL ARRANGEMENTS ARE MADE.

8.12.2 Woodchips

That wood chips are available to townspeople for their personnel property, but not to General Contractor, only for use at his personal residence.

8.13 LAKE PEARL (FIGURE 7)

Amended February 7, 2017, July 15, 2014

All rules and regulations will be enforced by any sworn Wrentham Police Officer, sworn State Police Officer or sworn Environmental Police Officer. Any person employed by the Town of Wrentham in the capacity of boat landing attendant will report violations of these rules and regulations to a police authority.

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8.13.1 Fees for Parking Stickers (valid for a calendar year)
Residents:
$60.00 for residents – power vessel;
$40.00 for resident Senior (age 60+), Veteran, Disabled – power vessel;
$40.00 for residents – non-power vessel;
$20.00 for resident Senior (age +60), Veteran, Disabled – non-power vessel

Non-Residents, For Fishing Only:
$85.00 for non-residents – power vessel;
$65.00 for non-resident Senior (age 60+), Veteran, Disabled – power vessel
$40.00 for non-resident – non-power vessel;
$20.00 for non-resident Senior (age 60+), Veteran, Disabled – non-power vessel

8.13.2 Hours of Operation
Boat landing shall be closed between the hours of 9:00 p.m. and 5:00 a.m. Any vehicle left at
the landing after 9:00 p.m. will be towed at the owner’s expense and subject to a $50.00 fine.
Any person at the landing after hours shall be treated as a trespasser.

8.13.3 Parking
• Parking at the boat landing requires a valid yearly parking sticker.
• Violators will be charged a $75.00 parking ticket and will be subject to having their
  vehicle(s) towed.
• Parking to be allowed within the designated parking areas only.
• Access to the boat landing for pleasure boating is restricted to Wrentham residents
  only.
• Access to the boat landing will be on a first-come, first-serve basis. When the landing is
  at capacity, access will be curtailed until space becomes available.

8.13.4 Fishing and Boating
• Non-residents are only allowed to fish on Lake Pearl.
• Only residents are allowed to use personal water craft.
• Swimming and fishing is prohibited at the boat landing. Violators will be subject to a
  $50.00 fine and removal from Lake Pearl.
• Establishment of speed limits for daytime — 40 mph. At night — headway speed.
  Statutory penalties for violation.
• All watercraft will travel counter clock-wise. $50.00 fine for violation.
• Check/remove all plants/plant parts from boats, motors, trailers and fishing equipment
  before/after launching. Dispose of plants in a trash receptacle or away from the water
  on high, dry land. $500.00 fine for violation. Loss of parking sticker for the season.

8.13.5 Revocation of Permit
Any permit issued under these rules may be revoked or suspended for the violation of any of
the rules for use of Lake Pearl or of the rules for the use of the town property at Lake Pearl or
for the making of any incomplete or untruthful application for a permit.
The Board of Selectmen, delegates to the Parking Clerk, the authority to make any such revocation or suspension of any parking permit issued hereunder upon a finding after a hearing or a reasonable opportunity therefore, that the permit holder failed to comply with any of the rules for the use of the Lake, or for the use of town property, or any statute, by-law or regulation governing the operation of vehicles or vessels; or for the making of any incomplete or untruthful statement on the application for a permit. In making such a finding, the Parking Clerk may consider all factors deemed relevant by said Clerk including but not limited to a history of other violations, the severity of the offense, and its effects on public safety or public health.

No Parking Permit fees will be refunded upon revocation.

8.13.6 Authority of the Board of Health
The Board of Health, Town of Wrentham, Massachusetts, acting under the Authority of Massachusetts General Laws Chapter 111, section 31, 122 and Chapter 140, section 51, adopts the following rules and regulations governing the discharge of human wastes from motor, sail or paddle boards and motor homes.

- There will be zero discharge of human wastes from motor, sail or paddle boats and motor homes.
- “Porta-potty” provided at boat landing shall be used by persons that need to relieve themselves, but shall not be used to empty on-board chemical toilets or any other human waste generated from other sources.
- Fine of any violations of these regulations shall be $300 per incident.

8.13.7 Alcoholic Beverages
No alcoholic beverages are allowed at the landing. $100.00 fine for violation.
No alcoholic beverages are permitted on watercraft. $100.00 fine for violation.
9 TANGIBLE SURPLUS PROPERTY DISPOSAL

9.1 PURPOSE
It shall be the goal of the Board to strive to maximize the greatest value possible on the disposal of all tangible surplus property generated by the Town using an open, fair, and competitive disposal process.

9.2 POLICY
It shall be the policy of the Board that all property that has been generated by the town and is no longer in use by a town department be offered and made available to any other town department first before it is declared as surplus for disposal by the town. Therefore, any department that has property they no longer can use will notify, in writing, the Town Administrator that the tangible property is no longer in use and is available to any other town department. If after 30 days no other department has an interest in such property a letter shall be forwarded to the Town Administrator describing the property in detail with an unofficial value as determined by that department along with the request to dispose of the surplus property. The Board shall establish a resale or salvage value by consensus of opinion, reference books, data base and/or certified appraisal and conduct a vote to declare the tangible property as surplus and available for disposal.

9.3 DISPOSAL OF TANGIBLE PROPERTY

9.3.1 Determined to Have no Resale or Salvage Value
The Town Administrator shall dispose of tangible surplus property determined to have no retail or salvage value by authorizing the department having possession of the property to destroy or junk the property after removing any part that can be used or stocked for the repair of other articles.

9.3.2 Assessed for Under $500 in Resale or Salvage Value
The Town Administrator shall dispose of tangible surplus property with an assessed resale or salvage value of under $500.00 using one of the following methods: sealed bids, public auction or established market. The advertisement for sealed bids, public auction or established markets shall be advertised with a notice on the town employee email network, a notice on the Town Clerk’s bulletin board, a notice on the Board’s Bulletin Board, a notice on the Town of Wrentham Web Page and other advertisement publications or electronic media type advertisements. The Town reserves the right to reject any and all bids not in the best interests of the town.

9.3.3 Assessed for Under $5,000 but More than $500 in Resale or Salvage Value
The Town Administrator shall dispose of tangible surplus property with an assessed resale or salvage value of under $5,000.00 using one of the following methods: sealed bids, public
auction or established market. The advertisement for sealed bids, public auction or established markets shall be with a notice on the town employee email network, a notice on the Town Clerk's bulletin board, a notice on the Board’s Bulletin Board, a notice on the Town of Wrentham Web Page, advertisement publications or other electronic media type advertisements. The Town reserves the right to reject any and all bids not in the best interests of the town.

9.3.4 Assessed for Over $5,000 in Resale or Salvage Value
The Town Administrator shall dispose of tangible surplus property with an assessed residual or salvage value of over $5,000.00 using one of the following methods: sealed bids, public auction or established market. The advertisement for sealed bids, public auction or established markets shall be published with a notice on the town employee email network, a notice on the Town Clerk's bulletin board, a notice on the Board's Bulletin Board, a notice on the Town of Wrentham Web Page or electronic media type advertisements, at least two weeks prior to the opening of the bids, the public auction or established market disposal. The Town reserves the right to reject any and all bids not in the best interests of the town.

Any tangible surplus property with an estimated value of over $100,000 must also be published in the Goods and Services Bulletin published by the Secretary of the Commonwealth.

In all cases the Town Administrator shall ensure that a proper base of advertisement be conducted to maximize responses and competitive bids.

9.3.5 Standard Operating Procedures for Disposal of Tangible Surplus Property
• Determination of tangible property being needed or requested by any other department within the town.
• If determined surplus for disposal the value shall be determined by consensus of opinion, reference books, data base, and/or certified appraisal.
• The value shall determine the category to utilize for disposal.

10 FIRST RIGHT OF REFUSAL (CHAPTER 61)
Adopted March 4, 2014
Whenever the Board of Selectmen shall receive notice of a proposed sale or transfer of a property subject to a Chapter 61, 61A or 61B exemption, the Board will seek input from the Conservation Commission and from the Open Space Committee prior to making a decision on the exercise or non-exercise of the Town’s statutory right of first refusal.
11 OTHER PERMITS, LICENSES AND FEES

11.1 REGULATIONS FOR COMMON VICTUALLER LICENSE HOLDERS

Adopted October 21, 2014

11.1.1 General Regulations of Common Victualler

All applicants for a license to conduct the business of a common victualler with the Town shall apply to the Board of Selectmen on a form through the Licensing Clerk. The Board of Selectmen shall only issue a license upon a determination that the public good requires it. In making this determination the Board will consider the following:

- Traffic and pedestrian safety
- Adequacy of parking
- Sanitation arrangements and conditions
- Noise, odors, or disruptions to the surrounding neighborhood
- Zoning compliance
- Signage
- Fire safety
- Public safety

The business of common victualler shall be conducted subject to the following regulations:

1. Licensees shall keep their premises clean, neat and sanitary at all times.
2. Licensees or anyone employed at a common victualler shall not consume any alcoholic beverage or unlawful controlled substance while on duty or during an eight hour period preceding their tour of duty.
3. Licensees shall obtain and maintain the proper licenses and permits for entertainment and for the service of food.
4. Licensees shall prominently display in the staff area a poster approved by the Massachusetts Department of Public Health relative to food allergy awareness.
5. The business shall maintain regular hours of operation during which the business shall be open to the travelling public. This shall not preclude the occasional use of a portion of the premises for private parties.
6. The Board and all agents of the Board including the Police and Inspections Departments may at any time enter upon the premises of the licensee to ascertain the manner in which the licensee conducts its business under such license and whether it is in compliance with the conditions of its license, with these regulations, and with all applicable federal, state, and local laws, regulations and by-laws.
7. No licensee shall vary the occupancy of the premises as certified by the Building Commissioner and Fire Chief.
8. All licenses and permits issued by the Town shall be displayed on the premises in a conspicuous place where they can be easily read.
9. No licensee shall permit patrons to be in the premises outside of the hours of operation approved by the Board.
10. No licensee shall permit any disorder, disturbance or illegality of any kind upon the licensed premises.

11.1.2 Permitting the Consumption of Alcoholic Beverages on Premises

Section 1: Any common victualler also licensed under MGL Chapter 138 may serve alcoholic beverages pursuant to the terms and conditions of that license.

Section 2: Any common victualler who obtains from the Board of Selectmen the endorsement to his common victualler license provided in Article 3 of these regulations may permit patrons or guests to consume alcoholic beverages purchased individually by them from a retailer licensed pursuant to Chapter 138 and brought by such patrons or guests to the premises of said common victualler.

Section 3: Any common victualler who serves or permits the serving or consumption of alcoholic beverages on his premises whom is not licensed or permitted to do so pursuant to Section 1 or Section 2 shall be subject to the revocation of his common victualler license and any endorsement thereof and to the fines and penalties established by law.

11.1.3 Endorsement to Common Victualler License Permitting Patrons or Guests to Bring Alcoholic Beverages onto the Licenses Premises for Consumption

Section 1: Any duly licensed common victualler may apply to the Board of Selectmen for an endorsement to his common victualler license permitting patrons or guests to bring alcoholic beverages on to the licensed premises and to consume it thereon.

Section 2: An application for such endorsement shall contain the following information and shall be on a form established by the agents of the Board as Licensing Authority:

1. Name of the applicant including officers if a corporation, all partners if a partnership.
2. Name of the person managing the premises.
3. Authorization for the performance of background investigations of all persons named in the application.
4. Description of the premises and the portion of the premises in which consumption of alcohol would be permitted including a diagram showing entrances, exits and seating.
5. If the premises is operated as an inn, whether consumption of alcohol will be permitted in guests rooms and whether the licensee will provide room service.
6. A certificate of the Finance Director that the applicant and the property are current on all taxes and other municipal charges.
7. A certificate of the Building Commissioner that the use of that premises conforms to the zoning by-law and that the property is in compliance with all building regulations.
8. A certificate of the Board of Health that the premises are in compliance with all food permits and regulations.
9. A certificate of the Fire Chief that the premises are in compliance with all fire safety regulations.

Section 3: Any premises granted an endorsement hereunder shall be subject to the following regulations:

1. All staff who have not been certified by an eligible alcohol server training program are not permitted to handle alcohol. Certified staff are permitted to handle alcoholic beverages for the purposes of chilling, uncorking, pouring, verifying its contents, and discarding leftover alcoholic beverages, but under no circumstances are staff permitted to store or consume alcoholic beverages on the premises.

2. Alcoholic beverages consumed on the premises shall be limited to wine and malt [those alcoholic beverages which would also legally be allowed to be served under a license issued for wine and malt beverages only, pursuant to MGL Chapter 138].

3. The licensee shall not permit the consumption of alcoholic beverages on the premises by any person under the age of 21 years or by any person who is intoxicated. The licensee shall immediately report to the Wrentham Police Department any situation involving possession of alcohol by any person under the age of 21 years.

4. The licensee shall not permit the consumption of alcohol upon its premises outside of the hours permitted for sale of alcoholic beverages by licensees under MGL Chapter 138 or outside of the hours established for its premises by the Board of Selectmen.

5. The licensee shall not permit the consumption of alcohol on its premises by persons who are not seated in a designated supervised area or by persons who have not ordered food for consumption on the premises or by persons waiting to be seated.

6. Patrons who desire to consume alcoholic beverages on the premises shall bring such beverages with them to the premises. Patrons shall not be permitted to deliver alcoholic beverages to the premises in advance or to leave alcoholic beverages on the premises to be consumed or to be picked up at a later time. No delivery of alcoholic beverages for consumption under these regulations, including delivery by a licensed alcoholic beverage establishment or distributer, shall be permitted.

7. The licensee shall maintain a record indicating each patron who brings to the premises alcoholic beverages to be consumed thereon, the amount and type of alcohol brought, the numbers of persons in the party, whether any alcohol was resealed for the patron and whether any alcohol was disposed of as waste. Such records shall be subject to inspection by the Licensing Authority or its agents.

8. No alcoholic beverages shall be permitted to be stored, displayed or maintained on a service bar or service table or elsewhere on the premises except those brought into the premises by current patrons. All patrons’ alcoholic beverages must be kept at the table at which the patron is seated or be stored out of public view by the licensee for the use of that patron.

9. Patrons are limited to the consumption of alcoholic beverages provided by the persons seated or be stored out of public view by the licensee for the use of that patron at said patrons table.
10. No licensee shall permit any patron, guest or other person to bring or deliver to the premises a large quantity of alcoholic beverages intended for consumption at a party or other special event to be attended by more than one table of patrons.

11. No licensee shall allow any alcoholic beverages on any deck, patio, porch, veranda, balcony or area outside of its business structure; unless such licensee shall have obtained from the Board of Selectmen approval of such exterior area as a place for the serving and consumption of alcoholic beverages which approval shall specifically describe such area, and specify the seating available in such area. Such use of an exterior space shall only be allowed on the condition that there is a physical barrier satisfactory to the Board restricting the transportation or possession of any alcoholic beverage beyond the limitation of the barrier, and such other conditions as the Board may require.

12. All licensees shall maintain liability insurance for bodily injury or death for a minimum amount of $250,000 on account of injury to or death of one person and $500,000 on account of any one accident resulting in injury or death of more than one person, and expressly include affirmative coverage for liquor liability for BYOB establishments in a form acceptable to the Board of Selectmen, as a condition of receiving this endorsement to their license.

13. No licensee shall permit a patron to retain and take off of the premises any opened or partially consumed container of alcoholic beverage, except a patron may retain and take off the premises one partially consumed bottle of wine which has been resealed by the licensee’s staff in the following manner: securely reseal the bottle of wine, place the resealed bottle in a one-time use tamper proof transparent bag that insures that the patron cannot gain access to the bottle in transit after the bag is sealed, securely seal the bag, give to the patron a receipt indicating the purchase of a meal and the date, and affix that receipt to the sealed bag. The licensee may charge a fee for the resealing of a bottle not exceeding the actual cost to the licensee of providing that service.

14. All premises must annually be certified by the Fire Chief, the Board of Health and by the Building Commissioner that the premises are in compliance with all health and safety regulations.

15. Licensees may not charge patrons a fee for bringing alcoholic beverages into a premise, but may charge a reasonable fee for services actually performed by the licensee in the opening, serving, cooling or resealing of the patron’s alcoholic beverage. The licensee shall prominently post such fees in the licensed premises in a manner so as to advise patrons of such fees in advance.”

Section 4: Notice and Board Action. Prior to the granting of any endorsement under Section 2 hereof, the applicant at his expense, shall give notice to all property owners within 500 feet of the premises. Such notice shall be mailed by certified mail to the address of said owners as determined from the records of the Assessors of the Town. Notice shall be mailed no later than 14 calendar days prior to the scheduled action of the Board of Selectmen on the application.
The Board shall have the discretion to grant or to deny an application for an endorsement and may also impose reasonable conditions on such endorsement including but not limited to hours of operation, days of operation, numbers and location of tables, training of staff, and manner of service.

11.1.4 One-Day Alcohol Licenses
Section 1: The holder of a common victualler license may apply for a one-day alcohol license provided that such license shall be granted only for the service of wine and malt and further provided that no more than twelve (12) such licenses may be granted to any holder of a common victualler license during any one calendar year. In all other respects such one-day licenses shall be subject to the fees and regulations provided for one-day alcohol licenses generally.

11.1.5 Fees
Section 1: An application fee for a new endorsement of $200 shall be submitted to the Licensing Clerk together with a completed application and an affidavit of service of notice on abutters. The applicant shall pay the cost of the notice to abutters. This fee shall be non-refundable.

Section 2: A fee shall be established by the several inspection agencies for the initial and annual renewal inspections which shall be paid by the applicant.

Section 3: An annual fee of $950 shall be paid upon the issuance of the endorsement and annually upon renewal thereof. This shall be in addition to the fee for the common victualler license and fees for any other licenses issued to the premises.

11.1.6 Term of Permit and Endorsement
Section 1: Every permit as a common victualler and every endorsement granted under Section 2 hereof shall expire as to December 31st of each calendar year. Each holder of a permit and each holder of an endorsement under Section 2 shall submit an application to the Board through its Licensing Clerk no later than November 1st of each calendar year.

11.2 LIQUOR
Adopted December 22, 1992
Revised June 17, 1993

11.2.1 Payment
Adopted September 21, 1993
Amended May 13, 2003

The Board voted that cash, money order or check will be acceptable for payment of annual Liquor Licenses subject to proper authorization.
It shall be the policy of the Board that all requests (applications) for permits/licenses issued by the Board shall be fully prepaid by a method deemed acceptable by the Treasurer, at time the application is submitted to the approval granting body.

In the event that the application is received without the required payment, the applicant shall be notified as soon as possible, that the application is incomplete and it will not be acted upon until completed.

This policy shall apply to new or renewal applications.

Nothing in this policy shall supersede any more beneficial payment procedure set forth by Statute.

All payments received for permits/licenses shall be remitted to the Treasurer within five (5) business days.

11.2.2 Liquor Fees

<table>
<thead>
<tr>
<th>License</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Alcoholic – Club</td>
<td>$1,250.00*</td>
</tr>
<tr>
<td>All Alcoholic – Restaurant</td>
<td>$2,250.00*</td>
</tr>
<tr>
<td>All Alcoholic – Continuing Care Retirement Communities</td>
<td>$2,250.00*</td>
</tr>
<tr>
<td>All Alcoholic – Package Store</td>
<td>$2,150.00</td>
</tr>
<tr>
<td>BYOB (New Application – Additional $200.00)</td>
<td>$950.00</td>
</tr>
<tr>
<td>Cordial &amp; Liqueurs (Wine &amp; Malt On-Premises License Only)</td>
<td>$300.00</td>
</tr>
<tr>
<td>Special One Day (Wine &amp; Malt) or (All Alcohol) for Non-Profits only</td>
<td>$50.00</td>
</tr>
<tr>
<td>Malt Beverages and Distilled Spirits at Auctions</td>
<td>$50.00</td>
</tr>
<tr>
<td>Wine and Malt Package Store</td>
<td>$825.00</td>
</tr>
<tr>
<td>Wine and Malt Restaurant</td>
<td>$1,300.00*</td>
</tr>
</tbody>
</table>

*Additional charge for Common Victualler License, as well as any entertainment or amusement devices.

Please note that a Major change in your license (i.e., transfer where a public hearing is required), the full fee is charged. If there is a Minor change (i.e., change of manager and no public hearing is required), the fee is 20% of the total fee.

11.2.3 Abutter Notification – All Licensee’s

Licensees shall provide their own notification of abutters in accordance with Massachusetts General Laws, Chapter 138, Section 15A.
11.3 **Amusement Device Machines**

Jukeboxes shall not be included as part of the five (5) machines allowed for each establishment.

To set a policy for a maximum number of amusement device machines at five (5) for each establishment with the grandfather clause that those in excess of five be allowed to continue the license and that along the way, through attrition or anything else, they will drop down to a maximum of five (5).

The license fee for the machines is $100.00 for each machine with a maximum of five (5) machines per establishment.

11.4 **All Other Fees**

<table>
<thead>
<tr>
<th>License</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auctioneer</td>
<td>$30.00</td>
</tr>
<tr>
<td>Motor Vehicle Class I, II, and III</td>
<td>$100.00</td>
</tr>
<tr>
<td>Common Victualler</td>
<td>$90.00</td>
</tr>
<tr>
<td>Dine and Dance (Entertainment)</td>
<td>$90.00</td>
</tr>
<tr>
<td>Hawker/Peddler</td>
<td>$10.00</td>
</tr>
<tr>
<td>“Junk”/Antique</td>
<td>$30.00</td>
</tr>
</tbody>
</table>

11.5 **Underground Storage of Inflammable Materials**

If the licensed premises are not used for the underground storage of inflammable materials for any period of two years or more, the license shall be deemed to have been abandoned and such abandonment shall be grounds for revocation of the license.

If the license for the premises is not paid within a ninety (90) day grace period, that shall be grounds for revocation of the license.

The owner and any operator of the licensed premises shall comply with all Federal, State and Local requirements relative to the public health and protection of the environment.

11.6 **Pole Location**

The Town Administrator or staff will place a notice of the public hearing on the Town’s website and otherwise advertise said hearing, if required by law, however, the applicant/petitioner will be responsible for the payment of the cost of any such advertisement.
12 MISCELLANEOUS

12.1 TOWN TREASURER RECEIPT TURNOVERS

Adopted August 10, 1993

All Departments, Boards, Commissions, and Committees must turnover all receipts to the Town Treasurer on a weekly basis (or more often).

12.2 MONEY RECEIVED FOR OFF-DUTY WORK DETAILS

Amended December 21, 1982
Adopted February 4, 1975

An Administrative charge of 10% will be added to the fee basis for Police Officers working on outside contractor’s details. This would not apply to Municipal work only to private contractors.

12.3 EMERGENCY AMBULANCE BILLING AND ABATEMENTS

Amended July 18, 2017
Adopted July 18, 1995

Ambulance Bills will be generated at least once a month by the Fire Department based on information supplied by the Fire Department Ambulance Service.

Fire Department shall receive and post all payments for Ambulance Service and furnish the same to the Town Accountant and a turnover to the Treasurer at least once a month.

The Fire Department shall issue past due notices on accounts that are 90 and 120 days past due from billing date. After 180 days from the billing date, accounts that remain unpaid and unresponsive and after due effort for collection has been made, the Fire Department shall submit a list to the Board of Selectmen of recommendations for abatement of Ambulance charges for the following reasons:

- Balances of bills deemed “paid in full by Medicare or Medicaid or other insurance per contractual arrangement with the Town or;
- Accounts of patient who is medically indigent as determined by the Fire Chief;
- Accounts that are determined by the Fire Chief as uncollectible for such reason as unlocated residence or transient patient where collection is impossible or;
- Town Employee is transported as a result of illness or injury while on duty.
- Duplicate or incorrect billing.

The Fire Chief shall sign the lists indicating concurrence. The list shall include the account name, date of service, amount of abatement and reason for abatement. The totaled list shall be submitted not less than quarterly to the Board for approval. Should a possible conflict of
interest on the part of the Fire Chief become apparent, the Finance Director may sign the request.

The approved list of abatements and confirmation of the vote of the Board shall be submitted to the Town Accountant and Finance Director for processing.

12.4 PURCHASE RECYCLED PRODUCTS

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

The Town of Wrentham procures its uncoated printing and writing paper in accordance with the standard found in the Federal Executive Order 12873, Section 505, which states that papers shall have a minimum of 30 percent post-consumer content material.

12.5 SMOKING

Smoking in any Town owned building or vehicle is strictly prohibited.

12.6 EMERGENCY CLOSING OF TOWN HALL OFFICES

The purpose of this policy is to establish procedures to be followed by all employees during weather and other emergencies and to make clear employee responsibilities during those times.

The decision to close Town Hall Offices due to emergency situations (storm power failure, heat loss, snow, etc.) is to be made by the Town Administrator. The buildings included in this policy are the Town Hall (with the exception of public safety personnel), and the Inspectional Services Building.

Following the determination that such a condition exists, the Town Administrator will ensure to the extent practicable, that all employees are notified of existing conditions and advise at that time, or if, they may report to work. (A calling or alert plan will be devised to accomplish this task.)

October 23, 2001

Adopted July 12, 1984
Amended December, 18, 2001

December 14, 2001
Amended March 14, 2001
Amended April 17, 2013
Amended April 1, 2014

Adopted January 7, 1997

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During periods of severe weather or other emergencies in which the Town Offices are not closed, the Town Administrator may permit employees to determine in their own discretion that conditions are such that they voluntarily choose to remain at home. In exercising this right, the employee acknowledges that this is their own decision and further acknowledges their responsibility to take the following action:

- Notify his/her Department Head of their decision.
- Upon arriving at work later that day or on a subsequent day, decide whether the time missed shall be counted as personal time, vacation, or compensatory time.
- Department Heads not intending to report for work may notify the Town Administrator. Salaried personnel are expected to complete all necessary work in a timely manner regardless.

Any employee who fails to report for work and who fails to advise the Department Head of their intent to arrive late or to be absent shall be subject to disciplinary action.

Should a shutdown of Town Hall Offices be required, the following pay policy will be in effect:

- When Town Hall Offices are shut down due to a Town wide state of emergency, employees will be paid for a normal workday.
- If the Town Hall Offices are shut down during the workday, the following will apply to non-salaried employees who are not otherwise subject to the provisions of a collective bargaining agreement, and who are normally assigned to work at least twenty (20) hours each week. Those employees at work at time of shutdown will be paid their entire normal workday. Those employees not at work at the time of the shutdown will be paid for actual hours worked that day. Part-time or permanent part-time employees who are employed on a regular schedule and who have been continuously employed by the Town for at least five consecutive years shall be treated in the same manner as full-time employees.

This policy does not apply to Public Safety, Communications, and Public Works Employees.

12.7 Permissive Leave Policy & Closure of Town Hall to the Public in Situations of Low Staffing

The Town Administrator may permit employees, with the consent of their department head, to use accumulated leave (vacation, personal or compensatory time) without maintaining the Town Hall office open to the public on days when the Town Administrator determines that the employee’s absence would not adversely affect the public safety and that the anticipated level of business does not require the maintenance of office availability to the public. Typically this would be limited to days of low Town business volume such as the day after Thanksgiving, the day before or after Christmas and the day before or after New Year’s Day or days when
weather conditions render travel difficult and unadvisable; and the Town Administrator
determines that the employee’s presence is not essential on that day. No employee shall be
required to take time off.

If the number of employees reporting for work at Town Hall on a given day is less than four (4)
individuals, the Town Administrator may cause the building’s exterior doors to be locked and
the building closed to the public as a safety measure except in cases of public meetings, voter
registration, or other times when the building is required by law to be open.

12.8 WebsItes - Departmen/COMmittee WEBSITE ANd DoMaIN PoLicy

In order to ensure that Town departments and committees have continuity with regards to
their respective websites and domains, the Town has created a Website and Domain policy.

a. Domain names (www.domainname.com) for Town departments and committees must
be registered using a “generic” rather than personal email address that is owned and
accessed by more than one member of the organization. An example email account
might be: contact@wrenthamboh.com

The email address is the number one “test of ownership” that a domain registration
company will use.

Domain account information must be provided to the Town’s Finance Director,
including: domain name and complete registration information.

b. Website hosting accounts should be registered to the department / committee, not an
individual on the committee. Access information (link / address, username, password) to
the hosting should be given to the Town Finance Director or other person designated by
the Town.

c. Website and Copyright credits:

- Typically, the content on a website is the property of the organization that the
  website belongs to, unless other arrangements are made (permission to use
  previously copyrighted material, etc.). Placing a copyright notice at the bottom of
  each page accomplishes simple copyrighting.

- There may be times that services (website design, maintenance, or hosting) may be
discount or provided free of charge for a credit on the website. These should be
minimally intrusive, but can help with the cost of the website.
12.9 Senior Citizen Property Tax Work-Off Program

Adopted November 10, 2003
Amended September 4, 2007
Amended April 18, 2017

Effective November 10, 2003, Wrentham adopted Massachusetts General Law Chapter 59, Section 5K which establishes a Program under which eligible senior citizens may acquire up to One Thousand Dollars ($1,000.00) annually in credit to apply towards their real estate property tax bill by working in municipal departments augmenting the existing staff. To be eligible for the Program, individuals must be at least sixty (60) years of age and reside in the property for which the tax credit is sought. Each owner of the property that meets the eligibility criteria can apply for and participate in the Program, but only one participating owner is eligible to receive the $1,000.00 tax credit.

Participants in the Program will be credited for service at a rate of $10.00 per hour effective January 1, 2018, as amended April 18, 2017. This credit can be used in conjunction with other personal exemptions. The amount of the credit reduction under this Program is not considered income or wages for the purposes of State Income Tax Withholding, unemployment compensation or workers’ compensation; however, it is considered income relative to Federal Tax Regulations and the Town Treasurer will deduct Social Security and Medicare Taxes from the rate of service. Program participants are not eligible for employee benefits afforded to Town employees.

The Council on Aging Director will administer the Program, certifying initial eligibility, assigning work-sites and overseeing a smooth process. Participants assigned to specific positions must agree to a CORI check (criminal background) prior to placement. All applicable statutes, regulations and Program criteria will be implemented (i.e. conflict of interest guides, privacy regulations, completed applications and verification of documentation)* and the Council on Aging Director will make the final determination relative to Program placement and procedures.

A certificate of completion form must be submitted by December 1st in order for the Program participant to receive credit for service hours in the fiscal year’s tax bill. Under no circumstances will any Program participant receive more than the $1,000.00 tax credit in any fiscal year under this Program.

*The conflict of interest guides and privacy regulations are available at the Senior Center.
13 **PUBLIC WORKS**

13.1 **HONORING THE DECEASED**

Adopted August 26, 1980
Amended April 18, 2006

13.2 **DRAPING FOR INDIVIDUALS**

The Town Hall and Public Safety Buildings shall be draped for the following individuals:

- Any Town employee who dies while serving the Town
- Elected officials serving both past and present
- Any employee of the Town both past and present.

13.2.1 **Location of Draping**

The Town Hall building shall be draped with black buntings on the top front windows facing South Street. The Public Safety Building shall be draped according to the Police and Fire Department specifications.

13.2.2 **Duration of Draping**

The period of draping shall be as follows:

- For an active employee and elected officials, the period shall be for five (5) days from the time of notification of death.

13.2.3 **Lowering the Flag for Individuals**

The flag shall be at half-staff for any employee or elected official and Veterans past and present.

13.2.4 **Duration of Lowered Flag**

The flag will be at half-staff from the day of notification of death until the evening of the day of burial, or in the case of a late notification, for a period of 3 days.

13.2.5 **Other Instances**

The Board reserves the right to recognize in an appropriate fashion, any resident in the Town of Wrentham who has made outstanding contributions or brought recognition to the Town of Wrentham.

13.3 **USA FLAG SET-UP POLICY**

Adopted August 1, 2006

The Department of Public Works is responsible for the set-up, take down and proper storage of the United States flags to be used for display in pre-set locations throughout the Town, which include the Town Center, Cemeteries, and other municipal areas designated by the Board of Selectmen.
The days for the USA flag set-up are the following:

- Patriot’s Day – April
- Memorial Day – May
- Flag Day – June
- Independence Day – July
- Veterans’ Day – November
- and other days/events requested by the Board of Selectmen

The flags will be set-up by DPW employees on the last regular work day before the holiday, during normal working hours. The flags will be taken down on the next regular working day following the holiday, during normal working hours. Overtime to set the flags up and to take the flags down will require authorization by the Board of Selectmen. DPW employees will cooperate in the setup and/or removal and storage of flags by Town service organizations so authorized by the Board of Selectmen.

DPW will be responsible for the proper care and storage of the United States flags.

**13.4 Water Emergency Policy**

Adopted May 29, 1998  
Reaffirmed April 21, 2000  
Updated August 9, 2016

13.4.1 Use Categories

When mandatory water use restrictions are in effect, they shall be applied in the following categories:

**Non-essential uses subject to mandatory restrictions:** Irrigation of lawns and landscaping using sprinklers or automatic irrigation systems, washing of vehicles except in a commercial car wash or as necessary for operator safety, washing of exterior building surfaces, parking lots, driveways or sidewalks except as necessary to apply surface treatments such as paint, preservatives, stucco, pavement or cement, and filling of swimming pools.

**Uses not subject to mandatory restrictions:** Uses required for health and safety reasons, uses required by regulation, uses for the production of food or fiber, uses for the maintenance of livestock, and uses to meet the core functions of a business such as a golf course watering of tees and greens and irrigation by plant nurseries to maintain stock.

**Permissive uses which may be allowed outside the hours of 7:00 p.m. and 7:00 a.m. when mandatory restrictions are in place.** Irrigation during the months of May or September to establish a new lawn or new plantings; irrigation of public parks and recreational fields by means of automatic sprinklers; watering of lawns, gardens, flowers and ornamental plants by means of a handheld hose; and irrigation using stored storm-water runoff.
13.4.2  Water Emergency Stages

Stage I:  Voluntary Conservation

Stage II:  Mandatory Restrictions on Non-Essential Outside Water Use
Effective:  Annually from May 1 through September 30
Restriction:  No non-essential outdoor water use between the hours of 7:00 a.m. and 7:00 p.m.

Stage III:  Mandatory Restrictions on Non-Essential Outside Water Use
Effective:  When a Drought Advisory or Higher is declared by the Massachusetts Drought Management Task Force, when required by the Town’s Water Withdrawal Permit, or the Superintendent of Public Works (or designee) determines any Public Water Supply’s Well Static Ground Water Level has fallen to a level of concern.
Restriction:  No non-essential outdoor water use between the hours of 7:00 a.m. and 7:00 p.m.  Non-essential outdoor water use is limited to one day per week on the resident’s regularly scheduled trash collection day.

Stage IV:  Mandatory Restrictions on Non-Essential and Permissive Outside Water Use
Effective:  When required by the Town’s Water Withdrawal Permit, if a Drought Watch or Higher is declared by the Massachusetts Drought Management Task Force and the Superintendent of Public Works (or designee) determines any Public Water Supply’s Well Static Groundwater Level has fallen to a level of concern.
Restrictions:  Same as Stage III with the addition of permissive outdoor water uses are limited to one day per week.  (This would restrict uses such as recreation field irrigation and watering of ornamental plants with hand held hoses).

Stage V:  Mandatory Restrictions on Outside Water Use
Effective:  When a Drought Warning or higher is declared by the Massachusetts Drought Management Task Force or Superintendent of Public Works determines any Public Water Supply’s Well Ground Water Static Level has fallen to a critical level and/or based on the ability to maintain an adequate Storage Tank Level.
Restrictions:  No outside water use in the non-essential and in the permissive categories.

13.4.3  Declaration of Water Emergency
The superintendent of Public Works shall have the authority to declare a Water Emergency on the occurrence of the events described as being the triggering effect as described above, and to
remove same upon cessation of said triggering events. The superintendent shall give notice of the emergency to the public by posting notice on the town website and by posting signage at the major intersections and on major roadways and by such other means of notice as he/she may deem appropriate or necessary. The Superintendent shall also file a Notification of Water Restriction with the Massachusetts Department of Environmental Protection.

13.4.4 Penalties for Violation of Mandatory Water Ban

<table>
<thead>
<tr>
<th>Violation</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>1ST</td>
<td>$50.00</td>
</tr>
<tr>
<td>2ND</td>
<td>$100.00</td>
</tr>
<tr>
<td>3RD</td>
<td>$200.00 and/or water service termination</td>
</tr>
</tbody>
</table>

Each offense is considered a separate violation. Violations are applicable to all stages. Violations are to be ongoing throughout the entire season and from year to year.

13.5 WATER SYSTEM DEMAND FEE

Adopted August 16, 2011

Payment due prior to service activation or upon agreement over a period of up to Six Months

As stated in the Town of Wrentham By-Laws, Article 21A, approved at the STM of 2/27/95: The Board of Selectmen, acting as the Board of Public Works, shall establish and maintain a water system demand fee for all new entrants to the Town’s water distribution system, such fee to be set at and amount reasonably calculated to defray the cost of such capital additions or improvements to such system as will be required to service increased numbers of users. Once such fee is established, whenever established, it shall not be waived by the Selectmen, in whole or in part, for any user or class of users without prior authorization of town meeting.

The System Demand Fee (also known as the System Connection Fee) and the Service Connection Fee, shall be paid at the time the water connection is made to the home/building. The water will not be turned on until the fee has been paid unless the property owner of a commercial property occupied by a small business, as that term is used for the purpose of qualifying for the small business exemption under Chapter 59 section 51 of the General laws, shall apply to the Board of Selectmen for permission to execute an agreement with the Water Division of the Department of Public Works to pay the Sprinkler Service Connection Fee over a period of no more than six (6) months. Such agreement shall provide that a failure to make timely payment shall cause the full amount then owed to become immediately due and payable and further that upon such a failure to make timely payment the amount due under the agreement shall carry the same penalties for late payment as may be provided for delinquent water charges and further that such amount may be collected in the same manner as a delinquent water charge.
13.6 STREET ACCEPTANCE

Streets constructed pursuant to the Subdivision Control Law within the Town of Wrentham must adhere to policy and procedure as required by the Board and the Board. The following is to serve as a procedural guide for Street acceptances within the Town of Wrentham:

13.6.1 Procedures
The developer must submit as-built plans and appropriate legal instruments for conveyance of the street right-of-way and any easements appurtenant to the street to the Planning Board for review. Four (4) sets will be required. The developer must also submit a legal opinion from an attorney licensed to practice in Massachusetts certifying that the developer holds title to the street right-of-way and the appurtenant easements to be conveyed to the Town, or if that cannot be certified, identifying the holder(s) of any property interest from whom such interests would have to be acquired by the Town.

The Planning Board will seek recommendations from the Department of Public Works for street acceptance. The Public Works Department will review the as-built plans against the original plans. The Public Works Department will also check the legal instruments, particularly the description of any easements, including but not limited to, drainage, utility and side slope easements. The Public Works Department will forward to the Planning Board for its review its recommendations along with a punch list of items to be completed.

The Fire Department will submit its comments and recommendations the same as the Public Works Department.

Upon satisfaction of the Planning Board, the developer will submit the an electronic copy and six (6) paper copies of the as-builts, all to be certified and stamped by a licensed professional engineer, to the Planning Board for its signature, together with the legal opinion deed and conveyance of easement(s).

Upon Planning Board signing, the plans, legal opinion, conveyance of easement(s) and deed will be sent to the Board’s Office by the developer.

At this point in time the developer must request in writing that the Board take action to have the Town accept the street(s).

The Board shall refer said plan acceptance to the Planning Board for its recommendation pursuant to MGL Ch, 41, Section 81I.

If any land, or interest in land, has to be taken by the Town for the acceptance of the street(s), the Board will set a public hearing, date and advertise this hearing in the newspaper.
The developer is responsible for notifying ALL persons whose land will be taken and must provide the Board’s Office with confirmation of notification 48 hours prior to the public hearing. NOTE: Certified mail, return receipt requested green cards will serve as confirmation. If no takings are required, the Board may schedule a meeting date, at least eight (8) days prior to Town meeting, at which it will consider whether to vote to lay out (i.e. recommend acceptance of) the street(s).

The continued “punch list” inspections will be done by the Public Works Department right up to the completion of all required work with copies of said reports being sent to the developer.

It is the developer’s responsibility to complete all “punch list” items before the submission of as-built plans to the town.

Endorsement of the as-built plans by the Board shall indicate its approval of street(s) as public ways and shall be deemed as the “laying out” of the way for purposes of MGL. Ch. 82, Section 21. One copy of the as-built plan bearing the Board’s signatures shall be filed with the Town Clerk’s Office as evidence of the Board’s vote. The Board may then vote to include an article for acceptance at the next Town meeting.

Upon Town meeting acceptance, and upon the adoption of an Order of Taking by the Board (if necessary), the developer must record all documents as required, at the Registry of Deeds. Said recording is the sole responsibility, including financial responsibility of the developer. The Town of Wrentham will bear no cost of the recording.

After Town Meeting acceptance, the street layout plan, including all utilities and improvements, shall be submitted electronically both as a .pdf copy of the printed plans and as a Standard and shall comply with the MassGIS “Standard for Digital Plan Submittal to Municipalities,” or successor standard, Level 1. The Town will not sand, plow or do any other required duty until the confirmation of recording as been received by the Board’s Office.

Confirmation of the recording at the Registry of Deeds must be delivered to the Board’s Office by the developer, together with an updated legal opinion certifying to the Town that the developer has conveyed clear title to the road and its appurtenant easements to the Town. (not done) At this point in time, the street(s) will be placed in a Town folder of Adopted public ways. The Town will not sand, plow or do any other required duty until the confirmation of recording has been received by the Board’s Office.

13.6.2 General Notes
All streets and improvements to be offered for acceptance by the Town will be reviewed by the Department of Public Works and the Fire Department. Further corrective action by the developer must be required in the road surface, sidewalks or related items if more than six (6) months have elapsed from Planning Board endorsement. In this case, copies of reports from the DPW, Fire Department and Board will be submitted back to the Planning Board for its review.
In rare cases where no as-builts have otherwise been required beforehand, such a plan and related legal documents shall be submitted at the time of the developer requesting street acceptance.

The Planning Board and the Board reserve the right to withhold a contingency amount from the construction bond until after the street has been adopted.

Streets will be adopted at either the Annual June Town Meeting or the November Town Meeting. Acceptance at the November Town Meeting will require all improvements to be completed and acceptance procedures to begin by April 1. The June Town Meeting will require all improvements to be completed and acceptance procedures to begin by the previous December 1; however, the Board will not place an article for acceptance on the warrant until after the subdivision roadway and required improvements have withstood one complete winter season (October 1 through the following April 1). The Board will not place an article for acceptance on the warrant unless a licensed professional engineer has certified and submitted stamped as-built plans indicating that all improvements are completed in accordance with Town specifications and unless acceptance is recommended in writing by the Superintendent of Public Works.

It is the responsibility of the developer to initiate the acceptance procedures.

All financial responsibilities in the acceptance procedure are the responsibility of the developer.

In cases where Mass. Highway, Conservation Commission, Police and any other Town committee or department that has jurisdiction within a component of the layout or easements, the developer must obtain the required paperwork from said department or committee and include it with all acceptable paperwork. The Planning Department or Board of Health will not be responsible for this or any other items on behalf of the developer.

All easements shown on the plan must be deeded without encumbrance to the Town. Said deed must be recorded at the Registry of Deeds by the developer and must be in the name of the Town of Wrentham.

13.7 STREETLIGHT REQUESTS AND TRAFFIC SPEED EVALUATIONS

13.7.1 Streetlights

Requests for streetlights will be forwarded to the Police Department promptly for evaluation.

The Police Department will survey the area of the request, following the guidelines set by the Streetlight Review Committee dated February 2, 1994. Consideration will be given to any additional facts that may constitute a public safety hazard.
The Police Department will make a formal recommendation at its scheduled monthly meeting with the Board on the First Tuesday of each month.

Any requests received by the Police Department within seven days of the scheduled monthly meeting will be reported on at the following monthly meeting.

13.7.2 **Traffic Speed Evaluations**
Requests for speed evaluations will be forwarded to the Police Department promptly for evaluation and study.

The Police Department will survey the area of the request, following the Mass Highway guidelines and Chapter 90 laws regulating speed zones. If necessary, the Board will request to contact the Norfolk County Traffic Engineers for the use of their traffic/speed recording equipment to conduct a speed survey.

The Police Department will make a formal recommendation for corrective action if deemed appropriate upon the completion of its survey at its scheduled monthly meeting with the Board on the first Tuesday of each month. If the survey is in progress the Board will be given an update as to its status.

Any requests received by the Police Department within seven days of the scheduled monthly meeting will be reported on at the following monthly meeting.

13.8 **Automobile Accident Debris**
Adopted July 25, 1978

Debris at the scene of automobile accidents is to be cleaned up by the operator of the tow truck.

13.9 **Trash and Recycling Carts**
Adopted August 9, 2016

Replacement trash and recycling carts are available for purchase at the Town’s cost to purchase plus 10 percent by contacting the Department of Public Works.

Trash carts are provided only as a replacement. The recycling carts are available as a replacement as well as an additional cart.