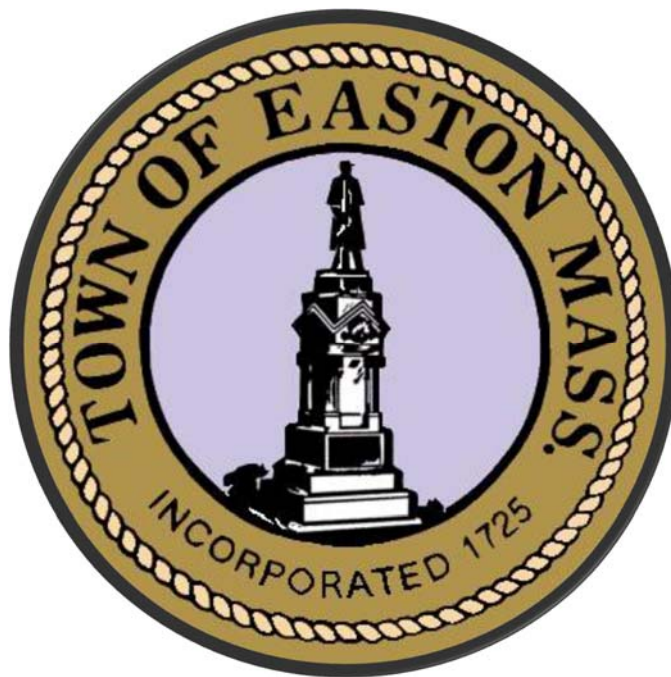


**THE POLICY BOOK**  
**of**  
**THE BOARD OF SELECTMEN**



**2017 Edition**  
Policies Adopted through October 24, 2016  
File Last Saved on September 12, 2017

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**PREAMBLE TO THE SELECTMEN'S POLICY BOOK**

**PART 1: GENERAL:**

Section 1. This Policy Book contains the policies adopted by the Easton Board of Selectmen. The policies contained herein are referential guidelines and are subject to change.

**POLICY # 1**  
**HEARINGS POLICY**

**PART 1: GENERAL:**

- Section 1: All show cause hearings of the Board of Selectmen will require notice by certified mail or Constable to the applicant or other concerned parties.
- Section 2: This notice will be sent regardless of other Statutes or By-laws which may not require such formal notice.
- Section 3: The Town Administrator is responsible for ensuring compliance with this policy.

Adopted: March 27, 1989  
Amended: November 13, 1989  
Reviewed and Re-approved as written: September 10, 2001

## POLICY # 2

### SELECTMEN'S AGENDA SCHEDULING POLICY

#### **PART 1 : GENERAL :**

- Section 1: Items may be placed on the agenda by any Selectmen or the Town Administrator, by informing the Town Administrator, Town Administrator Staff Members or Board of Selectmen Chair by 4:30pm the Monday before the scheduled Selectmen's Meeting.
- Section 2: Late items received before 12 Noon the Thursday before the meeting may be placed on the agenda if in the opinion of the Town Administrator or Board Chair it is in the best interests of the Town to do so.
- Section 3: Items received after 12 Noon the Thursday before the meeting will only be considered by the Board if it meets the conditions prescribed by the Open Meeting Law.
- Section 4: The Town Administrator/Selectmen's Staff may place routine items on the agenda, to include license applications and hearings. All license applications and hearings will be placed on the agenda only in conformance with current Selectmen's policies.
- Section 5: The Town Administrator/Board of Selectmen staff will ensure that the citizen, committee or delegated spokesperson will be informed of the agenda scheduling to the extent practicable.

#### **PART 2 : AGENDA PROVISIONS:**

- Section 1: The agenda must be drafted by the Town Administrator/Board of Selectmen staff and reviewed/approved by the Chair of the Board and/or the Town Administrator prior to its posting by Thursdays at 4:30 preceding a Monday meeting and in accordance with the Open Meeting Law.
- Section 2: Any item placed on the agenda by Selectmen, Town Administrator, Department Heads, Board or Committee Chairs shall be accompanied by a brief memo or other information providing the background for the requested Board action on the item.
- Section 3: All contracts put forth for the Selectmen's approval must have all the required signatures and be reviewed by the Town Administrator/Board of Selectmen staff.

#### **PART 3 : SPECIFIC PROVISIONS:**

Section 1: When a Selectmen's Meeting is scheduled for a day other than Monday, the same relative time limits will be in effect.

Adopted: November 13, 1989  
Amended: August 20, 1990  
Amended: October 7, 2013



## POLICY #3

### EXECUTIVE SESSION RELEASE PROCEDURES

#### **PART 1 : GENERAL:**

- Section 1: The purpose of this policy is to establish a procedure for the release of executive session minutes.
- Section 2: The Board shall establish a folder for meetings to be released, this folder shall be similar to the I&N folder.
- Section 3: The Town Administrator, Chair of the Board of Selectmen or his/her designee shall select not less than ten meetings to be released and include them in the folder. As minutes are released or deemed confidential they shall be replaced to maintain the minimum amount of ten.
- Section 4: Minutes should be selected for review by earliest date possible.
- Section 5: The Selectmen shall review each set of minutes and mark their comments and/or acceptance for release on the executive session release form. The date of release shall also be recorded on this form. (attached to this policy).
- Section 6: The Chair or his/her designee should review the folder and place minutes that have been approved by all members on the agenda.
- Section 7: Every agenda should include "Executive Session Minute Release" with the dates of those meetings listed. Minutes shall not be released until the purpose for which they were held confidential has passed. This item should appear near the end of each meeting so as not to disrupt published hearings or speakers.
- Section 8: All activities involving public records shall be in accordance with the Massachusetts General Laws and the guidance of Easton's Town Counsel.

**POLICY # 11**

**ADVERTISEMENT OF ANNUAL APPOINTMENTS POLICY & APPOINTMENT PROCEDURES**

**PART 1 : VACANCIES ON PERMANENT COMMITTEES :**

(Those specified by State Law or in the Town Charter)

- Section 1: Acceptance of Resignation - Each resignation must be in writing and must specify an effective date or it will be assumed to take effect immediately. A written resignation shall be submitted to the Town Clerk with a copy to the Committee Chair and the appointing authority.
- Section 2: Solicit Candidates - Each vacancy will then be advertised once, the advertisement will be shown at least two weeks (except in an emergency) prior to appointment and will remain advertised until filled. The notice will include a brief description of responsibilities and a closing date for receiving applications. Selectmen, members of the current Board, and other groups should be encouraged to actively seek applicants and publicize the vacancy. The official notice of vacancy will be on the Town's website under "Volunteer Opportunities".
- Section 3: Application Deadline – Unless explicitly stated otherwise: the deadline for the submittal of an application for a Board or Committee vacancy will be the Monday one week prior to a regularly scheduled Board of Selectmen Meeting. If the application is not in by 4:30 PM on said Monday, its consideration will be at the discretion of the Chair of the Selectmen and/or the Town Administrator in accordance with the Selectmen's Agenda Scheduling Policy.
- Section 4: Submit Application - Each interested candidate shall submit the Town of Easton Volunteer Information Form to the Selectmen's Office by the deadline date. A copy will be sent to the applicable board, committee, or commission with an invitation to comment.
- Section 5: Appointment - The Town Administrator may make a recommendation and the Selectmen should vote on the appointment without undue delay. Each Selectmen will cast one vote for each vacancy, and the order of voting will be continuously rotated.
- Section 6: Follow-up - All candidates should be promptly informed of the appointment decision, with the appointee notified of procedures for being sworn in and the time and place of the committee's next meeting. Unsuccessful candidates may be encouraged to reapply for subsequent

vacancies, with applications kept on file. The Town Clerk and the Board or Committee should be promptly informed of the appointment.

**PART 2 : REAPPOINTMENTS:**

- Section 1: Incumbents will be required to submit a volunteer information form affirming their continued interest in serving and will be notified of this requirement by the Office of the Board of Selectmen before June 1st of each year.
- Section 2: The remaining vacancies will be advertised on the Town's webpage under "Volunteer Opportunities".

**PART 3 : TEMPORARY, ADVISORY, OR AD HOC COMMITTEES :**

- Section 1: The Selectmen may follow less formal procedures in making appointments to temporary, advisory, or ad hoc committees. A flexible number of members may be established, and the Board may decide to appoint a late applicant. The Board may also decide not to advertise a vacancy if the committee has sufficient members or if there is a replacement readily available.

**PART 4 : DETAIL INFORMATION :**

- Section 1:
- (a) Any appointment placed on the Selectmen's Agenda will be accompanied by a note indicating the number of committee vacancies and expiration date of the terms of office and response of the board or agency if available.
  - (b) No appointment will be placed on the agenda unless it is accompanied by the Town of Easton Volunteer Information Form.
  - (c) Any recommendations received from Boards or Committees shall be included with the agenda materials.
  - (d) The Town Administrator is responsible for ensuring the proper execution of this policy.

Adopted: September 14, 1981  
Amended: June 15, 1987 , March 27, 1989 & November 13, 1989  
Reviewed & Re-approved as written: September 10, 2001  
Amended: February 9, 2015

**POLICY # 12**

**COMMITTEE ESTABLISHMENT PROCEDURE POLICY**

**PART 1 : GENERAL :**

- Section 1:     The creation of any Committee not established by Town Meeting may be recommended to the Board of Selectmen in writing by the Town Administrator or an existing board, Commission or Committee of the Town or by any Selectmen. Recommendations shall include the reason for creating such Committee.
- Section 2:     Upon agreement to establish the Committee the Town Administrator shall draft a charge for the Board which will contain as a minimum the name of the Committee, its purpose, its duties, membership and terms of office.

Adopted: September 5, 1978  
Amended: November 13, 1989  
Reviewed and Re-approved as written: September 10, 2001

**POLICY #13**

**BOARD AND COMMITTEE REQUIREMENT TO POST AGENDAS AND MINUTES  
ON THE TOWN'S WEBSITE**

**PART 1: GENERAL:**

- Section 1: The purpose of this policy is to establish a process requiring Town Boards and Committees to post meeting agendas and minutes on the Town of Easton's official website. This policy will help inform citizens of pending and completed committee business.
- Section 2: The Town Administrator shall designate a staff person who shall be responsible for posting the meeting agendas and approved meeting minutes on the Town website. This website posting does not take the place of the opening meeting law requirement to post all agendas within 48 hours with the Town Clerk's Office. Posting shall be as soon as practical from the time of document creation.

Adopted: April 23, 2007  
Amended: February 9, 2015

## **POLICY #14**

### **SOCIAL MEDIA POLICY**

#### **I. Policy:**

A. **Introduction.** The Town of Town of Easton (the “Town”) depends upon an environment of tolerance and respect for the achievement of its goals in serving the citizens of the Town.

B. **Purpose.** The purpose of this policy is to provide notice to appointed and elected board and committee members that their use of social media must conform to the law and this policy. This policy is designed to promote and govern the professional and personal use of social media in a responsible manner and to avoid uses that can: (1) breach confidentiality by revealing protected information about the Town, its citizens, or its employees; (2) expose the Town to liability for behavior that may be harassing, offensive, or maliciously false; or (3) interfere with productivity and/or ability to perform the duties and responsibilities as Officials of the Town.

#### **II. Definitions:**

1. The Town: Town of Easton.
2. Official: An individual who holds office in the Town, whether elected or appointed.
3. Social Media: Online forums in which individuals participate in the exchange of ideas, messages, and content, including but not limited to, blogs, microblogs, and social networking sites (e.g., Facebook, LinkedIn, Twitter).
4. Electronic Media: All forms of electronic communication, transmission, or storage, including but not limited to, websites and any content contained therein or related thereto.

#### **III. General Provisions:**

A. While Officials may maintain and use personal web pages and websites, blogs, microblogs, social networking sites and other forms of social media while off-duty, their status as Officials of the Town requires that the content of any postings on those social media sites or other web pages not be in violation of existing Town by-laws, policies, directives, rules or regulations. The Town’s image as a professional organization comprised of professionals is critical to maintaining the respect of its constituents. Although the Town recognizes that Officials may choose to express themselves by posting personal information upon electronic media sites through personal websites, social networking sites, blogs, microblogs, chat rooms, or other electronic means or by making comments upon electronic sites hosted by other persons, groups or organizations, this right of expression should not interfere with the operation of the

Town. That is, although the Town acknowledges its Officials have the First Amendment right to free speech, the right is not absolute and extends only to matters of public concern. Therefore, Officials should exercise caution with respect to comments they post, particularly those concerning the Town and the business of the Town.

B. This section describes acceptable and unacceptable uses of all social media by Officials. Officials should use their best personal judgment when using any form of social media and must ensure that their use does not violate this or any other Town policy.

C. Use of social media is also subject to the Town's Computers and Communications Policy, Sexual Harassment Policy, and Harassment of Individuals in Protected Classes Policy, as well as the Town's other policies and standards of conduct, rules, regulations, and by-laws.

D. All use of social media is subject to the following conditions:

1. There is no guarantee of privacy for electronic communications through Town systems or equipment. The Town reserves the right to review and/or monitor all electronic records and communications, at any time, with or without notice, including individual user folders and other information stored on the Town's electronic communications systems. In accessing the Internet, including social media sites, users should assume that all connections and sites visited using the Town's network will be monitored and recorded. This examination helps to ensure compliance with Town policies, assists when internal investigations must be conducted and supports the management of the Town's information systems. Use of the Town's electronic communication devices including, but not limited to, Town-issued email accounts, Internet services, Intranet, Town-owned lap tops and computers provided for remote use, and computer software constitutes acceptance of such monitoring. Content maintained electronically is also subject to the Public Records Law.

2. All Officials are expected and required to conduct themselves in a manner consistent with the Town's policies and standards of conduct.

3. Officials must not reveal any confidential or privileged information about the Town, its constituents, or its contractors. Officials must be particularly careful to protect against the inadvertent disclosure of confidential information.

4. Officials must not harass others in contravention of the Town's Computers and Communications Policy, Sexual Harassment Policy, and Harassment of Individuals in Protected Classes Policy, regardless of the time, place, form, or manner in which the information is posted or transmitted. Comments may be deemed to violate this Policy even if the Town's name or the name(s) of any individual is not specifically referenced.

5. Officials should be honest and accurate when posting information or news, and if they make a mistake must correct it quickly. Officials should not post any information or rumors they know to be false about the Town, its employees,

constituents, officials, suppliers, vendors, contractors or any other entities or individuals.

6. Officials may express only their personal opinions and should never represent themselves as a spokesperson for the Town, their board or committee unless designated to do so. If the Town is a subject of the content created by an Official, the Official should be clear and open about the fact that he/she is an Official of the Town and should make it clear that his/her personal views do not represent those of the Town, or its employees, officials, suppliers, vendors, or any other agent of the Town unless designated to do so. Officials who publish blogs or other online posts related to their role with the Town should make clear that they are not speaking on behalf of the Town (unless designated to do so). Further, an Official's decision to express their personal opinions does not alleviate their responsibility as an Official to take appropriate action under the circumstances, which may include, but not be limited to, taking action themselves or reporting an issue to a supervisor.

7. Officials must also recognize that posting content regarding Town-related matters may result in the violation of the Open Meeting Law. Officials should consult the Open Meeting Law Guide provided to them by the Town Clerk's Office for more information. Town Counsel may also be consulted subject to the prior approval of the Town Administrator.

8. Officials are expressly prohibited from using social media to engage in any activity or conduct that violates federal, state, or local law (e.g., software or data piracy, child pornography, etc.).

9. Officials are prohibited from using social media to engage in any activity that constitutes a conflict of interest.

10. Officials are generally not authorized to provide employee references and are prohibited from using any review or recommendation feature or system on a social media site (e.g., LinkedIn) to post reviews or other comments about employees.

11. Officials must be mindful that residents, property owners and others appearing before Town boards or committees come from all walks of life. Public comments, in any forum, that contain racial slurs, express bigotry toward a group based on their race, religion, national origin, sexual orientation, gender, gender identity or any other legally protected classification shall be considered conduct unbecoming a Town Official and shall constitute good cause for removal for any appointed Official.

E. The Town encourages anyone who uses social media in contravention of this policy to be honest and admit the error as soon as it occurs. Although errors cannot always be erased, prompt notification can make a significant difference in the Town's ability to correct or remedy the issue.



F. Beyond the above general provisions, appointed and elected board/committee members are strongly encouraged to consider the impact of their statements before making them. The Town strives to be professional in its operations and processes. Posts that suggest a likelihood of more or less favorable treatment toward any individual or group of individuals, e.g., based upon race, gender, national origin, sexual orientation, reflects poorly on the individual making an inappropriate statement as well as the Town and its citizens. Further, comments suggesting such treatment can expose the Town to liability and legal costs. All are strongly encouraged to carefully consider their comments before posting them.

#### **IV. Complaints or Problems of Misuse:**

Should any Official receive or become aware of a violation of this policy, the Official should report the violation to the Grievance Officer as soon as possible. The current Grievance Officers are David Colton and Mary Southworth, both of whom can be reached at the Town Offices located at 136 Elm Street, North Easton, MA 02356, (508) 230-0510.

The Town prohibits taking action against anyone for reporting a possible violation of this Policy or for cooperating in an investigation.

#### **V. Questions:**

Anyone who is unsure whether a particular posting or contribution to online social media violates this policy is encouraged to ask the Town Administrator.

#### **VI. Discipline.**

Violation of this Policy may constitute good cause for removal of appointed Officials under the Town Charter. Elected officials may be subject to a request for their resignation, public censure or reprimand or a recall petition in accordance with the Town Charter. A failure to enforce this Policy does not constitute a subsequent waiver of any violation of this Policy. This Policy shall be read and interpreted in conjunction with all other Town policies and procedures.

**Acknowledgment of Receipt of Policy** (*editor's note: next page*)

**Acknowledgment of Receipt of Policy**

I acknowledge receipt of this *Social Media Policy for Appointed and Elected Board/Committee Members*, and that I have read it. I understand that all social media usage and all information transmitted by, received from, or stored in these systems are the property of the Town. I also understand that I have no expectation of privacy in connection with the use of the Town’s electronic communications or with the transmission, receipt or storage of information in these systems. I acknowledge and consent to the Town monitoring my use of its electronic communications at any time, at its discretion. Such monitoring may include reviewing Internet websites visited, including social media sites, printing and reading all e-mail entering, leaving or stored in these systems, and/or reviewing all documents created or downloaded. I understand that all e-mail messages are subject to the Town’s e-mail deletion and retention procedures.

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

Adopted: September 12, 2016

**POLICY # 21**

**FLAG POLICY**

**PART 1: GENERAL:**

- Section 1: The purpose of this policy is to establish a process by which the Town may honor the death of a local official or town employee.
- Section 2: The lowering of the American Flag can only be done by the President of the United States or the Governor of the State of Massachusetts. This honor is usually reserved for a high ranking official.
- Section 3: The only time the American Flag may be lowered is Memorial Day until noon time.
- Section 4: The honoring of the local official should be by the (Black) draping of an applicable building or plaque inside of an applicable building. The Board of Selectmen with the Department's input would select the most appropriate form.
- Section 5: The draping of either form would be for a period of seven (7) days.
- Section 6: Under no circumstances would the American Flag be lowered on any Easton flag pole without the permission of the President of the United States or the Governor of the Commonwealth.
- Section 7: The Board reserves to itself the right to request approval of the Governor to lower the flag in honor of the death of a prominent citizen or to observe a significant event.

## POLICY # 31

### POLICY ON ISSUANCE OF ALL LICENSES

#### **PART 1: GENERAL:**

- Section 1: After the necessary hearing is held for a permanent license, the Selectmen usually make the issuance of the license contingent upon the applicant satisfying certain conditions. The Board of Selectmen may authorize contingent approval to facilitate the obtaining of finances for a project. These conditions may include satisfying the requirements of all other Town boards and committees or filing a revised or updated building plan or site plan.
- Section 2: The license will not be issued until all conditions have been met. Therefore, the applicant is responsible for filing a written notice with the Selectmen stating that all conditions have been met and requesting release of the license.
- Section 3: The Board of Selectmen, as licensing authorities, may then inspect the premises before releasing the license. The Selectmen may also delegate this final inspection to the Town Administrator, the Police Chief, the Building Inspector, or other appropriate officials.
- Section 4: Pending the final inspection, the Town Administrator will hold the license in his or her possession. Once the formal inspection is complete and the written notice requested by Section 2 above is received, the license may be released by the Town Administrator, or returned to the Board of Selectmen for further action if the Town Administrator deems such action necessary.

Adopted: November 22, 1982  
Amended: November 27, 1989  
Reviewed and Amended: September 17, 2001

**POLICY # 32**

**LICENSE REVIEW PROCEDURE**

**PART 1: GENERAL:**

- Section 1: An applicant submits a Board of Selectmen General Application to the Board of Selectmen.
- Section 2: The applicant should also provide a copy of any relevant forms or plans (Site Plan, etc.).
- Section 3: The Board of Selectmen send the application request to applicable departments for comments.
- Section 4: The Board of Selectmen may set a Public Hearing date for determination of the license application.
- Section 5: Upon the culmination of receiving public input (Public Hearing) and professional input (Department Comments) the Board proceeds to approve/disapprove the License by recorded vote with all conditions applicable attached.
- Section 6: The license is valid for a predetermined length of time and renewals are mandatory. The only exceptions are those that are clearly identified by By-law or Massachusetts State law.
- Section 7: The approved license is then signed and issued from the Selectmen's office and can be picked up during the normal business hours of the office.

Adopted: December 18, 1989  
Reviewed and Re-approved as written September 17, 2001  
Amended: February 9, 2015

**REQUEST FOR COMMENT FORM**

To:  
From: Board of Selectmen  
Date:  
Re: Request for Comment

TYPE OF LICENSE: \_\_\_\_\_

APPLICANT(S) NAME: \_\_\_\_\_

OWNER(S) NAME: \_\_\_\_\_

NAME OF BUSINESS: \_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_

**DEPARTMENT:**

The Board of Selectmen has received an application for a License/Permit. The Board requests that your Department Review the application and make any comments on it below and if necessary attach a separate sheet. Please return by: \_\_\_\_/\_\_\_\_/\_\_\_\_  
If your Agency **MUST** take action prior to issuance of this license please so indicate action.

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Prepared by: \_\_\_\_\_ (Print) Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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

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

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

- 
- Cc:       Animal Control       Cons. Comm.       Recreation       Assessors  
 DPW       Town Admin       Brd. Appeals       Fire Dept  
 Town Clerk       Brd. Of Health       Historic Com       Town Counsel  
 Bldg Insp       Pl & Zn Brd       Water Div       Treas/Coll  
 Police       Other

**TOWN OF EASTON**  
**BOARD OF SELECTMEN GENERAL APPLICATION**

This is a general application for a license that the Board of Selectmen may grant. All license applications to the Easton Board of Selectmen must be accompanied by the following information.

Indicate if license is: new \_\_\_\_\_ transfer \_\_\_\_\_ change of dba \_\_\_\_\_  
other \_\_\_\_\_

**List type of license(s) applying for:**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Common Victualler                     | <input type="checkbox"/> Package Store All Alcohol | <input type="checkbox"/> Class <b>I</b> No. of vehicles for display: ____  |
| <input type="checkbox"/> Restaurant All Alcohol                | <input type="checkbox"/> Package Store Wine & Malt | <input type="checkbox"/> Class <b>II</b> No. of vehicles for display: ____ |
| <input type="checkbox"/> Restaurant Wine & Malt                |  | <input type="checkbox"/> Fortune Teller                                    |
| <input type="checkbox"/> Club All Alcohol                      |  | <input type="checkbox"/> Vehicle for Hire/Taxi No of Vehicles: ____        |
| <input type="checkbox"/> Annual Entertainment                  |  | <input type="checkbox"/> Junk Dealers                                      |
| <input type="checkbox"/> Sunday Entertainment                  |  |  |
| <input type="checkbox"/> Electronic Games—list below:<br>_____ |  |  |
| <input type="checkbox"/> Juke Box                              |  |  |
| <input type="checkbox"/> Billiards Table No. of tables: ____   |  |  |

Business Name (legal): \_\_\_\_\_ dba: \_\_\_\_\_

**Please attach copy of business certificate if applying as dba or individual.** If business is a corporation or LLC, please attach:

1. Certificate of Good Standing from the Secretary of State's Office.
2. Corporate Vote authorizing business at the location.

Address of licensed premises (include zip code): \_\_\_\_\_

Mailing address (if different than above address): \_\_\_\_\_

Name of individual/applicant authorized to apply for license: \_\_\_\_\_

Business tel. no. of applicant: \_\_\_\_\_ Business email: \_\_\_\_\_

F.E.I.N: (F.I.N.) \_\_\_\_\_

Please check one of the following:  own premises  lease premises  property under P&S

Name and address of property owner if different from license holder:

\_\_\_\_\_  
Name Address

**If applicable, please attach copy of lease and/or Purchase and Sales Agreement.**

Do you currently hold a similar license? What type? \_\_\_\_\_

Have you previously applied for a license? (Yes) \_\_\_\_\_ (No) \_\_\_\_\_

Have you ever had a license revoked? (Yes) \_\_\_\_\_ (No) \_\_\_\_\_ If yes, please indicate why:

\_\_\_\_\_

If there is a building or structure associated with the license, please submit the following (preferably on 8 ½ x 11" paper – no larger than 8 ½ x 14"):

1. floor plan (include seating area), and
2. site plan indicating parking areas and access to town ways.

**If applying for a Class I or Class II license, please submit a plot plan that shows:**

1. the number of the vehicles on display
2. the exact location of the vehicles
3. customer parking
4. office area

Proposed hours of operation:

Monday \_\_\_\_\_ Thursday \_\_\_\_\_  
Tuesday \_\_\_\_\_ Friday \_\_\_\_\_  
Wednesday \_\_\_\_\_ Saturday \_\_\_\_\_ Sunday \_\_\_\_\_

**(Specify liquor sale hours if different than regular establishment hours):**

\_\_\_\_\_

Has the applicant operated a similar business? (if applicable)

Name of Business: \_\_\_\_\_

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

Federal Tax No. (if applicable): \_\_\_\_\_

I certify that the Easton Police Department may run a criminal records check for any prior offenses and that this information may be transmitted to the Local Licensing Authority at their request.

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

I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and paid all state and local taxes required by law.

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

I certify that I have read through the conditions included with this license and agree to comply with any further stipulations that the Licensing Authority may from time to time approve. I also hereby authorize the Licensing Authority or their agent to conduct whatever investigation or inquiry is necessary to verify the information contained in this application.

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

**Please contact the Selectmen's Office at (508) 230-0501 if you have any questions regarding this application form.**

Reviewed and amended: November 21, 2005



**POLICY # 33**

**AUCTION/AUCTIONEER POLICY**

**PART 1: GENERAL:**

Section 1: PURPOSE: The purpose of this policy is to establish rules and regulations for the conducting of auction(s) and auctioneering within the Town of Easton.

(a) No person shall conduct an auction without a special or annual permit issued by the Town of Easton

Section 2: DEFINITIONS:

(a) "Auction" or "Public Auction" shall be any sale, coming within its ordinary meaning, and any sale by public outcry where property is offered first at a stated price and thereafter successively or gradually at lower prices until an acceptor or purchaser is found.

(b) "Auctioneer", any person who, for a fee, commission, profit or any other valuable or sale at auction, offers, negotiates or attempts to negotiate, the sale, purchase or exchange of goods, merchandise, real or personal property, or of any other commodity which may lawfully be kept or offered for sale by or at public auction.

(c) "Auctioneering", the business or act of selling real, personal or mixed property by successive, competitive bids.

(d) "Local Licensing Authority" is the person(s) so designated by the Board of Selectmen or if such person is unavailable then the Chief of Police may act.

**PART 2: SPECIFICS:**

Section 1: LICENSES; PERSONS ELIGIBLE; APPLICATIONS:

(a) No person shall act as an auctioneer in the Town unless licensed therefore by the proper state authority (Executive Office of Consumer Affairs). A person must prove or show evidence of being duly licensed auctioneer

(b) Any person seeking a Special or Annual Auction Permit must file a completed application with the Licensing Authority.

Section 2: SPECIAL AUCTION PERMIT:

(a) Within six business days of the filing of an application for a special permit, the local auction permit agent shall either approve the permit subject to stated reasonable terms and conditions relating to public safety as he/she may establish, or deny the application on stated grounds, which must be reasonable grounds relating to public safety .

(b) Upon approval, express or implied, (Failure of agent to act within the six business day period shall constitute approval of the application) , the applicant shall tender to the Town of Easton's Town Treasurer/Collector the permit fee established by said agent, which fee shall be reasonable.

Section 3: ANNUAL AUCTION PERMIT:

(a) No person shall be eligible for an annual permit unless he maintains a regular place of business for the conduct of auctioneering in the Town of Easton.

(b) Said permit shall be issued or denied on the same terms applicable to a within special permit, except that an application which is not acted upon fourteen days of the date of filing with the local auction permit agent shall be deemed approved.

(c) Each annual permit issued shall be valid for a term of one year commencing on the date of the express or implied approval of the application thereof.

Section 4: GRIEVANCE(S)

Any applicant for a special or annual permit who is aggrieved by the action of the local auction permit agent on his application shall be entitled to a public hearing by the Board of Selectmen.

Section 5: EXCEPTIONS

The following auctions are excluded from this policy:

(a) Auctions conducted or held by any governmental body or judicial body at the Federal, State, and County level.

(b) Sales held by sheriffs, deputy sheriffs, constables, collectors of taxes, executors, administrators, lien holders or assignees for the benefit of creditors.

**PART 2: SPECIFICS (continued):**

Section 5: EXCEPTIONS (continued):

(c) Sales held by any other person specifically authorized by law to sell real, personal or mixed property

(d) Casual and isolated sales by an owner of his/her own goods.

(e) Any auction held or conducted by any resident member of a charitable, educational, religious or other non profit organization with the Commonwealth; provided, that any person acting as agent for any of the foregoing shall be duly identified by said agent to the Local Licensing Authority

Section 6: VIOLATIONS OF AUCTION/AUCTIONEERING POLICY:

Any person violating any provision of this policy shall be subject to a fine of not more than one hundred dollars. Each day that such violation continues shall constitute a separate offense.



### AUCTION/AUCTIONEER APPLICATION

Please identify the type of permit desired: Special \_\_\_\_\_/Annual \_\_\_\_\_

Name: \_\_\_\_\_

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

Business Address (if any): \_\_\_\_\_

Telephone: Home ( ) \_\_\_\_\_ - \_\_\_\_\_ Business ( ) \_\_\_\_\_ - \_\_\_\_\_ Fax ( ) \_\_\_\_\_ - \_\_\_\_\_

Email Address: \_\_\_\_\_@\_\_\_\_\_

Age: \_\_\_\_\_ Date of Birth: \_\_\_\_|\_\_\_\_|\_\_\_\_ S.S.#: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Auctioneer's Name: \_\_\_\_\_

Auctioneer's Address: \_\_\_\_\_

Auctioneer's Phone #: Home ( ) \_\_\_\_\_ - \_\_\_\_\_ Bus. ( ) \_\_\_\_\_ - \_\_\_\_\_

Auctioneer's MA. State Certification #: \_\_\_\_\_

Location of Auction(s): \_\_\_\_\_

Date of Auction(s): \_\_\_\_\_

Hours of Operation of Auction(s): \_\_\_\_\_

General Description of Items to be Auctioned: \_\_\_\_\_

I certify that I have answered all the above information truthfully and that I understand and agree to all conditions placed on this permit. I also understand that the permit does not become effective until this application has been signed by both the Agent or Police Chief and the Treasurer's Office.

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

**(Office Use Only)**

Licensing Agent: Approval \_\_\_\_\_ Disapproval \_\_\_\_\_

Licensing Agent Conditions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

Licensing Agent: Date: \_\_\_\_\_ Signature: \_\_\_\_\_

(or)

Chief of Police: Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Treasurer's Office: The above applicant has paid the stated fee  
of \$ \_\_\_\_\_ to the Town of Easton.

Treasurer's Office: Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**POLICY # 34**

**COMMON VICTUALLER'S LICENSE POLICY**

**PART 1: GENERAL:**

- Section 1: Each application for a Common Victualler's License shall include an application, a floor plan showing proposed changes, and a site plan.
- Section 2: One copy of each item will be submitted, along with a check for the appropriate fees, as currently approved by the Board.
- Section 3: A copy of the application, floor plan, and site plan will be sent to the following departments: Health, Fire, Police, Planning & Zoning Board, Building Inspector, Tax Collector, Town Clerk and Water Department.
- Section 4: The Collector and Water Department will indicate if any taxes or other Town fees are delinquent, and if so, for what period.
- Section 5: The application will not be placed on the Selectmen's agenda for review until the appropriate fees are paid, and written report is received from each Department named in Section 3 above.

Adopted: May 15, 1989  
Amended: November 13, 1989  
Reviewed and Re-approved as written: November 5, 2001  
Amended: February 9, 2015

**POLICY # 35**

**INACTIVE LIQUOR LICENSES**

**PART 1: GENERAL:**

- Section 1: Liquor License holders who are found to be not exercising their license for a period of 30 days or more, will be notified by registered mail of the license inactivity and will be asked to respond within 14 days with their intentions with regard to operation.
- Section 2: After considering the response, the Selectmen will determine if a Show Cause Hearing revocation hearing is necessary.
- Section 3: If the Board finds that such hearing is required, they will schedule the time and place for the hearing, and the Town Administrator will ensure that the licensee is so notified.

**POLICY # 36**

**ONE DAY LIQUOR LICENSE REGULATIONS**

1. Definitions

Licensee – The natural person who signs the application for and whose name appears on the “Special License” or natural person representing an “Underlying Business” for the purpose of obtaining a “Special License.”

Special License – A Special One-Day Liquor License issued to the responsible individual or “the responsible manager of any organization conducting any indoor or outdoor activity or entertainment” by the Board of Selectmen under G.L. c. 138, § 14 for the sale of alcoholic beverages or beer and wine.

Underlying Business – The business, charity or organization that is hosting an event for which a “Special License” is required.

2. Events with Alcohol in General

One Day Special Licenses are issued by the Board of Selectmen pursuant to G.L. c. 138, § 14.

Alcohol served at events held outside of a private residence are presumed to result in a sale of alcohol. As such, a One-Day Special License under G.L. c. 138, § 14 shall be required for such events, unless such event falls within an exception stated herein.

Applicants for one day licenses must first make arrangements for the rental of the location, prior to the completion of the license application at the Selectmen’s Office.

The applicant must pay the appropriate fee as currently approved by the Selectmen, at the time of filing the application and must be present at the Selectmen’s meeting to respond to any question.

2.1 Exemptions

The following events shall not require a Special License:

2.1.1 Private Residents

Events held at a private residence by a private resident do not require a Special License.

Events held by private residents, outside of their private residence, do not require a Special License where: 1) the event is by invitation only and a list is maintained of the invitees and attendees; 2) money is not exchanged for alcoholic beverages; 3) tickets are not sold for admittance to the event; 4) a donation is not required or



solicited in connection with the event; 5) an entrance fee is not charged for the event.

### 2.1.2 Businesses, Charities and Organizations

Events held by a business, charity or organization shall require a Special License unless: 1) the event is by invitation only and a list is maintained of the invitees and attendees; 2) money is not exchanged for alcoholic beverages; 3) tickets are not sold for admittance to the event; 4) a donation is not required or solicited in connection with the event; 5) an entrance fee is not charged for the event.

## 3. Special One-Day Licenses in General

Special One-Day Licenses may be issued only to a natural person or a natural person acting on behalf of a business, organization or charity. The person named on the Special License must sign the application for the license. The person named on the license is responsible for management of the license and shall be on the premises for the entire event. The person named on the license shall be a United States citizen.

Each Licensee or Underlying Business may only be issued a maximum of thirty (30) Special Licenses in any calendar year, per location. When there is an Underlying Business hosting an event, the Board of Selectmen will consider the number of Special Licenses obtained by the Underlying Business and not the individual who signed the application. The purpose of this is to prevent an Underlying Business from circumventing the thirty (30) per year rule. Accordingly, the Board of Selectmen may consider related persons or entities to be a single entity for the purposes of this requirement. A business, charity or organization which maintains multiple locations where events are held may receive thirty (30) Special Licenses per calendar year for each individual location.

## 4. Requirements

Prior to submitting an application for one-day liquor license, the licensee must contact the Easton Police Department at (508) 230-3322 to determine the requirements for police coverage. The Police Department representative must indicate requirements for Detail Officers(s) and sign the application form.

A police officer or officers shall be hired by the licensee, if in the opinion of the Board of Selectmen or the Chief of Police such officer is necessary to maintain order within, and to direct or control vehicular and foot traffic in the areas of the activity or entertainment and to enforce the General Laws and local by-laws.

Payment for all police details for licensed premises must be made at the time the service is provided, by check made payable to the Town of Easton given to the officer.

The Police Dept. or the Licensing Authority or its agents should check the license at every one-day function in order to make certain that its provisions are being adequately enforced.

A copy of the license shall be prominently posted and available for inspection during the hours and at the location for which it is issued. All licensees shall cooperate fully with the Board of Selectmen and their agents (police officers) when they are on the premises investigating complaints or making routine inspections.

The last drink must be served before the closing hour. All glasses and bottles must be cleared from the licensed area by fifteen (15) minutes after the closing hour. All customers must have left the premises by thirty (30) minutes after the closing hour. Any licensee and his/her employees shall not be prohibited from being upon such premises at any time for the purpose of cleaning, making emergency repairs to, or providing security for, such premises or preparing food for the day's business or opening or closing the business in an orderly manner. They may NOT drink after the closing hour.

Objectionable noise from amplifying systems of any kind is not permitted. Lack of cooperation in this regard will be grounds for Police Dept. termination of all or limited activities at any time and will have a bearing on any future permits.

A copy of the license regulations as attached to this policy shall be given to each applicant for a one-day liquor license.

5. Purchase of Alcohol from Wholesaler

Individuals/Organizations which have been granted a Special License are required to purchase all alcohol directly from a Massachusetts licensed wholesaler. Alcohol may not be purchased out of state, from a caterer or from a Package Store licensed under G.L. c. 138, § 15. A list of licensed wholesalers may be obtained from the Massachusetts Alcoholic Beverages Control Commission ("ABCC").

6. Storage of Alcohol

No alcohol may be stored on any unlicensed premises. For special events requiring a Special License, alcohol must be delivered the day of the event and removed from the premises after the event, by the expiration of the Special License. All Licensees must comply with all laws and regulations regarding the transportation of alcoholic beverages.

7. Posting

The Licensee is required to post the Special Permit in a conspicuous location during the event.

8. Hours

No Licensee may sell or deliver any alcoholic beverage between the hours of 2:00 a.m. and 8:00 a.m.

The Board of Selectmen has the authority to dictate the specific hours and terms of sale and service of alcohol under a Special License.

9. Issuance, Suspension, Cancellation, or Revocation

The Board of Selectmen has the authority to refuse to issue or reissue a Special License, if the Licensee fails to comply with state or local regulations or any reasonable requirements imposed by the Board of Selectmen in the issuance of the Special License.

The Board of Selectmen has the authority to suspend, cancel or revoke a Special License, after a hearing, if the Licensee fails to comply with state or local regulations or any reasonable requirements imposed by the Board of Selectmen in the issuance of the Special License.

Adopted: July 13, 1981  
Amended: November 27, 1989  
Reviewed and Amended: November 5, 2001  
Reviewed and Amended: February 27, 2006  
Reviewed and Amended: February 27, 2012



## **ONE DAY LIQUOR LICENSE REGULATIONS**

### **INDOOR - OUTDOOR EVENTS**

1. Applicants for One Day Licenses must first make arrangements for the rental of the location, prior to the completion of the license application at the Selectmen's Office.
2. The applicant must pay the appropriate fee at the time of filing the application and must be present at the Selectmen's meeting to respond to any questions.
3. Prior to submitting an application for one-day liquor license, the licensee must contact the Easton Police Department at (508) 230-3322 to determine the requirements for police coverage. The Police Department representative must indicate requirements for Detail Officers(s) and sign the application form
4. A police officer or officers shall be hired by the licensee, if in the opinion of the Board of Selectmen or the Chief of Police such officer is necessary to maintain order within, and to direct or control vehicular and foot traffic in the areas of the activity or entertainment and to enforce the General Laws and local by-laws.
5. Payment for all police details for licensed premises must be made at the time the service is provided, by check made payable to the Town of Easton given to the officer.
6. The license shall be prominently posted and available for inspection during the hours and at the location it is issued for.
7. All licensees shall cooperate fully with the Board of Selectmen and their agents (police officers) when they are on the premises investigating complaints or making routine inspections.
8. The last drink must be served before the closing hour. All glasses and bottles must be cleared from the licensed area by fifteen (15) minutes after the closing hour. All customers must have left the premises by thirty (30) minutes after the closing hour. Any licensee and his/her employees shall not be prohibited from being upon such premises at any time for the purpose of cleaning, making emergency repairs to, or providing security for, such premises. They may not drink after the closing hour.
9. Objectionable noise from amplifying systems of any kind is not permitted. Lack of cooperation will be grounds for Police Department termination of activities at any time and will have a bearing on any future permits.

## **POLICY # 36A**

### **LIQUOR LICENSE VIOLATION POLICY**

Scope: Pursuant to the provisions of Massachusetts General Laws Chapter 138, § 1 *et seq.*, the Board of Selectmen (hereinafter “the Board”) shall have the authority to suspend or revoke the alcohol license of a duly authorized licensee (hereinafter “licensee”) after a full and fair opportunity for a hearing. Hearings shall be conducted in accordance with the procedures set forth in Massachusetts General Laws Chapter 30A, §§ 10 & 11.

In addition to any criminal penalties sought by local law enforcement against the licensee, the Board, in the exercise of its discretion, may issue the following administrative sanctions:

#### **First Offense:**

- Minimum sanction—written warning with a clear indication that any further violations will be penalized in accordance with the guidelines provided for a second offense.
- Maximum sanction—up to a six-day suspension of liquor license.
  - Where there are no aggravating circumstances, the Board of Selectmen, in the exercise of its discretion, may offer first time violators the option to purchase and install Age Verification apparatus ("license swiping machine") in exchange for a penalty reduction. License-swiping machines have been demonstrated to reduce instances of the sale of liquor to minors. In the event the licensee agrees to this option, the licensee must install the license-swiping machine within thirty days of issuance of the sanction and submit monthly reports for three months following the purchase and installation of the apparatus.

#### **Second Offense:**

- Minimum sanction—three day suspension of liquor license
- Maximum sanction—six day suspension of liquor license

#### **Third Offense:**

- Minimum Sanction—six day suspension of liquor license
- Maximum Sanction—twelve day suspension of liquor license

#### **Fourth or Subsequent Offenses:**

- Minimum Sanction—fourteen day suspension of liquor license
- Maximum Sanction—revocation of liquor license

### **MITIGATING AND/OR AGGRAVATING FACTORS**

In the exercise of its discretion, the Board may also consider the following factors in the imposition of penalties against the licensee. This list is not intended to be exhaustive and the

Board may consider other aggravating or mitigating factors that may be present in any given situation.

1. Actions taken by the licensee to prevent future violations, including, but not limited to the purchase of age verification apparatus;
2. Past history in relation to compliance checks;
3. Deliberateness of the violation;
4. Uniqueness of the violation;
5. Management level of employees involved in the violation.
6. Licensee's failure to comply with server training requirements.

### **ADDITIONAL REQUIREMENTS/CONSIDERATIONS**

Only offenses that have occurred within the last four years preceding the date of the violation shall be used in calculating the number of offenses for the purposes of these sentencing guidelines.

In the event of a suspension issued pursuant to these guidelines, Licensees must post notices on the front door of the establishment as well as on all cooler doors (where applicable) stating clearly that the establishment's license to sell alcohol has been suspended, the time period of the suspension, and the reasons for the suspension. Internal cooler doors must be locked during the suspension period.

Establishments who are targeted by local law enforcement compliance checks and abide by the laws of the Commonwealth of Massachusetts with respect to the sale of alcohol to minors during said compliance checks shall be so notified in writing by local law enforcement within thirty days, with a copy to the Board.

Correspondence between licensees, local law enforcement and/or the Board, regarding liquor license violations shall be sent via certified and regular mail.

The preceding guidelines shall not be construed to restrict, in any manner, the powers of the Board to otherwise modify, suspend or revoke any liquor license as a result of a licensee's failure to comply with the laws of the Commonwealth of Massachusetts.

## **POLICY #36B**

### **ALCOHOL ENFORCEMENT COMPLIANCE CHECK POLICY**

**These guidelines are intended to provide the basic framework to be used when conducting underage drinking compliance checks on licensed premises in the town of Easton.**

1. Notification that a compliance check will be taking place will be made to the media prior to the start date.
2. The underage person taking part in the compliance check should reasonably look their age. Efforts to make them appear older should be avoided.
3. A photo of the underage person should be taken and attached to the information requested in #6.
4. The underage person should not be carrying any identification when taking part in the compliance check.
5. The underage person should not carry any money with them other than that given by the law enforcement officer supervising them.
6. The underage person shall sign a release form provided by the Police Department prior to starting participation in this program. The underage person and the law enforcement officer should also sign and date a copy of these guidelines.
7. Unless circumstances warrant, the underage person shall be given a Breath Alcohol Concentration (BAC) test at the beginning and at the conclusion of the investigation. They should be informed of this prior to beginning the investigation.
8. The underage person shall enter the licensed premises under observation by a law enforcement officer.
9. The underage person shall attempt to purchase any alcoholic beverage. They should attempt to purchase the same thing at each location.
10. At no time shall the underage person attempt to misrepresent their age or provide any identification.
11. If asked for identification, the underage person should leave the establishment.
12. If served at an on-premise establishment, the underage person shall remain on the licensed premises for a period of time instructed by the supervising law enforcement officer. They should then exit the licensed premises leaving the alcoholic beverage. If served at an off-premises establishment, the underage person shall carry the alcoholic beverage out to the supervising law enforcement officer.

13. At no time, under any circumstances, shall the underage person consume any alcoholic beverages.
14. The safety and welfare of all underage participants will be of utmost importance to law enforcement personnel. Underage persons shall not be exposed to any unusual, unnecessary or unreasonable risk.
15. The underage person will not wear, exhibit or carry law enforcement identification or falsely represent themselves as an employee of any law enforcement unit while participating in this program. They shall not under any circumstance carry a weapon.
16. Law enforcement personnel should only enter the premises to observe on an as-needed basis where circumstances warrant.
17. Notice to licensees of alleged violations will be given upon conclusion of the compliance check. Official notification shall include date, time and place of hearing.



**POLICY # 37**

**VEHICLES FOR HIRE: RULES & REGULATIONS**

**PART 1 : GENERAL PROVISIONS.**

- Section 1:      **PURPOSE:** The Board of Selectmen may make rules and orders, for the regulation of vehicles for hire within Town. These rules shall afford the protection of the Townspeople from injury of persons using the public ways in accordance with Chapter 40 / Section 22 of Massachusetts General Laws (MGL).
- Section 2:      **DEFINITION:** The term "vehicle for hire" as described in these Rules & Regulations shall include but not be limited to taxicabs and limousine services.
- Section 3:      **ISSUANCE OF LICENSE/FEE:**
- (a) Anyone seeking to own/operate a vehicle for hire must be licensed by the Local Licensing Authority. The Local Licensing Authority shall be the Board of Selectmen. The Licensing Authority reserves the right to deny a license application for vehicle for hire if in its opinion said license would not be a benefit to the Townspeople
- (b) Such license(s) will be approved subject to such terms, conditions and regulations as the Selectmen deem reasonable and upon payment of a reasonable fee at the time of application and subsequent renewals.
- Section 4:      **APPLICATION AND RENEWAL OF LICENSE:**
- (a) An application for a vehicle for hire license shall be filed with the Local Licensing Authority and shall be acted upon within sixty (60) days
- (b) The application form attached to this policy shall be submitted with all required information attached and a check or money order for the required fee.
- (c) The application form shall be sent to the Town Treasurer's office for verification that the applicant owes no outstanding Town taxes or fees. It shall also be submitted to the Easton Police Dept. for verification of all application information.

**PART 1 : GENERAL PROVISIONS (continued):**

Section 4: APPLICATION AND RENEWAL OF LICENSE (continued):

(d) The applicant is required to file and update as necessary a list of all vehicle drivers. The list shall be updated within one week of any personnel changes, job alterations, re-assignments etc. Failure to comply shall be considered sufficient grounds for suspension/revocation of license.

(e) The license shall be granted annually with an expiration date of December 31st.

Section 5: LICENSES ARE NOT TO BE SOLD, TRANSFERRED, OR ASSIGNED:

No license provided may be sold, transferred or assigned without the express written consent of the Local Licensing Authority

Section 6: NUMBER OF LICENSES:

The total number of vehicles for hire licenses in the Town of Easton shall be 25. [One License per Vehicle]

Section 7: CHANGE OF ADDRESS:

When a licensed owner/operator(s) changes his/her home address or the location of the vehicle for hire license address changes the said owner/operator(s) must notify the Local Licensing Authority in writing of the new address or place of employment within three (3) days of such change.

Section 8: POLICE TO ENFORCE PROVISIONS:

Licensed drivers of vehicle for hire will answer fully any questions put to them by police officers or other duly noted agents of the Local Licensing Authority in the performance of their duty

Section 9: SUSPENSION OR REVOCATION OF LICENSE:

The Local Licensing Authority may add conditions to, suspend or revoke any issued license described in these Rules & Regulations for good cause shown and/or following proper notice afford the licensee a public hearing.

Section 10: PENALTIES FOR VIOLATION:

(a) Any person or entity who operates a vehicle for hire without a license, or violates any of the other provisions of these regulations shall be subject to a fine of not more than three hundred (\$300) dollars. Each day that such violation continues shall constitute a separate offense.

(b) Any person refusing to pay a fare without just cause shall be subject to a fine of not more than three hundred (\$300) dollars.

## **PART 2 : TAXICABS:**

### **Section 1: OPERATION RULES & REGULATIONS**

(a) Every licensed taxicab shall maintain a current rates list with the Local Licensing Authority and one clearly visible to the passenger(s) in each vehicle.

(b) Every licensed taxicab driver shall display the vehicle license for the benefit of the passenger(s) and/or enforcing authorities.

(c) Every taxicab shall be clearly marked as outlined and agreed to in the application for license.

(d) Every licensed taxicab shall display its company's Rules & Regulations for the benefit of the passenger(s) but such Rules & Regulations may not be:

1. Discriminatory in nature against anyone's: race, creed, color, sex, disability, or other attributes not listed but implied.

2. A driver may deny service to person(s) who are noisy or disorderly to the point of creating a safety hazard.

3. Person(s) who are or appear to be intoxicated shall only be driven to the address of their residences or to the location the driver believes to be their home.

4. Any driver may appeal to any police officer who shall assist in any lawful way, and if in possession of the necessary evidence, shall prosecute the offending passenger.

(e) The driver of any taxicab shall seek to return all lost property to its rightful owner. The owner/operator who is unable to return the property within twenty-four (24) hours shall turn the property over to the Easton Police Department.

(f) The Taxicab shall have a valid MA State Inspection Sticker as well as a bullet resistant protective partition extending from the top of the seat to the ceiling made of one-half inch plexi-glass or equivalent. The partition may have a change draw in the window and/or a sliding window to open the rear doors in case of emergency [The sliding window can only be opened from the front seat of the vehicle.]

1. Owners/Operators unable to provide the necessary protective/safety equipment may submit a written request to the

Local Licensing Authority for the right to sign an indemnification form enabling the owner/operator to operate without compliance if the owner operator so desires.

(g) Every licensed taxicab shall only operate with a taximeter that has been inspected by the Sealer of Weights & Measures and found to be accurate in accordance with the provisions of MGL chapter 98:section 45 concerning the sealing of taximeters on vehicles used for hire.

1. After sundown the taximeter shall be illuminated to facilitate the passenger's ability to distinguish the amount of the fare on the taximeter.

(h) The operator of the vehicle shall not allow passenger(s) to be seated in the front seat, and shall obey the traffic safety rules of the Town and the Commonwealth.

**PART 3 : LIMOUSINE SERVICES:**

Section 1: OPERATIONS RULES & REGULATIONS:

(a) Every licensed limousine shall maintain a current rates list with the Local Licensing Authority.

(b) Every licensed limousine shall make available to the passenger(s) the Rules & Regulations but such Rules & Regulations may not be discriminatory in nature against anyone's: race, creed, color, sex, disability, or other attributes not listed but implied.

(c) Every licensed limousine shall have a current MA Inspection Sticker and current registration.

(d) The operator of said vehicle must produce the vehicle for hire license when requested by a Police Officer or any delegated agent of the Board of Selectmen.

Adopted: August 14, 1989  
Reviewed and Amended: November 5, 2001  
Amended: February 9, 2015



**TOWN OF EASTON  
VEHICLE FOR HIRE APPLICATION/RENEWAL FORM**

This is an application for a license to the laws governing Public Safety. Answers are under the penalty of perjury, and false answers will be just cause for not issuing or renewing licenses.

1. Name (Print): \_\_\_\_\_

2. Home Address: \_\_\_\_\_

3. Apartment #: \_\_\_\_\_

4. Zip Code: \_\_\_\_\_

5. Phone # ( ) \_\_\_\_\_

6. Fax # ( ) \_\_\_\_\_

7. Email Address: \_\_\_\_\_ @ \_\_\_\_\_

8. Business Name: \_\_\_\_\_

9. Business Address: \_\_\_\_\_

9a. Zip Code: \_\_\_\_\_

10. Business Phone #( ) \_\_\_\_\_

11. Date of Birth: \_\_\_\_|\_\_\_\_|\_\_\_\_

11a. Place of Birth: \_\_\_\_\_

12. Were you born outside the U.S.A.? Yes \_\_\_\_\_ or No \_\_\_\_\_

If Yes, Is there on file or do you have:

A. A probation record check from your native country: Yes \_\_\_ No \_\_\_

B. A legal alien card (Green Card) authorizing status: Yes \_\_\_ No \_\_\_

13. MA driver's license No.: \_\_\_\_\_ 15. Exp. Date: \_\_\_\_\_

14. If a renewal please indicate your A. Old Lic.#: \_\_\_\_\_

15. Federal/State Tax Number (If applicable): \_\_\_\_\_

16. A list of ALL operators of the vehicle (Details on information below) along with a photocopy of a MA Driver License.

DETAIL: (a) Name, Address, City/Town, Zip Code, Phone #, Apt.#.

(b) Height, Weight, Eye Color, Hair Color & Complexion.

(c) Soc. Sec #, Place of Employment, Employer's Phone #.

(d) Have You been convicted of any crimes or Motor

(e) Vehicle Violation(s) Yes or No. If Yes give details.

---

17. It is necessary to provide a list detailing ALL the following information.

- (a) Vehicle - year, type, color, and registration number.
- (b) Vehicle's - Insurance Policy Carrier and Policy Number.

18. Have you ever operated a vehicle for hire before? Yes \_\_\_\_\_ or No \_\_\_\_\_.

IF yes where: \_\_\_\_\_

I certify under the penalties of perjury that I, to the best of my knowledge and belief, have filed all State Tax Returns and Paid all State Taxes required by law.

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

I certify that I have read and agree to comply with all the Rules & Regulations of the Vehicles for Hire License in the Town of Easton. I also certify that I have read through the conditions included with this license and agree to comply with any further stipulations that the Licensing Authority may from time to time approve. I also hereby authorize the Licensing Authority or their agent to conduct whatever investigation or inquiry is necessary to verify the information contained in this application.

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

TAXICABS: Identification Markings [Section 2-1 (c)]

- A. Company's name painted on both sides not less than 4 inches high and 1/2 inch wide.
- B. Owners name painted anywhere on both sides not less than 4 inches high and 1/2 inches wide.
- C. Massachusetts license plate affixed to both front and back of taxi.
- D. Current valid Massachusetts State Inspection Sticker.
- E. No owner of a licensed taxicab shall paint his/her vehicle in a color or design so as to resemble other licensed taxicabs. All taxicabs using the same business name must be painted with identical colors and identical markings and in such a way as to be obviously distinguishable from another company.
- F. Passengers must be able to unlock power locked doors from the inside.

**POLICY # 41**

**SEAT BELT POLICY**

**PART 1 : GENERAL:**

- Section 1 : It is the policy of the Town of Easton to require the use of safety belts by all town employees and their passengers when they are traveling in town-owned vehicles or in their personal vehicle while on Town business.
- Section 2 : It is the policy of the Town of Easton to require that all department heads or town employees having responsibility for town-owned vehicles take immediate action to correct the malfunction or absence of safety belts in those vehicles.

Adopted: June 17, 1985  
Reviewed and Re-approved as written: November 5, 2001  
Amended: February 9, 2015

**POLICY # 42**

**ACCIDENT REPORTING/LOSS CONTROL POLICY**

It is the policy of the Town of Easton that every employee is committed to providing a safe work environment. To this end, reasonable efforts as determined by the Town will be made to provide and maintain a safe and healthy work place, safe equipment, proper materials and to establish and require safe work practices at all times.

Accidents which injure people, damage machinery or equipment and destroy materials or property, cause needless suffering, inconvenience and expense.

Our Safety Coordinator is the Town Administrator. The Town Administrator or his/her designee will be involved in ensuring that all department heads and supervisory personnel carry out their delegated responsibilities in the area of employee safety.

All injuries and accidents must be reported to the Town Administrator's Office immediately and all incidents will be thoroughly investigated using the "Supervisor's Report of Accident" intake form. The investigation should be conducted by the most immediate available supervisor of the employee involved in the accident. The responsibility of the department heads will be to make sure accident investigations are complete and that emphasis is placed on finding ways to prevent injuries/accidents through this effort.

Accidents involving the operation of a motor vehicle by a Town employee must be immediately reported to the Easton Police Department and the employee must remain at the scene until the police or emergency medical personnel respond.

Adopted: July 25, 1988  
Reviewed and Re-approved as written: November 5, 2001  
Reviewed and Re-approved as written: November 28, 2011  
Amended: February 9, 2015



**POLICY # 51**

**REIMBURSEMENT OF EXPENSES POLICY**

**PART 1 : GENERAL :**

- Section 1: All paid Town employees must submit receipts and an itemized breakdown when submitting vouchers for reimbursement of expenses.
- Section 2: Unpaid town officials must submit receipts and an itemized breakdown when submitting vouchers for reimbursement of expenses.
- Section 3: Employees and Town Officials will be reimbursed at the rate set by the Internal Revenue Service employee business expense rate, for the use of personal vehicles on Town business.

## **POLICY #52**

### **FINANCIAL MANAGEMENT PRINCIPLES**

#### **PART 1: GENERAL**

Section 1: To protect the town's financial stability, to ensure the availability of adequate financial resources in times of emergency, to capitalize on high bond ratings (and thus low interest rates), it is essential that guiding principles regarding the town's financial management be adopted and adhered to in the preparation and implementation of the town's operating and capital budgets.

#### **PART 2: GUIDING PRINCIPLES**

Section 1: Reserves and one-time revenues will be used only for capital or other non-recurring expenses.

Section 2: The Town will strive to maintain unappropriated free cash at a minimum of 1% of revenues, and unappropriated free cash should never be less than ½ % of revenues.

Section 3: The stabilization fund should, at a minimum, be at a level equal to 2% of revenues, and should be increased with surplus funds whenever possible.

Section 4: Revenue estimates should be realistic, yet conservative, to minimize the potential of shortfalls in the subsequent year's operating budgets and corresponding impacts on free cash.

Section 5: State aid forecasts will be based on best available sources, with the most likely source being the Massachusetts Municipal Association, however, other sources maybe taken into consideration including but not limited to the Governor's budget, the House budget and the Massachusetts Taxpayers Foundation forecasts.

Section 6: The undesignated fund balance should be maintained at a level equal to 5% of total revenues.

Section 7: Existing reserves should be enhanced whenever possible.

Section 8: Whenever practical, capital funding should be done only in the fall after free cash has been certified.

Section 9: Whenever practical, the issuance of expensive short-term Tax Anticipation Notes should be avoided by applying these financial management principles.

Section 10: Carefully monitor capital project schedules to minimize borrowing costs while optimizing investment opportunities.

Section 11: Balances in prior Town Meeting funding articles shall be reviewed annually and excess balances shall be closed out to free cash.

**PART 3: IMPLEMENTATION OF PRINCIPLES**

Section 1: If financial conditions warrant actions that are in contradiction to these principles, the Board of Selectmen and/or Town Administrator will acknowledge such actions to the Town Meeting and the reasons therefore.

Adopted by Board of Selectmen 2/23/04  
Approved by Finance Committee 2/5/04  
Approved by School Committee 3/4/04 *with  
the addition of the phrase "Whenever  
possible," at the beginning of Part 2, Section 1.*

**POLICY # 52A.**  
**FINANCIAL MANAGEMENT GUIDELINES**



*AS ADOPTED BY THE BOARD OF SELECTMEN ON AUGUST 8, 2016*

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## TOWN OF EASTON, MASSACHUSETTS FINANCIAL MANAGEMENT GUIDELINES

The government of the Town of Easton exists to provide quality community services to residents, businesses and visitors to the Town. Governmental services that benefit all or substantially all community stakeholders are financed principally from the local property tax and accounted for in the Town's General Fund. Business-like services that benefit distinct segments of the population are financed principally from user fees and charges and are accounted for in enterprise and special revenue funds.

Budgets are used for planning and accountability purposes. Formal fixed budgets, developed by the Town Administrator and recommended by the Board of Selectmen for Town Meeting approval, are used for all governmental and business-like services.

**Financial principles:** The Town of Easton is committed to sound financial policies that meet long-term needs, lead to a balanced operating budget, and maintain our Aa3 bond rating from at least one national rating agency. The following fundamental financial principles guide these financial management guidelines:

- **Balanced Budget** — The Town is committed to the financial principle of a balanced budget.
- **Financial Planning** — The Town will follow financial planning processes that assess the long-term financial implications of current and proposed operating and capital budgets, budget policies, cash management and investment policies, and programs.
- **Asset Management** — The Town is committed to inventorying and assessing the condition of all major assets in order to plan for the ongoing financial commitments required to maximize the public's benefit.
- **Fees and charges** — The Town is committed to identifying the manner in which fees and charges are set and reviewing such fees annually.
- **One-time revenues** — The Town discourages the use of one-time revenues for operating expenses.
- **Unpredictable revenues** — The Town will identify the expected volatility of revenue sources and develop allocation actions or contingency plans when one or more revenue sources are substantially higher or lower than projected.
- **Debt capacity, issuance and management** — The Town is committed to using debt appropriately and having an appropriate amount of debt outstanding and debt service at any time.

- Revenue and stabilization accounts — In accordance with the Town’s fund balance policy, the Town will maintain a prudent level of financial resources to protect against the need to reduce service levels or raise taxes or fees due to unforeseen revenue fluctuations, unanticipated expenditures or other similar circumstances.
- Expenditure accountability — The Town will compare actual expenditures to budget on a quarterly or more frequent basis and decide on actions to bring the budget into balance if necessary.
- Inter-period equity in the financing of long term liabilities — The Town will match debt terms associated with capital debt with the projected useful life of related capital assets.

These financial management guidelines describe the policies and practices that the Town Administrator and the Board of Selectmen will follow when developing financial forecasts, operating budgets, insurance and reserve policies, capital plans, financial reports, compensation practices and other financial decisions. While the Town Administrator and the Board of Selectmen expect to follow these guidelines, the Town Administrator has the authority and responsibility to recommend the allocation of financial resources in the manner in which he or she determines best meets the needs of the Town, and Town Meeting has the authority and responsibility to confirm or reject those financial allocations.

The Town Administrator will recommend to the Board of Selectmen modifications to these guidelines, policies and practices when appropriate.

**Financial planning:** The Town will update annually the Town's General Fund multi-year financial forecast. Revenue estimates and expenditure assumptions for the annual budget will be developed by the Town Finance Team.

The multi-year forecast will be revised each year following the setting of the tax-rate and shall include actual revenue and expenditures for **the previous** fiscal year; the current year budget; and complete operating and capital expenditure and revenue projections for the next three fiscal years, and shall be structured around major revenue and expenditure classifications in the Town's accounting system chart of accounts.

**Revenue budgeting:** General Fund revenue financial forecast estimates will be modified from the guidelines below when necessary to take into consideration unusual economic conditions, recent trends and anticipated state aid.

- Property taxes — The Town expects to annually levy property taxes up to the statutory limit imposed by Proposition 2 <sup>1</sup>/<sub>2</sub>. Projected new growth will be estimated by the Chief Assessor by evaluating currently approved building projects and historic data. The allowance for exemptions and abatements will be budgeted at an amount between 0.75% and 1.0% of the gross property tax levy. Should the amount budgeted fall below 0.75%, it shall only be under circumstances where the amount budgeted is not less than the prior year’s allowance as long as that allowance was sufficient.



- Motor excise taxes, the local option meals tax, inspectional services permits, investment income and all other local non-tax revenue will be estimated based on the prior year actual, adjusted for recent trends and forecasted changes.
- State and federal aid — State "Cherry Sheet" aid will be estimated based upon the most recent information posted on the Massachusetts Department of Revenue website, or, in the absence of any such information, the Town Administrator's best estimate of the probable amount of such state assistance for the next fiscal year. All other state and federal aid will be estimated based upon actual revenues for the most recent fiscal year, adjusted for any known changes in reimbursement policies and rates.
- Transfers from other funds — Reimbursements to the General Fund for the administrative and support services provided to other self-supporting funds will be based upon an annual analysis of the estimated value of such administrative and support services to the other funds. Under no circumstances shall the dollar amount of any reimbursement exceed the estimated value of services provided by the General Fund to the other self-supporting funds, in accordance with state law.
- Free Cash — Free Cash represents the accumulated difference of unrestricted funds between General Fund revenues and expenditures, on a cash basis of accounting. The Town expects to generate a limited amount of Free Cash which comes from unanticipated actual revenues in excess of revenue estimates (including overlay surplus), unexpected unspent funds in operating budget line items, and/or unanticipated unexpended free cash from the previous year.

It is the intent of the Town to use Free Cash in the following manner:

- A minimum of 25% of the annual certified free cash balance will be transferred to the stabilization account until reserves (stabilization plus free cash) reach 10% of general fund expenditures in accordance with the fund balance policy as measured concurrently with the setting of the tax-rate.
- A maximum of 50% of the annual certified free cash balance will be set aside to fund the following year's operating budget. Every effort will be made to minimize this use of free cash. In unusual economic circumstances, an additional portion of Free Cash may be used for the ensuing year's School or municipal operating budget.
- Any remaining free cash will be used to fund capital expenditures, one-time expenses, or for supplemental appropriations necessary during the year.
- When reserves (free cash plus stabilization) reach the 10% level in accordance with the fund balance policy, free cash will be transferred to other reserve accounts such as the Capital Stabilization Fund and the OPEB trust fund.

**Expenditure budgeting:** It is the goal of the town to prepare expenditure budget estimates that will be sufficient to address not less than 100% of projected operating requirements of the various departments of the Town.

- Salaries and wages — Budgeted salary and wage appropriations will be sufficient to fund all full-time and permanent part-time positions at the appropriate union contract or non-union compensation plan rates for the new fiscal year. General Fund employee salaries and wages that are expected to be partially funded in the General Fund will be noted in the departmental budget. In the event that salary rates are not known at the time that the budget is being prepared, all salary and wages will be budgeted at current rates and provisions will be made for future wage and salary increases as part of the employee benefits and insurance budget. Public safety overtime will be analyzed annually, taking into consideration the mean annual requirements for the trailing five year period, adjusted for any extraordinary and non-recurring overtime requirements (i.e., overtime to cover significant staff vacancies that have been filled).
- Employee benefits — Funding will be included in each department operating budget for the projected cost of providing contributory health, life, dental and Medicare payroll taxes for all eligible employees at the benefit rates expected for the new fiscal year, except for pension and other post-employment contributions.
- Pension contribution — The annual contribution to the defined benefit contributory retirement fund shall not be less than the annual required contribution (ARC) prescribed by the Bristol County Retirement Board.
- Other post-employment contribution — The Town will make an annual contribution to the Other Post-Employment Benefits (OPEB) Liability Trust Fund. The Town will make every effort to make each subsequent contribution at a greater amount than the year before until full funding is accomplished.
- Energy and utilities — Funding for energy and utility needs of the various departments of the Town will be included at consumption levels estimated by the various departments and at consistent unit prices estimated to be reasonable by the Town Accountant.
- State and county charges — The appropriation for "Cherry Sheet" assessments will be the most recent estimates posted on the Massachusetts Department of Revenue website, or, in the absence of such information, 2.5% greater than the current year assessment and charge total.
- Property and liability insurance — The town purchases a comprehensive package of property and liability insurance. Coverage is reviewed each year to adjust for changes in law, asset value and other factors that may affect the Town's risk profile.

- Snow and ice control — As of the Fiscal Year 2016 Budget, the annual appropriation for snow and ice control in the Department of Public Works will not be less than \$388,000.
- Debt service — The Town will maintain a non-exempt from proposition 2.5 debt service budget at a level equal to 7% of general fund revenues. The appropriation will be consistent with the long-term debt schedule for all issued and planned debt and will include interest, principal and anticipated issuance costs. When, in a given fiscal year, the funding need for principal and interest is less than 7% the difference will be set aside as a capital reserve.
- Capital outlay and improvements — Capital outlay and improvements will be budgeted in accordance with the Town's capital plan prepared in accordance with the Town's by-laws and based on available funds and projected debt service capacity.

**Financial contingencies and reserves:** Funds for financial contingencies and reserves are necessary in order for the Town to continue to provide essential public services in the face of extraordinary and unforeseen financial and natural events that could not have been reasonably anticipated and provided for in the annual operating budget. Sufficient financial reserves are also required by credit rating agencies.

In order to minimize the magnitude of reserves that must be held for extraordinary and unforeseen financial risks, revenues will be estimated conservatively; all known expenditure requirements will be funded at levels consistent with experience from prior years, along with any unique factors likely to impact the new fiscal year; and non-recurring revenues and/or financing sources will only be used for non-recurring expenditure purposes.

Similarly, in order to minimize General Fund reserve requirements, activities funded by fees and user charges will maintain adequate reserves within their appropriate special revenue fund(s). Fees and user charges will be set at least annually at levels sufficient, when appropriate, to meet the full operating and capital replacement costs, and maintain the level of financial reserves established for that fund.

- **The Stabilization Fund** will be used when the Town faces a multiple year economic recession or a rare, catastrophic expenditure. These funds would help the Town address cyclical declines in operating revenues, generally resulting from economic factors outside the control of the Town, or an unusually large expenditure resulting from a rare legal settlement or extraordinary weather event, etc. The primary reason for the segregation of such monies is to prevent these reserves from being used for unrelated Town needs, and to demonstrate that resources are in fact being set aside specifically for extraordinary and unforeseen revenue disruption.

In the case of the Town's General Fund, cyclical declines typically would be evidenced by significant reductions in: state aid, economically sensitive taxes such as the motor vehicle excise tax, the local option meals tax, and building permit and investment income

revenues.

To ensure that the stabilization funds are available for multiple years of an economic downturn, no more than one quarter (25%) to one-third (33%) of the fund balance should be used in any single fiscal year. Appropriations may be made from the Stabilization Fund into the General Fund for operating purposes, upon recommendation of the Town Administrator and Board of Selectmen and require a two-thirds vote from town meeting.

- **Capital Stabilization Fund.** This stabilization fund is a mechanism for setting aside money for capital projects in order to equalize the effect of capital expenditures over time and supplement monies for capital projects from the General Fund. Appropriations made from the Capital Stabilization Fund require a two-thirds vote from town meeting.
- **Other Post-Employment Benefits Trust Fund.** This fund was established upon town meeting's acceptance of MGL Chapter 32B, Section 20 at the annual town meeting held on May 20, 2013. The purpose of this fund is to accumulate funds to be used in the distant future to reduce the unfunded actuarial liability for retiree health insurance. Appropriations into the fund require a simple majority town meeting vote and shall be made whenever surplus funds can be allocated for this purpose.

**Cash Management and Investments:** Absent legal and/or contractual restrictions, Town operating cash will be pooled, with ownership information maintained in the Town's accounting system. All investment income on temporarily idle cash will be credited to General Fund revenue, unless legal authority exists to allocate the investment income to another fund.

Investments will be limited to those authorized by state law and any applicable Town investment policies.

General ledger cash and investment totals are reconciled to the Treasurer's records and supporting bank statements on a monthly basis.

**Risk Management:** The Town will purchase comprehensive commercial insurance.

- Property insurance — Commercial insurance, will be purchased for all Town buildings and their contents. Insured values are adjusted annually for both improvements to the structures and an estimate of the increase in replacement values.
- Vehicle insurance — The Town fully insures all vehicles against damage and liability. Liability insurance — The Town purchases a comprehensive package of liability insurance including General Liability, Law Enforcement Liability, Public Officials Liability and School Board Liability.
- Crime/employee dishonesty — Individual fidelity bonds are purchased for the Town Treasurer/Collector, Deputy Treasurer/Collector and Town Clerk, as required by state law. All other employees of the Town are covered under a blanket honesty bond, subject

to a deductible of \$10,000 per loss, except for school principals with custody of student activity funds who are required to furnish individual fidelity bonds with no deductibles.

- Workers' compensation — The Town purchases worker compensation insurance for all employees except sworn Police Officers and Firefighters. Public safety employee injured on duty compensation is paid from the Police and Fire Department operating budgets. Police and fire medical bills are paid from the employee benefits and insurance budget.
- Group health insurance - The Town offers contributory group health benefits to employees regularly working 20 or more hours per week and to retirees. The Town currently participates in the Commonwealth of Massachusetts Group Insurance Commission program.

**Official and officer compensation:** The Town expects to maintain compensation policies (including salaries, benefits and deferred compensation) designed to attract and retain well qualified officials and officers. Management level employees will be expected to maintain the highest level of professional competency during their employment with the Town. To this end, the Town will provide resources for ongoing professional training and staff development.

- Elected officials — In accordance with the requirements of the Town Charter, compensation for the Town Administrator shall be set by contractual agreement with the Board of Selectmen. Elected official compensation shall be set by the Board of Selectmen.
- Non-union employees — The salaries of all Easton Public School management and non-union employees are determined by a vote of the School Committee. All municipal non-union employee salaries are governed by a non-union pay plan recommended by the Human Resource Board, approved by the Town Administrator and subject to funding by Town Meeting.

**Procurement:** In order to demonstrate that Town resources are being used in an effective and efficient manner, the Town shall fully comply with all relevant procurement law.

**Capital Planning:** The Capital Planning Committee is charged with the responsibility of planning and subsequently recommending to the Town Administrator a Capital Improvement Program identifying the Town's future capital projects, programs, improvements and acquisitions having a useful life of at least five years and a cost of at least \$25,000, including requests for funds for a class of assets that exceeds \$25,000. The development and implementation of a Capital Improvement Program is essential to the sound and cost effective maintenance of the infrastructure and capital assets of the community. Towards this end, the Capital Planning Committee is dedicated to accomplishing the following objectives in accordance with Chapter 6 of the Town's by-laws:

- To review, evaluate, plan and coordinate capital improvements so as to promote a systematic, organized replacement and acquisition schedule;
- To promote timely planning and the efficient implementation of capital improvements;
- To promote wider community awareness regarding the planning of projects and to reduce the pressure to fund a project which has not been weighed against immediate and long-range community-wide needs;
- To annually present a report to the Town Administrator, said report to include a five year (minimum) Capital Program, as well as a proposed one-year Capital Budget listing recommended projects in order of priority.

In order to spread the cost of capital improvements over the generations of Easton stakeholders expected to benefit from the improvements, debt financing is expected to be the principal financing source for major capital improvements. Debt maturity terms will not exceed the expected life of the capital asset being financed. Debt service for capital improvements benefiting all or the majority of the stakeholders of the Town is to be financed from General Fund resources. Debt Service for water and sewer will be financed from user fees whenever possible and debt service for eligible community preservation fund projects will be financed from Community Preservation Fund resources.

**Financial Reporting:** The accounting records of the Town will be maintained such that financial statements and supporting schedules can be prepared in accordance with the Town's budgetary basis of accounting; the requirements of the Commonwealth of Massachusetts Departments of Revenue and Education; and generally accepted accounting principles for state and local governments.

The Board of Selectmen, through an appointed Audit Committee composed of two at-large appointees of the Board, one representative from the Finance Committee, one representative of the School Committee, and one representative of the Selectmen with the Town Accountant as a non-voting member, shall make arrangements for an independent annual financial audit of the Town's financial statements and accounts, which is expected to be presented no later than March 31st after the end of the Town's fiscal year. Copies of the Town's audited Comprehensive Annual Financial Report, Federal Single Audit Report, and Management Letter will be posted on the Town's website.

*Adopted by the Board of Selectmen on August 8, 2016*

**POLICY #53**

**VETERANS DISCRETIONARY FUND**

1. The Town Accountant will establish a Veterans Discretionary Fund.
2. The Veterans' Service Officer (VSO) will accept all donations that will be deposited in the Veterans Discretionary Fund.
3. The VSO will provide written acknowledgement/receipt thanking donor for their generosity.
4. The VSO will ensure the posting of donor (except those requesting anonymity) on the town's website.
5. The VSO has the option to use discretionary funds to either purchase or reimburse for expenses required to sustain daily living to any veteran who is a resident of Easton, MA.
6. The VSO may require bank statements to determine a veteran's need for assistance if circumstances are unknown.
7. Proof of residence will be verified by the VSO from a lease, mortgage receipt or tax receipt.
8. The VSO is the approval authority on authorizing any expenditures they deem needed which is less than or equal to \$200. In the absence of the VSO the Director of Health & Community Services may approve disbursements.
9. Any expenditure in excess of \$200 will require approval by the Board of Selectmen.
10. Disbursements of funds may be requested using a standard check request from the VSO through the town accountant. Disbursements may also be made in the form of gift cards tracked through a policy developed with the Town Accountant.
11. The VSO will track how funds are spent and who is receiving the funds.
12. The VSO will include documentation of disbursed funds in quarterly and annual reports.

**To be reimbursed for expenses:**

1. Documentation. You must provide reasonable documentation showing the date, amount and what the expense was for. Credit card receipts and store receipts that do not describe the purchase are not reasonable documentation.
2. Timely Submission. You must submit your documentation with a request for payment within 60 days from the date the expense was incurred.

Adopted: July 7, 2014

Revised by Board of Selectmen: December 19, 2016

## POLICY # 54

### FUND BALANCE POLICY

#### *Purpose*

The purpose of this policy is to establish a key element of the financial stability of the Town by setting guidelines for fund balance. Unassigned fund balance is an important measure of economic stability. It is essential that the Town maintain adequate levels of unassigned fund balance to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances. The fund balance also provides cash flow liquidity for the Town's general operations.

#### *Definitions*

*Fund Equity* – A fund's equity is generally the difference between its assets and its liabilities.

*Fund Balance* – An accounting distinction is made between the portions of fund equity that are spendable and non-spendable. These are broken up into five categories:

- 1) **Nonspendable fund balance** – includes amounts that are not in a spendable form or are required to be maintained intact. Examples are inventory or permanent funds.
- 2) **Restricted fund balance** – includes amounts that can be spent only for the specific purposes stipulated by external resource providers either constitutionally or through enabling legislation. Examples include funds which have a restriction through debt covenants, grantors, contributors, or laws or regulation from other governments. The grant from the Massachusetts School Building Authority (MSBA) to mitigate the cost of the construction of new schools is placed in this category.
- 3) **Committed fund balance** – includes amounts that can be used only for the specific purposes determined by a formal action of the government's highest level of decision-making authority, the Town Meeting. Commitments may be changed or lifted only by the government taking the same formal action that imposed the constraint originally.
- 4) **Assigned fund balance** – comprises amounts *intended* to be used by the government for specific purposes. Intent can be expressed by the governing body, the Town Meeting, or by an official or body to which the governing body delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.
- 5) **Unassigned fund balance** – is the residual classification of the general fund and includes all amounts not contained in other classifications. Unassigned amounts are technically available for any purpose.



## ***Policy***

### **Committed Fund Balance**

The Town Meeting is the Town's highest level of decision-making authority and the formal action that is required to be taken to establish, modify, or rescind a fund balance commitment is a article approved by Town Meeting. The article must either be approved or rescinded, as applicable, prior to the last day of the fiscal year for which the commitment is made. The amount subject to the constraint may be determined in the subsequent period.

### **Assigned Fund Balance**

The Town Administrator (or his/her designee) is the official who is empowered to authorize all purchases and/or encumbrances, as applicable, and thus assign fund balance to a specific purpose as approved by this fund balance policy.

### **Certified Free Cash**

The Commonwealth of Massachusetts certifies the amount of available reserves that the Town has at the end of each fiscal year. The Free Cash amount is usually slightly less than the Unassigned Fund Balance in the Financial Statements due to the inclusion of various adjusting items.

### **Certified Free Cash and Stabilization Level**

It is the goal of the Town to achieve and maintain Certified Free Cash plus Stabilization Funds in the general fund equal to 10% of the next year's total General Fund Budget. The Town considers a balance of less than 7% to be cause for concern and below 5% to be an emergency, barring unusual or deliberate circumstances.

The Town will achieve the goal of 10% through conservative revenue estimates, reducing or eliminating the use of free cash for operating expenses, prudent collective bargaining and procurement strategies, exerting downward pressure on energy consumption, employee benefit costs, avoidance of protracted litigation, and careful risk management.

Once met, should the Certified Free Cash plus the Stabilization balance fall below the goal or have a deficiency, the Town Administrator will advise the Selectmen, School Committee and Finance Committee of the deficiency and direct Town Departments to take necessary steps, such as, the delay or elimination of certain discretionary expenditures in order to replenish the Certified Free Cash Level.

Should the level fall below 7% the Town Administrator and Superintendent of Schools shall freeze all discretionary spending and develop an emergency plan to replenish the balance.

### **Order of Expenditure of Funds**

When multiple categories of fund balance are available for expenditure (for example, a construction project is being funded partly by a grant, funds set aside by Town Meeting, and unassigned fund balance), the Town will start with the most restricted category and spend those funds first before moving down to the next category with available funds.

*Adopted by the Selectmen on November 2, 2015*

## **POLICY #61**

### **STREET ACCEPTANCE POLICY**<sup>1</sup>

1. A request for acceptance of a public way is initiated by the Board of Selectmen or by Citizen Petition. Citizen Petitions must be by at least 10 registered voters for an Annual Town Meeting or at least 100 registered voters for a Special Town Meeting. A sample petition is attached.
2. The request must be accompanied by (A) Five sets of the plan of the layout of the way, typically referred to as an “as-built” plan,<sup>2</sup> and (B) Deeds for the transfer of the way to the Town of Easton, and for the conveyance of all easements, as applicable. Said deeds shall contain all metes and bounds as shown on the street acceptance plan. Quitclaim deeds are not acceptable, and (C) The names and addresses of all owners of land abutting the street proposed for acceptance.
3. If applicable, a Certificate of Compliance from the Conservation Commission shall also be submitted.
4. These documents, along with the Petition, are to be submitted to the Board of Selectmen.<sup>3</sup>
5. The Selectmen shall submit the Petition to the Town Clerk who shall request that the Board of Registrars certify the necessary signatures.
6. Once the requisite number of signatures are certified, the Selectmen shall refer the request to the Planning and Zoning Board. The Planning and Zoning Board will request that the Department of Public Works inspect the way and submit a recommendation. The Planning and Zoning Board shall also send a copy to the Building Inspector, whose review shall include a determination as to whether the subdivision is in compliance with all local conditions of approval (e.g. Conservation Commission Orders or Permits, Special Permit from Zoning Board of Appeals, etc.)
7. The Planning and Zoning Board shall review the proposal and prepare a report of its findings and non-binding recommendation. The Board’s review shall not be limited to issues related to completion of the way, but shall include a determination as to the completion of all obligations of the developer, including but not limited to required grants of easements or other required conveyances. The report shall include all relevant input from the Department of Public Works and the Building Inspector. This report must be made within 45 days after receipt of request from the Board of Selectmen, or the proceedings continue without Planning and Zoning Board input.
8. The Selectmen proceed to “lay out” the way. Notice is required; such notice should include direct mailing to residents on the subject way and public posting. Such notice should be made at least 7 days prior to the Selectmen’s meeting. At the public Selectmen’s meeting, the Selectmen vote whether to adopt the lay out, taking into account the Planning and Zoning Board’s report. Any deficiency in compliance with any local condition of approval, whether

or not directly related to the completion of the way, shall serve as reason to not accept the street.

9. All deficiencies must be corrected to the satisfaction of the DPW Engineering Division and the Planning and Zoning Board at least 30 days prior to Town Meeting. In addition, if the way is recommended for acceptance, the petitioner must submit to the Planning and Zoning Board, at least 30 days prior to Town Meeting, payment in full of all recording fees and costs.
10. If the way is recommended for acceptance, the Selectmen must file with the Town Clerk the plans of the layout, at least 7 days prior to the Town Meeting.
11. An article is placed on the Town Meeting warrant, referring to the layout plan (not the definitive subdivision plan, if applicable). A majority vote of Town Meeting is needed for street acceptance.
12. If Town Meeting acts favorably on the petition, the Selectmen must submit to the Town Clerk a report indicating that the way was accepted by the Town Meeting; said report shall include the layout plan and deeds. The Town Clerk shall, within 10 days of receipt, record the report in a book kept for that purpose.

<sup>1</sup> This procedure assumes that there is no taking of land. If a taking is involved, see MGL chapter 82, sections 21 through 24.

<sup>2</sup> See "Requirements for As-Built Street Acceptance Plans," attached.

<sup>3</sup> Note that, as per MGL Chapter 39, § 10, a properly and timely submitted petition will be included on the Town Meeting warrant for consideration. However, petitioners are advised that, to ensure adequate time for review and opportunity for favorable consideration by the Selectmen and Town Meeting, petitions should be submitted to the Selectmen a minimum of 90 days in advance of the Town Meeting at which street acceptance is to be considered.

Adopted: December 18, 1989

Reviewed and Amended: September 23, 2002

Reviewed and Amended: April 10, 2006

Reviewed and Amended: May 2, 2006



## **REQUIREMENTS FOR AS-BUILT STREET ACCEPTANCE PLANS**

**All as-built plans submitted in conjunction with a petition for street acceptance shall include the following:**

1. A signature block for the endorsement of the Board of Selectmen and the Planning and Zoning Board
2. The plan shall contain all bearings and distances for the street and all easements.
3. The street and easement(s) shall have proper monumentation.
4. The computer printout of the traverse closure shall be submitted to ensure the survey conforms to the procedural and technical standards of land surveying.
5. The plan and profile of the street shall contain the location of all underground utilities, including drainage, water gas, cable, fire, electric and telephone. Also, ties to all existing water services shall be shown.
6. A minimum of two (2) benchmarks shall be established and shown on the plan. These benchmarks shall refer to the NGVD datum and tie into the Massachusetts State Plane Coordinates System.
7. The plan must be prepared and stamped by a Registered Professional Engineer or a Professional Land Surveyor.



**PETITION FOR STREET ACCEPTANCE**

We, the undersigned registered voters of the Town of Easton herewith petition the honorable Board of Selectmen to place the following street acceptance article on the warrant for the Annual/Special Town Meeting of \_\_\_\_\_.

The following is a TEMPLATE FOR A STREET ACCEPTANCE TOWN MEETING VOTE – Complete all required information and modify as appropriate for the street and easements (if any) being submitted for acceptance

To see if the Town will vote to accept the following named street or way, \_\_\_\_\_, as a public way, pursuant to MGL Chapter 82, from station \_\_\_\_\_ to station \_\_\_\_\_ as shown on a plan of land entitled " \_\_\_\_\_ " drafted by \_\_\_\_\_, dated \_\_\_\_\_ as approved by the Planning and Zoning Board on \_\_\_\_\_ and recorded with the Bristol County Northern District Registry of Deeds, Plan Book \_\_\_\_\_, Page \_\_\_\_\_; and to authorize the Board of Selectmen to accept easement deeds, pursuant to MGL c. 40, § 3 and 14, as follows: [conservation easement] [drainage easement] [slope easement] [\_\_\_\_ foot wide utility easement] across Lots \_\_\_\_\_, containing \_\_\_\_\_ square feet, all as shown on the previously referenced " \_\_\_\_\_ " Definitive Subdivision Plan and, further to authorize the Board of Selectmen pursuant to MGL c. 40, § 3 and 14, to accept the deed of a fee interest in said NAME OF STREET, or take any other action thereto.

**The acceptance of said street or way shall be contingent upon the owner thereof having filed the required “As built acceptance plan of land” and “Deed of Gift”, together with a payment in full of all recording fees and costs, with the office of the Planning and Zoning Board at least thirty (30) days prior to the Town Meeting at which such street acceptance is to be acted upon. All deficiencies within the subdivision must be corrected to the satisfaction of the Engineering Division and the Planning and Zoning Board thirty (30) days prior to Town Meeting.**

**NAME**

**ADDRESS**

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

## POLICY # 62

### STREET LIGHTING POLICY

#### **PART 1 : GENERAL :**

- Section 1: In the past, budget restraints have forced the Town to greatly reduce the number of streetlights on public ways. The Board of Selectmen realizes the importance of lighting the streets for the safety and welfare of all inhabitants. With respect to new installations, it is the policy of the Board of Selectmen to fund the installation/maintenance of the necessary streetlights as funds are available as follows:
- (a) The Town will fund the installation/maintenance of streetlights in public areas and on accepted streets only.
  - (b) All intersections with main roads shall be lit.
  - (c) All horizontal and vertical curves of sufficient severity to be deemed hazardous to vehicular and pedestrian traffic in the area.
  - (d) All places where pedestrian traffic warrants.
  - (e) Where necessary to reduce vandalism and keep order.
  - (f) Major roads with heavy traffic.
  - (g) Minor roads in residential areas, but only in locations when safety requires a streetlight to be located as determined by the Police Dept Safety Officer.
  - (h) The Board of Selectmen reserves the right to waive this policy when it is deemed to be in the best interest of the Town.
- Section 2: The Director of Public Works or his/her designee shall determine the appropriate wattage taking into consideration luminaire type, spacing, and distribution pattern.
- Section 3: In general, on major roads with heavy traffic, the streetlights should be placed approximately every two- hundred fifty (250) feet to three hundred fifty (350) feet.
- Section 4: All requests from citizens for streetlights to the Board of Selectmen shall be referred to the Director of Public Works for his/her recommendation for compliance with this policy.

Adopted: November 7, 1988  
Amended: May 22, 1990  
Reviewed and Amended: September 23, 2002  
Amended: February 9, 2015

**POLICY # 63**

**TRAFFIC CONTROL DEVICES POLICY**

**PART 1 : GENERAL :**

Section 1: It is the purpose of this policy to provide a framework for the review of anticipated traffic control devices.

**PART 2 : SPECIFIC :**

Section 1: Any proposed traffic control device, rule or regulation, regardless of the source of the proposal, will be reviewed in accordance with this policy.

Section 2: The proposal will be transmitted to the Traffic Safety Committee consisting of the Police Chief, Fire Chief, , and the DPW Director.

Section 3: Each of these parties will submit a written recommendation to the Selectmen, by the date indicated regarding the proposal.

Section 4: Each party will comment within the limits of their professional competence as shown below:

Police Safety Officer	-	Public Safety
Fire Chief	-	Fire apparatus accessibility
Town Engineer	-	Sound engineering as it may affect public safety
DPW Director	-	Traffic flow, snowplowing, public safety, street maintenance

Adopted: October, 17, 1988.  
Amended: February 4, 1991 to include DPW Director.  
Reviewed and Re-approved as written: DECEMBER 3, 2001



**POLICY # 64**

**TOWING /DISPOSAL OF JUNK VEHICLES POLICY**

**PART 1 : GENERAL :**

Section 1: The purpose of this policy is to provide administrative direction for the towing and disposal of junk vehicles in the Town of Easton.

**PART 2 : SPECIFIC :**

Section 1: Any Easton Police Officer may order an abandoned vehicle towed in accordance with Massachusetts General Laws (MGL) Ch. 90, Section 22B.

Section 2: The Company which towed the vehicle will attempt to identify the owner, in cooperation with the Easton Police Dept.

Section 3: If it appears that the vehicle is of extremely low value, the Easton Police Dept. will secure a written appraisal of its value from a member company of the Easton Tow Assoc. who shall provide a written summary of the cost to tow the vehicle, the storage charge per day, and incidental expenses related thereto.

Section 4: If the vehicle has been abandoned for at least 72 hours, and its appraisal is exceeded by the sum of the tow charge and incidental expenses, then an officer(s) of the Police Chief's choosing may order the vehicle disposed of in accordance with MGL, Ch. 90, Sec. 22C.

Section 5: In ordering such disposal, the officer shall use a form substantially in compliance with the Authorization to Dispose of Motor Vehicles.

Section 6: Prior to authorizing the disposal, the officer shall make one last attempt to contact the owner, by registered mail or by phone, the Officer shall note the attempted contact in the Police Log, and in a permanent file regarding the vehicle's disposition.

Section 7: Prior to disposal, the Officer shall also cause photographs of the vehicle to be taken showing the complete exterior and interior of the vehicle.

Section 8: The Police Chief or his/her designee shall be responsible for maintaining a permanent file on each vehicle ordered disposed of, containing copies of all documents and pictures referenced herein.

Adopted: October 17, 1988  
Reviewed and Re-approved as written: December 3, 2001



**AUTHORIZATION TO DISPOSE OF MOTOR VEHICLE**

Company seeking authorization \_\_\_\_\_ Year Make Model Color I.D. Number \_\_\_\_\_

Owner Address \_\_\_\_\_

REGISTERED LETTER SENT TO ABOVE ADDRESS

Date: \_\_\_\_\_ Accepted: Yes \_\_\_ No \_\_\_ Contacted: Yes \_\_\_ No \_\_\_

CONDITION OF VEHICLE \_\_\_\_\_ Damage, Parts Missing, etc. \_\_\_\_\_

HOW DID COMPANY COME INTO POSSESSION OF VEHICLE ?

\_\_\_\_\_  
Police Tow, Customer, abandoned on property, etc.

POLICE OR CUSTOMER TOW INFORMATION , Driver \_\_\_\_\_

\_\_\_\_\_  
Date Time Location

\_\_\_\_\_  
Authorized by, Owner or police officials name and number

TOW, STORAGE, LABOR AND OTHER CHARGES

Tow Charge \$ \_\_\_\_\_ Assessment \$ \_\_\_\_\_ Labor \$ \_\_\_\_\_

Charges \$ \_\_\_\_\_ Storage \$ \_\_\_\_\_ Total \$ \_\_\_\_\_

Assessor \_\_\_\_\_

Assessors Signature

Removal \$ \_\_\_\_\_

\_\_\_\_\_  
Employed By

TOTAL \$ \_\_\_\_\_

Authorization is hereby given to the above company to dispose of this vehicle. Two color pictures and certified mail receipt will be filed with this form.

**POLICY # 65**

**TEMPORARY SIGN POLICY**

**PART 1: GENERAL:**

Section 1: It is the policy of the Board of Selectmen that upon approval of the Town Administrator, temporary signs may be placed at the following locations: Main Street at the intersection of Washington Street; and Depot Street in the area of the "S-Curve". Upon approval, signs may also be placed on private property in accordance with Town By-Laws and coordination with the Building Inspector's office. No signs shall be placed at the intersection of Lincoln Street and Main Street (the Memorial Cairn).

Adopted: October 7, 2002  
Amended Feb. 2, 2004  
Amended August 23, 2010

## **POLICY #66**

### **CONNECTIONS TO THE TOWN'S STORMWATER MANAGEMENT SYSTEM**

#### **PART 1: GENERAL**

The authority of the Board of Selectmen to authorize connections to the Town's municipal drainage system is provided pursuant to Article 11-2 of the Zoning By-Law.

#### **PART 2: APPLICATION PROCEDURE**

Applicants seeking authority to connect to the town's stormwater management system must first have obtained a conditional site plan approval from the Planning and Zoning Board, said conditional approval being subject to approval of the Board of Selectmen for the stormwater connection. A letter to the Board of Selectmen outlining the proposal is sufficient to initiate the review process.

#### **PART 3: STANDARDS FOR REVIEW**

In reviewing proposals for connections to the town's stormwater management system, the Board will evaluate standards, including but not limited to:

1. An on-site stormwater management system must be designed and approved to handle the 2, 10, 25 and 100 year storms in accordance with standard stormwater management design standards. The town's stormwater system shall not be used as a substitute for adequate on-site drainage design.
2. Connection to the town's system may be considered to allow for adequate emergency overflow in the event of a system failure, but will not be considered as a substitute for on-site emergency overflow where such can be reasonably constructed through proper site design. That is, it is not the intent of this policy that connections to the town's system facilitate more intensive development on the site than would normally be permitted. Rather, connections are intended to be allowed only to address potential public safety concerns regarding potential overflow of the on-site system.
3. In reviewing proposals, the Board may consider other factors in determining whether the connection will be allowed, such as overall impact of the development on the area, furtherance of neighborhood or community benefit, adherence to master or other community plans and goals, or similar positive benefits for the community.

#### **PART 4: CONDITIONS OF APPROVAL**

1. Applicants must provide an Operation and Maintenance Plan for the on-site drainage system, and such plan shall be subject to the approval of the Land Use Engineer or other appropriate representative of the Board. At a minimum, the Operation and Maintenance Plan must:

- a. Provide for a quarterly maintenance program including visual inspection of points of discharge, detention basins, subsurface
  - b. recharge facilities, catch basins and area drains; cleaning of catch basins and area drains having more than a 12-inch depth of accumulation; clearing all grates of obstructions.
  - c. Provide for semi-annual sweeping of sediment from parking areas each spring and fall
  - d. Provide for annual inspection of all roof and gutter drains with accumulated debris to be removed; inspection of detention basins including mowing and re-seeding as needed; inspection of subsurface recharge facilities for sediment accumulation and damage (erosion) with sediment to be removed.
  - e. Require that the owner provide to the Board of Selectmen, on an annual basis, certification from a registered engineer that all required maintenance operations were performed over the prior year.
2. A deed restriction must be imposed requiring adherence to the Operation and Maintenance Plan such that the obligation runs with the land through subsequent owners.

Adopted: October 18, 2005

**POLICY #67**

**COMPLETE STREETS POLICY**

**WHEREAS**, Goal TMA-1 of Envision Easton, the Town’s Comprehensive Master Plan is a safe transportation system for all users; and

**WHEREAS**, Goal TMA-2 of Envision Easton, the Town’s Comprehensive Master Plan is a connected transportation system that establishes connections between major destinations and neighborhoods, and accommodates the transportation needs of all residents regardless of age or ability; and

**WHEREAS**, Goal TMA-4 of Envision Easton, the Town’s Comprehensive Master Plan is an efficient transportation system that seeks to minimize and mitigate for congestion; and

**WHEREAS**, Goal TMA-5 of Envision Easton, the Town’s Comprehensive Master Plan is a multimodal transportation system providing for a variety of transportation choices; and

**WHEREAS**, Goal TMA-6 of Envision Easton, the Town’s Comprehensive Master Plan is an environmentally sustainable transportation system that promotes human health; and

**WHEREAS**, Easton is a designated Green Community committed to helping educate residents on clean energy options and measures that reduce energy use, conserve resources and reduce emissions; and

**WHEREAS**, environmental sustainability through the reduction of carbon emissions is a guiding principle within Envision Easton, the Town’s Comprehensive Master Plan; and

**WHEREAS**, Easton is committed to improving transportation and citizen safety; and

**WHEREAS**, Complete Streets is an approach to community transportation using design principles to ensure safety, comfort and accessibility for users of all ages, abilities and income levels and for all users of our streets, trails and transit systems including pedestrians, bicyclists, transit riders, motorists, wheelchair users and other power-driven mobility devices, commercial and emergency vehicles; and

**WHEREAS**, Complete Streets can reduce congestion by providing safe travel choices that encourage non-motorized transportation options, increasing the overall capacity of the transportation network as well as decreasing consumer transportation costs and overall carbon footprint; and

**WHEREAS**, Complete Streets support economic growth and community stability by providing accessible and efficient connections between home, school, work, recreation and retail destinations by improving the pedestrian and vehicular environments throughout communities; and

**WHEREAS**, Complete Streets enhance safe walking and bicycling options for school-age children, in recognition of the objectives of the national Safe Routes to School program; and

**WHEREAS**, Complete Streets can help reduce crashes and injuries and their costs

**NOW, THEREFORE**, the Board of Selectmen adopts this Complete Streets Policy.

**Vision and Purpose:**

Complete Streets are designed and operated to provide safety and accessibility for all the users of our streets, trails and transit systems, including pedestrians, bicyclists, transit riders, motorists, commercial vehicles and emergency vehicles and for people of all ages and of all abilities. Furthermore, Complete Streets principles contribute toward the safety, health, economic viability and quality of life in a community by providing accessible and efficient connections between neighborhoods, home, school, work, recreation and retail destinations by improving the pedestrian and vehicular environments throughout communities. Complete Streets can also reduce the Town’s carbon footprint and contribute to a more sustainable built environment.

The purpose of the Town of Easton’s Complete Streets Policy, therefore is to accommodate all street users by creating a street network that meets the needs of individuals utilizing a variety of transportation modes. It is the intent of the Town of Easton to formalize the planning, design, operation and maintenance of streets so they are safe for all users of all ages and abilities as a matter of routine. This Policy directs decision-makers to consistently plan, design, construct and maintain streets to accommodate all anticipated users including, but not limited to pedestrians, bicyclists, motorists, emergency vehicles and freight and commercial vehicles.

**Core Communities**

The Town of Easton recognizes that users of various modes of transportation, including, but not limited to pedestrians, cyclists, transit and school bus riders, motorists, wheelchair users and other power-driven mobility devices, delivery and service personnel, freight haulers and emergency responders are legitimate users of streets and deserve safe facilities. “All Users” includes users of all ages and abilities.

The Town recognizes that all building and infrastructure projects, both new or reconstruction, as well as routine maintenance projects are potential opportunities to apply Complete Streets design principles. The Town will, to the maximum extent practical, design, construct, maintain and operate all properties over which it has any control to provide for comprehensive and integrated networks of travel consistent with Complete Streets principles.

To the maximum extent practical Complete Streets design principles shall be incorporated into all publicly and privately funded projects:

- 1) All transportation infrastructure, street design and construction projects involving streets listed and shown in Appendix A and requiring funding or approval by the Town of Easton shall adhere to the Town of Easton Complete Streets Policy.
- 2) Projects funded by the State or Federal government, including but not limited to, Chapter 90 funds [except for those roads not listed in Appendix A], Transportation Improvement Program (TIP), MassWorks Infrastructure Program, or other State and Federal funds for street and infrastructure design shall adhere to the Town of Easton Complete Streets Policy, subject to and as may be modified by funding agency guidelines and standards.
- 3) Private developments and related or corresponding street design and construction components shall adhere to the Town of Easton Complete Streets Policy.
- 4) State-owned streets shall comply with the Town of Easton Complete Streets Policy, including the design, construction, and maintenance of such streets within Town boundaries, subject to and as may be modified by MassDOT guidelines and standards.

### **Exemptions**

- 1) All transportation facilities that are limited to non-motorized transportation modes, such as multi-use paths, pedestrian paths, bicycle paths and walking and hiking trails;
- 2) All transportation infrastructure, street design and construction projects involving roadways not listed in Appendix A shall be exempt from this policy with the understanding that the Department of Public Works shall consider suitable complete streets improvements, such as, but not limited to, handicap ramps at intersections, increased road shoulders, and share the road markings, where the improvements are appropriate to the particular street, current use, and the costs are incremental to the overall project cost.
- 3) The relevant reviewing board as defined in the second paragraph of the Implementation section of this policy may approve the exemption of other transportation infrastructure where documentation and data indicate that:
  - a) Roadways where specific users are prohibited by law, such as interstate freeways or pedestrian malls. In these cases an effort will be made for suitable accommodations elsewhere.
  - b) The cost or impacts of implementing this Policy are excessively disproportionate to the current and reasonably foreseeable future need for this Policy and the benefits derived from its implementation.
  - c) Where the Commonwealth of Mass has noted and the FHWA defined “excessively disproportionate” as exceeding 20% of the larger transportation project, no project whether public or through private development will be required or mandated to install complete streets improvements that exceed that threshold.



Further, where complete streets improvements are being requested as part of a larger roadway project, all requests must be submitted with the cost of the complete streets improvements shown separately from the overall roadway project costs in order that a determination may be made as to whether those costs exceed the “excessively disproportionate” threshold.

- d) Other Town policies, regulations, or requirements contradict or preclude the implementation of this Policy, after such policies, regulations, and requirements have been examined and updated to be consistent with the Town of Easton Complete Streets Policy

### **Best Practices**

The Town of Easton Complete Streets Policy will focus on developing a connected, integrated network that serves all street users. Complete Streets principles will be integrated into policies, planning, and design of all types of public and private projects, including new construction, reconstruction, rehabilitation, redevelopment, repair, and maintenance of transportation facilities on, adjacent to, and related to streets, as allowed by law and regulation.

To the greatest extent possible, implementation of the Town of Easton Complete Streets Policy will be carried out cooperatively within and between all departments, boards and committees in the Town of Easton, private developers, and State, regional - including the Easton School District - and federal agencies.

Complete Streets principles include the development and implementation of projects in a manner that is sensitive to the community’s physical, economic, and social setting. The context- sensitive approach to process and design includes a range of goals by considering stakeholder and community values on a level plane with the project need. It includes goals related to livability, connectivity and sustainability with greater participation of those affected in order to gain project consensus. The overall goal of this approach is to preserve and enhance scenic, aesthetic, historical, and environmental resources while improving or maintaining safety, mobility, and infrastructure conditions.

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

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

- The Massachusetts of Department of Transportation Project Design and Development Guidebook  
<http://www.massdot.state.ma.us/highway/DoingBusinessWithUs/ManualsPublicationsForms/ProjectDevelopmentDesignGuide.aspx>

- The latest edition of American Association of State Highway Transportation Officials (AASHTO) A Policy on Geometric Design of Highway and Streets (A copy is available at the Health Department Office)
- The United States Department of Transportation Federal Highway Administration's Manual on Uniform Traffic Design Controls.  
<http://wwwcf.fhwa.dot.gov/exit.cfm?link=http://edocket.access.gpo.gov/2009/pdf/E9-28322.pdf>
- The Architectural Access Board (AAB) 521CMR Rules and Regulations  
<http://www.mass.gov/eopss/consumer-prot-and-bus-lic/license-type/aab/aab-rules-andregulations-pdf.html>
- Documents and plans created by and for the Town of Easton, such as bicycle/pedestrian network plans and conservation/recreation trails plans. Complete Streets implementation and effectiveness should be constantly evaluated for success and opportunities for improvement.

### **Implementation**

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

The Town shall, through the Planning and Zoning Board, review and either revise or develop proposed revisions to all appropriate planning documents (master plans, open space and recreation plan, etc.), zoning and subdivision rules and regulations, laws, procedures, rules, regulations, guidelines, programs, and templates to integrate Complete Streets principles so as to be consistent with the Town of Easton Complete Streets Policy. The Planning and Zoning Board, through its authority to review new development and roadway construction; the Board of Selectmen, through its authority to review, approve and make recommendation to proceed with roadway projects; and the Traffic Advisory Committee, through its authority to review roadway projects and address roadway safety will be responsible for facilitating the implementation of this initiative.

The Town shall maintain a comprehensive map and inventory of pedestrian and bicycle facility infrastructure that will be used to identify and prioritize projects to eliminate gaps in the sidewalk, bikeway, and conservation/recreation trails network. The Town will reevaluate prioritizations of Capital Improvement Projects to encourage implementation of this Policy. The Town will train pertinent town staff and decision-makers on the content of the Town of Easton Complete Streets Policy and best practices for implementing this Policy through workshops and other appropriate means.

The Town will conduct a needs assessment to determine and appropriately plan for future financial costs, capital or otherwise associated with implementation of this Policy.

The Town will seek out appropriate sources of funding and grants for implementation of Complete Streets policies.

### **Evaluation**

The Town will develop through the advisory group performance measures to periodically assess the rate, success and effectiveness of implementing the Town of Easton Complete Streets Policy. The advisory group of relevant stakeholders designated by the Board of Selectmen will determine the frequency of assessment and utilize appropriate metrics for analyzing the success of this ordinance. These metrics may include the total number of new bicycle accommodations (e.g. expanded roadway shoulders, dedicated lanes, intersection turning boxes, bicycle signals, etc.), the linear feet of new pedestrian accommodation, number of retrofitted pedestrian facilities or amenities, number of intersection improvements made to improve Level of Service (LOS) and safety for vehicles, pedestrians and bicyclists, rate of crashes by mode, rate of children walking or bicycling to school, and/or number of trips by mode.

Adopted: October 24, 2016

**POLICY # 71**

**DAM POLICY**

**PART 1 : GENERAL :**

Section 1: DEFINITION : The term dam shall mean any artificial barrier, including appurtenant works, which impounds or diverts water.

Section 2: OWNERSHIP:LIABILITY: The ownership of the dam shall be determined by deed, property ownership, or other legally applicable means.

(a) Private owners are responsible for the maintenance and upkeep in accordance with the appropriate State Agency. (Department of Environmental Management (DEM) - Office of Dam Safety) [Massachusetts General Law Chapter 253, Sections 44 - 50]

(b) The Town of Easton owned dam(s) shall be under the authority of the Conservation Commission.

(c) The Conservation Commission may establish by vote to delegate operation and establish rules of operation of the Town owned dams to the Water Division of the Department of Public Works.

(d) The Conservation Commission is to retain the over-all responsibility for the dams and any delegated authority is to be strictly controlled by the Commission.

(e) A specific policy is to be drafted by the Conservation Commission for the Long Pond dam. Long Pond contains a water plant species called the "Eaton's Quillwort". Long Pond is the only site in Massachusetts that contains this rare and endangered species. The policy should insure its safety.

(f) The Conservation Commission has the right to establish General Rules and Regulations for all Town owned dam(s). Every Town owned dam should have a specific policy.

(1) The specifics of the above are to be determined and kept on file by the Conservation Commission and Water Division.

Section 3: JURISDICTION:

(a) The overall jurisdiction of all dams as authorized by Massachusetts General Law [MGL 253] is to be the Department of Environmental Management (DEM).

**PART 1: GENERAL (continued)**

Section 1: DEFINITION (continued):

(b) The Conservation Commission acting as an agent of the Department of Environmental Protection (DEP) is responsible for "drainage or other disturbances of water level or water table" according to Section 9c of the Wetland Protection Bylaw- Article 29.

(c) The Conservation Commission also has considerable jurisdiction through the Wetland Protection Bylaw Article 29.

Section 4: SPECIFIC REFERENCE :

Massachusetts General Laws Chapter 253/Section 39-41 detail some specific references to dams as related to Cranberry Land and to Ice Ponds. These sections should be used as references when dealing with either case.

Adopted: December 18, 1989  
Reviewed and Re-approved as written: December 3, 2001

## **POLICY # 72**

### **UNDERGROUND FUEL STORAGE POLICY**

Pursuant to M.G.L. c.148, §13, a license issued by the Board of Selectmen is required for the storage of gasoline and for diesel and Class II fuel oil in excess of 10,000 gallons.

#### **APPLICATION REQUIREMENTS:**

A completed application to be filed with the Board of Selectmen shall consist of the Board of Selectmen's Underground Storage Tank Application as included in this policy together with:

- (a) The permit issued by the head of the Fire Department as required by 527 CMR 14.00;
- (b) One plan by a registered professional engineer and registered land surveyor showing the location of proposed new tanks and the size and location of existing tanks or storage, if any;
- (c) A letter from the registered professional engineer and registered land surveyor confirming tank(s) are double-wall and double-piped construction as a minimum and construction will conform to the State Fire Prevention (527 CMR).
- (d) The Fee as currently approved together with costs for publication of the hearing notice.

#### **PROCEDURE**

Upon receipt of a completed application for an Underground Fuel Storage License for the installation of a new or replacement underground storage tank(s), the Board of Selectmen shall hold a public hearing. Notice of the time and place of said hearing shall be given, at the expense of the applicant, by publication, not less than seven days prior to the date of the public hearing, in a newspaper of general circulation in the Town of Easton, and also by the applicant by registered mail (return receipt required) not less than seven days prior to the hearing, to all owners of real estate abutting on said land or directly opposite said land on any public or private street as they appear on the most recent tax list at the time the application is filed.

Proof of abutter notification (green cards) must be filed with the Board of Selectmen prior to hearing.

A copy of the application shall be forwarded by the Board of Selectmen to the Planning & Zoning Board, Conservation Commission, Board of Health, and Water Department for recommendation of approval or disapproval, including suggested mitigation measure or conditions. The failure to make a recommendation shall not affect the authority of the Board of Selectmen to act on an application.

The completed application shall also be forwarded to the Inspector of Buildings for zoning approval.

The license shall be recorded in the Town Clerk's office and it shall, from the time of the granting thereof by the Board of Selectmen, be deemed a grant attaching to the land described therein and shall run with the land.

The owner or operator of the license shall file a certificate of registration with the Town Clerk's office annually on or before April 30. The purpose for the registration is to inform the Board of Selectmen that the license remains active. The failure to annually file a certificate of registration with the fee therefor may result in the revocation of the license by the Board of Selectmen.

The license and certificate of registration must be plainly posted on the premises.

## **CHANGES OR TRANSFER OF OWNERSHIP**

### **Does not involve action or require hearing by Board of Selectmen**

The owner of any storage facility for which a license has been issued by the Board of Selectmen shall within seven working days notify the Fire Chief of any change in the name, address, or telephone numbers of the owner or of the operator. In the case of any transfer of ownership, the new owner shall be responsible for the notification of this transfer. The Fire Chief will notify the Town Clerk's office and the Board of Selectmen's Office of a change or transfer of ownership.

## **ABANDONMENT OR CESSATION OF USE**

In the case of underground storage tanks licensed pursuant to M.G.L. c.148, §13 by the Board of Selectmen, 527 CMR 9.00, Tanks and Containers, states that "Abandoned" shall mean out of service for a continuous period in excess of six months. Once the tank is abandoned or out of service, it must be removed.

Prior to the discontinuance of the storage of fuel at the licensed premises. The owner/and or operator shall send written notification to the Board of Selectmen at least thirty days in advance of the discontinuance of such use. All products shall be removed from the site and disposed pursuant to federal and state laws. Notification shall include, but not be limited to, a listing of all products being discontinued, method of disposal, and the disposal site.

Pursuant to M.G.L. c.148, §13, if the land described in the license ceased to be used for the storage of fuel, the holder of the license shall within three weeks after such cessation eliminate all hazardous conditions incident to such cessation. If the holder of the license fails to eliminate such conditions, the Board of Selectmen may have the condition eliminated, and a claim for the expense thereof shall constitute a debt due to the Town of Easton upon the completion of the work and the rendering of an account therefor to the license holder. The money due shall be recoverable by the Town of Easton in an action of contract and all provisions of §13 applicable to the collection of this debt shall apply.

Adopted: December 18, 1989  
Reviewed and Re-approved as written: December 3, 2001  
Amended August 23, 2010

**BOARD OF SELECTMEN  
UNDERGROUND STORAGE TANK APPLICATION  
(for license for diesel/#2 fuel oil storage in excess of 10,000 gal)**

FEE: \$ \_\_\_\_\_

Application is hereby requested for a permit to

- Install Underground Storage Tanks(s)
- Replace Underground Storage Tanks(s)

Location/Address: \_\_\_\_\_ Map/Parcel: \_\_\_\_\_

Owners	Address
Installer/Contractor	Address
Lot Size Sq. Ft	Number of Tanks

	Underground Tank 1	Underground Tank 2	Underground Tank 3	Underground Tank 4	Underground Tank 5
Tank Size					
Distance to Town Wells					
Construction Materials					

Secondary Containment System \_\_\_\_\_

Name of Registered Professional Engineer \_\_\_\_\_

**Enclose one copy of proposed plans on paper no larger than 11 x 17"**

**For installation or replacement:** The undersigned agrees to install the afore described underground storage tank system in accordance with the Town of Easton's Board of Health Regulations on Underground Storage Tank(s). The undersigned also agrees not to place the system in operation until a final inspection has been conducted by the Board of Health and Fire Department.

\_\_\_\_\_  
Signature of Applicant

Application Approved by \_\_\_\_\_ Date \_\_\_\_\_

Application Disapproved for the following reasons:

\_\_\_\_\_



**POLICY # 81**

**AFFIRMATIVE ACTION/CONTRACT COMPLIANCE POLICY**

**PART 1 : GENERAL :**

- Section 1: It is the policy of the government of the United States of America, the Commonwealth of Massachusetts and the Town of Easton that no person shall be discriminated against in any manner whatsoever on the grounds of race, religion, color, sex, national origin, age, handicap or sexual orientation.
- Section 2: It is the policy of the government of the United States that Minority/Women Business Enterprises shall have the maximum practicable opportunity to participate in Federally assisted projects.
- Section 3: It is the policy of the government of the United States that no person shall, on the grounds of race, religion, color, sex, national origin, age, handicap or sexual orientation, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal, State or Town assistance.
- Section 4: The Governor of the Commonwealth of Massachusetts has issued Executive Order No. 227 amending and revising Executive Order No. 74 as amended by Executive Orders No. 116 and No. 117 setting for the Commonwealth's non-discrimination and equal opportunity policy for the Commonwealth of Massachusetts pertaining not only to State Government but to all agencies receiving financial assistance from the Commonwealth.
- Section 5: The Town of Easton recognizes that the objectives set forth in this Minority/Women Business Enterprise (MBE/WBE) Plan will be for the purpose of securing certified MBE/WBE Business Enterprises for Federal, State, or Town-funded construction, consultant, and vendor service purchasing.
- Section 6: The Town of Easton strongly affirms that it will not discriminate in any contractual procedures against any persons because of race, color, religion, age, disability, sex, national origin, handicap, sexual orientation, or any other condition that is not a bone fide qualification. This policy shall be administered at all levels with a positive, aggressive and supportive attitude.
- Section 7: The Contract Compliance Officer shall be responsible for the development, implementation, and monitoring of all activities necessary to ensure all aspects of this MBE/WBE Business Enterprise Program are initiated to its fullest extent.

- Section 8: The Contract Compliance Officer shall establish reporting procedures, monitoring the program and providing technical assistance to the MBE/WBE's and contractors to ensure the accomplishment of program goals and contract compliance.
- Section 9: By virtue of the delegation of this responsibility and authority to direct the program, the Contract Compliance Officer will report directly to the Town Administrator on all equal opportunity matters.
- Section 10: The program requires that all Town Departments participate and cooperate with this policy. Failure to follow this policy and its regulations will result in disciplinary action to be administered by the appropriate supervising authority.
- Section 11: It is hereby agreed, that the following Minority/ Women Business Enterprise Program be instituted for and in behalf of the Town of Easton.

**POLICY # 82**

**PROCESSING OF CONSTABLE APPLICATION POLICY**

**PART 1: APPLICATION PROCESS**

- Section 1: The purpose of this policy is to establish a procedure for the processing of constable applications for appointment and/or reappointment.
- Section 2: All applicants will be given the attached a Town of Easton Constable Application a copy of this policy, information/forms related to the payment of fees to the Town Treasurer, and a copy of applicable Massachusetts statues.
- Section 3: All applicants must submit a completed application along with the payment of the required fee to the Board of Selectmen.
- Section 4: The complete application package will be transmitted to the Police Chief who will conduct a background investigation on the applicant.
- Section 5: If there is no objection, the Chief shall indicate by signing the application.
- Section 6: An application for reappointment will be transmitted to the Town Treasurer for confirmation annual reports of fees and money received under section 8 of Chapter 262 have been properly filed.
- Section 7: The entire package will be placed on the next available Selectmen's agenda for the Board's action.
- Section 8: The applicant will be informed, by letter, of the Board's action.
- Section 9: Any new applicant who does not have a bond previously approved and filed with the Town Clerk will be appointed contingent upon presentation of such bond to the Board of Selectmen for approval and filing of this bond with the Town Clerk.
- Section 10: Upon receipt of the appointment letter from the Board, the applicant must be sworn in by the Town Clerk and confirm with the Town Clerk that a bond is on file in the proper amount.
- Section 11: The Town Clerk will provide notation on the appointment letter that the Constable has completed the above mentioned steps. The Constable applicant will then obtain the required Constable ID at the Easton Police Department.

Section 12: The Easton Police Department will have on file a list of Constables who have been issued IDs.

Adopted: September 16, 1991  
Reviewed and Re-approved as written: December 10, 2001  
Reviewed and Re-Approved: September 8, 2008  
Reviewed and Re-Approved September 22, 2008



TOWN OF EASTON CONSTABLE APPLICATION

DATE \_\_\_\_\_

PRINT OR TYPE

Name \_\_\_\_\_  
                    First                      Middle                      (Maiden)                      Last

Address \_\_\_\_\_

Telephone # \_\_\_\_\_

Occupation \_\_\_\_\_

I hereby request an appointment as a constable of the Town of Easton for a term of three years from date of appointment, in accordance with GL Ch. 41 (Sec. 91) as amended.

My reasons for desiring such appointment are as follows:

\_\_\_\_\_

Date of birth \_\_\_\_\_ Place of birth \_\_\_\_\_

Are you a Citizen? \_\_\_\_\_ Have you ever been convicted of any offense in any Court? \_\_\_\_\_. If so, state when, the nature of the offense, and the disposition of the case.

\_\_\_\_\_

\_\_\_\_\_

Did you serve as a constable last year? \_\_\_\_\_. To your knowledge was there any complaint against you during your term? If so, by whom, the reasons and disposition of the complaint

\_\_\_\_\_

We, citizens of the City/Town of the applicant's City/Town hereby state that the applicant is to our knowledge and belief of good moral character. **If renewal, omit the following:**

Applicant: \_\_\_\_\_

Name

Address

Occupation

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Attorney-at-law**

I hereby authorize the Chief of Police to conduct a criminal investigation concerning my suitability to serve as an Easton Constable, and I authorize the Chief to divulge any and all findings of his/her investigation to the Board of Selectmen and Town Administrator

Signed: \_\_\_\_\_  
APPLICANT

Police Department does/does not object to the granting of application

Police Department

Signed: \_\_\_\_\_  
CHIEF OF POLICE

Approved/Disapproved  
Board of Selectmen

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date of Selectmen's Action



## Town of Easton

### Collector/Treasurer Office

Dear Town of Easton Constable:

Changes in the state law regarding service of civil process by constables were made by the State Legislature as a result of Chapter 140 of the Acts of 2003, Sections 20 and 21. These changes amended sections 95A and B and require you to deposit with the Town Treasurer 25% of the fees collected during the preceding month for the service of civil process under the fee structure established in section 8 of chapter 262.

You are hereby notified that 25% of all of the fees you collect under civil service of process must be turned over via a check made payable to the Town of Easton, c/o the Collector/Treasurer Office. The Town requires that payment shall be made in installments to be deposited with the Town Treasurer not later than January 15, April 15, July 15, and October 15 of each year using the enclosed remittance form.

**However, a constable having less than \$500 to deposit at that time shall hold the share for deposit until the sooner of October 15 or the time when the amount due to the Town equals or exceeds \$500.**

These changes also require you to submit an annual report to the Town Treasurer on or before April 15<sup>th</sup> of each year, signed under the penalties of perjury, of all fees and money received by you under section 8 of chapter 262 for the service of civil process. This report must include an itemization of all civil process fees charged by the constable's civil process office, all revenue received from said fees and all amounts paid by the constable to any city or town treasurer on account of such civil process fees under section 95A.

Should you have any questions regarding this matter, please do not hesitate to contact the Collector/Treasurer (508) 230-0610.

Thank you.



## Town of Easton

Collector/Treasurer Office

### QUARTERLY CONSTABLE REMITTANCE FORM

This form must be submitted with your quarterly payment to the Town of Easton's Collector/Treasurer Department on or before January, April, July and October 15<sup>th</sup> of each year\*

This Report includes processes served from (mo./year) \_\_\_\_\_ through (mo./year) \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

COMPANY (if applicable): \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

**Please list. Attach additional sheets as necessary.**

Section 8 Fee Type	No. of Transactions	\$ Amount Collected	\$ Amount remitted herewith

Total Remitted: \$ \_\_\_\_\_

I hereby certify that the information contained herein is true and accurate to the best of my knowledge.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

Please make your check payable to the Town of Easton and forward to attn: Collector/Treasurer Department, Town of Easton, 136 Elm St., N. Easton, MA 02356\* However, a constable having less than \$500 to deposit at that time shall hold the share for deposit until the sooner of October 15 or the time when the amount due the Town equals or exceeds \$500.



## **POLICY # 83**

### **ROAD RACE POLICY**

The Board of Selectmen in order to promote the safety of the residents of and visitors of the Town during road Races declare that the following administrative procedures are to be followed in scheduling and permitting Road Races in any part of the Town.

#### **PART 1: DEFINITIONS**

- 1.) "Race Organizer"- Any person whether acting individually or on behalf of an organization that sponsors, promotes, staffs, schedules or arranges a Road Race
- 2.) "Road Race" – Any organized event occurring on one specific day characterized by voluntary participation of numerous individuals either on foot, wheel chairs or on bicycles for the purpose of traveling along public ways in the Town of Easton with the intent of crossing a finish line, except races organized by Easton Public Schools or Stonehill College.

#### **PART 2: APPLICATION**

- 1) Race Organizers who wish to hold a Road Race on a certain day within the Town of Easton must first obtain a permit from the Town Administrator. Application for the permit shall be made on the Road Race Application Form at least two weeks in advance of the date on which the Race Organizer wishes to schedule the Road Race. In addition to the information required on the application, the following specific information must also be provided:
  - a. The starting and expected finishing time of the Road Race of the times within which Town public ways will be utilized as the Road Race passes through the Town and the date.
  - b. The course that is to be traveled including its length, all street intersections, the start and finish line locations, all stops/or rest areas, including a map.
  - c. The type of race (running, walking, bicycles, wheelchairs, or other).
  - d. The expected number of participates.
  - e. The expected parking requirements.
  - f. The number of toilet facilities which the Race Organizer will provide and remove at his/her own expense and their location.
  - g. A description of the first aid arrangements which the Race Organizer will have available.

h. The type of non-permanent markings or signs which will be used.

**NOTE:** Permanent markings of any type, including painted symbols on street pavement are strictly prohibited.

2) Application Fee and Deposit:

The application must be accompanied by a non-refundable administrative fee of \$25.00 and a deposit of \$100.00 which is the amount estimated by the Department of Public Works Superintendent to secure clean-up costs. The deposit will be returned to the Race Organizer within ten (10) days after the Road Race (or the date of the Road Race if it is cancelled) provided that the public streets and public areas are cleaned up by the Race Organizer immediately following the road Race to the satisfaction of the Police Officer in charge on the day of the Road Race. This fee may be waived by the Board of Selectmen upon satisfactory proof that it constitutes a hardship to the organizer or is determined unnecessary.

3) Discretion of the Town:

The Town Administrator shall have the sole discretion in granting or denying the permit and may impose reasonable conditions on the permit as to the date of the Road Race, the designation of the area for public parking, the location of the start and finish lines, the location and number of public toilets, the number of police officers required to ensure traffic safety and where they will be assigned, the time that the Road Race starts, the location of the first aid station, the streets to be blocked off and how that is to be done, and indicate all stops and/or rest areas.

4) Liability:

The Race Organizer shall sign a statement that he is the agent for and has delegated authority to file this application and to bind any organization that is sponsoring the Road Race for cost incurred such as the following:

- a. The cost, in excess of the deposit, of removing any permanent markings from public ways.
- b. Any clean-up costs in excess of the deposit.

5) Emergency Medical Services:

If any participant in the Road Race requires medical care or transport from the Town's EMTs, the cost of such will be billed directly to the person receiving the medical care or transport.

6) Hold Harmless Clause:

The Race Organizer shall execute a “Hold Harmless Agreement” which shall guarantee that the Town will be held harmless against liability claims for personal injury or property damage made against it by participants in the Road Race, or from any such claims for personal injuries or property damage made by any third parties. Additionally, if the Race Organizer requires that Releases shall be executed by participants in the Road Race as a condition of entry or participation in such race, it shall require that such a release or waiver of liability include the Town of Easton.

7) Scheduling the Application for Road Race Permit.

Upon completion of the application and release, and payment of the fee and deposit for clean-up costs, the application will be forwarded to the Police Department, Fire Department, and Department of Public Works for comment. The application will then be provided to the Town Administrator for review and determination.

If approved, the Race Organizer will be expected to pay in advance for the police officers assigned to the road Race by check made payable to the Town of Easton and delivered to the Easton Police Department. Following clean-up, this Police Officer will sign a card indicating that the clean-up was satisfactory before leaving the scene. This card must be presented to the Town Administrator’s Office before the deposit can be released.

8) Any race which will traverse or cross any portion of a State Highway or road must be coordinated with the State DOT Highway Department which will issue its own permit. Coordination may be made by calling 508-824-6633 Ext. 211.

Adopted: July 11,1994  
Reviewed and Re-approved as written: December 10,2001  
Amended: February 9, 2015



**Town of Easton – Road Race Application Form**

1. Today's Date: \_\_\_\_\_
2. Organization Sponsoring Race: (name) \_\_\_\_\_
3. Type of Organization: \_\_\_ a. Private Individual    b. \_\_\_ Group, Unincorporated Individuals  
c. \_\_\_ Chapter 180 Social/Charitable Corporation    d. \_\_\_ Business Corporation
4. Address: \_\_\_\_\_
5. Phone: \_\_\_\_\_
6. Contact Person: \_\_\_\_\_
7. Event Website: \_\_\_\_\_
8. Type of Race: a. \_\_\_ Running    b. \_\_\_ Walking    c. \_\_\_ Bicycling    d. \_\_\_ Wheelchair    e. Other \_\_\_\_\_
9. Date of Race: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_
10. Race Start Time: \_\_\_\_\_
11. Starting Location: \_\_\_\_\_
12. Finishing Line Location: \_\_\_\_\_
13. Please outline the proposed route of the Road Race:  
\_\_\_\_\_  
\_\_\_\_\_
14. Estimated Finish Time: \_\_\_\_\_
15. Estimated # of Participants: \_\_\_\_\_
16. Parking Requirements: \_\_\_\_\_
17. Number and Location of Toilet Facilities to be provided by Race Organizer: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Print: \_\_\_\_\_



**HOLD HARMLESS AGREEMENT**

In CONSIDERATION of the issuance by the Town of Easton, of a PERMIT to \_\_\_\_\_, as RACE ORGANIZER, to conduct a “Road Race”, on Public Ways situated in the Town of Easton, on the \_\_\_\_\_ day of \_\_\_\_\_.

The said Race Organizer CONVENANTS and AGREES with said TOWN OF EASTON, that it will hold the Town of Easton, its officials, employees or agents, HARMLESS against all claims for personal injury or property damage, made against said TOWN OF EASTON, including claims for death, which are alleged to have occurred during the time of said Road Race, or for any such claims for personal injuries or property damage, made against said TOWN OF EASTON by third parties including claims for personal injury of property damage made against any officials, employees or agents of said Town, and the said RACE ORGANIZER further COVENANTS AND AGREES to indemnify and save harmless the above named TOWN OF EASTON, its officials employees or agents, from all claims, demands, costs, loss of services, expenses, and compensation on account of or in any way growing out of said ROAD RACE, or its results to both person and property.

IN WITNESS WHEREOF, I/We have hereunto set my/our hand and seal/CORPORATE SEAL this \_\_\_\_\_ day of \_\_\_\_\_.

Signature \_\_\_\_\_

**CERTIFICATE OF WITNESS**

WE CERTIFY THAT THIS HOLD HARMLESS AGREEMENT was signed in our presence by the above individual/corporate Treasurer , who acknowledged that he/she understood it fully.

WITNESS \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

WITNESS: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

**POLICY # 84**

**CONVEYANCE OF LAND POLICY**

**PART 1. POLICY**

Section 1: When an individual, business, corporation or any other entity wishes to convey by sale or donation to the Town of Easton a parcel of land, the Board of Selectmen shall refer the matter to appropriate department heads and boards, including but not limited to: Town Administrator, Assistant Town Administrator, Town Planner, DPW Director, Assistant Assessor, Conservation Commission, Recreation Director, Housing Partnership, Water Superintendent, Town Engineer, Superintendent of Schools, Health Director, Tax Collector, Fire Chief, Police Chief, Building Inspector, Historical Commission, and Municipal Building Committee.

Section 2. Department Heads and boards shall be provided a maximum of twenty-one (21) days to provide input into the proposal. Lack of response within these time frames will be deemed a lack of interest and waiver of the opportunity to provide input.

Section 3: Where appropriate, and when time permits, department heads shall review the proposed acquisition with the Board or Committee for which they work.

Section 4: Department Heads shall provide to the Board of Selectmen any and all information that may be helpful to the Board of Selectmen in their determination as to whether the property should be acquired by the Town and, if so, for what purpose.

**POLICY # 85**

**TOWN COUNSEL (ACCESS)**

**PART 1: GENERAL:**

Section 1: It is the purpose of this policy to describe how members of the Board of Selectmen and others may engage the services of Town Counsel.

Section 2: Town Counsel bills service to the Town on an hourly basis. Therefore, any contact between Town Counsel and the Town results in the expenditure of funds.

Section 3: The Town's legal budget is limited each fiscal year and must be used in an efficient, effective manner.

**PART 2: SELECTMEN'S ACCESS:**

Section 1. Individual Board members should indicate to the Chair their desire for a legal opinion or other Town Counsel service.

Section 2. Alternatively, a Board member may request Town Counsel's services during a regular agenda item or under Selectmen's Notes.

Section 3. If requested during a meeting, the Chair will ask for a consensus or vote of the Board to request Town Counsel service.

Section 4. If forwarded to the Chair, a request for Town Counsel service shall either be scheduled as an agenda item or the request forwarded directly to Town Counsel, at the Chair's discretion.

Section 5. In forwarding requests directly to Counsel, the Chair should be cognizant of budgetary constraints and the need to ensure that Town Counsel opinions are not sought or used for purposes contradictory to established policies or votes of the Board.

Section 6. When providing in writing, Town Counsel opinions should be provided to all Board members by placement in the I&N folder or by copy in each Selectmen's folder.

Section 7: The Chair shall always have access to Town Counsel on his or her own initiative.

Section 8: Nothing in this policy shall serve to inhibit any Board member's right to seek an opinion of Counsel privately, regarding possible conflicts of interest or litigation involving a Selectman as a result of one's duties as Selectmen.

**PART 3: ACCESS BY ALL OTHERS (Other Departments)**

Section 1: Access by all others shall be as determined by the Town Administrator.

Adopted: April 14, 2003



## **POLICY # 86**

### **TOWN COUNSEL TERM AND PERFORMANCE EVALUATION**

**Section 1:** Each appointment for any Town Counsel shall be for a term not exceeding four (4) years. Town Counsel shall be evaluated midway through each such term. The Chair of the Board of Selectmen shall cause such appraisals to occur and provide all reports to the full Board of Selectmen for review and appropriate action by the Board. The process for such performance appraisals shall be as follows:

- Boards, Commissions, and Committees are to review any interaction with Town Counsel and provide the Town Administrator with any comment they may deem appropriate. Volunteer Boards, Commissions, and Committees are not required to complete the attached evaluation form.
- Department Managers are to send their Performance Evaluation of Town Counsel(s) using the form provided to the Town Administrator no later than thirty (30) days after notification by the Chair of the Board of Selectmen. Managers who regularly work with a Board, Commission, or Committee shall make sure there is ample opportunity for members to give feedback.

**Section 2:** Criteria to be rated: An evaluation form shall be provided for any evaluation of Town Counsel (Attachment C).

- The Town Administrator shall review the results of the evaluations with Town Counsel and report the results to the Board of Selectmen

**Section 3:** Town Counsel(s) shall provide quarterly the Town Administrator with summaries of legal activities as follows:

- Total dollars billed for “Opinions” – such total to be itemized by Department;
- Total “Litigation” dollars billed – such total to be itemized;
- Status of open/pending litigation/cases to be provided in Executive Session per M.G.L. Chapter 39, Section 23B.

**Section 4:** As required, the Board of Selectmen shall review such reports with the Town Administrator and Town Counsel.

**ATTACHMENT C-1 through C - 4  
TOWN OF EASTON  
Town Counsel Evaluation Form**

Instructions:

A space has been provided for each statement within the performance areas. Write in the number which most accurately reflects the level of performance for the factor. If you did not have an opportunity to observe or make a determination on a particular factor, please indicate so in the N/A space.

Rating Scale (1.0-5.0)

Unsatisfactory (1.0 - 1.9)

Town Counsel's work performance is inadequate and definitely inferior to the standards of performance required.

Improvement needed (2.0 - 2.9)

Town Counsel's work performance does not consistently meet the standards. Serious effort is required to improve.

Meets Job Standards (3.0 - 3.9)

Town Counsel's work performance consistently meets the standards of the position.

Exceeds Job Standards (4.0 - 4.9)

Town Counsel's work performance is frequently or consistently above the level required but has not yet achieved an overall level of outstanding performance.

Outstanding (5.0)

Town Counsel's work performance is consistently excellent.

**C-1**

Date:

Name of Town Counsel Being Evaluated: \_\_\_\_\_

Name of Individual Providing This Evaluation: \_\_\_\_\_

1. Professionalism	1	2	3	4	5	N/A
a. Has the solid legal knowledge and expertise required.						
b. Provides capable legal representation.						
c. Provides clear legal advice.						
d. Provides professional training on legal issues.						
Comments:						

SCORE (average items a thru d)  
SECTION 1 =

**C-2**

2. Communications	1	2	3	4	5	N/A
a. Opinions are communicated concisely and clearly						
b. Provides information on current legal issues.						
c. Is available for meetings and/or consultation.						
d. Responds promptly.						
Comments:						

SCORE (Average of items a thru d) SECTION 2 =
--

**C-2**

3. Support/Relations	1	2	3	4	5	N/A
a. Provides a quality analysis of legal issues.						
b. Consistently available for legal advice/opinions.						
c. Listens and understands legal issues.						
d. Has full knowledge of subject matter.						
Comments:						

SCORE (average of items a thru d) SECTION 3 =
--

**C-4**

ADD TOTAL SCORES OF ITEMS 1 - 3 THEN DIVIDE BY 3 TO OBTAIN  
OVERALL INDIVIDUAL RATING

OVERALL INDIVIDUAL RATING =

Areas for Improvement:

GOALS/OBJECTIVES FOR TOWN COUNSEL FOR THE UPCOMING YEAR:

**POLICY #87**

**CELL PHONE POLICY**

Cell phone use is prohibited by the Town for all municipal employees when using heavy equipment such as sweepers, plows, backhoes, etc.

If cell phones must be used when operating Town- owned vehicles, it is recommended that the driver pull over to a safe spot to use the phone. If this is not possible, then a “hands free” system is preferred.

Cell phone use during poor weather or difficult traffic conditions is prohibited. Employees should never make or take incoming calls until it is safe to do so. Conversations should be kept brief.

Texting or emailing while driving is prohibited.

Adopted: July 12, 2010  
Amended: February 9, 2015

## **POLICY #88**

### **TOWN OF EASTON/EASTON PUBLIC SCHOOLS FUEL EFFICIENT VEHICLE POLICY**

#### **DEFINITIONS**

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

$$=1/((0.43/City\ MPG) + (0.57/Highway\ MPG))$$

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

- AWD = All Wheel Drive: four-wheel drive automatically controlled by the vehicle powertrain system
- 4WD = 4-Wheel Drive: driver selectable four-wheel drive with 2-wheel drive option
- 2WD = 2-Wheel Drive

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

#### **POLICY STATEMENT**

In an effort to reduce the Town of Easton/Easton Public Schools fuel consumption and energy costs the Board of Selectmen/School Committee hereby adopts a policy to purchase only fuel efficient vehicles to meet this goal.

#### **PURPOSE**

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

#### **APPLICABILITY**

This policy applies to all divisions and departments of the Town of Easton/Easton Public Schools.

#### **GUIDELINES**

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



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

This Green Communities' Guidance for Criteria 4 must be checked for updates prior to ordering replacement vehicles.

***Exemptions***

Heavy-duty vehicles. Examples include fire-trucks, ambulances, and some public works trucks that meet the definition of Heavy-duty vehicle.

Police cruisers, passenger vans and cargo vans are exempt from this criterion as fuel efficient models are not currently available. However, we commit to purchasing fuel efficient police cruisers, passenger vans and cargo vans when they become commercially available. Police and fire department administrative vehicles are NOT exempt and must meet fuel efficient requirements.

***Inventory***

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

Model	Make	Model Year	Drive System: 2 WD, 4WD or AWD	Year/month Purchased	> 8500 pounds? (Y or N)	Exempt or non-exempt	MPG Rating	Vehicle Function

*NOTE: DEPARTMENTS/DIVISIONS MAY USE EPA COMBINED MPG ESTIMATES OR ACTUAL COMBINED MPG.*

**FUEL EFFICIENT VEHICLE REPLACEMENT PLAN**

Each Town of Easton department submits a 5-10 year capital plan which includes fleet vehicle replacement requests. Fleet vehicle retirement is typically chosen for vehicles with excessive mileage, those which are greater than 10 years old, and those that are in poor condition. All vehicle replacements must be approved by the Town's Capital Budget Committee.

*There are currently no replacements proposed for non-exempt vehicles.*

**Discontinuation of the Recycling of Police Patrol Cars:** Ford Crown Victoria police cruisers will no longer be handed down from the Easton Police Department for use by other departments.

**QUESTIONS/ENFORCEMENT**

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

Adopted: July 12, 2010  
Amended: November 19, 2012

## **POLICY #89**

### **TOWN OF EASTON “BUY RECYCLED” POLICY**

*(Note: Sections of text from the Executive Department of the Commonwealth of Massachusetts Declaration of Environmentally Preferred Products Policy and the Town of Littleton Buy Recycling Policy have been incorporated into the following policy for the Town of Easton)*

As part of Easton’s overall goals of conserving energy and natural resources, reducing waste, protecting public health and the environment, and promoting the use of clean technologies, recycled materials, and less toxic products, it shall be the policy of the Town of Easton and its departments to reduce their impact on the environment and enhance public health by procuring Environmentally Preferable Products and services (EPPs) whenever such products and services are readily available, cost effective, satisfy quality requirements, and meet use specifications.

To the maximum extent practicable, each department shall implement paper reduction techniques through the use of duplexing, sharing and circulating materials, use of electronic mail, and reuse of discarded paper for draft work, scrap paper and internal messages.

Environmentally Preferable Products (EPPs): shall include, but not be limited to products and services that: contain recycled materials; conserve energy, water, or other resources; minimize waste; are less toxic and hazardous; reduce the generation, release, or disposal of toxic substances; protect open space; and/or otherwise lessen the impact of such products or services on public health and the environment.

## **POLICY # 90**

### **NAMING NON-SCHOOL TOWN PROPERTY AND PLACEMENT OF MEMORIALS**

It is the policy of the Board of Selectmen that the naming of publicly-owned property shall be done sparingly, for good cause shown. Property may only be named to recognize town residents who have made significant contributions to the town of Easton, to commemorate a significant local, regional, or national event, to commemorate the history or contributions of a group of people, or to memorialize a person or persons of significance to the community.

Requests for naming of any non-school public property, such as buildings, rooms within buildings, playgrounds, recreational facilities, squares, parks and other public facilities shall be considered at an advertised public meeting before the Board of Selectmen.

At the direction of the Selectmen, a Board or Committee responsible for operating the facility may hold an advertised public hearing and shall then refer a suggestion or suggestions to the Board of Selectmen with a record of the hearing and a Committee recommendation for approval. The Board of Selectmen shall then vote on the recommendation.

It is the policy of the Board of Selectmen that the renaming of a property be done very sparingly, for compelling reasons. Renaming of a property already named for a person or family shall be undertaken only by Town Meeting.

It shall be the policy of the Board of Selectmen that the placement of memorials for a deceased Town resident or to commemorate a significant regional or national event or to commemorate the history and contributions of an ethnic or racial group within the Town of Easton shall be done very sparingly, for compelling reasons. Memorials shall only be allowed for deceased residents who have made a significant contribution to the community.

Before any permanent memorial may be placed on Town property, the proposed site shall be reviewed by the Police, Fire and Public Works Departments for any public safety issues.

**POLICY # 91**

**RECORDS MANAGEMENT**

<b><i>GOVERNING POLICY</i></b>
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**ARTICLE I. ARCHIVES AND RECORDS MANAGEMENT**

**Sec. 1-1. Ownership and management of public records.**

All public records, as defined in Massachusetts General Law c. 4, § 7, and c. 66, § 3, shall be the property of the Town of Easton and under the management control of the Office of the Town Clerk.

**Sec. 1-2. Town Clerk; management control.**

The Town Clerk shall oversee the execution of policies and orders of the Supervisor of Public Records, and provisions of MGL. C.66. To that end, the Town Clerk shall develop a program comprising procedures, standards and techniques for ensuring adequate custody, preservation and accountability of records and for archives management, as follows:

- a) advise departments in the administration and safekeeping of records and archival materials;
- b) appraise all inactive municipal records for their historical, administrative, legal, fiscal, cultural or other important value;
- c) establish procedures for the lawful transfer and disposition of all noncurrent records, including those of semi-active status which must be retained for varying periods of time, but which are not needed frequently for the transaction of current business;
- d) plan and provide one or more records centers for accepting, storing, retrieving, servicing and protecting such records;
- e) implement retention and disposition schedules
- f) receive from Town agencies for permanent archival storage records scheduled for permanent retention and those records which have an enduring historical value, when those records are no longer necessary for conducting current business;
- g) plan, establish and operate an archives repository in order to store, secure, process and conserve said records and to make them available for governmental reference and public use;
- h) in consultation with agencies having custody, identify the records most vital to the operation of the Town, which records shall be preserved in protected storage in order to survive disaster;
- i) prepare plans and schedules relative to the retention, disposition and preservation of records, and insure the compliance with Commonwealth regulations governing them;

- j) prepare inventories, indexes, guides and other resource aids to facilitate the use of the public records of the Town;
- k) establish procedures for identifying the authoritative copy of record of documents, reflecting all amendments made during the approval process and identifying the office responsible for retaining the copy of record.

**Sec. 1-3. Records Manager & Compliance Officer; appointment; duties.**

- a) There shall be within the office of the Town Clerk, a Records Manager & Compliance Officer, appointed by the Town Administrator, and hereinafter called the Records Manager. Said Records Manager shall oversee the Town Clerk's program for the administration and preservation of the records of the Town of Easton under the provisions of MGL. c. 66.
- b) The Records Manager shall be the liaison between the Town Clerk and the various agencies of the Town regarding the safekeeping and administration of Town records.
- c) The Town Clerk may employ, within budget constraints, temporary professional and technical assistance to the Records Manager as may be required in the performance of the duties of that office.

**Sec. 1-4. Agencies of the Town; custody and preservation of records.**

Unless otherwise provided for by law, records shall be kept in the custody of the manager of each Town agency, or his/her designee. The manager of each Town agency shall:

- a) make and preserve public records containing proper documentation of its organization, functions, policies and procedures;
- b) establish and maintain effective controls over the creation, maintenance and use of records and guard against the loss or the unauthorized or unlawful removal of Town records;
- c) designate a liaison between the agency and the Town Clerk on all matters relating to the department's records and record-keeping practices.

**Sec. 1-5. Destruction or disposal of records.**

- a) The Town Clerk or Records Manager and the designated records manager of each agency shall make the determinations on the potential administrative, fiscal, legal, research or historical value of each record and the applicable laws and retention schedules of the Commonwealth.

- b) Requests to dispose of records shall be made to the Office of the Town Clerk accompanied by a description of the records by series, inclusive dates, quantities with reference to State and Town retention schedules.
- c) The master copy of any record (called the copy of record) shall not be destroyed except in full compliance with all Commonwealth laws, and only by those authorized to do so under pertinent laws.
- d) The Town Clerk or Records Manager shall prepare letters to the Supervisor of Public Records requesting the destruction of public records. Said letters shall be signed by both the Town Clerk and the head of the agency requesting destruction or their designee.
- e) Records designated as archival shall be retained for historical or research purposes and shall be transferred to the municipal archives for permanent custody.

**Sec. 1-6 Return or recovery of public records.**

- a) The Town Clerk shall seek the return of missing municipal records, provide for the reproduction of said records, or provide information concerning the location of these records if they are maintained in a safe and usable manner and are available for public use.
- b) Upon request of the Town Clerk, with the approval of the Town Administrator, Town Counsel may take action to recover any municipal records, artifacts or documents deemed to have historical significance which have been transferred, loaned or otherwise removed from the Town without proper authorization.

<b><i>CLASSIFICATIONS</i></b>
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**ARTICLE 2: CLASSIFICATIONS OF RECORDS**

**Sec. 2-1: Class 1- Vital:** Class 1 records are essential to the continued life of the organization. They are irreplaceable because they give evidence of legal and financial status and of the rights and obligations of the town. Class 1 records also provide for the interests of the town citizens and employees. These types of records are generally housed in active storage. Example: accounts receivable, vital statistics, town meeting records, contracts, charters, minutes, payroll, bylaws and resolutions, documentation needed to run and read electronic records systems.

**Sec. 2-2 : Class 2- Necessary:** Class 2 records are necessary to the continued life of the organization. While these records can be replaced or reproduced, this can only be done at considerable cost in time and money. These records may be stored in active or inactive storage. Examples include: accounts payable, tax lists, and directives.

**Sec. 2-3: Class - Useful:** Class 3 records are useful to the continued life of the organization. These records may be replaced, but their loss would cause temporary inconvenience. Example: bank statements, correspondence.

**Sec. 2-4: Class 4- Nonessential:** Records that have no present value and should be destroyed. Example: requests answered, non-legal advertisements, announcements, newsletters.

## ***RETENTION SCHEDULES***

### **ARTICLE 3: RETENTION SCHEDULES**

**Sec. 3-1:** The office of the Secretary of the Commonwealth, Supervisor of Public Records publishes records retention schedules and is the ultimate authority on disposal of public record. The schedules cite applicable Massachusetts General Law and note how long the records must be kept. Although the schedules cover many of the record series within a department, many record series are not on the schedules. This means the informational use of the record must be researched before the Records Management Unit can make a decision. A current copy of the Municipal Records Retention Schedule can be found on the Town's webpage on the Town Clerk's page under "Records Management."

## ***MUNICIPAL ARCHIVES & RECORDS CENTER***

### **ARTICLE 4: MUNICIPAL ARCHIVES**

**Sec. 4-1:** The third floor of Town Hall shall be known as the Municipal Archives and Records Center.

**Sec. 4-2:** The Municipal Archives and Records Center shall be for the storage of Class 1,2 and 3 records only.

**Sec. 4-3:** The Office of the Town Clerk shall maintain the Municipal Archives and Records Center and institute policies for its' security and preservation.

Adopted By the Board of Selectmen: September 9, 2013