

**TOWN OF SUDBURY**

**SELECTMEN'S POLICIES AND PROCEDURES**

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Applications

## A. MEETING POLICY

(Amended 05/10/76, 04/23/84, 10/29/84, 11/08/84, 07/08/96)

1. An organizational meeting shall be held at the first meeting following Town Meeting.
  - a. Elect Chairman.  
The Chairman will approve the agenda for and conduct the Selectmen's meeting; coordinate the affairs of the Board with due concern that all members' views are heard and considered; and act as liaison to the Town Manager and the major departments under the Board of Selectmen.
  - b. Elect Vice-Chairman.  
The Vice-Chairman will assume the duties of the Chairman in his absence.
  - c. Elect Clerk (Town Manager unless voted otherwise).  
The Clerk will be responsible for (1) preparation for Selectmen's meetings and keeping complete and accurate minutes of Selectmen's meetings and ; and (2) is authorized to provide attested copies of Selectmen's votes and minutes as necessary.
2. Meetings shall start promptly at 7:30 p.m. on Mondays. Formal business session shall adjourn no later than 12:00 midnight. Unfinished business will be postponed until the next meeting. Meetings will be held twice a month, unless the need for a special meeting arises.
3. In general, business will be scheduled as follows:
  - a. Opening statement by Chairman (7:30 p.m.)
  - b. Citizen petitions (15 minutes)
  - c. Miscellaneous: such as minutes, gifts, grants, consent calendar, licenses, utility petitions (7:45 p.m.)
  - d. Public hearings (8:00 – 9:00 p.m.)
  - e. Items for Selectmen's consideration (policy issues)
  - f. Town Manager's report
  - g. Reports from Board members and other business
4. The second meeting each month shall provide for the Town Forum from 8:00 – 9:00 p.m.
5. The Selectmen shall, if possible, conduct at least one meeting with boards and committees to discuss their activities and issues.
6. If practicable, executive sessions, other than a few minutes in duration, shall be scheduled for after 9:00 p.m.
7. Actions and decisions shall be by motion, second and vote. If the vote is not unanimous, the minutes shall reflect the vote of each Selectmen.
8. For the meeting, the Town Manager shall:
  - a. Provide Selectmen with pertinent explanatory or review material in brief form with agenda, sent prior to meeting.

- b. Have on hand, all back-up data and files appropriate to a scheduled item of discussion. In addition, he shall provide any data, analyses and recommendations as appropriate.
- c. Draft motions in advance of meeting.
- d. Indicate on correspondence suggested action to be taken.
- e. Report highlights from meeting minutes of other boards and committees.

B. AGENDA PROCEDURE

(Amended 05/10/76, 07/08/96)

The Town Manager shall prepare agenda for meetings and:

1. Schedule a realistic time period for each appointment, interview, conference or other scheduled items of business.
2. Confirm all appointments including time allotted.
3. Obtain Chairman approval of the agenda and time allocation prior to publication by the Town Manager on the Friday before the meeting.
4. Distribute copies of the agenda to the Selectmen on Friday with the draft copy of minutes of the previous meeting.
5. Post copies of the agenda, Friday, on Town Hall bulletin board, have copies of the agenda, with back-up material, available to the press representatives and have agenda copies available to the public at all meetings.
6. In order to expedite the business of the Board of Selectmen at their regular meetings, and in order that all subject matter scheduled for discussion by the Selectmen may be given proper attention and due consideration, the following procedure has been adopted for submission of items to appear on the regular meeting agenda of the Board of Selectmen.
  - a. Except in emergencies, any item requested to appear on the agenda must be in the office of the Town Manager by 12:00 noon, the Thursday preceding a regular meeting.
  - b. All back-up data, pertinent information or an outline for discussion must accompany all subject matters or items to appear on the agenda.

C. TREASURY WARRANTS AND TAX ANTICIPATION NOTES

(Amended 5/10/76, 8/23/99)

1. The Town Manager shall sign all payroll and bills payable warrants, in accordance with Chapter 131 of the Acts of 1994.
2. The Selectmen shall sign Tax Anticipation Notes and Bonds, and the Town Manager may be requested to make comments on such borrowings.

D. APPOINTMENT POLICY

(Amended 5/10/76, 8/23/99)

1. Expiration date for appointments is April 30th, or until his successor is appointed and qualified, with the exception of the following:
  - a. Historic Districts Commission, which, under G.L.Ch.40C, expire January 1st.
  - b. Election Officers are appointed annually between July 15th and August 15th, in accordance with G.L.Ch. 54, s.12.
  - c. Sudbury Cultural Council appointments may expire at varying times, depending upon date of appointment.
2. The Town Manager shall:
  - a. Present, at the first regular meeting following Town Election, a list of appointments to be made by the Board.
  - b. Notify incumbents and request their statement of availability regarding reappointment.
  - c. Notify the chairman of the appropriate board or committee requesting recommendation for reappointment or filling vacancies.
  - d. Actively seek volunteers for boards and committees and maintain a "Talent File" of same.
  - e. Provide Chairmen of boards and committees with names of candidates from the Talent File and request recommendations from pertinent boards or committees to fill vacancies.
3. Schedule interviews for potential new appointees.
  - a. Copies of applications shall be provided to the Selectmen and chairman of respective board or committee prior to interview.
  - b. Invite chairman to join Selectmen in conducting the interview relating to his board.
4. Annual appointments shall be completed as soon as possible.

E. HEARING POLICY

(Amended 5/10/76, 8/23/99)

Hearings before the Board of Selectmen shall be conducted in accordance with the following procedural outline. The Chairman of the Board of Selectmen, or in his absence a member of the Board, shall preside, and a record of the hearing shall be kept by or under the supervision of the Clerk of the Board of Selectmen.

All hearings shall be conducted as follows:

1. The presiding officer will open the hearing by reading the Notice of Hearing, by stating the type of service and posting made of the notice, by filing the notice and return of service (certified mail receipts, etc.) with the Clerk and by announcing (when applicable) that the proceeding is being recorded.
2. The presiding officer will announce that these rules will govern the conduct of the hearing.
3. The Board of Selectmen will receive written motions from any party and will rule upon all motions that require immediate action.
4. The presiding officer will request that all witnesses stand and will then swear in all witnesses.
5. The moving party will present his case. (If witnesses are used they shall be subject to examination by the Selectmen and cross-examination by the opponents or defending party.)
6. The enforcement official shall present his case or position. (If witnesses are used they shall be subject to examination by the Selectmen and cross-examination by the opponents or defending party.)
7. The defending party or opponents will present their case. (If witnesses are used they shall be subject to examination by the Selectmen and cross-examination by the moving party.)
8. The defending party shall have the right to make a closing statement.
9. The moving party shall have the right to make a closing statement.
10. The enforcement official shall have the right to make a closing statement.
11. The Board of Selectmen will receive written motions and memorandums from any party wishing to file such documents.
12. The Board of Selectmen shall either render a decision or continue the hearing until a time certain and then render a decision, which shall be included as a part of the official minutes for their meeting.
13. A copy of this procedure shall be made available to all parties to a hearing prior to or included with notice of hearing.
14. Checklist for compliance with the Open Meeting Law and holding executive sessions:
  - a. Notice of meetings must be posted forty-eight hours in advance in the office of the Town Clerk, unless the meeting qualifies as an "emergency" meeting.

- b. An open session must be convened.
- c. A majority of the Board must vote by roll call to go into executive session.
- d. The presiding officer must state one of eight designated subject matters which the executive session will be convened to discuss or consider:
  - 1) The reputation, character, physical condition or mental health rather than the professional competence of a particular individual.
  - 2) The discipline or dismissal of, or the hearing of complaints or charges brought against a public officer, employee, staff member or individual.
  - 3) Strategy with respect to collective bargaining or litigation, if an open meeting may have a detrimental effect on the government's bargaining or litigating position; strategy in preparation for negotiations with non-union personnel; or conduct of collective bargaining sessions or contract negotiations with non-union personnel.
  - 4) Deployment of security personnel or devices.
  - 5) Charges of criminal misconduct or the filing of criminal complaints.
  - 6) The purchase, exchange, lease, or value of real property where open discussion may have a detrimental effect on the negotiating position of the governmental body.
  - 7) Matters required by statute or other law to be kept private.
  - 8) An initial screening and interview of applicants for employment by a preliminary screening committee or a subcommittee appointed by a governmental body if an open meeting will have a detrimental effect in obtaining qualified applicants.
- e. The presiding officer must state whether the public meeting will reconvene after the executive session.
- f. The vote to go into executive session and purpose stated must be recorded in the minutes of the meeting.
- g. Votes taken in executive session must be recorded as roll call votes.
- h. When the reputation or discipline of an individual is discussed, the person must be notified in writing at least 48 hours in advance of the meeting. The individual has a right to be present, to have counsel or representative present to advise but not participate, to speak on his/her own behalf, and to request the meeting be held in open rather than closed session.

F. MINUTES POLICY

(Amended 5/10/76, 8/23/99)

The Town Manager, as Clerk of the Board, is responsible for distributing, recording, and keeping meeting minutes.

1. Minutes shall be approved by the Board at a Selectmen's meeting. The Town Manager shall provide a draft copy to each Selectman no later than the Friday evening before the Board's meeting, so that each Selectman may call him with any corrections or propose corrections at the meeting.
2. As necessary, the Town Manager shall provide petitioners, members of the press, and department heads with a copy of the minutes, or sections of the minutes, after draft has been corrected. Approved minutes shall be filed with the Town Clerk. Additionally, approved minutes shall be placed on the Town computer network for internal and public access for a reasonable period of time.
3. Minutes (except executive session) are a public record.
4. The Town Manager shall sign a final copy of each set of minutes, which shall be combined into a book of numbered pages for each calendar year. The completed book shall have a Table of Contents.
5. The Town Manager will maintain an index of Selectmen's action by subject and cross-referenced.

G. PERFORMANCE REVIEW POLICY (Amended 5/10/76, 2/20/79, 11/9/81, 5/20/91, 8/23/99)

The Selectmen will complete an annual performance review of the Town Manager and Town Counsel. The review shall consist of the following steps:

1. Department Heads shall submit a report outlining their activities and significant accomplishments of the past year, listing major objectives for next fiscal year.
2. The Board will meet with each Department Head to discuss his/her report and agree to a set of objectives for the ensuing year.
3. The Board shall set a salary for each position based on their review and report.

H. SELECTMEN'S LIAISON AND WORK ASSIGNMENTS (Amended 5/10/76, 8/23/99)

As the executive board responsible for the overall leadership and coordination of town affairs, and in order to promote close cooperation among town groups, the Selectmen shall maintain close liaison with selected boards and committees, as well as the departments for which they are directly responsible.

This liaison function usually shall be performed by individual Selectmen as assigned.

The liaison and work assignments shall be made each year after board organization, as proposed by the Chairman and approved by the Board. The Chairman's assignments shall include Town Manager and Town Counsel.

The intent and scope of the liaison functions shall depend on the type of individual, board or committee assigned, as follows:

1. Official Appointed by Selectmen:

Advice and counsel; contact point for interpretation and explanation of board decisions; coordination of activities with Board and other town groups, as required; familiarity with objectives and activities; recommendations to Selectmen for changes.

2. Board or Committee Appointed by Selectmen:

Assistance to committee and coordination of activities, as requested; familiarity with objectives and activities; recommendations to Selectmen for changes.

3. Other Elected or Appointed Board, Committee or Official:

Coordination of activities, as required; familiarity with objectives and activities.

The Selectmen assigned to a liaison function shall keep the Board of Selectmen advised of significant developments and activities and specific Selectmen decisions or advice required or sought.



J. DEED AND EASEMENT PROCEDURE

(Adopted 12/20/76, 8/23/99)

Many times a Town board or committee has reason to acquire, by gift or purchase, certain interest in land. These interests may include subdivisions, street widenings, walkway or drainage easements, conservation and recreation land, etc. In order to maintain a complete status file and permanent record, the following procedure is to be adhered to. This procedure shall not apply to interests in cemetery lots.

1. The deed transferring title to the Town, executed by the grantor, shall be forwarded to the Town Manager.
2. When necessary, the Town Engineer shall prepare the proper linen.
3. The Town Manager shall maintain:
  - a. "To Be Recorded" file.
  - b. "To Be Accepted by Town Meeting" file.
  - c. "To be Accepted by Selectmen" file. (Town Bylaws Article XII, s.3.)
4. Town Counsel will prepare proper articles for acceptance by Town Meeting or motions for acceptance by Selectmen. Said articles or motions shall be forwarded to the Town Manager.
5. Town Counsel is responsible for checking title, description (when necessary, prepare description), obtaining linen plan, and recording deed and linen plan with Registry of Deeds.
6. The deed, after having been accepted by the Town or the Selectmen and recorded in the Registry of Deeds, will be returned to the Town Manager, who shall make a proper reference record and file the original copy with the Town Clerk, and copies to appropriate boards. The Registry of Deeds return shall be addressed to the Town Manager. The Town Manager shall make and retain a file copy of the instrument prior to its submission to the Registry of Deeds.
7. Town Clerk shall maintain a file containing all original deeds transferring land or interests in land to the Town of Sudbury.
8. Town Counsel shall maintain a status sheet indicating:
  - a. date of receipt of deed, identifying grantor and land.
  - b. date of request for Engineering Department drawing.
  - c. date of transmittal of article or motion to Town Manager.
  - d. date of completion of title search.
  - e. date of recording and such other information as may be necessary to show status of Town Counsel's work with respect to each deed or easement.
  - f. Registry Book and Page number.

J. Deed and Easement Procedure (CONTINUED)

9. The Town Manager shall maintain an index sheet. This index shall include:
- a. date of first receipt.
  - b. board or committee received from.
  - c. date transmitted to Town Counsel.
  - d. article number and date of acceptance by Town Meeting, or date of acceptance by Selectmen.
  - e. grantor's name.
  - f. location of land
  - g. date recorded with Registry of Deeds.
  - h. Registry Book and Page number.
  - i. date filed with Town Clerk.

Said index shall be in such a form as to clearly show the status, at all times, of the Town's interest in land.

K. COLLECTIVE BARGAINING

(Amended 5/10/76, 8/23/99)

Labor relations and collective bargaining with public employees of the Town are governed by General Laws Chapter 150E, and Chapter 131 of the Act of 1994. It is the Town Manager's responsibility to negotiate all contracts with Town employees, except employees of the School Department. Such contracts are subject to approval of the Board of Selectmen. The Town Manager may, subject to the approval of the Selectmen, employ special counsel to assist in the performance of these duties.

L. LICENSING OF OUTDOOR AMUSEMENTS POLICY (Adopted as amended 4/29/71, 5/10/76)

In accordance with Chapter 140, Section 181 of the General Laws, it is required that any outdoor theatrical exhibition, public show, public amusement or exhibition, to be held in the Town of Sudbury obtain a license from the Board of Selectmen for such show or amusement, and that such show or amusement cannot be held in a residential area. Application for a license must be filed with the Board of Selectmen at least thirty days before the event and must indicate the name of the owner and the name and address of the firm involved, the sponsor, if any, the nature and extent of the show or amusement, the days and hours, amount of admission charge, and the exact location within the Town where the show or amusement is to be held.

It is the policy of the Board of Selectmen that, after May 1, 1971, no permit under the jurisdiction of the Selectmen shall be issued for the operation of a carnival or circus in the Town of Sudbury.

If food service is planned, notice shall be sent to the Board of Health allowing no less than two (2) weeks, prior to opening to the public, for inspection and issuance of a food service permit required by that Board.

CURRENTLY BEING UPDATED

M. FLAG CODE

(Adopted 7/23/79, 8/23/99)

All orders for the raising or lowering of the flag shall issue from the Board of Selectmen.

The flag may be lowered to half mast on notification of the death of any past or present Town official as a mark of respect to the memory of such official. The flag shall remain at half mast until after the funeral services.

In time of war, the flag shall be flown from the time of opening to the time of closing of public buildings, in accordance with such orders that are issued by the proper authority.

In time of peace, the flag shall be flown from the time of opening to the time of closing of public buildings, but not before sunrise or after sunset unless ordered by the proper authority and properly illuminated.

Unless so ordered, the flag shall not be flown in inclement weather.

On Memorial Day, the flag shall be flown at half mast at the Town Hall, and at such other public buildings that are open, from sunrise to noon (12:00 p.m.) and at full mast until sunset.

Upon notification from the Selectmen's office, the flags on all public buildings are to be flown at half mast from the time of arrival, in Sudbury, of the body of a deceased veteran brought back from overseas, until after the funeral services.

The flag shall be flown at half mast on such occasions of local, state or national significance as may from time to time be determined by the Board of Selectmen or the Town Manager upon receipt of a specific request and/or recommendation from a Board, Committee, Commission, the Veterans Graves Officer, or from a duly authorized representative(s).

Flag laws and regulations shall be adhered to wherever appropriate, as adopted by the United States Congress.

N. TRAFFIC CONTROL SIGNS POLICY

(Adopted 9/30/65, amended 5/10/76,  
8/23/99)

1. The Chief of Police is responsible for all matters relating to traffic control signs.
2. All requests for such signs will be submitted to the Chief of Police.
3. The Police Chief shall obtain approval from the Board of Selectmen as required when signs involve amendment to the Town of Sudbury Traffic Rules and Orders.
4. The Board of Selectmen shall solicit approval from the Massachusetts Highway Department for such signage and traffic regulations, as required by that agency.
5. The Town Clerk shall maintain the official record of the Town of Sudbury Traffic Rules and Orders. Amendments thereto shall be advertised in a newspaper with local circulation prior to their enforcement.
6. The Chief of Police will request such signs from the Department of Public Works.
7. The Department of Public Works shall erect and maintain such signs that the Chief of Police may request.

O. POLICY FOR USE OF FACILITIES

(Amended 9/20/76, 10/14/80, 7/10/89,  
3/11/91, 8/23/99)

1. Town Hall

a. General Meetings or Events

(1) Facilities may be used without rental fee, provided there is no charge to the public either by admission fee or sales, by:

- (a) Town, State or Federal departments.
- (b) Non-profit organizations whose functions are charitable, civic, or patriotic.
- (c) Community service groups, such as Scouts, youth recreational groups, etc.

(2) Facilities may be used with rental fee by:

- (a) Any organization charging admission or conducting sales.

(3) Rental fee Schedule – per date (each day):

Lower Town Hall      \$40

(4) No use will be allowed if for private or personal financial gain.

(5) Reservations for all uses are subject to change on twenty-four (24) hour notice if a required official Town function conflicts, or upon orders of the Board of Selectmen.

(6) All reservations, including requirements for use of chairs, etc., will be made by the Town Manager. The group reserving the Hall will inform the Town Manager, at least twenty-four (24) hours in advance of all requirements for chairs, restrooms, or similar facilities. Custodial fees will be charged as necessary [see (7) below].

(7) Custodial charges will be made if it is determined by the Town Manager that an event requires custodial services and/or supervision. Such fees shall be determined by the Town Manager.

(8) During cold weather, users may be subject to a heating fee, to be determined by the Town Manager.

(9) The person signing Rental Application and Agreement is responsible for:

- (a) Restoring order and cleanliness of hall, including placement of all debris or waste materials in appropriate receptacles

Remove all decorations, put away chairs and tables user has put out, sweep area used, clean up any soda spills, etc., check bathrooms for cleanliness

- (b) Putting lights out when leaving

- (c) Locking door when leaving
- (d) Closing all windows when leaving
- (e) Turning heat down to 55 degrees when leaving (if not on automatic setback)
- (f) Lowering fire curtain on stage (if upper floor is utilized)
- (g) Returning key the following day

Note: Any clean-up not done by user will be charged to user, as verified by the Supervisor of Town Buildings.

(10) In case of an emergency, user is to notify the Fire Captain on duty at Central Fire Headquarters located on Hudson Road.

(11) Refreshments may be served in the Lower Town Hall, but not in the Upper Town Hall.

b. Stage Productions (Upper Town Hall)

- (1) Regular productions with audience charge:
 

Rehearsals, tryouts	\$10.00 per date
Production dates	\$50.00 per date
(No charge for matinee if there is an evening performance.)	
Lower Town Hall	\$25
Police Paid Detail	Per collective bargaining agreement or contract.
- (2) Workshop productions with token audience:
 

Rehearsals	\$10.00 per date
Production dates	\$25.00 per date
Lower Town Hall	\$10.00 per date
Police Paid Detail	Per collective bargaining agreement or contract.
- (3) Workshop productions with no audience charge and limited public \$20.00 per date
- (4) Dressing rooms shall be available for use for rehearsals and productions, and shall be cleaned by the user to the satisfaction of the Supervisor of Town Buildings following each rehearsal or production.
- (5) All restrooms, dressing rooms and other facilities associated with the stage shall be available for use for dress rehearsals and productions, but must be cleaned after each use by the user to the satisfaction of the Supervisor of Town Buildings.
- (6) All construction or other materials associated with stage productions shall be stored, at the conclusion of any work session, rehearsal or production, in such manner that the facility shall be available for other uses, except that sets and similar equipment installed for purposes of a production may be retained in place on stage throughout the course of the performance. Any construction work that can be done outside the premises should be. Construction and materials to be used must be approved by the Supervisor of Town Buildings.

(7) Any group utilizing the Town Hall for stage productions shall assign an individual, for each work session, rehearsal or production, who shall be responsible for compliance with procedure O.a.(9) above; the name of said responsible individual shall be given to the Town Manager's Office and the Building Department.

(8) Any group utilizing the Town Hall for stage productions shall notify the Town Manager at least twenty-four (24) hours in advance, of any changes in work session, rehearsal or production dates.

P. ENTERTAINMENT LICENSE - WEEKDAYS ONLY (Chapter 140 S. 183A)

Rules and Regulations

1. Application for Entertainment License must be submitted on forms provided by the Board of Selectmen and signed by the licensee, or his duly authorized agent.
2. Application for a license hereunder must be accompanied by a site plan or floor plan indicating the location of all exits, emergency lights, fire extinguishers, exterior windows, rest room facilities, bars, band stands, areas designated for entertainment, amplifying equipment, dancing areas for patrons and shall indicate capacity.
3. Entertainment is to be conducted in such a manner as no noise may be audible from abutting property, and no amplifiers shall be placed so as to direct sound directly toward outside walls.
4. Entertainment or dancing is restricted to areas provided therefor and approved by the licensing authority.
5. This license is subject to inspection at all times by Police Department personnel or any other agent authorized by the licensing authority.
6. The type and hours of entertainment authorized by this license are subject to change at any time by the licensing authority.
7. All areas where entertainment is authorized shall be well lighted.
8. Performers shall not circulate or mix with patrons.
9. No "strip tease" or lewd impersonation of the opposite sex is permitted.
10. Any floor show must first be approved by the licensing authority and such request submitted 21 days prior to date of said floor show. Each such request shall be in writing and describe the show and include sex of performer(s).



Q. ADVERTISING AND DIRECTIONAL SIGNS POLICY

1. Church Directional Signs

Requests for placement of church directional signs within the Town of Sudbury will not be granted. All signs now erected along public ways shall be renewed. In accordance with Article V of the Sudbury Bylaws.

(Adopted July 17, 1969)

2. Signs on Town Property

The placement of signs of an advertising nature on or over the Town Common in Sudbury Centre and all other Town property, including Town ways, is prohibited.

(Adopted January 21, 1971)

CURRENTLY BEING UPDATED

R. REGULATIONS GOVERNING ELECTRIC COMPANIES

(Adopted pursuant to the provisions of General Laws Chapter 164, Section 75.)

Adopted 7/31/69, Amended 8/23/99

1. Any electric company, as defined in General Laws Chapter 164, Section 1, prior to constructing or installing within the Town any pole, tower or other structure to which it will attach wires or cables for the transmission of electricity or the foundations or footings for the same, including any excavation of earth, shall first obtain construction approval therefor in accordance with these regulations.
2. Plans for Electrical Service:
  - a. Electrical site plans for aboveground and underground service must be approved by the Wiring Inspector before construction starts.
  - b. No power shall be put into these lines until a final engineering plan of these wires is supplied to the Wiring Inspector.
3. Primary and secondary underground electricity shall run on the same side of the road with no exceptions.
4. Boston Edison shall install all primaries and secondaries in the public way. The conditions of the trenches shall be approved by the Wiring Inspector. If Edison has doubt, it may inform the Inspector and request re-inspection.
5. Secondary connections between aboveground and underground service areas shall be installed underground. Placement of additional pole(s) to reach subdivision or service area, whether for street crossing or otherwise, shall not be allowed unless otherwise approved by the Selectmen.
6. Road Crossings:
  - a. All underground road crossings shall be in conduit and shall be perpendicular to any water and gas pipes.
  - b. During the months of November through March, open trench installation of conduit is prohibited, and a jacking or boring method used instead.
7. Transformers shall be made of steel (not plastic).
8. Boston Edison shall be responsible for coordinating the transfer of wires from old to new poles and shall remove any redundant "double" poles within six months of the installation of a new replacement pole.
9. The Board of Selectmen shall conduct public hearings for installations in the public way as required by Massachusetts General Laws.

Regulations Governing Electric Companies (cont.)

10. In considering the application, the Board of Selectmen shall determine that the location and construction or installation of the proposed structure and all component parts thereof as proposed by the applicant do not adversely affect the health, safety, convenience or property of the inhabitants of the Town, and, if it shall determine that such structure would so adversely affect the inhabitants of the Town, it shall specify the aspects of the proposed construction that it has determined would cause such adverse effect and the changes it would require the applicant to make in order to obtain construction approval.
11. The Board of Selectmen shall approve or disapprove the application in writing and shall file same with the Sudbury Town Clerk, who shall record and forward it to the applicant in return for a fee for costs.
12. The Wiring Inspector is hereby designated as the agent of the Board of Selectmen for the purpose of enforcing these regulations, and any decision of the Board of Selectmen hereunder.

S. AFFIRMATIVE ACTION POLICY

(Adopted 7/10/78, amended 8/23/99)

The Sudbury Board of Selectmen affirms the objectives of equal employment opportunity. The Sudbury Board of Selectmen acknowledges that it is illegal to discriminate against any person on the basis of race, color, religious creed, national origin or ancestry, sex, age, handicap or political beliefs or affiliation.

Equal opportunity is recognized as meaning equal access to training, employment and promotional opportunities. It is also recognized as meaning equal pay, benefits and treatment throughout all aspects of the employment and training process.

Although legislation has long made it illegal to discriminate, it is acknowledged that there are certain segments of the population that experience arbitrary, often unintentionally constructed, barriers to employment opportunities.

Affirmative Action is the procedural implementation of equal opportunity legislation. The Sudbury Board of Selectmen stands committed to Affirmative Action to counteract the effects of arbitrary barriers experienced by minorities, women and handicapped individuals in their attempts to find suitable employment.

It is the policy of the Sudbury Board of Selectmen to assure equal access to and equitable treatment in all aspects of job training programs, employment referrals and counseling services in accord with Affirmative Action guidelines. All Town hiring agents and all contractors with the Town of Sudbury are also bound by the equal employment and Affirmative Action guidelines as spelled out in the Sudbury Town Bylaws, Article VII (A).

Responsibility for overseeing the Affirmative Action Program rests with the Town Manager and Affirmative Action Officer. Implementation of any Affirmative Action Program is an integral part of the job responsibilities of all staff of the Town.

T. ACCEPTANCE OF GIFTS (Adopted 2/20/79)

No Town official under the control of the Board of Selectmen may accept personal gifts of any kind from any person, group, business concern, or corporation. If a gift is received every effort will be made to identify the sender and return the same. Any receipt of gifts given must be reported to the Board of Selectmen and a record maintained.

U. BYOB (BRING YOUR OWN BEER, ETC.) POLICY (Adopted 8/23/99)

No permission shall be granted to restaurants to allow patrons to bring their own beer, wine, or other alcoholic beverages for their own private consumption onto the premises while restaurant licenses to sell alcoholic beverages are available in the Town of Sudbury. When all such licenses available for issuance under the General Laws have been issued, the Board of Selectmen will reconsider the matter.

V. USE OF TOWN VEHICLES (Adopted 11/25/91, Amended 2/3/92, 8/23/99)

1. Administration of Policy

- a. This policy was approved on November 25, 1991, by the Board of Selectmen, to become effective immediately, November 26, 1991. Authorization for individual use or assignment of a Town vehicle shall take place annually, prior to the start of the new fiscal year, when contracts are renewed, or when a position becomes vacant.
- b. No employee shall qualify for use of a vehicle outside of normal working hours unless authorized by the Board of Selectmen. The Town Manager may make recommendation to the Board. The distance an employee lives from his or her place of work will be a consideration.
- c. An employee not eligible for a vehicle may, subject to the approval of the Department Head, use a vehicle to attend a conference. Use of a vehicle to attend a conference exceeding three (3) days shall require approval of the Town Manager.

2. General Policy

- a. Employees, who are authorized to take a vehicle home, shall be governed by the following general policy and philosophy. Town vehicles are not personal vehicles and are not for personal use. The vehicles are owned by the Town, and should be viewed as belonging to the citizens of Sudbury. Employees should use the vehicles in a manner consistent with the best interests of the citizens.
- b. Personal use shall be defined according to the Internal Revenue Service Code, as interpreted by appropriate Counsel. The following is a guideline: Personal use is any use of the vehicle for purposes other than:
  - (1) Use on Town Business
  - (2) "De minimis" purposes, which would be for commuting to and from work, including errands performed along the regular commuting route.

### 3. Specific Guidelines

- a. Vehicle use is limited to travel to and from the residence and place of work. Consideration should be taken to use the most direct route and vehicles may not be used for personal business.
- b. The vehicle shall only be used during the time frame of travel to and from residence, and/or for official work related functions.
- c. All vehicles, except police detective cars, shall be identified with the Town Seal and Municipal license plates.
- d. No personal property that would interfere with the proper performance of the employee's official duties shall be carried in Town vehicles; only those items which are properly listed and on file with the Town Accountant shall be covered under the Town's insurance policy and only to the limits of such coverage.
- e. The vehicle operator shall drive in a safe, courteous, and legal manner. The operator is responsible for any citations received and shall be held accountable for any damage to the vehicle due to negligence or illegal action on the part of the operator.
- f. No alcoholic beverages, or controlled substances shall ever be transported in a Town vehicle. Police vehicles carrying evidence are the only exception.
- g. Town employees, committee and board members, and individuals directly associated with a Town work activity may be passengers in a vehicle.
- h. Unnecessary travel with family members is prohibited.
- i. Incidental in-town travel, such as lunch, is allowed for employees assigned a vehicle.
- j. During personal vacation periods, the vehicle shall be parked at a central Town facility, and will be available for use by employees on an as-needed basis. The vehicle shall not be used during this period as a take home vehicle. Acting Department Heads shall not be entitled to use of a vehicle without authorization from the Town Manager.
- k. Personal use of a vehicle shall be reported to the Town Accountant, and the employee shall reimburse the Town at the current rate the Town reimburses employees for business use of their own personal vehicles.
- l. Only Town employees properly licensed by the Commonwealth of Massachusetts shall be permitted to drive Town vehicles.

### 4. Certification

- a. Employees who are authorized to use Town vehicles after normal business hours shall certify in writing that they have received, read, and understood this policy, and will abide by it. Employees who violate this policy shall be subject to appropriate disciplinary action including loss of after hours vehicle use privileges.

I hereby certify that I have read and understand the Town of Sudbury's Policy regarding the use of Town vehicles, and that I will abide by these Policies.

Employee: \_\_\_\_\_

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

W. LIFE-THREATENING ILLNESSES

(Adopted 3/16/92, Amended 8/23/99)

1. Policy

The Town of Sudbury recognizes that employees with life-threatening conditions, such as some forms of cancer, heart disease, and AIDS, may wish to continue with their daily work routine. Accordingly, employees diagnosed with a life-threatening illness may continue to work as long as they are able to meet acceptable performance standards and do not endanger the health of themselves or others. Where possible, the Town will provide reasonable accommodation to enable such individuals to continue their employment.

2. Need-to-know Chain

Employee -----> Town Manager -----> Employee's Supervisor  
-----> Employee's Physician

3. Guidelines

- a. The Chairman of the Board of Selectmen with the Town Manager is responsible for the general administration and implementation of this policy.
- b. Department heads/supervisors are responsible for ensuring that such matters are handled with discretion and confidentiality.
- c. The Town Social Worker is responsible for providing advocacy, short-term counseling and referral to the employee should it be requested.

X. RECYCLED PRODUCT PROCUREMENT POLICY

(Adopted 6/10/96)

1. The Town of Sudbury, in furtherance of its commitment to recycling, hereby declares that it will purchase items which are environmentally preferable and made of recycled materials whenever such products meet its quality requirements and are available at reasonable prices and terms.
2. All Sudbury departments shall purchase/use recycled products and recyclable products whenever practicable.
3. The Town shall require its contractors and consultants to use and specify recycled products and recyclable products in fulfilling contractual obligations whenever practicable.
4. To the maximum extent practicable, the following standards shall be adhered to:
  - a) For all purchases of printing or writing paper for in-house use or custom printed materials by professional printers, including copier paper, offset paper, forms, stationery, envelopes and file folders, the minimum content standard shall be no less than 20 percent post-consumer materials. This minimum content standard shall be increased to 30 percent beginning December 31, 1998. As an alternative to meeting these standards, the minimum content standard shall be no less than 50 percent recovered materials.
  - b) Any deviation from the standards under part "a)" above must be approved by the Town Manager. The decision not to procure or use recycled content printing and writing paper meeting these standards shall be based solely on a determination that a satisfactory level of competition does not exist, that items are not available within a reasonable time period, or that items fail to meet reasonable performance standards or are only available at an unreasonable price.
  - c) Town departments shall ensure that all contracts for printing require the inclusion of an imprint identifying the recycled content of the paper whenever practicable. (Recycling symbol)
  - d) For all other items, departments shall consult the Commonwealth of Massachusetts Recycled Products Guide and State contract listings for recycled products published by the Mass. Dept. of Procurement and General Services. Additionally, departments shall adhere to EPA Recommended Affirmative Procurement Guidelines whenever practicable.
5. Each department shall implement paper reduction techniques, through the use of duplexing, sharing and circulating materials, and reuse of discarded paper for draft work, scrap paper and internal messages.
6. Each department shall report purchases of recycled products to the Town Manager on July 15 for the previous fiscal year.

RECYCLED PRODUCT PROCUREMENT POLICY continued

7. Glossary.

Environmentally Preferable means products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance or disposal of the product or service.

Pre-consumer Material means any material generated during any step in the production of an end product, but does not include any waste material or by-product that can be or has been normally reused within the same plant of the same parent company.

Post-consumer Material means a material or finished product that has served its intended use and has been discarded for disposal or recovery, having completed its life as a consumer item. Post-consumer material is a part of the broader category of "recovered material".

Recovered Material means materials or by-products that have been recovered or diverted from solid waste. Such term does not include those materials and by-products generated from, and commonly reused within an original manufacturing process, e.g., mill broke and home scrap (in paper wastes).

Recovered Paper Material means paper waste generated after the completion of a paper making process, such as post-consumer material, envelope cuttings, bindery trimmings, printing waste, cutting and other converting waste, butt rolls and mill wrappers, obsolete inventories, and rejected unused stock. Recovered paper material shall not, however, include fibrous waste generated during the manufacturing process, such as fibers recovered from waste water or trimmings of paper machine rolls (millbroke), or fibrous by-products of harvesting extractive or woodcutting processes, or forest residues such as bark.

Recyclability means the ability of a product or material to be recovered from, or otherwise diverted from the solid waste stream for the purpose of recycling.

8. This policy is adopted pursuant to President Clinton's 1993 Executive Order, U. S. Environmental Protection Agency guidelines, and Commonwealth of Massachusetts "Buy Recycled" effort under Executive Order #350.



Y. PURCHASE CONTRACTS

(Adopted 8/9/99, 6/10/02, 8/16/16)

The Town Manager is authorized to enter into purchasing contracts under \$25,000, without the approval of the Board of Selectmen on purchases defined in Section 10(d) of the Town Charter.

The Town Manager is authorized to approve, without specific vote of the Board, those contracts \$25,000 and over which are renewals of contracts, with current vendors, previously approved by the Board.

The Town Manager shall provide a list of such awards to the Board of Selectmen on an annual basis in January.

CURRENTLY BEING UPDATED

**SELECTMEN'S POLICIES AND PROCEDURES**  
**FEE SCHEDULE**

The Board of Selectmen is responsible for setting the fees for the issuance of certain permits, licenses and certificates. In doing so, the Board has the following objective: to set the amount of the fee so as to recover a reasonable approximation of the costs to the Town in processing the requested item. Further, the Selectmen require that staff annually review these fees and make recommendations to the Board before December 31 of each year if they believe an increase or decrease is warranted.

NOTE: The Town accepted Mass. General Laws Chapter 40, Section 22F in 1992, which allows statutory fee limits to be exceeded for the following permits with the exception of Alcoholic Beverages licenses, and state regulation of Alcoholic Beverages license fees have since been removed.

<b><u>LICENSES</u></b>	<b><u>FEE ALLOWED BY STATUTE</u></b>	<b><u>FEE CHARGED BY TOWN</u></b>	<b><u>COMMENTS</u></b>
<b><u>Alcoholic Beverages:</u>*</b>			
Package Goods Store AA	Locally fixed	\$2,250	
Package Goods Store WM	Locally fixed	1,500	
Restaurant/Innholder AA	Locally fixed	3,500	
Restaurant/Innholder WM	Locally fixed	1,500	
Liqueurs	Locally fixed	300	
Club AA	Locally fixed	500	Veterans Post
Club WM	Locally fixed	200	
One-day AA	Locally fixed	35	
One-day WM	Locally fixed	25/day	
Auctioneer, resident mos.		\$50/annual	Must be resident for 6 preceding appl., set by Permit Agent
Auctioneer, non-resident		\$25/day	Fee set by Permit Agent
Automatic Amusement Devices*	\$20/machine, unless set by Town Meeting	\$20/machine Prorated	
Billiards*	\$2/minimum no maximum	\$25 + \$25 per table	Fee set by Selectmen collected by Clerk
Bowling*	\$2/minimum	\$25 + \$25 per alley	Fee set by Selectmen collected by Clerk
Common Victualler*	\$25/maximum, unless set by Town Meeting	\$50	
Entertainment -Wkday.	\$100/maximum	\$50	For live music, dancing, radio, TV, etc.
Entertainment - Sunday	\$400/maximum \$20/single event	\$250 \$20/single	For live music, dancing, radio, TV, etc. #

# Note: a Sunday Entertainment license for radio or TV is not necessary for an innholder, tavern or common victualler licensee having an alcoholic pouring license.

(STATE annual Sunday Entertainment fee \$ 85/100 - payable to Dept. of Public Safety)

<u>LICENSES</u>	<u>FEE ALLOWED BY STATUTE</u>	<u>FEE CHARGED BY TOWN</u>	<u>COMMENTS</u>
Hawkers & Peddlers	(G.L.c.101,s.17 & 22 max. \$52)	\$50	
Inflammable Storage*	(G.L.c.148, s.13 & Bylaw V.s.25)	\$100	
<u>Motor Vehicle:</u> *			
Class I	\$100/maximum	\$50	Mfg. Agent/used cars
Class II	\$100/maximum	\$50	Dealer/used cars
Class III	\$100/maximum	\$50	Dealer/junk cars
Outdoor Amusement - Wkdy.	\$100/maximum	\$50	
Outdoor Amusement - Sun.	\$400/maximum \$20/single event	\$250 20/single	
Taxi Drivers Department		\$20/operator	issued by Police
Taxi/Limo Operation*	(G.L.c.40,s.22)	\$50	
Transient Vendor	Tax Goods or fix fee	\$50	

\* See below for application fees

**APPLICATIONS**

**FEE CHARGED BY TOWN**

**COMMENTS**

Alcoholic Beverages  
Licenses

\$150/new applications, transfers,  
changes in premises.  
\$ 75/revision (mgr. chg., etc.)  
\$ 25/renewal

For processing notice to  
abutters, advertising,  
mailing costs, etc.

Auto. Amuse. Devices

\$20

Billiards

\$25

Bowling

\$25

Common Victualler

\$50

Inflammable Storage

\$50

Innkeeper

\$50

Motor Vehicle

\$25

Site Plans: Original

\$ 25/1000 s.f. of Gross Floor Area [ \$500 Minimum Fee ]

Minor

\$ 300

Modification

\$ 250 (with public hearing) OR \$100 (without public hearing)

Extension

\$ 50

Taxi Business

\$ 25

CURRENTLY BEING UPDATED