

OPERATING PROCEDURES  
OF THE  
SHERBORN SELECT BOARD

February 9, 2012

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*Appointment Process Updated, Page 6 – October 21, 2021*

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POLICIES and PROCEDURES  
TOWN OF SHERBORN  
SELECT BOARD

PURPOSE:

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

NATURE OF POLICIES and PROCEDURES:

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

PROCEDURE FOR ESTABLISHING POLICIES and PROCEDURES:

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

The Board shall not vote on a policy at the same meeting that it is first introduced. This rule may be waived if the Board unanimously votes that prompt action is necessary.

The Town Administrator shall be responsible for the maintenance of all policies and procedures, which shall be kept in a notebook available to the Board members and the public at the office of the Select Board.

GOALS & OBJECTIVES:

The Select Board will adopt goals and objectives each year.

AUTHORITY:

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

ELECTION and QUALIFICATION:

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

VACANCIES ON THE BOARD:

When a vacancy occurs in the membership of the Select Board, the Board or its remaining members shall call a special town election to fill the unexpired term or terms in accordance with the Massachusetts General Laws, unless such vacancy occurs within six (6) months of regular (annual) town election.

ROLE OF THE SELECT BOARD:

The Board is responsible for policy development, and review for compliance. The Board works with the Town Administrator on policy formulation.

The Board is responsible for supervising all departments of the general government other than school organizations of the town and the region. This responsibility is delegated to the Town Administrator and the Board will refrain from involvement in day to day operations. Concerns and questions about the operation of departments, and suggestions for improvements should be addressed to the Town Administrator. The responsibility for addressing these issues is thus carried out through the Town Administrator. Select Board may be called upon to resolve disputes that are unable to be resolved on the staff level. The Select Board may follow up on concerns or issues addressing these approved policies.

ROLE OF THE TOWN ADMINISTRATOR:

The Board appoints a Town Administrator who functions as the Town's Chief Administrative Officer. The primary duties of the Town Administrator shall be the day-to-day administration of the general government as outlined in the position's job description. The Town Administrator shall also assist and work under the direction of the Select Board in the formulation of policy. The Town Administrator must maintain a close working relationship with all members of the Board. He/she shall regularly brief the Board on all important issues.

In order to provide the Town with continuity of management and the Town Administrator with job security, the Select Board are committed to maintaining an employment agreement with the Town Administrator, as permitted by statute.

BOARD ETHICS:

1. A member of the Select Board, in relation to his or her community should:
  - A. Realize that his or her basic function is to make policy, with administration delegated to the Town Administrator.
  - B. Realize that he or she is one of a team and should abide by, all board decisions once they are made.
  - C. Be well informed concerning the duties of a board member on both local and state levels.
  - D. Remember that he or she represents the entire community at all times.
  - E. Accept the office of Selectman as a means of unselfish service, not benefit personally or politically from his or her board or outside activities.
  - F. In all appointments, avoid political patronage by judging all candidates on merit, experience and qualifications only.
  - G. Abide by the ethics established by the State and not use the position to obtain inside information on matters which may benefit someone personally.
2. A member of the Select Board, in his or her relations with administrative officers of the Town should:

- A. Endeavor to establish sound, clearly defined policies that will direct and support the administration for the benefit of the people of the community.
  - B. Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
  - C. Give the Town Administrator full responsibility for discharging his or her disposition and solution.
3. A member of the Select Board, in his or her relations with fellow board members, should:
- A. Recognize that action at official legal meetings is binding and that he or she alone cannot bind the board outside of such meetings.
  - B. Uphold the intent of executive session and respect the privileged communications that exists in executive session.
  - C. Make decisions only after all facts on an issue have been presented and discussed.
  - D. Treat with respect the rights of all members of the board despite differences of opinion.

ORGANIZATION OF THE BOARD:

The Chairman shall be elected annually at or within two weeks following the Annual Town Election. A majority vote shall constitute an election. Nominations require no second. The Board shall further appoint a Vice-Chairman and a Clerk under the same provisions stated for the Chairman. Any of the aforementioned officers may be removed by a 2/3 vote of the Board.

Until the new officers are elected; the Board shall convene with the immediate past Chairman presiding as Chairman Pro-Tem until the Chairman is elected. If there is no Immediate past Chairman, the immediate past Vice-Chairman shall serve as Chairman Pro-Term. In the absence of an immediate past Chairman and Vice-Chairman, the immediate past Clerk shall serve.

RESPONSIBILITIES OF THE CHAIRMAN:

The Chairman of the Board shall:

- 1. Preside at all meetings of the Board. In doing so, he/she shall maintain order in the meeting room, recognize speakers, call for votes and preside over the discussion of agenda items.
- 2. Sign official documents that require the signature of the Chairman.
- 3. Call special meetings in accordance with the Open Meeting Law.
- 4. Prepare agenda with the Town Administrator.
- 5. Arrange orientation for new members.
- 6. Represent the Board at meetings, conferences and other gatherings unless otherwise determined by the Board or delegated by the Chairman.

The Chairman shall have the same rights as other members to discuss questions and to vote thereon. In the absence of other offerings he/she may introduce motions, seconds to motions and resolutions.

RESPONSIBILITIES OF THE VICE CHAIRMAN:

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

RESPONSIBILITIES OF THE CLERK:

The Clerk shall attest to all public documents as may be required to conduct town's business.

RESPONSIBILITIES OF ALL BOARD MEMBERS:

The Board members are responsible to pick up their meeting packets and be prepared for discussion of the items on the agenda.

REGULAR BOARD MEETINGS:

The Select Board shall establish a schedule each month. This schedule will be re-voted each year during reorganization period. The Board shall not meet on days designated as legal holidays.

EMERGENCY MEETINGS:

Emergency meetings may be convened when a sudden, generally unexpected occurrence or set of circumstances demanding immediate action takes place. The Chairman shall have the authority to call emergency meetings of the Board.

SPECIAL BOARD MEETINGS:

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

WORKING MEETINGS:

The Board may conduct informal "working sessions" from time to time as the situation warrants. At such meetings, this will be posted in accordance with the Open Meeting Law, no final action will be taken. A synopsis of transactions of informal meetings will be made a part of the minutes of the following regular meeting.

MEETING PROCEDURES:

Meetings are to be conducted in accordance with Robert's Rule rules of parliamentary procedure for small groups or boards, and the Open Meeting Law. It is the practice that application of such procedure be on a relatively informal basis, due to the size of the group and the desirability of flexibility in the expression of opinion.

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

The Town Administrator is expected to be in attendance at all meetings of the Board. The Town Administrator shall attend in order to keep the Board informed and advised and recommend in all matters

that fall within the jurisdiction of his office. He/she shall carry out the actions of the Board as they relate to the conduct and administration of Town affairs under his jurisdiction.

EXECUTIVE SESSION:

If practicable, Executive Sessions, other than a few minutes in duration, will be scheduled only at the end of or beginning of the open meeting. Only items allowed under the Open Meeting Law shall be included in Executive Session. The mover must specify in the motion to enter into Executive Session the reason the session is sought. A majority of the members present must vote to enter into Executive Session by roll call vote. The Chairman must state whether or not the Board will reconvene into open session.

AGENDA PROCEDURES:

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

All items for the agenda must be submitted to the Town Administrator by four (4) business days preceding the meeting (Saturday & Sunday's not to be counted). Items of emergency or strictly routine nature that develop after closing of the agenda may be considered under "Topics Not Anticipated by the Chairman 48 Hours in Advance"

Agenda items normally include:

1. Reading of the Agenda
2. Public Comment
3. Town Administrator Report
4. Weekly Business
5. Topics Not Reasonably Anticipated by the Chairman 48 Hours In Advance
6. Select Board Reports/Future Agenda Items
7. Adjournment

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

The agenda shall be available to the public and the press at the Select Board's Office the 48 hours in advance as per the Open Meeting Law of the meeting date and shall be posted on the Town Website before the Meeting.

The Board shall not begin discussion of or act on an agenda item after 10:00 PM of a regularly scheduled meeting. This policy may be waived by a majority vote of the members present.



#### MINUTES:

The Minutes Clerk to the Select Board shall record open meetings of the Board by tape recorder or other approved method. The Minutes Clerk shall draft minutes from the tape/notes. Minutes circulated to members of the Board on or before any Friday shall be in order for approval at the next regular meeting of the Board. By unanimous consent, minor corrections may be made to the minutes without advance circulation of such corrections.

Minutes shall contain a full statement of all actions taken by the Board and of the disposition of all proposals for action. Minutes of Executive Sessions shall be separately kept and recorded in accordance with the above procedures. Minutes (other than of executive session) are open for public inspection. Copies of all approved open session minutes shall be posted on the Town Website for viewing and recorded with the Town Clerk.

#### APPOINTMENTS:

The Board makes numerous appointments each year. Appointments are generally made for one or three years in length. In no case may appointments be made for more than three years unless specifically allowed by State Law. Appointments generally are made on June 15th. In the case of appointments, no second to the nomination or motion will be required prior to Board action. Whenever possible the Board will seek variety in backgrounds, interests, ages, sex and geographic areas of residents so that a true cross section of the community will be reflected. In order to attract qualified and interested persons, vacancies will be made public as far in advance of appointment as practical. Vacancies could be advertised in the local paper, Town Website as well as on Cable TV. Appointments should be based on merit and qualifications rather than political. No person is entitled by reason of incumbency to be reappointed.

The Town Administrator will:

1. Provide on May 15<sup>th</sup> (according to expiration date of term) a list of the appointment vacancies to be filled by the Board
2. Notify the chairman of the appropriate board or committee that by (insert date) they may submit, in writing, any specific skills, talents or training they would appreciate the Select Board considering in their vetting process of the candidates.
3. Notify incumbents and request their statements of availability regarding reappointment. Such notification shall include a statement "no person is entitled to be reappointed because of incumbency. The Board or committee members applying to seek another term" should be directed to send the application to the Select Board. The Select Board may meet with potential new appointees at an open meeting before making a final decision on the appointment. Appointments will normally be made only when all members of the Board are present. Appointments will be made by a majority vote of the Select Board.
4. Interim Vacancy Appointments:  
When a member of a board or committee vacates the position at a time in the year that does not reasonably fit into the normal June 15<sup>th</sup> appointment process, the filling of that position will follow the requirements for posting, applications and interviews, as if part of the normal process, with adjustments to dates and deadlines deemed appropriate for the circumstance, by consensus of the Select Board.

### JOINT APPOINTMENTS:

If there is a vacancy in an elected board consisting of two or more members, the remaining members shall give written notice thereof, within one month of said vacancy, to the Select Board, who, with the remaining member or members of such board, shall, after one week's notice, fill such vacancy by roll call vote. The Select Board shall fill such vacancy if such board fails to give said notice within the time herein specified. A majority of the votes of the officers entitled to vote shall be necessary to such election. The person so appointed or elected shall be a registered voter of the town and shall perform the duties of the office until the next annual meeting or until another is qualified.

When filling volunteer committees or elected board vacancies the Select Board shall invite the candidate(s) to a joint meeting of the board for an interview. The Chairman of the Board will allow each Selectman to ask questions of the candidate and make further comment. The Chairman will then allow each member of the subject Board present to ask questions of the candidate and make further comment. The Selectman Chairman will then conduct an alternating roll call vote with a Selectman voting first, a member of the subject board second and so on.

When there is on a Board/Committee (Trustee) that requires a joint appointment, notification will be posted in the newspaper, cable TV, bulletin board and on the website, once 30 days has passed then the joint group will move forward with interviews and the appointment.

### TIME LINE FOR APPOINTMENT PROCEDURE

#### **January**

Gather current board/committee assignments

#### **February**

Identify openings

Email sent to the chair of all the various boards and committees under the purview of the SB and let the Chair know that some member appointments are expiring. Response from board/committee chairs required back in 30 days with list of members that wish to stay on and will seek another term. The Chair is notified as to what members terms are coming up for consideration of appointment and that committee member is contacted and asked if they are considering asking the SB to reappoint them. Members understand it does not guarantee them that they will be reappointed. Request overview of committee responsibilities and time requirements from Committee chair to allow interested applicants to have an overview of what is required.

- The board/committee member is contacted by paper/email that their term is about to expire and asked if they are considering asking the SB to reappoint them.
- The board/committee member is informed by paper/email of the closing date to reapply
- The board or committee members applying to seek another term should be directed to send the completed application to the Select Board office.

#### **March – April**

List of board vacancies to be published in various places and posted for at least 30 days:

- Town website Cable TV
- Newspaper (Press Release) *Webpage*
- Bulletin Board

May

Applications are to be received by May 30 in the Select Board Office.

The Town Administrator and the Personnel Board shall review the applications to ensure:

- No conflicts with other board appointments
- Correct application filled out with all required documentation, i.e. resume, etc.

Once the applications have been reviewed for completeness, the SB will get the applications and candidates will be informed of the time and date of interviews by the appointing authority- the Select Board.

June

After the appointments are made, the member and Town Clerk are notified so the Clerk can swear in the member. The committee chair is also notified as the new member may NOT vote or participate in any meetings unless that person is sworn in and has completed the ethics course for the State of Massachusetts.

#### VOLUNTEER COMMITTEES OF THE SELECT BOARD:

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

Charges to advisory committees shall be in writing and shall include the work to be undertaken, the time in which it is to be accomplished, and the procedures for reporting to the Select Board. Each committee must report in writing at least annually to the Select Board. The Select Board's Office shall be sent copies of all committees' agendas and minutes. The Board will discharge committees upon the completion of their work.

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

It is the policy of the Select Board to appoint qualified citizens representing all sections of the Town to all such advisory committees. The Board will normally appoint no individual to more than one standing advisory committee at any one time.

In order to attract qualified and interested persons, vacancies will be made public as far in advance of appointment as practicable no person shall be entitled to reappointment because of incumbency in office.

#### RELATIONS WITH OTHER TOWN BOARDS, COMMITTEES AND COMMISSIONS:

The Select Board is aware that coordination and cooperation is needed among the Town's major boards, committees and commissions not only in the day-to-day operations of government but also to:

1. Set town wide goals and priorities
2. Identify and anticipate major problems and working together toward their resolution

3. Develop a process for dealing with other governments.

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

1. Regularly schedule meetings with the chairman of major boards and committees to carry out functions 1-3 listed above. One meeting shall, if possible, be held before the start of town meeting for the purpose of reviewing the warrant and expediting town meeting.
2. Regularly schedule meetings of the Select Board, Advisory Committee and School Committee with State legislators to discuss legislative issues which affect the Town of Sherborn.
3. The Town Administrator is responsible for inter-board communication in the day-to-day operations of government. The Town Administrator shall develop a process for exchange of information and the provision for advice and recommendations among the boards, committees and commissions with common interest, which shall include but not be limited to the exchange of minutes, the establishment of a central repository for data, studies and reports, and the appointment of members or staff of boards, committees or commissions as liaison with one another around common projects such as housing needs, revitalization of the center, etc.
4. Appoint certain members of the Select Board to act in the liaison role defined above.

#### RELATIONS WITH CITIZENS:

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

1. Persons who will be directly affected by proposed Board discussions and/or action will be notified by the Town Administrator or his/her designee of the date and time of meeting at which the matter will be discussed or acted upon by the Board.
2. An individual citizen or group of citizens may request an appointment before the Board by contacting the Town Administrator, stating precisely the reason for the appearance and the action desired and naming a spokesman for the group. Participants shall be given the opportunity to make a reasonable presentation through the spokesman and to express opinions and ask for pertinent information. Background data shall be prepared by the boards and departments concerned prior to the appointment insofar as possible, so that all parties involved can have a reasonable understanding of the subject matter. Citizens are encouraged to have written materials submitted for the Board's meeting packet.

The above does not apply to the Public Comment portion of Regular Board Meetings at which time any citizen of the Town may appear to discuss his or her concerns with the Board, allowing a 10-minute limit to each individual. However, it shall be the policy of the Board to take no formal votes during this period. If votes are deemed necessary as a result of items brought to the Board, these items shall be included in the Agenda of the next regular scheduled meeting of the Board

3. If the Board is considering matters of citizen concern at a regular meeting, the public will be allowed to ask questions or make statements relative to the matter under consideration at the discretion of the Chairman or upon request of any member of the Board.
4. Routine matters relating to sundry administrative matters not requiring a public hearing may be acted upon by the Chairman and the Town Administrator subject to ratification by the Board of such action at its next scheduled meeting.
5. All citizen questions and complaints are to be answered promptly. Questions and concerns relating solely to the Office of Select Board shall be answered promptly by the Chairman, after consulting with the Board, or at the discretion of the Chairman, the Town Administrator.
6. All other questions and all complaints are to be referred to the Select Board's Office for action or recommendations. In emergencies or like instances where common sense dictates that the Board member receiving the complaint deals directly with a department head, the Board member shall inform the Town Administrator in writing of the issue and its disposition.

HEARINGS BEFORE THE BOARD:

Hearings before the Select Board generally shall be conducted in accordance with the following procedures. Variations may be necessary to comply with statutory requirements applicable to particular matters. (See Appendix to these policies)

1. Notice: The Select Board's staff will advertise the hearing and notify interested persons, such as abutters, as required by statute or as directed by the Chairman in the absence of statutory requirements. Notice shall be at the expense of the person or entity required to have such a hearing. Expenses for the hearing shall include, but not be limited to, publishing of notices, postage, photocopying of documents, and research by the Select Board's Office staff.
2. Hearings will be held in open session unless otherwise voted by the Board in compliance with the Open Meeting Law.
3. The Chairman will announce the nature and purpose of the hearing, identify the particular matter, and recite the notice given.
4. The order of presentation will be:
  - a. Presentation by the Proposer
  - b. Receipt of recommendations from any Town agency or officer
  - c. Statements by proponents
  - d. Statements by opponents
  - e. Rebuttal statements by proponents and opponents
  - f. Where appropriate, questions may be asked of any person making a statement after statement is finished. Questions will be accepted first from members of the Board.
5. The Board may permit persons not desiring to speak to record themselves as in favor or against the proposal by letter or emails submitted to the Board from the public shall be noted. At the discretion of the Board, a show of hands may be taken.

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

TOWN MEETINGS:

1. Annual Town Meetings

There shall be an Annual Town Meeting during the last week of April each year for the consideration of all Town business properly before the meeting. The Annual Town Meeting Warrant is the Select Board's warrant by statute. The Select Board may insert articles in the warrant on their own initiative or by written petition signed by ten (10) registered voters for the Annual Town Meeting.

2. Special Town Meetings.

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

The Select Board may insert articles in the warrant on their own initiative at any time up to and including the time of issuance of the Warrant. The Select Board may also insert articles in the warrant upon request of another committee.

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

## **SELECT BOARD'S LICENSING POLICIES AND PROCEDURES**

### **ALCOHOLIC BEVERAGE AND PETROLEUM STORAGE LICENSES**

Notification of public hearings required by either the provisions of Mass. G.L. chapter 138 for alcoholic beverages licenses or by the provisions of Mass. G.L. Chapter 148 for petroleum storage licenses are at the expense of the applicant for the license. In either case, the following procedures for obtaining either license shall be adhered to by the applicant

#### **1. APPLICATION FOR LICENSE**

##### **Chapter 138 Alcoholic Beverages**

For alcoholic beverage license shall be made on forms supplied by the Select Board's office and shall be accompanied by a certified or cashier's check in the amount of \$200.00 payable to the Commonwealth of Massachusetts.

##### **Chapter 148 Petroleum Storage**

For a petroleum storage license shall be made by a written letter addressed to the Select Board stating the location of the proposed storage tanks by street address or Sherborn Assessors' map and lot numbers, the owner of the premises or property, and the number, capacity and type of construction or material of the proposed storage tanks. Also, a plot plan showing the location of the tanks on the premises or property shall accompany the letter.

#### **2. NOTIFICATION OF HEARING**

a) Upon submission of the proper application forms for an alcoholic beverage license, or a written letter application for a petroleum storage license, a legal notice of the scheduled hearing by the Select Board will be prepared by the Select Board's Office.

b) An applicant is responsible for having the prepared notice published in a newspaper of general, and at least weekly, circulation in Sherborn, no less than ten (10) days prior to the date of the hearing.

c) The applicant shall obtain from the Sherborn Assessors' office a list of abutters to the property on which the license will be exercised. On the publication of the notice, the applicant shall obtain sufficient copies of the published notice to mail one copy to each abutter by certified mail return receipt requested. Each postal receipt card shall be return addressed to the Select Board, 19 Washington Street, Sherborn, MA 01770

#### **3. FEES**

a) The annual fee for a restaurant all alcoholic beverages license shall be \$2,000.00

b) The annual fee for a package food all alcoholic beverages license shall be \$2,000.00

c) Beer and Wine License Only shall be \$1,500.00

c) The initial fee for a petroleum storage license shall be \$50.00

d) None of the above fees shall be apportioned for licenses applied for and issued after specified renewal dates.

#### **4. RENEWALS**

a) All alcoholic beverages licenses shall be renewed annually with the Select Board in the month of November only if no change has been made to the original license. Any change to the original license, except for a change of manager, shall require an amended license to be issued following the above listed public hearing notice requirements.

b) All petroleum storage licenses issued by the Select Board shall be renewed annually with the Town Clerk on April 1 only if no change has been made to the original license. Any change to an original license shall require an amended license to be issued following the above listed public hearing notice requirements.



## **STABLE LICENSES**

The Select Board shall license annually suitable persons to keep more than four (4) horses in specified buildings or places with Sherborn and may revoke such licenses at the Board's pleasure. The annual fee for such a license shall be \$20.00.

When issuing such stable licenses the Select Board shall cause the following inspections to be made of the buildings or places where horses are to be kept.

a) The Sherborn Animal Inspector shall inspect for suitability of the building or place to stable horses, considering that there be proper drainage, ventilation, size and character of stalls, bedding, number of animals, and storage and handling of manure.

b) The Sherborn Building Inspector and the Electrical Inspector, or their deputies, and any other inspector deemed necessary by the Select Board shall inspect for conformance with all applicable Massachusetts building codes.

c) The Sherborn Fire Chief, or his agent, shall inspect for fire safety and availability of fire suppression devices at the stable. The Fire Chief may recommend to the owner of the stable the installation, replacement, or reconditioning of any fire suppression or detection devices to include, but not limited to, fire extinguishers, smoke detectors, or heat detectors.

If a violation is found during any inspection of any Massachusetts or Sherborn law, rule or regulation, the Select Board may withhold issuance of a stable license until such violation is corrected

## SELECT BOARD ADMINISTRATIVE REGULATIONS

### BURGLAR AND FIRE ALARM REGULATIONS

#### 1. DEFINITIONS

For the purpose of this regulation, the following terms, phrases, words and their derivations shall have the meanings given herein. When no inconsistent with the contest, words used in the present tense include the future; words used in the plural number include the singular number; and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

1. The term "alarm system" means an assembly of equipment and devices such as a solid state unit which plugs directly into a 110 volt AC online, arranged to signal the presence of a hazard requiring urgent attention and to which police and/or fire personnel and equipment are expected to respond. Fire alarm systems and alarm systems which monitor temperature, smoke, humidity or any other condition in addition to the detection of an unauthorized intrusion into a premises or an attempted robbery at a premises are included in the provisions of this regulation.
2. The term "Alarm User" or "User" means any person on whose premises an alarm system is maintained within the town except for alarm systems on motor vehicles or proprietary systems. Excluded from this definition and from coverage of the regulation are central station personnel and persons who use alarm systems to alert or signal persons within the premises in which the alarm system is located of an attempted unauthorized intrusion or holdup attempt. If such a system, however employs and audible signal emitting sounds or a flashing light it shall be within the definition of "alarm system" as that term is used in this regulation, and shall be within the definition of "alarm system" as that term is used in this regulation, and shall be subject to this regulation.
3. The term "automatic Dialing Device" refers to an alarm system which automatically sends over regular telephone lines, by direct connection or otherwise a prerecorded voice message indicating the existence of an emergency situation that the alarm system is designed to detect.
4. The term "Central Station: means an office to which remote alarm and supervisory signaling devices are connected where operators supervise circuits or where guards are maintained continuously to investigate signals.
5. The word "Town" means the Town of Sherborn, Massachusetts
6. The term "Communications Console" means the alarm console receiving terminal which, through both visual and audible signals, indicates activation of an alarm system at a particular location or which indicates line trouble.
7. The term "Communications Center" means the central location where all alarm signals, telephone and radio dispatching is performed for the public safety departments for the Town of Sherborn currently located at 17 Washington Street, Sherborn, Massachusetts.
8. The term "Direct Connect" means an alarm system which has the capability of the transmitting system signals to and receiving them at the communications center.

9. The term "False Alarm" means the activation of an alarm system through mechanical failure, malfunction improper installation, or negligence of the user of the alarm system or of his employees or agents. Any signal or oral communication transmitted to the Communication Center requesting or requiring or resulting in the response of the Police and/or Fire Department when in fact there has been no alarm of fire, smoke in the building, unauthorized intrusion or attempted robbery or burglary at the premises. Excluded from this definition are activations of alarm systems caused by extended power outages, hurricanes, tornadoes, earthquakes and similar conditions.
10. The term "Interconnect" means to connect an alarm system to a voice grade telephone line, either directly or through a mechanical device that utilizes a standard telephone for the purpose of using the telephone line to transmit an emergency message upon the activation of the alarm system.
11. The term "Police Chief" means the Chief of Police of the Town of Sherborn, Massachusetts or any designed representative.
12. The term "Police Department" means the Town of Sherborn Police Department or any authorized agent thereof.
13. The Term "Fire Chief" means the Chief of the Sherborn Fire Department or any designed representative.
14. The Term "Fire Department" means the Chief of the Sherborn Fire Department of any designated representative.
15. The term "Public Nuisance" means anything which annoys injures or endangers the comfort, repose, health or safety of any person (s) of any community or neighborhood.

## **2. ADMINISTRATIVE RULES**

The Police and/or Fire Chief of the Town of Sherborn may promulgate such rules as may be necessary for the implementation of the regulation, with the concurrence of the Select Board.

## **3. AUTOMATIC DIALING DEVICES-INTERCONNECTION TO THE SHEBORN COMMUNICATION CENTER**

No person shall install, maintain or use a mechanical protection device that is automatically keyed to or activates the telephone number or lines controlled by or listed to the Town of Sherborn Communication Center without prior registration of said device and approval of the Police or Fire Chief. All such Devices shall be removed or appropriate registration and approval obtained within six (6) months of the effective date of this regulation.

Any homeowner, lessee or renter of a business or other establishment that presently has a burglar and/or fire alarm that is programmed to dial either the Police or Fire Department in the event of a burglary, holdup or fire must register said device with the Communication Center within six (6) months to maintain their present system or install a new alarm. Those residents or business establishments that presently have automatic dialing devices that are programmed to dial a Police or Fire emergency number will be required to re-program their tapes to dial only one (1) specific telephone number that will be made available for this express purpose.

Present and future alarm owners should apply at the Town of Sherborn Communications Center for a registration application. There is no fee required for this registration all devices should meet the following requirements.

1. Devices may dial only a special unlisted telephone number for this purpose or be connected to terminal equipment supplied to the Town by an alarm company.
2. Devices shall be F.C.C. registered for telephone interconnection.
3. Devices shall have lightning surge protection
4. Devices shall not activate on account of electrical power interruptions or surges.
5. Voice message shall not exceed fifteen (15) seconds in duration.
6. Devices shall not dial more than twice for the same alarm.
7. Where applicable, installers of said devices will provide in writing to the user instructions on how to prevent false alarms.

Any device failing to meet the above specifications or which cause an undue number of false alarms may be disconnected upon the order of the Police or Fire Chief or their authorized agent or representative and the concurrence of the Select Board.

#### **4. CONTROL AND CURTAILMENT OF SIGNALS EMITTED BY AN ALARM SYSTEM**

A. Every alarm user shall submit to the Police and/or Fire Chief and the alarm company who maintains the alarm system at the Communication Center, where applicable, the names and telephone numbers of at least two (2) other persons who can be reached at any time, day or night, and who are authorized to respond to an emergency signal transmitted by an alarm system, and who can open the premises wherein the alarm system is installed. The names addresses and telephone numbers of the responders must be kept current at all times by the alarm user and where applicable the alarm company.

B. Any alarm system emitting a continuous and uninterrupted signal for more than fifteen (15) minutes and which cannot be shut off or otherwise curtailed due to the absence or unavailability of the alarm user or those persons designated by him/her under paragraph (a) of this section, and which disturbs the peace, comfort, or repose of a community, or neighborhood where the alarm system is located, shall constitute a public nuisance. Upon receiving complaints regarding such a continuous and uninterrupted signal, the Police Chief or Fire Chief shall endeavor to contact the alarm user, or members of the alarm user's family, or those persons designated by the alarm user under paragraph (a) of this section, in an effort to abate the nuisance. The Police Chief or Fire Chief or their respective designee or agent shall cause to be recorded the names and addresses of all complaints and the time each complaint was made.

#### **5. TESTING THE EQUIPMENT**

No alarm system designed to transmit emergency messages directly to the Communications Center shall be worked on, tested or demonstrated without first advising the Communications Center.

Demonstrations, testing or work performed on alarm devices are not transmitting emergency messages directly to the Communications Center is excluded from this section. An unauthorized test constitutes a false alarm.

## **6. FALSE ALARMS**

A. When Emergency messages are received by the Police or Fire Department that evidence a false alarm, the Police or Fire Chief shall take such action as may be appropriate under these regulations.

B. After the Communications Center has recorded three (3) separate false alarms within the calendar year from the alarm user, the Police or Fire Chief shall notify the alarm user of such fact and request said user to submit, within a reasonable period of time, a report describing efforts to discover and eliminate the cause or causes of the false alarm. Upon notification of any additional false alarms received during the same calendar year, the Police Chief or Fire Chief may advise the Select Board and request that a meeting be held with the Alarm User, Department Head and the Select Board to discuss what efforts will be taken to eliminate the cause or causes of the false alarm.

C. If, after the meeting described in paragraph B of this section, further separate false alarms occur, the alarm user shall be assessed a fine of \$25.00 for each separate alarm.