

PART 2 - ARTICLES RELATING TO TOWN OPERATIONS

ARTICLE 2 - 1

**GENERAL PROVISIONS GOVERNING ALL DEPARTMENTS, BOARDS,
COMMITTEES COMMISSIONS AND ELECTED OFFICERS**

- Sec. 1 All elected Boards, Committees, Commissions and Officers shall reorganize at their first meeting following the Annual Town Elections and all appointed Boards, Committees, and Commissions shall reorganize each year at their first meeting following June 30th. All Departments, Boards, Committees, Commissions and elected Officers shall notify the Town Clerk and the Town Accountant of their organization, their office hours and the time and place of meetings. (5/2004)
- Sec. 2. All Departments, Boards Committees and Commissions and elected Officers charged with the expenditure of Town funds shall annually prepare a budget, detailing estimates of the amounts necessary to carry on Town's business entrusted to them, for the ensuing year. Figures covering the previous year's appropriation shall be provided by them as well as figures indicating amounts expended two years previous to the estimate presented. They shall also prepare estimates of any income may be received by the Town during the ensuing year in connection with the Town's business or property in their care. The Board of Selectmen shall include in their estimates, the salaries of all Elected Town Officers and all other items not provided for. The salaries of all other persons shall be included in the estimates of the Officers, Boards, Committees or Commissions appointing them. The Treasurer shall include in his estimates the amounts required for the payment of interest on the obligations of the Town and the amounts of maturing indebtedness during the succeeding year. Within forty-five days of the Town Administrator's request, such estimates and explanations shall be submitted to the Town Administrator. The Town Administrator shall prepare, assemble and present annually to the Board of Selectmen for its review and approval a budget for the ensuing fiscal year. Seven (7) copies of the recommended estimated budget shall be forwarded to the Finance Committee on or before January 31st. Additionally, one copy of the budget shall be forwarded to the Town Accountant. (10/2007)
- Sec. 3. The Board of Selectmen, or procurement officer designated pursuant to G.L. c. 30B is authorized to enter into any contract for the exercise of the town's corporated powers, or such terms and conditions as are deemed appropriate. Notwithstanding the foregoing, the Board of Selectmen, or procurement officer shall not contract for any purpose, on any terms, or under any conditions inconsistent with any applicable provision of any General or Special Law.

10/2007

Sec. 4. Every Town Board, Committee, Commission and Officer responsible for the expenditure of money shall furnish to the Town Accountant a copy of all Purchase Orders and requisitions for services incurred. In addition, every Department, Board, Committee, Commission and Officer making or entering into any written contract for goods or services, shall have said contract certified by the Town Accountant indicating the availability of funds for same, and furthermore shall file the contract with the Town Accountant before any payment is made thereon. A copy of any vote adopted which involved the expenditure of money by a Board, Committee or Commission shall be provided to the Town Accountant.

Sec. 5. Every Town Officer, Board, Committee, Commission or Department Head shall use a Purchase Order system administered by the Town Accountant. The Town Accountant shall annually prepare a list of suppliers for basic office needs to be used by all Town departments. All other purchases shall be approved by the Town Accountant.

Sec. 5A. All Department Heads serving under a Board, Committee or Commission shall have their weekly payroll approved by the Board, Committee or Commission, a designee of such Board, Committee or Commission or the Town Administrator before submission to the Town Accountant for processing. All other non-elected Department heads shall have their weekly payroll approved by the Town Administrator before submission to the Town Accountant for processing.

The payrolls for all other Town employees shall be signed by the applicable Department head, Board, Committee or Commission or designee of such Board, Committee or Commission responsible for overseeing such Department.

No payroll shall be submitted without the signature(s) of the aforementioned authorized individuals, the only exceptions shall be made for absence due to illness or vacation. In the case of such absence, the authorized party may designate an individual within the Department to assume payroll signing authority provided that such designation is also approved by the Town Administrator. (10/2007)

Sec. 5B All bills submitted for payment to the Town Accountant must be approved by the applicable Board, Committee or Commission, a designee of such Board, Committee, or Commission, or Department Head.

No bills shall be submitted without the signature(s) of the aforementioned authorized individuals, the only exceptions shall be made for absence due to illness or vacation. In the case of such absence, the authorized party may designate an individual within the Department to assume invoice

signing authority provided that such designation is also approved by the Town Administrator.

Authorized individuals also may allow a designated employee of the Department to sign individual invoices, but in such a case, the authorized individual(s) must sign the voucher listing all bills to be paid on the warrant. (10/2007)

Sec. 5C: The remaining balance in any money article shall be closed to surplus by the Town Accountant if:

- a. the monies have yet to be expended by the close of the second full fiscal year following its appropriation.
- b. the funds are not committed by contract.

The Board of Selectmen may extend the expiration date upon written request of the articles proponent on a year-to-year basis for a period not to exceed a total of five years from the original appropriation date. These provisions shall apply to all accounts on the books of the Town except those subject to the provisions of state statute. (10/2008)

Sec. 6. With the Board of Selectmen's approval, any Officer or Board in charge of a department may sell to any person property or material no longer needed in accordance with the provisions of M.G.L. Chapter 30B, Sec. 15. (10/2010)

Sec. 7. Annually, on or before the fifteenth day of January, every Officer or Board in charge of a Department shall transmit to the Board of Selectmen a written report on the activities of the Department for the past calendar year. Said report, as judged proper by the Board of Selectmen, to be printed in the Town Annual Report.

Sec. 8. No member of any Department, Board, Committee, Commission nor any Town Officer shall receive any compensation or fee for work done while performing in their official capacity for the Town except salary and fee allowed by law; nor shall they enter into any contract with any Department of the Town without the permission of the Board of Selectmen expressed by a vote, duly recorded with the stated reason.

Sec. 9. There shall be an annual audit of the Town's accounts under the supervision of the Director of Accounts of the Department of Revenue in accordance with the provisions of Chapter 44, Section 35 of the General Laws.

- Sec. 10 All procurement of supplies and services shall be undertaken in accordance with the provisions of G.L. c.30B, G.L.c.149 Section. 44A through 44K, and G.L. c.30, Sec. 39M, and G.L. c.7, Section 38A1/2 through 38O, as they may be amended from time to time or any other applicable general or special law. (10/2004)
- Sec. 11. Every Department, Board, Committee and Commission shall be responsible for the proper use, handling, storage conditions and security of all tangible personal property in its possession or under its control. In a format prescribed by the Town Accountant and approved by the Finance Committee, each shall annually prepare an inventory listing of all tangible personal property in its possession or under its control as of the preceding January 1st. A separate listing identifying property declared of no further value or use and considered surplus shall also be prepared as well as a statement detailing estimated requirements for the current year. All three items shall be furnished to Town Administrator and the Town Accountant and Finance Committee no later than January 15th of each year. The Board of Selectmen may at any time, without notice, make or cause to be made an independent inventory of all property. Said inventories shall be filed with Town Administrator and the Town Accountant. (10/2007)

All Departments, Boards, Committees, Commissions an elected Officials having responsibility for a Town Vehicle or Vehicles and any other mechanical equipment purchased by the Town, shall be required to maintain a maintenance log for said equipment. The log shall contain all pertinent information concerning general servicing, repairs, replacement and condition of said equipment. The log shall note the Department in charge of the equipment to include name, VIN or serial number, brand and any other pertinent descriptive information.

- Sec. 12. All Town Officers are required to pay all fees received by the,. by virtue of their office, into the Town Treasury. This By-Law is authorized under the provisions of Chapter 40, Section 21 (1 3) of the General Laws and intended to include all those fees otherwise to be kept under any Section of this General Law of the Commonwealth of Massachusetts.
- Sec. 13. All Boards, Committees, Commissions of the Town shall compile and maintain minutes of all posted and emergency meetings and shall forthwith file a copy of said minutes with the Town Clerk. Minutes of Executive Sessions need not be filed with the Town Clerk until such time as the reason for the session is no longer valid.
- Sec. 14. Any member of an appointed Committee absent for four (4) or

more consecutive meetings may be removed by a two-thirds (2/3) vote of the other members present and voting. The result of such a vote shall be forwarded immediately to the appointing authority and the Town Clerk. Further, a copy of such action shall be sent to the party removed. The above provision notwithstanding, the appointing authority of any Board, Commission or Committee may remove a member for just cause after a hearing.

- Sec. 15. The Town of Hanson may deny any application for, or revoke or suspend any local license or permit including renewals and transfers issued by any Board, Officer, Department for any person, corporation or business enterprise who had neglected or refused to pay any local taxes, fees assessments, betterments, or any other municipal charges. This By-Law shall provide that:
- A. The Treasurer/Collector shall annually furnish to each Department, Board, Commission or Division, herein after referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, herein after referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.
 - B. The licensing authority may deny, revoke or suspend any license or permit, including renewals or transfers of any party whose name appears on said list furnished to the licensing Authority from the Treasurer/Collector; provided however, that written notice is given to the party and the Treasurer/Collector, as required by applicable provisions of the law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall prima facie evidence for denial, revocation or suspension of said license or permit to any party. The Treasurer/Collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any finding made by the licensing Authority with respect to such license denial, revocation or suspension shall be made only for the purpose of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority received a certificate issued by the Treasurer/Collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the to the municipality as the date of issuance of said certificate.

- C. Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a

certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided however, that the holder be given notice and a hearing as required by applicable provisions of the law.

- D. The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of Chapter Two Hundred Sixty-eight in the business or activity conducted in or on said property.

This section shall not apply to the following licenses or permits; open burning, section thirteen of Chapter Forty-eight; Bicycle permits, Section Eleven A of Chapter Eighty-five; Sales of Articles for Charitable purposes, Section Sixty-nine of Chapter One Hundred and Forty-nine; Clubs, Associations dispensing food or Beverage Licenses, Section Twenty-one E of Chapter One Hundred Forty; Dog License, Section One Hundred Thirty-seven of Chapter One Hundred and Forty; Fishing, Hunting, Trapping License, Section Twelve of Chapter One Hundred and Thirty-one; Marriage Licenses, Section Twenty-eight of Chapter Two Hundred and seven; and Theatrical Events, Public Exhibition permits, Section One Hundred and Eighty-one of Chapter One Hundred and Forty. (Sections are MGL)

5/1991

ARTICLE 2 - 2

BOARD OF SELECTMEN

- Sec. 1. The Board of Selectmen shall have full authority as agents of the Town to prosecute and defend all suits in which the Town is a party. They may settle at their discretion any legal and valid claim or suit against the Town which does not require the payment of more than three hundred dollars (\$300.00). Any settlement requiring a payment greater than three hundred dollars (\$300.00), except when authorized by law, shall be made only when authorized by vote of a Town Meeting.
- Sec. 2. The Board of Selectmen may appear either personally or be represented by Town Counsel before any Committee of the Legislature, any State or County Official, any Board or Commission to protect the interests of the Town, but are not authorized by this By-Law to commit the Town to any course of action.
- Sec. 3. All conveyances under seal which may hereafter be executed by the Town pursuant to a vote of the Town or otherwise, shall be sealed with the Town Seal and described by a majority of the Board Selectmen for the time being, unless otherwise directed by the Town or by Statute.
- Sec. 4. The Board of Selectmen shall in their Annual Report, unless such information is contained in other reports to be published in the Annual Town Report, state what action they have taken during the proceeding year on all matters within their jurisdiction. They shall cause Annual Reports of the Town to be printed, and shall cause a copy to be available for every occupied dwelling in the Town.
- Sec. 5. The Board of Selectmen are hereby authorized to sell property taken by the Town under Tax Title Procedure under the provisions of M.G.L. Chapter 60, s. 52. At least fourteen (14) days before the sale, notice of the time and place of the sale shall be posted in the Town Hall, Post Offices in the Town and by printing the legal notice in a daily and/or weekly newspaper printed in Plymouth County and having the largest circulation in the Town. The Board of Selectmen have full authority to reject any bid they deem inadequate.
- Sec. 6. No member of the Board of Selectmen shall enter into any contract or agreement from which he will derive any direct or indirect benefit with any Department of the Town without the majority approval of the Finance Committee and in conformity with Chapter 268A (Conduct of Public Employees) of the General Laws. Said approval shall be recorded with the Secretary of the Finance Committee, and a copy thereof shall be attached to such contract or agreement.

10/1985

- Sec. 7. The above section shall also apply to all other elected or Appointed Town Officers, Committees and Commissions.
- Sec. 8. The Board of Selectmen is authorized to apply for, accept and expend any funds allotted by federal grant for any designated purpose that does not entail matching Town funds.
- Sec. 9. The Board of Selectmen shall require and regulate the numbering of all buildings as authorized by Chapter 40, Section 21 -1 0 of the General Laws. The regulation of numbering shall be governed by this By-Law and be enforced by the Hanson Fire Department or by any other agent so assigned by the Selectmen as follows:

At the time of sale, rental, occupancy or transfer of any dwelling house in the Town of Hanson, street numbers assigned to such dwelling houses by the Inspector of Buildings shall be affixed in such a manner that they are easily visible from the public way. Any dwelling house more than fifty feet (50') from the public way shall affix numbers to both sides of that dwelling's mail box or shall otherwise post in such a manner that they are easily visible from the public way.

No sale, rental, occupancy or transfer of such dwelling house shall take place until the Hanson Fire Department verifies that such numbers are affixed in accordance with the intent of this By-Law.

The owner of any dwelling house not sold, rented and which is currently occupied and not transferred, shall within twenty-four (24) months from acceptance of this By-Law, provide street numbers assigned by the Hanson Inspector of Buildings as required by the By-Law. The Town of Hanson, its officials, and various Departments shall not be held responsible for the failure of the dwelling house property owner in numbering properly the existing dwelling house and the potential for delayed response time in emergency situations.

Reference: Chapter 41, Sections 20, 23A, 23B, 23C.

- Sec. 10. A selectman may not hold any other compensatory office or employment in Hanson Town Government during the term for which he/she is elected, nor hold any compensated appointive town office or employment for one year thereafter. Also, any member of the Board of Selectmen serving in such capacity at the time of adoption of this section shall not be required to resign from any other position held and shall be allowed to complete his/her term of office. This Bylaw shall apply for all Town Compensated positions where the appointment or removal is recommended to the relevant Board, Committee, Commission, Dept. Head by the Town Administrator under Chapter 41 of the Acts of 2006 (aka Hanson Town Administrator Act) and also any and all compensated offices or positions of employment in Hanson Town Government that are directly appointed by the Hanson Board of Selectmen under Massachusetts State Law.

10/2015

ARTICLE 2 - 3

BOARD OF ASSESSORS

- Sec. 1. The Board of Assessors shall once a year prepare an official list of the taxable real and personal estates in the Town. Said list shall contain the names of the owners arranged alphabetically, and locations and brief description of the property and its value as determined by the Board of Assessors and the total tax assessed in the year in which said list is prepared. The Board of Assessors shall have said list on file, copies of which will be available for a fee established by the Board of Assessors.

ARTICLE 2 - 4

TOWN CLERK

- Sec. 1. The Town Clerk shall cause all deeds or other instruments conveying land or any interest in land to the Town to be immediately recorded in the Registry of Deeds, and shall have custody of all recorded instruments after the same have been returned by said Registry.
- Sec. 2A. The Town Clerk after every election, shall give written notice to each person elected to a Town Office or Board.
- Sec. 2B. The Town Clerk shall notify all appointive Officers and members of Committees, Commissions or Boards of their appointment by the Board of Selectmen or the Moderator. In providing such notice, the Town Clerk shall also provide each Appointee with a copy of the vote prescribing the duties to be performed if such a document is appropriate.
- Sec. 2C. The Town Clerk shall provide to all Officers, Boards, Committees and Commissions, whether elected or appointed, with copies of all votes of Town Meetings and copies of ByLaws affecting them or their duties.
- Sec. 3. The Town Clerk shall keep in the Clerk's office, permanently bound, one or more files of the Town Reports.
- Sec. 4. The Town Clerk shall not allow original papers or documents to be taken from his office, except as they remain in the Clerk's custody or by authority of law.
- Sec. 5. The Town Clerk shall fix regular hours during which the Clerk's office shall be open and shall give public notice thereof.
- Sec.6. The Town Clerk shall annually furnish the Board of Selectmen with a true copy of the record of the proceedings of the Town Meetings held during the proceeding year so that such record may be published in the Annual Town Report.

ARTICLE 2 - 5

COLLECTOR OF TAXES

- Sec. 1. The Collector of Taxes, under the title of Town Collector shall collect all accounts due the Town and shall have the power and duties necessary to accomplish the same as provided by the laws of the Commonwealth of Massachusetts.
- Sec. 2. The Town Collector shall, at least once each week, remit to the Treasurer all monies received.
- Sec. 3. The Town Collector shall give bond to the Town for the faithful performance of duties in a form approved by the Commissioner of Revenue and in such sum set by the Board of Selectmen but not less than the amount established by said Commissioner.
- Sec. 4. The Town Collector shall notify the Board of Selectmen whenever it seems advisable that suit should be instituted on behalf of the Town for the collection of any account due the Town.
- Sec. 5. The Collector shall furnish quarterly and annually a report stating changes in account balances for each receivable account per his records. Such report to include: Total Commitments, Total Refunds, Total Cash Collections, Total Abatements, Total Abatement Cancellations, other such charges and/or credits. The distribution of said report will be: Town Accountant, Board of Selectmen, Town Treasurer, Finance Committee.
- Sec. 6. The Town Collector shall fix regular hours during which his office shall be open and he shall give public notice thereof.
- Sec. 7. The use of the wording Tax Collector and Town Collector shall have the same meaning as Collector of Taxes.

10/1985

ARTICLE 2 - 6

TOWN TREASURER

- Sec. 1. The Town Treasurer shall receive and take charge of all money of the Town and shall have all the powers and duties necessary to accomplish the same as provided by the laws of the Commonwealth of Massachusetts. The Treasurer shall make prompt and timely deposits of funds in his charge and at no time should more than one (1) week elapse between the time of the receipt and time of deposit.
- Sec. 2. The Treasurer shall pay no money without a warrant or order signed by a majority of the Board of Selectmen and the Town Accountant. The warrant or order shall be sufficient authority to the Treasurer to pay money in accordance therewith. Such payment shall discharge the Treasurer from all liability of the monies paid.
- Sec. 3. The Treasurer shall furnish such information respecting the accounts, finances, payment to and obligations of the Town as the Board of Selectmen may from time to time require. The Treasurer shall furnish a quarterly report to the Board of Selectmen and the Town Accountant that shall include but not be limited to: Cash Balances-Unrestricted Checking Accounts, Cash Balances-Restricted Checking Accounts, Cash Balances Savings Accounts, Investment Balances, Interest Income Earned, Outstanding Short Term Debt, i.e. Revenue Anticipation Notes, Bond Anticipation Notes with such listing to include maturity date and interest cost, Balance of Tax Title or Other delinquent accounts in Treasurer's possession and status of each.
- Sec. 4. The Treasurer shall give bond to the Town for the faithful performance of duties in a form approved by the Commissioner of Revenue and in such sum set by the Board of Selectmen but not less than the amount established by said Commissioner.
- Sec. 5. The Treasurer shall fix regular hours during which his office shall be open and he shall give public notice thereof.
- Sec. 6. The Treasurer will file an annual report with the Board of Selectmen for inclusion in the Annual Report. The report to include:
- a. A list of all notes issued during the year and the purpose for which the money was borrowed, giving the dates, terms, amount, rate of interest, time of maturity, the premium, if any, received thereon, and the names of the parties from whom the funds were borrowed.

- b. A list of all notes paid during the year and a list of all outstanding notes, with the dates on which they will mature. 10/1985

ARTICLE 2 - 7

BURIAL GROUND FUNDS

- Sec. 1. The Town will accept and hold in trust, any monies and/or securities, which may be deposited with the Town Treasurer, for the purpose of preservation, care, improvement and/or embellishment of any public or private burial place, lots or graves. The terms of such deposit must state all provisions for use of income and principal and be in accordance with the statutes of the Commonwealth of Massachusetts.
- Sec. 2. Monies and securities received under the provisions of this Article shall not be deposited with other monies or securities of the Town. These deposits shall be kept and invested separately as a Cemetery Fund.

10/1985

ARTICLE 2 - 8

TOWN ACCOUNTANT

- Sec. 1. The Board of Selectmen shall appoint a Town Accountant who shall perform all the duties and possess all the power prescribed by General Law, Chapter 41, s. 55 to 61 inclusive.
- Sec. 2A. The Town Accountant shall submit the following to the Board of Selectmen within the first ten working days of each month:
- a. A detailed report of the amounts of all appropriations.
 - b. All drafts made on account of each such appropriation.
 - c. All receipts during the preceding month.
 - d. A summary report of the same since the beginning of the fiscal year.
 - e. Unexpended balances of all appropriations.
- Sec. 2B. The Town Accountant shall prepare any other financial statements as may be required by the Board of Selectmen.
- Sec. 2C. The Town Accountant shall file a summarized statement of the fiscal affairs of the Town for the preceding fiscal year with the Secretary of the Finance Committee not later than July 15 each year.
- Sec. 3. The Town Accountant shall include in the Annual Report:
- a. A statement of the amount of money received by the Town from sources other than taxation during the preceding year.
 - b. A list of all Insurance Policies held by the Town, which list shall include a statement of the property covered the names of the Companies and the amount of each policy.

10/1985

ARTICLE 2 - 9

FINANCIAL

- Sec. 1A. At the end of the fiscal year all unexpended or unencumbered balances contained in the budget voted for that same fiscal year shall be transferred to the account of Excess and Deficiency.
- Sec. 1B. In the case of appropriations voted by the Town other than budget appropriations, e.g. by separate article approval, all unexpended or unencumbered balances remaining at the conclusion of the fiscal year within which voted, shall be transferred to the account of Excess and Deficiency unless otherwise stipulated in the vote creating the appropriation or, if determined by the Town Accountant and the Department Head involved, that the intent for which the appropriation was created has not been fulfilled.
- Sec. 1C. No appropriation existing at the time of the approval of this section shall be affected.
- Sec. 2A. It shall be the duty of the several Boards, Committees, Commissions and Officers of the Town to submit to the Town Collector, without delay, all accounts due the Town with all available information in relation thereto.
- Sec. 2B. The Board of Selectmen shall take action with respect to all uncollected accounts as they deem in the best interests of the Town.

10/1985

ARTICLE 2 - 10

FINANCE COMMITTEE

- Sec. 1A. The Finance Committee shall consist of seven (7) voters of the Town other than Town Officers or employees. Three terms shall expire in 1989, two terms shall expire in 1990 and two terms shall expire in 1991. The Moderator shall, annually, within thirty (30) days of his election appoint to the Finance Committee members for terms of three years each to fill vacancies that exist at that time. Any members of said committee who shall be elected to any other Town Office, or shall move from the Town, or who shall be employed by the Town, shall, upon qualifying for the Office to which he was elected, or by his removal from the Town, or by the previously stated employment, cease to be a member of said committee. (10/1988)
- Sec. 1B. In addition to the above, the Moderator shall also fill vacancies that may occur during a three (3) year term due to resignation or removal of any member from the Committee for any reason whatsoever.
- Sec. 1C. The membership shall choose from its membership a Chairman, Vice Chairman and Secretary.
- Sec. 2A. It shall be the duty of the Committee to consider any or all municipal questions for the purpose of making reports or recommendations. The Committee shall consider all matters within the Articles of any Warrant for a Town Meeting and, after due consideration, print or otherwise, provide information and recommendations as it deems best. All recommendations shall be by majority vote, but this shall not be construed to prevent recommendations by a minority.
- Sec. 2B. The Finance Committee shall have the authority to review the books, accounts and financial management of any Department of the Town, ten (10) days after notifying said Department of their intention to do so and the books and accounts of all Departments and Offices of the Town shall be open to inspection of the Committee and of any person employed by it. It may appoint from its own membership, sub-committees and delegate to them such of its powers as it deems expedient.
- Sec. 3. Upon receipt of the budget estimates as outlined in Article 2-1, s. 2 of these By-Laws, the Finance Committee shall consider the estimates and add another column to the estimate reflecting the amounts which, in their opinion, should be appropriated for the ensuing year. The Committee may add explanations, suggestions and recommendations in relation to the proposed appropriations as it deems best. The budget estimate and committee recommendations shall be printed and distributed with the Town Report at least 14 days prior to the Annual Town Meeting. A copy of the

submitted budget estimate shall be returned to the preparer at least 14 days prior to the Town Meeting identifying and explaining recommendations for change of any amount requested. 10/1988

- Sec. 4. Any Department, Board, Committee, Commission and elected Officer of the Town, when about to request an appropriation in addition to that made at the Annual Town Meeting, shall file a written notice with the Board of Selectmen of the intention, at least thirty-one (31) days before the Town Meeting at which the request is to be acted upon and he or they shall state the object for which the appropriation is required and the amount to be requested. The Board of Selectmen shall record the notice and inform the Finance Committee. The Finance Committee shall examine the subject matter of the request and be prepared to furnish the Meeting with all necessary information. An appropriation may be requested without the required notice, but in the absence of the required notice, no action shall be taken upon it, except at an adjournment of said Meeting to a day not less than one (1) week after the date for which the Town Meeting was called. During the interim the Finance Committee shall consider the proposed appropriation and make recommendations in relation thereto. (10/1998)
- Sec. 5. The Board of Selectmen with the approval of the Chairman of the Finance Committee, shall provide a suitable place in which to hold its various meetings.

ARTICLE 2 - 11**CAPITAL IMPROVEMENT COMMITTEE**

- Sec. 1. The Board of Selectmen shall establish and appoint a committee to be known as the Capital Improvement Committee composed of seven citizens at large, three to serve 1 year, two to serve 2 years and two to serve 3 years and each thereafter for three years. The Town Administrator, Assessor/Appraiser, Town Accountant and the Treasurer/Collector shall serve as non-voting members. The committee shall choose its own officers. (10/07)
- Sec. 2. The Committee shall study proposed capital projects and improvements involving major non-recurring tangible assets and projects which 1) are purchased or undertaken at intervals of not less than five years; 2) have a useful life at least five years; and, 3) cost over \$35,000. In order that the Town 1) coordinate development of a capital improvement budget with the operating budget of the current year, and 2) develop a capital program including the subsequent 5 years, all officers, boards, and committees including the Selectmen and the Regional School Committee shall, by a date specified annually by the Capital Improvement Committee, prepare for the committee information concerning all anticipated capital improvement projects requiring Town Meeting action for the period specified. No appropriation shall be voted for a capital improvement requested by a department, board, or commission unless the proposed capital improvement is considered in the committee report. However, in order to allow consideration of a project reflecting an extraordinary circumstance which must be addressed before the formulation of the next year's capital program, a department, board or committee may submit a proposal to the Capital Improvement Committee for consideration. The Committee must then submit a report to the Finance Committee and the Board -of Selectmen with a satisfactory explanation why the proposal was not considered by the Capital Improvement Committee at a time when it could be included in the committee's report. Each of the boards and committees must vote that the proposed project meets the extraordinary circumstance issue. (5/2015)

05/2015

- Sec. 3. The Committee shall prepare an annual report recommending a Capital Improvement Program for the next fiscal year, and for each of the subsequent 5 years. The Capital Improvement Committee will explain which capital improvement projects considered by the committee are recommended and which projects it does not recommend for inclusion in the capital program. The report shall be submitted to the Board of Selectmen and the Finance Committee for their consideration. The Board of Selectmen shall submit its approved Capital Improvement Program to any Annual or Special Town Meeting for adoption by the Town. (05/2015)
- Sec. 4. The Capital Improvement Committee shall prepare a list of articles for inclusion in the October Special Town Meeting warrant for that fiscal year. After the adoption of the Capital Program, any department, board, committee or commission may make expenditures from their current budget for any survey, architectural or engineering advice, budget for surveys, architectural or engineering advice, options or appraisals; but no such expenditure shall be incurred on projects which have not been so approved by the Town through the appropriation of sums in the current year or in prior years, or for preliminary planning for projects to be undertaken more than five years in the future.
- Sec. 5. The Committee's report with the Selectmen's and Finance Committee's recommended Capital Plan shall be published and made available consistent with the distribution of the Finance Committee Report. The Committee shall deposit its original report with the Town Clerk.
- Sec. 6. The proposed annual budget shall include an appropriation of not less than 1% of the Town's operating budget to fund the Capital Plan. (05/2009)

05/2015

ARTICLE 2 - 12

CLASSIFICATION AND COMPENSATION

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PERSONNEL CLASSIFICATION AND COMPENSATION BY-LAW

SECTION 1. DEFINITIONS:

SECTION 1A. THE CLASSIFICATION PLAN. The official classification plan for positions in the service of the Town shall consist of classes listed by titles in Section 12.

SECTION 1B. THE COMPENSATION PLAN. The official compensation plan when established by vote of the Town, shall consist of minimum and maximum salaries, or single rate salaries, to be paid to all employees in any position included in the classification plan, and such salaries shall be established as specified by statute. No person employed by the Town will have his rate of pay reduced due to the adoption of the plan.

SECTION 1C. EXCLUSIONS. The following positions are excluded from the Classification and Compensation Plan:

- a. Held by elected officials.
- b. Under the jurisdiction of the School Committee.
- c. Covered by negotiated contracts between the Board of Selectmen and Hanson Police Club/I.B.P.O. #467; Local 2713 International Association of Firefighters, AFL-CIO; AFMSCE:AFL-CIO State Council 93, Local 1700 and the Chief of Police Department and the Chief of the Fire Department.(10/2007)
- d. Covered by negotiated contracts between the Board of Selectmen and the Town Administrator to the Board of Selectmen.(10/2007)
- e. Covered by negotiated contract between the Water Commissioners and the Water Superintendent.

SECTION 1D. AMENDMENTS OF THE PLANS. The Classification Plan and the Compensation Plan, and the provisions for the administration of said plans may be amended by a majority vote at any Town Meeting.

SECTION 1E. AUTHORITY. Establishment and administration of a compensation plan by a Personnel Board is authorized by General Law, Chapter 41, Sections 108A and 108C. Date of inception of

SECTION 2. THE PERSONNEL BOARD:

SECTION 2A. There shall be a Personnel Board to administer and maintain said Plans and to insure that there is uniform interpretation and application throughout the entire Town.

SECTION 2B. The Board of Selectmen shall serve as the Personnel Board. The Town Administrator shall serve as the Personnel Director of the Town responsible for the administration of all personnel matters, including personnel by-laws and all personnel policies and regulations that the Board of Selectmen may adopt. This shall include the enforcement of personnel policies, rules and regulations and managing personnel costs, including salaries, benefits, overtime, and use of town-owned vehicles for employees under the jurisdiction of the Board of Selectmen. (10/2007)

SECTION 3. THE DUTIES OF THE PERSONNEL BOARD:

SECTION 3A. The Board shall establish such policies, procedures and regulations as it deems necessary for the administration of the Classification and Compensation Plans and may employ assistance and incur expenses as it deems necessary, subject to the appropriation of funds for this purpose.

SECTION 3 B. The Board shall, immediately following the annual election, meet and organize by electing a chairman and clerk whose appointment will run concurrent as that of the Board of Selectmen. (10/2007)

SECTION 3C. The Board shall maintain written descriptions of the jobs or positions in the Plan describing the essential characteristics and related requirements and general duties. The descriptions shall not be interpreted as complete or limiting definitions and employees shall continue to perform like duties within their classification as assigned by their supervisors.

SECTION 3D The Board, by its own authority, may establish the classification for a new position. No position may be so classified until the Board shall have determined that such action is consistent with the provisions of the Classification and Compensation Plan. The Board may also authorize the upgrading or transfer of an employee from one classification to another upon receipt of sufficient justification by the Department Head. Any such action shall be subject to the Department Head's written verification that sufficient funds are available to provide compensation for the new position or job change.

SECTION 3E. The Board annually shall review all positions covered by the Plan, such reviews to be scheduled so as to cover all such positions annually. The Board shall annually review the salary schedules and job classifications. It shall keep informed as to pay rates and policies outside the service of the Town and shall recommend to the Town any action deemed desirable to maintain a fair and equitable pay level.

SECTION 3F. Upon recommendation of a Department Head, supported by written or oral evidence of special reasons and exceptional circumstances satisfactory to the Board, the Board may authorize an entrance to a higher rate than the minimum rate for a position, and such other variance in the Plan as it may deem necessary for the proper functioning of the Town. No variance shall become effective unless, or until, the necessary funds have been appropriated therefore.

SECTION 3G. The Board shall make a general report for inclusion in the Annual Town Report. (10/2007)

SECTION 3H. The Personnel Director shall maintain personnel records of all employees occupying positions subject to the Classification and Compensation Plans. Said records to be kept in its custody. Department Heads shall provide such information as the Board may require.(10/2007)

SECTION 4. AMENDMENT OF THE CLASSIFICATION AND COMPENSATION BY-LAW.

SECTION 4A. The Classification and Compensation plan and any other provision of the by-law for the administration of personnel may be amended by a majority vote at Town Meeting.

SECTION 4B. Upon written request for amendment, the Board shall, within three weeks, hold a hearing thereon at which all interested persons shall be entitled to be present and be heard. Written notice of such hearings shall be given not less than three days preceding the date thereof, to the petitioner or petitioners and to head of departments and employees affected.

SECTION 4C. The Board shall, one week after such hearing, report recommendations for consideration at the next Town Meeting. The petitioner or petitioners and involved department heads shall be given a copy of said report and recommendations.

SECTION 4D. The Wage and Personnel Board shall call a hearing for the consideration of any proposed Town Meeting Article that is intended to amend the Classification and Compensation By-Law and such hearings shall be held no later than two weeks preceding the closing of the Town Warrant. Written notification to all Departments, Boards, Committees and Employees shall be given not less than three days preceding the date of the hearing.

SECTION 5. CIVIL SERVICE LAWS.

Nothing in the By-Law shall be construed to conflict with Chapter 31 of the General Laws of the Commonwealth of Massachusetts.

SECTION 6. SALARY OR WAGE RATES ABOVE MAXIMUM.

Any salary or wage rate which was in effect on or before acceptance of the By-Law and which is above the maximum for which the class to which the position has been allocated, shall be deemed a personal rate and shall apply only to the incumbent. When such incumbent leaves the employ of the Town, or is transferred to another position or a new maximum rate higher than the personal rate that was established, the rate shall be canceled. No other employee assigned to or hired for such position shall advance beyond the maximum rate of the compensation grade to which the class has been assigned.

SECTION 7. COMPENSATION ADJUSTMENTS

SECTION 7A. Every employee in a position covered by this by-law must be considered for an increase in compensation within their classification annually. Annual increases are not automatic but based on evaluation of the employees ability and work performance. Employees in Section 11A and Section 11B shall be evaluated by the Town Administrator. Employees in Section 11C, 11D and 11E shall be evaluated by the relevant Department Head and reviewed by the Town Administrator. 05/2016

SECTION 7B. Upon effective date of amended Plan salary schedules, Department Heads are required to adjust their employees pay rate to the appropriate pay of the amended Plan salary schedule.

SECTION 7C. Any pay adjustment, greater than specified herein, requires advance Wage and Personnel Board approval.

SECTION 7D. Department Heads are required to provide sufficient funds in their budgets for all rate adjustments.

- SECTION 7E.** Employees denied a compensation increase, under the foregoing provisions, have the right of appeal to the Wage and Personnel Board. The Board shall hear the employees' complaints, examine the employees' records, discuss work performance with the Department Head, and render a decision which shall be binding.
- SECTION 7F.** Any Highway Surveyor who maintains a valid hydraulics license and/or Commercial Drivers license and provides evidence of said licenses on or before July 1st, shall receive the sum of five hundred seventy five (\$575) dollars per license annually. Payment shall be made the first week of the new Fiscal Year per an expense check. (5/2014)
- SECTION 8. NEW PERSONNEL AND/OR JOB CLASSIFICATION.**
- SECTION 8A. HIRING.** The Town Administrator will recommend appointments and hires to the relevant appointing authority. (10/2007)
- SECTION 8B. PERSONNEL REQUISITIONS.** The Wage and Personnel Board during its review of personnel requisitions shall assign the applicable job classification and salary and/or wage schedule and return the approved requisition to the Department Head. If the Wage and Personnel Board does not approve the requisition, it shall arrange a meeting with the Department Head involved, establish a mutually accepted agreement with the Department Head and subsequently approve the requisition.
- SECTION 8C. HIRING POLICY.** Whenever possible, promotion or hiring shall be from within the Town departments. When a job opening exists, the Town Administrator shall post a notice of the job opening on the Town Hall bulletin board for a period of two weeks. If there are no qualified applicants, the Town Administrator shall advertise for the job in a newspaper having circulation within the Town. The advertisement shall describe the job, duties and minimum qualifications and where and when application may be made.(10/2007)
- SECTION 8D. PROBATIONARY PERIOD.** The first six months of employment shall be a probationary period. During the probationary period, the Department Head shall notify the Town Administrator if the employee's performance and ability warrants continued employment. The Town Administrator shall recommend the appointment or removal to the appointing authority. (10/2011)

SECTION 8E. HIRING RATE. The hiring rate shall be the minimum rate for the job unless otherwise authorized by the Personnel Board. (Refer to Section 3F)

SECTION 8F. EMERGENCY LABOR. The Town department heads may hire emergency labor as they may require. Such action shall be exempt from the provisions of paragraphs 8A through 8D of this section of the By-law.

SECTION 8G. TERMINATION. An employee may be terminated from employment by the Town Administrator for just cause after the employee has been given a written warning by the Department Head; fails to show adequate improvement in work performance during the warning period; and the relevant appointing body votes affirmatively for termination.(10/07)

SECTION 9. PAYROLL ACCOUNTING.

SECTION 9A. Department Heads are required to notify the Town Treasurer, Town Accountant and Town Administrator of all pay rates and pay rate changes so that the appropriate payroll and accounting records may be made.

SECTION 9B. The Wage and Personnel Board is required to notify the Town Treasurer and the Town Accountant of all pay rate changes and their effective dates authorized by the Board in accordance with the provisions of the By-Law.

SECTION 10. WAGE CLASSIFICATION.

Employees will be classified in the following groups:

- a. Full time employees - works a normal schedule of 35 or more hours per week.
- b. Part time employees - works a normal schedule of less than 35 hours per week, a seasonal schedule, or a temporary work schedule.
- c. Emergency Labor - works a temporary schedule of a defined period of time for a specific assignment.

SECTION 10A. The Board of Selectmen may at its discretion secure contractual services for any employee position as outlined in the Wage and Personal By-laws. The contractual service utilized must be within the Town's annual budget appropriation for the outlined position. (05/2015)

05/2015

PART II Page SECTION 11 A: PROFESSIONAL POSITIONS (05/2016)

	7/1/15	7/1/16
A. Director of Elder Affairs	35,000 to 55,000	35,000 to 55,000
B. Town Accountant Town Accountant – Part-Time hourly rate	45,000 to 75,000 \$24.00 to \$41.00	45,000 to 75,000 \$24.00 to \$41.00
C. Treasurer/Collector	45,000 to 75,000	45,000 to 75,000
D. Inspector of Buildings –Full-time Salary Inspector of Buildings – Part-time hourly rate	20,000 to 60,000 \$35.00 to \$45.00	20,000 to 60,000 \$35.00 to \$45.00
E. Health Agent	40,000 to 60,000	40,000 to 60,000
F. Assessor/Appraiser	45,000 to 70,000	45,000 to 70,000
G. Conservation Agent	35,000 to 70,000	35,000 to 70,000
H. Library Director	45,000 to 70,000	45,000 to 70,000
I. Town Planner	45,000 to 70,000	45,000 to 70,000
J. Town Planner/Conservation Agent	45,000 to 70,000	45,000 to 75,000
K. Highway Surveyor	45,000 to 70,000	45,000 to 70,000
L. Recreation Director		30,000 to 50,000

SECTION 11 B: ADMINSTRATIVE AND/OR FULL TIME

	7/1/15	7/1/16
A. Executive Assistant	17.00 to 28.00	17.00 to 28.00
B. Assistant to Police Chief	17.00 to 28.00	17.00 to 28.00
C. Veterans Agent ~ Annual salary	7,000 to 18,000	7,000 to 18,000
D. Reference Librarian	17.00 to 28.00	17.00 to 28.00
E. Youth Service Librarian	17.00 to 28.00	17.00 to 28.00
F. Animal Control Officer ~ Annual Salary	17,000 to 28,000	17,000 to 28,000
G. Van Drivers/Aide*	8.00 to 17.00	8.00 to 17.00
H. Social Day Care Coordinator*	14.00 to 21.00	14.00 to 21.00
I. Camp Kiwanee Caretaker**	13.00 to 20.00	13.00 to 20.00

SECTION 11 C: PART TIME POSITIONS

	7/1/15	7/1/16
A. Assistant Inspector of Building	22.00 to 30.00	22.00 to 30.00
B. Gas Inspector	22.00 to 30.00	22.00 to 30.00
C. Plumbing Inspector	22.00 to 30.00	22.00 to 30.00
D. Wiring Inspector	22.00 to 30.00	22.00 to 30.00
E. Civil Defense Director ~ Annual Salary	900 to 1,300 yr	900 to 1,300 yr
F. Police Matron	11.00 to 22.00	11.00 to 22.00
G. Outreach/Seniors*	11.00 to 22.00	11.00 to 22.00
H. Assistant Coordinator*	8.00 to 17.00	8.00 to 17.00
I. Volunteer Services Intergenerational Coordinator*	10.00 to 19.00	10.00 to 19.00
J. Senior Center Support Staff *	8.00 to 17.00	8.00 to 17.00
K. Back-up Van Driver*	8.00 to 12.00	8.00 to 12.00

L. Animal Inspector	1,000 to 1,600	1,000 to 1,600
M. Election Clerk	8.00 to 15.00	8.00 to 15.00
N. Election Officer	8.00 to 15.00	8.00 to 15.00
O. Election Warden	8.00 to 15.00	8.00 to 15.00
P. Registrar of Voters	8.00 to 15.00	8.00 to 15.00
Q. Assistant Caretaker**	8.00 to 25.00	8.00 to 25.00
R. Sealer of Weights & Measurers ~ Annual Salary	2500 to 3500 yr	2500 to 3500 yr
S. Milk Inspector	150 to 300 yr	150 to 300 yr
T. Assistant Veterans Agent	10.00 to 15.00	10.00 to 15.00
U. Committee Clerical/Administrative Support Staff	9.00 to 15.00	9.00 to 15.00
V. Emergency Clerical Labor	9.00 to 15.00	9.00 to 15.00
W. Transfer Station Attendant	15.00 to 21.00	15.00 to 21.00
X. Camp Kiwanee Event Planner **	8.00 to 17.00	8.00 to 17.00
Y. Facilities Manager	20,000 to 45,000	20,000 to 45,000
Z. Public Buildings Custodian	18.00 to 24.00	18.00 to 24.00
AA. Assistant Health Agent	13.00 to 22.00	13.00 to 22.00
BB. Student Police Officer		20.00 to 30.00

SECTION 11D: SEASONAL POSITIONS **

	<u>7/1/15</u>	<u>7/1/16</u>
A. Beach Director	12.00 to 20.00	12.00 to 20.00
B. Water Safety Instructor	8.00 to 16.00	8.00 to 16.00
C. Lifeguards	8.00 to 16.00	8.00 to 16.00
D. Boat Coordinator	8.00 to 16.00	8.00 to 16.00
E. Boating Instructor	12.00 to 20.00	12.00 to 20.00
F. Concession Worker	8.00 to 16.00	8.00 to 16.00
G. Recreation Assistant	8.00 to 16.00	8.00 to 16.00
H. Security/Gate Attendants	8.00to 16.00	8.00 to 16.00

*Positions are funded through the Multi-Service Senior Center's revolving account or grants
** Positions are funded through the Recreation Commission's Enterprise Fund.

SECTION 11E: CALL FIREFIGHTERS/OFFICERS

	<u>7/1/15</u>	<u>7/1/16</u>
Call Firefighters	16.00 to 18.00	16.00 to 18.00
Call Firefighters after Three Years	17.00 to 19.00	17.00 to 19.00
Call Lieutenants	17.00 to 20.00	17.00 to 20.00

\$500.00 stipend will be paid in June of each fiscal year to those call firefighters who successfully complete and maintain the certification of an EMT recognized by the State and approved by the Fire Chief. Paramedics will receive a \$1,000.00 stipend.

SECTION 11G. All members of the Call Fire Department will be subject to all Rules and Regulations; Standard Operation Procedures; Department Policies as amended for Fire Department Operations and formulated under M.G.L. Chapter 48, Section 42.

SECTION 12. FRINGE BENEFITS

SECTION 12A. Certain fringe benefits are hereby set forth according to interpretation of Section 108G of Chapter 41 and Section 21A of Chapter 40 of the General Laws. Fringe benefits are considered as part of compensation earned in addition to regular salary received.

SECTION 12B. ELIGIBILITY FOR BENEFITS

- a. Employees who are classified as full time employees are eligible for fringe benefits provided in this section of the By-Law.
- b. Employees classified as permanent part-time and working a regular schedule of 20 hours or more per week are eligible for fringe benefits provided in this section of the By-Law on a pro-rata basis.

SECTION 12C. HOLIDAY SCHEDULE

- a. The recognized holidays under this Bylaw are:

New Years Day	Labor Day
Martin Luther King's Day	Columbus Day
President's Day	Veterans Day
Patriots Day	Thanksgiving Day
Memorial Day	The day after Thanksgiving
Independence	Day Half day on Christmas Eve
Christmas Day	(5/2014)

- b. All time worked within the Holiday schedule shall be classed as overtime. Employees not required to work to maintain essential Town services shall be excused without loss of pay. Pay for holiday allowance shall be determined to be 1/5 of a regular weeks pay exclusive of overtime, except in those instances where that determination shall cause an employee to receive less or more than a regular weeks pay – exclusive of overtime.
- c. Wage payment under the provisions of this section of the By-law shall be made provided the employee has worked a regular scheduled work day preceding or following said holiday or is on a

regular scheduled day off, or is absent on those stated day by reason of illness. 5/2014

- d. Observance of holidays in the holiday schedule shall be in accordance with locally designated days.
- e. Whenever an employee whose regular scheduled day off falls on any of the holiday schedule days, an additional day off with regular pay shall be permitted. Part-time employees will receive holiday pay only if scheduled for work that day of the week and on a pro-rata basis.(5/2003)
- f. Whenever an employee works on a scheduled holiday, compensation shall include holiday pay plus straight time pay for time worked, within the normal work schedule.

SECTION 12D VACATION LEAVE

- a. Schedule. Vacation leave shall be granted during the fiscal year in which eligibility occurs.
 - 1. An employee who has completed six (6) months of continuous service shall be granted five (5) days vacation leave with regular pay. An employee who has completed one (1) continuous year of service shall be granted ten (10) days vacation leave with regular pay. Part time employees shall be paid weekly vacation according to their regularly scheduled hours. (05/2015)
 - 2. An employee who has completed five (5) continuous years of service shall be granted fifteen (15) days vacation leave with regular pay.
 - 3. An employee who has completed ten (10) continuous years of service shall be granted twenty (20) days vacation leave with regular pay.
 - 4. An employee who has completed fifteen (15) continuous years of service shall be granted twenty-five (25) days vacation leave with regular pay. (5/2002)
 - 5. An employee who has completed twenty (20) continuous years of service shall be granted twenty-seven (27) days of vacation leave.(10/2007)
 - 6. An employee who has completed twenty-five (25) continuous years of service shall be granted thirty (30) days of vacation leave with regular pay. (10/2007)

- b. Employees are encouraged to schedule vacation leave in full week increments; however, a single day or several days may be granted as vacation leave with approval by the department supervisor.
- c. Department supervisors are responsible to grant vacation leave to employees on a schedule basis that will cause the least interference with the performance of the regular work of the Town.
- d. If a holiday occurs during an employee's vacation period, the holiday will be charged to holiday time and not as a vacation day.
- e. Employees eligible for vacation leave who are terminated retire, or enter into the Armed Services, shall be paid for unused vacation leave balance at regular pay.
- f. Upon the death of an employee eligible for vacation leave, payment at regular pay of unused vacation leave balance shall be made to the employees' estate.
- g. Employees will be allowed to carry over not more than one week of unused vacation time. (05/2015)
- h. Any department vacation leave schedule or plan which is in effect on or before acceptance of this plan and which is greater than that provided for in this section of the plan shall remain in effect for those employees involved for the duration of their employment in that department. No other employee assigned to or hired for that department shall be eligible for vacation leave other than that provided for in Section 12D.a. of this plan.

SECTION 12E. SICK LEAVE (10/2007)

- A. Unlimited sick leave shall be granted for sickness or injury to the employee.
- B. Sick leave shall be considered to be absence from duty without loss of pay for the following reasons:
 - 1. Employee's illness or injury except where directly traceable to an employer other than the Town or to a work-related injury or illness covered by Massachusetts General Laws or an intentionally self-inflicted injury.
 - 2. Medical, optical or dental treatment required for an employee when such treatment cannot be accomplished on off-duty hours.
 - 3. When serious illness of any employee's immediate family requires his/her personal attendance

C. No sick leave shall be refused for an obvious personal injury or a situation requiring non-elective surgery. If a dispute arises concerning a return date for employment, procedures set forth under C2, item b of this Article shall be followed.

1. Abuse or falsification of any of the sick leave provisions shall be cause for disciplinary action.
2. Notification of absence shall be given to the Selectmen's Office as early as possible on the first day of absence.
3. Payments under the provisions of this Article shall be limited, in the case of an employee who is receiving Workmen's Compensation payments, to the difference between the amount paid in Workmen's Compensation and the employee's regular rate. This co-payment shall not go or be extended beyond a period of six (6) months duration.

D. Sick leave shall be granted in accordance with the following provisions:

1. Sick days granted numbering one (1) through ten (10) in a given absence shall be under the direct supervision of the Town Administrator and all such leave shall be subject to his approval, and such approval shall not unreasonable be withheld.
2. On or before the completion of the tenth consecutive sick day, the Town Administrator shall convene the Board of Review, said Board of Review to consist of a member of the Board of Selectmen, the Town Administrator and the Department Head. The Board of Review shall conduct a hearing and by majority vote, take action on any of the following recommendations:
 - a. Extend the sick leave for a specified amount of time, with full pay or proportion thereof, and conduct another hearing upon expiration of the time specified.
 - b. Require the individual to produce a medical certificate and/or their own examination of the individual by a recognized medical authority.
 - c. Terminate the sick leave. If the individual remains absent from employment, it will be without pay, and the Review Board may recommend disciplinary action to follow.
 - d. Make a recommendation that steps be taken to terminate the individual's employment.
 - e. Any employee who retires prior to June 30, 2009 shall be entitled to buy back their accumulated sick time at a rate of one day's pay for each three(3) days of the unused portion of the employee's accumulated sick leave. Said employees will continue to accumulate their sick leave at a rate of one and one quarter (1 ¼) days per month until retirement. In the event of death of an employee, the employees estate, shall be given one days pay for each three days of the unused portion of the employee's accumulated sick leave. However, in no event

shall the total accumulated sick leave exceed 165 days.

10/2007

- f. The Department Head is required to accurately record each employees attendance; noting tardiness, vacation, holiday pay, illness and other absences. This shall be submitted to the Town Administrator on forms designated by him/her.
- g. The Town Administrator and/or Department Head may require a physicians examination and statement of an employees fitness to return to work following an employee's absence due to injury or sickness. Such examination and statement to be at the expense of the Town.
- h. Injury, illness, or disability self-imposed, or resulting from the use of drugs shall not be considered a proper claim for leave under this section.
- i. Payments made under the provisions of this section shall be limited in the case of an employee who is receiving Workman's Compensation payments to the difference between the amount paid in Workman's Compensation and the employees regular rate. But in no case shall such sick leave increments extend beyond a period of six (6) months.
- j. Sick leave payment shall be granted at the employee's regular rate of pay unless otherwise specified as in Section 12E.c. Sick leave may be granted by the Department Head for a single day absence due to illness, injury, or regular medical, optical or dental treatment.
- k. Nothing in this section shall be construed to conflict with Section 100 of Chapter 41 of the General Laws.

SECTION 12F. JURY DUTY

An employee required to serve on jury duty and thus absent from regular work duty may upon application be paid the difference between regular compensation from the Town and compensation received for jury duty upon presentation of certification of compensation paid by the Court. Travel allowance is not included in compensation paid by the Court.

SECTION 12G. BEREAVEMENT LEAVE

Employees shall be granted five (5) consecutive working days off without loss of pay in the event of a death in the immediate family of the employee. Immediate family shall refer to a spouse, domestic partner, child, step-child, parent of either spouse, or step-parent of either spouse. Employees shall be granted three (3) consecutive working days off without loss of pay in the event of a death of a grandparent of either spouse, brother, step-brother, sister, step-sister or grandchild. Additional paid time off may be charged to personal time or vacation time, or additional time off

without pay may be granted by the Town Administrator for justifiable reason. Such paid days off shall be on pro-rata basis in accordance with the regular schedule of daily hours worked by the employee.

In the event that the interment of, or memorial service for, any of the above-named relatives occurs at a time beyond the bereavement leave allowed, the employee may request to defer one (1) of the days to the later date. Such request shall be made at the time the employee notifies his/her supervisor of the need for bereavement leave and may be granted at the discretion of their supervisor.

In the event of a death which occurs during an employee's scheduled time off, the Town Administrator shall make adjustment for bereavement leave. (05/2015)

SECTION 12H. MILITARY LEAVE

An employee on military reserve duty thus absent from regular work duty shall be paid the difference between compensation received for reserve duty and regular compensation paid by the Town upon application and presentation of certification of reserve duty pay. Such payment shall be limited to a period of thirty four days in a twelve month period and shall not include payment for reserve duty caused by call to be mobilized during an emergency in the Commonwealth. (5/2004)

SECTION 12I. OTHER LEAVE

- a. Absence from regular work for personal reasons may be charged to vacation leave upon application by the employee and approval by the Department Head. Such absence may not be charged to vacation leave beyond what the employee is entitled to in the calendar year. (5/2002)
- b. Section 11A Professionals and Section 11B Administrative and/or Full Time employees shall be granted three (3) days per year and all other Wage & Personnel positions shall be granted one (1) day for personal business for which he or she will be paid their normal rate with the prior approval of the employee's Department Head or Governing Board.

05/2015

SECTION 12J. PAY FOR OVERTIME WORK

- a. Work performed by an employee beyond the normal work schedule shall be compensated at the rate of one and one-half times the normal hourly pay rate.
- b. Whenever any employee works overtime on a regular scheduled holiday, compensation shall include holiday pay, straight time pay, and time and one-half pay for overtime worked beyond the normal shift time.
- c. Overtime provisions shall not apply to Town Department Heads under this By-law.

SECTION 12K. PHYSICAL EXAMINATION

- a. Every new employee hired by the Town shall be examined by a physician acceptable to the Town and certified as to his physical fitness to perform the duties of the position for which he has applied, and as to any physical conditions of the applicant that might adversely effect his job performance.
- b. The cost of any physical examination required by this section shall be paid by the Town and shall be charged to the appropriations of the Department which doing the hiring or charged to such special appropriation made by the Town for the purpose of thus section.
- c. The Town Administrator shall ensure that applicants have successfully passed a physical examination prior to job acceptance.
(10/2007)

SECTION 12L. CALL BACK

All full time Town employees under this By-law called back and required to work beyond their normal work schedule or shift will be compensated at one-and-one-half times their normal rate of pay and will be guaranteed two hours minimum pay.

10/2007

SECTION 13. POLICE CONTRACT

All conditions of employment not specifically legislated by Chapter 31 of the Massachusetts General Laws, including classification, compensation and fringe benefits shall be defined in the terms of the contract between the Hanson Police Club and Hanson Board of Selectmen in accordance with the authority of Chapter 150E of the General Laws.

SECTION 14. FIRE DEPARTMENT CONTRACT

All conditions of employment, classification, compensation and fringe' benefits for full-time uniformed members of the Fire Department shall be defined in the terms of the contract negotiated by Local 2713 International Association of Firefighters AFL-CIO and the Hanson Board of Selectmen.

SECTION 15. HIGHWAY CONTRACT (5/2003)

All conditions of employment including classification, compensation and fringe benefits for the Highway and Water department employees, and Disposal Area Attendants and the Town Buildings Custodian shall be defined in the contract negotiated by AFMSCE, AFL-CIO State Council 93, Local 1700 and the Hanson Board of Selectmen.

SECTION 16. ADMINISTRATIVE PROFESSIONALS CONTRACT (5/2008)

All conditions of employment including classification, compensation and fringe benefits for the Clerical-Administration staffs at the Town Hall, Fire Dept., Library, Senior Center and the Recreation Department shall be defined in the contract negotiated by AFMSCE, AFL-CIO State Council 93, Local 1700 and the Hanson Board of Selectmen.

05/2008

ARTICLE 2 – 13

BY LAW COMMITTEE

- Sec. 1. There shall be a permanent By-law Committee of five members, appointed by the Board of Selectmen, initially one member for one year, two members for two years and two members for three years and thereafter appointed for three year terms.
- Sec. 2. It shall be the duty of this committee to evaluate suggested and proposed General By-laws and amendments to existing By-laws. The purpose of this evaluation is to insure grammatical correctness, the avoidance of duplication and conflict with existing By-laws and/or State statutes. This evaluation will result in recommendations to the Board of Selectmen that will achieve an orderly and structured set of General By-laws.

10/1985

ARTICLE 2 - 14

COUNCIL FOR ELDER AFFAIRS

- Sec. 1. A Council for the Aging having been established it shall henceforth be known as the Council for Elder Affairs..
- Sec. 2. Said Council shall consist of seven (7) members and a minimum of 3 alternate members to be appointed by the Board of Selectmen for terms of three (3) years. Said terms to expire on the third anniversary of appointment. (10/2006)
- Sec. 3. Said Council shall choose from the membership a Chairman, Vice-Chairman and Secretary. (10/2006)
- Sec. 4. It shall be the duty of the Council to coordinate or carry out programs designed to meet the problems of the elderly in the areas of health, welfare, education and recreation.
- Sec. 5. The Council shall act in an advisory capacity only with respect to municipal departments.
- Sec. 6. The Annual Report shall be drawn up by the Chairman of the Council to acquaint the general public with the needs of the elderly.

10/2006

ARTICLE 2 - 15

GAS INSPECTOR

Sec. 1. The Board of Selectmen shall appoint for a term of three (3) years, an Inspector of Gas Piping and Gas Appliances in buildings. The Gas Inspector must be a licensed plumber or licensed gas fitter. The duties of the Gas Inspector shall be the enforcement of the rules and regulations adopted by the State Board as provided for in Chapter 25, Section 12H of the General Laws.

Reference: Mass. State Building Code Chapter 802 of the Acts of 1972, as amended.

ARTICLE 2 - 16

POLICE DEPARTMENT ADMINISTRATION

- Sec. 1. The Board of Selectmen shall be the appointing authority of the Police Department. When funding has been made available, the Board of Selectmen shall declare a vacancy exists, whether it be for department entrance or a promotion from within the department.
- Sec. 2. In order to establish the criteria for filling a vacancy whether it be for department entrance or a promotion within the department, the Chief of Police shall establish the criteria for the entrance or promotion and present the criteria to the Board of Selectmen for mutual acceptance. Implementation of the accepted selection criteria shall be the responsibility of the Chief of Police.
- Sec. 3. Upon establishing a list of candidates for filling vacancies, the Board of Selectmen shall select one out of the top three for one vacancy, two out of the top five for two vacancies and three out of the top seven for three vacancies.
- Sec. 4. The Police Department of the Town shall be under the supervision of the Chief of Police.
- Sec. 5. The Chief of Police shall establish regulations governing the Police Department operation, subject to the approval of the Board of Selectmen. If the Board of Selectmen fails to take any action within thirty days after the proposed regulations have been submitted to them by the Chief of Police, the regulations will automatically become effective without the Board of Selectmen's approval.
- Sec. 6. The Chief of Police shall be in immediate control of all Town property used by the Police Department, and in control of the Police Officers whom he shall assign to their respective duties.
- Sec. 7A. The suspension for a period not exceeding thirty days may be issued only by the Board of Selectmen or the Chief of Police or a subordinate to whom authority to issue such suspension has been granted, and shall be made only for just cause. The Officer suspended shall be reinstated by the person authorized to make the suspension or higher authority, at the expiration of the period of suspension but shall not be entitled to compensation for such period unless, after a hearing or appeal, the suspension is found to have been without just cause.
- Sec. 7B. Within twenty-four hours after the Police Officers suspension, such Officer shall be given a written notice by the person authorized to issue the suspension, stating the specific reason for the suspension and informing the Officer that he or she may, within forty eight hours of the

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receipt of such notice, request in writing a hearing by the Board of Selectmen on the question of whether there was just cause for the suspension. If the Officer so requests, a hearing shall be granted by the Board of Selectmen within five days of the receipt of such request.

- Sec. 7C. Whenever such a hearing is given, the Board of Selectmen shall give the suspended Officer written notice of their decision within two days after the hearing. An Officer whose suspension under this section is decided, after a hearing, to have been without just cause, shall be deemed not to have been suspended and shall be entitled to compensation for the period for which the suspension was imposed. If it is decided, after a hearing, that there was just cause for the suspension, the Officer shall be entitled to judicial review.
- Sec. 8. Punishment duty shall not be imposed, without just cause, upon any Police Officer. A Police Officer upon whom punishment duty is imposed shall, within twenty-four hours, be given a written notice stating the specific reason for the imposition of such punishment duty and the duration thereof. This notice shall also inform the Officer that he or she may, within forty eight hours of receipt of such notice, request in writing a hearing by the Board of Selectmen. If the Officer so requests, a hearing shall be granted within five days of receipt of such request. Whenever such hearing is given, the Board of Selectmen shall give the Police Officer upon whom the punishment duty is imposed a written notice of their findings within two days after the hearing. If an Officer requests in writing a hearing by the Board of Selectmen, said punishment duty shall not be imposed on the Officer until such hearing has been concluded and the Officer has received a written notice of the findings of the hearing.
- Sec. 9. Provisions of this By-law can be changed only at an Annual Town Meeting by a two-thirds vote.

ARTICLE 2 - 17

STREETS AND HIGHWAYS

- Sec. 1. The streets and highways of the Town shall be under the direct supervision of the Highway Surveyor who will be appointed by the Board of Selectmen. The Selectmen may adopt regulations to implement the provisions of this Article 2-17.
- Sec. 2A. The Highway Surveyor shall maintain a complete record of all monies expended and all work done upon the public ways of the Town. This record shall include the number of men, trucks and equipment used and the amount of time spent for each project.
- Sec. 2B. The Highway Surveyor shall, under the direction of the Board of Selectmen, cooperate with the State Department of Public Works and the County Commissioners. He shall keep an accurate account of all work done under the authority of Chapters 81 and 90, as they apply to the Town and report all activities to the Board of Selectmen whenever required. He shall furnish an Annual Report to the Board of Selectmen of his activities and of his recommendations for the ensuing year.
- Sec. 3A. No person, unless in the case of an emergency, shall break or dig up any public sidewalk, street or highway, or place thereon any staging or temporary structure without first obtaining a written permit from the Board of Selectmen and the Highway Surveyor.
- Sec. 3B. Prior to the expiration of said permit, restoration of the sidewalk, street or highway must be made to meet the satisfaction of the permit issuing authority.
- Sec. 3C. Any permit issued under the provision of this section shall be in force for such time as specified, all shall always be subject to all safety regulations set by the Highway Surveyor and the Board of Selectmen.
- Sec. 3D. The permit issuing authorities shall have the right to revoke the permit at any time.
- Sec. 3E. In order to secure proper performance and to protect the Town from all claims of damage, a bond may be required. This bond may be secured prior to or after the commencement of work.
- Sec. 4. Betterment laws shall apply to improvements on all streets accepted by the Town on petition of residents on such streets, in accordance with Section 1, Chapter 80 of the General Laws as amended.
- Sec. 5. The Town may, subject to appropriation at any Town Meeting, make temporary repairs on private ways as follows: (05/2014)

- a. Limited to grading not more than two (2) times annually, and placement of suitable materials as required;
- b. Drainage improvements may be implemented as required;
- c. Said repairs shall be determined by the Highway Surveyor with the approval of the Board of Selectmen, to be required by public necessity;
- d. No petition by abutters shall be required for such repairs;
- e. No betterment charges shall be assessed and no cash deposit shall be required;
- f. The Town shall not be liable in any manner whatsoever on account of any damages caused by such repairs; and
- g. Such repairs shall be performed only on ways which have been open to public use for six (6) years.

10/2006

ARTICLE 2 - 18

AMBULANCE AND EMERGENCY SERVICES

- Sec. 1. The Board of Selectmen, with the advice of the Chief of the Fire Department, shall establish a schedule of fees to be charged for transportation in the Fire Department ambulance and for emergency medical service provided by the Fire Department. The fee schedule shall reflect current costs to the Town for the operation of the ambulance and the providing of emergency medical services only. Said fee schedule shall be periodically adjusted to reflect changing costs.
- Sec. 2. The Town Treasurer shall receive all payments received for charges issued for the above services from users, insurance companies and government agencies.
- Sec. 3. The Board of Selectmen shall be authorized to enter into contracts to facilitate payment of such charges.
- Sec. 4. The Board of Selectmen, with the advice of the Chief of the Fire Department, shall have the right to waive charges for any reason deemed adequate.

10/2006

ARTICLE 2 - 19

PARKS AND FIELDS COMMISSION

Sec. 1. ORGANIZATION

The Parks and Fields Commission shall consist of seven members to be appointed by the Board of Selectmen, two for a term of one year, two for two years, and three for three years, and thereafter, all for three year terms.

It shall be the duty of this Commission and each of its members to oversee the management and maintenance of Town owned parks, fields and related facilities, including but not limited to the scheduling of events and activities, the maintenance of grounds and related structures, the setting of priorities, the hiring and termination of necessary personnel, the handling of and the accounting for funds entrusted to their care, the planning for future growth and all other duties that normally are associated with these responsibilities.

Where the aforesaid responsibilities overlap the responsibilities of another existing municipal board or commission, that municipal board or commission shall retain jurisdiction over those responsibilities unless the subject responsibilities are delegated to the Parks and Fields Commission by mutual consent of both the Parks and Fields Commission and the delegating municipal board or commission.

Members shall annually choose a Chairperson, Vice-Chairperson and Clerk from their membership. (10/1985)

Sec.2. SKATEBOARD PARK-RULES AND REGULATIONS (5/2001)

- a.** No one may use the Town of Hanson Skate Board Park without proper safety equipment, which shall include a helmet, elbow pads and kneepads. This section may be enforced by the Police and/or Parks and Fields Commission.

ARTICLE 2-20

HANSON COMMUNITY PRESERVATION COMMITTEE (5/2008)

Section 1: ESTABLISHMENT

There is hereby established a Community Preservation Committee (Committee), consisting of nine (9) voting members pursuant to MGL Chapter 44B. The composition of the Committee, the appointment authority and the term of office for the Committee members shall be as follows:

One member of the Conservation Commission, as designated by the Commission, for an initial term of two (2) years and then a term of three years thereafter.

One member of the Historical Commission, as designated by the Commission, for an initial term of one (1) year and then a term of three years thereafter.

One member of the Planning Board, as designated by the Board, for an initial term of one (1) year and then a term of three years thereafter.

One member of the Parks and Fields Commission, as designated by the Commission, for an initial term of two (2) years and then a term of three years thereafter.

One member of the Housing Authority, as designated by the Authority, for an initial term of two years and thereafter for a term of three years.

Four (4) At Large members appointed by the Board Selectmen, for an initial term of one year and thereafter for a terms of one, two and three years respectively.

Notwithstanding the terms of office set forth above, in the event that a person no longer serves in the position or on the Commissions, Boards, Authorities or Committees designated above, such person shall be deemed to have vacated his or her position on the Community Preservation Committee.

Should any of the Commissions, Boards, Authorities, or Committees who have appointment authority under this Section be no longer in existence for whatever reason, if a successor Commission, Board, Authority or Committee is created, the appointment authority shall remain with the successor, but if no successor Commission, Board, Authority or Committee is created, , the appointment authority for that Commission, Board, Authority or Committee shall become the responsibility of the Board of Selectmen.

Any member of the Committee may be removed for cause by their respective appointing authority after hearing.

Section 2: DUTIES

(1). The Committee shall study the needs, possibilities, and resources of the town regarding community preservation. The Committee shall meet monthly, notice of which shall be posted publicly as required. The Committee shall consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Planning Board, the Parks and Fields Commission and the Housing Authority, or boards acting in those capacities or performing like duties, in conducting such studies. As part of its study, the Committee shall hold an annual public informational hearing, and may hold such additional public information hearings as it deems appropriate, on the needs, possibilities and resources of the town regarding community preservation possibilities and resources prior to the annual Town Meeting, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town.

(2). The Committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation and preservation of land for recreational use; for the creation, preservation and support of community housing; and for the rehabilitation or restoration of open space, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

(3). The Committee may include, in its recommendation to the Town Meeting, a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending for general purposes that are consistent with community preservation.

(4). In every fiscal year, the Committee must recommend either that the Town Meeting spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for:

- (a) Open space (not including land for recreational use);
- (b) Historic resources; and
- (c) Community Housing

As provided in the Massachusetts Community Preservation Act, no expenditures shall be made from the Community Preservation Fund without the approval of Town Meeting.

The Committee will submit an annual administrative and operating budget for itself, which cannot exceed five percent (5%) of the annual revenues in the Community Preservation Fund, to Town Meeting for approval.

Section 3: REQUIREMENT FOR A QUORUM AND COST ESTIMATES

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Community Preservation Committee shall constitute a quorum. The Committee shall approve its actions by

majority vote. Recommendations to the Town Meeting shall include their anticipated costs.

Section 4: AMENDMENTS

This Section may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not cause a conflict to occur with MGL, Chapter 44B.

Section 5: RULES, REGULATIONS, POLICIES AND PROCEDURES

After public notice and public hearing the Committee may promulgate rules, regulations, policies and procedures to achieve the purpose of this by-law. Failure by the Community Preservation Committee to promulgate such rules, regulations, policies and procedures or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this by-law.

Section 6: ANNUAL COMMUNITY PRESERVATION PLAN

Annually, the Committee shall produce a Community Preservation Plan. The Plan shall be published and available to any interested resident and be on file at the Town Hall. The Plan shall describe the community's preservation needs and goals for the year in the following categories: open space, historical preservation, community housing and recreation. The plan shall also include a budget and selection criteria for proposed projects as well as an assessment of achievements with respect to the previous year's goals.

Section 7: SEVERABILITY

In case any section, paragraph or part of this Section is for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

Section 8: EFFECTIVE DATE

Provided that the Community Preservation Act is accepted at the 2008 Annual Town Election, this Bylaw shall take effect upon approval of the Attorney General of the Commonwealth, and after all the requirements of General Laws Chapter 40, Section 32 have been met. Each appointing authority shall have thirty days after approval by the Attorney General to make its initial appointment.

Section 9: EXEMPTION FROM THE CPA SURCHARGE

Applications for exemption from the Community Preservation Act surcharge must be filed with the Board of Assessors no later than three (3) months after the actual tax bills are mailed. (10/2009)