

Town of Sandwich

THE OLDEST TOWN ON CAPE COD

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BOARD OF
SELECTMEN

TOWN
MANAGER

BOARD OF SELECTMEN AGENDA January 8, 2015 – 6:00 P.M. Sandwich Town Hall – 130 Main Street

1. 6:00 P.M. Executive Session
Disposition of Real Property – Town South Sandwich Village Center Land Sale;
Town Route 130 Land Lease
2. Pledge of Allegiance
3. Review & Approval of Minutes (*Vote*)
4. Public Forum (*15 Minutes*)
5. Town Manager Report
6. Correspondence / Statements / Announcements / Future Items / Follow-up (*10 Minutes*)
7. Staff Meeting (*60 Minutes*)
Town Manager – Review Draft February 9, 2015 Special Town Meeting Warrant;
Finalize Articles for Warrant & January 23, 2015 Posting
8. Old Business (*15 Minutes*)
Update on Henry T. Wing School Feasibility Study
FY'16 Budget Update
Other
9. New Business (*15 Minutes*)
Draft Domestic Violence Leave Act Policy (*Vote*)
Other
10. Public Forum (*15 Minutes*)
11. Closing Remarks
12. Executive Session
(Continued...If Needed)
13. Adjournment

NEXT MEETING: Thursday, January 22, 2015, 7:00 P.M., Town Hall

Town of Sandwich
Special Town Meeting

WARRANT

Monday, February 9, 2015
7:00 p.m. – Sandwich High School



BOARD OF SELECTMEN

Ralph A. Vitacco, Chair
Frank Pannorfi, Vice-Chair
R. Patrick Ellis
Susan James
James W. Pierce

MODERATOR

Garry N. Blank

FINANCE COMMITTEE

Gene Parini, Chair
Linell M. Grundman, Vice-Chair
Michael Dwyer
Robert Guerin
Thomas R. Hickey
James Lehane
Richard Reilly
Mark Snyder
Matthew Terry

**February 9, 2015 – Special Town Meeting
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4. Petition Article: Beach Renourishment Fund (p. ____)
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Reference Material & Volunteer Application Form:

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**TOWN OF SANDWICH
2015 SPECIAL TOWN MEETING
February 9, 2015**

Warrant

Barnstable, ss.

To the Constables of the Town of Sandwich, in the County of Barnstable,

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Sandwich qualified to vote in elections and Town affairs to meet at the Sandwich High School, 365 Quaker Meetinghouse Road, in said Sandwich on

Monday, February 9, 2015, at 7:00 p.m.,

then and there to act on the following articles.

ARTICLE 1

To see if the Town will vote to transfer and appropriate the sum of \$_____.00, or any other amount, for the purpose of constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to the Oak Ridge School and Forestdale School and for capital improvements associated with moving all Pre-Kindergarten through 6th grades to the schools, including design, site improvements, equipment, furnishings and costs incidental thereto; said funds to be transferred from the Fiscal Year 2014 capital outlay expenditure exclusion approved at the November 18, 2013 Special Town Meeting under Article 1 and the November 21, 2013 Special Town Election for the Sandwich High School A Wing capital improvements; and further to authorize the School Committee to enter into any and all contracts necessary to carry out such project; or take any action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Capital Improvement Planning Committee that \$_____ be appropriated for said purpose.

ARTICLE 2

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$_____.00, or any other amount, for the purpose of constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to the Oak Ridge School and Forestdale School and for capital improvements associated with moving all Pre-Kindergarten through 6th grades to the schools, including design, site improvements, equipment, furnishings and costs incidental

thereto, and further to authorize the School Committee to enter into any and all contracts necessary to carry out such project, or take any action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Capital Improvement Planning Committee that \$_____ be appropriated for said purpose.

ARTICLE 3

To see if the Town will vote to amend the purpose for which \$1,000,000.00 in Community Preservation Act open space and recreation program funds were appropriated by the May 5, 2014 Annual Town Meeting under Article 15 for securing professional services to design, permit, and construct a beach renourishment, restoration and resiliency project on Town Neck Beach by removing the restriction limiting the expenditure of funds until the Town has received notification that it has received a grant from the National Fish and Wildlife Foundation – Hurricane Sandy Coastal Resiliency Competitive Grants program, with all other provisions of the May 5, 2014 vote remaining in effect, or take any action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.

ARTICLE 4

Petition Article for Beach Renourishment Fund...if received.

Not Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 5

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources program the sum of \$_____.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to preserve, restore, and protect the Dexter Grist Mill; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose; or take any other action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.

ARTICLE 6

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money for the purpose of constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to the East Boat Basin Sandwich Marina Office Building, Garage, and Year-round Restroom Facility located at _____ Freezer Road including design, site improvements, equipment, furnishings and costs incidental thereto and to authorize the Treasurer, with the approval of the Board of Selectmen, to issue any bonds or notes that may be necessary for such purpose pursuant to M.G.L. c.44, §7(3), or any other general or special law; and further to

authorize the Board of Selectmen to enter into any and all contracts necessary to carry out such project; or take any action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Capital Improvement Planning Committee.

ARTICLE 7

To see if the Town will vote to transfer the sum of \$100,000.00, or any other amount, from the FY'15 Group Health Insurance Account, and appropriate a sum of money, to be expended under the direction of the Board of Selectmen, for the purpose of reducing a projected FY'15 deficit in the Unemployment Account, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 8

To see if the Town will vote in accordance with M.G.L. c.44, §53E1/2 to establish a revolving fund in which to place revenues collected from any alternative energy payments made to the Town, to be expended under the direction of the Board of Selectmen for the purpose of paying any general government utility expenses, and to establish a limit on the total amount that may be expended from the fund in FY'15, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 9

To see if the Town will vote in accordance with the provisions of M.G.L. c.44, §53F½ to raise and appropriate or transfer from available funds a sum of \$60,000.00, or any other amount, from the Golf Enterprise Fund to be expended under the direction of the Board of Selectmen, for the purpose of completing extraordinary repairs and improvements to the Sandwich Hollows Golf Club clubhouse and golf course and for replacing maintenance and capital equipment for Sandwich Hollows Golf Club operations, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 10

To see if the Town will vote to transfer the care, custody, control, and management of land shown on a plan entitled " _____ " as prepared by the Sandwich Engineering Department and dated January _____, 2015, said land consisting of approximately _____ acres located at the Sandwich High School property, Assessors Map 34, Lot 2, from the School Committee for educational purposes to the Board of Selectmen for general municipal purposes, including the construction of a public safety facility, or take any action relative thereto.

Recommended by the Board of Selectmen and School Committee.

ARTICLE 11

To see if the Town will vote to transfer and appropriate the sum of \$_____.00, or any other amount, to be expended under the direction of the School Committee, from the Sandwich High School cellular tower lease receipt reserved for appropriation account, for the purpose of completing maintenance and improvements to the exterior athletic fields and facilities at Sandwich High School, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 12

To see if the Town will to amend the purpose for which \$7,500.00 was appropriated at the May 2, 2011 Annual Town Meeting under Article 3 from installing school zone signals at the Henry T. Wing School to the purpose of completing school zone safety and traffic improvements at any Sandwich Public School, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 13

To see if the Town will to vote to transfer and appropriate a sum of \$60,000.00, or any other amount, from the Ambulance Fund Receipts Reserved for Appropriation Account, to be expended under the direction of the Board of Selectmen, for the purpose of purchasing four chest compression systems and related equipment, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 14

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Section 2410, Abandonment, by deleting Section 2410 in its entirety and replacing it with the following, thereby increasing the allowed period of abandonment from two years to five years, or take any action relative thereto.

2410. Abandonment. A non-conforming use of a building or land, which has been abandoned for a period of five (5) years, shall not thereafter be returned to such non-conforming use. A non-conforming use shall be considered abandoned when the premises has been vacant for five years, or when the characteristic equipment and/or furnishings of the non-conforming use have been removed from the premises and have not been replaced by similar equipment, whichever shall occur first.

No Recommendation Required.

ARTICLE 15

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article IV, Special Regulations, by adding a new Section 4126, Exterior Storage, to read as follows, or take any action relative thereto.

4126. Exterior storage units may temporarily (no longer than six months) be positioned on a property only after notification to the Building Inspector of its date of delivery and its date of proposed removal.

No Recommendation Required.

ARTICLE 16

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws by inserting a new Article VIII, Medical Marijuana Overlay District (MMOD), to read as follows, or take any action relative thereto.

ARTICLE VIII – MEDICAL MARIJUANA OVERLAY DISTRICT (MMOD)

8000 Medical Marijuana Overlay District

8001 Purpose

The purpose of this Section is to provide for the placement of a Registered Marijuana Dispensary (RMD) in accordance with the Humanitarian Medical Use of Marijuana at G.L. c 94C, App. S1-1 et seq., in a location suitable for a lawful medical marijuana facility and to minimize adverse impacts of a RMD on adjacent properties, residential neighborhoods, and locations where minors congregate by regulating the siting, design, placement, security and removal of a RMD.

Where not expressly defined in the Zoning Bylaw, terms herein shall be interpreted as defined in the Humanitarian Medical Use of Marijuana Act G.L. c 94C, App. S 1-1, et seq. and the Department of Public Health (DPH) Regulations promulgated thereunder, 105CMR 725, et seq., and otherwise by their plain language.

8002 Overlay District

The Medical Marijuana Overlay District (MMOD) is hereby established as an overlay district. The boundaries of the MMOD are shown on the Zoning Map on file with the Town Clerk. If the provisions of the MMOD are silent on a zoning regulation, the requirements of the underlying district shall apply. If the provisions of the MMOD conflict with the requirements of the underlying district, the requirements of the MMOD shall control. Land within the MMOD may be used for either:

1. A Registered Marijuana Dispensary (RMD) in which case the requirements set forth in this Section shall apply; or
2. A use allowed in the underlying district in which case the requirements of the underlying district shall apply.

8003 Location

1. The MMOD overlay is located in the B-2 medical campus area along Route 130 in Sandwich between the Massachusetts Military Reservation, the Route 6 Mid-Cape Highway and the Sandwich Industrial Park as shown on the zoning map on file with the Town Clerk. This location is suitable because it is highly visible with direct access to state highways and byways, easy access for public and emergency services, and relatively central location within the community. The overlay district also share proximity with other medical uses within this campus area.

2. A RMD shall not be located within 500 feet of any of the following facilities that are in existence at the time of permit application:

- a. School, including a public or private elementary, vocational or secondary school or a public or private college, junior college or university;
- b. Child Care Center as defined in MGL Chapter 15D Section 1A;
- c. Public park; or
- d. Any facility where the primary purpose is to serve persons under age 18 who commonly congregate to participate in scheduled and structured activities other than medical uses.

3. Measurement of distance for the purpose of this bylaw shall be measured from property line to property line. The Zoning Board of Appeals may waive this distance requirement by a supermajority vote as part of the issuance of a Special Permit in any of the following instances:

- a. Renewal of a Special Permit for an existing RMD; or
- b. New application (change of applicant) for an existing RMD; or
- c. If the applicant demonstrates that a RMD would otherwise be effectively prohibited within the Town; or
- d. The applicant demonstrates that the RMD will employ adequate security measures to prevent diversion of medical marijuana to minors who are not qualifying patients pursuant to 105 CMR 725.004.

8004 Eligibility

1. Only one RMD shall be permitted within the Town. As defined in Section 10.2 a RMD can either dispense, prepare, cultivate or any combination thereof. Therefore, any facility with one of these activities constitutes a RMD.

2. Only an applicant holding a valid Provisional Certificate of Registration from the Department of Public Health is eligible to apply for a Special Permit under this Section.

8005 Administration and Procedure

1. One RMD shall be permitted in the MMOD pursuant to a Special Permit. The Zoning Board of Appeals shall be the Special Permit Granting Authority (SPGA) for a RMD Special Permit. In addition to the RMD Special Permit, applicants are urged to attend a voluntary town staff Site Plan Review.

2. The Zoning Board of Appeals shall notify and refer copies of RMD applications to the appropriate Town officials, such as Police Department, Fire Department, Building Commissioner, Town Engineer, Highway Superintendent, Health Department, Water Department, and Council on Aging, who have expertise or responsibilities relating to the application or serve constituencies likely to use a RMD. These reviewers may examine the application and submit written comments to the Zoning Board of Appeals. Failure to submit written comments by the designated deadline shall be construed as a lack of opposition to the proposal.

3. Applicants for a RMD Special Permit shall follow the application requirements on forms provided by the Zoning Board of Appeals or their designee.

a. An applicant for a Special Permit to operate a RMD under this bylaw shall submit the following to the Zoning Board of Appeals for its review:

- 1) A copy of its Provisional Certificate of Registration from the Massachusetts Department of Public Health (DPH);
- 2) A copy of any waivers of DPH regulations issued to the RMD;
- 3) A full description of all security measures including employee security policies approved by the DPH;
- 4) A copy of the emergency procedures approved by the DPH;
- 5) A copy of the policies and procedures for patient or personal caregiver home delivery approved by DPH;
- 6) A copy of the policies and procedures for the transfer, acquisition or sale of marijuana between RMDs as approved by the DPH; and
- 7) A security contingency plan to address emergency situations and conditions presented by emergencies such as extended power outage and natural disasters.

b. The site plan shall clearly delineate various areas of the RMD (both indoors and outdoors) including but not limited to as public access areas, employee-only access areas, storage, cultivation, preparation, waste disposal, administrative, transportation and loading as well as parking areas. Site plans and/or application

narrative shall contain sufficient information so that the Zoning Board of Appeals can evaluate the following design and operational standards.

4. Design Standards. The facility shall meet the following minimum requirements:

- a. All activities related to the RMD with regard to processing, cultivation, or storage of marijuana shall be conducted indoors. No materials, plants or byproducts shall be visible from outside of the premises/building. With the exception of loading areas, no operations shall be visible to the public;
- b. The facility may include waiting areas for patients and caretakers and areas where patients and caregivers receive instruction about use of the product and other activities directly related to administration of services. There shall not be any facilities for use by the general public such as public reception areas, public restrooms or public lounge or seating areas;
- c. All shipping and receiving areas shall exclusively serve the RMD. In the case of a multi-use or multi-tenant site, the RMD shall be laid out and designed to ensure separation from other uses or tenants at the site;
- d. The facility shall have adequate water supply, stormwater systems, sewage disposal, and surface and subsurface drainage;
- e. Adequate lighting, including night lighting that provides for monitoring of building and site security;
- f. Signage is limited to that which is permitted under 105 CMR 725.100 (L) and shall comply with the Town of Sandwich Sign Bylaw.

5. Security and Operational Standards

- a. The Zoning Board of Appeals shall request review and comment from the Chief of Police or designee. Failure to submit written comments by a designated deadline set by the Zoning Board of Appeals shall be construed as a lack of opposition to the proposal. The Chief of Police or designee may recommend reasonable security conditions to the Board;
- b. The applicant under this Section shall provide and keep up to date contact information as required by the Chief of Police and Building Commissioner such as name, telephone number and electronic mail address of a contact person who must be available 24 hours a day.
- c. Security Design Requirements. At a minimum, the security features used to protect the site shall fully comply with 105 CMR 725 and, in addition, must have the following capabilities:

- 1) A security camera system that monitors all entrances and exits for vehicles and persons as well as all areas where marijuana is received, stored, processed, sent or otherwise handled;
- 2) The security camera system shall have a minimum 180 day storage capacity;
- 3) Access and egress to all entrances and exits for vehicles and persons into areas where marijuana is received, stored, processed, sent or otherwise handled shall be controlled by an electronic access security system that records the ingress and egress of vehicles and persons;
- 4) All personnel shall have a security identity card that includes a front facial picture of the employee. The identity card shall also serve as the electronic access card for entrance into all restricted areas. The date and time of all access and egress into such areas shall be digitally recorded. Identification cards shall be worn at all times when personnel are in the RMD facility and must be plainly visible and not concealed;
- 5) All security alarm systems for the RMD shall be monitored by central station alarm. The Sandwich Police Department shall be immediately notified of the receipt of any alarm by the central station monitor; and
- 6) The applicant shall immediately notify the Sandwich Police Department of any breakdown or malfunction of any part of the security system. This notification shall include at a minimum the following:
 - Date and time of malfunction;
 - Nature of malfunction;
 - Any loss or attempted loss of product as a result of the malfunction;
 - The compensatory measures in place to address the discontinuity of the security system; and
 - Estimated date and time of restoration of the security measures.

6. Enforcement

a. Failure to comply with any of the provisions of the security measures in this Section shall be reported to the Building Commissioner for review. The applicant's unwillingness or inability to make timely repairs to the security systems may result in the issuance of a Cease and Desist order until such repairs have been completed and approved by appropriate town officials.

8006 Special Permit Approval Criteria and Conditions

1. The Zoning Board of Appeals may impose reasonable conditions to improve site design, traffic flow, public safety, water quality, air quality, protection of significant

environmental resources and the preservation of community character of the surrounding area including but not limited to the following:

- a. Minimize the impacts of increased noise and traffic;
- b. Impose security precautions related to the high value of products and cash transactions;
- c. Deter unauthorized or ineligible customers at the RMD;
- d. Impose measures to prevent diversion of marijuana; and
- e. Conditions related to the design and construction of the facility to improve safety, security and conformance with community character.

2. Zoning Board of Appeals shall address the following general conditions in each special permit issued under this Section:

- a. Hours of operation, including dispatch for home delivery;
- b. The reporting of any incidents to the Building Commissioner and Zoning Board of Appeals as required under the requirements of 105CMR 725.110(f) within 24 hours of occurrence. Such reports may be redacted as necessary to comply with any applicable state or federal laws and regulations.
- c. The reporting of any summary cease and desist order, quarantine order, summary suspension order, limiting sales order, notice of hearing or final action by DPH or the Division of Administrative Law Appeals as applicable regarding the RMD to the Building Commissioner and the Zoning Board of Appeals within 48 hours of their receipt.

3. A Special Permit may be issued to any applicant who, in the determination of the Zoning Board of Appeals, has met the requirements of this Section; as well as the criteria in Section 9.3.

4. The issuance of a special permit under this Section shall also be subject to the following:

- a. The special permit shall expire within five (5) years of the date of issue. If the applicant wishes to renew the special permit, an application to renew must be submitted at least 120 days prior to the expiration of the Special Permit;
- b. Special permits shall be limited to the current applicant and shall expire on the date the Special Permit holder ceases operation of the RMD;

c. Special permits shall lapse upon the expiration or termination of an applicant's registration by DPH;

d. The holder of a special permit for an RMD facility shall notify the Building Inspector and the Zoning Board of Appeals in writing within 48 hours of the cessation of operation of the RMD or the expiration or termination of the permit holder's registration with DPH; and

e. Any failure to fully comply with any conditions of the special permit, this or any bylaws of the Town of Sandwich, or the laws or regulations of the Commonwealth of Massachusetts, may result in the suspension or revocation of the special permit by the Zoning Board of Appeals.

8007 Prohibition Against Nuisances

No use shall be allowed in the MMOD which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in that area.

8008 Severability

The provisions of the Bylaw are severable. The invalidity of any Section or provision of this Zoning Bylaw shall not invalidate any other Section or provision hereof.

No Recommendation Required.

ARTICLE 17

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Definitions, by deleting the current definitions of "Height" and "Yard" and replacing them with the following definitions, and by inserting a new definition of "Storage, Exterior", or take any action relative thereto.

HEIGHT – The vertical distance from the mean existing grade at the front line of the building to the highest point of the roof for flat or shed roofs, to the deck line for mansard roofs and to the ridge for gable, hip and gambrel roofs; except for those buildings that are required to be placed on elevated foundations adjacent to the shoreline and/or within those areas designated by FEMA to be part of any A or V Zone, where the vertical distance would be measured from the top of the elevated foundation to the highest point of the roof for flat or shed roofs, to the deck line for mansard roofs and to the ridge for gable, hip and gambrel roofs. Not included are spires, cupolas, TV antennae and other parts of structures, which do not enclose potentially habitable floor space.

YARD – A required open space, unobstructed with structures other than fences or other customary yard accessories.

STORAGE, EXTERIOR – Temporary (no longer than six months) exterior storage units located outside a building including but not limited to “pods”, trailers, containers and the like which may house merchandise, furniture and more.

No Recommendation Required.

ARTICLE 18

To see if the Town will vote to amend Section 2.01 of the Town Bylaws, Capital Improvement Planning Committee, by deleting the last sentence of Part 2 as highlighted below with a strikethrough, or take any action relative thereto.

~~Part 2: The Committee shall define and study all proposed capital projects and improvements involving major non-recurring tangible assets and projects. All officers, boards and committees, including the Selectmen and the School Committee, shall give to the Committee on forms prepared by it the information needed to prepare a Capital Budget for Town Meeting. The Committee shall consider the relative need, impact, timing, cost and funding methodology of these capital expenditures and the effect each will have on the financial position of the Town. 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’s report, or the Committee shall first have submitted a report to the Finance Committee and Board of Selectmen explaining the omission.~~

Recommended by the Board of Selectmen.

ARTICLE 19

To see if the Town will vote in accordance with M.G.L. c.44, §53E1/2 to establish a revolving fund in which to place revenues collected from any payments made to the Town from purchasing the Town’s written history, Sandwich: A Cape Cod Town, to be expended under the direction of the Board of Selectmen for the purpose of paying for any future publication of the Town’s history, and to establish a limit on the total amount that may be expended from the fund in FY’15, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 20

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources program the sum of \$_____.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of preserving, restoring, and protecting the Town’s written history, Sandwich: A Cape Cod Town, by updating and publishing the document in both print and electronic forms; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose; or take any other action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.

ARTICLE 21

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources program the sum of \$_____.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of commemorating (preserving, restoring, and protecting?) the Town's participation in the Civil War through the manufacture and display of a Civil War Memorial Plaque at Town Hall; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose; or take any other action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.

ARTICLE 22

To see if the Town will vote to rescind the vote of the May 2, 2011 Annual Town Meeting under Article 19 appropriating \$450,000.00 from the Community Preservation Act affordable housing program for the purpose of supporting the Forestdale Village affordable housing project owned by Forestdale Village, LLC, or take any other action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.

ARTICLE 23

To see if the Town will vote to request the Board of Selectmen to place on the next Annual Town Meeting Ballot, a non-binding question, asking the citizens of Sandwich to approve or disapprove any contract or sale of the property commonly known as the "Golden Triangle", or take any action relative thereto.

(Submitted by Petition)

Not Recommended by the Board of Selectmen.

And you are hereby directed to serve this Warrant by posting attested copies thereof, one at the Town Hall, and one at each of the Post Offices in Sandwich, the last posting to be at least fourteen days prior to the time of holding said meeting,

given under our hands this 22nd Day of January, 2015.

Ralph A. Vitacco, Chairman

Frank Pannorfi, Vice-Chairman

R. Patrick Ellis

Susan James

James W. Pierce

SELECTMEN OF SANDWICH

I hereby certify that I have posted attested copies of this warrant at Sandwich Town Hall, Town Hall Annex, Sandwich Post Office, East Sandwich Post Office and Forestdale Post Office, all located within the Town of Sandwich, on

Date

Constable

REFERENCE MATERIAL & VOLUNTEER APPLICATION FORM:

A GLOSSARY OF COMMONLY USED TERMS

Appropriation – An authorization granted by a legislative body to make expenditures and to incur obligations for specific purposes. An appropriation is usually limited to a specific amount and identifies the timeframe when it will be expended.

Assessed Valuation – A valuation set upon real estate or other property by a government as a basis for levying taxes. Equalized assessed valuation refers to a municipality's assessed valuation, as determined by local assessors, adjusted by the State Department of Revenue to reflect a full and fair market value ("Equalized Valuation").

Betterment – An addition made to, or change made in, a fixed asset which is expected to prolong its life or to increase its efficiency. The term is also applied to sidewalks, water lines, and highways and the corresponding tax assessment abutters may authorize for repairs to their properties.

Bond – A written promise to pay a specified sum of money, called the face value (par value) or principal amount, at a specified date or dates in the future, called the maturity date(s) together with periodic interest at a specified rate. The difference between a note and a bond is that the latter runs for longer period of time and requires greater legal formality.

Bond Anticipation Note (BAN) – Short-term note of a government sold in anticipation of bond issuance. BANs are full faith and credit obligations.

Bond Ratings – Designations used by bond rating services to give relative indications of credit quality.

Budget – A plan of financial operations embodying an estimate of proposed expenditures for a given period and the proposed means of financing them.

Budget Message – Statement summarizing the plans and policies contained in the budget report, including an explanation of the principal budget items and recommendations regarding financial policy for the upcoming year.

Capital Budget – A plan for expenditure of public funds for capital purposes.

Capital Expenditure – Nonrecurring payments for capital improvements including construction, acquisition, site development and overhead costs. The fees for architects, engineers, lawyers, and other professional services plus the cost of financing may be included.

Cherry Sheet – An annual statement received by the Town from the Department of Revenue detailing estimated receipts for the next fiscal year from various state aid accounts, the lottery, and estimated charges payable in setting the tax rate. Supplemental Cherry Sheets may be issued during the year and there is no guarantee that the estimated receipts and charges shown thereon will not vary from actual receipts and charges. The name was derived from the pink color of the document.

Debt Service – The cost (usually stated in annual terms) of the principal retirement and interest of any particular bond issue.

Enterprise Fund – Those funds which are established for specific uses under M.G.L. c.44, §53F1/2 that require an annual appropriation to operate (i.e. Sandwich Hollows Golf Club).

Excess Levy Capacity – The difference between a community's maximum tax levy limit as established by Proposition 2.5 and its actual tax levy in the most recent year for which the community has set a tax rate. It is the additional tax levy that a community can raise at Town Meeting without going to the voters for an override or debt exclusion.

Exclusions (Debt Exclusion or Capital Expenditure Exclusion) – Proposition 2.5 allows communities to raise funds for certain purposes above the amount of their levy limits or levy ceilings. Subject to voter approval, a community can assess taxes in excess of its levy limit for the payment of certain capital projects and for the payment of specified debt service costs. Such an exclusion increases the amount of property tax revenue a community may raise for a limited or temporary period of time in order to fund the specific project. Unlike overrides, exclusions do not increase the community's levy limit and do not become part of the base for calculating future years' levy limits.

Fiscal Year – The state and municipalities operate on a fiscal year which begins on July 1 and ends on June 30. For example, the FY'04 fiscal year is from July 1, 2003 to June 30, 2004.

Free Cash (Surplus Revenue) – Free cash represents the portion of surplus revenue which the municipality is able to appropriate. It is money that the community raised to spend for a particular item but was left over because the full appropriation was not expended. From this surplus the municipality's liabilities are subtracted (i.e. any unpaid back taxes). The remainder, if any, is certified annually by the Department of Revenue as the community's free cash. Amounts from certified free cash may be appropriated at Town Meeting by the community for expenditures or to offset property taxes.

General Fund – The fund into which the general (non-earmarked) revenues of the municipality are deposited and from which money is appropriated to pay the general expenses of the municipality.

Growth Revenue (New Growth) – The amount of property tax revenue that a community can add to its allowable tax levy from taxes from new construction,

alterations, subdivisions, or changes of use. It is computed by applying the prior year's tax rate to the increase in valuation.

Note – A short-term loan, typically of a year or less in maturity.

Overlay – The amount raised by the assessors in excess of appropriations and other charges for the purpose of creating a fund to cover abatements and state allowed exemptions.

Overrides – Proposition 2.5 allows a community to assess taxes in excess of the automatic annual 2.5% increase and any increase due to new growth by passing an override. A community can take this action as long as it is below its levy ceiling (2.5% of full and fair cash value of community). When an override is passed, the levy limit for the year is calculated by including the amount of the override. Unlike exclusions, the override results in a permanent increase in the levy limit of a community, which becomes part of the levy limit base and increases along with the base at the rate of 2.5% each year.

Proposition 2.5 – M.G.L. c.59, §21C was enacted in 1980 and limits the amount of revenue a city or town may raise from local property taxes each year. This amount is the community's annual levy limit. The law allows the levy limit to increase each year by 2.5% plus any new growth revenue derived from taxes from new construction and alterations. This amount may not exceed the community's levy ceiling. Proposition 2.5 also established two types of voter approved increases in local taxing authority – overrides and exclusions.

Reserve Fund – A fund established by Town Meeting which is under the control of the Finance Committee and from which transfers may be made for extraordinary and unforeseen expenditures. The appropriation cannot be greater than 5% of the tax levy for the prior fiscal year.

Revolving Funds – Those funds which may be used without appropriation and which are established for particular uses under M.G.L. such as continuing education programs, school lunch programs, self-supporting recreation and park services, conservation services, etc. (i.e. Sandwich Marina, Sandwich Community School).

Stabilization Fund – A special reserve account which is invested until used. Towns may appropriate into this fund in any year an amount no more than 10% of the prior year's tax levy. The outstanding balance in the account cannot exceed 10% of the Town's equalized valuation. Generally, it takes a 2/3 vote of Town Meeting to appropriate money from the Stabilization Fund.

Surplus Revenue – See "Free Cash".

TABLE OF BASIC POINTS OF MOTIONS

Rank	Type of Motion	2nd Req'd.	May Debate	May Amend	Vote Req'd.	May Recons.	May Interrupt
	MAIN MOTIONS						
None	Main Motion	Yes	Yes	Yes	Varies	Yes	No
Same	Reconsider or Rescind	Yes	Same	No	Majority	No	No
None	Take from the Table	Yes	No	No	Majority	No	No
None	Advance an Article	Yes	Yes	Yes	Majority	Yes	No
	PRIVILEGED MOTIONS						
1	Dissolve or Adjourn	Yes	No	No	Majority	No	No
	Adjourn to Fixed						
2	Time/Recess	Yes	Yes	Yes	Majority	No	No
3	Point of No Quorum	No	No	No	None	No	No
4	Fix the Time to Adjourn	Yes	Yes	Yes	Majority	Yes	No
5	Question of Privilege	No	No	No	None	No	Yes
	SUBSIDIARY MOTIONS						
6	Lay on the Table	Yes	No	No	2/3	Yes	No
7	The Previous Question	Yes	No	No	2/3	No	No
8	Limit or Extend Debate	Yes	No	No	2/3	Yes	No
9	Postpone to Time Certain	Yes	Yes	Yes	Majority	Yes	No
10	Commit or Refer	Yes	Yes	Yes	Majority	Yes	No
11	Amend (or Substitute)	Yes	Yes	Yes	Majority	Yes	No
12	Indefinitely Postpone	Yes	Yes	No	Majority	Yes	No
	INCIDENTAL MOTIONS						
Same	Point of Order	No	No	No	None	No	Yes
Same	Appeal	Yes	Yes	No	Majority	Yes	No
Same	Division of a Question	Yes	Yes	Yes	Majority	No	No
Same	Separate Consideration	Yes	Yes	Yes	Majority	No	No
Same	Fix the Method of Voting	Yes	Yes	Yes	Majority	Yes	No
Same	Nominations to Committee	No	No	No	Plurality	No	No
Same	Withdraw or Modify Motion	No	No	No	Majority	No	No
Same	Suspension of Rules	Yes	No	No	2/3*	No	No

* Unanimous if rule protects minorities; out of order if rule protects absentees

Source: Town Meeting Time, 3rd Edition

TOWN OF SANDWICH TALENT BANK

Serve Your Community

Town Government needs citizens who are willing to give time in the service of their community. The Talent Bank was adopted by the Board of Selectmen as a means of compiling names of citizens who are willing voluntarily serve on boards, committees, and as resource people. Names in this file are available for use by the public as well as the Selectmen and all Town offices.

Talent Bank files are being updated to include categories consistent with the changing needs of the Town of Sandwich. Please complete the questions listed below, indicate your areas of interest, and either drop the form off at Town Hall or send it to:

Town of Sandwich Talent Bank
Sandwich Town Hall
130 Main Street
Sandwich, MA 02563

Name: _____ Tel. No.: _____

Mailing Address: _____

E-Mail Address: _____

Occupation / Background / Experience: _____

LIST ORDER OF PREFERENCE:

- | | | |
|---|---|--|
| <input type="checkbox"/> Beach Advisory Comm. | <input type="checkbox"/> Energy Committee | <input type="checkbox"/> Recreation Committee |
| <input type="checkbox"/> Board of Health* | <input type="checkbox"/> Finance Committee** | <input type="checkbox"/> Sandwich Cultural Council |
| <input type="checkbox"/> Cape Cod Commission | <input type="checkbox"/> Golf Advisory Comm. | <input type="checkbox"/> Sandwich Econ. Initiative Corp. |
| <input type="checkbox"/> Capital Planning Comm.** | <input type="checkbox"/> Historic District Comm.* | <input type="checkbox"/> Sandwich Historical Commission |
| <input type="checkbox"/> Conservation Comm. | <input type="checkbox"/> Library Trustees* | <input type="checkbox"/> Sandwich Housing Authority* |
| <input type="checkbox"/> Council on Aging | <input type="checkbox"/> Personnel Board | <input type="checkbox"/> Visitor Services Board |
| <input type="checkbox"/> Disabilities Commission | <input type="checkbox"/> Planning Board* | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Emergency Management | Other: _____ | Other: _____ |

* = Elected

** = Appointed by Moderator

Wing School Feasibility Study – RFQ Review Committee

- DRAFT-

- 1 member of the Board of Selectmen (Frank Pannorfi)
- John Juros (CIPC)
- Blair Haney (Town Planner)
- Ted Hamilton (Facilities Director)
- Paul Spiro (Building Inspector)
- Bud Dunham (Town Manager)
- Doug Lapp (Assistant Town Manager)

Wing School Feasibility Study – Project Committee

- 2-3 members of the Board of Selectmen (Jim Pierce & Patrick Ellis)
- John Juros (CIPC)
- Michael Dwyer (Finance Committee)
- Blair Haney (Town Planner)
- Ted Hamilton (Facilities Director)
- Bud Dunham (Town Manager)
- Doug Lapp (Assistant Town Manager)
- Guy Boucher (Recreation Director)
- Other Town staff (on committee vs. consult as needed: Jan Timmons? Paul Spiro? Dave Mason? Etc.)
- Local resident(s): include a local architect?

PROJECTED REVENUES AND EXPENSES - FY'16

REVENUES

<u>FY'16 Tax Levy:</u>		
FY'15 Levy Limit	52,158,738	
2.5% Increase	1,303,968	
Est. New Growth	500,000	
Excess Levy Reserve Est.	0	
Overrides / Exclusions	0	
County Assess. Outside 2.5: CCC	162,847	
Debt Outside 2.5 (- Non-Levy & SBA)	1,134,574	55,260,128
<u>Other Revenue:</u>		
Land Bank / CPA Debt	1,125,561	
School Building Authority Funding	1,279,534	
State Aid: Discretionary (0.00%)	2,074,733	
State Ch. 70 Aid: School (0.00%)	6,665,593	
Est. Local Receipts (Includes Meals Tax)	4,400,000	
Surplus Revenue: Certified	2,016,440	
Overlay Release	100,000	
Transfer from Stabilization Fund	0	17,661,861
Total Estimated Revenues		72,921,989

Stabilization Fund Balance:	
Actual Balance on 11/30/13:	1,018,946
Proposed Transfer From/To Stabilization Fund:	0
Projected Post ATM Balance:	1,018,946

EXPENSES

<u>ReCap Sheet Items:</u>		
State Assess: Tuition Assess (10.00%)	3,353,850	
State Assess: All Other (4.00%)	546,382	
Abatements / Overlay	400,000	4,300,232
<u>Town Meeting Items:</u>		
Group Health Insur.+ Mitig. Plan (8.26%)	9,500,000	
County Retirement Assess. (5.38%)	3,147,347	
Property & Liability Insurance (2.50%)	845,625	
Medicare (6.00%)	623,778	
Unemployment Account	75,000	
Debt: Long Term	3,996,147	
Debt: Short Term	50,000	
Reserve Fund	500,000	
Social Services	21,200	
Capital Budget - Net	1,000,000	
Transfer to Stabilization Fund	350,000	
GASB 45 Appropriation	150,000	
FY'14 Snow & Ice Deficit	150,000	20,409,097
<u>Operating Budgets:</u>		
School Budget: Local (-1.56%)	24,250,000	
Ch. 70 (0.00%)	6,665,593	30,915,593
UCCRVTS Budget (7.50%)		1,965,568
General Gov't. Budget (4.25%)		15,323,056
Total Estimated Expenses		72,913,546

ESTIMATED FY'16 BUDGET BALANCE 8,442

Buckner, Marie

From: Dunham, George
Sent: Tuesday, November 18, 2014 4:15 PM
To: Buckner, Marie; Hagberg, Jan
Subject: FW: Kopelman and Paige, P.C. eUpdate: Domestic Violence Leave Act - Sample Employee Policy
Attachments: image001.png; image002.png; Sample_Domestic_Violence_Leave_Act_Policy.pdf

F.Y.I. on a new law. I hadn't heard of this one and thought you would like to see K&P's summary.

From: KopelmanAndPaigePC [mailto:KopelmanAndPaigePC@k-plaw.com]
Sent: Tuesday, November 18, 2014 3:41 PM
To: KopelmanAndPaigePC
Subject: Kopelman and Paige, P.C. eUpdate: Domestic Violence Leave Act - Sample Employee Policy



Domestic Violence Leave Act - Sample Employee Policy

In our August 28, 2014 “eUpdate” we advised of key provisions of "An Act Relative to Domestic Violence" (the “Act”), Chapter 260 of the Acts of 2014, establishing wide-reaching new domestic violence laws applicable to employers with 50 or more employees. One important aspect of the Act is the requirement that covered employers provide employees with up to 15 days of unpaid leave in any 12-month period if the employee or a covered family member of the employee is a victim of abusive behavior. Covered employers are required to notify employees of this right, and we have recommended that in order to satisfy that requirement the appropriate local board or official adopt and distribute a Domestic Violence Leave policy.

Attached for consideration, therefore, is a sample Domestic Violence Leave Policy. Unlike the federal Family and Medical Leave Act (“FMLA”), the Massachusetts Maternity Leave Act, or the Small Necessities Leave Act, there are no eligibility limitations as to which employees may utilize Domestic Violence Leave. Thus, for example, in order to use Domestic Violence Leave employees need not have completed a probationary period or worked for the employer for a set number of hours.

The attached sample policy includes several editorial comments to be evaluated when determining what type of policy to adopt. Of note, if the municipality chooses to provide paid instead of unpaid leave, or mandates that employees exhaust accrued paid leave prior to using Domestic Violence Leave (as permitted under the law), it would be most appropriate, in our opinion, to make express reference to this in the policy itself, rather than making such

determinations on a case-by-case basis. Furthermore, although the Act does not so specify, it would be reasonable to adopt and incorporate in the policy a defined 12-month period for which the municipality will calculate an employee's total leave allotment, such as the "rolling," "calendar" or "fiscal year" periods used under statutes like the FMLA.

Of course, as with the adoption of any personnel policy intended to apply to union employees, the municipality may have collective bargaining obligations, depending upon a variety of factors such as: what provisions you ultimately intend to include in the policy; the language of existing policies of the municipality; the language of any applicable collective bargaining agreement(s); and past practice. This issue should be considered prior to implementation so as to avoid running afoul of the municipality's obligations under G.L. c. 150E.

Please also be aware of another aspect of the recently-passed Act relative to public records. Specifically, the Act amends both G.L. c. 41, §97D and §98F, to expressly provide that reports raising allegations of rape, sexual assault, and domestic abuse are not public, and requires police departments to maintain such reports confidentially. Moreover, the police daily log maintained under G.L. c.41, §98F may no longer contain such information. Instead, reports of rape, sexual assault and domestic violence must be maintained in a separate log which is not subject to the public records law.

Finally, the Act makes key changes to state laws relative to gun licensing, and we will be providing you with additional information about those changes in the near future.

If you have further questions on this issue, please contact Michele Randazzo or Timothy Zessin at the firm's main numbers, below, or respectively, at mrandazzo@k-plaw.com or tzessin@k-plaw.com.

THE LEADER IN PUBLIC SECTOR LAW

617.566.0027 | 1.800.548.3522 | www.k-plaw.com | © 2014 Kopelman and Paige, P.C.

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TOWN/CITY OF _____
DOMESTIC VIOLENCE LEAVE POLICY

I. PURPOSE

This Policy describes the eligibility and procedural requirements relating to the administration of leave taken pursuant to the Massachusetts Domestic Violence Leave Act, G.L. c. 149, §52E (“DVLA” or “the Act”).

II. APPLICATION

This Policy applies to all employees of the Town/City of _____ (“Town/City”), excluding those employees under the supervision and control of the School Committee (if applicable). Employees whose employment is governed by a collective bargaining agreement are subject only to those provisions of this Policy not specifically regulated by law or agreement.

III. POLICY

The Town/City is committed to complying with the DVLA, as it may be amended from time to time. In the event of any conflict between the Town’s/City’s DVLA policy and the state law and any applicable regulations, the state law/regulations applicable to the Town/City and its employees shall prevail.

IV. PROCEDURES

A. Eligibility

To qualify for domestic violence leave under the DVLA, an employee or a covered family member must be the victim of “*abusive behavior*.” “Abusive behavior” includes any of the following behaviors: domestic violence, stalking, sexual assault or kidnapping.

Domestic violence is abuse against an employee or a covered family member by a current or former spouse, a person with whom the victim shares a child, a person cohabitating with or who has cohabitated with the victim in the past, a relative by blood or marriage, or a person with whom the employee or family member has or had a dating or engagement relationship.

A Covered family member includes a spouse, parent, step-parent, child, step-child, sibling, grandparent, grandchild, persons in a substantive dating relationship or who reside together, persons having a child in common, or persons in a guardian relationship. In the case of abuse of a family member, the employee is not entitled to leave if he or she is the alleged perpetrator.

B. Duration of Leave

If an employee or a covered family member of the employee is a victim of abusive behavior, he/she may take up to fifteen (15) days of unpaid leave in any 12-month period.

Note: Employers may, at their sole discretion, choose to provide paid leave instead.

Employees are required to exhaust all paid leave before taking leave under the DVLA.

Note: The employer may choose to waive this requirement. The employer may also specify which types of paid leave (sick, vacation, personal) that employees are required to exhaust prior to using leave under the DVLA.

C. Reasons for Requesting Leave

Employees may request leave to address issues directly related to the abusive behavior. This includes seeking medical attention, counseling or victim services. Leave may also be taken to obtain legal assistance, to attend or appear in court proceedings, or to meet with a district attorney or law enforcement personnel. It is not a requirement of the Act that the employee maintain contact with the alleged abuser before being eligible for leave.

D. Notice

Employees must provide sufficient advance notice of the decision to use domestic violence leave, unless there is a threat of imminent danger to the health or safety of the employee or a member of the employee's family. An employee who does not give advance notice must notify the employer within three (3) work days that leave is being taken pursuant to the DVLA. The notice may be provided by certain specified individuals other than the employee.

If an unscheduled absence occurs, the employee has 30 calendar days to produce documentation of the need for leave, in accordance with paragraph E, below.

Note: The law specifically precludes employers from taking "negative action" against an employee based upon an unscheduled absence, if the employee provides sufficient justification and documentation for the need for domestic violence leave within 30 days of the absence. What exactly is a "negative action" is not defined, but it would reasonably include such things as disciplinary action, docking pay or listing the employee as "AWOL" for instance. Where any of these things has occurred, the employer may need to "reverse" such negative action upon the employee's provision of the necessary documentation, in a timely manner.

E. Documentation

Employees taking leave pursuant to the DVLA may be required to provide documentation evidencing that the employee or employee's family member has been a victim of abusive behavior. If requested, an employee is required to provide such documentation within a reasonable period after the request is made. An employee can satisfy this requirement by providing any one of the following documents:

- A protective order issued by a court as a result of abusive behavior against the employee or employee's family member;

- A document under the letterhead of the court, provider or public agency which the employee attended for the purposes of acquiring assistance as it relates to the abusive behavior;
- A police report or statement of a victim or witness provided to police, including a police incident report, documenting the abusive behavior;
- Documentation that the perpetrator of the abusive behavior against the employee or family member of the employee has admitted to sufficient facts in court, or has been convicted of any offense constituting abusive behavior;
- Medical documentation of treatment as a result of the abusive behavior;
- A sworn statement provided by a counselor, social worker, or health care worker who has assisted the employee or the employee's family member; or
- A sworn statement from the employee attesting that the employee has been the victim of abusive behavior.

F. Return to Work

Employees who take leave pursuant to the DVLA will be restored to their original or equivalent position upon return from leave unless circumstances unrelated to the employee's use of leave would have caused a change in employment status. The City/Town shall not retaliate against an employee for exercising his/her rights under the DVLA.

G. Confidentiality

With limited exceptions set forth by law, information related to the employee's leave shall remain confidential.

DOMESTIC VIOLENCE LEAVE ACT POLICY

This acknowledges that I have received and reviewed the Town/City of _____ Domestic Violence Leave Policy (“Policy”). By signing this form, I agree to abide by the Policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications. I recognize that the law and associated Policy regarding use of Domestic Violence Leave are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended, is required.

Print Name: _____

Signature: _____

Date: _____

To be included in employee’s personnel file.

TOWN OF SANDWICH

DOMESTIC VIOLENCE LEAVE POLICY

I. PURPOSE

This Policy describes the eligibility and procedural requirements relating to the administration of leave taken pursuant to the Massachusetts Domestic Violence Leave Act, G.L. c. 149, §52E (“DVLA” or “the Act”).

II. APPLICATION

This Policy applies to all employees of the Town of Sandwich (“Town”), excluding those employees under the supervision and control of the School Committee (if applicable). Employees whose employment is governed by a collective bargaining agreement are subject only to those provisions of this Policy not specifically regulated by law or agreement.

III. POLICY

The Town is committed to complying with the DVLA, as it may be amended from time to time. In the event of any conflict between the Town's DVLA policy and the state law and any applicable regulations, the state law/regulations applicable to the Town and its employees shall prevail.

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B. Duration of Leave

If an employee or a covered family member of the employee is a victim of abusive behavior, he/she may take up to fifteen (15) days of unpaid leave in any 12-month period.

During such leave, an employee will be required to use any paid sick leave, vacation, emergency, and personal leave benefits accrued as of the beginning of such leave. Once these benefits have been exhausted, the remainder of such leave shall be unpaid.

C. Reasons for Requesting Leave

Employees may request leave to address issues directly related to the abusive behavior. This includes seeking medical attention, counseling or victim services. Leave may also be taken to obtain legal assistance, to attend or appear in court proceedings, or to meet with a district attorney or law enforcement personnel. It is not a requirement of the Act that the employee maintain contact with the alleged abuser before being eligible for leave.

D. Notice

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- Documentation that the perpetrator of the abusive behavior against the employee or family member of the employee has admitted to sufficient facts in court, or has been convicted of any offense constituting abusive behavior;
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With limited exceptions set forth by law, information related to the employee's leave shall remain confidential.

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By signing this form, I agree to abide by the Policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications. I recognize that the law and associated Policy regarding use of Domestic Violence Leave are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended, is required.

Print Name: _____
 Signature: _____
 Date: _____

To be included in employee's personnel file.