



POLICY MANUAL FOR THE TOWN OF ACWORTH, NH

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1. GENERAL PROVISIONS

1.1 Notice of Non-Discrimination

The Town of Acworth does not discriminate on the basis of race, color, religion, marital status, national / ethnic origin, age, sex, sexual orientation, or disability in its programs, activities and employment practices. This statement is a reflection of the Town of Acworth and refers to, but is not limited to, the provisions in the following laws:

- Titles IV, VI, and VII of the Civil Rights Act of 1964 - race, color, national origin
- The Age Discrimination in Employment Act of 1967
- The Age Discrimination Act of 1975
- Section 504 of the Rehabilitation Act of 1974 (Section 504) - disability
- The Americans with Disabilities Act of 1990 (ADA) - disability
- NH Law against discrimination (RSA 354-A)

Contact the Board of Selectmen's office with any inquiries regarding the non-discrimination policies and laws above.

Inquiries regarding Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, and/or Title II of the Americans with Disabilities Act of 1990 may be directed to:

NH Commission for Human Rights

2 Industrial Park Drive, Bldg. One
Concord, NH 03301
(603) 271-2767

Equal Employment Opportunity Commission (EEOC)

John F. Kennedy Federal Building
15 New Sudbury St., Room 475
Boston, MA 02203-0506
(800) 669-4000

2. PROCEDURES

2.1 Policy Adoption

Policies adopted by the Board of Selectmen will require consideration and voting at two Board meetings no less than 30 days apart; date history to be attached to policy.

2.2 Meeting Schedule

Meetings of the Board of Selectmen will take place on the first, third and fifth Monday of each month. Any additional meetings will be duly posted. (Amended March 21, 2011, January 28, 2013).

2.3 Meeting Format

Meetings of the Board of Selectmen will follow an agenda posted the preceding Friday.

Meetings of the Board of Selectmen will observe Robert's Rules of Order to the extent the Chair sees fit. However, a ruling by the Chair may be challenged by another member and overruled by majority vote of the Board.

2.4 Designation of Duties

Chairman of the Board of Selectmen will be elected annually at the first Board meeting following Town Meeting and by simple majority.

Board representatives to other Town boards will be appointed by the Chair at the same Board meeting as above or within 30 days of Town Meeting. However, an appointment by the Chair may be challenged by another member and overruled by majority vote of the Board.

3. BUDGET

4. TAXATION

5. FISCAL POLICY

5.1 Investment Policy for funds held by Treasurer

It is the policy of the Town of Acworth, and the office of Treasurer, to invest the Town's funds in a manner complying with the requirements of the New Hampshire RSA's. More specifically, unexpended funds are invested in an interest-bearing money market account at Mascoma Bank. The nature of the Town's finances dictates that the investment be maintained in the type of safe but liquid investment offered by a money market account though at times the amount invested may exceed FDIC limits, the stability and current investment policies of Mascoma Bank indicate that such an investment meets the Town's needs with a minimal amount of risk. The Town has collateralized its accounts at the Mascoma Bank with an Irrevocable Stand-by Letter of Credit with the Federal Home Loan Bank of Boston (FHLBank Boston). The Letter of Credit is reviewed/renewed annually for an amount determined by the Town Treasurer to cover the maximum anticipated balance of all Town accounts at Mascoma Bank. Funds are transferred to a checking account as needed during the year in payment of expenditures approved by the Board of Selectmen. The checking account is maintained at Mascoma Bank with a balance of approximately \$1500. (amended and approved 2/3/26)

5.2 Purchasing (Adopted BOS 6-30-08)

Expenditures in excess of \$2,000.00 shall be previewed by the Board of Selectmen with the exception of routine budgeted items such as fuel and road materials. (amended and approved 10/3/22)

Per Town Meeting vote March 13, 2007, capital expenditures in excess of \$7,000 shall require consideration of no less than three (3) bids; Bids shall be specific to the expenditure (not market research) and be submitted in hard copy including by fax or electronically; Bid selection shall be by the Board of Selectmen and reflect all pertinent provisions, not dollar value only; Exceptions to this policy may occur during times of emergency in which the Board of Selectmen may deem an expenditure vital to its responsibilities to the health and safety of the Town, or in the even an expenditure is of such specialized nature as to prohibit competitive bidding due to cost of the bidding process or other reasons unforeseen.

5.3 Disbursements (Adopted BOS 3-9-15)

Vendor payments shall require invoices. Highway Department invoices shall require signatures, Town vehicle designation and originals shall be filed in the Town office.

6. HANDLING FUNDS

6.1 Remitting Funds to Treasurer

Funds collected by Town officials (Tax Collector, Town Clerk, and Board of Selectmen) will be remitted to the Treasurer weekly on Mondays or as departments accumulate amounts totaling \$500.00.

6.2 Remitting Funds to Treasurer (6/1/09)

All monies received by any elected official, employee of the Town, or person designated with such responsibility on the Town's behalf, shall be remitted to the Treasurer on at least a weekly basis. This policy is intended to apply the provisions of RSA 41:35 and RSA 261:165 (dealing with the duties of the tax collector and town clerk, respectively, and the remittance of monies received) to all who receive funds on the Town's behalf.

7. TOWN LANDS

7.1 Town Land Review Policy adopted BOS 12/9/02

A review of lands held or acquired by the Town shall be conducted at least once every five years with the purpose of determining which parcels shall remain under Town ownership and which shall be sold. The Conservation Commission shall prepare a written report describing each parcel and providing specific reasons for keeping or selling each. This Town Land Report must be reviewed by the Planning Board, then presented to the Selectmen for their input and final approval.

If the Selectmen request a review for a particular parcel which has not been previously reviewed, the Conservation Commission shall do so and report back to the Selectmen with the recommendation of the Commission and Planning Board within 60 days of the initial request. After this time period, Selectmen may choose to pursue action regarding the specific property whether or not they have received recommendation from the Commission.

The approved report shall guide the Selectmen and the Town in determining which parcels are to be kept by the Town and which are subject to sale. Town parcels will not be sold unless they have been subject to this Town Land Review Process. (Approved by unanimous vote by BOS 12/9/2)

7.2 Solicitation on Town property adopted BOS 5/7/18

Solicitation as in campaigning or other not for profit activity is allowed at the Transfer Station during regular hours on the north side of the parking area across from the disposal bins.

7.3 Transfer Station traffic pattern adopted BOS 7/2/18

Traffic at the Transfer Station shall be established by the Board of Selectmen and marked on the ground.

8. BUILDING, PLANNING AND CONSERVATION

8.1 Building on Class VI Roads:

Per Building Permit Application, applications for construction on Class VI roads will be forwarded to the Planning Board for review and recommendations; Waiver of services will be required (BOS meeting 11/01/04).

8.2 Building on Private Roads:

Per RSA 674:41, applications for construction on Private roads will be handled in the same manner as for Class VI roads.

8.3 Building in Conservation Zone:

Per Building Permit Application, Applications for construction within the Conservation Zone will be forwarded to the Conservation Commission for review and recommendations (BOS meeting 11/01/04).

8.4 Building Permit Application Review

Building Permit Applications should be submitted for inclusion in the agenda posted prior to regularly scheduled Board meetings.

8.5 Class VI Road Building Policy (Recommended at Town Meeting 3/14/06)

Building Permit Applications should be submitted for inclusion in the agenda posted prior to regularly scheduled Board meetings.

8.6 Building Permit Issuance

Building Permit Applications should be submitted for inclusion in the agenda posted prior to regularly scheduled Board meetings.

Pursuant to RSA 674:41, no building shall be erected on a lot using a Class VI Road for access, nor shall a building permit be issued, unless the following criteria have been satisfied:

- The Board of Selectmen, after review and comment by the Planning Board, has voted to authorize the issuance of building permits for the erection of buildings on said Class VI highway or a portion thereof;
- The Town neither assumes responsibility for maintenance of said Class VI highway nor for any damages resulting from use of it;
- Prior to the issuance of a building permit, the applicant shall produce written evidence that notice of the limits of the Town responsibility and liability has been recorded in the Registry of Deeds using the approved "Waiver of Municipal Liability for Class VI Highway Building

8.7 Appeal of Building Permit Decision

Any decision by the Board of Selectmen to issue, or not to issue, a building permit for properties along Class VI roadways may be appealed to the Zoning Board of Adjustment per RSA 674:13 & 15 and RSA 674:41.

8.8 Subdivision on Class VI Roads

Per subdivision regulations of the Town of Acworth, parcels, lots or tracts of land without Class V or better road frontage that meets Acworth Zoning requirements shall not be subdivided. Subdivision based upon Class VI Road frontage will not be permitted.

8.9 Class VI Road Use and Maintenance

It shall be the responsibility of landowners who have been granted permission to build on Class VI roads to maintain, at their own expense, the road needed to access their property. Such maintenance shall be in full accordance with the requirements outlined in the "Class VI Highway Use and Maintenance Policy" of the Town of Acworth.

9. POLICE AND ANIMAL CONTROL

10. FIRE

11. AMBULANCE

12. ROADS

12.1 Class VI Road Use and Maintenance Policy (Recommended at Town Meeting 3/13/06)

DEFINITION AND PURPOSE

Class VI roads are public roads that have been discontinued as open highways and made subject to gates and bars as well as all public highways that have not been maintained or repaired by the town for 5 successive years or more. (RSA 229:5, VII)

In the interest of preserving and protecting Acworth's Class VI roads as multiple use public byways without liability by the Town for future repair or maintenance, the Citizens of Acworth do hereby recommend enactment the following policies by the Board of Selectmen:

ALTERATION OF ROAD CONDITION

In accordance with RSA 236:9 and RSA 41:11, any repair, maintenance and improvement of Class VI roads such as, but not limited to, cutting and clearing, grading, draining, removal of gates and bars, or alteration of stone walls, shall be prohibited without written permission from the Board of Selectmen. Permission to alter Class VI roads will be contingent upon:

1. Written receipt of all required and appropriate state and local permits.
2. Written plan and detailed map meeting road improvement guidelines set by Town:
 - Road surface minimum width of 15 feet.
 - Road surface will be composed of compacted gravel at a minimum of 12" thick, at least 4" of which being crushed gravel.
 - Road surface height will be a minimum of 12" above side ditch bases.
 - Culverts will be steel and a minimum of 8" diameter. Drainage will follow existing natural patterns wherever feasible, and alterations in flow will minimally impact abutting properties.
 - Improvements limited to the existing public right of way.
 - Stone walls abutting or within the public right of way shall be preserved.
3. Written notification of property owners abutting affected roadway section.
4. Minimal interference with public travel.

The Board of Selectmen reserves the right to alter any of the above requirements in response to unique circumstances so long as doing so is in conformance with all state and local ordinances.

LOAD LIMITS AND USE RESTRICTIONS

1. Load limits established by the Board of Selectmen as a result of seasonal or other conditions shall be observed by all users unless a written exception is obtained from the Board. (RSA 231:191)
2. Class VI roads will be posted prohibiting wheeled vehicle use from February 1 to June 1. Residential, agricultural, and forestry use by abutting landowners, their tenants or leaseholds will be exempted from this restriction. This time period may be expanded or curtailed by the Board of Selectmen depending upon seasonal conditions.

3. Illegal usage of a posted road will be subject to a fine of up to \$1000.
4. Posted load or use limits may be waived on an individual basis if the Board of Selectmen determines doing so would be consistent with the intent of this policy. Any such cases must entail written permission from the Board.
5. Temporary and/or permanent driveway permits are required for any new or altered private access onto Class VI roads.
6. The Town may post signs at the beginning of Class VI roads stating “Road Unmaintained. Travel at Your Own Risk.”

BONDING FOR USE OF CLASS VI ROADS

Posting of a bond will be required for repeated commercial use or operation on any Class VI Road. Operators are required to post a bond to be determined by the Board of Selectmen. Preliminary inspection prior to use will be conducted by the Board or their appointed representative. Written documentation of existing conditions including photographs will be filed at Town Hall. Upon completion of the usage, a representative of the Board of Selectmen will inspect the road condition and determine whether remedial action is needed. The Class VI roadbed, culverts and drainage shall be left in a similar or better condition than prior to this specific usage.

For specific bonding details, refer to the “Acworth Class VI Road Bonding Agreement”.

The Board of Selectmen reserves the right to provide a written waiver of this bonding requirement if they determine that such action is in keeping with the intent to conserve and maintain the condition of Acworth Class VI roads.

UPGRADE OF CLASS VI ROAD TO CLASS V STATUS

Any proposed change of road status must be placed on the annual Town Meeting Warrant for vote by the town. (RSA 231:22a). The Town will not allow a Class VI Road to change to Class V status unless and until such road has been brought up to specific NHDOT Class V road standards. These road improvements will not be funded by the Town of Acworth either in whole or part.

OTHER CLASS VI ROAD CLASSIFICATIONS

- 1. Scenic Road – RSA 231: 157-158
- Municipal Trail – RSA 231-A: 1,2 & 8
- Emergency Lane – RSA 231:59a
- Subject to Gates and Bars – RSA 231:21-A

ROAD INVENTORY AND ARCHIVE

It is recommended that a Class VI Road information archive will be maintained by the Planning Board and will include a record for each road. This archive will include historical references to road status, actions by Town meeting and Board of Selectmen, related deeds and surveys, regulations, use and maintenance actions and field observation notes. A current working map of Town road status will be kept.

12.2 Winter Weather Policy and Procedures: Doc. Follows

13. LIBRARY

14. CEMETERY

15. TRUST FUNDS

15.1 Petition for funds disbursement

Per RSA 31:22 requests for funds disbursements will be by Voucher; attached Voucher format approved by Trustees of Trust Funds June, 2004.

16. SOLID WASTE

16.1 Town of Acworth Solid Waste Ordinance

Pursuant to RSA 149-M:17, and in the interest of providing a safe, efficient and economical Solid Waste Transfer Station/Recycling Center, the Town of Acworth ordains as follows:

16.1.1 The Transfer Station/Recycling Center shall be open to all residents and landowners of the Town of Acworth

16.1.2 The hours of operation shall be determined by the Board of Selectmen and shall be posted at the Transfer Station, Town Hall, Post Offices.

16.1.3 The Operator shall have the authority to oversee the disposal of refuse and recyclable items, to levy established fees, and to enforce policies set by the Board of Selectmen to assure the efficiency of the Transfer Station.

16.1.4 Disposal fees shall be established by the Board of Selectmen for materials which are deemed to place an undue burden on the Transfer Station budget as voted by the Town. (Schedule attached).

16.1.5 Disposal shall be limited to refuse from Acworth only; materials brought from another town shall not be accepted without written permission from the Board of Selectmen.

16.1.6 After hours disposal of refuse or recyclable items shall be prohibited without written permission from the Board of Selectmen.

16.1.7 Removal of material from the Transfer Station/Recycling Center shall be prohibited without permission from the Board of Selectmen or the Operator.

16.1.8 Violation of any provision of this ordinance shall be reported to the Board of Selectmen and Acworth Police Department and may be subject to fines up to \$500.

17. HEALTH AND WELFARE

17.1 Welfare Guidelines

Pursuant to RSA 165:1, public assistance will be made available according to NH Municipal Association (now Local Government Center) guidelines adopted by the Town March 11, 1986.

17.2 Schedule of Allowable Assistance

Public assistance will be made available according to the Schedule of Allowable Amounts adopted by the Board of Selectmen April 2, 2001 which is reviewed annually.

18. PERSONNEL POLICIES

18.1 Classifications of Employment

The Town classifies its employees as follows:

FULL-TIME EMPLOYEES: hired to work a minimum 30-hour workweek.

PART-TIME EMPLOYEES: hired to work less than a 30-hour workweek.

SEASONAL EMPLOYEES: hired to work full or part time for intermittent periods during the year but are not eligible for health insurance or sick or personal days; Any employee hired with this classification shall have a waiver of benefits form signed by the employer and employee placed in their employee file documenting the parties' intentions and acceptance of such terms of employment.

NON-EXEMPT EMPLOYEES: who are required to be paid overtime at the rate of time and one half their regular rate of pay for hours worked over 40 hours in a work week.

EXEMPT EMPLOYEES: who are not required to be paid overtime for hours worked over 40 hours in a work week (Adopted BOS 9-20-2010).

18.2 Paid Holidays

Town employees will have ten paid holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving, day after Thanksgiving and Christmas (Adopted BOS 6/30/03, amended 10/26/15, 10/21/19, 1/3/23).

18.3 Holiday Pay

Town employees working on holidays designated above will be paid straight time for the holiday and time and ½ for hours worked (Adopted BOS 6-18-2007).

18.4 Vacation

Full time, nonseasonal Town employees will have five days paid vacation after 6 months (Amended 12/16/19) of their first year; ten days paid vacation during their second, third, fourth and fifth years; 15 days paid vacation during their sixth year and onward (Adopted BOS 4/19/04). Employees must arrange vacations with their supervisors in advance.

Amendment: Employees must arrange vacations with their supervisors in advance. Adopted BOS 9-20-2010)

Amended BOS 5-23-2011:

It is expected vacation time will be taken during the year it is earned.

Unused vacation time will not carry over or be cashed out. (Adopted 3-9-15, Effective 1-1-15)

Vacation time may be taken in full or half day increments.

Any of the above may be waived by special arrangement with the Board of Selectmen.

18.5 Personal Days

The Town will provide one half day of personal time for each month worked from date of hire to full time permanent and seasonal employees. Personal time will be paid at the normal straight time rate for the number of hours the employee would normally work. Personal hours may not exceed the employee's regular workday and/or workweek hours. Personal days are to be used for absences due to illness and family or individual contingencies. Employees must contact their supervisor on a daily basis relative to the need for and status of their absence. Permanent employees may carry into subsequent years up to 15 unused personal days. Unused personal days will not be bought back by the Town at any time. Employees returning from medical leave must provide fit for duty certification from a healthcare provider. (Adopted 9-20-10, amended 10-12-15, amended 8-21-17)

18.6 Compensation and Hours of Work (adopted BOS 8-15-2022)

Reporting of Time Worked

It is important that your time be accurately reported so that you are compensated for the hours that you work. You may be required to complete timesheets, which are to be signed and submitted to the Town Administrator by Monday morning at 9:00 a.m. Your supervisor will provide you with details concerning your obligation to report all the time you have worked.

Pay and Pay Periods

Employees are informed as to their rates of pay and the pay period at the time that they are hired. Rates of pay are reviewed periodically and may be adjusted. If you have any questions regarding your rate of pay, please see your supervisor or the Acworth Town Administrator.

Employees are paid on a bi-weekly basis on Wednesday for all hours worked during the prior two calendar weeks. Please review your paycheck for errors. If you find a mistake, report it to the Acworth Town Administrator immediately.

Work Week/Hours of Work

The Town of Acworth's work week begins on Sunday at 12:00 a.m. (midnight) and ends on Saturday at 11:59 p.m. Because of the nature of our business, your work schedule may vary depending on your job and department. When hired, your supervisor will inform you of your hours of work.

Payroll Deductions

There are two categories of payroll deductions: those required by state or federal law and those authorized by the employee. Payroll deductions required by state and federal law include federal withholding, income tax, social security tax, and wage garnishments as required by law (i.e., child support payments, court-ordered payments, and IRS garnishments). If authorized in writing by an eligible employee, the Town of Acworth will also make additional deductions for health insurance and other purposes that are for your benefit. Arrangement for these voluntary deductions may be made with the Acworth Town Administrator.

18.7 IRA Substitute Benefit

Full time permanent employees will be paid 4% of their total year wages in the last pay period of December for their use in establishing individual retirement accounts (Adopted 7-18-05, amended 10-12-15).

18.8 IRA 457/401 Retirement Plan

As an alternative to the IRA substitute benefit, full-time permanent employees have the option of enrolling and contributing to a 457-retirement plan. The employer will contribute 4% of the employee's total year wages to a 401-retirement plan. Obtain details about these plans from the Town Administrator. (Adopted 3-3-2025).

18.9 Health Insurance

Eligible employees may participate in our medical plan. Employees may enroll in either a single, two-person, or family plan after meeting the eligibility criteria stated in our plan documents. Information and enrollment forms may be obtained from the Selectmen's office. To assist with the cost of this insurance, the Town currently pays 100% of the premium for single and two-person coverage and the equivalent of two-person coverage toward the premium for a family plan. The balance is to be paid by the employee through an authorized payroll deduction. Adopted BOS 9-20-2010)

18.10 Harassment Policy

Town employees and elected officials will use the guidelines contained in the TOWN OF ACWORTH POLICY CONCERNING VIOLENCE OR INTIMIDATION WITH RESPECT TO TOWN OFFICIALS, EMPLOYEES OR PROPERTY (BOS meeting 04/04/05); copy attached.

18.11 Appropriate Attire

When on the ground Highway Department and Transfer Station employees will be required to wear personal protective reflective safety wear appropriate to the season, environment and activity. The purchase of OSHA referred steel toed footwear which meets the following standard: ANSIZ41PT91, will be reimbursed 50% no more often than annually (Adopted BOS 6-30-8, amended 7/2/18).

18.12 Drug and Alcohol Policy

It is prohibited for Town employees to be under the influence or to manufacture, distribute, dispense, possess, or use any illegal drug, alcohol, or controlled substance while on Town premises or while using Town-owned property, such as vehicles. This includes use of prescription drugs which have not been prescribed for an employee. Such behavior jeopardizes the Town and can create situations that are unsafe or substantially interfere with an employee's job performance. Employees in violation of this policy are subject to appropriate disciplinary action, up to and including dismissal. (Adopted BOS 6-30-8)

Amendment: A drug testing program relating to employees operating Town vehicle equipment is administered by the Board of Selectmen's office. The program's required Designated Employee Representative will be the Town Administrator (Adopted BOS 9-20-2010).

18.13 Employee Purchases

It is prohibited for Town employees to purchase materials for their personal use using Town vendor accounts. (Adopted BOS 4-19-10)

18.14 Smoking

Smoking by Town employees will be prohibited in Town buildings and vehicles. (Approved for first reading BOS 4-19-10)