



Ordinances and Policies  
For  
Town of Webster, New Hampshire

Ordinances and Policies  
Of the  
Town of Webster  
County of Merrimack  
State of New Hampshire

OFFICIALS  
OF THE  
TOWN OF WEBSTER

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## **PREFACE**

The Town of Webster has over the years passed a number of ordinances and established policies. This is very common for towns. When the Town was established there was not a need to have many laws and rules. Today with the complexity of Modern Life, and the growth of the Town there has been a need to establish Ordinances and Policies

It is with this thought in mind that the concept of a “Ordinance and Policy Book” was established to help facilitate reviewing various ordinances and policies. One should keep in mind that the official documents for these items are kept on file in the Town Clerk’s Office. That is the official record and should there be a difference between the two, the official copy on file with the clerk prevails. If you have any questions in regard to this book or what the ordinances and policies mean, please let us know.

## **CONTENT ARRANGEMENT**

We have codified the book in the attempt to help facilitate its organization. Subjects are arranged using an Alpha-Numeric method. There are two sections of the book. The first being ordinances numbered starting at 1 to 260. The second being Town Policies and are numbered from 261-520.

You will note that in reviewing the book that there are many chapter numbers skipped. This was on design to facilitate insertion in the event of Ordinances or Policies being added in the future. As ordinances or policies adopted this book will be updated.

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# **TOWN OF WEBSTER, NEW HAMPSHIRE**

## **FALSE ALARM ORDINANCE**

### **For Fire and Police**

#### **§53**

##### **§53-1 AUTHORITY:**

Pursuant to the authority on NH RSA 41 & 41.17 and any other applicable Revised Statutes Annotated, The Select Board of the Town of Webster, New Hampshire.

##### **§53-2 PURPOSE:**

In the interest of promoting public health, safety and general welfare of all citizens of Webster, New Hampshire, The Select Board hereby establish certain guidelines to govern the installation, registration and use of residential and commercial fire alarm systems.

##### **§53-3 REGISTRATION:**

All fire alarm systems shall be registered with the appropriate Webster Agency, Fire Department or Police Department prior to use and shall comply with the applicable standards. The failure to comply with such requirements shall result in a fine of \$250.00

##### **§53-4 FALSE ALARMS:**

A false alarm is defined as the activation of an alarm system through mechanical failure, accidental tripping, operation malfunction, misuse, or the neglect of the owner or lessee of an alarm system, or of his employee or agent. Upon the failure of the Fire Department to find evidence of smoke or fire, or other legitimate need or cause for activation, a presumption of “false alarm” will be made. False alarm shall not include alarms caused by earthquakes, violent winds, or external causes beyond the control of the owner or lessee of the alarm system.

##### **§53-5 FINES:**

Any person who maintains or has an alarm connected to the Fire Department alarm system, to an alarm agent, alarm business or a person responding to audible alarms, which has caused any signal, message or alarm to be transmitted to the Webster Fire or Police Departments either by direct telephone or other communication, and which is proven to be a false alarm shall pay a false alarm charge to the Town of Webster as follows:

### **Fines for the False Alarms to the Fire Department**

First 2 false alarms	No Charge
Third (3) thru fifth (5) alarms	\$500.00 per alarm
6 <sup>th</sup> alarm and over	\$750.00 per alarm

If there are no alarms for 3 years, the record will reset.

### **Fines for the False Alarms to the Police Department**

First 2 false alarms	No Charge
Third (3) thru fifth (5) alarms	\$50.00 per alarm
6 <sup>th</sup> alarm and over	\$217.00 per alarm

If there are no alarms for 3 years, the record will reset.

#### **§53-6**

#### **PREVIOUS ORDINANCES:**

The provisions of this ordinance replace two previous ordinances enacted for Fire and Police False Alarms.

# **TOWN OF WEBSTER, NEW HAMPSHIRE, ORDINANCE FOR THE CONTROL OF JUNK YARDS**

## **§98**

### **§98 –1:**

#### **A. Authority**

Under the authority vested in the Select Board and in accordance with the provisions of the New Hampshire Revised Statutes Annotated, Chapter 236, Sections 111 through 129, inclusive, as amended, and every other authority thereto enabling, the Select Board adopts the following regulations governing junk yards within the Town of Webster, New Hampshire.

#### **B. Title**

This Ordinance shall be known as the Town of Webster Ordinance for the Control of Junk Yards.

#### **C. Purpose**

It is the intent and purpose of this Ordinance to protect the public interest and welfare of the residents, business owners and visitors of the Town of Webster through the proper administration and strict enforcement of this Ordinance to protect public safety and welfare in a sound economic, safe, aesthetically pleasing and environmentally acceptable manner. A clean, wholesome, attractive environment is declared to be of importance to the health and safety of the inhabitants and the safeguarding of their material rights against unwarrantable invasion. In addition, such an environment is considered essential to the maintenance and continued development of the tourist and recreational Industry, which is hereby declared to be of significant and proven importance to the economy of the state and the general welfare of its citizens. Due to the significant number of aquifers located in Webster that are used for public consumption by individual private wells, it is particularly important to protect this resource by regulating Junk Yards.

### **§98-2**

#### **A. Definitions**

- a. As defined in **RSA 236:112** of *Junk Yards, Automotive Recycling Yards, Machinery Junk Yards, Motor Vehicle Junk Yards*, and *Motor Vehicle Dealer*.
- b. As defined in **RSA 259:60** of *Motor Vehicle*, and *Trailer*,



c. **"Person"** shall mean any person, association, company, corporation, partnership, or any natural or unnatural person.

### § 98-3

#### A. Requirements For Licensure to Establish, Operate And Maintain

No person shall establish, operate, or maintain a junk yard until he/she has

- (1) Complied with all Town of Webster Zoning and Planning Ordinances with reference to Groundwater Protection, Setback requirements, non-Conforming uses, and Commercial Exception.
- (2) Received approval from the Zoning Board of Adjustment certifying that the proposed location of the junk or machinery junk yard is not within an established zoning district restricted against such uses or otherwise contrary to the prohibitions of the Zoning Ordinance or obtained from the Zoning Board of Adjustment a permit (variance or special exception) to operate.
- (3) Received site plan approval from the Webster Planning Board as required
- (4) Obtained a license to operate or maintain a Junk Yard business from the Select Board.

#### B. Application For License

Before any person shall establish, maintain, or operate a junkyard he/she shall make application for licensure in writing to the Select Board. The written application shall be on the form provided by the Select Board and shall be accompanied by all the information required by this Ordinance, as well as copies of all approvals obtained from the Zoning Board of Adjustment and Planning Board, if necessary. In the first year of operation the applicant shall submit his application before he begins the operation of the junk or machinery Junk Yard. Permit renewal applications shall be submitted prior to April 1 of each year.

The license application shall include the following information:

- a) The name, address, and telephone number of the individual or entity applying, naming the manager and corporate officers, if applicable.
- b) Whether or not the application is the result of a proposed transfer of ownership of an existing junkyard..
- c) Location of the junkyard, including a description of the land, a detailed sketch plan showing property lines and the limits of the junk storage area.
- d) Description of the type of operation and proof of legal ownership or right to use the property for the license period.
- e) A certificate signed by the applicant attesting that all provisions of state law, including best management practices established by the N.H. Department of Environmental Services, have been or will be complied with before the location is used as a Junk Yard.

f) Payment by April 1st of the annual Junkyard License Fee established by the Board of Selectmen per the State statute.

g) Certification of compliance with best management practices established by the Department of Environmental Services, for applications to establish Automotive Recycling Yards and Motor Vehicle Junk Yards.

#### C. Hearing

Prior to the issuance of an initial license, the Select Board shall hold a public hearing on a completed application. All hearings shall be held within the Town of Webster not less than two nor more than four weeks from the date of receipt of the completed application by the Select Board. Notice of the hearing shall be given to the applicant and the notice shall be published once in a newspaper of general circulation within the Town. Publication shall be not less than seven days before the date of the hearing. At the time and place

set for the hearing, the Select Board shall hear the applicant and all other persons wishing to be heard on the application for a license to operate, establish or maintain a Junk Yard.

#### D. License Requirements

In passing on the application, the Select Board shall consider the suitability of the applicant with reference to his/her ability to comply with the fencing requirements or other reasonable regulations concerning the proposed Junk Yard, to any record of convictions for any type of larceny or receiving stolen property or goods, and to any matter within the purpose of RSA 236 or this Ordinance.

#### E. Location Requirements

In passing upon the application, after receiving proof of legal ownership or right to the use of the property by

the applicant for the license period, the Select Board shall consider the nature and development of the surrounding properties, such as the proximity of churches, schools, public buildings or other places of public

gatherings; and whether or not the use of the proposed location can be reasonably prevented from affecting the public health, safety, or morals by reason of offensive or unhealthy odors or smoke, or of other causes.

In no case may a license be granted for a new Junk Yard located:

- less than 1,000 feet from the right-of-way lines of an interstate highway.
- less than 660 feet from the right-of-way lines of a Class I, Class II, and Class III highways.
- less than 300 feet from the right-of-way lines of Class IV, Class V and Class VI highways.

#### F. Aesthetic Considerations

At the hearing regarding the Junk Yard location, the Select Board may also consider the clean, wholesome,

and attractive environment which has been declared to be of vital importance to the continued stability and

development of the tourist and recreational industry of the state and the general welfare of its citizens by considering whether or not the use of the proposed locations can be reasonably prevented from having an unfavorable effect thereon. The Select Board may consider collectively:

- (1) The type of road servicing the Junk Yard or from which the Junk Yard may be seen.
- (2) The natural or artificial barriers protecting the Junk Yard from view.
- (3) The proximity of the proposed Junk Yard to established tourist and recreational areas or main access routes.
- (4) The reasonable availability of other suitable sites for the Junk Yard.

#### G. Grant Or Denial Of Application

After the hearing the Board of Selectman shall, within two weeks, make a finding as to whether or not the application should be granted, giving notice of their findings to the applicant by mail, postage prepaid, to the address given on the application. If approved, the license, which may include conditions imposed by the

Select Board, and the certificate of approved location, shall be forthwith issued to remain in effect until the following July 1. Approval is personal to the applicant and is not assignable.

#### H. License Renewal

Licenses shall be renewed thereafter upon payment of the annual license fee and the filing of a completed

application together with all of the required materials under this Ordinance by the applicant, without a hearing, if all provisions of this Ordinance and all other applicable Ordinance and Ordinances are complied with during the license period, if the Junk Yard does not become a public nuisance under the common law or

is a nuisance under RSA 236:119, and if the applicant is not convicted of any type of larceny or of receiving stolen goods. Applications to renew a license to operate an automotive recycling yard or Motor Vehicle Junk

Yard shall include certification of compliance with best management practices established by the department of environmental services for the automobile salvage industry.

All pre-existing (“grandfathered”) Junk Yards shall comply with the provisions of this Ordinance for the purpose of license renewal.

#### I. Fencing

Before use, a Junk Yard shall be completely surrounded with a solidly constructed fence at least 6 feet

In height which substantially screens the area and with a suitable gate which shall be closed and locked except during working hours of the Junk Yard or when the applicant or his agent is within. All motor vehicles and parts stored or deposited by the applicant shall be kept within the enclosure of the Junk Yard except as removal is necessary for its transportation in the reasonable course of the business. All wrecking or other work on such motor vehicles and parts shall be accomplished within the enclosure. Where the topography, natural growth of timber, a natural barrier, or other considerations accomplish the purposes of this section in whole or in part, the fencing requirements hereunder may be reduced by the Select Board, upon the granting of the license.

#### J. Nuisance

Any facility located or maintained in violation of the provisions of this Ordinance is hereby declared a nuisance, and the same shall be abated by complaint to the appropriate authority.

#### K. Pre-Existing, Non-Conforming Junkyards

All pre-existing, non-conforming Junk Yards which were in lawful operation as of the original adoption of this Ordinance, and which have continued unexpanded, uninterrupted operation up to the passage of this Ordinance shall be considered approved with respect to location and the owner of the Junk Yard considered suitable for the issuance of a license. Within 60 days from the passage of this Ordinance, however, the owner of a pre-existing, non-conforming Junk Yard shall furnish to the Select Board the information as to location which is required in an application, together with the license fee. The owner of a pre-existing, non-conforming Junk Yard shall comply with all other provisions of this Ordinance with respect to licensing, including fencing requirements.

#### L. Enforcement; Penalties

In addition to the penalty in RSA 236:127 and any remedy available under the Town of Webster Zoning Ordinance or other law, the Select Board may obtain a mandatory injunction to end any violation of this Ordinance. The Select Board or other enforcement official of the town, after providing notice, may impose a civil penalty of **\$50.00** for each day upon any person whose land is deemed a nuisance pursuant to RSA 236:119 until such time as the nuisance is removed or abated to the satisfaction of the Board, or until the owner of the land acquires a license and is in compliance with this Ordinance. The building inspector or other local official with the authority to enforce the provisions of this Ordinance may commence an action to collect the civil penalty in a court of competent jurisdiction. Imposition of a civil penalty under this paragraph shall not relieve the owner of any requirement to comply with the provisions of this Ordinance, nor shall it preclude the imposition of further actions or remedies.

#### M. Enforcement, Private Persons

Any person owning real property whose property is directly affected by the site of a Junk Yard maintained in violation of the provisions of RSA 236 may in writing, addressed to the Select Board, request that Select Board take appropriate action under this Ordinance and State statute. A copy of the written communication to the Board shall be mailed to the person complained of. If the Select Board shall not, within 30 days thereafter, make a determination that a Junk Yard does exist and issue the appropriate order, such person may, in his own name and in his own right, seek appropriate injunctive relief in the Superior Court against the Junk Yard owner/operator for the enforcement of this Ordinance and State statute.

O. Suspension, Revocation or Modification of Permits

The Board may suspend, revoke or modify permits issued hereunder at any time for cause Cancellation of any of the contracts required hereunder from outside contractors is automatic

P. Failure To Obey Orders

The Select Board may give orders to enforce these rules and Ordinances during the course of the year. Any license holder who fails to obey such orders shall be subject to suspension, revocation or modification of his/her license to operate.

Q. Hearings

The Select Board may hold such hearings as it may deem proper to enforce this Ordinance. Hearings shall be

required to suspend, revoke, or modify issued permits but the Board may temporarily suspend the right to operate when it considers it for serious violation of the Ordinance to do so before the date of the hearing but for not more than 45 days.

R. Amendments

These rules and Ordinances may be amended at any regular or special meeting, properly posted, of the Select Board.

**TOWN OF WEBSTER**  
**NO THROUGH TRUCKING ORDINANCE**  
**§137**

**§137-1 - Authority to Regulate:**

The Webster Select Board's authority to adopt regulations is set forth in RSA 41:11 relating to regulation of the use of town roads, and RSA 47:17, VII and VIII which specifically authorizes the Select Board to make special regulations as to the use of vehicles upon particular highways and to exclude such vehicles altogether from certain highways.

**§137-2 - Conformity with Signs:**

No person shall operate a vehicle in the Town of Webster except in conformity with the requirements or directives of traffic signals, signs and devices, and in the manner specified in RSA Chapter 265.

**§137-3 - Vehicular Traffic Restrictions (*No Through Trucking*):**

No person shall operate a truck as defined by RSA 259:115-b, excepting a "light truck", as defined in RSA 259:50 on the following streets in a manner that allows the operator to travel from one end of the street to the opposite end as through traffic without stopping for either business or as a resident of that street:

Bashan Hollow Rd  
Gerrish Rd

**§137-4 - Exemptions:**

The Select Board grants an exemption from the provisions of Section 3 of this ordinance to the following trucks:

Emergency Vehicles

Contracted Road Maintenance Vehicles

**§137-5- Waivers:**

The Select Board shall have the authority in extraordinary circumstances to grant written permission to an applicant who applies in writing to permit deviation from the provisions of Section 3 of this ordinance, where the applicant demonstrates that the circumstances are unique, the alternative route is unreasonable, and the use of the restricted public highway is in the public interest. The Board

**§137-6 - Penalty:**

Any person that violates any provision of this ordinance shall be subject to the following forfeitures:

\$250 for the First Offense within a calendar year.

\$500 for the Second Offense within a calendar year.

\$750 for the Third and for each Subsequent Offense within a calendar year.

In addition, the person may be subject to restitution for any road damage.

All fines are payable to the Webster Town Clerk within 10 days of the notice.

**§137-7 - Effective Date:**

Having held a duly noticed public hearing on September 14, 2015 the Select Board by majority vote adopted this Ordinance on October 26, 2015 which shall be the effective date hereof.

Approved by the Webster Select Board on October 26, 2015

TOWN OF WEBSTER  
**Regulating Weight Limit**

**§174**

**§174-1**

Pursuant to the authority conferred by New Hampshire Revised Statutes Annotated, Chapter 41, Section 11, and Chapter 231, Section 191, in order to avoid damage that may result in hazards to public safety, or excessive municipal expenses, the following ordinance is hereby enacted:

**§174-2: Limitation on Weight**

From and after the effective date of this ordinance, it shall be unlawful for any person, partnership, or corporation to haul, transport, or cause to be transported by vehicle with gross weight over six (6) tons any material over any and all roads as posted by the Road Agent in Webster from March 1 to May 3:

**§174-3: Exemptions**

The Board of Selectmen may grant exemptions from this ordinance upon presentation of evidence satisfactory to the Board that the weight limit established by this ordinance would entail practical difficulty or unnecessary hardship. The Board's granting of an exemption may be subject to such conditions, including bonding or restoration of the highway, as it deems appropriate. The Board may determine the costs of restoration to be collected from any person violating any provisions of this ordinance.

THIS RESTRICTION SHALL NOT APPLY TO EMERGENCY VEHICLES

**§174-4 Penalty**

Any person who violates any provision of this ordinance shall be subject to the penalties authorized by RSA 231:191VI, and any other remedies held by the Town for violation of municipal ordinances.

**§174-5: Effective Date**

This ordinance shall be effective upon adoption by the Board of Selectmen, publication in a newspaper of general circulation in the community, posting of signs per RSA 231:191 and filing of an attested copy of the ordinance with the Town Clerk.



TOWN OF WEBSTER  
**Snow Clearing**  
**§185**

**§185-1**

Pursuant to RSA 41:11 the Town of Webster hereby passes the following ordinance:

It shall be a violation of this ordinance to place snow in or across any road in Webster during private snow removal activities.

Failure to adhere to this ordinance will result in a fine of \$100 per occurrence. This will take effect immediately.

This ordinance has been approved at a regular Selectmen's Meeting held on 03-03-2003.

**TRAFFIC RULES AND REGULATIONS**  
(Authority NH RSA 41:11, 47:17, VII, VIII)

**§197**

**GENERAL**

**§197-1 – Declaration and Purpose:**

This ordinance shall be deemed and construed to be an exercise of the police power of the Town of Webster in the State of New Hampshire. The purpose of the Ordinance is to regulate traffic upon the Streets, Roads, and Public Places in the Town for the promotion, preservation and protection of public safety.

**§197-2 – Exemptions:**

Nothing in this ordinance shall apply to fire apparatus, police cars, funeral cars, ambulances, vehicles or cars officially used in connection with any Town department or Town business, but such vehicles shall, at all times, be operated and otherwise handled in a reasonable manner under the circumstances.

The Select Board may appoint the Road Agent as an Agent of the Select Board and give him/her authority to grant exemptions to individuals and businesses and to use his/her knowledge of the Town roads to issue the above-described exemptions to the best of his/her ability.

**§197-3– Definitions:**

For the purpose of this Ordinance, the following words shall have the definition as provided:

- A. Chief of Police – shall mean the Chief of the Town of Webster Police Department.
- B. Road – shall mean all streets in the Town of Webster and any Class VI public way.
- C. Street – shall mean all Class V traveled highways which the Town of Webster has the duty to maintain.

Authority

New Hampshire Revised Statutes Annotated 47:11, 47:17 VII, VIII ; 231:191; 236:20;

**TRAFFIC SIGNS and SIGNALS**

**§197-4– Authority to Post**

After consultation with the Chief of Police, the Selectmen may, upon considerations of public safety, authorize the placement of traffic signals and signs regulating the direction and manner in which the owner or operator of a vehicle may operate such vehicle. All traffic signs, signals or devices existing at the time of the enactment of this ordinance shall be valid and lawful without further action.

**§197-5– Conformity with Signs**

No person shall operate a vehicle in the Town of Webster except in conformity with the requirements or directives of traffic signals, signs and devices, and in the manner specified in RSA Chapter 265.

**§197-6 – VEHICULAR TRAFFIC RESTRICTED (NO THROUGH TRAFFIC)**

No person shall operate a vehicle on the following streets in a manner that allows the operator to travel from one end of the street to the opposite end as through traffic without stopping for either business or as a resident of that street.

Centennial Drive

Pond Hill Road – all of the Class VI portion of Pond Hill Road southerly of its intersection with West Wind Village Road.

## **PARKING RESTRICTIONS**

**§197-7**– It shall be a violation of this article for cars to be parked in the right-of-way during, and including, 1 November through 1 April.

Failure to adhere to this article will result in a fine of \$100 per occurrence.

## **WINTER ROADS**

**§197-8**– It shall be a violation of this article to place snow in or across any road in Webster during private snow removal activities.

Failure to adhere to this article will result in a fine of \$100 per occurrence.

## **§197-9 – Limitation on Weight**

From and after the effective date of this ordinance, it shall be unlawful for any person, partnership, or corporation to haul, transport, or cause to be transported by vehicle with gross weight over six (6) tons any material over the following Class V roads when posted:

Allen Road  
Bashan Hollow Road  
Beaver Dam Drive  
Blackberry Lane  
Call Road  
Centennial Drive  
Christopher Robert Drive  
Clothespin Bridge Road  
Clough Sanborn Hill Road  
Concord Drive  
Corn Hill Road  
Deer Meadow Road  
Detour Road  
Franklin Pierce Drive  
Gerrish Road  
Lake Road  
Little Hill Road

Manchester Drive  
Merrimack Circle  
Mt. Vernon Terrace  
New Hampshire Drive  
New London Drive  
Pearson Hill Road  
Penacook Circle  
Pleasant Street  
Pond Hill Road  
Potash Road  
Province Road  
Roby Road  
Rumford Drive  
Webster Lane  
Windsor Terrace  
Winnepocket Road

## **§197-10- Exemptions**

The Board of Selectmen may grant exemptions from this article upon presentation of evidence satisfactory to the Board that the weight limit established by this article would entail practical difficulty or unnecessary hardship. The Board's granting of an exemption may be subject to such conditions, including bonding or restoration of the highway, as it deems appropriate. The Board may determine the costs of restoration to be collected from any person violating any provisions of this article.

### **§197-11- Penalty**

Any person that violates any provision of this ordinance shall be subject to the following forfeitures:

1. \$250 for the First Offense within a calendar year.
2. \$500 for the Second Offense within a calendar year.
3. \$750 for the Third and for each Subsequent Offense within a calendar year.

In addition, the person may be subject to restitution for any road damage.

All fines are payable to the Webster Town Clerk within 10 days of the notice.0

### **§197-12- Effective Date**

This article shall be effective upon adoption by the Board of Selectmen, publication in a newspaper of general circulation in the community and filing of an attested copy of the article with the Town Clerk.

## **ENFORCEMENT and PENALTIES**

### **§197-13 – Responsibility for Violations**

If the identity of the operator of a vehicle stopped or operated in violation of the provisions of this ordinance cannot be determined, the name of the person listed as the owner of that vehicle with the State Division of Motor Vehicles shall be prima facie evidence that the registered owner was the operator of the vehicle.

### **§197-14 – Fines**

For operating a vehicle contrary to the requirements set forth under Article II, Sec. 3 of this ordinance, the minimum fine shall be \$250.00 for the first offense; \$500 for the second offense; and \$750 for the third and subsequent offenses occurring within a calendar year of the first offense. All fines are payable to the Webster Town Clerk within 10 days of the notice.

### **§197-15– Appeals**

Any party so prosecuted shall have the right to appeal to the superior court in the same manner as is provided by law for appeals from the judgments of municipal or district courts.

### **EFFECTIVE DATE:**

Having held a public hearing, the Board of Selectmen voted to adopt this Ordinance on the 7<sup>th</sup> day of July, 2003, which shall be the effective date hereof.

Amended:	July 17, 2006
Amended:	February 9, 2009
Amended:	March 3, 2014
Amended	March 21, 2014
Amended	March 2, 2015

TOWN OF WEBSTER  
Winter Parking  
§234

**§234-1**

Pursuant to RSA 41:11 the Town of Webster hereby passes the following ordinance:

It shall be a violation of this ordinance for cars to be parked in the right-of-way during, and including, November through 1 April. Failure to adhere to this ordinance will result in a fine of \$100 per occurrence. This will take effect immediately.

This ordinance has been approved at a regular Selectmen's Meeting held on 03-03-2003

## **TOWN OF WEBSTER, NEW HAMPSHIRE**

### **Accounting Policies and Procedures**

#### **§262**

##### **§262-1 Purpose**

The taxpayers of the Town of Webster have a right to expect that the municipality's operations be carried out efficiently and expeditiously with adequate financial control and accountability.

The objective of this policy is to attempt to strike a balance between the need for department operating efficiency, flexibility and the need for financial control and accountability.

- All accounting records are neat and in proper order.
- Accounting records are kept current.
- Employees take periodic vacations and other employees are cross trained to fill in when necessary.
- Budget statements are distributed monthly and reviewed by appropriate department heads. Any discrepancies are reviewed and resolved; corrective measures are taken against future errors.
- Monthly reconciliations are completed for all bank accounts. All differences are researched in a timely manner and adjusted as necessary.
- The Selectboard approves payroll and accounts payable check warrants on a bi-weekly basis.
- The Town Administrator initiates the annual budget.
- The Town is audited annually by an outside CPA firm.

##### **§262-2 Cash Receipts**

The Town of Webster deposits substantial sums of money each year carrying out the many functions and services that it provides. It is the purpose of this policy to implement uniform procedures for depositing funds that will provide quality and operational efficiency. Segregation of duties in the handling of cash is one of the most effective ways to gain control over this asset. No individual is to have complete control in the handling of the cash. Specifically, no one individual's duties should include the actual handling of money, recording receipt of money and the reconciliation of bank accounts.

As required by RSA 41:29, the Treasurer maintains custody of all funds except those funds held by the Trustees of Trust Funds, Library Trustees, or Cemetery Trustees. RSA 246:29 VI allows the Treasurer to delegate deposits or other financial functions to other town officials or employees provided such delegation is in writing and includes written procedures.

### **§262-3 Regular Deposit Procedure**

- Customer Receipts-Departments should ensure that all customers are issued a sequentially numbered receipt at the time of collection of moneys from them. All such receipts are to be account for and the reason for any missing receipts should be documented.
- The safeguarding of cash received should be in a secure, locked areas when offices are closed. Access to the secured area is restricted to authorize personnel only. All revenue must be deposited within two business days whenever such funds total \$1,500 or more.
- Each department (with the exception of the Tax Collector) must complete a detailed cash receipt report identifying the various revenue accounts to be credited, as well as providing a copy of the receipt for each transaction. All checks should be stamped with the “For Deposit Only” stamp.
- A copy of the cash receipt report will be given to the Treasurer for his/her signature and a copy will be returned once signed by the Treasurer to the appropriate office that completed the deposit. The Treasurer will verify and provide a report of the deposits to the individual departments on a monthly basis.
- The Deputy Tax Collector and/or the Deputy Town Clerk will bring the deposits to th bank as a backup to the Tax Collector and/or Town Clerk.
- The Trustees and the Financial Administrator will verify the Departmental Deposit reports with the bank statement each month.

### **§262-4 Petty Cash Procedures**

- The Financial Coordinator shall keep a current listing of all Petty Cash Funds.
- The Financial Coordinator will determine a base petty cash amount. Only minimal amounts of petty cash are kept on hand.
- A locked cash box will be used to store petty cash and must be always locked and will be kept in a secure location.
- All reimbursements from petty cash for small purchases will made to employees authorized the Department Head to make such purchases and the employee must supply the appropriate receipts and a description of the budget line and/or general ledger account number to be charged.
- At all times the total receipts added to the cash remaining in the petty cash box must equal the predetermined petty cash amount.
- Replenishment of departmental Petty Cash for purchases made shall occur by submitting a summary of all purchase sorted by general ledger account number or budget line-item description to the Financial Coordinator. All receipts or other documents supporting the charges shall accompany the request. The Financial Coordinator will issue a check for the reimbursement during normal by weekly check processing.

## **§262-5          Return Check Procedure**

- Copies of returned checks and bank documentation must be submitted to the Treasurer once bank notification has been received.
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The Treasurer will request the department of orientation to follow the established “Check Return Policy” for collection.

- The Department is responsible for notifying the check writer in writing to inform them that his/her check did not clear their bank and a return check fee of \$25.00 plus all bank, postage, and legal fees per RSA 80:56 will be charged. A copy of the notification shall be given to the Treasurer.
- Payment of a returned check that cannot be redeposited must be replace by the issuer either in the form of cash, money order, or bank certified check. The returned check charges will be assigned a to a separate revenue account.

## **§262-6          Disbursements**

### **Responsibilities and Purpose**

- The Department Head of each individual department are responsible for the disbursement of funds from the appropriations budgeted for their department.
- Disbursements are handled in such a manner as to ensure that the proper funds and accounts are charged, that disbursement is used only for authorized purposes; and those laws, rules and regulations governing the disbursement(s) are followed.

### **Payment Process**

- Original invoices totaling the amount of the disbursement are to be attached to each purchase order if one has been issued before payment. Payment cannot be made from a packing slip or, job or work order or monthly statement.
- All non-purchase order disbursements must contain the department name, expenditure line-item signature of the Department Head and the date.
- All requests for payments will be turned into the Town Administrator. The Financial Coordinator will review the invoice computation and pricing for accuracy by verifying and comparing it to a purchase order if issued. All purchases must also follow the Purchasing Policies for the Town of Webster. In addition, any purchases over \$1,000.00 requires prior approval and notification of the Select Board.
- All approved invoices are paid in a timely manner so that discounts may be taken. Monthly statements are reconciled upon receipt with paid invoices.
- The payable manifests and check register are reviewed an approved by the Select Board.
- A copy of the check is attached to the invoice. All invoices with appropriate back up are given with the check to the Treasurer for signature. The Financial Coordinator will mail the checks. Paid bill are filed by month in the locked storage room.
- Check stock maintained by the Financial Coordinator and kept in a safe place.
- Spoiled or voided checks are retained, and a copy is given with the “voided check register” to the Treasurer for reconciliation purposes.



- The Bank Statements are reconciled monthly by the Treasurer and the Financial Coordinator.
- Monthly detailed budget expenditure reports are distributed to the Department Heads for their review.

## **§262-7 Receivables**

### **Purpose**

- Receivable are made a matter of record promptly upon completion of the acts which entitle the Town to collect the amount owed. Separate accounts are maintained for each major category of receivables to ensure the clear and full disclosure of the Town's resources in its financial reports. Controls are established so that receivables are reported in the proper funds and accounts by the Financial Coordinator.
- It is the Department Head's responsibility to do an independent verification of quantities, prices, and clerical accuracy of billing invoices issued by their department.
- A copy of invoices is to be provided to the finance office by the Department Head. Receivables are books into the appropriate general ledger control account upon receipt by the Financial Coordinator.

## **§262-8 Payroll**

### **Responsibilities**

The Department Head of each individual department is responsible is responsible for supervision and timekeeping. The Department Head is responsible for summarizing the department hours onto a payroll worksheet to be turned into the Financial Coordinator along with any supporting documentation no later than Wednesday morning unless the following Monday is a holiday, then payroll must be submitted by Tuesday morning at the latest. The payroll worksheet should include information to ensure that the proper funds and accounts are charged.

- The Financial Coordinator is responsible for to process the payroll in a timely and accurate manner.
- Quarterly federal, state and NHRS reporting is completed by the payroll service and copies of filings are maintained by the Financial Coordinator.
- Timely year end reconciliations and W-2 processing is the responsibility of the Payroll Service.

### **Process**

- The regular work week shall commence Monday morning at 12:01 AM and shall end the following Sunday night at midnight. The normal work week for all employees shall be established by the unique operation requirements of their individual department and be approved by their respective Department Heads. All employees, and/or their supervisor, shall complete a weekly payroll time sheet showing actual starting and quitting time for hourly employees.
- The Financial Coordinator will review all employees' timesheets before submitting to the payroll service. Each employee's leave time (i.e.: vacation, sick or personal time) will be posted/deducted as the bi-weekly payroll is run.
- Once all pay increases, new hires and position changes are approved by the Selectboard and/or voted by Town Meeting an approval for the rate of pay for a new employee or a change in a hourly or salary

rate must be signed by the Selectboard and submitted to the Financial Coordinator. The

Financial Coordinator will make these changes in the payroll system upon receipt of the payroll change order.

- The Financial Coordinator is responsible for all posting of payroll transactions to the General Ledger.

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The Financial Coordinator is responsible for all monies withheld from employees' pay for the purposes of health insurance, retirement, AFLAC and other miscellaneous withholding. These liability accounts are reconciled, and monies are forwarded on the employee's behalf to the appropriate vendors.

- The payroll check warrant and all supporting payroll check documentation are provided to the Selectboard for review and approval.
- Department Heads are responsible for distributing the checks to the appropriate employee if the employee has not signed up for direct deposit.

## **TOWN OF WEBSTER, NEW HAMPSHIRE**

### **Agenda Topics Policy**

#### **§264**

##### **§264-1 Purpose**

The purpose of this policy is to specify agenda criteria for those who wish to speak at Selectboard Meetings. The agenda item must be descriptive enough so that a reasonable person would understand what the subject concerns and to decide whether he/she has an interest to attend the Selectboard Meeting to hear more.

##### **§264-2 Additional Information**

Selectboard meetings are the conduct of Town business. The Chair decides whether an agenda topic is appropriate.

##### **§264-3 Procedure**

Those wishing to put his/her name on any Selectboard meeting agenda shall contact the Selectboard office no later than 3:00 p.m. on the Wednesday preceding the next scheduled Selectboard Meeting.

The agenda topic must be descriptive enough to clearly indicate the subject and if any written communications or readings are to be referred to they must be provided when making the appointment. The Board will not read new material during the meeting.

Anyone who does not wish to divulge a clear topic for the agenda will not be able to make an appointment but can wait until the public comment portion of the meeting to address the Board.

The Selectboard chair may limit discussion to 2 (two) minutes.

The Selectboard reserves the right to waive any provision of this policy at their discretion.

## **TOWN OF WEBSTER, NEW HAMPSHIRE**

### **Appointment Procedure Policy**

#### **§267**

##### **§267-1 Purpose**

Town of Webster residents are encouraged to participate in their Town government. This policy shall apply to all Board, Committee and Commission appointments, as well as other official appointments made by the Selectboard. It shall be the goal of the Board to make responsible appointments. Every effort will be made to maintain experienced members on Boards/Committees while assuring that there are opportunities for different residents to serve.

##### **§267-2 Characteristics**

An appointee must be willing to address each matter thoughtfully brought before them. All decisions that they shall reach must be guided by concern for the common good and based upon the laws and ordinances which govern the Town of Webster. An appointee must be a registered voter of the Town of Webster. They must be interested in and cognizant of Town affairs and be willing to devote the time necessary to fulfill the requirements of the appointment.

##### **§267-3 Term of Appointment**

The term of an appointment will be for three years unless another length is required by statute or determined by the Selectboard to be more appropriate to that Board, Committee or Commission. When a replacement member is appointed to fill an unexpired term, that member will serve until the end of the unexpired term.

##### **§267-4 Acquisition of Names**

Potential appointees shall complete the "Volunteer Interest Form" and indicate which Board, Committee or Commission that they have an interest to serve on. The Town Administrator shall forward this form and notify the appropriate Chair. The request may also come directly

# TOWN OF WEBSTER, NEW HAMPSHIRE

## Check Disbursement Policy

### §284

#### **§284-1 Purpose**

To clarify the procedure for the disbursement of Town checks.

#### **§284-2 Procedure for Check Disbursement**

All printed and signed checks will be withheld for disbursement until such time that the Select Board has reviewed and approved the prepared manifest. The Board will review as soon as practical but, in any case, within two weeks.

Any noted question or discrepancy will be discussed, and the check will be held until questions are resolved.

The Select Board reserves the right to waive any provision of this policy as circumstances warrant with justification noted in the Minutes.

## Credit Card Policy §287

### §287-1

The primary advantages of establishing a Credit Card Program are the various ways that the Town and the Departments utilizing the program can establish limits and restrictions on individual purchases. These features allow the Town to tailor the program to fit its needs and to extend Credit responsibility to more individuals while maintaining or increasing accountability. Prompt payment to vendors enhances the Town's relationships with suppliers. In addition, the increased ability to track small purchase activity with vendors can allow the Town to negotiate discounts.

The success of the Town of Webster Credit Card Program relies on the cooperation and professionalism of all personnel associated with this initiative. The Cardholder is the most important participant and is the key element in making this program successful.

### **PURPOSE**

To establish those procedures under which departments will control the use of Credit Cards assigned to and utilized by Town employees for materials and services. These procedures are intended to accomplish the following:

1. To ensure that procurement with Credit Cards is accomplished in accordance with the policy and procedures established by the Select Board.
2. To enhance productivity, significantly reduce paperwork, improve controls, and reduce the overall cost associated with small purchases.
3. To ensure appropriate internal controls are established within each department procuring with Credit Cards so that they are used only for authorized purposes.
4. To ensure that the Town bears no legal liability from inappropriate use of Credit Cards.

### **SCOPE**

The Select Board will make all decisions regarding the issuing of individual cards and the establishment of any and all additional controls for their use.

### **APPLICABILITY**

This procedure applies to all departments of the Town of Webster.

Cardholder's account number and expiration date of the Credit Card.

A single purchase may comprise multiple items. Unless previously approved by the designated approving official, the total amount of each single purchase may not exceed the limit of \$1,000 as established by the Select Board. Purchases of \$1,000 or higher require the issuance of a Purchase Order (PO) approved by the Select Board unless a PO is not required as defined in the Town of Webster Purchasing Policy. Payments for purchases are not to be split in order to stay within the single purchase limit. Items purchased requiring delivery are to be delivered to a municipal address, not the Cardholder's home address.

When using the Credit Card, the Cardholder shall:

- Ensure that the goods or services to be purchased are budgeted and allowable.
- Determine if the intended purchase is within the Cardholder's Credit Card limits.
- Tell the supplier/merchant that the purchase will be made using the Credit Card issued by Credit Card Issuer through the Town of Webster.
- Inform the merchant that the purchase is tax exempt. The tax exempt number is
- 02-6000959. Review the receipt before leaving the store and request a credit if taxes were charged in error.
- The Cardholder is responsible for managing any returns or exchanges and ensuring that proper credit is received for returned merchandise. The Cardholder should contact the vendor to obtain instructions for return and review the next card statement to ensure that the return was properly credited.

### **§287-3**

#### **DOCUMENTATION, RECONCILIATION, AND PAYMENT PROCEDURES**

It is important to the success of the Credit Card Program that Cardholders adhere to the following procedures. Failure to keep adequate receipts or frequent abuse of these provisions will result in cancellation of the Cardholder's Credit Card.

1. Documentation - Any time a purchase is made using the Credit Card, the Cardholder is to obtain a customer copy of the charge slip, which will become the accountable document.
2. Missing Documentation - If the Cardholder does not have a receipt or documentation to submit with the statement, a reconciliation statement that includes a description of the item, date of purchase, merchant's name, and an explanation for the missing support documents must be submitted with the Cardholder's statement. Frequent instances of missing documentation will cause a Cardholder's Credit Card use privilege to be revoked.
3. Payment & Invoice Procedures - Purchases made by employees will be paid by the Finance Department once the Cardholder and approving official verifications have been completed and account numbers assigned for each transaction. Copies of Credit Card statements will be received by the Financial Administrator for reconciliation and payment. It is the department's responsibility to submit the credit card statement to the Financial Administrator in a timely manner for processing. If the statement is not submitted in a timely manner, the department using the card will be responsible for interest or late charges added for that item purchased from their department's expense lines.

## §287-2

### **USE OF CREDIT CARD**

The Credit Card is to be used for Town purchases only. Cash advances through bank tellers or automated teller machines are prohibited.

The Credit Card will not be used for personal purchases of any kind. Use of the Credit Card for personal purchases or expenses with the intention of reimbursing the Town is prohibited.

Each Credit Card is embossed with the Cardholder's name and shall not be lent to any other person. Cardholders are responsible for the security of their Credit Card. All precautions shall be used to maintain confidentiality of the Cardholder's account number and expiration date of the Credit Card.

A single purchase may comprise multiple items. Unless previously approved by the designated approving official, the total amount of each single purchase may not exceed the limit of \$1,000 as established by the Select Board. Purchases of \$1,000 or higher require the issuance of a Purchase Order (PO) approved by the Select Board unless a PO is not required as defined in the Town of Webster Purchasing Policy. Payments for purchases are not to be split in order to stay within the single purchase limit. Items purchased requiring delivery are to be delivered to a municipal address, not the Cardholder's home address.

- When using the Credit Card, the Cardholder shall: Ensure that the goods or services to be purchased are budgeted and allowable.
- Determine if the intended purchase is within the Cardholder's Credit Card limits.
- Tell the supplier/merchant that the purchase will be made using the Credit Card issued by Credit Card Issuer through the Town of Webster.
- Inform the merchant that the purchase is tax exempt. The tax exempt number is 02-6000959. Review the receipt before leaving the store and request a credit if taxes were charged in error.
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#### **§287-4**

##### **APPROVAL**

The designated approving official for each department will review each transaction on the statement. At a minimum, the items, vendor and account number will be reviewed to determine if the purchase was made for Official Use and in accordance with policies and procedures.

If items purchased with the Credit Card are found defective or the repair or services faulty, the Cardholder has the responsibility to return the items to the merchant for replacement or credit. Cash refunds will not be permitted. If the merchant refuses to replace or correct the faulty item, the purchase of this item will be considered to be in dispute.

In addition to noting the disputed item on the statement, any support documents must be attached to the statement. The Financial Administrator will notify the Cardholder and designated approving official of the action taken on disputed items.

It is essential that the time frames and documentation requirements established by Credit Card Issuer be followed to protect the Cardholder's rights in dispute. Dispute policies and procedures issued by Credit Card Issuer will be provided at the time the Credit Cards are issued to Cardholders.

#### **§287-5**

##### **REQUEST FOR INITIAL, ADDITIONAL, OR CHANGES TO CREDIT CARD**

All requests for new Cardholders or changes to current Cardholders will be done by submitting a request to the Financial Administrator.

All requests for Credit Cards must be approved by the Select Board. The designated representative's name must be provided to the Financial Administrator and kept current.

When the Financial Administrator receives the Credit Card from the Credit Card Issuer, the Cardholder will be required to personally sign for their Credit Card.

## **§287-6**

### **MISUSE**

If for any reason the approving official questions the purchases, it is their responsibility to resolve the issue with the Cardholder. If it cannot be determined that the purchase was necessary for Official Use and in accordance with policies and procedures, the Cardholder must provide proof that the items have been returned for credit. Resolution for improper use of the Credit Card will be the responsibility of the approving official and the Select Board. Disciplinary action for misuse will also be the department's responsibility. Flagrant abuse of the Credit Card Program shall result in termination. Should it be evident that an unauthorized purchase was knowingly made, the Select Board will determine what action will be taken. This action could result in termination or legal action.

## **§287-7**

### **LOST OR STOLEN CREDIT CARDS**

It is the responsibility of the Cardholder to immediately notify the Financial Administrator of a lost or stolen Credit Card.

Failure to promptly notify the issuing bank of the theft or loss of the Credit Card could make the Town responsible for any fraudulent use of the card and result in loss of privileges for the Cardholder.

## **§287-8**

### **TERMINATION OR TRANSFER**

Upon termination of employment for any reason, a Cardholder must relinquish their Credit Card at the time of separation from the Town. The Select Board will notify the Financial Administrator of the termination. The Financial Administrator will notify the Credit Card Issuer

and the Cardholder's card will be immediately deactivated. A Cardholder who fraudulently uses the Credit Card after separation from the Town will be subject to legal action.

## **§287-9**

### **AUDITS**

Random audits may be conducted for both card activity and receipt retention as well as statement review by the Financial Administrator.

The Select Board reserves the right to waive any provision of this policy as circumstances warrant.

## **Delegation of Deposit Authority Policy**

### §294-1

#### **Purpose**

Pursuant to the provisions of RSA 41:29, II, the Town Treasurer has the responsibility to deposit all such monies received by the Town of Webster into appropriate financial institutions as outlined in the statute.

### §294-2

#### **Delegation of Authority**

RSA 41:29, VI allows the Town Treasurer to delegate deposit or other financial functions to other town officials or employees provided such delegation is in writing and includes written procedures acceptable to the Select Board. Such delegation may only be to a town official or employee bonded in accordance with RSA 41:6.

The Webster Town Treasurer hereby delegates deposit function authority to the Webster Tax Collector, Deputy Tax Collector, the Webster Town Clerk, the Deputy Town Clerk, the Webster Financial Coordinator, and the Webster Town Administrator. These deposits shall be made on a weekly basis or daily, whenever receipts total \$1500 or more.

In making these deposits, Webster Tax Collector, Deputy Tax Collector, the Webster Town Clerk, the Deputy Town Clerk, the Webster Financial Coordinator and the Webster Town Administrator shall provide the Town Treasurer with the deposit slip from the Town's general fund financial institution, in addition to a detailed back-up report documenting the receipt of monies comprising the deposit made.

### §294-3

#### **Rescinding**

This authority shall be reviewed after each Town Meeting. Deposit Authority will remain in effect until rescinded by written notice from the Webster Town Treasurer.

Policy Reaffirmed June 20, 2022

## TOWN OF WEBSTER, NEW HAMPSHIRE

### E-Mail Policy

#### § 305

##### §305-1 Purpose

E-Mail contacts between members of All Boards and Commissions must be in accordance with RSA 91

-A. Acceptable contact subjects include: scheduling of meetings or hearings, list of meeting agenda items or general procedure requirements. **Contacts that are not acceptable include: responses, discussions, or exchanges.**

E-Mail contact between individual Board Members and employees are acceptable, as well as E-Mail contact between individual Selectboard Members and members of other committees. Any person submitting E-Mail comments or questions to Town officials or employees should not expect that the communication will properly transfer nor will remain private and confidential. E-Mails may well become subject to public disclosure under State and Federal law

Comments on public hearing or meeting items that are submitted by email will not automatically become part of the official record or such proceedings, unless required by law. Persons wishing to comment on public hearing or meeting items should attend the public hearing and express themselves in person.

## **TOWN OF WEBSTER, NEW HAMPSHIRE**

### **Fraud Policy**

#### **§316**

##### **§316-1 Purpose**

The Town of Webster recognizes the importance of protecting the organization, its taxpayers, its employees and its assets against financial risks, operational breaches and unethical activities. Therefore, the Select Board and management must clearly communicate the fraud prevention policy to both internal and external customers, vendors and employees.

##### **§316-2 Zero Tolerance Policy**

The recognizes a zero-tolerance policy regarding fraud and corruption. All matters raised by any source will be taken seriously and properly investigated. This policy covers all Town employees and officers. Additionally, this policy covers all vendors, customers and employees to the extent that any Town resources are involved or impacted.

##### **§316-3 Definition of Fraud**

Fraud is defined as an intentional deception, misappropriation of resources or the manipulation of data to advantage or disadvantage of a person or entity. Some examples are:

- Falsification of expenses and invoices
- Theft of cash or fixed assets
- Alteration or falsification of records
- Failure to account for monies collected
- Knowingly providing false information on job applications
- Knowingly providing false information in requests for funding

##### **§316-4 Corruption**

Corruption is defined as the offering, giving, soliciting or accepting of an inducement or reward that may improperly influence the action of a person or entity. Some examples of corruption would include bribery, conspiracy and extortion.

##### **§316-4 Reporting of Fraud or Corruption**

Allegations and concerns about fraudulent or corrupt activity may come from various sources including employees, vendors, members of the public, results of internal or external audit reviews, or from any other interested parties

All employees and officers have a duty to report concerns they have or information provided to them about the possible fraudulent or corrupt activity of any officer, employee, vendor or any other party with any association with the Town. Any person who has a reasonable basis for believing fraudulent or corrupt acts have occurred has a responsibility to report the suspected act immediately.

Concerns should be reported to any of the following:

- The employee's immediate supervisor
- Chairman of the Select Board
- Town Counsel

Retaliation and retribution will not be tolerated against any employee or officer who reports suspected fraudulent or corrupt activities. However, if an employee is determined to have acted maliciously or with deceit, the employee will be subject to disciplinary action.

All reports will be taken seriously and will be investigated by *internal audit staff and/or legal department* who will be appointed by the Select Board when necessary. If deemed necessary, the Town will notify and fully cooperate with the appropriate law enforcement agency. Any investigation resulting in the finding of fraud or corruption will be referred to the Select Board for action.

#### **§316-5           Deterring Fraud and Corruption**

The Town has established internal controls, policies, and procedures in an effort to deter, prevent and detect fraud and corruption. All new, full-time employees are subject to background investigations, including a criminal background check(s). All temporary, part time and seasonal employees may be subject to a criminal background check based on position and possible duration of employment. The Town may also verify all applicant's employment history, education, and personal references prior to making an offer of employment.

All vendors, contractors and suppliers must be active, in good standing and authorized to transact business in the Town of Webster. Vendors, contractors and suppliers may be subject to screening, including verification of the individual or company's status as a debarred party.

When necessary, contractual agreements with the Town may contain a provision prohibiting fraudulent or corruptive acts and will include information about reporting fraud and corruption.

#### **§316-6           Corrective Action**

Final determination regarding action against an employee, vendor, recipient or another person found to have committed fraud or corruption will be made by the Select Board.

Offenders at all levels of the Town will be treated equally regardless of their position or years of service with the Town. Determinations will be made based on a finding of facts in each case, actual or potential damage to the Town cooperation by the offender and legal requirements.

Depending on the seriousness of the offense and the facts of each individual case, action against an employee can range from a written reprimand and a probationary period to legal action, either civil or criminal. In all cases involving monetary losses to the Town, the Town will pursue recovery of losses.

# **TOWN OF WEBSTER, NEW HAMPSHIRE**

## **Fund Balance Policy**

### **§318**

#### **§318-1 Preface**

The Town of Webster through its Select Board establishes and will maintain reservation of Fund Balance, as defined herein, in accordance with the Governmental Account Standards Board (GASB) Statement No. 54, Fund Balance reporting and Governmental Fund Type Definitions. This policy shall only apply to the Town's governmental funds. In accordance with GSAB Statement No. 54 Fund Balance shall be composed of non-spendable, restricted, committed, assigned, and unassigned amounts.

#### **§318-2 Purpose**

The purpose of this policy is to establish a key element of the financial stability of the Town by setting guidelines for fund balance. Unassigned fund balance is an important measure of economic stability. It is essential that the Town maintain adequate levels of unassigned fund balance to mitigate financial risks that can occur from unforeseen revenue fluctuations, unanticipated expenditures, emergencies, and similar circumstances. The fund balance also provides cash flow liquidity for the Town's general operations.

#### **§318-3 Definitions**

**1. Non-Spendable Fund Balance**

Includes amounts that are not in a spendable form (such as inventory or prepaid expenses) or are required to be maintained intact (such as principle of an endowment fund).

**2. Restricted Fund Balance**

Includes amounts that can only be spent for the specific purpose stipulated by external resource providers (such as grantors) or enabling legislation (Town Meeting vote). Restrictions may be changed or lifted only with the consent of the resource providers or enabling legislation.

**3. Committed Fund Balance**

Includes amounts that can be used only for the specific purposes determined by a formal action of the Town's highest level of decision-making authority. Commitments may be changed or lifted only by taking the same formal action that imposed the constraint originally. The action must be approved or rescinded, as applicable, as prior to the last day of the fiscal year for which the commitment is made. The amount subject to the constraint may be determined in a subsequent period.

**4. Assigned Fund Balance**

Includes amounts the Town intends to use for a specific purpose. For all governmental funds other than the General Fund, any remaining positive amount are to be classified as "assigned". Items that fall under this classification for the General Fund, any remaining positive amounts are to be classified as "assigned" items that fall under this classification for the General Fund would be encumbrances properly approved by contract, purchase order, or other such action as required.

**5. Unassigned Fund Balance**

Includes amounts that are not obligated or specifically designated and are available for any purpose. The residual classification of any General Fund balance is to be reported here. Any deficit balance of another fund is also classified as unassigned.

#### **§318-4 Spending Prioritizations**

When expenditures are incurred for purposes for which both restricted and unrestricted fund balance is available, restricted fund balance is considered to have been spent first.

When expenditures are incurred for the purposes for which amounts in any of the unrestricted fund balance classifications can be used, committed amounts should be reduced first, followed by assigned amounts and unassigned amounts.

**§318-5            Minimum Level of Unassigned Fund Balance**

The Town will strive to maintain an unassigned fund balance in its General Fund equal to 6-10% of the total appropriations of the community (which includes, Town, School and County). The Select Board will review this information each year in order to determine the amount, if any, of unassigned fund balance to use to balance the budget and to reduce the property tax rate.

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**§318-6            Annual Review**

Compliance with the provision of this policy should be reviewed as part of the annual budget process.



## **TOWN OF WEBSTER, NEW HAMPSHIRE**

### **Harassment Policy**

#### **§332**

##### **§332-1 Overview**

The Town of Webster is committed to providing a work environment that is free of harassment based on sex, race, color, national origin, religion, age, military, or veteran status, physical or mental disability, marital status, pregnancy, sexual orientation, and any other characteristic protected by applicable law. The Town of Webster recognizes the harmful effects of harassment and will not tolerate it.

The Town of Webster requires all employees to report violations of this policy. The Town of Webster will respond promptly to reports of harassment, and will take corrective and/or disciplinary action, as appropriate, to ensure that the goals of this policy are met. The Town of Webster will not tolerate any form of retaliation against any employee who reports harassment or who participates in an investigation of a report or harassment.

##### **§332-2 Examples of Prohibited Harassment**

This policy prohibits offensive, intimidating, threatening, or otherwise unwelcome comments or conduct based on sex, race, color, national origin, religion, age, military, or veteran status, physical or mental disability, marital status, pregnancy, or sexual orientation. Examples of prohibited conduct include, but are not limited to:

- Written or spoken derogatory terms about sex, race, color, national origin, religion, age, military or veteran status, physical or mental disability, marital status, pregnancy, or sexual orientation.
- Slurs and epithets
- Unwelcome jokes
- Insults
- Threats of physical violence or harm to a person's property
  - Display or circulation of materials, items, or images that are degrading or disparaging to individuals or groups based on the characteristics listed above
- Any other unwelcome conduct or comments directed at a person or group because of a particular protected characteristic (i.e. sex, race, age, etc.).

It is important to note that the types of conduct explained in this policy are prohibited regardless of the intent of the person(s) engaging in the conduct (i.e., to be intentionally offensive, a misguided attempt at humor, attempts at establishing a romantic relationship, etc.). Prohibited conduct includes conduct that is direct as well as indirect (e.g. overheard conversations, e-mail messages sent or forwarded by accident, etc.).

### **§332-3      Specific Information About Sexual Harassment**

The formal definition of sexual harassment includes unwelcome sexual advances, requests for sexual favors and other verbal, physical, and non-physical conduct of a sexual nature when:

- Submission to or rejection of such conduct is made explicitly or implicitly a term or condition of employment
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or for awarding or withholding favorable employment opportunity, evaluation, or assistance

**§356**  
**Investment Policy**

**§356-1**

**Introduction**

This investment policy is established under the authority of State Statute RSA 41:29 (See Appendix A) for the purpose of providing guidance to the Town of Webster officials as to the investment of public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the Town and conforming to all laws governing the investment of public funds.

**§356-2**

**Scope**

This investment policy applies to all financial assets under the care of the Select Board and in the custody of the Town Treasurer for the Town of Webster, New Hampshire, except those controlled by the Trustees of the Trust Funds, including Capital Reserve Funds, which are to be invested in accordance with a separate investment policy amended by the Trustees on February 24, 2010, in accordance with their investment authority under RSA 31:25 and RSA 35.9. These funds are accounted for in the Town's annual audited financial reports and include the following:

General Fund

Impact Fees

Any other funds legally and appropriately held by the Treasurer

Any new funds created at Town Meeting, unless specifically exempted by the article of creation

**§356-3**

**Objectives**

The primary objectives, in priority order, of investment activities

- *Safety (of principal & preservation of capital):* Safety of principal is the foremost objective of the investment program. Investments shall be undertaken to ensure the preservation of capital in the overall portfolio.

*Liquidity (maintain sufficient liquidity to meet operating requirements & other cash needs):* The portfolio shall retain sufficient liquidity to meet all operating requirements that may be reasonably anticipated. To ensure adequate funds are available to pay projected financial obligations, investments will

be purchased or deposits made to reasonably match anticipated cash disbursements.

*Yield (rate of return):* The portfolio shall be designed with the objective of attaining a rate of return throughout budgetary and economic cycles that is as close to market average as possible, considering liquidity needs, investment risk, and capital preservation.

### Risk

- *Credit Risk (loss due to failure of security issuer):* The Town shall minimize credit risk by limiting investments to the safest types of securities, and diversifying the portfolio.

*Market Risk (changes in the financial market could reduce the value of a security):* The Town shall minimize market risk by limiting investments that are subject to rapid market swings, and by varying investment maturity dates.

## **§356-4**

### Investment Instruments

In accordance with RSA 41:29 (Appendix A), funds may be invested in the following:

1. Public Deposit Investment Pool
2. Federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the State.
3. Federally insured banks outside the State if such banks pledge and deliver to a third party custodial bank or the federal reserve bank collateral security for such deposits of the following types:
  - (a) United States government obligations;
  - (b) United States government agency obligations; or
  - © Obligations of the State of New Hampshire in value at least equal to the amount of the deposit in each case.

## **§356-5**

### Collateralization

Deposits shall be fully collateralized with the delivery of US obligations, or obligations in the State of New Hampshire in market value at least equal to 100% of the cash deposit in each case.

## **§356-6**

### Standards of Care

- *Delegation of Authority:* In accordance with New Hampshire Law, responsibility for conducting investment transactions resides with the Elected Town Treasurer. The Deputy Treasurer may be appointed to assist in performing investment functions.
- *Prudence:* The standard of prudence to be used by the Treasurer shall be the “prudent person” standard and shall be applied in the context of managing an overall investment portfolio. The Treasurer shall make investments with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, considering the safety of capital as well as the probable income derived. The Treasurer, acting in accordance with this investment policy and exercising due diligence, shall be relieved of personal responsibility for issuer defaults or technical complications leading to temporary loss of liquidity, provided deviations from expectations are reported to the Select Board in a timely manner and the investments liquidated in a timely and responsible manner.

*Ethics:* Key Personnel, as listed in Exhibit B, who are involved with the investment function of the Town, shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions. Key Personnel shall also inform the Board of Selectmen of any relationships, either personal or professional, with any financial institution conducting business with the Town that may, or give the appearance that it may, constitute a conflict of interest..

## **§356-7**

### Internal Controls

The Select Board shall be responsible for:

1. establishing and maintaining an internal control structure designed to ensure that the assets of the Town are protected from loss, theft or misuse.
  2. ensuring that separation of transaction authority from accounting and recordkeeping, and written confirmation of transactions for investments are maintained.
- establishing an annual process of independent review of the investment function. This review will provide internal control by assuring compliance with established policies and procedures.

## §356-8

### Policy Review

This policy will be reviewed by the Select Board and Treasurer immediately following the annual Town business meeting of not later than May 31<sup>st</sup> of that year. Performance of the current investments shall also be reviewed on at least an annual basis. This policy may be reviewed if there is a change in the investment environment, a change in an approved financial institution, or for the purposes of continuous improvement. If a change occurs in investment law which is not reflective of this policy, the law will prevail.

## Meeting Live Streaming & Video Recording Policy

### §384

#### §384-1

In the interest of promoting government transparency the Select Board hereby established that all public meetings subject to RSA 91-A shall be video recorded or live streamed on a streaming platform approved by the Select Board. The only exception being Non-Public sessions under RSA 91-A:3 or those listed under the attached exemption appendix. The recording equipment will be made available by the Town.

If a scheduling conflict exists, follow the priority list below.

**1st Priority:** Zoning Board of Adjustments or any other Commission, Committee, Board, or Subcommittee Public Hearing.

**2nd priority:** Select Board and Planning Board

**3rd Priority:** Conservation Commission, Agricultural Commission, or any other board created through State statute.

**4th Priority:** Subcommittees and all other Boards/Commissions.

The Committee, Commission, Board, or Subcommittee Chair shall be responsible for starting the recording/streaming. Failure to record/stream meetings may result in the removal from the Committee, Commission, Board, or Subcommittee they are serving on.

Exemption Appendix		
Board, Committee, etc.	Meeting Type	Reason
Supervisors of the Checklist	Checklist Review	Review of Personal Info.

# **TOWN OF WEBSTER, NEW HAMPSHIRE**

## **Policy for Use of Police Cruiser**

### **§418**

#### **§418-1 Purpose**

The police cruiser is for official use only and shall not be used for personal business or pleasure purposes. The cruiser shall be operated only by members of the Webster Police Department. The cruiser shall not leave the Town boundaries without approval of the Select Board except, when necessary, in the conduct of official business, while in fresh pursuit, to obtain fuel, or to have maintenance performed on said vehicle. The cruiser shall not be used to transport individuals to a hospital unless an ambulance is not available or, in the judgment of the officer driving the cruiser, lack of immediate transportation would jeopardize human life.

#### **§418-2 Uses of the Cruiser**

Employees of the police department shall be the only individuals allowed to ride in the police cruiser with the following exceptions:

1. Detainees.
1. Town of Webster, County, or State Officials on official business or other police officials in the performance of official duties for the department to which they are assigned.
1. People or animals that require transport during official business and persons or animals in need of assistance.
1. Civilian ride along and Explorers with prior approval from the Chief and the Select Board, and after receipt of the appropriate Release and Waiver.
1. The Town Vehicle Policy will be adhered to. Police cruisers may be used for commuting to and from work when the officer is on call. Use of a cruiser for commuting when not on call is a taxable fringe benefit and records must be kept and turned into the Financial Administrator monthly. The Police Chief may be exempt from taxation if on call 24/7. See IRS 1.274-5T (k)(3).

The Select Board reserves the right to waive any provision of this policy as circumstances warrant with the reason voted at a Selectboard Meeting

Policy amended March 21, 2022



## **Purchasing Policy**

### **§420**

#### **§420-1**

##### **PURPOSE:**

This regulation outlines the Town's policy and procedures for all purchases of supplies, materials and/or repairs. The Select Board requires that all purchasing be centralized and appropriate line items be assigned. This is to encourage better budgeting, public disclosure and financial control.

Routine and/or periodic purchases will come from the Department's regular operating budget.

Capital Reserve Funds are to be used only for their stated purposes. Capital Reserve Funds for equipment are only to be used for items that are long term in nature that costs to purchase and/or install equal or exceed \$250.00 and not for items normally consumed in the current year.

##### **DEPARTMENT HEAD DEFINITIONS:**

Department Heads: – Police Chief, Fire Chief, Emergency Management Director, Town Administrator, Financial Administrator, Town Clerk, Tax Collector, Treasurer, Planning Board Chair, Zoning-Board Chair or designee as assigned by the Department Head or the Select Board.

#### **§420-2**

##### **PROCEDURE:**

###### **Purchase Order Numbers**

Purchase order numbers are available from the Financial Administrator.

A purchase order number will be assigned through the Select Board's Office by the Financial Administrator for all purchases over \$1,000 for supplies, materials, and/or repairs. All purchases shall be in the name of the Town of Webster, not in the name of the individual departments of the Town.

The Financial Administrator will provide Department Heads with a list of their department budget line item numbers. This will ensure that the purchases are charged to the appropriate budget line number. Department Heads are authorized to approve/make purchases under \$1,000 without a purchase order. Purchases requiring delivery are to be delivered to a municipal address, not the home address of the purchaser. Purchases over \$1,000 require Select Board approval prior to purchase.

###### **Requests for Purchase Orders over \$1,000 must contain the following information.**

- Vendor's name with the complete address;
- Itemized description of all items being purchased including quantity and prices;
- Account numbers, to be assigned either by the Department Head or Financial Administrator;
- Date of approval by signature of the Select Board;

- Either a detailed quote and/or estimate from the Vendor along with an explanation.

If the cost of a product/service being purchased is not known at the time of the order, the Purchase Order will be prepared with an estimated cost. Once an invoice has been received, it will be attached to the estimate Purchase Order for payment and processing.

### **§420-3**

#### **Price Quotes**

Three (3) quotes are required for purchases over \$10,000 or a Request for Proposal process used to include specifications required with sealed proposal. The proposal shall be awarded to the company that meets the required specifications and maintains the quality and service required, as determined by the Select Board.

All Capital Outlay/Improvement expenditures, except for vehicle purchases, over \$10,000 not advertised through the Request for Proposal process must have an explanation printed in the next Annual Town Report (per vote of the Legislative Body at Town Meeting on March 15, 1997) as to why the expenditure was not advertised.

#### **The Request for Proposal process may be waived by the Select Board if:**

- There is only one source of supplies, service or materials;
- When the service or products are received through the State or other joint bid process;
- When there is an emergency or justifiable special circumstance that requires the timely procurement of goods or services.

### **§420-4**

#### **Items not requiring a Purchase Order**

Listed below are items which do not require POs or additional signatures other than that of the Department Heads. The only requirement is the submission of the appropriate invoices with all supporting documentation attached including delivery and/or packing slips.

- Attendance at conferences and seminars
- Mileage, meals, membership (dues) renewals, etc.
- Utility bills (telephone, cell phone, electric, propane, oil, etc.); Service Contracts (copiers, Assessing Company, etc.); and mandated payments (TANs, Bonds, MVSD, State, County, Pillsbury Lake Water District, Welfare Assistance, and the Webster Free Public Library).

## §420-5

### **Local Preference Purchasing Policy**

The Select Board has determined that it is in the best interest of the Town to give a preference to local residents, workers, businesses, contractors, producers and dealers.

Preference shall be given for purchases from and/or contracts to local vendors or suppliers whenever reasonable unless there are demonstrable considerations of cost, quality or conflict of interest.

## §420-6

*This policy shall not apply when:*

- Goods or services are provided under a cooperative purchasing agreement or intergovernmental agreement;
- Purchases or contracts are funded, in whole or in part, by a governmental entity and the laws, regulations; or policies governing such funding prohibit application of that preference;
- Purchases are made or contracts let under emergency or noncompetitive situations, or for litigation related legal services, etc.

## §420-7

### **INVENTORY OF PROPERTY:**

On an annual basis, all Department Heads are required to update and keep an inventory of the department's property. All items valued over \$5,000 must be reported on the GASB 34 list of property. All property valued between \$500 and \$4,999 must be kept on an inventory list on file at the Select Board's office.

### **EFFECTIVE DATE:**

This Policy shall remain in effect until rescinded or amended by the current and/or future Select Boards.

The Select Board reserves the right to waive any provision of this policy as circumstances warrant.

## **Selling of Properties Policy**

### **§445**

#### **§445-1**

In accordance with the provisions of RSA 80:80, 80:42 and 41:14-a, the Town of Webster, by its Select Board, duly authorized, may sell properties acquired by the Town by Tax Deed or other means. Properties will be sold in a consistent and fair manner, and with the best interest of the Town in mind. The goal is to get the properties back into tax payments and producing revenue for the Town.

#### **§445-2**

Vacant Pillsbury Lake properties shall be offered to abutting property owners first with the condition that the 2 properties be merged. These lots are to be sold to the highest responsible bidder and must cover all transfer costs.

Other Pillsbury Lake properties that are adjacent and can be merged to each other, may first be merged by the Town, and then sold as one property.

#### **§445-3**

The selling of other Pillsbury Lake properties, listed in paragraph 3 above, and other Town properties, will follow these steps:

Properties shall be sold through auction, realtor, or sealed bids.

All sales shall be properly advertised and posted with a deadline.

Interested parties shall respond before deadlines.

All sales or sealed bids shall be awarded to the highest responsible bidder.

The Select Board may hire an independent appraiser and/or consult with an independent realtor to establish a minimum for which the property is to be sold. The Select Board shall have the power to determine the terms and conditions of the sale to the benefit of the Town.

#### **§445-4**

Properties shall be offered by the Town as is, where is, with all faults, with no representation as to the quality of the title being conveyed or the quality of the property being sold. All representations made by the Town are for descriptive purposes only and are not to be relied upon by bidders for determining whether the property is suitable for building or for any purpose whatsoever.

The Town will furnish deeds without covenants and convey each property subject to all existing easements and rights of way which existed at the time of the Town taking possession of the property. A minimum bid will be established by calculating the amount of taxes due at the time of a tax deed if applicable, combined with any incurred expenses. The Select Board reserves the right to offer the property to the next highest responsible bidder in the event the successful bidder defaults, reject any and all bids, to impose other conditions on sales at any time or to sell tax deed-ed properties "as justice may require. "

#### **§445-5**

If the Board determines that it is in the best interest of the town to waiver from the requirements of this policy, they must discuss and take a Roll Call vote in a Selectboard meeting with the reasons clearly stated and recorded in the minutes.

**Town of Webster  
Town Counsel Services Policy  
§456**

**§456-1**

**Purpose:**

This policy is to ensure that the use of Town Counsel is as efficient and cost effective as possible.

**§456-2**

**Necessity to Contact Town Counsel:**

Board and Committee members who have legal questions are advised to research the matter as best they can. The Town Administrator will assist to obtain an answer to questions. NH state statutes revised is a good source for legal questions or an inquiry through New Hampshire Municipal Association. The municipal association can give overall generic answers as to best practice but does not give specific advice for specific situations. It should be kept in mind that the purpose of contacting the Town Counsel is to protect the Town from litigation.

**§456-3**

**Requests to Contact Town Counsel:**

All requests for Town Counsel contact should be made to the Town Administrator stating the reasons why contact is necessary. The Town Administrator will bring the request to the Selectboard for approval. The exceptions regarding contact are as below.

The Town Administrator is authorized to contact Town Counsel for routine inquiries to facilitate day to day issues, if required and if the cost will not exceed \$500. The Town Administrator will secure authorization for continued contact for specific cases after approval by the Selectboard. Departments who have legal budgets such as the Planning Board and have sufficient budget remaining to cover the cost may contact Town Counsel after advising the Town Administrator to expect a charge relating to that inquiry.

Selectboard Members may contact Town Counsel after approval by a quorum of the Board.

**§456-4**

**Town Counsel:**

Town Counsel will decline to address any inquiries without authorization from the Selectboard or the Town Administrator.

Accepted on September 6, 2022

## **Town Hall Use Policy**

### **§458**

#### **§458-1 Purpose**

The Grange Hall and dining/kitchen area of the Webster Town Hall is a multi-purpose space designed to serve as a meeting hall and a community building. The aim of this policy is to regulate its use to ensure maximum benefit to the people of Webster.

#### **§458-2 Acceptable Uses and Priority of Use:**

The Town Hall is available for use by any resident, non resident or organization by reservation.

#### **§458-3 Priority Use:**

**Town of Webster Municipal use takes priority over any other use.**

If a town function, such as public hearing or special election is required, it may require user(s) on those date(s) to reschedule. The Town will make every attempt to work around existing reservations.

All other reservations are on a first come first serve basis.

Below you will find a fee schedule by "type of sponsor".

#### **§458-4 Reservations:**

A minimum two-week notice is recommended.

When making a reservation, the following information will need to be provided; Sponsor, contact information, date, time (including set-up and clean-up if applicable), type of activity and type of event.

Only one group/function will be permitted to utilize the Town Hall on weekdays and per weekend unless otherwise approved by the Town Administration.

A maximum building capacity of 160 people is applicable to all events.

The "sponsor" of the function must be 21 years of age, must sign a rental agreement form and will be held personally liable for any damage that may occur due to the group's reckless or negligent use of the building.

#### **§458-5 Payment will generally include:**

The hall rental fee see below

A refundable security deposit of \$250.00.

All fees must be paid in full at least 72 hours prior to utilizing the space.

## **§458-6 Security Deposit:**

A \$250.00 security deposit check is required in advance of the event for those noted activities. The undeposited check will be voided and shredded if the facility is brought back to its original condition of cleanliness. Any damage to the building or its contents that exceeds the \$250.00 deposit will require full restitution in the amount determined by the Select Board or its agent.

If requested, voided deposit checks will be returned within 3 weeks following the event.

The facility key will be available at the Town Office during normal business hours. The key can be picked prior to the event up and must be returned at the agreed upon time. The key can be returned using the Town Office's drop box.

## **§458-7 The following schedule of fees apply:**

### **A. Formally Recognized School and Municipal Activities:**

- No fees, no deposits.
- The sponsor will be liable for any damage to the building or grounds.
- An adult at least age 21 must be present while the facility is in use.

### **B. Residents**

- Security Deposit of \$250 required
  - Rental Fee - \$150.00 for Grange Hall and the kitchen/dining area.
  - Rental Fee may be waived for funerals or for events hosted by local non-profits.
  - The sponsor will be liable for any damage to the building or grounds.
  - The sponsor must be present while the facility is in use.
  - Certificate of Insurance is recommended.
- 
- Security Deposit of \$250.00 required.
  - Rental Fee - \$350.00 for Grange Hall and the kitchen/ dining area.
  - The sponsor will be liable for any damage to the building or grounds.
  - The sponsor must be present while the facility is in use.
  - Certificate of Insurance is recommended.

**THE ABOVE FEES ARE THE STANDARD MINIMUM FEES FOR EVENTS PLACING NORMAL WEAR AND TEAR ON THE FACILITY. THE SELECTBOARD RESERVES THE RIGHT TO ALTER THESE FEES IF THEY FEEL THAT THERE ARE SPECIAL CIRCUMSTANCES WARRANTING A CHANGE IN FEE STRUCTURE.**

## **§458-8 General Regulations**

- The building will be secured at 10 PM (including breakdown of decorations) unless other arrangements are made in writing before the event.



- No set up may begin before 4:00 PM on weekdays unless otherwise arranged with the town administration.
- The activity shall not extend beyond the hours approved in the request.
- Activities shall be restricted to the area for which permission is granted.
- The organization using the facility shall be responsible for moving its equipment, material and supplies into and out of the facility.
- All tables and chairs must be collapsed and returned to their storage areas.
- The facility will be carefully examined after use. The applicant will promptly reimburse the Town for any loss or damage occurring as a result of the use of the facility.
- If custodial assistance is needed, as determined by the administration, a charge will be assessed and must be paid in advance with the other fees.
- No town owned property or equipment is to be altered or removed from the premises.
- No decorations or materials will be attached to the walls; floor or ceiling in any manner which damages the building or is permanent in nature. All decorations, including tape will be removed from all walls, floors tables and chairs.
- No reservation will be considered secured until the Town's administrative official approves the reservation.
- Payment in full is required at least 72 hours in advance in order to utilize the facility.
- The applicant may be required to sign off on a facility checklist prior to use.

#### **§458-9 Alcoholic Beverages/Smoking**

The selling of alcoholic beverages is not permitted without a permit from the Selectboard and the use of a Liquor licensed caterer is being used. If a person or organization wishes to serve alcoholic beverages at a function, the following requirements must be fulfilled before the request can be approved:

- A copy of an insurance policy must be provided which names the Town as an insured party.
- The person/group must hire and pay for an off-duty officer to be present at the function at all times. The Selectboard reserves the right to require additional officers, if it feels they are warranted.

Smoking is not permitted in the building

### **Town Hall General Use**

- 1. The thermostat is in the kitchen/dining area and is on a timer; it can be manually increased or decreased if necessary.**
- 2. Make sure all doors and windows are locked after use.**
- 3. Make sure lights are off in all rooms of the building.**
- 4. Return anything you used back to its original place.**
- 5. Please trash in the dumpster outside the kitchen/dining area-winter months the dumpster is across the street.**
- 6. No one should be utilizing the stage unless the use of the stage has been arranged ahead of time with the Town Administration.**
- 7. If the smoke alarm system sounds or the sprinkler system turns on your group must evacuate the building. Make sure to take a head count to verify all persons have evacuated.**
- 8. Please the key in drop box next to the Town Office entrance following your event.**

**In case of emergency, please exit nearest safe route and call “911”**

## Winter Maintenance Policy §484

### §484-1

#### Snow Plowing

The snowplow vehicles begin plowing when the snow has accumulated 2 to 3 inches. After roads are clear, sanding and salting will begin.

### §484-2

#### Winter Freezing Rain Storm

It is important to note that *salt* or *sand* is wasted if applied before the rain stops. There is nothing the Highway Department can do during a freezing rainstorm. However, as soon as the rain stops, salt and sand will be applied to the roads.

### §484-3

#### Clean Road Policy

The Town of Webster does not have a clean road policy. In other words, all roads and streets will not be kept completely clear of snow and therefore only caution can be advised for winter driving. Salt will be used sparingly. Dirt roads will be sanded, but with ice under the sand, it still makes instant stops impossible.

The Select Board reserves the right to waive any provision of this policy as circumstances warrant.

## **TRUSTEES OF TRUST FUNDS INVESTMENT POLICY**

### **TOWN OF WEBSTER**

#### **§757**

##### **§757-1 PURPOSE**

This investment policy applies to all financial assets of the Trust Funds. These funds are accounted for in the Town's annual financial report and include:

- Common Trust Funds
- Capital Reserves Funds
- Other such trusts established or accepted by the Board of Selectmen and placed under the responsibility of the Trustees of the Trust Funds (hereinafter "Trustees").

The policy applies to all transactions involving the financial assets and related activity of all the foregoing funds.

##### **§ 757-2 INVESTMENT OBJECTIVES**

Although risk is an inherent factor to any investment, there shall be performed such necessary reviews to ensure that principal is protected. Investment review will encompass, but not be limited to, the parameters set in this policy of the relevant variables and ratios for the various types of investments allowed. Investment purchase will be made with the intent of the investment being held long term (1 year or longer). In the case of Common Trust Funds the portfolio of the investments shall be operated on a collective basis (all common trusts sharing in common investments) in order to maximize the investment potential and efficiency.

The Trustees seek to attain a rate of return on their investments consistent with the constraints imposed by this policy, cash flow considerations and state laws that restrict the placement of trust funds. The Trustees shall act responsibly as custodians of the public trust. They shall avoid any transaction that might impair public confidence in the Trustees' ability to administer the trust funds effectively. In the process of meeting the above, investment decisions shall be made for each category of trust based on the following objectives:

### *Common Trusts*

The investment objectives of the Trustees are two fold. The first objective is to seek growth in the portfolio in order to keep pace with or exceed economic inflation. As most common trusts are non-expendable in nature (only the interest may be spent), this will allow the trust funds to support higher future costs. The second objective is to seek income so the designated purposes of the trusts can be carried out.

### *Capital Reserve Funds*

Due to the expendable nature and less predictability of the funds, the holding period is shorter, resulting in the investment objectives of the Trustees to maintain the principal and provide liquidity. Meeting these objectives may restrict the level of yield attainable.

## **§ 757-3 STATUTORY AUTHORITY**

This policy complies with the requirements of RSA 31:25 (Custody; Investment) and RSA 31:27 (Collective Investments for the Trust Funds) and RSA 35:9 (Investment of Capital Reserve Funds for Towns).

## **§ 757-4 INVESTMENT AUTHORITY**

The Trustees of the town of Webster are empowered with the authority and the responsibility to invest Town trust funds in a safe and prudent manner in order to provide an adequate return on those funds. The Trustees have the right to delegate the management of investing the Town trust funds day-to-day to a trust department of a bank or brokerage firm. RSA 31:38-a.

## **§ 757-5 PRUDENCE**

The standard of investment to be used by the Trustees, unless another standard is permitted and adopted, shall be the “prudent man rule” as that term is defined under RSA 31:25-b. The Trustees shall be permitted to adopt the “prudent investor” standard, after official adoption by the Trustees, notification of the attorney general in writing and the employment of a trust department of a bank or brokerage firm as required by RSA 31:25-d. The prudent investor standard shall be applied in the context of managing an overall portfolio and avoiding speculative investments. The Trustees as a whole, acting in accordance with written procedures and exercising due diligence, shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided that deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

## **§ 757-6 INTERNAL CONTROLS**

The Trustees shall establish a system of internal controls which shall be documented in writing. The Trustees shall review the internal controls and they will be subject to review as part of the Town's annual independent audit. The controls shall be designed to prevent loss of public funds arising from fraud, employee error, and misrepresentation by third parties or imprudent actions by employees and officers of the Town.

## **§757-7 REPORTING**

The Trustees shall at a minimum meet quarterly and more frequently, if necessary, to review the investment report that summarizes portfolio cost and market value and performance of investments. The investment policy will be reviewed on an annual basis on or before December 31 by the Trustees. The trustees shall prepare and submit the necessary investment reports annually to the NH Attorney General's Office, Charitable Trust Division. After review of the Investment Policy, the Trustees may either confirm or amend the policy as appropriate. The Trustees must confirm or otherwise adopt the Investment Policy on an annual basis.

## **§757-8 ELIGIBLE INVESTMENT FOR CAPITAL RESERVE FUNDS PER RSA 35:9**

The moneys in capital reserve funds shall be kept in a separate account and not intermingled with other funds of the town. Said capital reserve funds shall be invested only in:

- a) Deposits in any federally or state chartered bank or association authorized to engage in a banking business in this state;
- b) Stocks and bonds as are legal for investment by banks and associations chartered by this state to engage in a banking business;
- c) Participation units in the public deposit investment pool established pursuant to RSA 383:22;
- and
- d) Obligations with principal and interest fully guaranteed by the United States Government.

The Trust funds shall be invested only in:

- a) Deposits in any federally or state chartered bank or association authorized to engage in a banking business in this state;
- b) Deposits in credit unions in this state;
- c) State, county, town, city, school district, water and sewer district bonds and the notes of town or cities in this state;
- d) Stocks and bonds as are legal for investment by any bank or association chartered by the state

### **§757-9 ETHICS AND CONFLICT OF INTEREST**

The Board shall refrain from personal business activity that could conflict with proper execution of the investment program. Any Trustee shall disclose to the Trustees any material financial interests of any matter that could be related to the performance of the trust portfolio. The Trustees shall subordinate their personal investment transactions to those of the trust funds, particularly with regards to the timing of purchases and sales of securities they are aware of.

### **§757-10 INTERNAL CONTROLS**

The Trustees shall establish a system of internal controls which shall be documented in writing. The Trustees shall review the internal controls and they will be subject to review as part of the Town's annual independent audit. The controls shall be designed to prevent loss of public funds arising from fraud, employee error, and misrepresentation by third parties or imprudent actions by employees and officers of the Town.

### **§757-11 REPORTING**

The Trustees shall at a minimum meet quarterly and more frequently, if necessary, to review the investment report that summarizes portfolio cost and market value and performance of investments. The investment policy will be reviewed on an annual basis on or before December 31 by the Trustees. The trustees shall prepare and submit the necessary investment reports annually to the NH Attorney General's Office, Charitable Trust Division. After review of the Investment Policy, the Trustees may either confirm or amend the policy as appropriate. The Trustees must confirm or otherwise adopt the Investment Policy on an annual basis.

### **§757-12 ELIGIBLE INVESTMENT FOR CAPITAL RESERVE FUNDS PER RSA 35:9**

The moneys in capital reserve funds shall be kept in a separate account and not intermingled with other funds of the town. Said capital reserve funds shall be invested only in:

- a) Deposits in any federally or state chartered bank or association authorized to engage in a banking business in this state;
- b) Stocks and bonds as are legal for investment by banks and associations chartered by this state to engage in a banking business;
- c) Participation units in the public deposit investment pool established pursuant to RSA 383:22; and
- d) Obligations with principal and interest fully guaranteed by the United States Government.

## **ELIGIBLE INVESTMENT FOR TRUST FUNDS PER RSA 31:25**

The Trust funds shall be invested only in:

- a) Deposits in any federally or state chartered bank or association authorized to engage in a banking business in this state;
- b) Deposits in credit unions in this state;
- c) State, county, town, city, school district, water and sewer district bonds and the notes of town or cities in this state;
- d) Stocks and bonds as are legal for investment by any bank or association chartered by the state to engage in a banking business;
- e) Participation units in the public investment pool established pursuant to RSA 383.22; and
- f) Obligations with principal and interest fully guaranteed by the United States government.

Please note that any person receiving Trust funds for deposit or investment in securities shall prior to accepting such funds, make available at the time of such deposit or investment an option to have such funds secured by collateral having a value at least equal to the amount of such funds. The collateral shall be segregated for the exclusive benefit of the Town. Only securities defined by the bank commissioner, as provided by rules adopted pursuant to RSA 386:57 shall be eligible to be pledged as collateral.

### **§757-13 FOREIGN ISSUERS:**

Securities issued in foreign markets are not permitted investments

### **§ 757-14 HOLDING PERIOD**

There shall be no set policy for the holding period for specific securities. The Trustees shall determine, based on the quarterly review or more frequent periods if deemed necessary, whether any holdings have appreciated to highs that overprice the security, providing an advantageous opportunity for the sale of the security. Alternatively, the Trustees may sell a security that has fallen in price and believe it will not recover to higher levels over the long term, if ever, and may continue to drop. The Trustees may take such other action with respect to the sale, acquisition, and holding of securities, for which they have good cause.

### **§ 757-15 CONSTRAINTS**

No security shall constitute more than 10% of the fund or \$10,000 whichever is greater, expecting deposits in any federally or state chartered banks or association authorized to engage



in banking business in this state; credit unions in this state; obligations of the United States, the state of New Hampshire and its subdivisions; participation units in the public deposit investment pool established pursuant to RSA 383:22; or in shares of open ended mutual funds selected by the Trustees for investment under RSA 31:25 and provided further that the participating contributory interests of said trusts are properly evidenced by appropriate bookkeeping entries showing on an annual basis the capital contribution of and the profits and income allocable to each trust.

#### **§757-16 RISKS**

The Board recognizes that investment risks can result from issuer defaults, market price change or various technical complications leading to temporary loss of liquidity. Portfolio diversification is to be employed as a way to control risk. The Trustees are expected to use prudence in the selection of securities as a way to minimize default risk. No individual investment transaction shall be undertaken that jeopardizes the total capital position of the specific issuer. The Trustees shall review and, if appropriate, proceed to liquidate any securities

having comparable credit risks.

#### **§ 757-17 INELIGIBLE TRADING TECHNIQUES**

In addition to the limitations described elsewhere in this policy, the Trustees shall refrain from engaging in the following techniques:

a) No investments will be purchased on margin and no Trust securities shall be used as

security to acquire additional investments.

b) No trading shall occur involving selling short

#### **§ 757-17 SAFEKEEPING AND CUSTODY**

To protect against potential fraud and embezzlement and to provide central accounting and efficiency, all investment assets of the Trust shall be held in a brokerage account for safekeeping, or other financial institutions that meet or exceed industry guidelines for insurance protection standards. The Trustees shall review the security procedures of the brokerage firm to assure safety of Trust assets. The Trustees are authorized to take advantage of computerized purchase and sale methods in order to realize any discounts offered.

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## **§ 757-18 CAPITAL GAINS, DIVIDENDS AND INTEREST**

Both short and long term capital gains or losses shall be accounted for as increases or decreases, respectively, of the principal of the trusts and shall be distributed to the individual trust at least quarterly, prorated based on the beginning principal position of the trusts.

All dividends and interest shall be considered an increase to the accumulated income of the trusts and shall be distributed to the individual trusts at least quarterly, prorated based on the beginning principal and accumulated interest position of the trusts.

## **Use of Public Safety Building Policy**

### **§767**

#### **§ 767-1**

The Town of Webster Public safety Building houses the Police Department and Fire Department. It also serves as the Town's Primary Emergency Operations Center.

In addition to the day to day operations of the Police Department and Fire Department, the following uses are permitted.

- Staff Training
- Staff Meetings
- Town Sponsored event approved by the Select Board.
- Maintenance of Public Safety Vehicles

The following building uses are not permitted:

- Personal use of the building for parties
- Use of Public Safety Building property for work on personal vehicles
- Alcohol use, unless it involves a Police Detail hired for a Town sponsored event.

The Select Board reserve the right to waive any provision of this policy as circumstances warrant.

## **Work Hour Policy for the Police Department**

### **§786**

#### **§ 786-1**

To facilitate the most effective and cost effective use of public safety resources and to maximize both the availability of police personnel and patrol coverage, the Webster Select Board this day adopts the following formal written policies pursuant to the authority granted to it under RSA 105:2a.

It is the responsibility of the Chief of Police to schedule duty assignments to maximize coverage. The scheduling of two police officers to work during the same shift is prohibited. "Police Officers" is defined as Police Chief, Lieutenant and all other certified officers. Occasions when more than one officer is on duty should be minimized except for times needed to exchange information at shift change, cases of emergency, court coverage or other legitimate circumstances at the discretion and judgment of the Chief of Police. One high ranking full time officer or the Chief should be available for calls at all times to include weekends and holidays.

Care must be taken that the funds provided to the Police Department be judiciously disbursed so as to maintain even levels of expenditure and coverage throughout the entire fiscal year. It is critical that the budget not be overspent.

The Select Board reserve the right to waive any provision of this policy as circumstances warrant.

## **Workplace Violence Policy**

### **§788**

#### **§ 788-1 Purpose**

The Town of Webster maintains a zero tolerance standard of violence in the workplace. The purpose of this policy is to provide Webster employees, volunteers and the public guidance that will maintain an environment that is free of violence and the threat of violence on Town property and at Town sponsored events.

#### **§7 88-2 Policy**

Violent behavior of any kind or threats of violence, either implied or direct, are prohibited in Webster facilities and at Town sponsored events. Such conduct by a Town employee will not be tolerated. An employee who exhibits violent behavior may be subject to criminal prosecution and shall be subject to disciplinary action up to and including dismissal. Violent threats of actions by a non-employee may result in criminal prosecution. The Town of Webster will investigate all complaints filed and will also investigate any possible violation of this policy of which the Town is made aware. Retaliation against a person who makes a complaint regarding violent behavior or threats of violence made to him/her is also prohibited.

#### **§ 788-3 Definitions**

**Workplace Violence:** Behavior in which an employee, former employee, volunteer or visitor to a Town facility inflicts or threatens to inflict damage to property or serious harm, injury or death to others at the workplace.

**Threat:** The implication or expression of intent to inflict physical harm or actions that a reasonable person would interpret as a threat to physical safety or property.

**Intimidation:** Making other afraid or fearful through threatening behavior.

**Zero-Tolerance:** A standard that establishes that any behavior, implied or actual, that violates this policy will not be tolerated.

**Court Order:** An order by a court that specifies and/or restricts the behavior of an individual. Court orders may be issued in matters involving domestic violence, stalking or harassment of protective orders including Temporary Restraining Orders.

#### **§ 788-4 Prohibited Behavior**

Violence in the workplace may include but it is not limited to the following list of prohibited behaviors directed at or by a coworker, supervisor or member of the public:

1. Direct threats or physical intimidation.
2. Implications or suggestions of violence.
3. Stalking.
4. Assault of any form.
5. Physical restraint, confinement.
6. Dangerous or threatening horseplay.
7. Loud, disruptive or angry behavior or language that is clearly not part of the typical work environment.
8. Blatant or intentional disregard for the safety or well-being of others.
9. Commission of a violent felony or misdemeanor on Town property.
10. Any other act that a reasonable person would perceive as constituting a threat of violence.

Domestic violence, while often originating in the home, can significantly impact workplace safety and the productivity of victims as well as coworkers. For the purpose of this policy, “domestic violence” is defined as an abuse committed against an adult or fully emancipated minor. Abuse is the intentional reckless attempt to cause bodily injury, sexual assault threatening behavior, harassment, stalking or making annoying phone calls to a person who is in any of the following relationships:

1. Spouse of former spouse.
2. Domestic partner or former domestic partner.
3. Cohabitant or former cohabitant and other household members.
4. A person with whom the victim is having or has had, a dating or engagement relationship.
5. A person with whom the victim has a child.

The Town of Webster recognizes that domestic violence may occur in relationships regardless of the marital status, age, race or sexual orientation of the parties.

#### **§788-5 Procedures-Future Violence:**

Employees who have reason to believe that they or others may be victimized by a violent act sometime in the future at the workplace or as a direct result of their activities in Town shall inform their supervisor or officials by immediately completing a Workplace Violence Incident Report Form so appropriate action may be taken. The official shall inform the Select Board and local law enforcement. Employees who have signed and filed a restraining order, temporary or permanent, against an individual due to a potential act of violence who would be in violation of the order by coming near them shall immediately supply a copy of the signed order to the Select Board. The Select Board shall provide copies to the appropriate

department and local police.

#### **§ 788-6 Incident Investigation:**

Acts of violence or threats will be investigated immediately in order to protect employees and volunteers from danger, unnecessary anxiety concerning their welfare and loss of productivity. The department official will cause to be initiated an investigation into the potential violation of work rules/policies. Simultaneously, the department official will refer the matter to local police for their review of the potential violation of civil and/or criminal law.

Procedures for investigating incident of workplace violence include:

1. Visiting the scene of the incident as soon as possible.
2. Interviewing injured and threatened employees, volunteers and witnesses.
3. Examining the workplace for security risk factors associated with the incident including any report of inappropriate behavior by the perpetrator.
4. Determining the cause of the incident.
5. Taking mitigating action to prevent the incident from recurring and recording the findings and mitigating actions taken.

In appropriate circumstances, the Town of Webster will inform the reporting individual of the result of the investigation. To the extent possible, the Town of Webster will maintain the confidentiality of the reporting employee in the investigation but may need to disclose result in appropriate circumstances; for example, in order to protect individual safety. The Town of Webster will not tolerate retaliation against any employee or volunteer who reports workplace violence.

#### **§ 788-7 Mitigating Measures**

Incidents which threaten the security of employees shall be mitigated as soon as possible following their discovery. Mitigating actions include:

1. Notification of law enforcement authorities when a potential criminal act has occurred.
2. Provision of emergency medical care in the event of any violent act upon an employee.
3. Assurance that incidents are handled in accordance with the Workplace Violence Prevention Policy.
4. Requesting that the Town Counsel file a restraining order as appropriate.

## **§ 788-8 Training and Instruction**

The Webster Select Board shall be responsible for ensuring that all employees, including supervisors, are provided training and instruction on general workplace security practices. Departments shall be responsible for ensuring that all employees are provided training and instruction on job specific workplace security practices.

Training and instruction shall be provided as follows:

1. To all current employees and volunteers when the policy is first implemented.
2. To all newly hire employees, elected officials, volunteers and employees given new job assignments for which specific workplace security training has not previously been provided.
3. To affected employees and volunteers whenever management is made aware of a new or previously unrecognized hazard.

Workplace security training and instruction includes, but is not limited to, the following:

1. Preventative measures to reduce that threat of workplace violence, including procedures for reporting workplace security hazards.
2. Methods to diffuse hostile or threatening situations.
3. Escape routes.
4. Explanation of Workplace Violence Prevention Policy.

In addition, specific instructions shall be provided to all employees regarding workplace security hazards unique to their job assignment.