

DRAFT 02-24-16

**TOWN WARRANT
COMMONWEALTH OF MASSACHUSETTS**

ANNUAL TOWN MEETING

Worcester, ss.

March 22, 2016

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the Inhabitants of the Town of Southborough qualified to vote in elections and town affairs, to meet in the P. Brent Trottier Middle School, 49 Parkerville Road, in said Southborough, on

Monday, April 11, 2016

at **7:00 p.m.**, then and there to take action on the following **Articles**:

ARTICLE 1: To hear reports of the various Town Officers and Committees and to **take** such action thereon as the Town may vote.

Proposed by: BOARD OF SELECTMEN

Board of Selectmen Recommendation:

Advisory Committee Recommendation:

Summary: *To hear reports of Town Boards, Committees or Commissions.*

ARTICLE 2: To see if the Town will vote to accept any sum of money from St. Mark's School, Fay School, Harvard Medical School, New England Regional Primate Research Center, L'Abri Fellowship, The New England Center for Children, and any other contributor and deposit same amount in Estimated Receipts Account, and determine what disposition shall be made of the same, if accepted, or do or act anything in relation thereto.

Proposed by: BOARD OF SELECTMEN

Board of Selectmen Recommendation:

Advisory Committee Recommendation:

Summary: *To allow the Board of Selectmen to accept donations from Tax Exempt organizations and determine the disposition of funds.*

ARTICLE 3: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow from time to time in anticipation of revenue of the financial year beginning July 1, 2015 in accordance with the provisions of Massachusetts General Laws, Chapter 44, and to issue a note or notes as may be given for a period of less than one year in accordance with Massachusetts General Laws, Chapter 44, Section 17 as amended, or do or act anything in relation thereto.

Proposed by: BOARD OF SELECTMEN

Board of Selectmen Recommendation:

Advisory Committee Recommendation:

Summary: *This article allows the Town Treasurer to short-term borrow in anticipation of revenue.*

ARTICLE 4: To see if the Town will vote in accordance with the provisions of Massachusetts General Laws Chapter 30B, Section 12(b), to authorize the Board of Selectmen or the Superintendent of Schools to solicit and award contracts for terms exceeding three years, including any renewal, extension or option, provided in each instance the longer term is determined to be in the best interest of the Town by a vote of the Board of Selectmen or the School Committee, as appropriate, or do or act anything in relation thereto.

Proposed by: BOARD OF SELECTMEN

Board of Selectmen Recommendation:

Advisory Board Recommendation:

Summary: *This article allows the Selectmen and/or the School Committee to enter into contracts in excess of three years, if deemed in the best interest of the Town to do so. This has been an annual article, and the exemption has been limited to contracts of no more than seven years.*

ARTICLE 5: To see if the Town will vote to accept the following changes, as noted in BOLD in the Personnel Salary Administration Plan, as specified in Chapter 31 of the Code of the Town of Southborough, entitled: PERSONNEL.

SALARY ADMINISTRATION PLAN AND PERSONNEL BY-LAWS
OF THE TOWN OF SOUTHBOROUGH
[revised at April 11, 2016 Annual Town Meeting]

This by-law establishes a Salary Administration Plan for the Town of Southborough that (i) groups position classifications in Town services, (ii) establishes salary schedules and employee benefits and (iii) establishes and authorizes the Personnel Board to administer the by-law and to represent the interest of both the taxpayers and the Town employees.

This Salary Administration Plan applies to the positions of all officers and employees in the service of the Town, whether full-time, part-time, temporary, seasonal, special or any other, except those positions filled by popular election, under the direction and control of the School Committee, or encompassed in any officially recognized labor union and/or association. The positions covered by this Salary Administration Plan are hereby classified by titles in the groups listed in Schedule A through H ("Classification Schedule") as set forth in Section 20 of this by-law.

The classification of positions subject to the Massachusetts Welfare Compensation Plan (as amended) and the scheduled rates therefor, as well as the applicable provisions of the Massachusetts General Laws relating to the application of rates set forth in the aforementioned Welfare Compensation Plan are hereby incorporated by reference.

SECTION I. DEFINITIONS

As used in this by-law, the following words and phrases shall have the following meanings:

"Administrative Authority" means the elected or appointed official or board having jurisdiction over a function or activity.

"Anniversary Date" means the date 180 days after (i) the first day of employment or (ii) the date of any promotion, whichever is later.

"Base Pay" means the compensation paid by the Town of Southborough for the purposes of determining retirement credits and contributions for Town employees.

The Town shall contribute funds as required for each eligible employees in accordance with the procedures and formula established by the Worcester Regional Retirement System and the by-laws of the Town of Southborough. Contributions shall include (i) wages earned during the first eight hours worked in any one day (no contributions shall be made for hours worked in excess of 40 per week,) (ii) any lump sum bonus that is guaranteed by the Salary Administration Plan or the By-Laws of the Town, (e.g., longevity pay); (iii) vacation pay, except when paid in lieu of taking vacation; (iv) sick pay; and (v) holiday pay.

"Class" means a group of positions in the Town service sufficiently similar with respect to duties and responsibilities such that for each position the same (i) descriptive title may be used, (ii) qualifications shall be

required, (iii) tests of fitness may be used to choose qualified employees and (iv) scale of compensation can be equitably applied.

“Classification Schedule” means any of Schedules A, B, C, D, E, F, G and H of Section 20 hereof.

“Compensation Grade” means a range of salary/wage rates as may appear in the Classification Schedules.

“Continuous Full-Time Service” means employment requiring a predetermined minimum work period that is uninterrupted except for authorized leaves (e.g., vacation, sick, etc.).

“Continuous Employment” means full-time or part-time employment that is uninterrupted except for authorized leaves (e.g., vacation, sick, etc.).

“Department” means a functional unit of Town government.

“Department Head” means the person appointed and responsible to carry out the duties of a Department.

“Full-Time Employment” means employment for not less than 20 hours per week for fifty-two weeks per annum, excepting authorized holidays and leave periods.

“Group” means a group of classes as may appear in the Classification Schedules.

“Maximum Rate” means the highest compensation rate to which an Employee is entitled.

“Minimum Rate” means the lowest rate in a Range, and is normally the hiring rate of a new employee.

On-Call Compensation: refers to additional money paid to an employee who is required to work when the need requires; oftentimes in an evening or weekend capacity.

“Part-Time Employment” means employment less than 20 hours per week.

“Position” means an office or post of employment in the Town service with duties and responsibilities calling for the Full-Time or Part-Time Employment of one person in the performance and exercise thereof (or of more than one person sharing the same position).

“Position Class” means the same as “Class” (note that a class may include only one position, in which event it is defined as a “single position class”).

“Promotion” means a change from one position to another position in a higher class and/or compensation grade.

“Range” means the difference between minimum and maximum rates of an assigned grade.

“Rate” means the measure of compensation for personal services on an hourly, weekly, monthly, annual or other basis.

“Salary Administration Plan” means this Salary Administration Plan and Personnel By-Laws of the Town of Southborough.

“Single Rate” means a rate for a specific position class that is not in a designated range.

SECTION 2. POSITION TITLES

No person shall be appointed, employed or paid in any position under any title other than those of the Classification Schedule for which the duties are actually performed. The position title in the Classification Schedule shall be the official title for all purposes, including payrolls, budgeting and official reports.

SECTION 3. NEW OR CHANGED POSITIONS

No new position shall be established, nor the duties of an existing position so changed that a new level or work demand exists, unless upon presentation of substantiating data satisfactory to the Personnel Board, the Board shall rate such new or changed position, and allocate it to its appropriate classification grade and establish the rate therefor.

SECTION 4. RECLASSIFICATION OF EMPLOYEES

No position may be reclassified to another grade, whether higher or lower, unless the Personnel Board shall have determined such reclassification is consistent with this Salary Administration Plan, and it shall be approved at an annual or special town meeting.

SECTION 5. JOB DESCRIPTIONS

The Personnel Board shall maintain written job descriptions of the position classes in the Classification Schedule, each consisting of a statement describing the essential nature of the work required of such classes. Each Department Head shall be required to retain current job descriptions and to submit any revisions to the Personnel Board (following any review by the Board of Selectmen or their designated appointee or the appropriate Commissioners or Trustees). The description for any class shall not be deemed to limit the duties or responsibilities of any position, nor to affect in any way the power of any administrative authority to appoint, to assign duties to, or to direct and control the work of any employee under the jurisdiction of such authority.

SECTION 6. COMPENSATION

a. The bi-weekly pay period shall begin at 12:00 a.m. Thursday and shall end at 11:59 p.m. on the following second Wednesday.

b. Non-exempt employees subject to this Salary Administration Plan shall be paid for one and one-half hours worked for any hour worked in the excess of forty in their **weekly** pay period, provided such extra hours were authorized by the Department Head.

c. The salary schedules set forth in Schedules A, B, C, D, E, F and G of Section 20 hereof reflect the maximum and minimum salaries for each grade.

d. Salary set forth in Schedule A represents a 40 hour work week and in the event an employee works less than 40 hours per week but more than 20 hours per week, the indicated salary is pro-rated reflective of the posted salary schedule in Schedule A.

e. Amounts paid to employees in reimbursement for expenses incurred in the performance of their duties (e.g., mileage, meals, dues, etc.) shall be paid in addition to their compensation. Reimbursement shall be based upon the actual documented expenditure made by the employee, or at rates established by the Internal Revenue Service, supported by that agency's requirements for documentation.

f. On-Call Compensation: Employees shall be eligible to earn a weekly stipend not to exceed \$200.00 per week for on-call service if the department head has required them to work outside of their normal schedule. This need is likely to occur on an evening or weekend basis as the need requires. There is no provision to accrue compensation time in lieu of payment.

SECTION 7. ADJUSTMENT & COMPENSATION POLICIES

a. Every employee that is in Continuous Full-Time or Part-Time service of the Town, as computed from the date of their latest employment, shall be eligible annually for consideration of a merit increase, one year from the date of his/her latest increase. Except as may be authorized by the Personnel Board in exceptional circumstances, such increase is not to exceed one increase in any single twelve-month period until the maximum of the grade is obtained, and such increase shall be subject to the **recommendation** of the Department Head, **with the approval of** the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees.

Retroactive merit increases voted by the Personnel Board shall not be compensated any further than July 1 of that fiscal year, regardless of the funding mechanism.

An evaluation of the employee's performance, in a format approved by the Personnel Board, must accompany a request for an increase. Upon receiving such documentation, the Personnel Board shall have final review and approval of all adjustments.

An employee may appear before the Personnel Board prior to its action on any request for a merit increase. Any employee denied such an increase may appeal, in writing, to the Personnel Board, which shall confer with the employee, the Department Head and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and shall decide the matter.

b. Regular Part-Time employees shall be eligible for consideration for merit increases within their grade one year from the date of their last increase.

c. Special and other Part-Time personnel for whose positions there is a single rate established in Schedule D shall not be eligible for adjustment.

d. Eligible residents who have participated in the Senior Tax Work-Off Program must complete their annual hours [per MGL Chapter 59, Section 5K] before they shall be compensated for filling a temporary position in any town department. Such individuals shall be compensated through a bi-weekly payroll for the pertinent department, and be treated as a non-benefitted employee [applicable federal and state deductions will be taken].

SECTION 8. TRANSFERS AND PROMOTIONS

a. An employee who is promoted to a job with a higher range or rate of pay shall enter it at the rate recommended by the Department Head with the approval of the Personnel Board. The employee may also receive at the time an increase, provided the maximum for the job is not exceeded, if the Department Head recommends that qualifications and performance warrant it and the Personnel Board approves. If the Department Head recommends that there should be a probationary period before the promotional increase [not to exceed the percentage increase voted for that fiscal year], then the Personnel Board may approve such a deferred promotional increase at the conclusion of the probationary period (which shall not exceed six months).

b. An employee transferred to a job with a lower range or rate of pay shall enter it at the rate paid for the previous position or at the maximum rate for the job, whichever is the lower, provided the Personnel Board approves. The employee shall have a right to appeal this decision, in writing, to the Personnel Board, which shall confer with the employee, the Department Head and the Board of Selectmen or their designated appointee, or the appropriate Commissioners or Trustees, and shall decide the matter.

SECTION 9. NEW PERSONNEL and MERIT INCREASES

a. Pre-employment physical examinations will be required of newly-hired employees consistent with the Town's policies.

b. A new employee's hiring rate shall be the minimum of the rate range of the job, unless otherwise authorized by the Personnel Board or Town Administrator [who shall have authorization to set pay rates up to the mid-point]. Department Heads shall notify the Personnel Board of the hiring of all personnel and their hiring rates.

c. The Personnel Board is cognizant of the need to make timely decisions during the recruitment process. Henceforth, the Board agrees to allow the Town Administrator the ability to set a starting salary for new employees with comparable experience from the municipal, state or federal sector, up to and not exceeding the mid-point of the pay scale set forth in Schedule A and B of the Salary Administration Plan.

d. For new hires, the first six months of employment shall be a probationary period at the end of which the employee may receive a merit increase based on the approved annual percentage set by the Personnel Board, provided that the Department Head recommends and the Personnel Board approves. The employee shall thereafter be reviewed for a rate increase one year from the date of the employee's latest increase, **based on a submitted performance evaluation**. This probationary rate increase shall apply only at the start of employment and shall not apply in case of transfer or promotion from one job to another. **The effective date of the new position shall then become the employee's new anniversary date for merit increases. [Longevity and paid leave accruals shall be based on the original hire date]**. During any such probationary period, benefit eligible employee(s) nevertheless will earn vacation, sick and personal time in accordance with Section 11(b) hereof.

SECTION 10. DEPARTMENT BUDGETS

Each Department Head shall include in the annual departmental budget a pay adjustment section to provide funds for anticipated pay adjustments, with expenditures to be made only in accordance with this Salary Administration Plan and with the approval of the Personnel Board. **Degree bonus [Sec 11 I (1)] funds shall also be budgeted in the departmental budget.**

SECTION 11. EMPLOYEE BENEFITS

Employee benefits are a cost to the Town and a form of "indirect pay" to employees. The benefits listed below are not intended to supersede what State or Federal law may otherwise require.

All forms of paid leave set forth in the SAP may represent a 40 hour work week; in the event an employee works less than 40 hours per week but more than 20 hours per week, the indicated benefit shall be pro-rated reflective of the approved hours per week for that position.

a. Holidays with Pay

Each eligible Employee shall receive one day's pay at their regular rate for the following:

- | | |
|------------------------|--|
| New Year's Day | Labor Day |
| Martin Luther King Day | Columbus Day |
| Presidents' Day | Veteran's Day |
| Patriot's Day | Thanksgiving Day |
| Memorial Day | Day after Thanksgiving Day |
| Independence Day | Christmas Day |
| | Day before <u>or</u> after Christmas Day (as set by the Town annually) |

To be eligible for holiday pay, an Employee must work (or be duly excused from working) their regular scheduled days preceding and following the holiday. Employees who do not work 20 hours or more per week on a regular basis shall not be compensated for holidays.

Employees whose regular day off falls on a holiday may have one day off with pay within the ensuing thirty days in lieu of holiday pay, with the specific choice of day subject to Department Head approval. Furthermore, the day granted in lieu of holiday pay shall not cross fiscal years.

All administrative policies and practices relative to holidays with pay shall be prepared and established under the direction of the Personnel Board.

b. Vacations with Pay

- (1) Regular Full-Time Employees who have been in the continuous employ of the Town shall earn paid vacation in accordance with the following schedule:

Years of Employment	Hours Earned per month
0-5	6.666
6-10	10.0
11-15	13.333
16 or more	16.666

Employees hired prior to July 1, 2005, shall be eligible to earn twenty hours per month after serving twenty years of full time employment with the Town.

(2) At the recommendation of the hiring authority and upon the approval of the Personnel Board, new employees entering into a position with the Town of Southborough from a similar position in another municipality or similar government agency will be allowed to enter into the vacation schedule using their years of service from their prior employment, up to a maximum of three weeks' vacation [pro-rated] for the first year of employment with the Town. Employees commencing employment with three weeks per year will be required to complete five years of service before ascending to the next band in the vacation schedule chart.

The probationary period for new hires would still apply.

(3) Vacation shall be granted by Department Heads at their discretion subject to the regular work needs of the Department. An employee shall be permitted to carry over to the following year one year's worth of earned vacation. The employee must have the Department Head's approval to take any portion of a prior year's unused vacation in addition to the days earned in the current fiscal year.

(4) If in the opinion of the Department Head there are unusual work-related circumstances that warrant it, a department head may seek approval from the Town Administrator, to allow the employee to continue to work and receive vacation pay in lieu of taking vacation. Approval granted in this section may not exceed ten days per **fiscal** year.

(5) In the event of termination of employment other than for cause, the employee shall be paid, or be entitled to time off with pay, for any accumulated vacation time. **Personal and sick leave shall not be compensated at termination.**

(6) Vacation administrative policies and practices shall be prepared and established under the direction of the Personnel Board.

c. Sick Leave

(1) All regular Full-Time Employees shall be entitled to accrue 10 sick hours per month, equaling 120 hours annually (15 sick days); employees working less than 40 hours in a weekly pay period will accrue ratably based on hours worked per week. Pay for each day of sick leave shall be at the regular

rate. Absences on account of sickness in excess of that authorized shall be charged to vacation or other available paid leave. Sick leave shall be payable only in cases of genuine illness, non-work connected accident, or work connected accidents not covered by Massachusetts General Laws Chapter 152 (Workers' Compensation).

(2) Unused sick leave may be accumulated without limitation for employees hired before July 1, 2007. Employees of the Town of Southborough hired on or after July 1, 2007 may only accrue 120 sick days at any one time. At retirement **[or death]** only, the Town will pay the employee twenty percent (20%) of the employee's then-accumulated sick leave.

(3) Employees who because of genuine illness or a non-work connected accident are absent for a period of more than three days shall be required to present a doctor's certificate to their Department Head before returning to work stating the reason, the period of time the employee was absent and whether there are any physical restrictions **or required outpatient services** the employee must adhere to in the workplace.

(4) Annually, an employee may use up to seven of the allowed fifteen days of sick leave for the care of a sick family member.

(5) Sick leave administrative policies and practices shall be prepared and established under the direction of the Personnel Board.

d. Personal Days

Each employee shall be entitled to three personal days per year, to be granted annually on the anniversary of the employee's date of hire. New employees shall be granted three personal days which shall be pro-rated based on hours worked per pay period. Requests for personal days shall be approved by the Department Head. Personal days shall not accumulate from year to year.

e. Military Leave

(1) Reserve Duty: An employee in full-time employment in the military reserve shall be paid the difference between compensation received while on reserve duty and regular compensation rates paid the employee by the Town. Such payment by the Town shall be limited to a period not to exceed two weeks in any twelve-month period.

(2) Active Duty: Pursuant to Article 8 of the April 11, 2005 Annual Town Meeting, an employee in the federal military reserve or a state National Guard who is called to active service shall be entitled to their regular base salary and shall not lose any seniority or paid leave benefits while on military leave; *provided*, however, that such base pay shall be reduced by any amount received from the United States as pay or allowance for military service performed.

f. Jury Duty

Any employee who is called to jury duty shall be paid the difference between their normal compensation and the amount (excluding any travel allowance) received from the court, upon presentation of evidence of the amount paid by the court.

g. Miscellaneous Paid Time Off

Working time lost from regularly scheduled work days for reasons listed below shall be without loss of pay, provided such lost time is authorized by the Department Head:

(1) Bereavement leave – In the event of the death of a spouse, father, mother, child, father-in-law, mother-in-law, brother, sister, grandparent, or of any other person then residing with the

employee, such employee shall be entitled to receive three days' leave for the purpose of the funeral and services of the deceased. If out-of-state travel is required, the **Town Administrator** may authorize up to two additional days of travel time.

- (2) Medical examination or inoculation required by the Town.
- (3) Blood donation authorized by the Department Head.
- (4) Attendance at professional and educational programs authorized by the Department Head.

h. Court Time Pay

If the Town requires that an employee appear in Court as a witness or in any other capacity arising from the performance of the employee's duty, or on behalf of the Commonwealth or the Town in any civil or criminal case pending in any Court or other official governmental board or agency, then for any such appearance that is made outside of the employee's normal working hours the employee shall be entitled to overtime compensation for every hour or fraction thereof during which they appear (but in no event less than three hours of such overtime pay).

i. Employee Educational Support/Professional Development

(1) Degree Bonus: All Full-Time employees who, while an employee of the Town, earns a degree in a field applicable to their position from an accredited college or university, shall receive a one-time bonus subject to appropriation, according to the following schedule:

Associates Degree....\$ 800.00
Bachelor's Degree...\$1,200.00
Master's Degree.....\$1,500.00

A copy of the completed transcript, diploma or other appropriate evidence of the completed degree must be presented to the Department Head **and the Personnel Board, and shall be submitted as documentation for accounts payable.**

(2) Tuition reimbursement: As administered through the Personnel Board and subject to the procedure below, the Town may provide tuition reimbursement to any Full-Time employee for a course that applies to the employee's specific position and for which the employee attained a grade of "B" or better.

(3) Approval Procedure: Town funds must first be appropriated by Town Meeting in the Personnel Board's fiscal year budget. If funds are appropriated, then no later than August 31st of each year interested employees shall advise the Personnel Board in writing of their interest in taking work-related courses during the fiscal year. The request should be routed through the employee's Department Head **to the Assistant Town Administrator**, and should include detailed information regarding the desired coursework and cost of tuition. Thereafter the Personnel Board will review all such requests and make recommendations for reimbursement based on available funds and the number of requests. The Board will then notify the employee and their department head of the decision.

(4) Reimbursement: Tuition reimbursed shall be paid only after the employee presents to the Department Head written verification of (a) course completion (with a grade of at least B) and (b) full payment by the employee. If an employee resigns employment within twelve months of such reimbursement, the employee shall be responsible to repay the amount paid to them by the Town.

j. Group Medical Insurance

Starting July 1, 2009, the Town will contribute fifty percent (50%) of the cost of a medical indemnity plan or seventy-five percent [75%] of the cost of a Health Maintenance Organization plan.

SECTION 12. UNPAID LEAVES OF ABSENCE

a. A leave of absence without compensation may be granted by the Personnel Board.

b. Leaves of absence of over three months' duration (except Military Leave) shall be deemed a break in employment, and on return to work the employee shall have the status of a new employee unless an extension of leave beyond three months was authorized by the Personnel Board.

SECTION 13. TRANSITIONS BETWEEN FULL-TIME AND PART-TIME STATUS

a. A Part-Time employee shall be eligible for Full-Time status when the employee has worked 20 hours or more per week for a period of at least three consecutive months, subject to approval by the Department Head.

b. A Full-Time employee whose hours of employment total less than 20 hours per week for a period of more than three consecutive months shall thereafter be deemed a Part-Time employee.

SECTION 14. APPOINTMENT OF "ACTING" DEPARTMENT HEADS

a. In the absence or retirement of a Department Head for three consecutive weeks, the Board of Selectmen or appropriate board or commission may appoint an "Acting" Department Head to serve for a period of not more than three months. Such three-month period may be extended for up to three additional three-month periods, upon the approval of the Board of Selectmen or other appropriate board or commission for each such extension. In no case shall an appointment of an "Acting" Department Head exceed one year.

b. Duly appointed "Acting" employees shall be compensated at an additional 10% per week, payable retroactively only upon the conclusion of three consecutive weeks of service by the "Acting" employee. Such employees shall still be eligible for overtime pay when fulfilling regular duties from the previous job beyond normal working hours.

SECTION 15. PERSONNEL BOARD

a. There shall be a Personnel Board to administer the Salary Administration Plan and Personnel By-Laws. Said Board is to be appointed by the Town Moderator. The Board shall consist of five voters other than employees of the Town or those regularly serving the Town in any elective capacity. They shall serve without compensation.

b. Other than as may be needed to fill unexpected vacancies, appointments shall be for three years. The Moderator shall fill any vacancies. The Personnel Board may employ assistance and incur expenses as it deems necessary, subject to appropriation of funds thereof.

SECTION 16. DUTIES OF THE PERSONNEL BOARD

a. The Personnel Board shall administer the Salary Administration Plan and Personnel By-Laws and shall establish such policies, procedures and regulations as it deems necessary for the administration of the Plan.

b. The Board shall meet annually in July and organize by the choice of a Chair and Clerk. The Board shall meet at least monthly, except for the month of August. A majority of the Board shall constitute a quorum for the transaction of business. The votes of the majority of all the members of the Board shall be necessary on any matter upon which it is authorized to or required to pass under the Salary Administration Plan and Personnel By-Laws.

c. The Personnel Board shall maintain records of all employees subject to this Plan as it deems desirable, including personnel evaluations. Such records are to be kept by the Assistant Town Administrator, under the direction of the Personnel Board. Department Heads shall furnish such information as requested by the Board.

d. The Personnel Board shall from time to time, but no less often than every federal Election Year, review the Classification Schedule, Salary Schedules, and administration policies of the Salary Administration Plan and Personnel By-Laws. It shall keep informed as to pay rates and policies outside the Town, and shall recommend to the Town any action that the Board deems desirable in that regard. The Personnel Board may tentatively add a new class to the Classification Schedule or reallocate an existing class to a different compensation grade, either higher or lower, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next Annual Town Meeting.

e. Between November and January of each fiscal year, the Personnel Board may vote an annual adjustment (but shall reserve the right to vote no adjustment) to the Classification Schedule and establish the effective rate for employees of each grade for the next fiscal year, subject to the subsequent ratification of its action by formal amendment of the Salary Administration Plan and Personnel By-Laws at the next Annual Town Meeting. The Personnel Board shall base any annual adjustments upon available relevant information.

f. Matters of concern by SAP employees that are communicated in writing to the Chair of the Personnel Board will be scheduled on an agenda at the next available meeting. In addition, notice in writing shall be forwarded to the concerned employee and respective Department Head within seven days of the Board's decision. Notwithstanding the foregoing, if the Personnel Board shall so request and the concerned employee and Department Head shall agree, a reasonable extension of these time periods may be granted.

g. Upon recommendation of a Department Head, supported by evidence in writing of special reasons and exceptional circumstances satisfactory to the Personnel Board, the Board may authorize variances in the Salary Administration Plan and Personnel By-Laws as it may deem necessary for the proper functioning of the services of the Town, and to effectuate the basic intent of the Plan.

SECTION 17. EMPLOYEES AND THE PERSONNEL BOARD

a. All employees covered by this Salary Administration Plan shall have the right to request an appointment to confer with the Personnel Board on any matter of interest or concern to them that is covered by the Salary Administration Plan and Personnel By-Laws. The employee shall notify the Department Head in writing in advance of the desire to discuss the matter with the Board. One of the duties of the Board shall be to foster mutual understanding and good will with the personnel of the Town.

b. To facilitate this, if any employee should feel aggrieved by the operation of any provision of the Plan, the employee shall first discuss the matter with the Department Head, in a mutual effort to clear up any problems or misunderstanding.

c. If two weeks after such a conference a satisfactory understanding and solution of the problem has not been reached, then either the Department Head or the employee may take the matter to the Personnel Board, and the Board shall hear the parties not later than at its next regular meeting. There shall be no discrimination or prejudice by a Department Head against any employee who may take a matter to the Board.

SECTION 18. AMENDMENT OF THE PLAN

The Salary Administration Plan and Personnel By-Laws may be amended in the same manner that Town By-Laws may be amended. However, no amendment to the Plan shall be made until it has been presented by a signed petition to, and acted upon by, the Personnel Board. Upon receipt of such a written petition, the Board, after giving the petitioner(s), the Department Head(s) and the affected employee(s) at least two weeks' written notice, shall hold a hearing to consider the proposed amendment. If the Personnel Board approves of any proposed amendment, it shall bring it before the next available **Special or Annual** Town Meeting for its consideration. If the Personnel Board disapproves any proposed amendment or shall fail to act thereof within fifteen days after the hearing (which failure shall be deemed disapproval), the petitioner(s) may the present the petition to the next available Town Meeting for its consideration. The Board of its own motion, after a similar hearing and/or conference with parties interested, may propose an amendment to the Plan.

SECTION 19. SEVERABILITY PROVISION

In the event that any provision of this by-law, or application thereof, shall be held to be invalid by the proper authorities, this shall not be construed to affect the validity of any other provision, or application thereof, of this by-law.

SECTION 20: CLASSIFICATION SCHEDULE

SCHEDULE A: FULL-TIME SALARY GRADED POSITIONS

	Minimum	Midpoint	Maximum
1	\$35,000	\$40,250	\$45,550
2	\$37,625	\$43,269	\$48,913
3	\$40,447	\$46,514	\$52,581
4	\$45,000	\$52,875	\$60,750
5	\$48,375	\$56,841	\$65,306
6	\$52,003	\$61,104	\$70,204
7	\$62,500	\$75,000	\$87,500
8	\$73,438	\$88,125	\$102,813
9	\$86,289	\$103,547	\$120,805

POSITION TITLE	PAY GRADE
DEPARTMENT HEADS & MANAGEMENT STAFF	
Director of Public Works	9
Finance Director – Treasurer-Collector	
Assistant Town Administrator	8
Director of Facilities	
Library Director	
Building Commissioner	
IT Manager	???
Director, Youth & Family Services	7
Director, Council on Aging	
Principal Assessor	
Director of Recreation	
Town Accountant	
Town Planner	
SUPERVISORS & TECHNICAL STAFF	
Assistant Town Clerk	6
Conservation Agent	
Assistant Director, Youth & Family Services	
Outreach Coordinator	
Business Administrator	5
Children’s Librarian	
Staff Engineer	
Executive Assistant to the Board of Selectmen	
Program Coordinator	

Principal Department Assistant	4
Maintenance Supervisor	
Assistant Treasurer/Collector	
Assistant Town Accountant	
ADMINISTRATIVE & SUPPORT STAFF	
Administrative Assistant	3
Administrative Assistant II	
Senior Library Assistant	
Communications Officer	2
Library Assistant	
Maintenance Mechanic	
Maintenance Custodian	1

*Increases in rates **exceeding the maximum** will be considered individually by the Personnel Board.

SCHEDULE B: [RESERVED FOR FUTURE USE]

SCHEDULE C: PART-TIME HOURLY GRADED POSITIONS

Seasonal Laborer	1
Electrician.....	2
Seasonal Laborer II	2
Summer Program Assistant, Youth Commission.....	2
Election Worker (P.T.).....	3
Page, Library	3
Election Warden (P.T.).....	4
Clerk, Library	5
Library Custodian.....	5
Substitute Custodian.....	5
Receptionist.....	8
Secretary, Town Committee	8
Interim Public Safety Communications Officer.....	9
Part-Time Police Dispatcher.....	9
Technical Specialist.....	9
Administrative Assistant.....	10
Animal Control Officer.....	11
Business Assistant	11
Cable Access Facilitator	11
Economic Development Coordinator	11
Reserve Police Officer.....	11
Technical Specialist II	11
Tree Warden.....	11
Information Technology Coordinator.....	12
Interim Police Officer (Reserve)	12
Nurse	13
Electrician.....	13
Public Health Director.....	13

Police Lieutenant..... See Schedule G

*While serving as an Interim Police Officer (Reserve), an employee will fall under Grade 12. After the interim designation has ended, the employee will revert to the Grade 11 classification.

Hourly Rates for Part-Time Positions

Grade	Minimum	Midpoint	Maximum
1	Min wage*	Midpoint	\$10.00
2	\$8.34	\$10.35	\$12.35
3	\$8.84	\$10.91	\$12.98
4	\$9.26	\$11.52	\$13.78
5	\$9.71	\$12.10	\$14.49
6	\$10.25	\$12.74	\$15.22
7	\$10.73	\$13.34	\$15.95
8	\$11.26	\$14.02	\$16.77
9	\$11.82	\$14.72	\$17.62
10	\$12.54	\$15.60	\$18.66
11	\$13.87	\$19.44	\$25.00
12	\$21.00	\$27.50	\$34.00
13	\$29.00	\$35.00	\$41.00

***Municipalities are subject to the federal minimum wage law, not the state law.**

SCHEDULE D: FIRE DEPT POSITIONS (not covered by Collective Bargaining Agreement)

<u>Grade</u>	<u>Proposed Pay Structure</u>	<u>Drills</u>	<u>Boxes</u>	<u>Signal 55</u>
1	Firefighter (Entry Level)	0.00	0.00	0.00
2	Firefighter I Certified	18.00	16.00	16.00
3	Firefighter I/II Certified	19.00	17.00	17.00
4	Firefighter I Certified/Operator	20.00	18.00	18.00
5	Firefighter I/II Certified/Operator	21.00	19.00	19.00
6	EMT (Entry Level)	0.00	0.00	0.00
7	EMT	18.00	16.00	16.00
8	EMT-I	20.00	18.00	18.00
9	Firefighter I Certified/EMT	20.00	18.00	18.00
10	Firefighter I/II Certified/EMT	21.00	19.00	19.00
11	Firefighter I Certified/Operator/EMT	22.00	20.00	20.00
12	Firefighter I/II Certified/Operator/EMT	23.00	21.00	21.00
13	Lieutenant	24.00	22.00	22.00
14	Lieutenant/EMT	26.00	24.00	24.00

Details. On any occasion that the Fire Chief determines that public safety is at risk (fire watches, pyrotechnic displays, pyrotechnic blasting for construction, etc.) and calls for a detail consisting of a Firefighter or Firefighters [not covered by any other collective bargaining agreement] to stand-by during any of these situations to monitor for fire, explosion, or any other possible hazard, the person or persons assigned to the detail will be compensated in the following manner:

\$46.00 per hour

SCHEDULE E: MISCELLANEOUS ANNUAL COMPENSATION SCHEDULE

Cemetery Agent	\$8,000
Clerk, Board of Registrars	\$1,638.33
Emergency Management Coordinator	\$2,000
Registrar of Voters	\$205.66

Town Counsel (not including fees).....	\$1,704.33
Tree Warden.....	\$4,000
Veterans' Agent and Director of Veterans' Services.....	\$15,000
Website Administrator	\$5,000

SCHEDULE F: FEE BASED COMPENSATION (Recreation Seasonal Personnel)

Assistant Instructor.....	3
Camp Counselor 1	1
Camp Counselor 2	2
Lifeguard	5
Coordinator.....	6
Instructor I.....	6
Monitors	6
Program Driver.....	6
Assistant Supervisor	9
Supervisor.....	11
Instructor II	12
Master Instructor	13
Seasonal Nurse	13

Classification grade is reflective of "Hourly Rates for Part-Time Positions" in this plan.

SCHEDULE G: SPECIAL ADMINISTRATIVE AND SUPERVISORY POSITIONS

Effective July 1, 2011, the Police Lieutenant would be classified under Schedule G. In addition to all the benefits provided employees under the SAP, he/she would be eligible for some additional benefits as provided members of Mass COP Local 167, the police union collective bargaining agreement.

As a result, a separate policy is adopted by the Southborough Board of Selectmen and enforced by the Southborough Police Department subject to change in conjunction with future collective bargaining agreements.

Police Lieutenant:

Minimum	Midpoint	Maximum*
62,668	72,992	83,316

*Increases in salary for long term employees will be considered case by case by the Personnel Board.

SCHEDULE H: COMMUNICATIONS OFFICERS

The role and responsibilities of Communications Officer(s) for the Town are non-traditional, as staff members are expected to work odd hours, nights, weekends and holidays. They are also expected to wear prescribed clothing, as representatives of the Southborough Police and Fire Departments. The below listed items are allowances made for these requirements:

Shift differential:

Communications Officers are required to work 24/7 shifts. As a result, shift differential are paid hourly to scheduled employees for evening and midnight shifts.

Differential is set at:

4pm – 12 am	\$.50/hour
12am - 8 am	\$.60/hour

Clothing Allowance:

Communications Officers are expected to wear clothing as prescribed by the Police Chief. A clothing allowance of \$350 per year, paid through reimbursement as receipts are provided, will be allowable.

LONGEVITY SCHEDULE: Full-Time Employees of Town of Southborough – Compensated annually at Anniversary Date

After 5 years	\$400
After 10 years	\$600
After 15 years	\$700
After 20 years	\$850
After 25 years	\$1,000
After 30 years	\$1,200
After 40 years	\$1,500

, or do or act anything in relation thereto.

Proposed by: PERSONNEL BOARD

Board of Selectmen Recommendation:

Advisory Committee Recommendation:

Summary: *The Personnel By-Law governs policies and pay structures for non-union employees. The changes are noted in **bold**.*

ARTICLE 6: To see if the Town will vote to approve funding for the economic cost items under M.G.L. Chapter 150E, Section 7 for any particular collective bargaining agreements reached before Town Meeting, or do or act anything in relation thereto.

Proposed by: BOARD OF SELECTMEN

Board of Selectmen Recommendation:

Advisory Committee Recommendation:

Summary: *This article will fund costs associated with the first year of any contract agreed upon before Town Meeting commences with the DPW, Police, Communication Officers, and/or Fire Union.*

ARTICLE 7: To see if the Town will vote to transfer a sum of money between and among various accounts for the fiscal year ending June 30, 2016, or do or act anything in relation thereto.

Proposed by: BOARD OF SELECTMEN

Board of Selectmen Recommendation:

Advisory Committee Recommendation:

Summary: *This article is intended to address any unexpected or unusual funding needs for the current fiscal year via transfers between accounts.*

ARTICLE 8: To see if the Town will vote to raise a sum of money as may be necessary for the Town’s use for Fiscal Year 2017, and make appropriations of the same, or do or act anything in relation thereto.

SEE BUDGETS ON THE FOLLOWING PAGES (Pages X through XX)

Proposed by: BOARD OF SELECTMEN

Summary: *See budget report including Advisory Committee and Board of Selectmen’s FY17 recommendations.*

ARTICLE 9: To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money for General Government capital items for the following purposes:

	DESCRIPTION	REQUEST	LEVY	WATER AND OTHER FUNDS
A.	Phone system (DPW, Cordaville Hall)	\$35,000.00	\$35,000.00	
B.	Road Maintenance	\$250,000.00	\$250,000.00	
C.	Police – Fingerprint Device	\$19,200.00	\$19,200.00	
D.	DPW – Mechanical/storage building	\$38,000.00	\$38,000.00	

, or do or act anything in relation thereto.

Proposed by: BOARD OF SELECTMEN

Board of Selectmen Recommendation:

Advisory Committee Recommendation:

Summary:

- A.
- B.
- C.
- D.

ARTICLE 10: To see if the Town will vote to borrow a sum of money for General Government capital items for the following purposes:

	DESCRIPTION	REQUEST	LEVY	WATER AND OTHER FUNDS
A.	DPW – Underground Fuel Tank Replacement	\$525,000.00	\$525,000.00	
B.	DPW – Water Main Cleaning and Lining	\$800,000.00		\$800,000.00

, or do or act anything in relation thereto.

Proposed by: BOARD OF SELECTMEN

Board of Selectmen Recommendation:

Advisory Committee Recommendation:

Summary:

- A.
- B.

ARTICLE 11: To see if the Town will vote pursuant to Massachusetts General Laws, Chapter 44 § 53E ½ to authorize and/or reauthorize the use of a revolving fund for the following purposes:

1.	Immunization/emergency dispensing clinic and any declared emergency for the Board of Health to a maximum of \$12,000.
2.	Inspection services for the Sealer of Weights and Measures, Plumbing Inspector and Wiring Inspector for receipts to a maximum of \$100,000.
3.	Department of Public Works for 9-11 Field Maintenance and usage and DCR annual fee to a maximum of \$50,000.
4.	Local Wetland Filing fees for Conservation Commission departmental and consultant costs for review, issuance and monitoring of projects to a maximum of \$30,000.
5.	Public Safety and Public Works departments for responding to incidents involving hazardous material to a maximum of \$75,000.
6.	CPR classes by the Fire Department for the cost of running CPR classes to a maximum of \$6,500.