

CITIZEN COMPLAINT/RESOLUTION PROCEDURES

The purpose of this policy is to provide guidance to the New Sharon Board of Selectmen, Town staff and citizens of New Sharon for filing, investigating, and researching complaints. Also, to establish a formal procedure affording public officials and town staff an opportunity to remedy or determine a resolution to the matter, if and when applicable.

The Town of New Sharon is committed to maintaining quality of services; professionalism; integrity; teamwork; diversity; empowerment; and improve relationships between Town employees, Town Board members and the citizens. The New Sharon Board of Selectmen is very concerned about those items that might impact the citizens of our community. It is the policy of the Town of New Sharon to seriously consider matters which are brought to our attention or lodged by citizens. When appropriate, effective action will be taken to address and correct the complaint.

Definition of a Complaint

It is important to recognize the difference between a complaint and a suggestion, observation, question, neighbor dispute, or simply a call pointing out a hazard or safety issue. The elected official or staff member fielding the complaint will need to determine whether or not a complaint exists. Examples of complaints include:

1) Infraction Complaint

- A citizen's complaint against a fellow citizen because he or she feels a Town ordinance is being violated.

2) Non-Infraction Complaint

- A complaint against the Town as the result of a policy or ordinance deemed unfair.
- A complaint against the Town because of what a citizen feels is inaction or an inappropriate response to a situation.

3) Misconduct Complaint

- A complaint filled out by a citizen against a Town employee or an elected official.
- A complaint filled out by a Town employee against another employee, a citizen or an elected official.

Who Can File a Complaint?

Any citizen or employee of the Town of New Sharon can file a complaint against another citizen, the Town, a Town employee or an elected official.

Filing a Complaint

Once the elected official or staff member determines that there is a complaint, it is necessary for the complainant to fill out a **Complaint Form**.

Complaints will be unsubstantiated if a formal complaint form is not completed and signed. Unsubstantiated complaints will warrant no action by the Board of Selectmen or staff.

The form must include a description of the complaint and be signed and dated by the individual filing the complaint. The Board of Selectmen, Town Clerk, or other elected official of the Town must also sign and date the complaint form. The person following up on the complaint and the date of follow up should also be included.

A copy of the completed complaint form will be mailed to the complainant and copies will be made for the Board of Selectmen for their information. The original completed complaint form will be filed at the Town Office.

Responding to a Complaint

All complaint forms filled out will be turned over to the Board of Selectmen who will determine the validity of the complaint. Once determined, the Board of Selectmen or their designee will communicate to the complainant, in a timely manner, the course of action. Matters not found to be valid will be dismissed without action. Complainants will be notified of the Town's decision not to pursue a complaint and the reason.

1) Infractions Complaint

- For complaints involving municipal infractions, the Board of Selectmen will review the complaint and complaint form. Complaints will be investigated for validity and resolution.

- If found valid:

1. And this is the first complaint received, an abatement notice will be delivered or sent to the offender specifying the complaint and action required to be in compliance with the ordinances of the Town of New Sharon. Notices will also include a reasonable time frame for abatement. The notice should cite the Ordinance and consequences.
2. In the event that the abatement has not occurred in the time frame allowed or in the event of a second complaint, after the first abatement period has expired, a first offense citation will be issued. The appropriate municipal infraction citations will be issued for each occurrence thereafter.
3. Should citations be issued, the recipient must come to the Town Office to pay fines associated with Municipal Infraction citations, or pay the Town of New Sharon Treasurer's in the case of fines that have been certified as liens against property.
4. Should the recipient dispute any portion of the citation and refuse payment, the citation will be forwarded to the appropriate court for action.
5. In all cases referred to the appropriate court, the property owner will be required to pay the court costs incurred by the Town if the property owner is found to be in violation or if the property owner abates the nuisance before the court hearing and the hearing is canceled at the request of the Town Attorney.

- **Non-Infractions Complaint**

- Steps will be taken on non-violation issues to be resolved by the appropriate body. Example, matters involving road repairs will be reviewed by the Board of Selectmen and Road Commissioner.

- **Misconduct Complaint**

- If the complaint is about a specific employee, the complaint will first be forwarded to the Board of Selectmen and the employee's direct supervisor (if applicable). If the complaint is about a department head, the complaint will be forwarded to the Board of Selectmen.

1. The Board of Selectmen will make the determination as to how the complaint handling will proceed.
2. If legal counsel is required, the Board of Selectmen will consult with the Town Attorney.
3. If a closed session is required, the Board of Selectmen may call a special meeting upon written request of the employee.

CITIZEN COMPLAINT FORM

Please complete the following information so that the Town can investigate your complaint. Please print clearly.

Date _____

Name _____

Address _____
Street Address/P.O. Box City State Zip Code

Phone Number _____
Home # Cell #

If requested will you attend a Board of Selectmen meeting to explain your complaint? Yes No

Nature of Complaint: (include the date, time, place, and facts of your complaint)

Explain how you feel the complaint should be resolved:

Would you like to opt out of making this complaint an open public record? Yes No
(If you check Yes it is very possible that the Town will not take any action on your complaint.)

Should a citation be issued, you may be required to testify to the above complaint in a Court of Law.
Do you agree to testify? Yes No
(If you check No it is very possible that the Town will not be able to take action on your complaint.)

(Print Name)

Date

Signature

All complaints must be signed and dated to be considered valid.

| | |
|-------------------------------------------------------------------|----------------------------|
| Town Office Use Only | Complaint No. _____ |
| Received by: _____ | Date: _____ |
| Copies to: _____ | Date: _____ |
| _____ | Date: _____ |
| <i>Chair, Board of Selectmen's Signature: Manager's Signature</i> | |