

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE
2. Acceptance/Correction Of Minutes
3. Announcements
  - 3.I. Supervisors Of The Checklist - Voter Registration Session

Documents:

[ANNOUNCEMENT - SOC VOTER REGISTRATION SESSION - 02.23.2026.PDF](#)

4. Public Comment  
For Goffstown residents at the beginning of each regular meeting

Documents:

[2.8 PUBLIC PARTICIPATION IN THE BOARD MEETINGS - EXCERPT FROM PROCEDURES OF THE GOFFSTOWN SELECT BOARD REV 01.02.2019.PDF](#)

5. Finance Director
  - 5.I. Financial Audit For Fiscal Year Ended 12/31/2024

The Finance Director will present the Town's financial audit for the year ending 12/31/2024.

[ANNUAL AUDIT REPORTS AND FINANCIAL STATEMENTS](#)

Documents:

[FINANCE DIR MEMO - 2024 AUDIT TO SEL BOARD - 02.23.2026.PDF](#)

6. DPW Director
  - 6.I. DPW 2026 Construction Season Hours

The Director of Public Works requests approval to shift the DPW work schedule during the 2026 summer construction season (March 30th – October 9th) to a 4-day/10-hour model.

Documents:

[PUBLIC\\_DPW\\_CONSTR HOURS PACKET 2\\_23\\_26.PDF](#)

- 6.II. DPW Montelona Road Culvert Project

The DPW Director will present Montelona Road Culvert Project construction bid documents and request authorization to advertise for bids.

Documents:

[PUBLIC\\_DPW\\_MONTELONA PROJECT BID 2\\_23\\_26.PDF](#)

## 7. Town Administrator's Report

### 7.I. Consent Agenda

Routine items for the Select Board's approval. Select Board members may request items be removed for full discussion by the Board.

Documents:

[TA REPORT - CONSENT AGENDA - 02.23.2026.PDF](#)

### 7.II. Assessor's Recommendations

Weekly recommendations from Town Assessor for Exemptions, Credits, Warrants, and Abatements.

Select Board members may request items be removed for full discussion by the Board.

Documents:

[TA REPORT - ASSESSOR RECOMMENDATIONS - 02.23.2026.PDF](#)

### 7.III. Heating Oil Rates - Recommendation (09/01/26-08/30/27)

Documents:

[MEMO-OIL RATE RECOMMENDATION 02.23.2026.PDF](#)

## 8. Select Board Discussion

### 8.I. New Business

### 8.II. Old Business

### 8.III. Action Matrix

Week-to-Week tracking matrix for Select Board; tracking action items, grants, and town vehicles out of service.

Documents:

[2025 ACTION MATRIX WORKBOOK - 02.23.2026.PDF](#)

## 9. Public Comment

For Goffstown residents at the end of each regular meeting

Documents:

[2.8 PUBLIC PARTICIPATION IN THE BOARD MEETINGS - EXCERPT FROM PROCEDURES OF THE GOFFSTOWN SELECT BOARD REV 01.02.2019.PDF](#)

## 10. Non-Public Session RSA 91-A:3,II

Documents:

[RSA 91-A.3 NON-PUBLIC SESSIONS.PDF](#)

**ANNOUNCEMENT – Supervisors of the Checklist  
Voter Registration Session**

**MEETING DATE:** 02/23/2026

**REQUESTED BY:** TOWN ADMINISTRATOR

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The Supervisors of the Checklist will be in session at the Goffstown Town Hall downstairs in Room 104 on Saturday, February 28, 2026, from 10:00 a.m. to 10:30 a.m.

New voter registration as well as name, address and party affiliation changes can be made at this time with appropriate documents.

New voters must bring proof of citizenship, date of birth, home address and photo ID with them to register to vote. (NH RSA 654:12)

This will be the last day to register to vote until the town election on March 10, 2026.



# *Town of Goffstown*

TOWN OFFICES

16 MAIN STREET • GOFFSTOWN, NH 03045

## **2.8 Public Participation in the Board Meetings**

2.8.1 Each person desiring to speak during public comment shall state his/her name, street and if not a Goffstown resident, his/her town and shall fill out the roster provided by the Town Administrator.

2.8.2 The Presiding Officer shall schedule appropriate public comment time for Goffstown residents at the beginning and end of each regular meeting. The Presiding Officer, at his/her discretion, may allow other speakers for a germane topic. Public comment speakers are limited to three minutes each.

2.8.3 Agenda appointments with the Board may be made for a regular meeting through the Town Administrator, for Town-related business. The Presiding Officer has the discretion to schedule a different date and time.

2.8.4 Unless a concern expressed at the public comment period or an agenda appointment is an urgent matter, the Board may take up the concern at the next regular meeting under Old Business.

2.8.5 Special Board meetings shall not have public comment nor agenda appointments unless the appointment is the purpose of the special meeting.

**Excerpt from the  
Procedures of the Goffstown Select Board  
and  
Committees appointed by the Select Board**

Available:	<a href="https://www.goffstownnh.gov/DocumentCenter/View/1447/2019-Select-Board-Procedures-rev-1_2_19">https://www.goffstownnh.gov/DocumentCenter/View/1447/2019-Select-Board-Procedures-rev-1_2_19</a>
Adopted:	6/30/08
Revised:	3/23/09; 4/4/11; 6/20/11; 4/30/12; 5/21/12; 4/1/13; 3/24/14; 4/13/15; 6/29/15; 2/1/16; 4/23/18; 1/2/19



# Town of Goffstown

FINANCE DEPARTMENT

## MEMORANDUM

**To:** Goffstown Select Board

**Cc:** Derek Horne, Town Administrator

**From:** Zachary A. Hofland, Finance Director/Treasurer

**Date:** February 23, 2026

**Re:** Financial Audit for Fiscal Year Ended 12/31/2024

**Purpose:** To provide the Board with a copy of the FY24 Final Audit and related letters from the independent auditors.

**Background:** The financial audit for the year ending 12/31/2024 was completed by the independent auditing firm, Plodzik & Sanderson, P.A. The full copy of the final report is attached, along with the governance letter.

The governance letter is an addendum to the audit report which further explains the scope of the internal controls testing and the results of that testing, any significant risks that were identified, significant accounting estimates, adjustments made during the audit, as well as identifies areas of improvement that those charged with governance should consider. The auditors presented six items for improvement for the Board's consideration. Improving these areas will help reduce the likelihood of receiving formal audit findings for those items in the future.

- There were no concerns with our accounting methods or significant accounting policies.
- All assumptions used in the financial reporting were determined to be reasonable.
- The financial statement disclosures were considered to be neutral, consistent, and clear.
- There were no unusual transactions identified during the audit.
- Adjustments made during the audit were considered to be routine in nature.

In your packet, you will find a copy of the Independent Auditor's Report on the Audit of the Financial Statements.

There was one official finding identified during the audit included in the Independent Auditor's Communication of Significant Deficiency—

Segregation of Duties (**Significant Deficiency**)

As the Town's Finance Director and Treasurer, I provided a response to their formal finding which is included in the Independent Auditor's Communication of Significant Deficiency at the end of the audit report. This response was consistent with the response provided in the prior year, as the change to split positions within Finance and Administration did not take place until mid- to late-2025.

## **PUBLIC – DPW 2026 CONSTRUCTION SEASON HOURS**

**MEETING DATE:** 2/23/26

**REQUESTED BY:** ADAM JACOBS, DIRECTOR

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### **ISSUE:**

The Director of Public Works requests approval to shift the DPW work schedule during the 2026 summer construction season (March 30<sup>th</sup> – October 9<sup>th</sup>).

### **BACKGROUND INFORMATION:**

The DPW annually shifts the work schedule during the non-winter months from a (5) 8-hour day model to a (4) 10-hour day model. This provides longer periods of work with fewer periods of daily mobilization and demobilization, and is preferred as long as the seasonal daylight hours permit. Attached is a sample of the memo which must be signed by all affected employees.

### **FINANCIAL IMPACT:**

None anticipated.

### **RECOMMENDATION:**

*Motion to approve the DPW 2026 construction season schedule as proposed.*

### **ATTACHMENTS:**

- Sample 10-hr schedule staff agreement

# Memorandum

**To:** DPW Highway, Cemetery, and Fleet Maintenance employees

**From:** Adam Jacobs, Director  
Mike Hillhouse, Assistant Director

**Date:** February 24th, 2026

**Re:** Proposed 2026 Construction Season Work Schedule

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Beginning the week of March 30th, 2026 and ending October 9th, 2026, we will be working four consecutive 10-hour days per week. In order to operate within the laws set forth by the NH Department of Labor, the following guidelines will apply:

All employees listed in the divisions above must approve of this policy in writing for it to be in effect.

The workday will be from 6:30 am – 4:30 pm, Tuesday through Friday for the Crew and Supervisors. If any issues arise from the 6:30 am – 4:30 pm workday, the schedule will be changed to 7:00 am – 5:00 pm.

Two fifteen-minute breaks at the job site will be scheduled during the workday (mid-morning and mid-day). I suggest packing a lunch. ***There will be no scheduled paid or unpaid half-hour lunch break, and acceptance of this work schedule shall serve as waiver of the normal lunch period.***

Leave taken during this period will require 10 hours for a full day. As a reminder, accruals are only 8 hours each for personal days.

The weeks with the holidays of Memorial Day, Juneteenth, Independence Day, and Labor Day will be scheduled as two 11-hour workdays and one 10-hour workday. Leave time used during these weeks will count as actual hours taken per day.

Payroll is submitted Monday mornings; all timecards, applications for leave, or any other paperwork required for payroll will be completed by the end of the shift on Friday. As always, it is the responsibility of the employee to have his/her time properly noted by the end of the week. ***Payroll will be entered from the information on the timecard. Failure to have the proper information on your timecard could result in unnecessary errors in pay.***

This agreement will in no way affect the Union Contract or represent a past practice.

If the parties determine at any time that this revised schedule is not working due to failure to comply with these guidelines, we will revert to our normal 5-day schedule with a half hour unpaid lunch break, after a two-week notice.

This policy will remain posted while in effect.

Please sign in the space below if you agree to accept these guidelines.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# **PUBLIC – DPW MONTELONA RD CULVERT PROJECT**

**MEETING DATE:** 2/23/26

**REQUESTED BY:** ADAM JACOBS – DPW DIRECTOR

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## **ISSUE:**

The Montelona Road culvert project is fully permitted and ready to advertise for bids for the construction phase.

## **BACKGROUND INFORMATION:**

The DPW was awarded a 2022 FEMA Hazard Mitigation Grant to replace the culvert carrying Hardy Brook under Montelona Road in the vicinity of Mercier Court. Design and permitting have been completed as of this month, and the consultant engineer (Hoyle, Tanner, and Associates) has prepared the bid package for advertisement.

The project includes replacing the 64”x43” oblong metal culvert pipe with a 12-foot precast concrete box culvert, headwalls, and simulated stream bed. This increased capacity should mitigate the effects of any riverine flooding, which caused the total loss of a similar culvert upstream on East Dunbarton Road in December 2020. Additionally, the larger span and simulated stream bottom will remove the current barrier to aquatic organism passage.

The schedule is to solicit bids and award the project by mid-April for the 2026 construction season, with road closure to begin no earlier than the end of the current school year.

## **FINANCIAL IMPACT:**

The DPW was awarded an HMPG grant from FEMA during a temporary “plus up” window of opportunity in 2022, which provided for 90% federal funding and a 10% local match (vs. 75/25). The grant award for the project was based upon an estimated design, permitting, and construction cost of \$422,788.38. The anticipated total town match would be \$42,278.84 and the federal share would be \$380,509.54. FEMA and the State of NH HSEM would need to approve award of any bids that exceed the remaining grant funds.

As of the last quarterly report to HSEM, the Town match paid to date through design and permitting is \$9,476.28. Remaining matching funds are available in the DPW road and drainage budget, plus credit for Town staff “force account” labor.

## **RECOMMENDATION:**

***Recommend approval of the Montelona Road Culvert Project construction bid documents, and authorizing the DPW Director to advertise for bids.***

## ADVERTISEMENT FOR BIDS

### Montelona Road Culvert over Hardy Brook, Goffstown, NH

Sealed Bids for the construction of the Montelona Road Culvert over Hardy Brook, Goffstown, NH will be received by the Town of Goffstown, NH, at the **Town Hall, Select Board's Office, 16 Main Street, Goffstown, NH 03045** until **2:00 PM local time on Thursday, March 19, 2026**, at which time the Bids received will be publicly opened and read. The Project consists of replacing the existing corrugated metal culvert with a 12'-0" span by 5'-0" rise clamshell precast box culvert structure as well as partial reconstruction of Montelona Road for approximately 160'. The engineer's estimate for the work is between \$300,000 and \$350,000. The anticipated project schedule is to start construction **on July 6, 2026 and complete construction by October 30, 2026** with a maximum road closure of 12 weeks.

Bids shall be on a unit price basis, as indicated in the Bid Form. All technical questions regarding this project should be directed by email to Josif Bicja at [jbicja@hoyletanner.com](mailto:jbicja@hoyletanner.com).

Bidding Documents may be downloaded at [www.goffstownnh.gov](http://www.goffstownnh.gov) in electronic format (.pdf only) at no cost. Bidders shall check the town website for any addendum/addenda posted during the bid period and acknowledge such addendum/addenda in the Bid Form.

An optional pre-bid conference will be held at **9:00 AM local time on Thursday, March 5, 2026** at the Goffstown Public Works Building, 404 Elm Street, Goffstown, NH 03045. Therefore, all interested bidders are encouraged to attend in order to prepare acceptable bid submissions.

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents. Bid security shall be furnished in accordance with the Instructions to Bidders.

# **TOWN ADMINISTRATOR'S REPORT - Consent Agenda**

**MEETING DATE:** 02/23/2026

**REQUESTED BY:** TOWN ADMINISTRATOR

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## **ISSUE:**

Routine items for the Select Board's approval. Select Board members may request items be removed for full discussion by the Board.

### **Employee Status Reports (Chairman's signature required):**

POLICE – FT Sergeant – Retirement  
POLICE – FT Sergeant - Promotion  
FIRE – FT Firefighter – New Hire  
FIRE – FT FF/AEMT – Differential for AEMT License (per CBA)  
FIRE – FT Firefighter – Resignation

### **Event Permits (signature of entire Board):**

Goffstown Junior Baseball – Little League Opening Day Parade  
Saturday, 4/24/26, 8:00-8:30AM  
GHS Parking Lot → Park Lane → S Mast Road (NH Route 114) → Normand Road

Goffstown Rotary Club – Car Show  
Saturday, 6/6/26, 9:00A-2:00P, Cemetery Field on Parson's Drive & N Mast Road

Granite State Health & Fitness Foundation – Glen Lake Swim  
Sunday, 8/16/26, 8:00A-12:00P (Rain Date: Sunday, 8/23/26, 8:00A-12:00P)  
Parks & Recreation Building and Glen Lake

### **Rights to Inter (signature of entire Board):**

Lot: Westlawn Cemetery, Section 1988, Lot #17

Lots: Shirley Hill Cemetery, Section 2, Lots 20A, 21A, 22A, 23A, 19B, 20B, 21B, 22B, 18C, 19C, 20C, and 21C

Lots: Shirley Hill Cemetery, Sections 3, Lots 86A, 87A, 88A, 89A, 86B, 87B, 88B, and 89B (lot exchange & sale)

Lot: Shirley Hill Cemetery, Section 3, Lot 84A

Lot: Shirley Hill Cemetery, Section 3, Lot 85A

Lot: Shirley Hill Cemetery, Section 2, Lots 40B & 41B

Lot: Shirley Hill Cemetery, Section 1, Lot 108

Lot: Westlaw Cemetery, Section 1994, Lot 188

# **TOWN ADMINISTRATOR'S REPORT - Consent Agenda**

**MEETING DATE:** 02/23/2026

**REQUESTED BY:** TOWN ADMINISTRATOR

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**Contract for Professional Services for Asset Management  
Town and Vanasse Hangen Brustlin, Inc. (Chairman's signature required):**

Development and implementation of an Asset Management Program (AMP) for the  
Town of Goffstown's stormwater infrastructure - Department of Environmental Services,  
Clean Water State Revolving Fund Technical Assistance funds  
*Grant Funds Accepted and Authorized by the Select Board 06/23/2025*

## **RECOMMENDATION:**

If the Board concurs:

***Motion to approve the Consent Agenda as presented.***

# TOWN ADMINISTRATOR'S REPORT

## Assessor's Recommendations

**MEETING DATE:** 02/23/2026

**REQUESTED BY:** ASSESSOR

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Weekly recommendations from Town Assessor for Exemptions, Credits, Warrants, and Abatements. Select Board members may request items be removed for full discussion by the Board.

### ASSESSOR'S RECOMMENDATIONS:

**2025 Tax Year – Tax Deferral for Elderly or Disabled (RSA 72:38-a)  
(RECOMMEND APPROVAL)**

Map 36, Lot 65 - \$4,476.68

**2026 Tax Year – Veterans' Tax Credits (RSA 72:28) (RECOMMEND APPROVAL)**

Map 5, Lot 38-25

Map 21, Lot 57

Map 5, Lot 70-3

Map 34, Lot 113

Map 5, Lot 82-9

Map 5, Lot 83-8-B

Map 6, Lot 22-142

Map 7, Lot 111a-4-3

Map 16, Lot 219

Map 19, Lot 56a-3

Map 19, Lot 56a-3

Map 21, Lot 10

**2026 Tax Year – All Veterans' Tax Credit (RSA 72:28-b) (RECOMMEND APPROVAL)**

Map 6, Lot 17B-136

Map 23, Lot 2

Map 19, Lot 2

Map 21, Lot 29

**2026 Tax Year – Elderly Exemption (RSA 72:39-b) (RECOMMEND APPROVAL)**

Map 6, Lot 22-63

**2026 Tax Year – Service Connected Disability (RSA 72:35) (RECOMMEND APPROVAL)**

Map 5, Lot 60-11-A

Map 39, Lot 13

Map 18, Lot 38-2

**2026 Tax Year – Solar Energy Exemption (RSA 72:62) (RECOMMEND APPROVAL)**

Map 9, Lot 13-12-4

Map 15, Lot 129

**RECOMMENDATION:**

If the Board concurs:

***Motion to approve the Assessor's Recommendation as presented.***

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Jim: \_\_\_\_\_ Peter: \_\_\_\_\_ Collis: \_\_\_\_\_ Mark: \_\_\_\_\_ Kelly: \_\_\_\_\_



## MEMO

**To:** Goffstown Select Board

**Cc:** Derek Horne, Town Administrator

**From:** Danielle Basora, Assistant Town Administrator/HR Director/Deputy Treasurer

**Date:** February 23, 2026

**Re:** Oil Bid Results for 09/01/2026 – 08/30/2027

**Purpose:** To make a recommendation to the Board to award a 12 month oil contract for 09/01/2026 through 08/30/2027.

**Background:** The Town’s third-party energy consultant, Competitive Energy Services, conducted an RFP process solicit bids for the Town’s heating oil.

- Current contract ends 08/30/2026. Current rate is \$2.7295/gallon.
- Bids received on 02/06/2026.

12 Months - Supplier Bids		ULSHO		
		Adder	Cost Plus Price	Fixed Price
All prices in \$/Gal	Price Point	12 months	2/5/2026	12 Months
Dead River Company	NYH Barge	\$ 0.6155	\$ 3.3990	\$ 2.8330
Haffners	NYH Barge			\$ 3.0900
Irving Oil	Opis Boston	\$ 0.1734	\$ 2.8954	\$ 2.5780
Lowest Price				\$ 2.5780

**Recommendation:** Due to the timing of the market, I would like to request permission to lock in a 12-month contract for the best available rates following the CSE rate refresh. If the rates are more than 10% above the initial rates, I will return to the Board to discuss, prior to committing the Town to anything.

**Financial Impact:** The rates received through the bid process came in about \$0.15 cents lower than our current rate, which is unusual. CES recommends we lock in the contract this week to realize the potential annual savings of \$439. They do not anticipate the rates would waiver more than \$0.05 in either direction this week, while final paperwork is prepared.





# GOFFSTOWN

FINANCE DEPARTMENT

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**Motion(s):** If the Board concurs,

***Motion to authorize Competitive Energy Services to accept the lowest bid for oil and to authorize the Assistant Town Administrator to sign the necessary paperwork to ensure the rates are secure for a period of 12-months with either the current supplier or the low bidder, as presented.***



[goffstown.com](http://goffstown.com)



[ToG-Finance@GoffstownNH.gov](mailto:ToG-Finance@GoffstownNH.gov)



(603) 497-8990 x817

**OLD BUSINESS: 02/23/2026 ACTION MATRIX**

<b>Orig. Mtg. Date</b>	<b>Item</b>	<b>Description</b>	<b>Schedule</b>
09/22/25	Goffstown Police Station	Planning for New Goffstown Police Station.	- 9/22/25 Presentation to Select Board.

**GRANTS**

<b>Orig. Mtg. Date</b>	<b>Grant</b>	<b>Description</b>	<b>Schedule</b>

\*Grant items will be removed from the Action Matrix when funds or donation are accepted under RSA 31:95-b or -e

**TOWN VEHICLES/EQUIPMENT OUT OF SERVICE**

<b>Out of svc. date</b>	<b>Vehicle/Equip.</b>	<b>Description</b>	<b>Schedule</b>
01/26/26	DPW - 332 - F550 Plow and spreader	<b>Out of Service - 1/26/26 Fire</b>	Working with NH Primex on claim/replacement.



# *Town of Goffstown*

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Adopted:	6/30/08
Revised:	3/23/09; 4/4/11; 6/20/11; 4/30/12; 5/21/12; 4/1/13; 3/24/14; 4/13/15; 6/29/15; 2/1/16; 4/23/18; 1/2/19

# TITLE VI

## PUBLIC OFFICERS AND EMPLOYEES

### CHAPTER 91-A

#### ACCESS TO GOVERNMENTAL RECORDS AND MEETINGS

##### Section 91-A:3

###### **91-A:3 Nonpublic Sessions. –**

I. (a) Public bodies shall not meet in nonpublic session, except for one of the purposes set out in paragraph II. No session at which evidence, information, or testimony in any form is received shall be closed to the public, except as provided in paragraph II. No public body may enter nonpublic session, except pursuant to a motion properly made and seconded.

(b) Any motion to enter nonpublic session shall state on its face the specific exemption under paragraph II which is relied upon as foundation for the nonpublic session. The vote on any such motion shall be by roll call, and shall require the affirmative vote of the majority of members present.

(c) All discussions held and decisions made during nonpublic session shall be confined to the matters set out in the motion.

II. Only the following matters shall be considered or acted upon in nonpublic session:

(a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.

(b) The hiring of any person as a public employee.

(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.

(d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

(e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against the public body or any subdivision thereof, or by or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph.

(f) [Repealed.]

(g) Consideration of security-related issues bearing on the immediate safety of security personnel or inmates at the county or state correctional facilities by county correctional superintendents or the commissioner of the department of corrections, or their designees.

(h) Consideration of applications by the business finance authority under RSA 162-A:7-10 and 162-A:13, where consideration of an application in public session would cause harm to the applicant or would inhibit full discussion of the application.

(i) Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

(j) Consideration of confidential, commercial, or financial information that is exempt from public disclosure under RSA 91-A:5, IV in an adjudicative proceeding pursuant to RSA 541 or RSA 541-A.

(k) Consideration by a school board of entering into a student or pupil tuition contract authorized by RSA 194 or RSA 195-A, which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general public or the school district that is considering a contract, including any meeting between the school boards, or committees thereof, involved in the negotiations. A contract negotiated by a school board shall be made public prior to its consideration for approval by a school district, together with minutes of all meetings held in nonpublic session, any proposals or records related to the contract, and any proposal or records involving a school district that did not become a party to the contract, shall be made public. Approval of a contract by a school district shall occur only at a meeting open to the public at which, or after which, the public has had an opportunity to participate.

(l) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

(m) Consideration of whether to disclose minutes of a nonpublic session due to a change in circumstances under paragraph III. However, any vote on whether to disclose minutes shall take place in public session.

III. Minutes of meetings in nonpublic session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes of such sessions shall record all actions in such a manner that the vote of each member is ascertained and recorded. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present taken in public session, it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of the public body itself, or render the proposed action ineffective, or pertain to terrorism, more specifically, to matters relating to the preparation for and the carrying out of all emergency functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life. This shall include training to carry out such functions. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply. For all meetings held in nonpublic session, where the minutes or decisions were determined to not be subject to full public disclosure, a list of such minutes or decisions shall be kept and this list shall be made available as soon as practicable for public disclosure. This list shall identify the public body and include the date and time of the meeting in nonpublic session, the specific exemption under paragraph II on its face which is relied upon as foundation for the nonpublic session, the date of the decision to withhold the minutes or decisions from public disclosure, and the date of any subsequent decision, if any, to make the minutes or decisions available for public disclosure. Minutes related to a discussion held in nonpublic session under subparagraph II(d) shall be made available to the public as soon as practicable after the transaction has closed or the public body

has decided not to proceed with the transaction.

IV. (a) A public body or agency may adopt procedures to review minutes of meetings held in nonpublic session and to determine by majority vote whether the circumstances that justified keeping meeting minutes from the public under RSA 91-A:3, III no longer apply. If the public body determines that those circumstances no longer apply, the minutes shall be available for release to the public pursuant to this chapter.

(b) In the absence of an adopted procedure to review and determine whether the circumstances no longer apply for meeting minutes kept from the public, the public body or agency shall review and determine by majority vote whether the circumstances that justified keeping meeting minutes from the public under RSA 91-A:3, III no longer apply. This review shall occur no more than 10 years from the last time the public body voted to prevent the minutes from being subject to public disclosure. Meeting minutes that were kept from the public prior to the effective date of this paragraph that are not reviewed by the public body or agency within 10 years of the effective date of this paragraph shall be subject to public disclosure without further action of the public body.

**Source.** 1967, 251:1. 1969, 482:2. 1971, 327:3. 1977, 540:4. 1983, 184:1. 1986, 83:4. 1991, 217:3. 1992, 34:1, 2. 1993, 46:1; 335:16. 2002, 222:2, 3. 2004, 42:1. 2008, 303:4. 2010, 206:1, eff. June 22, 2010. 2015, 19:1; 49:1; 105:1, eff. Jan. 1, 2016; 270:2, eff. Sept. 1, 2015. 2016, 30:1, eff. Jan. 1, 2017; 280:1, eff. June 21, 2016. 2021, 48:7(I), eff. May 25, 2021; 163:1, eff. Jan. 1, 2022; 172:1, eff. Jan. 1, 2022. 2023, 189:1, eff. Oct. 3, 2023.