



Procedures of the Goffstown Select Board
and
Committees appointed by the Select Board

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1.0

GENERAL PROVISIONS

- 1.1 Applicability
 - 1.1.1 These Procedures are applicable to the Town of Goffstown (Town) Select Board and all committees appointed by the Board and their sub-committees.
 - 1.1.2 These Procedures do not apply to other Boards, Commissions, Committees or Councils, although the Board encourages their adoption in whole or in part.
 - 1.1.3 These Procedures are enacted or amended by a majority affirmative vote during a Board regular meeting.
 - 1.1.4 Procedures for appointments to Permanent Boards, Committees and Commissions, appointment of committees and filling of Board vacancies are at Appendix A.
- 1.2 Conduct of Business
 - 1.2.1 All work sessions, business discussions and decisions shall be conducted only during properly noticed meetings and with a quorum except as provided by RSA 91-A:2, I (a).
 - 1.2.2 All meetings shall be open to the public except as prescribed in RSA 91-A:3, II.
 - 1.2.3 No temporary committee or sub-committee shall hold a non-public session except as permitted by the Board.
 - 1.2.4 Minutes, except those of non-public sessions which are sealed, shall be available as prescribed by RSA 91-A:3 III.
 - 1.2.5 All meetings shall be held within the geographic boundary of the Town.
 - 1.2.6 The Board may meet outside the Town in situations allowed by law and with proper notice.
- 1.3 Officers and Recording Secretary
 - 1.3.1 A Chair shall be elected at the first regular meeting of the Board after Town Meeting, or the first meeting after the establishment of a temporary committee.
 - 1.3.2 The Chair shall have the authority to set and approve meeting agendas and shall have the same rights, privileges, and responsibilities as other members.
 - 1.3.3 The Board Recording Secretary is the Town Hall's Executive Secretary or minutetaker as assigned.
 - 1.3.4 The Chair shall appoint a Vice Chair. The Board Vice Chair shall be named not later than the second regular meeting after Town Meeting. The temporary committee Vice Chair shall be named not later than the second meeting after establishment.
 - 1.3.5 For purposes of protocol and proper etiquette the Board Chair and Vice Chair shall be recognized by these titles during meetings of Town government bodies as well as at unofficial gatherings, when appropriate.
 - 1.3.6 The Board Chair shall appoint Representatives not later than the third regular meeting after Town Meeting. See Appendix A.
 - 1.3.7 Other officers and committees may be appointed by the Chair as necessary.

- 1.4 Board Authority to Direct: No Board member or group of Board members has the authority to direct any Town employee to perform an activity or cease to perform an activity except by majority vote during a properly posted and convened meeting.

2.0 MEETINGS

- 2.1 Regular Meetings: A regular meeting is a routine meeting day, time, and location to conduct business and discharge responsibilities. A regular meeting shall be established and member attendance is expected except for extenuating circumstances. In such cases the member who will be absent is expected to inform the Chair or his designated representative.
 - 2.1.1 Board Regular Meetings. Effective March 2016 the regular meeting of the Board is at Goffstown Town Hall the second and fourth Monday of the month from 6:00 PM to 10:00 PM except Town Hall Holidays, unless the Board adjourns to another location; or unless the regular meeting is scheduled on another day, time and location for a special purpose and is properly noticed. The Chair, or Vice Chair in his/her absence, shall have authority to cancel regular meetings due to inclement weather or lack of new agenda items.
- 2.2 Special Meetings: Special meetings are those in addition to regular meetings and are for special purposes or if the volume of business is such that it cannot be conducted during a regular meeting. They may be held as necessary provided they are properly noticed. The Chair shall have authority to set or cancel special meetings.
- 2.3 Presiding Officer: The Chair is the Presiding Officer at all meetings. In the Chair's absence the Vice Chair shall be the Acting Presiding Officer.
 - 2.3.1 In the absence of both the Chair and Vice Chair the members shall nominate and elect an Acting Presiding Officer for each meeting.
 - 2.3.2 The Presiding Officer shall control the meeting and preserve order and decorum. He is permitted to modify the Agenda.
 - 2.3.3 Any decision by the Presiding Officer may be overruled by majority vote in the affirmative. The vote applies only to the Presiding Officer's decision.
- 2.4 Conflict of Interest, Ethics and Disqualification – refer to Board Code of Conduct.
- 2.5 Quorum. A quorum is required to convene and continue any meeting. Quorum is defined as three Board members or a majority of the total number of the temporary committee or its subcommittee membership.
 - 2.5.1 Whenever a quorum ceases to exist the Presiding Officer shall adjourn the meeting immediately.
 - 2.5.2 Should a member have to temporarily excuse himself/herself from a meeting for a short personal issue and there is no longer a quorum, the Presiding Officer shall recess the meeting until the member returns.
 - 2.5.3 Whenever a member disqualifies himself the Presiding Officer must immediately determine if there is a quorum to continue the meeting.
 - 2.5.4 If a member of the Board disqualifies himself under RSA 43:6 for hearings covered by RSA 43:1, the Presiding Officer shall determine if the Board desires to appoint an alternate to take up the matter under the provisions of RSA 43:7; provided, however, that there is otherwise a quorum of

- members not counting the alternate. An alternate must be someone who has previously served on the Board.
- 2.5.5 Members who vote to abstain are still counted for purposes of a quorum (Merrimack v. McCray 150 NH 811) (2004).
- 2.6 Member Participation in Business Meetings
- 2.6.1 Members are expected to participate in all aspects of meetings except as provided in paragraph 2.7 of these Procedures. Texting and emailing between members (whether present or absent) during a business meeting is prohibited.
- 2.6.2 On an exceptional basis members may participate in all aspects of meetings via teleconference provided a quorum is present at the official, noticed location of the meeting; and the member can be heard by all persons attending the meeting, including the public present in the room. Use of this rule shall be infrequent.
- 2.6.3 Abstaining from voting is never appropriate to avoid making a difficult decision. Member should provide a reason for abstaining,
- 2.7 Voting
- 2.7.1 Business matters requiring an official decision shall first have a motion and second recognized by the Presiding Officer. The vote on the motion shall require a majority vote in the affirmative to pass or a majority vote in the negative to fail unless otherwise stipulated in these Procedures.
- 2.7.2 A majority is calculated based on the total votes cast “yea” plus “nay”. Abstentions count neither as “yea” or “nay”.
- 2.7.3 If there are an equal number of “yeas” and “nays” cast, the motion fails. That motion may not be revisited in that meeting but may be reintroduced at a future meeting with a motion to reconsider from a member of the prevailing side.
- 2.7.4 The names of members voting “yea”, “nay” and “abstain” shall be recorded in the minutes for all votes.
- 2.7.5 Members shall vote in unison including the Chair.
- 2.8 Public Participation in the Board Meetings
- 2.8.1 Each person desiring to speak during public comment shall state his 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.

- 2.9 Public Hearings
 - 2.9.1 Public Hearings shall be an agenda item during regular meetings unless a Special Meeting is necessary due to anticipated turnout. All Public Hearings shall be properly noticed.
 - 2.9.2 Procedures for conducting Public Hearings are at Appendix C.
- 2.10 Agendas
 - 2.10.1 All regular meetings shall have an Agenda which is set and approved by the Chair or Vice Chair in the Chair's absence. In the absence of both the Town Administrator shall set the agenda with another Board member.
 - 2.10.2 The Agenda shall be posted prominently in Town Hall at least one business day prior to the meeting as well as posted or made available in the meeting room at the time of the meeting. Additionally, the Board agenda shall be posted on the Town's website.
 - 2.10.3 Members may request that a matter be placed on the Agenda and the Presiding Officer shall rule to accept the matter or postpone it to the next regular meeting. Such matters should be brought to the Town Administrator and the Chair or Acting Presiding Officer in his absence will review during the Agenda approval process.
 - 2.10.4 The Agenda shall list non-public sessions and cite the appropriate RSA 91-A:3 II subparagraphs of the items to be discussed.
 - 2.10.5 The business of all meetings shall be transacted according to the posted Agenda; provided, however, that the Presiding Officer has the discretion during the meeting to rearrange, postpone to a future meeting or add agenda items.
 - 2.10.6 Board Agenda for regular meetings is at Appendix B.
- 2.11 Minutes
 - 2.11.1 Minutes shall be recorded for all meetings included all non-public sessions in accordance with RSA 91-A:4.
 - 2.11.2 Unofficial minutes shall be available, including on the Town's website, within the time prescribed by law. Such minutes shall be marked "Unofficial" until they are approved.
 - 2.11.3 Unofficial minutes shall be corrected and approved at the next regular meeting unless there are extenuating circumstances.
 - 2.11.4 No later than three business days after approval the original (unapproved) minutes shall be changed to reflect any corrections made during the approval process, marked "Approved" and with the approval date.
- 2.12 Non-Public Sessions
 - 2.12.1 Non-public sessions shall be conducted only for the purposes stated in RSA 91-A:3 II. Procedures for non-public sessions, including disposition of minutes are at Appendix D.

3.0 GRANT/DONATION PROCEDURES

- 3.1 Prior Approval of Grant Applications: Prior to applying for any grant, the Department Head shall present the name of the grantor, purpose of the grant, the amount of the grant requested and copies of the blank grant application, including all grant conditions, to the Select Board for prior approval. This information shall be submitted to the Town Administrator and included in the

- Select Board packet. Grant applications shall be tracked in the Action Item Matrix until approved or denied.
- 3.2 Notice of Grant Award or Donation: When the Department Head receives a notice of grant award or donation, they shall notify the Select Board. The Board members will review award and make a motion to proceed to the next step to accept and expend.
 - 3.3 Authority and Procedure to Accept and Expend Unanticipated Revenues: The procedure to accept and expend unanticipated revenues as outlined in RSA 31:95-b shall be followed by the Select Board.

4.0 RELATIONSHIPS WITH LEGAL COUNSEL

- 4.1 Agreement for Legal Services: The Town Attorney works for the Town of Goffstown under such terms and conditions as may be determined solely by the Select Board. Consultations between the Board members and legal counsel are exempt from the Right to Know Law RSA 91-A:2 I (b)
- 4.2 Access to Legal Opinions: Requests for legal opinions shall be submitted to the Office of the Town Administrator. Often times the Town Administrator may be able to provide legal answers without incurring any legal expenses. Also, this practice reduces duplication of requests.
- 4.3 Notice of Service: From time to time Board members are individually served with a lawsuit in the exercise of their duties or in relation to other town litigation. Because the timing of the Town's response can be a critical component in a lawsuit, Board members should immediately notify the Town Administrator if they have been sued as a Town Official or been served notice of other town litigation. The Town Administrator will then forward copies of the lawsuit to all of the Board members and the Town Attorney and the Town's insurance carrier. (Sometimes the Town's insurance carrier will provide and pay for legal counsel in which case the Town Attorney may not be involved in the proceedings.)

APPENDIX A
Appointments and Select Board Vacancies

- 1.0 Members of Permanent Boards, Committees and Commissions appointed by the Board
 - 1.1 Appointments shall be made expeditiously.
 - 1.2 Appointees to positions filled by the Board shall be Goffstown residents.
 - 1.3 The Board shall solicit candidates from the public prior to electing an appointee. Board members may nominate candidates. Board will seek committee recommendations to fill vacancies on their respective committees.
 - 1.3.1 During the appointment process each Board member shall have the opportunity to speak regarding the qualification of any nominees.
 - 1.3.2 Candidates are selected by motion and second recognized by the Presiding Officer followed by a majority affirmative vote. In the event there are more candidates for a vacancy than positions the Presiding Officer shall call each candidate by name and members shall vote “yea”; provided, however, that members have only the number of votes for which there are vacancies.
 - 1.3.3 If all open positions are not filled the Presiding Officer shall call upon the Town Administrator to seek additional candidates.
 - 1.3.4 Library Trustees may submit recommendations to the Select Board for appointments of alternates or to fill vacancies per RSA 202-A:10.

- 2.0 Ad Hoc Committees Appointed by the Board
 - 2.1 Ad Hoc Committees may be appointed by the Board as needed to address specific complex matters for which the Board needs detailed analysis and/or subject expertise and recommendations.
 - 2.1.1 Ad Hoc Committees may appoint any subcommittees it requires.
 - 2.2 Membership is limited to Goffstown residents, non-resident Town employees, Goffstown taxpayers, and other officials deemed necessary by the Select Board.
 - 2.3 Only the Board shall fill vacancies on Ad Hoc Committees and shall do so expeditiously.
 - 2.4 For each ad hoc committee established, the Board shall provide a written charter. The charter shall contain the following paragraphs and information:
 - Committee mission or objectives
 - Deliverables and deadlines
 - Operational constraints and guidelines. At a minimum there shall be statements that these procedures govern the committee and that the committee and sub-committees shall conduct no non-public sessions unless permitted by the Board.
 - Representatives or liaisons permitted to other organizations.
 - Specific period of existence. Ad Hoc Committees are established for a specific term as determined by the Select Board. Subcommittees do not exist beyond the life of the ad hoc committee.
 - Budget (state amount and restrictions) and other resources.

- 3.0 Board Representatives

3.1 The Chair shall appoint representatives not later than the third meeting after each Town Meeting. Typically the Chair asks members to state their non-binding preferences prior to appointments.

3.1.1 Representatives are appointed to the following:

- CIP. Voting member.
- Conservation Commission. Non-voting member, advisory member.
- Budget Committee. Voting member. This is an ex-officio position by law and the Board member is expected to reflect the Board majority's voted position; or, in the absence of a majority voted position, to vote his/her free will.
- Economic Development Council. Voting member.
- Highway Safety Committee. Voting member.
- Historic District Commission. Voting member.
- Library Trustees. Non-voting representative.
- Parks and Recreation Commission. Voting member. This is an ex-officio position and the Board member is expected to reflect the Board majority's voted position; or in the absence of a majority voted position, to vote his/her free will.
- Planning Board. Voting member. This is an ex-officio member by law.
- Sewer Commission. Non-voting representative.

3.1.2 At the Chair's discretion representatives may be appointed to the following:

- Wellness Committee. Voting member.
- Joint Loss Safety Management Committee. Voting member.

3.1.3 Representative's Role:

- Voting Representative will attend committee meetings and be available to Committee Chair for discussion of committee issues.
- Non-Voting Representative will check with the Committee Chair regarding the meeting agenda to determine if attendance would be beneficial to the BOARD. Representative shall be available to Committee Chair to discuss committee issues. If committees or their Chair have issues for the full Board, then they can schedule an appointment with the full Board by completing a Select Board Agenda Request form and submitting it the Thursday before the Board meeting to the Town Administrator.

4.0 Board Relationship to Town Departments

4.1 The members must act as a Board, by majority vote at public meetings that comply with the Right to Know Law, RSA Chapter 91-A.

4.2 Although the members often exercise administrative and executive powers, one Board member has no authority.

4.2.1 The Town Administrator shall serve as liaison between department heads and the Select Board, so as to afford the department head the opportunity to gauge the Board's sentiments on budget, expenditures, proposals, grants, and other potentially sensitive matters.

- 4.2.2 Individual Select Board members shall not direct any department head or town employee without the prior authorization of the Select Board.
- 4.2.3 Requests for town or department information shall be made through the Town Administrator.
 - 4.2.3.1 Requests for town or department information shall be made through the Town Administrator.
 - 4.2.3.2 Requested information, when received, will be forwarded, by the Town Administrator, to the entire Board.

4.3 Sections 4.1 and 4.2 should not be construed as prohibiting conversations between Board members and Department Heads. Open conversations of a general nature are necessary to establish good working relationships.

5.0 Vacancies on the Select Board

- 5.1 References: RSA 652:12; 669:61; and 669:63. The Board shall expeditiously begin the replacement process whenever a vacancy occurs.
- 5.2 The process to fill a vacancy shall be:
 - 1. The process to fill a vacancy shall be an agenda item within a public session.
 - 2. Each member may nominate one candidate.
 - 3. Members may speak to candidate qualifications, strength and drawbacks.
 - 4. Members vote “yea” or “nay” by voice. The candidate receiving the majority affirmative vote shall fill the vacancy.
 - 5. Should the Board fail to elect a replacement at this vote the candidates receiving the highest two vote counts shall continue as candidates.
 - 6. The Presiding Officer shall continue the process to fill the vacancy no matter the number of attempts, giving members a chance to speak to the candidates prior to each vote.
 - 7. Any vacancy which occurs during the time frame beginning with the opening of the filing period (RSA 669:19) to Town Meeting cannot be filled by official ballot until the annual town election the following year.
- 5.3 If the process to fill a vacancy continues to within thirty calendar days of a Town Meeting or Special Town Meeting the Board may vote to suspend the process with a majority affirmative vote.

Appendix B
Agenda for Select Board Regular Meetings

- 1.0 Approval of Agendas
 - 1.1 The Town Administrator shall submit a draft agenda to the Chair (or Acting Presiding Officer) by Thursday preceding the day of the meeting.
 - 1.2 A copy of the approved agenda and all supporting materials shall be available for each Board member by close of business on Friday prior to the day of the meeting.
 - 1.3 Included in the supporting materials shall be the Action Item Matrix of all old business items which are still pending. The Matrix is maintained by the Town Administrator. The format of the Matrix shall be agreed by the Chair.
- 2.0 Order of Business
 - 2.1 The order of business is:
 - 6:00 PM Call to Order
 - Pledge of Allegiance
 - Correction and approval of the prior week's minutes
 - Announcements. These are limited to important matters and Town employee recognition.
 - Public Comment
 - Appointments
 - Department Head Business
 - Town Administrator's Report
 - Select Board Discussion: Committee Reports; Old Business (use Action item Matrix); New Business
 - Non-Public Session(s). Cite specific paragraphs of RSA 91-A:3 II for Agenda items to be discussed.
 - 10:00 PM Adjournment
 - 2.2 The Presiding Officer may continue the meeting beyond 10:00 PM stating the agenda items to be taken up during the extended meeting and an anticipated time to adjourn. The Presiding Officer shall take a straw poll to determine if the majority agrees.
 - 2.2.1 Any member may move to continue or not continue the meeting beyond 10:00 PM. The motion to continue shall specify the agenda items to be taken up during the extended meeting. Approval requires a majority vote in the affirmative.

Appendix C Public Hearings

- 1.0 Notice: Public Hearings shall be properly posted and noticed per respective RSA.
- 2.0 Proceedings
 - 2.1 Each person desiring to speak during public comment shall fill out the roster provided by the Town Administrator indicating legible name and street.

At the outset of each Public Hearing the Presiding Officer shall announce that the hearing is open and state its purpose, or call upon the Town Administrator to state the purpose.
 - 2.2 The Presiding Officer shall announce when the Board will vote on the matter.
 - 2.3 The Recording Secretary shall call upon any Goffstown resident who wishes to speak to the matter. Each speaker shall state his name and street for the record. Speakers shall have a maximum of three minutes.

The Presiding Officer may allow non-residents to speak after all residents have spoken. Speakers shall state name and Town and are limited to three minutes. Non-residents are afforded only one opportunity to speak.
 - 2.4 Once all residents and non-residents have had a chance to speak once the Presiding Officer shall call upon any resident who wishes to speak again. Speakers are limited to three minutes.
 - 2.5 Board members shall be permitted to question speakers on matters relevant to the Public Hearing. The Presiding Officer has the discretion to determine the relevancy.
 - 2.6 After the second speaking round is complete the Presiding Officer shall close the Public Hearing.
 - 2.7 If the vote on the matter is to be taken at the same meeting the Presiding Officer shall ask for a motion on the matter and then the vote. If the vote is not taken at the meeting the Presiding Officer shall announce when the vote on the matter is to be made.
- 3.0 Multiple Public Hearings: If there are multiple Public Hearings at the same Board meeting each hearing shall be conducted separately according to these Procedures.

Appendix D
Non-Public Sessions

- 1.0 When held: Every non-public session must be held during a properly noticed and convened public meeting. Non-public sessions shall be conducted only for the purposes stated in RSA 91-A:3 II.
- 2.0 Procedures
 - 2.1 The Board shall enter a non-public session as follows:
 - 2.1.1 Motion and second stating the specific sub-paragraph of RSA 91-A:3 II.
 - 2.1.2 A roll call vote to adopt the motion. A majority of members present (including those attending telephonically) must vote “yes”.
 - 2.1.3 Presiding Officer declares the non-public meeting open for business as specified in the motion.
 - 2.1.4 The Presiding Officer shall ensure that adequate safeguards are taken to prevent unauthorized persons from overhearing the meeting. Typically the Town Administrator and Town Hall’s Executive Secretary attend non-public meetings.
 - 2.2 The Board shall exit a non-public session as follows:
 - 2.2.1 Motion and second to exit. Approval requires a majority vote in the affirmative.
 - 2.2.2 No roll call is necessary to exit.
 - 2.3 The Presiding Officer shall announce the Board has returned to the Public Session of the meeting.
 - 2.4 The Presiding Officer shall ask for a motion, second and vote to seal the non-public minutes.
 - 2.5 In the public session the Presiding Officer shall ask for any required motion(s), second(s), and vote(s) pertaining to business conducted in non-public session.
- 3.0 Sealing and Unsealing Minutes of Non-Public Sessions
 - 3.1 Approval to seal requires the affirmative vote of $\frac{2}{3}$ of the members present and a roll call vote is required.
 - 3.1.1 If the motion does not carry, the minutes of the non-public session become public records seventy two hours after the meeting in which the non-public session was conducted.
 - 3.1.2 Minutes of any non-public session which are or become public records shall be posted in the minutes of the public meeting in which the session was conducted.
 - 3.2 Non-public minutes shall remain sealed unless unsealed by the Board or court order. Non-public minutes, or portions thereof, shall be unsealed by the Board only after a duly recognized motion and second by the Presiding Officer and a vote in the affirmative by a majority of the quorum.

Appendix E

Conduct with the Media

- 1.0 Select Board members are frequently contacted by the media for background and quotes.
- 2.0 **The best advice for dealing with the media is to never go "off the record"**
Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.
- 3.0 **The Town Administrator is the official spokesperson for the Town's position.**
The Town Administrator is the designated representative of the Board to present and speak on the official Town position. If an individual Select Board member is contacted by the media, the member should be clear about whether their comments represent the official Town position or a personal viewpoint. Comments on individual social media accounts shall be held to the same standard.
- 4.0 **Choose words carefully and cautiously**
Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

Appendix F

Recognition of Volunteers leaving Office

- 1.0 When a volunteer leaves office, then the Select Board shall recognize the volunteer as follows:
 - 1-3 years - Letter of Thanks
 - 4-6 years - Certificate of Appreciation
 - 7-9 years - Pin
 - 10-12 years – Plaque

- 2.0 The Select Board reserves the right to recognize volunteers who have exceeded the number of years above with forms of recognition which they deem appropriate.