

# **Town of Stratford**

## **Select Board Procedures**

### **1 General Information and Provisions**

- 1.1 The Select Board (the Board) for the Town of Stratford consists of 3 equal members who shall, by majority vote, manage the prudential affairs of the Town and perform the duties prescribed by law.
- 1.2 The Board derives its authority from New Hampshire State Law as specifically set forth in the Revised Statutes Annotated (RSA) and as further established under court decision. Generally, the Board does not have authority to act on any issue unless there is a specific law granting such authority or the legislative body has delegated authority to the Board.
- 1.3 Individual Members of the Board (MB) have no authority to make decisions on behalf of the Town or to take any action as a Town Official except upon a majority vote of the Board or as otherwise allowed by law.
- 1.4 After the Board has taken a position on an issue, official correspondence and individual MBs shall reflect that position.
  - 1.4.1 Consequently, each MB shall represent the Board as a whole at all times and shall not discuss how any MB voted on a matter; MBs may say only that the Board voted in favor or against. MBs may freely discuss the arguments that were considered before a vote was taken, but shall do so impartially.
- 1.5 Election of the Chair and Chair Pro Tem: Annually, at the first meeting of the Board after conclusion of Town elections, the MBs shall choose a Chair and Chair Pro Tem by a majority vote. The Board may change officers at any time.
- 1.6 Board meeting discussion shall be confined to the agenda matter in question. No MB shall be interrupted while speaking except for a point of order.
- 1.7 Before deciding a matter, the Board shall confer with other Town authorities, departments, and employees that may be significantly affected or involved, e.g., the Conservation Commission, Planning Board, and Health Officer, or as otherwise required by law, e.g. RSA 674:41.
- 1.8 Recusals: Before the Board addresses a matter, if any MB has, or may appear to have, a conflict of interest, then that person shall announce the intention to take no part in the discussion and will withdraw from the meeting room until other matters are taken up, or is recalled to supply specific and limited testimony by a Board majority vote.

### **2 Board Meetings**

- 2.1 Regular business meetings of the Board shall normally be held every other Monday at 3:30 PM in the Fuller Town Hall. Meetings may be held at other times or places after proper public notice, and any meeting may be recessed to an announced time, date, and place without further public notice. Whenever practicable, meetings shall be kept to a maximum of two hours length. The Board may limit any meeting to specific issues.
- 2.2 The Chair shall preside at all meetings of the Board. The Chair is not obligated to adhere to

strict meeting formalities unless called upon to do so on a point of order.  
In case of the Chair's absence, the Chair Pro Tem shall act as Chair.

- 2.3 The Administrative Assistant shall attend meetings and may take part in discussions on all matters concerning the welfare of the Town, barring conflict of interest. In the event that the Administrative Assistant is unable to attend a meeting, the Administrative Assistant's Secretary shall attend in that role.  
The Administrative Assistant's Secretary shall attend all meetings to take minutes and perform such other meeting duties as may be required by the Administrative Assistant.
- 2.4 Meeting Agenda: Any MB may place a matter on the agenda by contacting the Administrative Assistant by noon on the Wednesday prior to the meeting. Supporting materials for agenda items shall be made available to all MBs by the Thursday immediately preceding the intended meeting.  
The Administrative Assistant may place a matter on the agenda, including appointments to address the Board, at any time prior to the intended meeting.  
The Chair may limit the time spent on any individual matter, subject to override by the Board.
- 2.5 Business shall normally be transacted as ordered on the agenda. The Chair shall open discussion on agenda items and may rearrange the agenda to conduct business more expeditiously, subject to override by the Board.
- 2.6 Public comment shall be accepted only at the discretion of the Chair and be limited to three minutes per speaker unless the Chair extends that time. The Chair may limit the number of speakers on a topic and may close accepting public comment at any time.
- 2.7 By a majority vote, the Board may overrule any procedural decision of the Chair.
- 2.8 These meeting procedures are guidelines. Failure to follow them shall not invalidate any action taken by the Board.
- 2.9 Non-public Sessions shall be held and recorded in accordance with RSA 91-A.
- 2.10 Personnel meetings or hearings, when needed, will be held in accordance with all NH RSA 91-A requirements. While not a complete listing:
  - 2.10.1 Personnel meetings and hearings, including those for appointments unless otherwise required by law, are to be conducted in non-public session unless otherwise requested by the affected person, in which case they must be held in public session.
  - 2.10.2 If the meeting or hearing is held in non-public session then all proceedings and documents related thereto shall be exempt from public disclosure except as otherwise required by law. If the hearing is held in public session, then all records related thereto shall be subject to public disclosure.
  - 2.10.3 The Board is not required to comply with or establish any formal set of evidentiary rules; and the provisions of RSA 43 are not applicable except for removal proceedings as set forth in RSA 41:16-c (Town Clerk) 41:26-d (Treasurer) and 41:40 (Tax Collector) for a personnel hearing. Either party may call witnesses or submit relevant evidence.
- 2.11 Minutes of all Select Board meetings, including nonpublic sessions, shall be kept in accordance with RSA 91-A:2 & 4.
- 2.12 The names of members, persons appearing before the public bodies, a brief description of the subject matter discussed, and final decisions shall be included. The names of the members

who made or seconded each motion shall be recorded.

- 2.13 Unless sealed, minutes shall be available for public inspection not more than 5 business days after the meeting, except as provided in RSA 91-A:6, and shall be treated as permanent records.

### 3 Public Hearings

- 3.1 The Chair or designee will preside and set any ground rules deemed necessary to conduct the meeting in an orderly and fair way. Repetitive or uncivil comments shall be limited.
- 3.2 Matters discussed in Public Hearings shall not be acted on by the Board until a subsequent Board business meeting is held.

### 4 Public Body Appointments Delegated to the Board:

- 4.1 For all election officials, the Board shall defer to the judgment of the Town Moderator and the Town Clerk in making appointments. If the Board finds that, for reason, it cannot defer to the Town Moderator and Town Clerk, then it shall submit letters to the Town Moderator and Town Clerk stating the specific reasons it finds that it cannot do so.
- 4.2 The Board shall require all applicants to submit a form application to include the applicant's name, address, telephone, email, an agreement to fulfill all duties the position requires, and any further information the applicant wishes to provide.
- 4.3 The Board shall request comment from the body to which the person is requesting appointment.
- 4.4 The Board shall, during a regular business meeting of the Board, interview each applicant it deems qualified to hold the position. No application shall be complete without this interview.
- 4.5 The completed application shall be announced in 2 public places and on the Town website. Public comment shall be requested, accepted, and considered for a period of no less than 2 weeks before the Board may finalize the appointment of an applicant.
- 4.6 The Board may enter one or more non-public sessions in order to discuss the merits of any or all applicants.
- 4.7 Criteria that shall be considered when making appointments include, but are not limited to:
  - a. Educational background, life experience, demonstrated interests including personal, professional, and/or volunteer experience.
  - b. Consideration of potential conflicts of interest, especially financial conflicts of interests, that may affect the applicant's ability to make decisions that are in the best interest of the Town.
  - c. Ability to fulfill the time and attendance requirements implicit in the appointment.
- 4.8 Current appointees whose terms are about to expire may seek reappointment to the same committee. The incumbent need only communicate their interest to the Administrative Assistant. The Board, at its discretion, may require a full application procedure be followed before approving the reappointment.
- 4.9 Alternate members of Public Bodies who wish to become full members shall submit applications if they have not previously done so.
- 4.10 The Board shall require a full application procedure be followed for incumbent appointees on one body who want to join another body.

- 4.11 If a seat on a body becomes vacant, the Board may fill it at any time following the guidelines herein outlined. Unless otherwise dictated by RSA, the Board may, at its discretion, delay making appointments until such time as a candidate it deems in the Town's best interest to appoint becomes available.
- 4.12 The Board shall consider each applicant fully and impartially, but with a close consideration of whether the applicant's appointment would be in the Town's best interest.
- 4.13 A roll call vote during a regular business meeting and in public session shall be required to confirm any appointment or reappointment of an applicant.

## 5 Right to Know Requests

- 5.1 Shall be taken in person at the Town Hall.
- 5.2 Records shall be made available at the Town Hall by appointment only, unless such records are immediately available and making them available does not unreasonably interfere with the Town's primary business functions.
- 5.3 Copies of records shall incur a reasonable fee per page, medium, etc.