

TOWN OF FRANCESTOWN
OFFICE OF SELECTMEN
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BOARD OF SELECTMEN GUIDELINES & PROCEDURES

The Francestown Board of Selectmen hereby adopts these operational guidelines and procedures pertaining to the functions of the Board and the conduct of its members.

I. General Information

The Board of Selectmen consists of three equal members who shall operate by majority vote to serve as the governing body of the Town, manage the prudential affairs of the Town, and to perform the duties prescribed by law in accordance with the Right-to-Know Law (RSA 91-A).

Individual Selectmen have no authority to make decisions on behalf of the Town or to take any action as a Town Official except upon majority vote of the Board or as otherwise allowed by law. This does not prohibit Selectmen from acting as an ordinary citizen of the Town by expressing personal viewpoints and opinions on municipal matters to the extent that such information is based on encounters and observations derived outside of the privileged purview of a Selectman.

The Board of Selectmen derives its authority from NH State Law as specifically set forth in the Revised Statutes Annotated and as further established under common law (court decisions). A general rule of thumb is the Board of Selectmen does not have the final authority to act on any particular issue unless there is a specific law granting such authority or when Town Meeting has lawfully delegated such authority to the Selectmen.

II. Organization

The Board shall by majority elect from its membership a Chair who shall preside over all Board meetings and have duties outlined below.

The Board shall by majority elect from its membership (or appoint designees, as appropriate) the following liaisons:

- Planning Board ex-officio
- Heritage Commission ex-officio
- Safety (Joint Loss Management) Committee
- Records Retention Committee
- ConVal School District Selectmen's Advisory Committee (SAC)
- Francestown Village Water Company annual meeting voting representative

- Ad-Hoc Representatives as may be deemed necessary by the Board

Liaisons and ex-officio members have a responsibility to keep the rest of the Board of Selectmen informed on important events and news related to the other boards they serve on.

Unless specifically discussed at a Board of Selectmen meeting, votes of liaisons and ex-officio members represent the opinions of the individual, not an opinion of the Board of Selectmen as a whole.

The Chair and all liaisons serve in these positions at the pleasure of the Board and a majority of the Board may vote to reorganize at any time for any reason.

III. Duties of Selectmen

A. Chair

The Chair shall preside over all Board meeting and shall have the authority to:

1. Review and approve meeting agendas as drafted by the Town Administrator.
2. Ensure that informal parliamentary procedures are followed, with the assistance of the Town Administrator.
3. Maintain orderly Board meetings by placing limits on the length of time and the content of input provided by meeting participants and requesting the voluntary (or involuntary removal by a Police Officer) of persons who disrupt Board meetings.
4. Call for special or emergency meetings.
5. Represent the Town at ceremonial events.
6. Serve as the Board spokesperson by presenting the official viewpoint of the Board of Selectmen to the media, citizens, government agencies, civic groups, and others.
7. Along with the Town Administrator, serve as the point of contact for department heads between Board meetings.
8. Along with the Town Administrator, serve as the point of contact with Town Counsel.
9. The Chair may delegate any of these duties to other Selectmen as may be deemed necessary.

These guidelines are not intended to prevent other Selectmen from attending ceremonial events or expressing their personal opinions so long as they make clear they are speaking on behalf of themselves and not the Board.

B. Partial List of Board of Selectmen's Duties & Responsibilities

This is meant to be a general overview of the Board of Selectmen's duties. Major duties from statute:

1. Act as Agents to Expend Capital Reserve Funds (RSA 35:15).
2. Adopt Personnel Policies (RSA 105:2-a).
3. Adopt Welfare (Public Assistance) Guidelines (RSA 165:1).
4. Appoint an Emergency Management Director (RSA 21-P:39).

5. Appoint Election Inspectors (RSA 658).
6. Make Appointments to Town boards and committees and fill all vacancies that should occur unless otherwise outlined by statute or vote of the Town (RAS 669:1-75).
7. Appraise Taxable Property, Issue Abatements, & Approve Exemptions (RSA 72, 74-76).
8. Approve Appointments of Deputy Town Clerk, Deputy Tax Collector, and Deputy Treasurer (RSA 41:29-a, 45-c).
9. Approve Budget Line Item Transfers (RSA 31:20).
10. Approve the Acquisition of Real Property Interests in the Name of the Town by the Conservation Commission (RSA 36-A:4).
11. Approve Town Expenditures (RSA 41-9).
12. Assessment of Current Use Change Taxes (RSA 79-A).
13. Assessment of Timber Taxes (RSA 79).
14. Assessment & Payment of Educational Taxes (RSA 194:7 & 198).
15. Encumber Unexpended Funds (RSA 32:7).
16. Establish & Maintain Internal Control Procedures (RSA 41:9).
17. Establish Boards and Committees (RSA 41:8).
18. Layout Town Highways (RSA 231).
19. Negotiate Inter-Municipal Agreements (RSA 53-A:1 & 162-G).
20. Nominate the Appointment of a Health Officer (RSA 128:1) & Approve the Appointment of a Deputy Health Officer (RSA 128:5-b).
21. Order the Cutting or Removal of Trees within a Designated Scenic Highway which present a public nuisance pursuant to RSA 231:145 and 231:146, when such trees or portions of such trees pose an imminent threat to safety or property (RSA 231-158)
22. Perambulation of Town Boundaries (RSA 51:2).
23. Prepare Budget Recommendations (RSA 32).
24. Prepare the Annual Town Report (RSA 41:13-14).
25. Prepare Town Meeting Warrants (RSA 39:2).
26. Propose Amendments to the Zoning Ordinance (RSA 675:3).
27. Regulate Junkyards (RSA 236:115).
28. Regulate Town Highways, Sidewalks & Commons (RSA 41:11).
29. Regulate the Town Transfer Station, Trash Collection & Transportation, and Voluntary Recycling (RSA 149-M;17).
30. Sit on the Board of Health & Adopt Health Regulations (RSA 147).
31. Submit Reports to the NH Department of Revenue Administration (RSA 21-J:34).

Major duties delegated by Town Meeting (since 1987):

1. Sell land, buildings, or both after securing the advice of the Conservation Commission and the Planning Board and holding two public hearings (RSA 41-14-a and the 2002 Annual Town Meeting [ATM] Article 14).
2. To issue tax anticipation notes (RSA 33:7 and the 1994 ATM Article 8).
3. To apply for, contract for, accept, and expend, without further action by the town meeting, any and all grants or other funds available for town purposes that may now or hereafter be forthcoming (RSA 31-95-b and the 1994 ATM Article 9).
4. To accept, on behalf of the town, gifts, legacies, and devises made to the Town in trust for any public purpose (RSA 31:19 and 1994 ATM Article 13).

5. To accept gifts of personal property, other than cash, to the town for any public purpose (RSA 31:95-e and the 1993 ATM Article 8).
6. To convey any real estate acquired by the tax collector's deed. Such conveyance shall be by deed following a public auction, or the property may be sold by advertised sealed bids, or may be otherwise disposed of as justice may require (RSA 80:80 and ATM 1993 Article 9).
7. To establish or amend fees for licenses, permits and usage of town facilities to defray expenses of any existing regulatory program (RSA 41:9-a and ATM 1990 Article 11).
8. To sell used or surplus town department equipment (RSA 1989 Article 15).
9. To be the "Franchising authority" with the authority to grant franchises for the installation and operation of Cable Television Systems within the geographical limits of the town, establish fees and impose conditions, and to exercise all other authorities granted by RSA 53-C (RSA 53-C and ATM 1988 Article 18).

The Board of Selectmen has no direct authority over the personnel or operations of the Fire Department (RSA 154:2) or Library (RSA 202-A:6), however, the Board retains jurisdiction over the finances, respective budgets, and any other subject matters required by law.

IV. Board of Selectmen Meetings

The Board of Selectmen shall always meet and conduct business in accordance with the Right-to-Know Law (RSA 91-A). In general, the requirements laid out in the Right-to-Know Law will not be spelled out in these guidelines.

The Board will from time to time agree by consensus to a meeting schedule, subject to adjustments for appointments or other events.

Notice of all meetings of the Board shall be posted at least 24 hours in advance of the meeting (except in cases of emergency as outlined in statute) on the Town's website, in the Town Office lobby, and in the Post Office lobby. While there is no legal requirement to post an agenda with notice of a meeting, a reasonable effort will be made to provide an agenda of major topics to be discussed at meetings. Board members should submit agenda topics to the Town Administrator for placement on the agenda.

The public has a right to attend Board of Selectmen meetings, except under certain exemptions for non-public sessions as outlined in statute. Members of the public at meetings wishing to speak can only do so if recognized by the Chair and the Chair may place limits on the timing of public comment, along with the length of time and the content of input. Public input should be directed to the Board as a whole, not to individual Board members. Members of the public who would like to address the Board regarding an issue not on the agenda should make an appointment with the Town Administrator to be on the agenda of a future meeting. Such appointments are subject to the approval of the Chair and must be made by 12:00 p.m. the Thursday before any given meeting.

Board members shall follow commonly accepted rules of courtesy, including using a civil tone and language, only one person speaking at a time, and waiting to be acknowledged by the Chair before speaking. Each subject discussed will be clearly announced.

Votes should be taken by the Board upon a clearly stated motion and a second whenever the Board members wish to go on record as having made a decision on behalf of the Town. If there is a motion on the floor that has been seconded, the Board will focus discussion to that subject until it has been voted on. In some instances the Board may wish to convey its opinion or consent by a simple consensus process.

It is illegal for the Board of Selectmen to make any decisions by use of a secret ballot or by email or in such a way as to be contrary to the Right-to-Know Law.

Selectmen should disqualify themselves from the Board and step down from all participation in deliberations (including voting) on any subject matter where there is a conflict of interest or perceived conflict of interest. A Selectman should voluntarily disqualify himself/herself whenever he/she has a direct personal or pecuniary interest in the outcome.

Approved on July 1, 2013

Board of Selectmen Chair Betsy Hardwick

Selectman Scott S. Carbee

Selectperson Abigail Arnold