



Procedures of the Goffstown Board of Selectmen
and
Temporary Committees
appointed by the Board of Selectmen

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1.0 GENERAL PROVISIONS

- 1.1 Applicability
 - 1.1.1 These Procedures are applicable to the Town of Goffstown (Town) Board of Selectmen (BOS) and all temporary committees appointed by the BOS and their sub-committees.
 - 1.1.2 These Procedures do not apply to other Boards, Commissions, Committees or Councils, although the BOS encourages their adoption in whole or in part.
 - 1.1.3 These Procedures are enacted or amended by a majority affirmative vote during a BOS regular meeting.
 - 1.1.4 Procedures for appointments to Permanent Boards, Committees and Commissions, appointment of temporary committees and filling of BOS vacancies are at Annex 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 BOS.
 - 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 BOS may meet outside the Town in situations allowed by law and with proper notice.
- 1.3 Officers and Recording Secretary
 - 1.3.1 A Chairman shall be elected at the first regular meeting of the BOS after Town Meeting, or the first meeting after the establishment of a temporary committee.
 - 1.3.2 The Chairman 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 BOS Recording Secretary is the Town Hall's Executive Secretary.
 - 1.3.4 The Chairman shall appoint a Vice Chairman. The BOS Vice Chairman shall be named not later than the second regular meeting after Town Meeting. The temporary committee Vice Chairman shall be named not later than the second meeting after establishment.
 - 1.3.5 For purposes of protocol and proper etiquette the BOS Chairman and Vice Chairman shall be recognized by these titles during meetings of Town government bodies as well as at unofficial gatherings, when appropriate.
 - 1.3.6 The BOS Chairman shall appoint Representatives and Liaisons not later than the third regular meeting after Town Meeting. See Annex A.
 - 1.3.7 Other officers and committees may be appointed by the Chairman as necessary.

- 1.4 BOS Authority to Direct. No BOS member or group of BOS 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 Chairman or his designated representative.
 - 2.1.1 BOS Regular Meetings. The regular meeting of the BOS is at Goffstown Town Hall each Monday from 6:00 PM to 10:00 PM except Town Hall Holidays, unless the BOS 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.
- 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.
- 2.3 Presiding Officer: The Chairman is the Presiding Officer at all meetings. In the Chairman's absence the Vice Chairman shall be the Acting Presiding Officer.
 - 2.3.1 In the absence of both the Chairman and Vice Chairman 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 BOS Code of Conduct.
- 2.5 Quorum. A quorum is required to convene and continue any meeting. Quorum is defined as three BOS 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 BOS disqualifies himself under RSA 43:6 for hearings covered by RSA 43:1, the Presiding Officer shall determine if the BOS 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 BOS.
 - 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.
 - 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 contrary to the expectations of the citizens of Goffstown for leadership, fiduciary responsibility and operating the Town. It is never appropriate to avoid making a difficult decision. Abstaining should be rarely used. The BOS expects that appointed committee members will not abstain from voting.
- 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 ~~or the Rules~~.
 - 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 neither passes nor fails. That motion may not be revisited in that meeting but may be reintroduced at a future meeting in accordance with Roberts Rules of Order, Version #?.
 - 2.7.4 The names of members voting "yea", "nay" and "abstain" shall be recorded in the minutes for all votes.
- 2.8 Public Participation in the BOS 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 of each regular meeting; and at his/her discretion, may allow other speakers for a germane topic. Public comment speakers are limited to three minutes each.
 - 2.8.3 Goffstown residents may request an agenda appointment with the BOS for a regular meeting through the Town Administrator. The Presiding Officer has the discretion to schedule a different date and time.
 - 2.8.4 Goffstown residents may voice concerns at the public comment period or at an agenda appointment. Unless the concern is an urgent matter the BOS may take up the concern at the next regular meeting under Old Business.
 - 2.8.5 Special BOS 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 Annex C.
- 2.10 Agendas
- 2.10.1 All regular meetings shall have an Agenda which is set and approved by the Chairman or Vice Chairman in the Chairman's absence. In the absence of both the Town Administrator shall set the agenda with another Selectman.
- 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 BOS 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 Chairman or Acting Presiding Officer in his absence prior to approval of the Agenda.
- 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 taken up.
- 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 BOS Agenda for regular meetings is at Annex 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 Annex D.

ANNEX A
Appointments and Board of Selectmen Vacancies

- 1.0 Members of Permanent Boards, Committees and Commissions appointed by the BOS
 - 1.1 Appointments shall be made expeditiously.
 - 1.2 Appointees to positions filled by the BOS shall be Goffstown residents.
 - 1.3 The BOS shall solicit candidates from the public prior to electing an appointee. BOS members may nominate candidates. BOS will seek committee recommendations to fill vacancies on their respective committees.
 - 1.3.1 During the appointment process each BOS 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.
- 2.0 Temporary Committees Appointed by the BOS
 - 2.1 Temporary Committees may be appointed by the BOS as needed to address specific complex matters for which the BOS needs detailed analysis and/or subject expertise and recommendations.
 - 2.1.1 Temporary Committees may appoint any subcommittees it requires.
 - 2.2 Membership is limited to Goffstown residents, non-resident Town employees, and taxpayers.
 - 2.3 Only the BOS shall fill vacancies on temporary committees and shall do so expeditiously.
 - 2.4 For each temporary committee established, the BOS 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 BOS.
 - Representatives or liaisons permitted to other organizations.
 - Specific period of existence. The maximum life of a temporary committee is six months from appointment, at which time the BOS may continue the committee as constituted one time for an additional three months maximum. Subcommittees do not exist beyond the life of the committee.
 - Budget (state amount and restrictions) and other resources.
- 3.0 BOS Representatives
 - 3.1 The Chairman shall appoint representatives and liaisons not later than the third meeting after each Town Meeting. Typically the Chairman asks members to state their non-binding preferences prior to appointments.

- 3.1.1 Representatives are appointed to the following:
- Conservation Commission. Alternate member. Voting member when acting as an alternate.
 - Budget Committee. Voting member. This is an ex-officio position by law and the BOS member is expected to reflect the BOS majority's voted position; or, in the absence of a majority voted position, to vote his/her free will.
 - Economic Development Council. 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 BOS member is expected to reflect the BOS 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.
 - Solid Waste Commission. Voting member.
- 3.1.2 At the Chairman's discretion representatives may be appointed to the following:
- Highway Safety Committee. Voting member.
 - Wellness Committee. Voting member.
 - Joint Loss Safety Management Committee. Voting member.

4.0 BOS Liaisons to Town Departments

- 4.1 Liaisons are appointed to:
- Department of Public Works (same liaison as Solid Waste & Sewer Commission)
 - Fire Department
 - Police Department (same liaison as Highway Safety Committee)
 - Administration (Chairman or designee)
 - Parks & Recreation (same liaison as P&R Commission)
 - Public Library (same liaison as Library Trustees)

4.1.1 The purpose of the Liaison is to afford the Department Head the opportunity to gauge the BOS' sentiments on budget, expenditures, proposals, grants, and other potentially sensitive matters so that the Department Head can formulate an optimum recommendation or statement to the BOS.

4.1.2 The Liaison is not an advocate for any department nor is he the communication conduit from Department to the Town Administrator or BOS.

5.0 Communication between BOS Members and Departments

- 5.1 Except in urgent situations official or business communications between Departments and the BOS shall occur through the Town Administrator. The Liaison should be copied on any such communication.

6.0 Vacancies on the Board of Selectmen

- 6.1 References: RSA 652:12; 669:61; and 669:63. The BOS shall expeditiously begin the replacement process whenever a vacancy occurs.
- 6.2 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 BOS 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.
- 6.3 If the process to fill a vacancy continues to within thirty calendar days of a Town Meeting or Special Town Meeting the BOS may vote to suspend the process with a majority affirmative vote.

Annex B
Agenda for Board of Selectmen Regular Meetings

- 1.0 Approval of Agendas
 - 1.1 The Town Administrator shall submit a draft agenda to the Chairman (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 Selectman by 3:00 PM 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 Chairman.
- 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
 - Department Head Quarterly Reports
 - Appointments
 - Town Administrator's Report
 - Selectmen 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.

Annex C
Public Hearings

- 1.0 Public Hearings shall be properly posted and noticed.
- 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.
 - 2.1.1 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 BOS 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.
 - 2.3.1 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 BOS 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 If there are multiple Public Hearings at the same BOS meeting each hearing shall be conducted separately according to these Procedures.

Annex D Non-Public Sessions

- 1.0 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.
 - 1.1 Each non-public item shall be treated as a separate non-public session. That is, when multiple items are discussed under a single paragraph of RSA 91-A:3 II, each item shall have its own non-public session. Therefore, the BOS may have to enter and exit non-public sessions multiple times. This allows non-public minutes of one item to be separate from those of another.
- 2.0 Procedures
 - 2.1 The BOS shall enter a non-public session as follows:
 1. Motion and second stating the specific sub-paragraph of RSA 91-A:3 II. Approval requires a majority vote in the affirmative.
 2. Roll Call. Majority of members must vote "yea".
 3. Presiding Officer declares the non-public meeting open for business as specified in the motion.
 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 BOS shall exit a non-public session as follows:
 1. Motion and second to exit. Approval requires a majority vote in the affirmative.
 2. No roll call is necessary to exit.
 - 2.3 The Presiding Officer shall announce the BOS 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 Whenever there are multiple agenda items for non-public session, each agenda item shall be taken up in a separate non-public session. Stated another way the BOS shall enter and exit a non-public session for each individual agenda item (not groupings of items by RSA 91-A:3 II sub-paragraph) to be taken up.
- 4.0 Sealing and Unsealing Minutes of Non-Public Sessions
 - 4.1 Approval to seal requires the affirmative vote of $\frac{2}{3}$ of the members present.
 - 4.1.1 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.
 - 4.1.2 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.
 - 4.2 Non-public minutes shall remain sealed unless unsealed by the BOS or court order. Non-public minutes shall be unsealed by the BOS only after a duly recognized motion and second by the Presiding Officer and a vote in the affirmative by a majority of the quorum.

Annex E
Conduct with the Media

1.0 Selectmen are frequently contacted by the media for background and quotes.

- **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.

- **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 Selectman is contacted by the media, the Selectman should be clear about whether their comments represent the official Town position or a personal viewpoint.

- **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.