

TOWN OF MOULTONBOROUGH  
BOARD OF SELECTMEN RULES OF PROCEDURE  
POLICY NO. 33

SECTION 1: GENERAL INFORMATION

These rules of procedures describe the duties and methods of the Moultonborough Board of Selectmen. The Board of Selectmen consists of five 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).

SECTION 2: ORGANIZATION

A Chairperson and Vice Chairperson shall be elected at the first regularly scheduled meeting following the swearing in of members elected at the annual Town Meeting. Election shall be by a majority vote of those present. The Board shall, by majority vote, elect from its membership (or appoint designees, as appropriate) the following Board and Committee members and liaisons to Town Departments:

- \*Planning Board Ex-Officio Full Member
- \*Planning Board Ex-Officio Alternate Member
- \*Capital Improvements program Committee Ex-Officio
- \*Advisory Budget Committee Ex-Officio
- \*Heritage Commission Ex-Officio
- \*Master Plan Steering Committee Ex-Officio
- \*IMA ambulance Committee
- \*E911 Committee
- \*Ad-Hoc Representatives (as may be deemed necessary by the Board)

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 and to keep those other boards informed of the collective thoughts of the Board of Selectmen.

Unless specifically discussed at a Board of Selectmen's meeting, where the liaisons and ex-officio members have been instructed to represent a formal position of the Board of Selectmen, votes of ex-officio members represent the opinions of the individual, not the opinion of the Board of Selectmen as a whole.

The Chair and all ex-officio members serve in these positions at the pleasure of the Board and a majority of the Board may, for cause and at any regularly scheduled meeting, remove a member from their position as an ex-officio representative or officer of the Board.

### SECTION 3: DUTIES OF SELECTMEN

#### A. CHAIR:

The Chair shall conduct all Board meetings and shall have the responsibility to:

1. Review meeting agendas as drafted by the Town Administrator;
2. Ensure that informal parliamentary procedures are followed, subject to overrule by a majority of the Board;
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. Authenticate by his/her signature, when necessary, all acts, orders and proceedings as authorized by a majority vote of the Board;
5. Accept public input on any matter before the Board, but only after each member of the Board, who so desires has spoken to the matter;
6. Call for special or emergency meetings;
7. Represent the Town at ceremonial events;
8. Serve as the Board spokesperson by presenting the official viewpoint of the Board of Selectmen to the media, citizens, government agencies, civic groups, and other and, along with the Town Administrator, serve as the point of contact with Town Counsel.

In the absence of the Chair, the Vice Chair shall assume all duties and responsibilities of the Chair. In the absence of both the Chair and the Vice Chair, the senior most member of the remaining Selectmen shall assume those duties. (The Chair may also 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 when speaking on their own behalf.

#### B. MEMBERS:

All members of the Board of Selectmen shall have the following responsibilities;

1. Members shall make every effort to attend each scheduled meeting;
2. Members shall make every effort to read the packet information and come prepared to discuss agenda items;
3. Members shall make no decisions on behalf of the Town or take any action as a Town Official except upon majority vote of the Board or as allowed by law;
4. 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;
5. Members shall vote 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. (In some instances, the Board may wish to convey its opinion or consent by a simple consensus process);

6. Members shall, when so instructed or upon a formal vote of the Board, convey the instructions and vote to others as the official position of the Board.
7. Selectboard members should disqualify and recuse themselves from the Board, and not advise, vote or otherwise participate in considering any matter where there is a conflict of interest. A conflict of interest exists when a Select Board member has a direct personal or pecuniary interest in the outcome of a matter. A personal or pecuniary interest is something immediate, definite and capable of demonstration, and not remote, uncertain, contingent or speculative. In addition, a Select Board member should disqualify himself/herself when acting in a quasi-judicial capacity based on a juror's standard of impartiality as set forth in RSA 500-A:12. [NOTE: There are no circumstances when a majority of the Board members can refuse to allow a Select Board member to participate in the official proceedings of the Board, however, Select Board members are encouraged to publicly disclose any and all potential conflicts of interest and to thereafter defer to the view of the majority in determining whether or not to step down.]

#### SECTION 4: MEETINGS

1. The Town Administrator or any member of the Board of Selectmen may place a matter upon the agenda.
2. The agenda will typically adhere to the following format:
  - I. Call to Order
  - II. Pledge of Allegiance
  - III. Review/Approval of the Minutes
  - IV. Public Hearing(s) & Action
  - V. New Business
    1. Consent & Signature File
    2. Presentations
    3. Review for Action Items
  - VI. Old Business
  - VII. Other Business
  - VIII. Correspondence
  - IX. Citizen Input
  - X. Possible Non-Public Session
  - XI. Adjournment
3. Persons wishing to place an item on the agenda must notify the Town Administrator or his/her designee before the agenda-setting deadline, which is 4 p.m. on the preceding Friday. All materials shall be included in the Selectman's packet and posted on the Town web site as referenced below.
  - a. The Town Administrator shall provide each Selectman a copy of the agenda for any Board of Selectmen (BOS) public meeting (including work sessions) by 5 p.m. three days in advance of any scheduled meeting and post same to the Town's web site. No "new" items shall be added to the agenda unless there is an emergency need for inclusion (time limitations, emergency contracts, etc.). Unless an emergency, these new items shall

- be rolled forward to the next meeting and included on that subsequent agenda.
- b. The Town Administrator shall provide each Selectman a full packet (excluding non-public session items) of all materials to be discussed as part of the agenda item by 5 p.m. (48 hours) before any scheduled meeting.
  - c. The Town Administrator shall post a full copy of the Selectmen's packet (see item 3b above) on the Town's website as part of the meeting agenda by 5 p.m. (24 hours) in advance of any meeting (excluding non-public session items) and including Town Administrator report materials. For example, a Thursday BOS meeting would require all packet materials to be posted on the Town's web site no later than 5 p.m. on Wednesday.
  - d. The Town Administrator shall make available to the public during the meeting at least 2 complete copies of the full Selectmen's posted packet and Town Administrator's Report (excluding non-public session items). In addition, 5 copies of the meeting agenda shall be available as a handout.
  - e. The meeting agenda for each Selectmen's meeting shall include a rolling list of action items and open questions for follow-up known as the "Board Task Tracker". The list shall include the date, brief description of the task, status and comments for follow-up. The Town Administrator shall be responsible for maintaining this list and providing it as part of the Selectmen's weekly packet. No action item shall be removed from the list until the Selectmen give full consent of closure.
- 4. A member of the public wishing to ask questions or make a comment during Citizen Input shall raise his/her hand, wait to be recognized by the Chair, will come to the podium and speak into the microphone, state his/her name for record keeping purposes, and then proceed with the question or comment which will be brief and pertain only to Town business. The Chair may exercise an option to limit debate from the audience during Citizen Input and to not exceed three minutes, subject to overrule by a majority of the Board.
  - 5. Objective criticism of Town operations and programs are encouraged, but spontaneous complaints directed at staff or volunteers or a discussion of other personnel matters shall not be allowed in public except in accordance with statute. Such matters may be discussed at a scheduled session that will be public or non-public at the request of the person being criticized, and in their presence if they so desire per NH RSA 91-A:3 II (c).
  - 6. The minimum content of the minutes shall be as set forth in RSA 91-A:2 & 4, but nothing herein is intended to prohibit the Select Board members from including such additional information as they may deem necessary. Meeting minutes should include names of all speakers and a brief description of their questions and/or comments. All Board votes taken, and decisions made by consensus shall be recorded in the minutes noting who made the motion, who seconded and the results.
  - 7. Copies of audio and audio\video recordings of public meetings shall be retained for a period of 5 years by Town Hall Streams accessible via the Town's website.

## SECTION 5: COMPENSATION

As established in the budget process for FY 2014, members shall receive a stipend of Four Thousand Dollars (\$4,000.00) per year and the Chairperson Four Thousand Five Hundred Dollars (\$4,500.00) shall receive a stipend of per year. Members shall be paid one quarter (or the pro-rata portion in the case of departing or newly elected members) of their yearly stipend in the month following the end of each financial quarter (i.e. April, July, October and January). Amendments to the amount of the yearly stipend can only be made at budget setting time and can only take effect upon budget approval at Town Meeting.

## SECTION 6: AMENDING RULES OF PROCEDURE

An amendment to these Rules or Procedure may be moved at a Board meeting but shall not be voted on until the next regularly scheduled meeting.

## SECTION 7: EFFECTIVE DATE

These Rules or Procedure shall take effect immediately following a majority vote of the Board of Selectmen at a regularly scheduled Selectmen's meeting.

Effective as of June 5, 2014

Jonathan T. Tolman, Chairman  
Joel R. Mudgett  
Paul T. Punturieri  
Christopher P. Shipp  
Russell C. Wakefield  
BOARD OF SELECTMEN

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Reviewed and Amended on March 19, 2015

Christopher P. Shipp, Chairman  
Russell C. Wakefield  
Josiah H. Bartlett  
Jean M. Beadle  
Paul T. Punturieri  
BOARD OF SELECTMEN

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Reviewed and Amended on July 5, 2018

Jean M. Beadle, Chairman  
Joel R. Mudgett  
Kevin D. Quinlan  
Christopher P. Shipp  
Russell C. Wakefield  
BOARD OF SELECTMEN

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Reviewed and Amended on June 20, 2019

Joel R. Mudgett, Chairman  
Russell C. Wakefield  
Jean M. Beadle  
Charles M. McGee  
Kevin D. Quinlan  
BOARD OF SELECTMEN