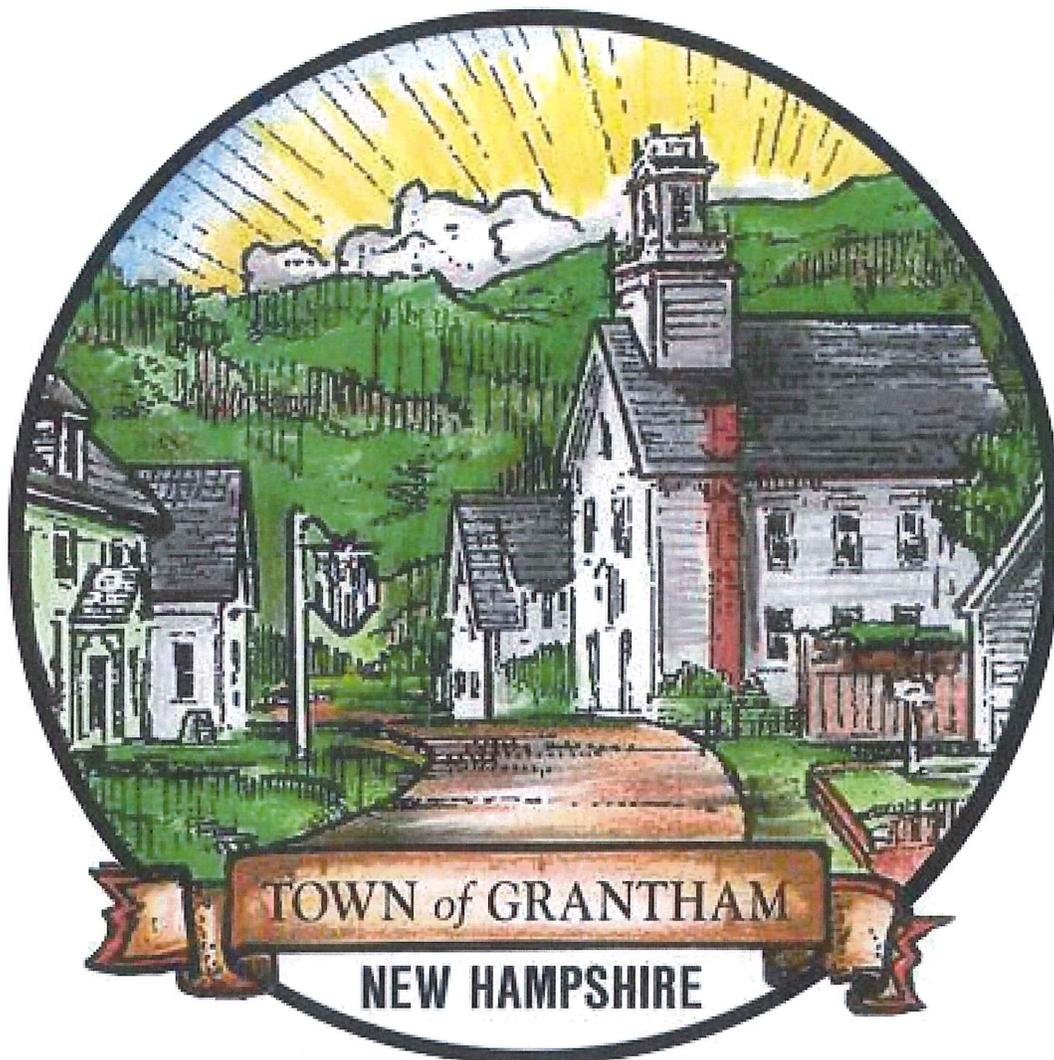


Town of Grantham Board of Selectmen



Rules of Procedure

Adopted: October 5, 2016
Revised: January 22, 2020

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ARTICLE I – GENERAL PROVISIONS

SEC. 1. TITLE

These Rules shall be known and may be cited as the “Rules of Procedure of the Board of Selectmen of Grantham, New Hampshire.”

SEC. 2. MEETING LOCATION

All meetings of the Town of Grantham Board of Selectmen shall be held at the Grantham Town Hall unless the Board of Selectmen adjourns to another location, or the meeting is scheduled for another location and is properly noticed.

SEC. 3. MEETING TIME

(a) Regular meetings of the Town of Grantham Board of Selectmen shall be held on the second and fourth Wednesdays of every month and begin at 5:00 p.m. unless otherwise noticed, or continued to a specific time and date. Occasionally, meetings will be held at other times of the day as may be required.

(b) Work Session Meetings of the Town of Grantham Board of Selectmen, when needed, will be held on the first or third Wednesday of the month and begin at 9:00 a.m., unless otherwise noticed, or continued to a specific time and date. Occasionally, meetings will be held at other times of the day as may be required.

SEC. 4. PUBLIC ACCESS TO MEETINGS

(a) All meetings of the Town of Grantham Board of Selectmen and Committees shall be open to the public, except for non-public sessions for purposes set out in NH RSA 91-A (Access to Governmental Meetings and Records, or “Right to Know” Law).

(b) Communications outside of public meetings among a quorum of the Board of Selectmen regarding official business are prohibited except for purely administrative communications regarding placement of items on an agenda, requests for information to be made available at the public meeting, or coordination of other physical arrangements for the meeting. Sequential communications among a quorum of the Board, as a circumvention of the above requirement, whether in person or by electronic means, are prohibited as a violation of the spirit of RSA 91-A.

SEC. 5. RESPONSIBILITIES OF MEMBERS OF THE BOARD

(a) All members shall make every effort to attend each scheduled meeting of the Board.

(b) Members of the Board have authority only when acting as a Board legally in session. The Board shall not be bound by any action or statement of any individual Board member, except when such statement or action is pursuant to a decision of the Board.

SEC. 6. ELECTION OF OFFICERS

(a) Annually, at the Organizational Meeting of the Board of Selectmen, the members thereof shall choose, from among their number, a Chair, and a Vice Chair. In addition to the powers conferred upon the Chair and the Vice Chair, he/she shall continue to have all the rights, privileges and immunities of a Selectman.

(b) The member whose term next expires shall serve as Chair until the next Organizational Meeting unless that member declines to serve in that capacity.

SEC. 7. PRESIDING OFFICERS

(a) The Chair of the Board of Selectmen shall preside at all meetings of the Board of Selectmen and be recognized as the head of the Town for all ceremonial purposes. The Chair of the Board of Selectmen has no regular administrative or executive duties. In case of the Chair's absence or temporary disability, the Vice Chair shall act as Chair during the continuance of the absence. The Chair of the Board of Selectmen or the Vice Chair are referred to as "Presiding Officer" from time to time in these Rules of Procedure.

(b) The Presiding Officer shall preserve order and decorum, may participate in the discussion of any issue before the Board of Selectmen, may submit reports and legislation to the Board of Selectmen for its consideration which shall require both motion and second by other Board of Selectmen, may speak to points of order in preference to other Board of Selectmen, and shall decide all questions of order or procedure, subject to appeal to the full Board of Selectmen.

SEC. 8. MEETINGS AND SCOPE

(a) ORGANIZATIONAL MEETING - An organizational meeting to elect officers shall be held in accordance with Rule 6. The Board shall elect a Chair and Vice Chair for the ensuing year at this meeting, and shall designate the Selectmen ex-officio board and committee members. The Board may adopt the previous Board's policies and procedures, subject to amendment as provided in these Rules of Procedure. The Board shall establish a schedule of meetings for the upcoming year at its Organizational Meeting.

(b) REGULAR MEETING - A more formal meeting of the Board generally conducted in accordance with the order of the "Agenda" contained in Sec. 10.

(c) WORK MEETING - A less formalized meeting of the Board generally conducted for the purpose of providing Board members with a more detailed understanding of a limited number of issues or to permit discussions of issues that require significant depth of discussion.

(d) NON-PUBLIC SESSION - A meeting of the Board held in accordance with the provisions of NH RSA 91-A:3. A Non-Public Session would exclude the public from attendance at that specific session. The Board may have present, for all or part of the non-public session, those individuals the Board deems necessary to fulfill the purpose of the non-public session. This may include, but is not limited to: the Board's Secretary or Assistant, the Town Administrator, Town Counsel, and/or an employee whose actions are the subject of the non-public session, or for whom a personnel decision is before the Board. The decision to include or exclude an individual from a non-public session is entirely within the discretion of the Board.

(e) EMERGENCY MEETING – A meeting called by the Chair in accordance with NH RSA 91-A: 2, II; upon demand of two (2) members of the Board; or at the request of the Town Administrator. The Town Administrator, or his/her designee, shall ensure Emergency Meetings are properly noticed in accordance with RSA 91-A: 2, II.

(f) SITE WALK – An on-site meeting held by the Board if a walk or inspection of a specific property or properties is required in order for the Board to have a full and complete understanding of a pending issue in order to render a decision. A site walk is considered to be a meeting of the Board, which shall be noticed in accordance with RSA 91-A: 2, II, and a record or minutes of the site walk will be maintained. The Board will not engage in any deliberation or decision making as part of a site walk. Such a session is for information gathering purposes only. Any deliberation or decision will be made at a Regular or Emergency Meeting of the Board.

SEC. 9. QUORUM AND VOTING

(a) Two Selectmen shall constitute a quorum for the conduct of town business.

(b) In accordance with RSA 91-A: 2, III, Selectmen may participate in all aspects of a meeting of the Board of Selectmen, including voting, by telephone conference call, provided that a quorum of Selectmen is present at the location of the meeting, and that any Selectman participating by conference call can hear all other selectmen and can be heard by persons attending the meeting. The person calling in must identify other persons also present at his/her location and state why attendance at the meeting is not reasonably practical. The reason must be recorded in the minutes of the meeting. All votes taken with a telephonic participant must be a roll call vote.

(c) An exception to the quorum "present at the location of the meeting" requirement is permitted under the emergency conditions specified by RSA 91-A: 2, III, (b).

SEC. 10. MEETING AGENDA

- (a) The Town Administrator or his or her designee shall arrange a list of such matters according to the order of business and have an agenda prepared for the Board of Selectmen. A copy of the agenda and supporting materials shall be prepared for all members of the Board of Selectmen by the Friday immediately preceding a Regular Meeting of the Board of Selectmen, or as early as possible.
- (b) Any Selectman, the Town Administrator or the Administrative Assistant may place a matter upon the agenda.
- (c) Any member of the public or any Town department head or official requesting an appointment with the Selectmen shall do so by notifying the Town Administrator. The Town Administrator shall place such requests on the agenda for the Board's next Regular Meeting; however, such requests shall include all supporting material and be received by the Thursday immediately preceding the Board's next Regular Meeting.
- (d) The Presiding Officer may reserve time upon the agenda for presentations to the Board of Selectmen by private individuals or organizations as he or she may deem appropriate.

SEC. 11. ORDER OF BUSINESS

The business of all meetings of the Board of Selectmen shall be transacted as follows; provided, however, that the Presiding Officer may, during a Board of Selectmen meeting, rearrange items on the agenda to conduct the business before the Board of Selectmen more expeditiously.

- (a) Call to Order by the Presiding Officer
- (b) Pledge of Allegiance
- (c) Approval of Minutes
- (d) Consent Calendar

(1) The Town Administrator shall place matters on the Consent Calendar which have been: (a) previously discussed by the Board of Selectmen, or (b) are based on the information previously delivered to the Selectmen that can be reviewed by a Selectman without further explanation, or (c) are so routine or technical in nature that passage is likely, or (d) as directed by the Town Board of Selectmen or Committee thereof.

(2) The motion on the Consent Calendar is as follows: "I move for adoption of the

Consent Calendar." This motion shall be non-debatable and will have the effect of moving to adopt all items on the Consent Calendar. Since the adoption of any item on the Consent calendar implies unanimous consent, any Selectman shall have the right to remove any item from the Consent Calendar. Therefore, prior to the vote on the motion to adopt the Consent Calendar, the Presiding Officer shall inquire if any Selectman wishes an item to be withdrawn from the Consent Calendar. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for the current or a future meeting.

(e) Public Hearings, if any (to enable public hearings that require a separate notice and posting to be listed for a specific time).

(f) Citizen Comments

(1) Subjects not on the current agenda. Any member of the public may request time to address the Board of Selectmen after first stating their name, address, and the subject of their comments. The Presiding Officer may then allow the comments subject to such time limitations as the Presiding Officer deems necessary, generally three (3) minutes. Following such comments the Presiding Officer may place the matter on the current agenda or a future agenda, or refer the matter to the Town Administrator or another official for investigation, report, or to take such other action as may be appropriate.

(2) Subjects on the current agenda. Any member of the public who wishes to address the Board of Selectmen on an item on the current agenda shall make such request to the Presiding Officer at the time when comments from the public are requested. The Presiding officer shall rule on the appropriateness of public comments as the agenda item is reached. The Presiding Officer may then allow the comments subject to such time limitations as the Presiding Officer deems necessary, generally three (3) minutes. The Presiding Officer may change the order of speakers so that testimony is heard in the most logical groupings, e.g., proponents, opponents, adjacent landowners, vested interests, etc.

(3) Any ruling by the Presiding Officer relative to the preceding two subsections may be overruled by a vote of a majority of members present.

(g) Appointments to meet with the Board

(h) Old Business

(i) New Business

(j) Non-Public Session (as required)

(k) Adjournment. No Regular Meeting shall be permitted to continue beyond 8:00 p.m. without the approval of a majority of the Board of Selectmen members who are present and eligible to vote. If the decision is to recess the meeting, a location, date and time for reconvening must be publicly agreed to before taking a vote to recess the meeting. In the event that a meeting has not been closed or recessed by the Selectmen prior to 8:00 p.m., thus bringing the meeting to an end, the items not acted on shall be deferred to the next Board of Selectmen meeting, unless the Board of Selectmen, by a majority vote of members present, determines otherwise.

SEC. 12. TOWN ADMINISTRATOR

The Town Administrator shall attend all meetings of the Board of Selectmen unless excused by the Presiding Officer or Board of Selectmen. The Town Administrator may take part in the Board of Selectmen's discussion on all matters on the agenda, and all other matters concerning the welfare of the Town. In the event the Town Administrator is unable to attend a Board of Selectmen meeting, the Town Administrator may designate another qualified staff member to attend the meeting.

SEC. 13. CLERK OF THE BOARD OF SELECTMEN

The Administrative Assistant to the Board of Selectmen shall be the Clerk of the Board of Selectmen and shall keep the minutes of the Board meetings or ensure that a qualified recording secretary is present to keep minutes and perform such other and further duties in the meeting as may be required by the Board of Selectmen, Presiding Officer, or Town Administrator.

SEC. 14. APPOINTMENT TO BOARDS AND COMMISSIONS

(a) In making the appointment of Selectmen Representatives to various Town boards and committees as noted in Rule 8(a), the terms of these representatives to the Conservation Commission, Planning Board, Zoning Board, and other boards and committees shall be for one (1) year, or until the next Organizational Meeting of the Board following a Town election, or until the appointed Board Member's term expires or the Member resigns.

(b) As soon after the Board's Organizational Meeting as possible, the Board will consider the appointment or re-appointment of individuals to various Town boards, committees, and commissions whose terms of office are expiring. All appointments for these positions shall be for three-year terms of offices unless a vacancy exists due to a resignation or other such means. In those situations, the Board may make an appointment to fill the remaining time on the original term of office of the person who left the position.

(c) Nominating Procedure. The procedure for nominating and appointing citizens to Town boards, commissions, and committees shall be as follows:

(1) Single nomination. Whenever only one person is nominated to a particular position, the nomination shall be made by a Selectman, and then seconded. Once seconded, a vote is taken. Should the person so nominated receive the majority of votes from those Selectmen present, the nomination is confirmed. If the majority of those Selectmen present vote not to approve the nomination, the nomination shall be considered rejected and the name removed from further consideration.

(2) Multiple nominations. Whenever there are multiple nominations for one position, each name will be placed in nomination with no requirement for a second, although a nomination may receive a second if a Board member wishes to do so. When all nominations are closed, each Selectman shall have an opportunity to speak regarding the qualifications of nominees, and then each Selectman shall cast a vote for no more than one name. The name receiving a majority of those Selectman present and voting shall be deemed confirmed. If the majority of those Selectmen present do not vote to approve a nomination, the nomination shall be considered rejected and the name(s) removed from further consideration.

SEC. 15. PLACEMENT OF SELECTMEN RECOMMENDATIONS ON WARRANT

The Board shall place a "Recommended" or a "Not Recommended" notation on each warrant article submitted directly to the Board or submitted through petition to any Town Meeting as may be required by RSA 32:5 V (a) or RSA 40: 13, V-a. The Board may choose to place such notation on any warrant article, regardless of whether such action is required unless the Town has voted to prohibit such voluntary notations.

ARTICLE II – DUTIES AND PRIVILEGES OF MEMBERS

SEC. 16. RULES OF ORDER

The Presiding Officer shall resolve all issues of procedure for the Board of Selectmen meetings. By a majority vote, the Selectmen may overrule any procedural decision of the Presiding Officer.

SEC. 17. MOTIONS

In making decisions or determining a course of action, the Board shall generally operate under a process of one Board member other than the Chair making a motion and another Selectman offering a second. This will follow for main motions or subsidiary motions.

The Presiding Officer shall not allow more than one main motion and second, and one amending motion and second on the floor at a time.

SEC. 18. SUSPENSION OF THE RULES

A motion to suspend these rules shall be in order at any time during a meeting of the Board of Selectman or a public hearing, except during discussion of a pending motion. A motion to suspend shall require a two-thirds vote of those present and voting.

SEC. 19. DISSENTS AND PROTESTS

Any Selectman shall have the right to express dissent from or protest against any ordinance, resolution or action of the Board of Selectmen and have the reason therefore recorded in the minutes.

SEC. 20. ACTIONS FOR A PUBLIC HEARING

The procedures for a public hearing are as follows:

- (a) At the outset of each public hearing, the Presiding Officer will announce the purpose of the public hearing and ask the parties wanting to speak to limit their presentations to information within the scope of the matter before the Board of Selectmen.
- (b) The Presiding Officer may call upon the Town Administrator or another appropriate person to describe the matter under consideration.
- (c) Each speaker, for or against the matter before the Board of Selectmen for public hearing, shall identify himself or herself by name and address. Each speaker shall be limited to five (5) minutes. When everyone wanting to speak has had one opportunity to speak, the Presiding Officer shall call for anyone wanting to speak for a second time. Second time speakers shall be limited to the time allowed by the Presiding Officer, or as established by a majority vote of the Selectmen.
- (d) Once all Town residents wanting to speak for a second time have spoken, the Presiding Officer shall call for any non-residents wanting to speak. These speakers shall be limited to the time allowed by the Presiding officer, or as established by a majority vote of the Selectmen.
- (e) During the hearing, any Selectman shall be permitted to ask the speaker questions provided all questions are relevant to the matter before the Board of Selectmen for Public Hearing. The Presiding Officer shall retain the right to determine the relevancy of any question.
- (f) The Presiding Officer closes the public hearing.
- (g) The Presiding Officer shall then inquire if there is a motion by any Selectman. If a motion is made, it shall be in the form of an affirmative motion. Following the motion and its second, discussion occurs among Selectmen. The Presiding Officer may call on an individual Selectman in the discussion.

SEC. 21. VOTING

The votes during all meetings of the Board of Selectmen shall be transacted as follows:

(a) The Presiding Officer may require any question to be submitted in writing before the vote and shall state each question before the vote.

(b) Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Selectman, a roll call vote shall be taken by the Clerk. In addition, the Presiding Officer may, at his/her sole discretion, require a show of hands to insure the proper resolution of the vote. Secret ballot votes by Boards, Committees, and Commissions are illegal in New Hampshire.

(c) Every Selectman who is in the Board of Selectmen chambers, including telephonically, when the question is called shall vote on the question before the Board of Selectmen. Selectmen may, for good cause, recuse from a vote should they feel that to vote would constitute a conflict of interest or other similar disqualifying circumstances. Such Selectman shall at the beginning of the debate on any such motion announce the intention to recuse himself/herself and shall take no part in the debate and vote of the issue.

SEC. 22. COMMITTEES

The Board of Selectmen may establish committees of the Board with the responsibility to review specific matters and report to the Board as a whole. All appointments to these committees shall be by majority vote of the Board of Selectmen:

(a) Special Ad Hoc Advisory or Study Committees. Special Ad Hoc study committees may be created by the Board of Selectmen for a particular purpose, or when the issue is so complex and time-consuming that it cannot be reasonably handled at a Board of Selectmen meeting. Board of Selectmen study committees may consist of a specific number of individuals and no more than one Selectman, if any Selectman is to be included on the Committee. Special Board of Selectmen committees shall sunset at the end of their mission, but no later than the end of each calendar year unless specifically continued by the Board of Selectmen thereafter for a specified time period.

(b) Special Ad Hoc Advisory or Study Committees shall:

(1) Be established by a written document stating the specific purpose, mission, and goals/objectives that the committee is to achieve or attain, and declaring that the committee is dissolved when these have been attained or by a date certain.

(2) Make recommendations on proposed programs, services, ordinances, and resolutions within their area of responsibility before action is taken by the Board of Selectmen. The committee chair may present the recommendations of the committee during the discussion of the item of business during a meeting of the Board of Selectmen.

(3) Town employees may staff the various committees as directed by the Town Administrator, but no staff person shall serve as a member of a Special Ad Hoc Advisory or Study Committee unless specifically designated to do so by the Board of Selectmen.

(4) Meetings of Special Ad Hoc Advisory or Study Committees shall be open to the public. Minutes of Special Ad Hoc Advisory or Study Committee meetings shall be recorded in accordance with NH RSA 91-A (Access to Governmental Records and Meetings or “Right to Know” Law). It shall be the responsibility of the members of the Special Ad Hoc Advisory or Study Committee to complete the meeting minutes in accordance with NH RSA 91-A.

SEC. 23. ENACTED ORDINANCES, RESOLUTIONS, AND MOTIONS

(a) An Enacted Ordinance is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the corporate affairs of the municipality. Board of Selectmen action shall be taken by ordinance when required or permitted by law to prescribe permanent rules of conduct which continue in force until repealed.

(b) An Enacted Resolution is an internal legislative action that is a formal statement of policy concerning matters of a special or temporary character. Board of Selectmen action shall be taken by resolution when required by law, and in those instances where an expression of policy more formal than a motion is desired.

(c) An Enacted Motion is a form of action taken by the Board of Selectmen to direct that a specific action be taken on behalf of the municipality. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law.

SEC. 24. RESOLUTIONS AND POLICIES

(a) Each resolution and policy may be voted and approved on the same day on which it was introduced. The title of each resolution shall in all cases, be read prior to its passage; provided, should a majority of the Selectmen present request that the entire resolution or certain of its sections be read, such requests shall be granted.

SEC. 25. ORDINANCES

(a) An ordinance shall be discussed and considered at a public hearing, but shall not be voted and approved on the same day on which it was introduced. The title of each ordinance shall in all cases be read prior to its passage; provided, should a majority of the Selectmen present request that the entire ordinance or certain of its sections be read, such requests shall be granted.

(b) Emergency Ordinances. The Town Board of Selectmen may, without notice or hearing, adopt an emergency ordinance authorizing expenditures for a public emergency as defined and prescribed in RSA Chapter 107-C, and the Town of Grantham Purchasing Policy.

(c) A Selectman may, in open session, request of the Presiding Officer that the Board of Selectmen study the wisdom of enacting a particular ordinance. By affirmative motion, the Board of Selectmen may assign the proposed ordinance to a specific department head or official, committee, or the committee of the whole for study and consideration. The department head, official or committee shall report its findings to the Board of Selectmen.

(d) Action on all ordinances and resolutions shall be governed by the following rules:

(1) Prior to introducing any ordinance or resolution, the proponent of the ordinance or resolution may seek a motion to introduce the ordinance or resolution by title only and to waive a reading of the entire ordinance or resolution. If there is a second, and after discussion, the presiding officer shall call for the question, and the Board of Selectmen shall vote whether to read the ordinance or resolution by title only. Lacking such a motion or should this motion fail, the ordinance or resolution shall be read in its entirety.

(2) The proponent shall then move that the ordinance be adopted. If there is a second, and after discussion, the Presiding Officer shall call the question, and the Board of Selectmen shall vote on adoption. An affirmative vote of the Board of Selectmen shall constitute adoption of the ordinance.

(3) After a motion to adopt and a second, the Presiding Officer may, and without a second, refer the ordinance or resolution to committee for further discussion, or to the Board of Selectmen agenda for a subsequent meeting for second and final action. The Board of Selectmen may overrule the Presiding Officer's referral, and upon a motion and second, take such action as it deems advisable.

(4) If an ordinance or resolution is referred to committee, the committee shall report the item to the Board of Selectmen in due course, and the item shall then be in order for further action. The reporting of an ordinance or resolution shall not require a motion or other Board of Selectmen action. The Board of Selectmen may, upon a motion made and seconded, call the ordinance or resolution out of committee. The item shall then be in order for further action before the Board of Selectmen.

(5) At such time as further action is in order, any Selectman may move that the ordinance or resolution be read for a second time. This motion shall be in order whether or not the ordinance or resolution was amended during the debate prior to the vote on the first reading or during committee deliberation.

(6) After an affirmative vote on the second reading, or after the first reading, if the ordinance was adopted, the ordinance or resolution shall be deemed effective and shall be signed by the Presiding Officer and dated with the date of the final Board of Selectmen action.

SEC. 26. COMPLAINTS AND SUGGESTIONS TO THE BOARD OF SELECTMEN

When citizen complaints or suggestions are brought before the Board of Selectmen, other than for items already on an agenda, the Presiding Officer shall first determine whether the issue is legislative or administrative in nature and then:

- (a) If legislative, and a complaint about the letter or intent of legislative acts or suggestions for changes to such acts, and if the Board of Selectmen finds such complaint suggests a change to an ordinance or resolution of the Town, the Board of Selectmen may refer the matter to a committee or to the Town Administrator for study and recommendation.
- (b) If administrative, and a complaint regarding administrative staff performance, administrative execution, or interpretation of legislative policy, or administrative policy within the authority of the Town Administrator, the Presiding Officer should then refer the complaint directly to the Town Administrator for review and response to the citizen. The Board of Selectmen may direct that the Town Administrator brief or report to the Board of Selectmen when his/her response is made.

SEC. 27. CONDUCT WITH OTHER BOARD MEMBERS AND TOWN STAFF

The Board of Selectmen shall treat others with respect and respect the rights and opinions of the community despite differences of opinion. The Board of Selectmen expects to be treated the same.

- (a) The Board of Selectmen, when dealing with the Town Administrator and Town Staff, shall:
 - (1) Recognize the administrative chain of command and refuse to act on complaints as an individual outside the administration.
 - (2) Treat all staff and other elected officials as professionals and respect the abilities and integrity of each individual.
 - (3) Never as individuals publicly criticize an employee. Concerns of employee performance shall be handled by the Town Administrator or at the Board level in nonpublic session under RSA 91-A.
 - (4) Not give orders to any such officers or employees either publicly or privately except as a Board at a meeting.
- (b) The individual members of the Board of Selectmen in their relations with fellow members shall:

(1) Recognize that no member by their actions alone can bind the Board of Selectmen or the Town.

(2) No member, including the chairperson or vice-chairperson, shall conduct any town business outside a regular scheduled meeting without the prior knowledge and approval of the Board at a meeting.

(3) Pursuant to RSA 91-A uphold the intent of non-public session and not release or discuss items raised in non-public session.

(4) Refrain from communicating the position of the town or the Board of Selectmen to other entities (i.e. state and federal officials) unless the full board has previously agreed on both the position and the language of the statement.

(5) Treat with respect the rights of all members of the Board despite differences of opinion.

(c) As required by State law, all business of the town shall be handled in public session, with the exception of matters listed under NHRSA 91-A.

(d) All actions taken under RSA 91-A shall be, if appropriate, disclosed before the close of the regular session in a brief statement of the facts. Any discussion held within the closed session shall be considered closed to the public. Any person who reveals details of the closed session to the public is to be censured for their actions and held in contempt of RSA 91-A.

(e) Punishment for any violation of this code of conduct shall include but not be limited to, removal from committee assignments or chairmanships. Other punishments shall be handled by state law (RSA 42:1-a).

SEC. 28. AMENDMENT OF RULES

An amendment to these Rules of Procedure may be moved and voted at a regularly scheduled Board meeting. A copy of any amendment shall be submitted at one meeting and discussed by the Board. The amendment shall not be voted upon until the next Board meeting to ensure adequate time for the Board members to consider the proposal.

SEC. 29. EFFECTIVE DATE

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

Approved by the Board of Selectmen the 22 day of January 2020.

TOWN OF GRANTHAM
By its Board of Selectmen

Warren Kimball 1/22/20
Warren Kimball, Chair Date

Constance A. Jones 01-23-2020
Constance A. Jones, Selectman Date

Peter H. Garland _____
Peter H. Garland, Selectman Date

APPENDIX A – NHMA NONPUBLIC SESSION MINUTES TEMPLATE

Date: _____

Members Present: [board member name] ____
[board member name] ____
[board member name] ____

Motion to enter Nonpublic Session made by _____ seconded by _____

Specific Statutory Reason cited as foundation for the nonpublic session:

_____ RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, **unless** the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

_____ RSA 91-A:3, II (b) *The hiring of any person as a public employee.*

_____ RSA 91-A:3, II(c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, **other than a member of this board**, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

_____ RSA 91-A:3, II(d) *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.*

_____ RSA 91-A:3, II(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against this board or any subdivision thereof, or by or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled.*

_____ RSA 91-A:3, II(i) *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

_____ RSA 91-A:3, II(j) *Consideration of confidential, commercial, or financial information that is exempt from public disclosure under RSA 91-A:5, IV in an adjudicative proceeding pursuant to RSA 541 or RSA 541-A.*

_____ RSA 91-A:3, II(k) ***(Pertains to School Boards)***

_____ RSA 91-A:3, II(l) *Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.*

Roll Call vote to enter nonpublic session:

[name]	Y	N
[name]	Y	N
[name]	Y	N

Stop public meeting tape (if applicable).

Entered nonpublic session at _____ a.m./p.m.

Other persons present during nonpublic session: _____

Description of matters discussed and final decisions made. **Note:** Any votes taken must be recorded "in such a manner that the vote of each member is ascertained and recorded":

*Note: Under RSA 91-A:3, III. Minutes of proceedings in nonpublic sessions shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, **taken in public session**, it is determined that divulgence of the information likely would affect adversely the reputation of any person **other than a member of this board**, or render the proposed action of the board ineffective, or pertain to terrorism. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.*

Motion to leave nonpublic session and return to public session by _____, seconded by _____.

Motion: PASSED / DID NOT PASS (circle one)

Nonpublic meeting tape removed, public meeting tape replaced (if applicable).

Public session reconvened at _____ a.m./p.m.

Motion made to seal these minutes? If so, motion made by _____, seconded by _____, because it is determined that divulgence of this information likely would...

- _____ Affect adversely the reputation of any person other than a member of this board
- _____ Render a proposed action ineffective
- _____ Pertains to preparation or carrying out of actions regarding terrorism

Roll Call Vote to seal minutes:

[name]	Y	N
[name]	Y	N
[name]	Y	N

Motion: PASSED / DID NOT PASS (circle one)

These minutes recorded by: _____