

Town of Effingham

68 School Street
Effingham, New Hampshire 03882
(603) 539-7770 (603) 539-7799 fax



Board of Selectmen Rules of Procedure

These Rules of Procedure are not meant to be all inclusive but to help serve as a guide for Selectmen for the Town of Effingham, New Hampshire. A vote by the Board of Selectmen (Board) will be needed to change or alter these Rules of Procedures. A reference all Selectmen should be familiar with is "Knowing the Territory: A Survey of Municipal Law for New Hampshire Local Officials".

Section 1.0 Meetings

Section 1.1 Regular Meetings

Regular meeting of the Board of Selectmen shall be held in the Town's municipal office building, 68 School Street every other Tuesday at 4:30 p.m. throughout the calendar year unless otherwise posted due to an election, holiday or weather. In these cases, the Board may vote to amend the meeting date and time.

In an effort to better inform the public of the Town of Effingham (Town), the scheduled meeting and an agenda will be posted at the municipal office and on the Town's website. Agendas will be posted at least twenty-four (24) hours prior to the meeting, except in special and emergency situations where the meeting will be posted as soon as practical.

Section 1.2 Order of Business

The order of business for regular meetings of the Board of Selectmen shall generally follow the order. Selectmen will arrive 30 minutes to meeting time to review the Mail, Manifest, Signature and Action folders.

1. Call to Order
2. Pledge of Allegiance to the flag of the United States of America
3. Introduction of Board members
4. Approval of Minutes
5. Approval of Manifest or state amount of manifest if signed untemporaneously.
6. Administrator and Selectmen's Comments and Reports
7. Department Head presentations as scheduled
8. Agenda items
9. Public Comment (see Section 1.3)
10. Non-Public, if necessary
11. Adjournment

The Board reserves the right to meet and to adjourn or recess a meeting at any time to discuss such matters in non-public session in accordance with RSA 91-A:3.

Section 1.3 Public Comment

The Board of Selectmen encourage citizens of the Town and the press to attend all official public meetings so that they may become better acquainted with the operation of the Town government. The Board of Selectmen also encourages members of the public to attend meetings

to provide input, share information and express their concerns about Town matters. Public participation in the Board's regular meeting is a privilege that the Board allows.

Special Notes for Complaints and Orderly Conduct:

- The Board will not hear personal complaints regarding Town Personnel, which include hired or appointed employees, or any persons or vendors associated with the Town and/or a matter that may, in the opinion of the Board, infringe on another person's rights of privacy.
- Personal complaints should be directed in writing to the Board of Selectman's Office for possible inclusion in a Non-Public Session.
- Participants are to conduct themselves in a civil manner. Obscene, profane, slanderous, defamatory, disruptive, loud, repetitive language, violent statements or disorderly behavior will be considered out of order and will not be tolerated.

The following procedures will be followed during the Public Comment session. Comments may be about any matter of importance. Participants should stay within the following guidelines:

1. All participants should raise their hand and wait to be invited to speak by the Chair.
2. Participants desiring to speak shall give their name and address for purposes of the minutes of the meeting.
3. Participants comments should be limited to three (3) minutes.
4. Speakers may offer general comments on such items as Town operations, programs or offer suggestions, etc.
5. Requests to have a specific discussion item or person on the agenda, including any supporting documentation to be considered, shall be submitted to the Board of Selectmen's Office by noon on the Thursday proceeding the Selectmen's Meeting. Supporting documentation shall be dated and a revision number noted if applicable.
6. If a participant wishes to read anything during Public Comment, a copy of the written document must be provided to the Board of Selectmen's Office by noon on the Thursday proceeding the Selectmen's Meeting.
7. Participants must address the questions or comment to the Board, not to other members of the audience.

Participants should not expect the Board of Selectmen to respond immediately to their comments, questions, or written complaints since the board may not have discussed or taken a position on the matter. Members of the Board do not have authority to act independently as individuals on official matters. Thus, questions may be directed to individual Board members but answers may be deferred pending consideration by the full Board.

The Board vests in its Chairman or other presiding officer authority to terminate the remarks of any individual when they do not adhere to the guidelines in the Section. If failure to comply continues, the person or persons may be asked to be removed from the meeting.

Finally, and to reiterate, the purpose of this policy is to provide the Board with the opportunity to hear from and listen to residents and taxpayers directly, while keeping the discussions civil and orderly and protecting the rights of others.

Section 1.4 Minutes

All minutes of the Board of Selectmen, including all standing and special committees of the Board shall record their proceedings and provide minutes of any meeting in a manner prescribed under RSA 91-A (NH Right to Know Law). Minutes of all public meetings (non-approved) will be made available for public inspection no later than five (5) business days after the meeting. Minutes of all non-public meetings sessions will be made available for public inspection within seventy-two (72) hours after the non-public session, unless the Board of Selectmen votes to seal the minutes in accordance with RSA 91-A:3 III. Approved meeting minutes available for review from the Selectmen's Office and every effort will be made to have will be posted on the Town website within a few days of approval.

Section 2.0 Robert's Rules of Order

When no other provision is herein made or in absence of a ruling by the Chairman, a question of parliamentary procedure shall generally be decided as prescribed in the most recent edition of Robert's Rules of Order.

Section 3.0 Selectmen Elections and Appointments

The Board of Selectmen shall be comprised of three (3) members elected by registered voters of the Town of Effingham at the annual March election. The term of office of each member of the Board of Selectmen shall be for a period of three (3) years. In the event of resignation by a Selectman, any interested qualified voting individuals of the Town of Effingham shall in writing express their interest in the open position. It will be the obligation of the two remaining members to appoint a new member after review of interested candidates.

Section 4.0 Chairman's Selection

The Chairman of the Board of Selectmen shall be selected at the first meeting after Town Meeting. Any one of the three members may state their case for being selected as chairman with the full Board voting for one chairman. In the event a chairman cannot be selected through this process, then the Chairman's position shall be granted to the longest standing continuous service Board member.

Section 5.0 Bidding Requirements

Purchases over \$15,000 shall be handled by written bid proposal except in the case of an emergency when a delay of a purchase could adversely affect the health, welfare, safety or best interest of the Town or place an excessive financial burden on the Town. The Board of Selectmen reserves the right to reject any and all bids and to accept that bid which appears to be in the best interest of the Town and also reserves the right to waive any informalities in or reject any part of any bid.

Section 6.0 Communication with Legal Counsel

The Board of Selectmen shall review communication with its legal counsel at regular or non-public meetings. The Board may authorize an individual Board member and/or Town employee to have authority to communicate as needed on a specific topic or situation when needed.

Section 7.0 Mileage Reimbursement

If an individual Board member incurred cost for travel, the individual Board member will need to submit the request for payment at its regular Board meeting, advising the reason for the travel expense. The full Board will need to vote to expend funds for such expenses.

Section 8.0 Road Posting – Weight Restrictions

Primarily during the Spring season thaw, the Board shall restrict the weight of a vehicle on Town roads to help prevent unreasonable damage or extraordinary municipal maintenance expense. Once the Board votes at its regular posted meeting to restrict the weight of vehicles, the Board shall notify its road contractor to display signage throughout the Town. This restriction shall be lifted once the condition improves enough so heavy vehicles can pass over the roadways without causing damage.

A waiver can be requested in writing to the Board of Selectmen's Office prior to a regular scheduled Board meeting. All waiver requests shall be considered at a regular scheduled Board meeting. The Board will consider a waiver for an emergency situation or under special circumstances. If granted, the vehicle may be restricted to certain time periods within the day or week and/or certain road conditions that exist as to when said vehicle could travel on the Town road. The Board may require a bond to be obtained by the contractor and or company prior to granting a waiver.

1. The Board shall grant a waiver annually to the contracted company(s) hauling refuse from the Town of Effingham Transfer Station. The waiver shall be issued in writing and mailed to said company(s). All hauling should take place during the "cold" hours of the day (5:00 am. – 9:00 a.m.) unless road conditions are unfavorable and at which time the Board shall advise the hauler(s) when the pickup could take place.
2. Certain vehicles are excluded from these travel restriction provisions per RSA 236:3-a.

Section 9.0 Personnel

No Individual Board member shall have the authority to reprimand, discharge or take any other disciplinary action towards any Town employee. The Board as a whole can decide to take such action through their personnel policies and discuss said action during a legally posted non-public meeting.

Section 10.0 Oaths of Town Officers – Breach of Confidentiality / Invasion of Privacy

All Town Officers are subject to the provisions of RSA 42:1-a Manner of Dismissal; Breach of Confidentiality.

Section 11.0 Board Member Ethics

Each member of the Board of Selectmen shall comply with the following ethical provisions:

1. Attend all regularly scheduled Board meetings insofar as possible and become informed concerning issues to be considered at those meetings.
2. Become well acquainted with State laws pertaining to local government and support their enforcement.
3. Accept office of Selectman as a means of unselfish service.
4. Represent the entire Town without favor to any particular segment.

5. Make decisions only after full discussion at public or non-public Board meetings; render all decisions based upon the available facts and reasoned independent judgement; and refuse to surrender that judgment to individuals or special interest groups.
6. Remember at all times that the Board members are one of a team and that the statutory authority extended to a Board must be exercised by the Board as a corporate body. Recognize that no individual member has authority to speak or act for the entire Board except as specifically designated to do so by Board action.
7. With regard to item #6 above, in the event an emergency situation arises, and time would not allow for the situation to be discussed at a regularly scheduled Board meeting, a single Board member may act to rectify the situation. The Board member must bring it to the full Board's attention as soon as possible but not beyond the time period of the next regularly scheduled Board meeting.
8. Regardless of any differences of opinion, treat all other members of the Board in a courteous, respectful and professional manner to insure the reasonable performance of Board responsibilities.
9. Recognize that final Board actions will be supported by all members of the Board, take no private action that will compromise the Board and refrain from private action which undermines or compromises official Board action.
10. Respect the confidentiality of information that is privileged under applicable law or is received in confidence or executive session.
11. No Board member shall be allowed to speak during public comment, Selectmen's comments and reports, old business or new business that may offer comments on such items such as personal complaints of Town personnel which include hired or appointed employees, or any persons or vendors associated with the Town. The Board vests in its Chairman or other presiding officer authority to terminate the remarks of any Board member when they do not adhere to the rules established above as to the content.
12. Any concern of a Board member which is related to personal complaints of Town personnel which include hired or appointed employees, or any person or vendors associated with the Town as stated in item #11 of this policy may request a non-public meeting with the full Board.

Section 12.0 Board Member Conflict of Interest

The Board of Selectmen recognizes it is the ethical and legal duty of all Board members to avoid Conflicts of Interest as well as the appearance of Conflicts of Interest. Conflict of Interest for the purposes of this policy is defined as a situation when a Board member's private interests as a member of the general public, as distinguished from the Board members' interest, would benefit from or be penalized by their actions as a member of the Board.

1. Board members should be especially careful not to place themselves in a position that would make their role incompatible as members of the Board when acting on Board matters.
2. When a Board member becomes aware that their position creates a Conflict of Interest or the appearance of a Conflict of Interest as defined in state law or this policy, they will declare the nature and extent of the conflict or appearance of Conflict of Interest in the

Board minutes and will abstain from voting or participation in the discussion of the issue giving rise to the conflict.

3. If any member questions where a Conflict of Interest exists, and the questioned member disagrees that a conflict exists, then the conflict shall be determined by a majority vote of the Board.

Section 13.0 Board Use of Email

The use of electronic communication (email) by the Board of Selectmen must conform to the same standards of judgment, propriety and ethics as other forms of Board-related communication. Board members must be mindful that email containing information relating to Board business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law.

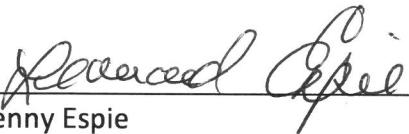
Section 14.0 Issuance of Entry Door Key(s)

Any and all keys issued for the municipal building shall remain the property of the Town at all times. No duplicate keys shall be made unless authorized by the full Board.

1. Board members shall be issued one single key to the main lobby entrance door.
2. Employees of the Town Clerk/Tax Collectors Office and Board of Selectmens Office shall be issued one single key to the access the building, the inner hallway and their offices.

As of this day, April 19, 2022, the Town of Effingham Board of Selectmen have reviewed the above policies and guidelines and will do its best to adhere to and enforce them to the best of their ability.

Effingham Board of Selectmen


Lenny Espie


Chuck Fuller


Victoria Kirkwood

Adoption Date:

5th adoption April 19, 2022

4th adoption April 9, 2019

3rd adoption: February 16, 2016

2nd adoption: 2015

1st adoption: 2014

