

**BY-LAWS  
BOARD OF SELECTMEN  
SALEM, NEW HAMPSHIRE**

**A. PURPOSE:**

These By-Laws describe the duties and methods of operation of the Salem Board of Selectmen.

**B. ORGANIZATION:**

**1. Responsibilities of Members:**

All members shall make every effort to attend each scheduled meeting.

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 instructions from the Board.

**2. Officers:**

(a) Election - A Chairman, Vice-Chairman and Secretary 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.

Vacancies created during the year shall be filled by special election of the Board at the next regularly scheduled meeting.

(b) Duties - The Chairman shall preside at all meetings of the Board and perform all duties required by law.

In the absence of the Chairman, the Vice-Chairman shall preside and assume all duties and responsibilities of the Chair.

The Secretary shall preside in the absence of the Chairman and Vice-Chairman. The Secretary is the custodian of the official minutes and shall sign them as revised and approved and shall forward them to the Town Clerk's Office. In the absence of the Secretary, the Recording Clerk shall prepare the minutes as requested.

**3. Committees:**

The Chairman may delegate members of the Board to investigate Town matters, to serve on committees, and to perform other duties.

**C. OPERATION:**

**1. Meetings:**

- (a) Organizational Meetings - An organizational meeting to elect officers shall be held in accordance with B.2(a). The Board may adopt the previous Board's policies and procedures, subject to amendment as provided in these by-laws. The Board shall establish a schedule for meetings.
- (b) Regular Meetings - A more formalized meeting of the Board generally conducted in accordance with the order of the "Agenda" contained herein.
- (c) Workshop Meetings - 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 discussion of issues in greater depth.
- (d) Non-Public Meetings - A meeting of the Board held for town legal and personnel issues in accordance with RSA 91-A:3.
- (e) Special Meetings - May be called by the Chairman in accordance with RSA 91-A:2,II; upon demand of three (3) members of the Board; or at the request of the Town Manager through the Chair. The Chairman shall notify each member in accordance with RSA 91-A:2,II.
- (f) Committee Meetings - Meetings shall be called by the Chairman of the committee under the rules governing special meetings.

**2. Schedule of Meetings:**

Shall be published monthly. Each meeting shall be posted in accordance with RSA 91-A.

**3. Reports of Committees:**

Written/Oral reports from committees received by the Board shall be filed with and distributed with the minutes of the Board.

**4. Review of Audit Reports:**

The Board shall review the audit report as soon as the report is made available and take any action related thereto.

**5. Water & Sewer Commissions**

As part of their responsibilities as Water & Sewer Commissioners, the Board shall conduct an annual review of the Unreserved Water and Sewer Funds with the Town Manager and Finance Director each September. The Board shall then vote to set Water and Sewer Rates no later than October 1<sup>st</sup> for billing the following

January 1<sup>st</sup>. A vote shall be recorded even if the determination is made that the rate(s) should not change.

**D. RULES OF ORDER:**

1. **Quorum** - A quorum shall consist of three (3) members of the Board.
2. **Agenda** - Shall be published with meeting notice, and included in the minutes. A suggested agenda is provided below. It may be changed by the chair or by vote of the board.

**AGENDA**

- Call to Order
  - Meeting Minutes
  - Chairman Comments
  - Town Manager's Report
  - Selectmen Reports/Correspondence
  - Old Business/Tabled and Pending
  - Additions and/or Requests by Public or Board by Vote  
*Please note unscheduled matters are limited to a 15-minute discussion.*
  - Adjourn
- (a) Selectmen wishing to place an item on the agenda must notify the Town Manager or his Executive Assistant before Thursday at 12:00 p.m. prior to a Monday meeting. Citizens wishing to place an item on the Selectmen's agenda and plan to make a presentation. must provide a copy of all presentation material and documentation to be included in each selectman's "packet" by Thursday at 9:00 a.m.
  - (b) Adjournment - A motion for adjournment will usually not be in order until after the completion of the order of business, unless a motion has been made at the start of the meeting to adjourn at a specified time.

**3. Role of the Chairman:**

The Chairman's duties are as follows:

- To open the session at the time at which the Board is to meet by calling the members to order; to announce the business before the Board in the order in which it is to be acted upon;
- to recognize members entitled to the floor;
- to state and put to vote all the questions which are regularly called or necessarily arise in the course of the proceedings and to announce the result of the vote;

- to protect the Board from annoyance;
- to assist in expediting all business in every way compatible with the rights of the members, as by allowing brief remarks when un-debatable motions are pending or by calling a brief recess to permit restoration of order or clarification of an obscure point if he thinks it advisable;
- to restrain the members when engaged in debate within the rules or order;
- to enforce on all occasions the observance of order and decorum among the members, deciding all questions of order (subject to an appeal by any two (2) members) unless he prefers to submit the question for the decision of the Board;
- to inform the Board on a point of order or practice pertinent to pending business;
- to authenticate by his signature, when necessary, all acts, orders and proceedings as directed by vote of the Board.

The chairman shall issue calls for candidates and specify dates for return of applications for positions appointed by the board.

The Chairman shall vote as a member of the Board.

Discussions which are not addressing the business before the board, or which are conducted in a disorderly or disrespectful manner, shall be ruled out of order. The chairman shall take whatever action is necessary to achieve and maintain order, including ordering the removal of any person who continues disorderly conduct.

**4. Role of the Vice-Chairman:**

Please see section 2(b) above.

**5. Role of the Secretary:**

Please see section 2(b) above.

**6. Conduct of Meetings:**

Meetings shall be conducted in accordance with generally accepted practices of order and decorum. In the event of dispute regarding procedural matters Robert Rules of Order shall serve as a guideline with a vote of the Board being the final deciding authority.

**7. Recording of Votes:**

Votes shall be by a show of hands or by a roll call. The vote of each member present shall be recorded. No action shall be considered at a subsequent meeting in the same calendar year except by majority vote of the members present and voting.

**8. Requests for Information:**

Should it become apparent to the Chairman or an individual Board member, in the interim between meetings, that additional information relative to a specific item may be needed for Board use at the next regularly scheduled meeting, a request for this information shall be submitted to the Town Manager before the agenda is set.

Any information provided to any individual Selectman shall be provided to the rest of the Board.

**E. EMPLOYEES:**

**1. Duties:**

The Recording Clerk shall be the official recorder of the minutes of the Board of Selectmen and an official copy of the records are to be filed in the Selectmen's Office and open to inspection by any person at reasonable times. In addition to keeping the minutes of the meetings, it is the duty of the Recording Clerk to keep a roll of members and to call the roll when required. The Recording Clerk shall record the essentials called "the minutes" of the proceedings as follows:

- (a) The kind of meeting - regular, special, work session, or recessed.
- (b) Time of meeting and place of meeting
- (c) The presence/absence of Board members
- (d) Whether the minutes of the previous meeting were approved or amended.
- (e) All main motions and points of order and appeals, whether sustained or lost, and all other motions that were not lost or withdrawn.
- (f) The hour of adjournment.

The Recording Clerk shall record the essentials of the proceedings, the name of the member who introduced a main motion or amendment and the name of the second, and should enter the number and names of votes on each side.

In addition to the strict record of what is done, the public minutes should contain the list of speakers on each side of every question with an abstract of all relevant points.

Reports of committees should be printed exactly as submitted. The minutes should show what action was taken by the Board in regard to them.

**F. AMENDMENT PROCEDURE:**

An amendment to these By-Laws may be moved at one Board meeting but shall not be voted upon until the next regularly scheduled meeting, not less than seven (7) days later. A copy of any amendment shall then be certified and submitted to the Town Clerk for inclusion in the Town Records.

**G. APPOINTMENT TO BOARDS AND COMMISSIONS:**

1. The Chair shall request from members their choices of committees, boards and commissions they wish to serve on as Selectmen's Representative. The Chairman shall distribute to the Board all choices and set a meeting date as to when the Chair shall make appointments.
2. The term of all appointments of Selectmen Representatives, including the terms of any ex-officio members (voting members) of the Board of Selectmen serving on local land use boards (i.e., Planning Board, Conservation Commission, and Historic District Commission) shall be for one (1) year, or until next Town Meeting, whichever is sooner.

*Amended and approved effective August 9, 1993.*

*Affirmed - effective March 24, 1997.*

*Reaffirmed - March 22, 1999*

*Reaffirmed - April 5, 2000*

*Amended - May 21, 2001*

*Reaffirmed - April 1, 2002*

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*Reaffirmed - March 29, 2004*

*Amended/Accepted - March 28, 2005*

*Reaffirmed - April 3, 2006*

*Reaffirmed - March 19, 2007*

*Reaffirmed - March 17, 2008*

*Not amended nor Reaffirmed in 2009*

*Amended/Accepted - April 26, 2010*