

# **TOWN OF NEW DURHAM, NEW HAMPSHIRE POLICY ON APPOINTED BOARDS, COMMITTEES, AND COMMISSIONS APPOINTED BY THE BOARD OF SELECTMEN**

## **L INTRODUCTION:**

This Policy serves to outline procedures regarding appointment to Town committees, commissions, and boards (hereinafter referred to collectively as "committee(s)," unless specific reference is being made to a particular body whose title is different) and the conduct and responsibilities of Committees and their members. This policy applies to all committees whose members are appointed by the Board of Selectmen. This Policy also applies to all committees created by the Legislative Body ("Town Meeting"), unless otherwise provided.

This Policy is in place to assist the Board of Selectmen in making informed choices for committees and their members and to provide consistency in the committee creation and member selection and appointment process.

A member would still serve after any term expiration date in holdover status until he/she is reappointed, someone else is appointed to that seat, or the individual resigns. Applications for appointment should be made to the Board of Selectmen via the Town Administrator.

## **II. RECRUITMENT, SELECTION, AND APPOINTMENT PROCESS OF COMMITTEE MEMBERS:**

### **A. RECRUITMENT:**

**PUBLIC NOTICE OF OPENINGS:** public notice of all committees which are available shall be posted in at least two (2) public places, including the Town website and the Town Hall outside bulletin board. This notice will include both vacant positions.

Per RSA 652:12 a vacant position shall occur in a public office if, subsequent to his or her election/appointment and prior to the completion of his or her term, the person elected/appointed to that office:

1. Dies or resigns; or
2. Is determined by a court having jurisdiction to be insane or mentally incompetent; or
3. Is convicted of a crime that disqualifies him or her from holding office; or
4. Fails or refuses to take the oath of office within the period prescribed by RSA 42:6 or to give or renew an official bond if required by law.

### **B. SELECTION:** (Criteria to consider when selecting members to include but not be limited to:

1. Service on other Committee(s).
2. Life experience and interests including personal, professional,

- and/or volunteer experience.
3. Ability to fulfill the time requirements of the committee and to regularly attend meetings.
  4. Consideration of potential conflicts of interest that may affect the Candidate's ability to make decisions that are in the best interest of the Town.

**C. APPOINTMENT PROCESS FOR FIRST-TIME CANDIDATES:**

The candidate for a committee must:

1. Attend at least one (1) meeting of the Committee to which he/she is applying for appointment prior to candidate's appointment except when a new committee is formed.
2. Complete and return a Talent Bank application form. available from the Office of Selectmen, Town Administrator, or on the website at [newdurhamnh.us](http://newdurhamnh.us). Forms will be forwarded to the Board of Selectmen for consideration.
3. Candidate may be interviewed prior to appointment by the Board of Selectmen the first time he/she applies for that Committee. These interviews may be conducted in a public meeting. Alternate Members seeking appointment as regular members may be asked to an interview.
4. Volunteers who work with or around children or elderly persons, enter the homes of citizens, or collect or manage money will be subject to a criminal background check per RSA 41:9-b prior to candidate's appointment. A criminal background checks per RSA 41:9-b can be required for reappointment by a majority vote of the Board of Selectmen.
5. Candidate(s) will be nominated by name by the appointing authority at a regular posted meeting, and said nomination will be for a two (2) week vetting period. Citizen input may be received regarding the nomination and vetted by the appointing authority.
6. Upon completion of the two (2) week vetting period, the appointing authority may at a regular posted meeting appoint the named nominee to the Board, Committee or Commission.
7. Once appointed, all new committee members must take an oath of office as provided in RSA 42 before qualifying for office.

**D. MEMBERS SEEKING REAPPOINTMENT AND MEMBERS SEEKING APPOINTMENT TO MULTIPLE COMMITTEES:**

1. Current members of committees whose terms are about to expire may seek reappointment to the same committee, unless specified otherwise by town, state, or federal law. If a current Committee member has a talent bank application already on file with the Town, and the individual is interested in being reappointed to the position, the incumbent need only to communicate to the Town Administrator their interest in reappointment by email or written form. Current members seeking reappointment should then follow steps 4, to 7 in Section "C" above.
2. Members of one committee who want to join another committee must complete all steps for First Time Candidates, if not already a member of

that committee.

**E. EMPTY ORV ACANT POSITIONS WITHIN TERM:**

If a seat on a committee becomes vacant before the expiration, the Board of

Selectmen may fill these positions at any time during the year, following the guidelines outlined in this Policy, unless state law dictates a different manner of filling the vacancy.

**F. ALTERNATES or ASSOCIATE MEMBERS:**

1. Alternate members are appointed to Committees by the Board of Selectmen, unless otherwise provided by law, to vote if a regular member is unable to take his/her seat at any given meeting. They are expected to attend meetings and participate in discussions of these meetings although as an alternate the member may not have voting privileges. Whenever feasible, first consideration for regular membership may be given to alternate members in good standing. Associate members are appointed to committees which have them included in the committee charge. Associate members are non-voting members, but are included in the committee's discussions and communications.

**G. TERMS:**

1. All committee members will be appointed to three (3)-year terms, unless otherwise decided by the Board of Selectmen or as otherwise provided by state law.
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**III. ADMINISTRATION OF COMMITTEE**

1. Once a committee is formed, it is the responsibility of the members to assemble as soon as practicable to begin carrying out their mission, and to establish a regular schedule of meetings, or as prescribed by the Board of Selectmen or governing law.
2. At the first meeting of a newly-formed committee, or at the first meeting after the yearly appointment time, a Chairperson, Vice Chairperson, and Secretary, where needed, should be chosen by the respective committee members.
3. NH RSA 91-A requires that all meetings be open to the public and all committees shall post notice of every meeting in at least two (2) appropriate places, including at least the Town' s website and Town Hall outside bulletin board.
4. N.H. RSA 91-A:2 II requires that at each and every meeting of the committee, minutes must be taken, put in written form and a copy submitted to the Office of the Selectmen or Town Clerk's Office by the required deadlines. A written draft is required to be available to the public within five (5) business days after the meeting. Nonpublic meeting minutes must be made available within 72 hours unless sealed by a majority of the committee.

**IV. RESPONSIBILITIES OF COMMITTEE/MEMBERS**

1. Attend meetings: Any more than three unexcused absences within a period of six months, or six meetings, may be grounds for dismissal/removal as a committee member by a majority vote of the Board of Selectmen.
2. Attitude and conduct: While differences of opinion are anticipated and members

must be allowed full voice, members are expected to be civil and observe recognized rules of order and procedure. Members who are quarrelsome, disruptive, use their authority inappropriately, either on the Committee, or with other Town officials should not be considered for reappointment and may be removed as a member before their term expires by a majority vote of the Board of Selectmen.

3. It is expected that members will become as familiar as possible with their committee's subject areas and are encouraged to participate in any training opportunities available to them (i.e., NHMA, Law Lecture series, Conferences, etc.).
4. All committee members will adhere to the Town's Ethics Policy and other Town policies while a member of a Committee.
5. All Committee members are expected to educate themselves regarding relevant Town, State, and Federal laws, rules, and ordinances, especially NH RSA 91-A (The Right-to-Know Law).

#### **V. REMOVAL OF COMMITTEE MEMBER:**

When a committee member or alternate fails to carry out responsibilities of the respective committee, the Board of Selectmen shall carefully review the facts and request relevant input from the respective committee. Following this, the Board of Selectmen by majority vote may remove any member or alternate of a committee under the Board of Selectmen's jurisdiction.

#### **VI. TALENT BANK APPLICATION USAGE**

Candidates for other committees not appointed by the Board of Selectmen are also encouraged to fill out the Talent Bank application and submit it to the Office of the Town Administrator. Any applications for committees not appointed by the Board of Selectmen (Planning Board, ZBA, and Budget Committee) will be forwarded to the appropriate appointing authority (Committee Chair) whenever an opening occurs on these committees. All Talent Bank Applications will be dated upon receipt and kept on file in the Board of Selectmen's office. Applications will be considered active for up to four (4) years after it is received.

#### **VII. DISBANDING**

The Board of Selectmen may at its discretion and by majority vote of the Board of Selectmen disband any committee that it has created, except where not permitted by law.

## **VIII. AMENDMENT PROCEDURE**

his Policy may be amended by a majority vote of the Board of Selectmen. In addition, the Board of Selectmen reserves the right to change or waive any of the provisions of this policy, except when contrary to state statutes or regulations.

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David Swenson, Chair

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Cecile Chase, Vice Chair

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Dorothy Veisel, Selectman  
New Durham Select Board

Revised May 4, 2017

Revised April 8, 2019

Revised April 22, 2019

