



Board of Selectmen	Bylaws
Revision Number	05
Approved By	Board of Selectmen
Origination Date	5/14/2019
Last Review Date	5/26/2026
Review Frequency	As Needed

A. PURPOSE

These Bylaws describe the duties and methods of operation of the Hudson Board of Selectmen.

B. AUTHORITY

The Board of Selectmen is an elected Board and derives its authority from NH RSA 41:8. The Town administrator serves under the authority of the Board of Selectmen as the appointed chief administrative officer managing daily operations, implementing policies, and overseeing town departments.

C. ORGANIZATION

1. Responsibilities of Members:

- (a) All members shall make every effort to attend each scheduled meeting. Members shall make every effort to notify the Chairman if they are going to be absent from a meeting as soon as possible.
- (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 at the direction of the Board.
- (c) No official position, decision, opinion, etc. of the BOS and/or Town of Hudson shall be conveyed by any member of the Board without prior discussion and vote of the BOS.
- (d) Selectmen are expected to sign various paperwork in a timely manner, unless impending absence has been noted and the Chair notified.

2. Officers:

- (a) Election - A Chairman, and Vice-Chairman shall be elected at the first regularly scheduled meeting following the election of Selectman that are elected at the annual Town Meeting. Election shall be by a majority of those present at the Board meeting.

Vacancies created during the year shall be filled by special election of the Board as soon as practicable, ideally as soon as agreement can be reached on an appointee. The Chair will issue a call for candidates, set the parameters for the applications, and schedule a public meeting for the purpose of making the appointment. All such appointments and related timing will adhere to the current New Hampshire State Law.



(b) Chairman Duties:

1. Review and approve the agenda before posting.
2. Preside at all meetings of the Board and perform all duties required of these bylaws and State RSAs.
3. Communicate with the Town Administrator on a day-to-day basis.

(c) Vice-Chairman Duties:

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

(d) Member Duties:

1. In the absence of both the Chairman and Vice-Chairman the next senior member of the board shall assume all duties and responsibilities of the Chairman for that meeting.
2. All Board communications and/or requests shall go through the Chair.

D. 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 bylaws. The Board shall establish a schedule for meetings.
- (b) Regular Meetings - A formalized meeting of the Board conducted in accordance with the order of the "Agenda" contained herein.
- (c) Workshop Meetings - A less formalized meeting of the Board that is conducted for the purpose of providing the Selectmen the opportunity with a more detailed understanding of a number of issues or to permit discussion of issues in greater depth. Further to meet with other committees and boards, department heads, and the School Board to get a better understanding of any issues that other committees and boards may be having and to work to help them resolve those issues.
- (d) Non-Public Meetings - A meeting of the Board held for legal and personnel issues in accordance with RSA 91-A:3. All non-public meetings requested by a member of the Board of Selectmen shall be submitted to the Chairman first, then the Town Administrator, before Thursday at 12:00 p.m. prior to a Tuesday meeting. All requests shall reference the specific portion of RSA under which the non-public meeting is being requested.
- (e) Exceptions - There are a few specific situations where the Board of Selectmen are permitted under law to conduct official business without posting notice of a meeting or taking minutes as set forth in RSA 91-A:2, I. These nonmeetings may be held during the



course of a non-public session or at any other time that is convenient to the participants. The scheduling of any such meeting shall be managed by the Chair.

- (f) 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 Administrator through the Chair. The Chairman shall notify each member in accordance with RSA 91-A: 2, II.
- (g) Attorney/Client – These sessions are not considered meetings and therefore do not have to be posted.

2. Schedule of Meetings:

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

3. Reports of Liaisons’:

All members of the Board that are liaisons to any department, board, committee or commission shall give a report to the Board of Selectmen at the next regular meeting of the BOS or as necessary.

4. Review of Audit Reports:

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

5. Water & Sewer Commissioners:

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 Administrator and Finance Director each year. The Board shall then vote to set Water and Sewer Rates no later than April for billing the following July. A vote shall be recorded even if the determination is made that the rate(s) should not change.

6. Hudson Community Power:

Warrant Article 20 of the 2023 Town Warrant adopted the Hudson Community Power Plan. This authorizes the Board of Selectmen, pursuant to RSA 53-E, to seek more flexible electricity procurement through municipal aggregators for community wide competitive electric supply rates versus the default provider. The plan must initially provide lower electricity supply rates for residents, or it will not launch. Initial participation in the plan can be declined, after which enrollment becomes voluntary. The Board of Selectmen has full authority to withdraw at any time or to contract with a different provider

E. RULES OF ORDER

1. **Quorum:** A quorum shall consist of a minimum of three (3) members of the Board.
2. **Remote attendance at Meetings:** Remote attendance by an individual Member may be allowed under certain circumstances per NH Law. When a member is attending remotely, voting may only be conducted by roll call vote. Notice of remote attendance should be made as early as possible but no later than 24 hours prior to the meeting. Notification needs to be made to the Chairman.



3. **Agenda:** The Town Administrator bears the primary responsibility for coordinating and planning the agenda. The Chair has the final authority over the final approved agenda, timing, schedules and related matters. The agenda will be published with meeting notice and included in the minutes. A suggested agenda is provided below and may be changed by the chair or by vote of the board:

AGENDA

- Non-Public Session RSA 91
- Call to Order
- Pledge of Allegiance
- Public Input
- Recognition, Nominations and Appointment
- Consent Items
- Old Business/Tabled
- New Business
- Remarks by Selectman
- Future Agenda Items
- Adjournment/Non-Public Session RSA 91 (if necessary)

4. **Agenda Items:**

- (a) The Town Administrator shall solicit and coordinate staff items and requests in assembling the agenda for the Chairman’s review and approval.
- (b) Selectmen seeking to place an item on the agenda must notify the Town Administrator, the Executive Assistant to the Board of Selectmen, and the Chairman, before Thursday at 12:00 p.m. prior to a Tuesday meeting.
- (c) Citizens wishing to place an item on the Selectmen’s agenda and/or planning to make a presentation shall work with a Selectman, communicate with the Town Administrator, and provide a copy of all presentation material and documentation for the Chairman’s consideration before Thursday at 9 A.M. prior to a Tuesday meeting.

5. **Role of the Chairman:**

- (a) To open the session at the time at which the Board is to meet by calling the members to order;
- (b) To recognize members entitled to the floor;
- (c) 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;
- (d) To maintain decorum during meetings;
- (e) 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 the Chairman thinks it is advisable;



- (f) To restrain the members by gaveling he/she out of order when engaged in debate within the rules or order;
- (g) 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;
- (h) To inform the Board on a point of order or practice pertinent to pending business;
- (i) To authenticate by their signature, when necessary, all acts, orders and proceedings as directed by vote of the Board. This is when we are sending correspondence to an outside agency as a Board.
- (j) Shall vote as a member of the Board.
- (k) 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.
- (l) The Chairman shall take whatever action is necessary to achieve and maintain order, including ordering the removal of any person who continues disorderly conduct.
- (m) To Ensure the Board communications abide by all aspects of the NH Right to Know Laws.

6. Role of the Vice-Chairman:

See section C.2(c)

7. Conduct of Meetings:

- (a) Meetings shall be conducted in accordance with these Bylaws. In the event of a dispute regarding procedural matters, Robert's Rules of Order shall serve as a guideline with a vote of the Board being the final deciding authority. The Chair's rulings on questions of order are subject to appeal and decision by a majority of the Board.
- (b) Motions and Debate: No Board action shall be taken without a motion. A motion shall be stated by the Chair before debate and vote. Members shall obtain the floor through the Chair, confine remarks to the pending question, and avoid personal remarks. Debate may be limited by the Chair to ensure orderly progress. Amendments shall be decided before the main motion as amended. The Chair may rule motions out of order if they conflict with NH law, or these Bylaws.
- (c) Voting and Required Majorities: Unless otherwise required by law, or these Bylaws, actions are adopted by a majority vote.
- (d) During meetings, cell phones must be turned off or placed on silent. Members are prohibited from reading or sending e-mail or text messages to or from the public using their personal cell phones during meetings. The exception is if the use is readily apparent to the public and pertains directly to that Board meeting, e.g. use of a cell phone to access the internet for information relative to a matter being discussed is permissible. This policy shall not prohibit a Member from receiving calls, e-mail, or text messages, regarding urgent personal matters which require the Member's immediate attention, in which case the Member shall excuse themselves from the meeting prior to responding.



8. Recording of Votes:

Votes shall be verbal 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. Roll call votes will be required:

- (a) When a member is attending remotely;
- (b) When entering Non-Public Sessions; or
- (c) When a roll call vote is called for by any Member.

9. Requests for Information:

- (a) 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 the Board's use at the next regularly scheduled meeting, a request for this information shall be submitted to the Chair and Town Administrator before the agenda is set. All members of the Board shall receive copies of the information being requested.
- (b) Requests for information from other Board members shall be made through the Chair. The Chair shall decide if they want the Town Administrator to proceed with the request. Should the Chair deny the request, the requesting Board member may bring the issue to the full Board at its next regular meeting for the majority to rule on. Any information provided to any individual member, including the Chair, shall be provided to the rest of the Council before, or at the next meeting. Information may not be withheld from other members.

F. EMPLOYEES

1. Town Administrator:

- (a) Coordinates daily administrative functions of the meetings serving as the liaison between the Selectmen and Town departments.
- (b) Coordinates with Town Counsel the preparation of agreements and other items needing Selectmen signature.
- (c) Attends all Selectmen's meetings and takes part in the discussion notwithstanding advises on all municipal areas.
- (d) Annually, the Board of Selectmen are responsible for evaluating the job performance of the Town Administrator. It is the Chairman's responsibility to coordinate the evaluation, including obtaining input from the other members of the Board, aggregating that information, and presenting to the Board a comprehensive draft of the evaluation document. The current seated Board of Selectmen must complete the final evaluation document prior to the next annual election. The final evaluation document shall remain on file in the Human Resources Department.



2. Executive Assistant:

The Executive Assistant 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 Executive Assistant to keep a roll of members present and to call the roll when required. The Executive Assistant shall record the essentials called "the minutes" of the proceedings as follows:

- (a) The kind of meeting – regular, workshop, non-public, or special
- (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 time of adjournment.

The Executive Assistant 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.

After the meeting, the Executive Assistant shall review actions that were taken in the public session and inform those impacted of the vote/decision of the BOS the following business day at the Town administrator's discretion.

G. AMENDMENT PROCEDURE

An amendment to these Bylaws 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.

H. 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 Liaison. The Chairman shall distribute to the Board all choices and set a meeting date as to when the Chair shall make appointments. The exception to the Chairman's appointments is the Selectmen's Liaison to the Planning Board shall be elected by vote of the Board of Selectmen.
- 2. The term of all appointments of Selectmen's Liaisons, 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, etc.) and the Budget Committee shall be for one (1) year, or until next Town Meeting, whichever is sooner.

I. EMAIL COMMUNICATION

When sending correspondence to the entire Board, blind copy (bcc) all members of the Board. If any member replies to the e-mail, they will not reply to all the other members as it will only go to the original sender and therefore avoid an open communication to the entire Board making the e-mail compliant with RSA 91-A.

J. EMPLOYEE PERFORMANCE REPORTING

1. Any Board of Selectmen member desiring to address an issue dealing with any aspect of a Town employee’s job performance shall bring those concerns to the attention of the Town Administrator, who will investigate the matter and advise the Board of Selectmen if Board action is necessary.
2. Any Board of Selectmen member contacted by a Town of Hudson employee or a member of the public regarding the job performance of a Town employee will advise the employee/member of the public to report the issue to the Town Administrator. If the employee raises an issue regarding the job performance of the Town Administrator, the employee should be advised to report the issue to the Board of Selectmen Chair.

Document History

Review Date	Action / Notes
Adopted May 14, 2019	Board of Selectmen
Amended July 28, 2020	Board of Selectmen
Amended July 27, 2021	Board of Selectmen
Amended February 8, 2022	Board of Selectmen
Amended March 7, 2023	Board of Selectmen
Amended May 26, 2026	Board of Selectmen