

ATTACHMENT A

BY-LAWS FOR THE ALEXANDRIA PLANNING BOARD

ALEXANDRIA, NH

ARTICLE I

Objectives

The objectives and purposes of the Planning Board of Alexandria, New Hampshire, County of Grafton, are those set forth in New Hampshire Revised Statutes Annotated, Chapter 673, and amendments and supplements thereto, and those powers and duties delegated to the Planning Board by the Town of Alexandria by Warrant Article at the Annual Town Meeting of March 11, 1986, in accordance with the enabling law. Since the citizens of Alexandria have placed their trust in Planning Board elected officials, it is the duty and responsibility of each elected official to work for the entire community by participating in meetings on a regular basis, participating in regular training, becoming active members of committees and recusing themselves from vote when a conflict of interest arises.

ARTICLE II

Officers and Their Duties

- Section 1. The officers of the Planning Board shall consist of a Chairman, a Vice-Chairman, and a Clerk/Alternate Clerk.
- Section 2. The Chairman shall preside at all meetings and hearing of the Planning Board and shall have the duties normally conferred by parliamentary usage on such officers.
- Section 3. The Chairman shall be one of the elected members of the Board. The Chairman shall have the privilege of discussing all matters before the Board and of voting thereon.
- Section 4. The Vice-Chairman shall act for the chairman in his or her absence.
- Section 5. The Clerk shall keep the minutes and records of the Board, prepare agenda of regular and special meeting with the Chairman, provide notice of meetings to Board members, arrange proper and legal notice of hearings, attend to correspondence of the Board and to

such other duties as are normally carried out by a Clerk.
Copies of any record requests shall be made within five days at a fee to be charged for copies.

Section 6. No decisions are to be made via electronic communications. All communications will be placed in a binder at the Municipal Building for review by the public.

ARTICLE III

Election of Officers

Section 1. Nomination of officers shall be made from the floor at the annual organization meeting which shall be held during the month of April each year and the elections shall follow immediately thereafter.

Section 2. A candidate receiving a majority vote of the elected members of the Planning Board shall be declared elected and shall serve for one year or until a successor shall take office.

Section 3. Vacancies in officers shall be filled immediately by regular election procedure.

ARTICLE IV

Membership and Meetings

Section 1. The Planning Board shall hold at least one regular meeting in each month

Section 2. A majority of the membership of the Board shall constitute a quorum and the number of votes necessary to transact business shall be a majority of the entire membership of the Board. The full Board shall consist of seven members. Voting shall be by roll call. A record of the roll call shall be kept as a part of the minutes.

Section 3. The Board may also include not more than three alternate members. All alternates are required to be sworn in to office. Whenever a regular member is absent and an alternate is present, the Chairman shall designate an alternate to act in the absent member's place.

Section 4. Special meetings may be called by the Chairman. The notice of such a meeting shall specify the purposes of such a meeting and no other business may be considered except by unanimous consent of the Board. The Clerk

shall notify all members of the Board not less than five days in advance of such special meeting.

Section 5. All meetings of which official action is taken shall be open to the general public.

Section 6. Newly elected members to the Planning Board are encouraged to attend 6 hours of instruction relating to planning board duties and responsibilities given by NHOEP and/or LGC. All members will make every effort to attend the yearly Office of Energy and Planning Conference. Citizens serving on various committees should also be included in training – registration fees at the expense of the Planning Board. A summary of training is to be presented to the Board.

Section 7. Due to absence or lateness by a Planning Board member, it is the responsibility of said Board Member to obtain missed information

Section 8. Public hearings and consultations will be allotted 20 minutes each.

Section 9. If a Member has missed three meetings, they must inform the Planning Board of their intention.

Section 10. Removal from office – see appendix.

Section 11. Meeting tapes will be destroyed once the minutes have been approved.

ARTICLE V

Order of Business

The order of business at regular meetings shall be:

- a. Roll call
- b. Approval of minutes of previous meeting
- c. Communications – all communications acted upon by the Planning Board shall be in writing and signed by the property owner.
- d. Bills
- e. Old business
- f. New business
- g. Report of officers and committees – the chairman of each committee shall present a written report of the previous month's activity to be included in the minutes.
- h. Adjournment

ARTICLE VI

Committees

- Section 1. The following standing committees may be appointed by the Chairman; (Examples of standing committees which may be desirable follow. The duties of each committee should be listed.)
- a. Master Plan Committee – to investigate, compile and present to the town a master plan, land use statement and future land development plan; under direction of the appointed/elected chairman, the committee will meet no less than once a month; time to be set by committee; to work with other agencies and committees as needed to complete the whole master plan; to provide a brief written summary of master plan work to the Planning Board for inclusion in minutes.
 - b. Budget and Finance Committee – may be incorporated into capital improvements.
 - c. Subdivision Committee – to review applications, investigate plans, visit sites and consider conservation issues upon submission to the Planning Board; to secure the services of an outside agent for detailed reporting/investigating; provide a brief written summary to the Planning Board prior to approval.
 - d. Zoning Committee
 - e. Legal Committee – insures that the Planning Board is in compliance with state RSAs.
 - f. Public Relations Committee
 - g. Capital Improvements Committee – to review, investigate and prepare a report reflecting maintenance and purchase schedule as described by state law; to work with other agencies and committees as necessary; to meet at least once a month to compile information; all meetings to take place at the Alexandria Town Hall; To submit a brief written report to the Planning Board each month at the regularly scheduled meeting; committee shall include at least 1 member of the Budget Committee, 1 Selectman and 1 Planning Board member.
 - h. Excavation Committee – to review each application that comes before the Planning Board for completeness and compliance with state rules; to visit each excavation site at least once a year, write a brief written report to be placed in the Planning Board minutes and property owner's file; investigate any written complaints and present findings to Planning Board at the next regularly scheduled meeting; contact to the written complainant shall be made within 1 week; all meetings to be held at the Alexandria Town Hall; elected officials may not sign approvals for which they perform work, construction or other product or service (conflict of interest).

Section 2. The standing committees shall be appointed for one year and shall consist of 3-7 members. Interested committee members shall submit a written letter of consideration to be appointed or reappointed to committees. Election of new committee members and chairmen shall take place at the April meeting. Vacancies shall be filled immediately by the Chairman of the Planning Board. Town citizens are also welcome to submit a letter of consideration for any committees.

Section 3. Special committees may be appointed by the Chairman for purposes and terms which the Board approves. Committees shall have at least one member of the Planning Board and may include other town officials as well as town citizens.

ARTICLE VII

Employees

Section 1. The Board may employ a Clerk and Alternate Clerk to assist the Board in the performance of its duties and to perform such other duties as may be assigned by the Chairman of the Planning Board.

Section 2. The Board may employ such staff and/or experts as it sees fit to aid the Board in its work. Appointments shall be made by a majority vote of the entire membership.

ARTICLE VIII

Hearings

Section 1. In addition to those required by law, the Board may, at its discretion, hold public hearings when it decides that such hearings will be in the public interest.

Section 2. Notice of such hearings shall be published in the official newspaper of the municipality or in a newspaper of general circulation at least 15 days before the time of public hearings.

Section 3. The case before the Board shall be presented in summary by the Clerk or a designated member of the Board and parties in interest shall have privileges of the floor.

Section 4. A record shall be kept of those speaking before the Board.

ARTICLE IX

Amendments

These By-Laws may be amended by a two-thirds vote of the entire membership of the Planning Board.

APPENDIX

Removal of Members

Regular and alternate members may only be removed from a board after a public hearing on the matter. In the case of an appointed member, only the appointing authority may remove the member, and only upon written findings of inefficiency, neglect of duty, or malfeasance of office.

The selectmen may remove an elected member or alternate member. Such action may be taken only after notice and public hearing. The appointing authority or the planning board shall file with the city or town clerk, the village district clerk, or the clerk for the county commissioners, whichever is appropriate, a written statement of reasons for removal.

The term "inefficiency" certainly seems like a much lesser standard than neglect of duty or, especially, malfeasance. Good judgment and caution are urged if you are tempted to begin removal proceedings based on the inefficiency standard. When considering malfeasance, please remember that the complete statutory phrase is "malfeasance in office." The malfeasance must relate to the performance of the land use board member's duties as a board member.

Finally, be aware that if a member is removed from office and then successfully appeals the removal to superior court, it is very likely that the town is going to have to pay that person's attorney's fees, which could be a substantial cost.

Disqualification of Members

Any member who has a direct personal or pecuniary interest in the outcome of an application must disqualify him or herself. (Although the statute does not specifically say so, we can assume that an abutting landowner would be disqualified from hearing the application.) Further, a member must step down if he or she would be disqualified for any cause to act as a juror if the matter were to go to trial.

TOWN OF ALEXANDRIA, NEW HAMPSHIRE
PLANNING BOARD BY-LAWS

Pursuant to RSA 675:6 "Method of Adoption", the Alexandria Planning Board hereby certifies that the above is a true copy of the Planning Board By-Laws for the Town of Alexandria, State of New Hampshire, as adopted by an affirmative vote of the majority of its members on the 20 day of December, 2017.

We, members of the Alexandria Planning Board, hereby certify that copies of the aforesaid adopted Planning Board By-Laws have been filed with the Town Clerk for the Town of Alexandria.

Alexandria Planning Board

Merry Suggs
Janet Rowse
Maria Ouel
Chad Brown
Chad S. Smith

Signatures witnessed by: _____

Laurie M. Shillington
Alexandria Town Clerk

Date: _____

Feb 14, 2018
Date Received

Town Seal: