



DRAFT

Letter from the Ordinance Review Committee / Selectmen to Tamworth Town Boards/Commissions/Committees:

The Ordinance Review Committee (ORC) was convened by the Selectmen this year to review communications and procedures amongst Tamworth Town Boards, Commissions, and Committees, as well as to review Town ordinances. The intent is to improve communications and coordination amongst Town officials, and make procedures more efficient, transparent, fair, and accessible for citizens and the general public.

The ORC developed the following recommendations for Town Boards, Commissions, and Committees, [and the Selectmen have adopted and endorsed these recommendations]. We hope that the leadership of each Town Board, Commission, or Committee will take the time to review these suggestions, bring them up for discussion and action at a meeting in the near future, and provide brief written feedback on which recommendations the Board, Commission, or Committee have adopted and the usefulness of this input. We hope to receive your feedback as soon as possible, but no later than February 29, 2008.

These recommendations apply to any Town Board/Commission/Committee and or Subcommittees. Some of them may also apply to Town Departments (fire, police, rescue, recreation, highway, trustees of the trust funds and library, etc.) and Town Positions (Town clerk, tax collector, treasurer, fire wards, etc.)

To enhance communications amongst Tamworth Boards, Commissions, and Committees:

1. In the Town Office meeting room, there is now a diagram showing all Town Boards/Commissions/Committees and who is currently chair of each one.
2. Together with your Board/Commission/Committee, please review the diagram and identify all other Boards/Commissions/Committees with which you may share some common goals or have a need to share information with. List these.
3. Assign members of your Board/Commission/Committee to be responsible for keeping up communications and transfer of information between each of the other Boards/Commissions/Committees listed in (b) above and your Board/Commission/Committee. These members are asked to track the activities and decisions of these other groups (e.g. by reviewing their meeting agendas and minutes, attending meetings, speaking with the chair, etc.), so they are prepared to bring to the attention of their Board/Commission/Committee any information or actions that are relevant and should be known. For the Planning Board and Conservation Commission, there are already assigned representatives performing this function.
4. Add to your agenda, for every regular meeting, two to five minutes for each member of your Board/Commission/Committee assigned the responsibility in (c) above to report on any activity of the other Boards/Commissions/Committees that may be of current interest to your Board/Commission/Committee.



5. The new Town website will serve as a helpful clearinghouse for information. Please ensure that as many members of your Board/Commission/Committee as possible have access to and understand the operations of this website and can access information from it. Please post the preliminary agendas and minutes of your meetings as early as possible by emailing them to _____ . Mark agendas “preliminary;” you will be able to amend them any time before and at the meeting. If your Board/Commission/Committee has specific protocols for the agenda, such as deadlines for the public to get on the agenda, please include these at the top of every agenda. Mark minutes “draft” until they have been formally approved by your Board/Commission/Committee; please ensure that the final, approved version is forwarded to Cassandra. Town Departments (fire, police, rescue, recreation, highway, trustees of the trust funds and library, etc.) and Positions (Town clerk, tax collector, treasurer, fire wards, etc.), etc.) are also encouraged to post information on the Town website.
6. If and when your Board/Commission/Committee sends a letter or memo to another Board/Commission/Committee, state clearly if you want or need a response or feedback. For example, Planning Board decisions regarding the Town wetlands ordinance should be communicated back to the Conservation Commission, since the Commission helps with informing such decisions.
7. The mail is picked up at the post office by the town clerk. The clerk then sorts the mail taking the mail address to the town clerk/tax collector. The mail is then given to the selectmen’s office where it is opened if it s a bill and stamped with the date received, if it is address to a specific board or person then it is date stamped on the outside of the envelope. Each board has a mail box in the meeting room in which the mail is then placed, this is where the board or department takes over the mail handling and should have procedures for the handling of their mail from this point.

Exchange of agendas and minutes

- Electronic or hard copies of minutes, agendas, and other key documents may be requested by another Board/Committee/Commission. Please help to ensure that such copies are available (keeping up-to-date posting on the website is the easiest way to do this). As a routine, the Conservation Commission, the Planning Board, and Selectmen will exchange hard copies of agendas and minutes.

Protocol for email use

- Email is commonly used amongst members of a Board/Commission/Committee – or between Town officials. Please be sure that you and your Board/Commission/Committee know that email must only be used for distributing minutes, providing general background information, and organizing (e.g. scheduling meetings). It shall not be used for discussions, comments, opinions, or decision-making on any topic that any Board/Commission/Committee is dealing with.
- Hard copies of agendas, minutes, and other key information must be provided to anyone on your Board/Commission/Committee who does not have or want to receive this information by email.



- Remember that emails regarding Town business are like any written document, are public records, and copies may be requested by citizens and the general public. Write and distribute emails with this in mind.

Procedures within your Board/Commission/Committee

- **Review, understand, and follow the state “Right-to-Know” law (RSA 91-A).**
- All Boards/Commissions/Committees are required to follow public right-to-know laws and regulations regarding noticing of meetings, keeping of minutes, etc. Please contact the Selectmen or the Chair of another Board/Commission/Committee if you have questions about what is required. Note that the requirements for noticing a public meeting are not met through email or posting on the Town website.
- If your Board/Commission/Committee follows specific protocols and procedures, please include a summary of these at the top of agendas, as a reminder to your group and so the public can be aware of them.
- Generally speaking, a person does not have the *legal* right to be present during a Board or Commission meeting where the topic of discussion involves that person. All discussions regarding a member of the Board or Commission must be held during the public portion of a meeting. Personnel matters involving a public employee (who is not a member of the Board or Commission) generally should be discussed in non-public session. If the public employee or other person has a right to attend the meeting by virtue of another statute or court decision, then notice of the meeting must be given to that person. Clarification regarding a person’s legal right to attend a meeting should be directed to legal counsel.
- When an application is pending (e.g. application submitted, no final approval yet given), then the applicant should be given notice. However, if it is post-approval, and the board is discussing taking some sort of enforcement action, for example, the applicant is not legally entitled to notice. Each board or commission should review their procedures on this subject for notice requirements. An owner is generally more agreeable to working with the board if he/she is shown some courtesy up front, rather than getting a nasty letter later. The problem a board might run into is if, for example, it receives a complaint from a neighbor of the developer, and the board invites the developer to come in, and not the neighbor. The question is where to draw the line, and this can only be dealt with on a case-by-case basis. A little common sense is important.
- As mentioned above, when sending a letter or memo to another Board/Commission/Committee, please include a written note if you want a response.
- Be proactive in communicating with other Town departments and positions about matters that affect your group (e.g. the Conservation Commission may suggest to the Road Agent that, when approving driveways, he might consider mentioning that if the driveway might impact wetlands, there is a local ordinance).
- There are times when your Board/Commission/Committee makes decisions that are of importance to citizens and the public. At such times, be sure that someone from your Board/Commission/Committee – preferably the Chair, Vice Chair, or Secretary - is responsible for alerting the media (Tamworth Civic News, Independent and Daily Sun columnists, etc.) of anything you want publicized. For guidance or review of press releases or procedures involved in contacting the



- media, contact Board of Selectmen. Your board's rules of procedure should address this issue. The front page of the Town website will be a repository for current news and press releases.
- Please ensure that any procedures for applications are clearly defined, in writing, and all those involved in the process are trained in these procedures. This applies, for example, to the town wetlands ordinance, which involves the Town Clerk providing potential applicants with proper information and coordination between the advisory Conservation Commission and the decision-making Planning Board. The Ordinance Review Committee is already assisting with developing some of these procedures and is available to assist with others, as requested.