

Town of Hooksett  
Town Council Rules of Procedures  
Adopted as of: 01/10/2001  
Amended as of: 04/11/18

Resolved by the Town Council of the Town of Hooksett, NH that the following be and hereby are adopted as the Rules of the Hooksett Town Council.

1. The Following Rules shall be adopted by a majority of the Hooksett Town Council and these rules shall become effective immediately upon their adoption.
  - a. Riggins Rules and Parliamentary Law at a Glance by E.C. Utter should be used as a guide when proper procedure is in question except where modified herein.
  - b. Acceptable Procedure is determined by the acting Chair.
  
2. Procedures for electing officers are as follows:
  - a. Annually, at the first meeting of the new Town Council:
    1. The Town Clerk shall swear-in all new Councilors as a group.  
The members thereof shall:
      2. Choose, from among their members, a Chair, a Vice Chair and a Secretary. In addition to the powers conferred upon the Chair, the Vice Chair and the Secretary, they shall continue to have all the rights, privileges and immunities of a member of the Town Council.
      3. Motion that the Town Council confirms by a roll call vote, that the Town of Hooksett will adopt RSA 31:104, 31:105 and 31:106 to provide immunity and indemnify all Town Councilors, other elected officials, employees, agents as well as appointed officials that serve on committees and boards within the Town of Hooksett; specifically covering immunity from civil liability for discretionary acts, according to RSA 31:104, indemnification for costs of defense of civil suits, according to RSA 31:105 and indemnification for civil rights claims, according to RSA 31:106.
      4. Motion to have the Town Council Chair sign ancillary documents as agent to expend as a result of Town Council prior approval of the documents.
      5. Motion to have the Town Council Chair complete the Council's section of the Annual Report.
      6. Motion to have the Town Council Chair complete Tax Deed Waivers.
      7. Motion to adopt the Town Council Rules of Procedures.
      8. Motion to adopt the Administrative Code (which includes the Investment and Fund Balance Policies).
      9. Motion to have the Tax Collector sign payment plans for deedable properties.
      10. Motion to have the Town Administrator approve payment plans for deedable properties (Town Administrator cannot forgive interest or principal).
      11. Motion to have a Councilor work with the Administrative Services Coordinator to coordinate the Town Council Old Home Day booth (3<sup>rd</sup> Saturday in September) and Employee Appreciation Picnic (Friday in October prior to Columbus Day holiday)
  - b. The above election shall be by majority vote of the Town Council present at the first meeting.
  - c. Duties of Officers
    1. Chair:
      - a. The Chair with the Town Administrator shall post all meetings and set meeting agenda.

- b. Lead all meetings in an orderly manner using these procedures, Hooksett's Town Charter, Riggins Rules and Parliamentary Law as guides for appropriate protocol.
  2. Vice Chair:
    - a. In the absence of the Chair, the Vice Chair shall conduct the Council Meeting until such time as the Chair is present.
  3. Council Secretary:
    - a. The Council Secretary shall be responsible for recording the attendance of Council members by roll call. (If available taped voice vote may be used) at the beginning of each meeting.
    - b. The Council Secretary shall be responsible for polling and recording all roll call votes.
    - c. If the Council Secretary is absent, the chair shall ask for a volunteer. If there is no volunteer, the Chair shall appoint a Council member to act as Council Secretary until such time as the Council Secretary is present.
    - d. The Town Council Secretary shall act as clerk of the Council and shall review and approve (with or without edits) the draft (unofficial) minutes of the meeting recorded by the Recording Clerk. If there is no Recording Clerk present at meeting, the Town Council Secretary will be asked to keep minutes. Minutes and attachments shall be posted separately from each other. Only the minutes' section will appear in the Town Council agenda packet.
    - e. The Town Council Secretary shall perform such other duties in the meeting as may be requested by the presiding officer of Council.
    - f. In case of the absence of the Chair and the Vice Chair the Council Secretary shall call the Council to order and act as Chair.
3. Council Meetings
  - a. The Council shall meet in regular session on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of every month, except as noted on Town Calendar, at 6:00pm. When time permits, a regular meeting may be adjoined to a workshop session.
  - b. The place of meetings shall be the Council Chambers unless otherwise designated.
  - c. A quorum of the Council for the transaction of any business shall be two-thirds (2/3) of the members currently in office. The Council shall not recognize a Councilor's electronic method(s) of participation, attendance, or quorum.
  - d. The Council reserves the right to end meetings at 9:30. The Council shall motion to extend public session meetings past 9:30pm as follows "motion to extend public session until meeting is adjourned". Uncovered business will be included in the next meeting agenda. Meeting may be closed by a 2/3 roll call vote.
  - e. The Council may meet for an informal workshop session or special meetings by Council vote on an as needed basis, in accordance of Section 3.5 C of the Town Charter. The place of meeting shall be the Council Chambers.
  - f. When, after consultation with the Vice Chair and the Town Administrator, the Chair determines that the Council has insufficient business to warrant a meeting, the Chair may cancel said meeting after informing all councilors and receiving individual approval from 2/3 of the council members and shall not be inconsistent with the meeting provisions of the Town Charter. Agenda items scheduled for a meeting that is canceled shall be carried over to the next regular meeting.
  - g. Council members shall be seated in Council Chambers as determined by consensus of the Council. The Chair, Vice-Chair and Secretary shall be seated at the head of the Council table in Chambers.



consent. It is not in order to interrupt a speaker with cries of “Question” or “Call the question.”, and even if no one is speaking, it is still necessary to seek recognition.

## 7. Order of Business

### a. Agenda Order of Council Meetings

- I. Call to Order
- II. Proof of Posting
- III. Roll Call
- IV. Pledge of Allegiance
- V. Special Recognitions
- VI. Scheduled Appointments
- VII. Approval of minutes
- VIII. Agenda Overview
- IX. Public Hearings
- X. Consent Agenda
- XI. Town Administrator’s Report
- XII. Public Input
- XIII. Nominations/Appointments
- XIV. 15 Minute Recess
- XV. Old Business
- XVI. New Business
- XVII. Subcommittee Reports
- XVIII. Public Input
- XIX. Non-Public Session
- XX. Adjournment

### b. Public Input

1. Two 15-minute Public Input sessions will be allowed during each Council Meeting. Time will be divided equally among those wishing to speak; however, no person will be allowed to speak for more than 5 minutes.
2. No person may address the council more than twice on any issue in any meeting. Comments must be addressed to the Chair and must not be personal or derogatory about any other person.
3. Any questions must be directly related to the topic being discussed and must be addressed to the Chair only, who after consultation with Council and Town Administrator, will determine if the question can be answered at that time. Questions cannot be directed to an individual Councilor and must not be personal in nature. Issues raised during Public Input, which cannot be resolved or answered at that time, or which require additional discussion or research, will be noted by the Town Administrator who will be responsible for researching and responding to the comment directly during normal work hours or by bringing to the Council for discussion at a subsequent meeting. The Chair reserves the right to end questioning if the questions depart from clarification to deliberation.
4. Council members may request a comment be added to New Business at a subsequent meeting.
5. No one may speak during Public Input except the person acknowledged by the Chair. Direct questions or comments from the audience are not permitted during Public Input.

### c. Nominations for all Board and Committee applicants may be made during the nominations/appointments portions of the Council meeting. Boards and Committees shall receive their respective applications and make recommendations for nominations.

Appointment vote for a nominee will be scheduled at the next Council meeting. Nominations and appointments for new July terms shall be at the June Town Council meetings.

d. Scheduled Appointments

1. A scheduled appointment shall have one person as a speaker when possible and follow the rules for addressing the Council.
2. A scheduled appointment shall not exceed 15 minutes to address the Council unless the Council votes to extend.
3. Board and Committee applicants shall be invited to attend a Council meeting as a scheduled appointment to state their interest. This meeting shall be either prior to or on the same night of their nomination.
4. Boards and Committees shall meet at minimum once a year as a scheduled appointment to provide an overview of their activities and member attendance reports.

e. Old Business

1. Business carried over from a previous meeting.

f. New Business

1. New Business should be submitted to the Town Administrator or Council Chair.
2. New Business submitted by noon the Wednesday before a regular meeting may be considered for the next meeting by request. The Chair may schedule the topic on the Agenda under New Business as the schedule allows. Any new business brought forward at a council meeting shall not be acted upon at that meeting except by a motion to waive this rule by vote of 2/3<sup>rd</sup> of the members present.
3. New Business submitted after noon the Wednesday preceding a regular scheduled meeting will be considered for the next meeting agenda unless time sensitivity is determined by Town Administrator or Chair.

8. Non-Public Session

- a. The Council shall motion to exit in non-public, then motion to seal the minutes of the non-public session as appropriate.
- b. Non-public sessions do not require motions to extend the meeting past 9:30pm.
- c. Non-public minutes shall consist of the subject matter and motions only. No minutes of the subject discussion shall be taken.
- d. A councilor not present at the time non-public session minutes are taken shall receive these sealed minutes along with the rest of the Council.
- e. Non-public minutes and/or material in possession of Town Councilors at a Council meeting shall be handed into the Administrative Services Coordinator at the end of the meeting for shredding of confidential information.
- f. Unsealing of the non-public session minutes for the current fiscal year (June 1<sup>st</sup> to May 31<sup>st</sup>) shall occur annually at the Council's last meeting in May when, in the opinion of a majority of members, the circumstances that sealed the minutes no longer apply in accordance with RSA 91:3 III.

9. Filing Agenda items

- a. Every item of business to come before the Council for action must be filed with the Town Administrator or Council Chair no later than noon the Wednesday prior to the regular Council Meeting.
- b. The Agenda shall be posted by the close of business on the Wednesday prior to the regular Council Meeting.
- c. It shall be the duty of the Town Administrator to mail by first class postage said agenda and any available supporting documents to each Councilor (if not already picked-up) by Thursday of the week prior to the regular Council Meeting unless a Councilor requests, in writing, to receive it in electronic format only.

#### 10. Addressing the Council

- a. Persons other than members of the Council shall not be permitted to address the Council except during the designated agenda Public Input or by invitation of the Chair.
- b. A time limit for addressing the Council may be established by the Chair.
- c. The speaker shall not enter into a debate with any person, the Chair or Council members.

#### 11. Amendment To Rules

- a. Council rules may be suspended by a 2/3-majority vote of all Council members. The purpose for suspension must be clearly stated before the vote is taken and 2/3 of all Council members must declare the matter one of such priority that it would be detrimental to hold over until the next regular Council Meeting.
- b. The rules may be amended or new rules adopted by a 2/3 vote of all members of the Council. Any such proposed alteration or amendment by any Councilor shall be submitted in writing at a regular Council Meeting under the order of new business.

#### 11. Community Outreach

- a. The Council Chair has the authority to act on the Council's behalf to present and/or sign letters of achievement for community outreach to include but not limited to Town of Hooksett departments, businesses, residents, and volunteer or membership groups. This authority is for times when the community outreach happens off-schedule to Town Council meetings.

#### 12. Procedure for Adoption of Ordinances pursuant to Section 3.6 of the Charter.

a. Prior to a Council member introducing an ordinance, the Council shall discuss the contents which may include editorial revisions and textual modifications. An ordinance needing revisions based on this discussion will be brought back to the Council in a final format at their next scheduled meeting. The final version of an ordinance shall be introduced by one Councilor for a public hearing at the Council's next scheduled meeting. No second to a motion and/or vote is required to move an ordinance to a public hearing. The Council shall not take final action on any proposed ordinance until at least seven (7) days after said public hearing(s).

b. After the public hearing the Council shall put the proposed ordinance in final form, which may include editorial revisions and textual modifications resulting from the proceedings of that hearing. An additional public hearing shall be held if the ordinance is substantively altered by the Town Council after public hearing. Subsequent public hearings shall be held at least 14 days after the prior public hearing and with the notice provided in Section 3.5 (A) of the Charter. The Council shall not take final action on any proposed ordinance until at least seven (7) days after said public hearing(s).

#### 13. Procedure for Town Administrator Annual Evaluation

- a. Council's first meeting in May – Council will receive Town Administrator's self-evaluation to include status on his/her goals with comments for period ending June 30<sup>th</sup> of the same fiscal year along with a blank evaluation form.
- b. Council's second meeting in May = Councilors are to complete and submit the Town Administrator evaluation form via e-mail to the Council Chair and cc: Administrative Services Coordinator (or hand deliver to same at meeting).

- c. First week in June = Administrative Services Coordinator and Council Chair consolidate each Councilor's Town Administrator evaluation data into one report.
  - d. Council's first meeting in June – Councilors to review consolidated Town Administrator evaluation report for edits.
  - e. Council's second meeting in June – Councilors and Town Administrator to receive Town Administrator evaluation report in agenda packet and review at this meeting.
  - f. Council's July Workshop meeting – New council to establish goals for new fiscal year.
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14. Standing Moment of Silence
    - a. The Council Chair may call a moment of silence for the deceased with ascent of the Town Council at the beginning of the meeting
  
  15. Special Recognition
    - a. Special Recognition may include but is not limited to:
      - Hooksett Youth Achiever of the Month
      - Boston Post Cane Recipient
      - Retiring employees
      - Longevity employees (at Council's last regularly scheduled meeting each September)
  
  16. Town Administrator's Report
    - a. New hires will be invited and encouraged to attend the Council meeting following his/her hire date when the Town Administrator will announce his/her Department, name and start date.”
  
  17. Approval of Minutes
    - a. Council Final Acceptance (Approval) of Minutes: Council, at their next regularly scheduled meeting, reviews and accepts (with or without edits) the minutes (draft) of the prior meeting.
    - b. Council Correction to Previously Accepted (Approved) Minutes: If there are errors in *motions* identified in previously accepted minutes, the Council shall motion in their current meeting minutes to make the correction. The older incorrect minutes shall be updated & reposted as “corrected” and showing the date of the motion for the correction. Errors in minutes of *descriptions of subjects discussed* may be corrected if the description would change the motion of the subject. Scrivener's errors (typos) may be corrected by the Recording Clerk without a motion of the Council. Minutes are not required to include stenographic or verbatim transcripts.
    - c. Council Minutes for Town Archives: Draft, accepted and corrected minutes shall be submitted to the Town Clerk for archives.

## 18. Public Hearings

- a. The Town of Hooksett follows the NH State statutes (RSAs) and Town Charter in determining when a public hearing is required for agenda items before the Town Council.

**Below are the items that require public hearings (these have a public notice in the Union Leader):**

- **New or amended Town Ordinances** - notice is per Chapter 231:132-a of the NH Revised Statutes annotated, and section 3.6 of the Hooksett Town Charter
- **New or amended Town Charter** – notice is per NH RSA 49-B:5
- **Accept Donation/Grant/Reimbursement of Funds over \$10,000** – notice per RSA 31:95-b, III (a) (ex. 1) NHDOT Bridge Aid funds reimbursement for the Benton Road Culvert project, 2) FEMA funds for the reimbursement of February 8<sup>th</sup>, 9<sup>th</sup>, & 10<sup>th</sup> 2013 severe snowstorm expenses, 3) New Hampshire Highway Safety Agency grant to allow for 18 DWI/DUI overtime patrols)
- **Accept Donation of Property over \$5,000** – notice per RSA 31:95 e, II (ex. Catholic Medical Center in Manchester NH to the Hooksett Fire-Rescue Department and the Town of Hooksett in the amount of \$14,500.00 (Physio-Control LUCAS 2 device)
- **New or amended Hazard Mitigation Plan**
- **Town Roadway Improvements** – (ex. project alternatives for the roadway improvements design(s) at the Hooksett Hackett Hill Road and Rte. 3A intersection)
- **Discontinuance of Class VI Town Roadway**
- **Conservation Easements** – notice is per NH RSA 36-A & NH RSA 477:45-47

**Note:** Land use items require 10 day prior public notice in Union Leader and all other items require 7 days.

**Public Hearings not required, however Town may conduct out of courtesy (these do NOT have a public notice in the Union Leader):**

- **Establishing Town Roadway Speed Limits**
- **Renaming Town Roadways** - (ex. Water Works Drive, Hooksett, NH for the closed off portion/loop of Industrial Park Dr. that will be closed off due to the GE Expansion)
- **Potential Departmental Reorganizations**

## Town Council Rules of Procedures

Adopted: 01/10/2001

### Amendments

<b>Date Amended</b>	<b>Section Amended</b>
August 14, 2003	Added Section 7-c. Added Section 7-b-1, 2 & 3. Added Section 7-f-2.
January 27, 2010	Changed Section 7-a Scheduled Appointments – added 7 pm. Changed Section 7 - Order of Business - moved Non-Public Session towards the end of the meeting.
March 9, 2011	Changed Section 7 - Order of Business – added Consent Agenda after Agenda Overview and deleted Scheduled Appointment time (7:00 pm). Scheduled Appointments to start immediately after Nominations/Appointments.
October 12, 2011	Added Section 6-c.
November 30, 2011	Changed Section 7-a Agenda Order – Moved “Town Administrator’s Report” up before “Public Input”.
February 22, 2012	Changed Section 7-b Public Input (See file)
August 14, 2013	Changed Section 5. d. sentence 2 “The Chair” to “Any Councilor” Removed Section 5.d. sentence 3 Changed Section 7. d. “spokesman” to “speaker” Added to Section 7.d. “when possible” after “spokesman” Changed Section 7. f. 3. “only if” to “unless” Added Section 8. c. at end, “unless a Councilor requests, in writing, to receive it in electronic format only.”
December 18, 2013	Added Section 11 Community Outreach
May 28, 2014	Added Section 12 Procedure for Adoption of Ordinances pursuant to Section 3.6 of the Charter.
August 13, 2014	<ul style="list-style-type: none"> <li>• <u>Section 2.a - Annually, at the first meeting of the new Town Council – added:</u> <ul style="list-style-type: none"> <li>○ 1. The Town Clerk shall swear-in all new Councilors as a group.</li> <li>○ 3. Motion that the Town Council confirms by a roll call vote, that the Town of Hooksett will adopt RSA 31:104, 31:105 and 31:106 to provide immunity and indemnify all Town Councilors, other elected officials, employees, agents as well as appointed officials that serve on committees and boards within the Town of Hooksett; specifically covering immunity from civil liability for discretionary acts, according to RSA 31:104, indemnification for costs of defense of civil suits, according to RSA 31:105 and indemnification for civil rights claims, according to RSA 31:106.</li> <li>○ 4. Motion to have the Town Council Chair sign ancillary documents as agent to expend as a result of Town Council prior approval of the documents.</li> <li>○ 5. Motion to adopt the Town Council Rules of Procedures.</li> </ul> </li> <li>• <u>Section 2.c.3 – Council Secretary:</u> <ul style="list-style-type: none"> <li>○ d. Changed - Administrative Assistant to Recording Clerk and Added - The posted minutes shall have an attachment of the overview sheet of the Council reading file and Council Chair signed ancillary documents.</li> </ul> </li> </ul>

- Section 3 – Council Meetings:
  - c. Added - A quorum of the Council for the transaction of any business shall be two-thirds (2/3) of the members currently in office. The Council shall not recognize a Councilor’s electronic method(s) of participation, attendance, or quorum.
- Section 5 – Voting
  - c. removed – ~~On roll call votes, Council Members shall vote alphabetically by last name, said name to be called on a rotating basis so that the name first called at the previous vote shall be name last called for the next vote, with the Chair voting last.~~ Added - Roll call votes shall be in a random alternate order with the last Councilor who made a motion to be the first Councilor to vote on the next roll call.
- Section 7 – Order of Business added:
  - IV. Special Recognitions (after Pledge of Allegiance) and VII. Public Hearings
  - c. changed appointments to applicants and added - Boards and Committees shall receive their respective applications and make recommendations for nominations. Appointment vote for a nominee will be scheduled at the next Council meeting. Nominations and appointments for new July terms shall be at the June Town Council meetings.
  - d. added: -
    - ✓ 2. A scheduled appointment shall not exceed 15 minutes to address the Council unless the Council votes to extend.
    - ✓ 3. Board and Committee applicants shall be invited to attend a Council meeting as a scheduled appointment to state their interest. This meeting shall be either prior to or on the same night of their nomination.
    - ✓ 4. Boards and Committees shall meet at minimum once a year as a scheduled appointment to provide an overview of their activities and member attendance reports.
- New Section 8 – Non-Public Session – Added:
  - a. The Council shall motion to exit in non-public, then motion to seal the minutes of the non-public session as appropriate.

September 10, 2014

Changed Section Section 5 – Voting c. reworded: Roll call votes shall be in a random order with the Chair voting last.

August 12, 2015

-Section 2.A.6 add: Motion to adopt Administrative Code.  
 -Section 2.C.3.d add: The Town Council Secretary shall act as clerk of the Council and shall approve unofficial minutes of the meeting recorded by the Recording Clerk. The posted minutes shall include a reference of the page number where the attachment of the overview sheet of the Council reading file and Council Chair signed ancillary documents can be found.  
 -Section 3.g. delete: Council members shall be seated in Council Chambers as determined by consensus of the Council ~~advice of the Chair.~~  
 -Section 3.g. add: The Chair, Vice-Chair and Secretary shall be seated at the head of the Council table in Chambers.  
 -Section 8.b. add: Non-public minutes shall consist of the subject matter and motions only. No minutes of the subject discussion shall be taken.  
 -Section 8.c. add: A councilor not present at the time non-public session minutes are taken shall receive these sealed minutes

- along with the rest of the Council.
- Section 8.d. add: Unsealing of the non-public session minutes for the current fiscal year (June 1<sup>st</sup> to May 31<sup>st</sup>) shall occur annually at the Council's last meeting in May when, in the opinion of a majority of members, the circumstances that sealed the minutes no longer apply in accordance with RSA 91:3 III.
- Section 13. Add: Procedure for Town Administrator Annual Evaluation
- August 24, 2016
- Section 2a – added 5,6, 8,9,10,11  
 Section 2c1 d – “Minutes and attachments . . . agenda packet.”  
 Section 3d – added “The Council shall motion . . . meeting is adjourned”  
 Section 8b – added “Non-public . . . past 9:30pm.”  
 Section 9a – added “no later than . . . regular Council Meeting.”  
 Section 14 – new section “Moment of Silence”  
 Section 15 – Clarified “Special Recognition”
- November 9, 2016
- Section 7 – Order of Business – moved Scheduled Appointments under Special Recognitions
- August 9, 2017
- Section 7 – Order of Business – added II Proof of Posting  
 Section 14 – Added “Standing” to Moment of Silence  
 Section 16 – Reworded: New hires will be invited and encouraged to attend a the Council meeting following his/her hire date when the Town Administrator will announce his/her Department, name and start date ~~with “Welcome to the Hooksett Family”~~
- January 24, 2018
- Section 8 Non-Public Session – Added: “Non-public minutes and/or material in possession of Town Councilors at a Council meeting shall be handed into the Administrative Services Coordinator at the end of the meeting for shredding of confidential information.”
- March 28, 2018
- Section 2c3d – Council Secretary – further defined responsibility to review draft (unofficial) minutes  
 Section 17 – Approval of Minutes – added entire section to further defined Council process to approve minutes
- April 11, 2018
- Section 5c,d,e – Roll Call Votes – further defined Council roll call votes  
 Section 18 – Public Hearings – added entire section to define Council public hearings