

Town of Peterborough, NH Volunteer Handbook



Introduction

This handbook has been designed to inform new and current committee members of the various laws, policies, and procedures that relate to committees in the Town of Peterborough, New Hampshire. Included in this handbook are sections on organizing a meeting, financial matters, appointment procedures, legal issues, and committee descriptions.

The appendix section contains copies of the Conflict of Interest Law, the Right-to-Know Law, and Records Management Procedure. **ALL COMMITTEE MEMBERS ARE ENCOURAGED TO READ THESE LAWS IN THEIR ENTIRETY.** A copy of these Laws can be reviewed at the Library and at the Office of Community Development. Brief summaries of these laws can be found in Section III and in the Appendix section.

Included in the Appendix section is a copy of the Administrative Policies & Procedures (APP's) from the Town of Peterborough Code Book The Code book is available to view on the Town Website.

This handbook was prepared by the Office of Community Development, with inspiration from and thanks to the town of Concord, MA. And special thanks go to OCD Intern Nick Byk, who spent much of his summer working on this project.

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SECTION I - Town Government

A. Mission Statement

To foster an environment in which quality services are provided in a professional, efficient, and conscientious manner, with the ultimate goal of supporting a sound quality of life for everyone whose ideas and talents make up our Community.

B. Administration

The current Town Administrator, Pamela L. Brenner, has been the Town Administrator since November of 1995. The department is the link between the Select Board and the town staff, boards, and committees. Administration is responsible for carrying out the concerns and objectives of the Select Board.

C. Town Meeting

The annual town meeting shall consist of three sessions; a first open session, an election and official ballot session, and a final open session.

The first open session of the annual town meeting shall be held between the first and second Saturdays, inclusive, after the last Monday in March. The first session shall have the authority to debate and, amend only those articles listed under Section IV, subparagraphs b, c, and d which shall be placed on the official ballot and those which the Selectmen elect to put on the official ballot per Section V, except that wording prescribed by statute shall not be subject to amendment. Motions to restrict reconsideration at the first session shall prohibit further action on restricted articles until the official ballot session. All articles submitted to the first session shall be placed on the official ballot. Any official ballot article that the first open session has not acted upon before the second Monday in April shall be placed on the ballot in its original form.

The election and official ballot session shall be held on the second Tuesday in May. Voting at the election and official ballot session shall conform to the procedures of general law for town elections, including all requirements pertaining to absentee voting, polling place, and polling hours.

The final open session shall commence at a date and time to be determined by the Board of Selectmen, falling between the second Tuesday in May and the following Saturday, inclusive. The final open session may consider, debate and amend any article not required to be acted on by the official ballot session, including, without limitation, articles to appropriate funds for any identified purpose, and petition warrant articles that Section IV does not require to be on the official ballot. The final open session shall adopt an operating budget if it was not adopted by the official ballot session. The final open session may not reconsider any other actions of the official ballot session.

D. Budget Cycle

In March 2006 the residents of Peterborough voted to change the towns accounting year from a calendar year (January to December) to a fiscal Year (July to June).

In order to achieve the benefits of a fiscal year, it is necessary to execute a one time 18 month budget from January 1, 2007 to June 30, 2008. In order to pay for the additional six months of expenditures, the residents voted to pay a one time tax adjustment on the town portion only on the November 2007 tax bill.

SECTION II - Legal Issues

A. Utilization of Town Counsel

Board and Committee members are allowed to contact Town Counsel for legal advice with approval from the Town Administrator or Board of Selectmen.

B. Right-to-Know – Summary

This summary was prepared by the New Hampshire Bar Association at:

<http://www.nhbar.org/for-the-public/your-rights-under-the-right-to-know-law.asp>.

The purpose of New Hampshire's Right-to-Know Law, RSA 91-A, is to make state and local government accountable to the people by requiring that meetings and records be open to the public as much as possible. The law has a broad application and covers the records and public meetings of government agencies, including:

- any board, commission, agency or authority of any county, municipality, school district, or any other political subdivision;
- any board or commission of any state agency or authority, including the board of trustees of the state university system;
- the governor and council;
- the legislature; and
- advisory committees established by any of the foregoing public bodies.

There are certain exceptions to the general principles of openness and disclosure. This provides an outline of New Hampshire's Right-to-Know Law including the exceptions provided in that law. Other specific exceptions to the law may be provided under other provisions of New Hampshire or federal law.

What Is A Public Meeting?

A meeting must fit the definition of a public meeting before it is subject to the Right-to-Know Law. A public meeting occurs whenever a quorum meets to discuss or act on any matter within the power of the public body. A quorum means a majority of the members of the body, unless there is a law with a different number for a quorum specified. Public meetings do not include chance meetings or social gatherings, as long as there is no discussion of official business. Meetings relating to strategy or negotiations regarding collective bargaining and consultations with legal counsel are also excluded from the definition of a public meeting.

Notice Requirements for Public Meetings

The Right-to-Know Law sets minimum notice requirements for public meetings: the time and place of the meeting must be posted in two appropriate public places or printed in a newspaper of general circulation in the city or town at least 24 hours (excluding Sundays and legal holidays), before the meeting. Stricter notice requirements may be set by another specific law. The notice requirements do not apply if the meeting is an emergency. An emergency means a situation where the presiding officer of the public body finds that immediate undelayed action is necessary. However, even when an emergency meeting is called, the presiding officer must still inform the public of the meeting, using whatever means are available. These notice requirements do not apply to a legislative committee meeting. Notice requirements for such meetings are set by legislative rule.

Rights Of The Public At Public Meetings

Any member of the public has these rights at any public meeting, although other local or state law or rule may provide for broader rights as follows:

- No vote may be taken by secret ballot, except at town meetings, school district meetings, and elections.
- Any person may take notes or record the meeting using a recording device such as a tape recorder, camera, or video equipment.
- The minutes of the meeting must be open to public inspection within 144 hours (6 days) of the meeting. The minutes must include the names of the members present, the persons appearing before the body, a brief description of the subject matter discussed, and all final decisions. If the meeting was an emergency meeting, the minutes must spell out the need for the meeting.

When Can Members Of The Public Be Excluded From A Public Meeting?

At a public meeting, a public body may vote to meet in nonpublic session, but only for certain specific purposes. A public body may not go into nonpublic session (formerly called "executive session") simply for the purpose of deliberation, unless the matter being discussed is one of the allowable purposes for a nonpublic session. A motion to go into nonpublic session must state the specific section of the law that authorizes the public body to exclude the public. The vote on the motion must be by roll call and requires a majority vote of the members present. The following are matters which may be discussed and acted upon in nonpublic session:

- the dismissal, promotion, compensation, or disciplining of any public employee, or the investigation of any charges against the employee, unless the employee affected has a right to a meeting and requests that it be open;
- the hiring of any person as a public employee;
- matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting;
- consideration of the acquisition, sale or lease of property which, if discussed in public, would likely benefit someone whose interests are adverse to those of the general community;
- consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any of its members because of that person's membership in such body, until the claim or litigation has been fully acted on by the courts or otherwise settled;
- consideration of applications by the adult parole board;
- consideration of security-related issues bearing on the immediate safety of security personnel or inmates at county correctional facilities;
- consideration of applications by the New Hampshire Business Finance Authority under RSA 162-A:7-10 and 13, if consideration in public would cause harm to the applicant or would inhibit full discussion of the application;
- consideration of matters relating to the preparation and carrying out of emergency functions developed by state or local safety officials to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

When Must Nonpublic Session Minutes Be Made Public?

Minutes taken and decisions made at a nonpublic session must be disclosed within 72 hours (3 days) of the meeting, unless 2/3 of the members vote that the disclosure of the information would be likely to affect adversely the reputation of any person (other than a member of the public body) or to render the proposed action ineffective, or pertains to the preparations and carrying out of emergency functions to thwart a deliberate act intended to result in widespread or severe damage to property or widespread injury or loss of life. The minutes can be made public in the future if a majority of the members votes that the danger no longer exists.

What Is A Public Record?

Generally speaking, public records include all records kept by a public body in any form, including documents, books, papers, recordings, or photographs, and records of payments made to an employee of a public body (or his or her agent) upon resignation, discharge or retirement where the payment is in addition to regular salary or fringe benefits. In the interests of confidentiality, there are certain records to which the general public does not have access. These are:

- personal school records of pupils, including the names and addresses of the pupils and their parents;
- teacher certification records, provided that the Department of Education shall make available teacher certification status information;
- records pertaining to internal personnel practices. However, salaries and lists of employees may have to be disclosed;
- confidential, commercial or financial information if the benefits of disclosure are outweighed by the benefits of non-disclosure;
- data used to administer an examination for licensing or employment or an academic examination;
- records relating to library users, videotape sales or rentals, or other files whose disclosure would be an invasion of privacy;
- personal medical or welfare information;
- written legal advice;
- open police investigative files and material which may be used at trial;
- records of grand juries and regular juries (but not their verdicts) and parole and pardon boards;
- records pertaining to the preparation and carrying out of emergency functions to thwart a deliberate act intended to result in widespread or severe damage to property or widespread injury or loss of life;
- juvenile court records (delinquency, child abuse/neglect, Children in Need of Services, adoption and termination of parental rights proceedings); certain criminal records including applications for search, arrest and wire tap warrants; and certain vital records with respect to which specific laws and rules govern who may have access to these records and what information is to be released.

Access To Public Records

Any citizen may examine public records during the regular or business hours of the public body at its place of business. The right to examine the records includes the right to take notes or photographs or to make abstracts or photocopies. **A public body** may charge the actual cost of the photocopy, if a photocopy machine is used, or any other fee required by law.

If the public body maintains records in a computer storage system, it may provide a printout of any record reasonably described and which can be produced in a manner that does not reveal confidential information. With respect to data in a computer storage system, the public body is not required to compile such data into a format that does not already exist.

If the information has been compiled in a convenient form, the public body cannot refuse to supply it in that form, although the public body does not have to compile the information for the person making the request.

If a public body is unable to make a record immediately available for inspection, it has five business days to either: (a) make the record available; (b) deny the request in writing, giving the reasons; (c) give written acknowledgment of the request and a statement of the time needed to grant or deny the request.

C. Acceptance of Gifts

See Appendix B for a copy of the Gifts and Legacies policy

D. Applications for and Acceptance of State and Federal Grants

See Appendix C for a copy of the Grants policy

E. Conflict of Interest Law

See Appendix D for a copy of the Conflict of Interest Law under the Code of Ethics

SECTION III - Committee Procedures

A. Officers of Committees

Each Committee shall annually elect from among its members a Chair and a Secretary, if desired. Certain Committees may also find it desirable to elect a Vice-Chair who can act in the absence of the Chair. The Chair and the Secretary positions should rotate yearly among the committee membership however, if a member is re-elected by a majority vote that member may remain in his/her position. Annually when the new Chairperson has been elected a committee member should notify the Town Administrator's Office of the new Chairperson.

B. Minutes

All Boards and Committees, including sub-committees and task force committees, shall keep minutes of their proceedings. The minutes shall include any votes taken and they should note any actions taken. Minutes must be available in complete draft form to the public no later than 144 hours or six business days after the meeting. Draft Minutes should be approved at the following meeting unless that meeting falls within the six business days.

C. Committee Reports

All Committees are required to write an Annual Report for use in the Town Report. These are due in early January.

D. Committee Meetings

A public meeting occurs whenever a quorum meets to discuss or act on any matter within the power of the public body. A quorum means a majority of the members of the body, unless there is a law with a different number for a quorum specified. Public meetings do not include chance meetings or social gatherings, as long as there is no discussion of official business. Meetings relating to strategy or negotiations regarding collective bargaining and consultations with legal counsel are also excluded from the definition of a public meeting.

A regular meeting time and location should be established. While the frequency of the meetings will depend on the nature and workload of the Committee, most Committees will meet at least once a month.

With the exception of the specifically exempted meetings, all Committee meetings by law are open to the public including the press. Committees are expected to operate within both the letter and spirit of the law in this regard e.g., public discussions should be audible and handouts made available whenever possible and feasible if they are integral to the discussion. The conditions under which a Committee can go into Executive Session are explained in the Right-to-Know Law.

E. Meeting Postings & Notice of Meetings

Meeting Postings – It is the responsibility of the committee to alert their supporting office of the meeting schedule. The supporting office will be responsible for posting that meeting **at least 24 hours prior to the meeting (including Saturdays but not Sundays or legal holidays)** as is required by law and reserving the room for the meeting. It is the responsibility of the committee members to know when and where a meeting will take place.

Meeting notices will be officially posted in the following places:

- Main Hall of Town House
- Office of Community Development
- Peterborough Town Library
- When practical, notices will also be posted on the town website

F. Meeting Cancellations

The decision to cancel a meeting is up to the individual Committee or Board. The chairman of the committee is then responsible for notifying their supporting office, which will post a notice on the front door of the Town House for public reference.

G. Agenda

The agenda is a list of matters that are attended to at a meeting. The Chairperson is responsible for planning the agenda. Agenda items normally include:

1. Call to Order; Introduction of Members and Explanation of Committee Procedure
2. Approval of Minutes of Previous Meeting;
3. Old Business;
4. New Business;
5. Adjournment.

H. Charge

All committee members will receive a copy of this Charge at the time of his/her appointment. All Appointed committees and boards should have a charge that explains the specific authority and responsibility of the committee or board.

I. Request for Staff Assistance (Support)

Requests for support shall go through the chair to the department heads. Requests for GIS mapping shall go through the chair to the head of the Office of Community Development.

Each committee may receive support from either the Administration Office, the Office of Community Development, or other department as deemed appropriate. Any inquiries for services may go through the supporting department.

Each Committee will also have a liaison member of the Select Board. This member does not have voting rights on any committee with the exception of the Planning Board.

SECTION IV – Appointment Policy and Procedures

Committees are either elected, or they are appointed by the Select Board.

A. General

It is the policy of the appointing authorities to seek out the best qualified persons to serve on each Board or Committee over which it has power of appointment while giving equal opportunity to all. They will endeavor to develop a pool of persons interested in serving on each Board or Committee from at least the following sources:

1. Personal knowledge
2. Recommendations from town organizations or individuals
3. Suggestions from committee with vacancy
4. Suggestions by prospective appointee
5. Research of skills available in town

It is the policy of the Select Board to enlarge the general pool of applicants through advertising using multi-media. The timing and extent of specific active solicitations shall be determined by the Select Board based on its judgment of appropriateness and need.

B. Term of Office

Unless prescribed by statute, Town Meeting vote, or specific committee charge, the standard term of office shall be three years.

A partial term to fill a vacancy shall be considered a non-standard vacancy as defined by the Peterborough Code Book (Reference) and will last until the following May.

All terms, unless prescribed by statute, shall terminate at the end of the month in which Town Meeting is held.

All terms of office shall be set on a staggered basis in the interest of fostering continuity of knowledge and experience on all committees. The appointing authority shall determine the year in which a given term expires at the time of appointment.

Exception: Ad hoc committees appointed for a specific responsibility, at which time the charge to the committee should include a specific time frame for submission of the committee's final report and dissolution of the committee.

All Committees are authorized to set up "ad hoc" subcommittees for specific purposes, with the permission of the appointing authorities.

C. Criteria for Selection

Actual appointments from the pool of applicants shall be made by the Select Board on the basis of:

1. Level of applicant's interest in serving and interest in the work of the committee.
2. The need for diversity on the committee, taking into account the educational and professional background of the applicant, as well as the need for diversity among all committee members in terms of neighborhood representation, gender, age, and other demographic characteristics.
3. Special skills needed by a particular committee

D. Selection Procedures

The individual member and the committee chairperson shall notify the Select Board in writing as soon as a vacancy occurs.

The vacancy will be announced at the next meeting of the Select Board and a notice will be prepared for release to the press and for public posting.

For appointments to the Select Board, nominations shall be made at one Board meeting, and formal action will be taken at that meeting or the subsequent Board meeting.

Except in unusual circumstances, appointments shall be made within two months of the announcement of a vacancy.

E. Standard Appointments

A standard appointment will take place according to the terms of the following timeline:

APRIL:

- The Administration Office will advise the Select Board of the number of standard vacancies which will occur the following May.
- The Selectmen will advertise for qualified volunteers to fill these vacancies in a multi-media fashion by indicating the number of vacancies open on each board, committee, or commission.
- The sitting chairs will screen all applicants and make recommendations on each applicant to be submitted to the Select Board on or before May 1st.

MAY:

- If the number of volunteers is less than the number of vacancies, then the remaining vacancies will be announced and advertised at Town Meeting with the use of a sign-up sheet available to residents.
- The Select Board will review and personally interview, if necessary, the recommended candidates.

JUNE:

- The Board will make appointments to the boards on or before June 15th.

F. Non-Standard Appointments

A non-standard appointment is one that occurs outside of the regular appointment calendar, and will take place according to the terms of the following guidelines:

- The board, committee, or commission and the Select Board's Office will keep each other informed of members who have announced they will not be completing their full term.
- The Select Board will advertise for qualified volunteers to fill these vacancies in a multimedia fashion by indicating the number of vacancies open on the board, committee, or commission.
- Concurrently, the board, committee, or commission is asked to make recommendations for the non-standard appointment.
- The Select Board will make a non-standard appointment to fill the vacancy based on the recommendations of the board, committee, or commission and their own review of the applicants.

Section V – Miscellaneous Items

A. Minute Takers

Committees will either use a minute taker from their supporting office or they will need to assign someone from their committee to take on that role.

B. Correspondence

The public may direct all of their correspondence with committees to the Peterborough Town Hall at 1 Grove Street. Any correspondence received at that address will be properly filed and passed on to the appropriate committee. Committees are responsible for submitting all other correspondence to the supporting office for filing.

C. Municipal Equipment

Committees may rely on their supporting office for all mailing, photocopying and multi-media needs. A photocopier is available in each supporting office and will be available to committees with permission from the office.

SECTION VI – Boards and Committees

ELECTED BOARDS AND COMMITTEES

SELECT BOARD

Secretary: *Admin office staff*

Number of Members: 3

Supporting Office: *Administration*

Two thematic efforts have evolved through the work of the select board:

- Achieving a balance between smart growth/business development and preservation of open space values; and
- Integrating the work of Town boards and committees so that they perform interdependently, not as independent “silos” of functionality.

The Select Board is composed of three members elected by a town meeting vote (usually by ballot). The board functions as the Town’s executive branch and as the agent to carry out the actions of the town’s legislative branch. Selectmen shall manage the prudential affairs of the town; The “prudential affairs” role is filling in the details to carry out the town meeting votes. For example, if the town votes to sell land then it is the selectmen who sign the deed.

Selectmen must act as a collegial body in the conduct of their affairs, meaning one selectmen has no authority at all. An action taken by one selectman has no legal effect unless it is voted upon by the board at a public meeting that complies with the Right-to-Know Law.

At the annual meeting the Town chooses one selectmen to hold office for three years on a staggered basis. This means that one Selectmen’s seat is up for election each year.

BUDGET COMMITTEE

Secretary: *Committee Appointed*

Number of Members: 9

Supporting Office: *Administration*

It shall be the duty of the Budget Committee to:

- Explain the tax impact of monies raised at each Town Meeting.
- Review and evaluate warrant articles based on short and long term ramifications, and make recommendations pertaining to same.
- Withhold recommendations only if there is insufficient information.

The Select Board, the Budget Committee, and department heads shall be required to work cooperatively with each other to ensure that all the respective budgets will best serve the community’s needs.

The Select Board and the Budget Committee shall meet jointly to evaluate the recommendations of the department heads, and for any discussions involving any budgetary matters related to the upcoming budget. Subsequent to the presentation of recommendations by the department head, the Select Board and the Budget Committee will meet in joint session to discuss their respective recommendations. Both Boards should identify those areas of the budget where there is agreement, resolve those issues where a compromise can be reached, and advise each other of any differences that will be presented at Town Meeting. The Budget Committee shall report, in writing, any and all warrant articles and operating budget recommendations no later than two weeks prior to Town Meeting.

This written report shall include:

- The total amount requested by the Board of Selectmen for any given warrant article.
- The total amount recommended by the Budget Committee for the same articles.
- The tax impact of both recommendations.
- The reason(s) for the Budget Committee's recommendations. Further, the Board of Selectmen shall be notified of any and all relevant Budget Committee recommendations as soon as such recommendations are finalized, but no later than two weeks prior to the Town Meeting.

The Budget Committee recommendations shall be made available to any and all interested persons at the Town Office, the Town Library, and again at the voter check-in table during the Town Meeting.

The Budget Committee should be informed of any article requiring its attention thirty days prior to any Town Meeting, but no less than one week prior to said meeting. In order to allow the Budget Committee sufficient time to evaluate and advise on the upcoming budget, the Select Board shall present a budget request for the ensuing year to the Budget Committee no later than July 1st of each year.

CEMETERY TRUSTEES

Secretary: *Committee Appointed*

Number of Members: 3

Supporting Office: *Administration*

The Cemetery Trustees are responsible for the maintenance of all town cemeteries to ensure both the aesthetic quality of the cemeteries and the efficient use of town funds by strictly enforcing rules. They are also responsible for the sales of grave lots at town cemeteries.

FENCE VIEWERS COMMITTEE

Secretary: *Committee Appointed*

Number of Members: 3

Supporting Office: *Administration*

Fence Viewers Committees have existed for over 150 years in and around New England. The Fence Viewers mitigate between property owners in the event that livestock stray across property lines or if property line fences are illegally altered. Property lines in the past were often delineated by stone walls and the community's Fence Viewer would measure and arbitrate the stone fences, and thus property lines, for the town.

Today, the Fence Viewers Committee is largely ceremonial in nature. Despite the ceremonial nature of the committee, it has survived in Peterborough through community support.

LIBRARY TRUSTEES

Secretary: *Committee Appointed*

Number of Members: 3

Supporting Office: *Library*

The Library Trustees are responsible for managing the library. All final decisions are made by the Trustees with input and recommendations from the staff.

MODERATOR

Secretary: *Town Clerk*

Number of Members: 1

Supporting Office: *Administration*

The Moderator is the overseer of elections and Town Meeting.

PLANNING BOARD

Secretary: *OCD Admin. Assistant*

Number of Members: 7

Supporting Office: *OCD*

The Planning Board is authorized by state statute and Town Meeting vote. The first responsibility of the Planning Board following establishment is the preparation and amendment of a master plan for the town. This responsibility may be delegated, in part, and in Peterborough it is: there is a permanent Master Plan

Steering Committee that oversees the development and maintenance of the master plan, although the Planning Board must still hold public hearings prior to adopting any element of the plan. In addition to this role, the Planning Board is responsible for the following:

- Review and approve subdivisions, site plans, and earth excavations, and adopt and amend the regulations for these applications.
- Prepare amendments to the zoning ordinance, and hold the necessary public hearings on proposed or petitioned amendments to the zoning ordinance.

The Planning Board holds one regulatory meeting a month to hear and decide on all development applications, and other business to come before the board. Meetings may also be called by the Chairman as needed (for example, if the Board needs a separate meeting to discuss planning and zoning issues, or a workshop with an applicant).

The Planning Board may have up to five alternates who are selected and appointed by the planning board for 3-year terms.

RECREATION COMMITTEE
Secretary: *Committee Appointed*

Number of Members: 5
Supporting Office: *Recreation Dept.*

Purpose:

- A) To help provide high quality recreation opportunities for all Peterborough residents
- B) To foster community awareness regarding the role that recreation plays in the overall quality of life. The Peterborough Recreation Committee is a link between the Recreation Department and the community. Peterborough Recreation Committee members are advocates for recreation.
- C) To protect, preserve, use and develop the town's recreation resources.
- D) To evaluate the need for private or public property for the purpose of creating, enlarging, and improving public parks, recreation areas and facilities for Peterborough residents

Charge:

- A) Recommend and set recreation programs and facility policy.
- B) Review and recommend modifications on matters relating to rules, use policies, fee structures, etc. with respect to all recreation programming and recreation facilities.
- C) Work cooperatively with other public and private organizations to provide recreation opportunities while avoiding duplication and overlap. To support the Department in their ongoing relationships with town officials, school officials, and community organizations.
- D) Define and oversee implementation of a strategic Recreation Master Plan through periodic reviews, updates, and recommended revisions.
- E) Advise in the planning of recreation programs for Peterborough residents.
- F) Serve as a forum for introducing innovative and new ideas, concepts, programs, policies and procedures for recreation.
- G) Initiate the planning for future recreational areas and facilities.
- H) Review proposals and propositions for the construction, reconstruction, or improvement of public parks and recreational facilities.
- I) Encourage individuals and citizen groups to give funds, property and manpower for the development and operation of recreation programs and facilities.
- J) Foster the awareness of the social, cultural, economic, environmental and personal benefits of a comprehensive public recreation program.
- K) Promote and support other recreational activities when such action is deemed in the best interest of the Town citizens
- L) Review and approve annual budget and capital improvement program for presentation by the Recreation Director to the budget committee and Selectmen.

- M) Oversee and set policy regarding the Recreation Revolving Fund.
- N) Approve expenditures from Isabelle Miller Fund, Noone Fund, and other like recreation funds.
- O) Make reports and recommendations to the Selectmen and other Town Committees on matters relative to recreation.
- P) Promote professionalism and the recruitment of highly qualified employees to manage the Department.
- Q) Represent the Department at official occasions.
- R) Become informed about Parks and Recreation programs and issues at the local, state, and national level and advocate actions which will positively affect recreation for town residents
- S) Represent the general public.

SUPERVISORS OF THE CHECKLIST

Secretary: *N/A*

Number of Members: *3*

Supporting Office: *Town Clerk*

Members are elected for 6-year alternating terms. They are responsible for registering voters, maintaining and updating the names, addresses and party affiliations on the voter checklist. They are also the keepers of past checklists.

TOWN CLERK

Secretary: *Deputy Clerk*

Number of Members: *1*

Supporting Office: *Town Clerk*

The Town Clerk is responsible for motor vehicle and boat registrations, custodian of vital records, issuance of marriage licenses, dog licensing, issuance of wetlands permits, federal liens, custodian of town records, planning and coordination of local, state and federal elections.

TRUSTEES OF THE TRUST FUND

Secretary: *Committee Appointed*

Number of Members: *3*

Supporting Office: *Administration*

Municipalities have the authority to receive and hold funds in trust, including the establishment, maintenance, and care of libraries, schools, educational facilities, parks, shade trees, cemeteries, and other such appropriate purposes. In addition the trustees may vote such sums as it deems necessary to create trust funds for the maintenance and operation of the town and any other public purpose that is not foreign to the town's institution or incompatible with the objects of its organization.

ZONING BOARD OF ADJUSTMENT

Secretary: *OCD Admin. Assistant or individual minute takers*

Number of Members: *5*

Supporting Office: *OCD*

A Board of Adjustment is required by state statute to be established once a town has adopted a zoning ordinance. It is a fundamental tenet of zoning that once an ordinance has been adopted, some property owners will be disadvantaged by certain provisions. The job of the ZBA, therefore, is to grant relief from the strict terms of the zoning ordinance, by deciding applications on four specific areas: (1) appeals of administrative decisions; (2) grant variances; (3) grant special exception uses; and (4) grant equitable waivers from dimensional requirements. The ZBA may have up to five alternates who are selected and appointed by the ZBA

Background:

Procedures for the Town of Peterborough Zoning Board of Adjustment are adopted under the authority of the New Hampshire revised statutes annotated, 1983, Chapter 676:1, and the zoning ordinance of Peterborough, New Hampshire.

APPOINTED BOARDS AND COMMITTEES

CAPITAL IMPROVEMENT COMMITTEE

Secretary: *OCD Admin. Assistant*

Number of Members: 9

Supporting Office: *OCD*

A Capital Improvements Program (hereinafter referred to as a CIP) is an important tool the Town of Peterborough utilizes to help manage anticipated growth and development. It is an actual plan that lays out a budget for and a schedule of municipal expenditures. The plan shows when, and at what cost, the town expects to expand and/or provide services and facilities in the future.

The Town of Peterborough has had a CIP since 1989. In 1997 a CIP Committee was established, whose charge it was to oversee the development and maintenance of the CIP. Each year the Committee gathers the budgetary information from all Town Department Heads, reviews the requests, and makes final recommendations to the Selectmen and the Budget Committee. It is the responsibility of the Committee to work with the Departments to make any adjustments that are necessary to reach an acceptable budget.

The use of the CIP is important to the proper functioning of the town, as the process requires department heads to make projections based on expected needs. The development of the CIP compels departments to create a plan that allows them to carry out projects to completion. The Town of Peterborough sees this process as beneficial and valuable, and so has continued to maintain a formal Capital Improvements Program for the past 16 years.

Peterborough defines a capital improvement as one with a cost of at least \$10,000 and a useful life of five years or more. A working definition of capital projects typically will be related to one or more of the following criteria:

- a large dollar expenditure;
- the extended useful life of facility or equipment;
- an infrequent recurrence of the expenditure;
- bonded debt needed for financing;
- real property acquisition or development;
- expansion of utility systems;
- creation or expansion of a public building¹.

Using this definition, a capital improvement might include major equipment, vehicles, land, buildings, computers, or road construction. In addition, planning, feasibility, engineering or design studies could also be included, if they are related to a capital improvement project. Items such as personnel salaries, supplies and routine maintenance costs are not to be considered under a CIP, although some maintenance costs might be included, depending on the cost and useful life of the repair.

Purpose And Authority Of The CIP:

As mandated by state statute, the sole purpose of a CIP is to aid the Selectmen and/or Budget Committee in their consideration of the annual budget. In a municipality where the Planning Board has adopted a Master Plan, the Town may authorize the Board to prepare and amend a recommended program of municipal capital improvement projects projected over a period of at least 6 years (RSA 674:5). The CIP may encompass major projects being currently undertaken or future projects to be undertaken with federal, state, county and other public funds. Such a program shall be revised and submitted to the Selectmen and/or Budget Committee for consideration on an annual basis. The CIP is thus not a binding document/committee, but should nevertheless be taken seriously, in order that it accomplish the intent.

¹ Capital Improvements Programming Handbook; Southern New Hampshire Planning Commission, Manchester, NH, February 1994.

As stated in RSA 674:6, this program displays a list of projects which each department head has recognized as necessary for their department. The CIP provides a timeline in which the project will need to be completed as well as the estimated cost of the project. The CIP is based on information provided by department heads and other agencies of the municipality who take into account the needs of the public facility produced with regard to prospective development as indicated in the master plan or as permitted by other municipal land use controls. A CIP should be designed to be as practical and credible as possible. It should not be a “wish list” of desirable but unlikely projects, but instead a document that enhances the Town’s ability to create a budget that is realistic and financially responsible. Because of the inability to exactly forecast future capital expenditures, the CIP needs to be a living document that is revised annually, or when new information is received concerning particular needs. When the CIP is maintained in this fashion, as in Peterborough, it becomes a more realistic plan.

Use Of The CIP:

A CIP has a variety of uses that benefit a town’s financial, budgetary and planning operations. At the very least, the CIP should be the link between the town-wide goals and objectives for future development, as specified in the Master Plan, and the schedule and means of financing the essential services/facilities to serve that development. Following is a summary of the program’s primary functions.

Managing Growth

Of equal importance to the enabling statutes is RSA 674:22, which states that communities contemplating the regulation of development through the use of growth management controls must have already adopted a Master Plan and a Capital Improvements Program. While a growth management ordinance should only be called upon in extreme circumstances, it would be legally impossible to implement without an up-to-date CIP. Even without adopting a formal growth management ordinance, the exercise of developing and maintaining a Master Plan and CIP provide the Town with solid regulatory mechanisms it can use to manage all growth, not just extreme, unanticipated pressures.

Stability in Tax Rates and Budgets

A CIP helps to stabilize tax rates by planning well in advance for large capital expenditures. Instead of wide fluctuations in the budget from year to year, these expenses are allocated and spread over time, so that peaks and valleys in town budgets are reduced, if not eliminated. There is, of course, always the potential for unanticipated expenditures, but having a plan in place that addresses the known expenditures goes a long way toward fiscal stability.

In the process of developing a CIP, all proposed capital improvements are included within the same schedule and budget, instead of being segregated within individual departments. This format helps to bring added perspective to the budgetary process by allowing all projected major capital expenses to be viewed at once. This, then, provides an opportunity for adjusting the schedule before going to Town Meeting. This information can be used in a variety of ways to help stabilize the tax rate: for example, one method would be to set a specified percentage of the overall budget that would be allocated to capital spending; another option would be to limit capital spending to a certain percentage of the local tax burden.

Planning for Future Development

The CIP can serve as a guide to citizens and developers alike, in that they can know what the Town’s plans are for future expansion of existing facilities or when new services or facilities will be added- for example, when a particular road may be improved to a level that can accommodate additional development, or when water or sewer lines will be extended to a new area in town. And, since the state statutes allow Planning Boards to include in their regulations provisions against scattered and premature subdivision, the CIP can be used by the Planning Board to judge the relationship of proposed development to the existing and future level of service.

COMMON PATHWAY COMMITTEE

Secretary: *Committee Appointed*

Number of Members: 8

Supporting Office: *DPW/Admin.*

This citizen committee was formed to assist in establishing a bicycle and pedestrian path system in Peterborough. The Pathway Committee is advisory in nature, but has played a direct and significant role in developing the concept of a town-wide trail system.

The Select Board is in charge of the development of a pathway system, and has assigned the Public Works Director and the Community Development Director to prepare plans, obtain funding and supervise construction.

The Select Board and town staff utilize the Common Pathway Committee in effect as a steering committee, to establish overall priorities, to review and comment on design proposals, and to assist in obtaining funds.

The Committee designed and constructed of a significant “spine” for the first section of a path system. There remain many important opportunities to extend this spine so that in future years there will be a true non-motorized alternative transportation system for the Town. The members of the Pathway Committee will play an important role in realizing those opportunities.

CONSERVATION COMMISSION

Secretary: *Committee Appointed*

Number of Members: 7

Supporting Office: *OCD, Admin.*

The Conservation Commission is primarily an advisory and educational body, although in recent years it has taken on substantial additional responsibilities regarding development proposal review and monitoring and management of town-owned open space lands.

Core Responsibilities:

1. Establish and maintain a natural resources inventory of the Town, with emphasis upon special and sensitive areas. This inventory can then be utilized in evaluating proposed development, adjusting the Open Space section of the Master Plan and for education purposes.
2. **Community Education.** Working with the Office of Community Development, the Planning Board, the Economic Development Authority, the Select Board and others, to promote conservation values. The Commission has sponsored or co-sponsored many public workshops on environmental issues. The Commission also often works directly with individual land owners to encourage wise stewardship of special environmental areas.
3. **Monitor conservation easements and open space lands of the Town,** and advise the Town Administrator, Select Board, Office of Community Development, and Public Works Director of actions that should be taken to properly preserve, protect and enhance these environmental areas.
4. **Development Review.** The Conservation Commission is not a regulatory body such as the Planning Board or Zoning Board. However the Commission does have a formal responsibility to provide comment on proposed wetland alterations. In recent years the Planning Board, OCD and Select Board have encouraged increased input from the Commission on a variety of development and zoning issues

ECONOMIC DEVELOPMENT AUTHORITY

Secretary: *OCD Admin. Assistant*

Number of Members: 9

Supporting Office: *OCD*

The Economic Development Authority (EDA) was established by Town Meeting vote in 1995 with the purpose of enhancing economic development in Peterborough. The specific mission of the EDA is to foster economic and industrial development, consistent with state statutes and the Town’s planning objectives. The Town authorized the establishment of an Economic Development Authority as granted by Senate Bill 196 and authorized under RSA 162-G:2, RSA 35-A:42 and RSA 53-A:3 for the purposes of promoting economic development and entering into agreements with other towns in the area to create a Regional Economic Development Authority. The EDA is also responsible, in conjunction with the Office of Community Development Director, for administering the three Tax Increment Finance (TIF) Plans currently in effect – one for the Greater Downtown, one for West Peterborough, and one the Monadnock Community healthcare district.

GEN X-Y ADVISORY COMMITTEE

Secretary: *Committee Appointed*

Number of Members: 5

Supporting Office: *Administration*

The Gen X-Y Advisory Committee is a newly formed committee in Town. Its purpose is to provide representative recommendations, advice, opinion, and constructive direction on Town matters, issues and plans as viewed by the younger Peterborough demographic. It is a platform from which younger citizens can share in current governmental activities and can add a voice in the planning for the future.

Specific Charge:

1. In general terms, the Committee is expected to weigh in on Town matters critical in nature to the good of the public and to express their collaborative thoughts on these matters, representing the viewpoints of Peterborough's younger citizens.
2. The Committee will be expected to raise matters and concerns germane to Peterborough's younger citizens as further input to legislative issues in Peterborough and the State. These would include current and future topics.
3. The Committee will be expected to propose initiatives and opportunities specifying various components felt to be vital to the Town's planning for the future, to be communicated to the Board of Selectmen.
4. In the event the Committee might be in need of assistance from Town Staff, Town Administrator/Board of Selectmen prior approval is required

GREATER DOWNTOWN TIF

Secretary: *Committee Appointed*

Number of Members: 5

Supporting Office: *OCD*

Authority and Purpose:

In accordance with RSA 162-K, the Town of Peterborough hereby adopts the following Tax Increment Financing Plan (TIF) for the Greater Downtown area of Peterborough. It is the purpose in forming this district to encourage revitalization, re-investment and new investment within those portions of Town that are either used for commercial activity and/or are zoned for commercial development. Without improvements to both the physical infrastructure and visual appearance of this area, the existing tax base could erode. Also, without these additional investments, the capacity does not presently exist to support all of the development for which these areas are zoned.

It is the Town's intention to use tax increment financing to help pay for necessary improvements. Suitable projects, for example, could be the replacement of the Main Street retaining wall, improving the Summer Street parking lot, addressing issues with the canal under Main Street, or separating the sewer system from the storm water management system.

Statement of Objectives:

The purpose of the district is to fund improvements to roads, intersections, sidewalks, sewer, water, drainage, lighting, signage, utility poles and lines, landscaping or other associated improvements that will create economic vitality, and ensure the continued economic vitality of those areas that are already so developed. It is recognized that this district represents a core commercial area in the Town that provides a substantial number of jobs, and also represents an important part of the non-residential tax base.

District Administrator and District Advisory Board:

Pursuant to RSA 162-K:13, the Board of Selectmen has appointed the Director of the Office of Community Development to serve as the TIF District Administrator, in conjunction with the Peterborough Economic Development Authority. A five-member District Advisory Board has been appointed by the Selectmen and, in accordance with the provisions of RSA 162-K:14, is made up of a majority of members who are owners or occupants of real property within or adjacent to the District. A member of the Economic Development Authority serves as Chairman. A member of the Planning Board serves as Vice-Chairman.

This Board shall advise the District Administrator, EDA and Selectmen on the maintenance and implementation of the District Plan. All meetings of the Advisory Board shall be public, and both the Administrator and Board are encouraged to obtain extensive public input as they prepare to implement the plan.

HERITAGE COMMISSION

Secretary: *Committee Appointed*

Number of Members: 7

Supporting Office: *Administration*

The Heritage Commission was established by state statute for the proper recognition, use, and protection of resources that are valued for their historic, cultural, aesthetic, or community significance.

The Heritage Commission is a new organization established by Town Meeting in 2000. Because it is a new organization, its duties and functions will evolve over time. The primary responsibility of the Heritage Commission is similar in nature to that of the Conservation Commission, but with emphasis upon the cultural heritage of the Town.

- Develop and maintain an inventory of the Town's history and culture. Establish an education program based upon the inventory. Work with the Planning Board to create and maintain a Historic Preservation section of the Master Plan.
- Work with the Select Board, Planning Board, Town departments, and others to preserve, protect and enhance our historic and cultural resources. This may include obtaining grants, working with private property owners, and reviewing development proposals.

Specialized knowledge and interest in history and cultural resources is a benefit, but anyone interested in preserving the town's heritage can be a productive member of this Commission. The Heritage Commission meets once a month in the Town House. It is comprised of not less than three members and no more than seven members, who are all appointed by the Select Board.

MASTER PLAN STEERING COMMITTEE

Secretary: *OCD Admin. Assistant*

Number of Members: 9

Supporting Office: *OCD*

The purpose of this group is to work with the Board of Selectmen, the Planning Board, the Community Development Director, or other resources engaged by the town, relevant town committees, and townspeople, toward the following:

- to oversee the preparation of additional chapters for the 2003 Master Plan;
- develop and implement formal review process for updating the current Master Plan; and
- respond to requests from the Planning Board or Selectmen to perform additional duties as time allows, and serve as a research/ study group for the Planning Board.

This Committee is advisory in nature. It will be considered a study/research arm, and reporting directly to the Planning Board and Selectmen.

Background

Peterborough has prepared an updated Master Plan, which was adopted by the Planning Board in November of 2003. Due to time constraints, however, not all chapters were included in the planning process. State statutes identify 13 elements or sections of a Master Plan; towns only need, however, to include those that are pertinent to that town's situation. Part of the charge of this committee is to identify which sections that are relevant for the Peterborough Master Plan. In addition, the selectmen asked that the previous Master Plan Steering Committee Charge include the formulation of an ongoing process to assure that the Master Plan is continuously reviewed, updated, or modified as appropriate.

Specific Charge

1. The Master Plan Steering Committee will work with the Community Development Director or other resources engaged by the town in formulating recommendations for approval by the Planning Board or Selectmen.
2. The Committee will work with the Community Development Director to complete new chapters for the 2003 Master Plan.
3. The Committee will include community participation in all its work.
4. The Committee will assist the Community Development Director in writing recommendations for an ongoing, systematic review of the current Master Plan.
5. The Committee will establish recommendations regarding the composition and process to be used by any subcommittees that might be established for specific topics.
6. The Committee will provide other assistance, as time allows as requested by the Planning Board or the Selectmen.

The Committee will be made up of seven (7) members; at least one (1) of those members will be from the Planning Board.

This Committee will perform its charge until such time as the Selectmen choose to end its job. Membership on the Committee will be by appointment of the Selectmen for a term of three (3) years. Initial terms will be staggered so that no more than three (3) appointments occur annually, except when required to fill vacancies.

The Committee will elect its own Chair and Vice-Chair annually following the March Town Meeting. All meetings of the Committee will be public and will be posted in the Town House. The schedule for meetings will be established by the Committee to suit the convenience of its members, consistent with the above charge.

MONADNOCK CABLE CONSORTIUM

Secretary: *Committee Appointed*

Number of Members: 2

Supporting Office: *Administration*

The purpose of the Monadnock Cable Consortium is to insure the cable service provided to the town is adequate. The consortium unites with other cable committees to build strength in numbers when dealing with Comcast, the current cable provider.

MONADNOCK COMMUNITY HEALTHCARE TIF

Secretary: *Committee Appointed*

Number of Members: 5

Supporting Office: *OCD*

In accordance with RSA 162-K the Town of Peterborough hereby adopts the following Tax Increment Financing (TIF) District. It is the purpose in forming this district to encourage revitalization, re-investment, and new investment in this area. Without improvements to both the physical infrastructure and visual appearance of this area, the existing tax base could erode. Also without these additional investments, the capacity does not presently exist to support all of the development for which these areas are zoned. It is the Town’s intention to use tax increment financing to help pay for necessary improvements.

The objectives of the district are to:

- Fund the construction of a new road that would connect route 202 and Old Street Road across the Hospital Property.
- Install utility infrastructure within the right-of-way.
- Complete any off-site road improvements considered necessary as a part of this new road construction.

OPEN SPACE COMMITTEE

Secretary: *Committee Appointed*

Number of Members: 7

Supporting Office: *OCD*

Purpose:

The purpose of this Committee is to work with the Select Board, the Planning Board, other town committees, townspeople, and other resources engaged by the Town, to oversee the implementation of the Open Space Plan (Master Plan 2003). It is understood that this Committee is advisory in nature, and all recommendations, findings, etc. will be reported directly to the Selectmen.

Background:

The Select Board, several recent local questionnaire surveys, and the 2003 Master Plan process have all recognized and acknowledged that Peterborough’s open space is a precious and invaluable resource that is in need of on-going study and protection. In addition, the Master Plan contains a specific recommendation for the establishment of a permanent open space committee.

Specific Charge:

The Open Space Committee (OSC) will identify priority parcels as determined by the Open Space Criteria outlined in the 2003 Master Plan and will, as appropriate, recommend to the Board of Selectmen to purchase these parcels or development rights to these parcels.

The OSC will actively pursue voluntary land donation and/or donation of conservation easements by landowners. The OSC, while working closely with the Select Board, is authorized to negotiate in good faith on the town’s behalf with landowners, and to communicate with duly-licensed professionals, including attorneys, land surveyors, natural resource consultants, and appraisers.

The OSC will determine criteria by which landowners are offered incentives and ensure that these landowners are subsidized when appropriate for any direct costs related to easements, including required appraisals and

surveys. The OSC will work with the Conservation Commission to manage the administration and maintenance of the parcels.

The OSC will continue to explore reasonable approaches to implement the goals of the Open Space Plan, including but not limited to creating a financial support structure for voluntary easements, facilitating educational outreach to landowners and townspeople; and advocating for a creative mix of funding for acquisition of land or development rights.

Committee Composition:

The OSC shall consist of seven (7) members, all of whom have voting rights. No more than two members shall represent the Conservation Commission. One member shall be the Selectmen’s *ex officio* representative; this member may vote, but may not serve as Chair.

Committee Organization:

This Committee will perform its charge until such time as the Selectmen choose to end its job. The Committee will elect its own Chair and Vice-Chair annually following the March Town Meeting. All meetings of the Committee will be public and will be posted in the Town House. The schedule for meetings will be established by the Committee to suit the convenience of its members, consistent with the above charge. Other business of the Committee, such as minute taking, shall be as set forth by the Committee.

PARKS COMMITTEE

Secretary: *Committee Appointed*

Number of Members: 3

Supporting Office: *Administration*

The purpose of the parks committee is to create the most beautiful parks possible with a combination of volunteers and town workers. The parks committee has continued to work closely with the public works department. Funding is received from public and private donations and grants

WATER RESOURCES COMMITTEE

Secretary: *Committee Appointed*

Number of Members: 7

Supporting Office: *Public Works*

Charge

1. To monitor developments in the local, state, national, and international arena concerning water issues and advise the Board of Selectmen as appropriate.
2. To advise the Board of Selectmen and other boards and committees as appropriate.
3. To represent water issues in the budgeting process including the CIP Committee, the Board of Selectmen and the Budget Committee on matters related to water issues that would affect the budget.
4. To monitor recommendations made by the Master Plan Process, and the Town and to advise the Board of Selectmen on progress being made toward implementation to ensure the completion of recommendations as suggested.

Purpose:

The Select Board recognizes that the waters of Peterborough are a precious and invaluable resource upon which there is an ever-increasing demand for existing, new and competing uses. The Board further recognizes that an adequate supply of groundwater for domestic, agricultural, industrial, and recreational uses, fish, and wildlife is essential to the health, safety, and welfare of the residents of Peterborough. These are issues that have been identified and highlighted through the Master Plan process as well. Therefore, the Board, acting on a specific recommendation of the Water Resources Subcommittee of the Master Plan, hereby establishes a Water Resource Committee to aid in the oversight of water-related issues in the Town of Peterborough. The Committee will act as an advisory group on issues involving water as they pertain to the town.

Composition:

The Committee shall be composed of seven voting members, plus one Selectman and the Public Works Director (or his representative). The Selectman and the Public Works Director shall not have voting rights. The overall committee makeup may include members of other committees and boards, business owners, environmental and community leaders or the general public.

WEST PETERBOROUGH TIF

Secretary: *Committee Appointed*

Number of Members: 5

Supporting Office: *OCD*

Authority and Purpose:

In accordance with RSA 162-K, the Town of Peterborough hereby adopts the following Tax Increment Financing Plan (TIF) for the area of Town known as West Peterborough. It is the purpose in forming this district to encourage revitalization, re-investment and new investment in this area. Without improvements to both the physical infrastructure and visual appearance of this area, the existing tax base could erode. Also, without these additional investments, the capacity does not presently exist to support all of the development for which these areas are zoned. It is the Town’s intention to use tax increment financing to help pay for necessary improvements.

Statement of Objectives:

The purpose of the district is to fund public improvements to roads, intersections, sidewalks, sewer, water, drainage, lighting, signage, utility poles and lines, landscaping or other associated improvements that will help to create and support development of mixed land uses, typical of historic New England villages, and consistent with West Peterborough’s own traditions. It is recognized that this district represents a core commercial area in the Town that provides a substantial number of jobs, and also represents an important part of the nonresidential tax base.

District Administrator and District Advisory Board:

Pursuant to RSA 162-K:13, the Select Board has appointed the Director of the Office of Community Development to serve as the TIF District Administrator, in conjunction with the Peterborough Economic Development Authority. Following the approval of this Plan at Town Meeting, the Board of Selectmen will appoint a five-member District Advisory Board which, in accordance with the provisions of RSA 162-K:14, must be made up of a majority of members who are owners or occupants of real property within or adjacent to the District. A member of the Economic Development Authority shall serve as Chairman. A member of the Planning Board shall serve as Vice-Chairman.

This Board shall advise the District Administrator, EDA and Select Board on the maintenance and implementation of the District Plan. All meetings of the Advisory Board shall be public, and both the Administrator and Board are encouraged to obtain extensive public input as they prepare to implement the plan.

District Plan:

The Master Plan, adopted by the Planning Board in 2003, noted the importance of villages in the Town’s historic development patterns, and identified West Peterborough as the most obvious candidate for the resurgence of a village-type area where residences and businesses can thrive as neighbors. In addition, the Economic Policy Plan, adopted by the Planning Board in 2000, noted that “[I]nvesting in infrastructure is necessary to maintain and expand the existing tax and job base.”

In order to meet these long-term goals, the Planning Board proposed the adoption of the West Peterborough District for Town Meeting 2004, so that the zoning would support the continuation of the village-type development pattern, and create opportunities to enhance village life, which is characterized by a mix of land uses. However, in order to facilitate or enable investment in the District, certain improvements would need to be made in the public infrastructure.

OTHER

SOUTHWEST REGION PLANNING COMMISSIONERS

Secretary: *N/A*

Number of Commissioners: 2

Supporting Office: *OCD*

A primary charge of the SWRPC is to represent town members on issues which have a larger-than-local focus. For example, to effectively protect and manage the Region's rivers, lakes, forests, and wetlands requires a multi-community effort. Many of our transportation facilities are designed to link the Region's towns to each other and to points beyond. The Commission's efforts include working with the Region's municipalities to establish priorities for transportation facility needs (roads, bridges, etc.) and coordinating these priorities with the State of New Hampshire to facilitate funding assistance. The Commission places an emphasis on representing the Region to secure its fair share of federal and state resources available for planning and infrastructure projects. All towns in the region are allowed to have two representatives to the commission. These Commissioners are recommended by the Planning Board, nominated by the Select Board, and appointed by the SWRPC's Board of Directors.

As a member of the Planning Commission, in addition to having the two representatives to the Commission, Peterborough is also able to be represented on various special-focus committees and/or subcommittees. As of this writing, the Town of Peterborough has representation on four committees, described below; and like the Commissioners, these representatives are appointed by the SWRPC Board of Directors based on a nomination from the Select Board.

- **Transportation Advisory Committee (TAC)**: This committee oversees the Southwest Region Transportation Planning Program, which includes the development of the Southwest Region Transportation Plan. Under state law, no transportation improvement project on a state road will be considered by the NH DOT unless it has been vetted by the regional transportation planning process.
- **Economic Development Advisory Committee (EDAC)**: This committee oversees the development and maintenance of a Comprehensive Economic Development Strategy for the Southwest Region. The goal of this Strategy is to promote a regional perspective in local economic development planning, and to qualify projects within the Southwest Region for various federal and state funds.
- **Natural Resources Advisory Committee**: This committee oversees the Commission's efforts to conduct research and analyses, develop public policy and information, and regional planning approach to support State and local activity for the conservation of natural resources for social and ecological benefits throughout the Southwest Region.
- **Brownfields Committee**: This committee oversees the brownfields cleanup program funded by the EPA. The program consists of inventorying known and suspected brownfield sites in the Region, assessing them to determine the nature and extent of contamination, and then implementing a remedial action plan to clean up the sites.

SECTION VII – Appendices

Appendix A: Open Meeting Law

Appendix B: Acceptance of Gifts

Appendix C: Acceptance of Grants

Appendix D: Code of Ethics

Appendix E: Indemnification

Appendix F: Volunteer Application Form

APPENDIX A: OPEN MEETING LAW

TITLE VI PUBLIC OFFICERS AND EMPLOYEES

CHAPTER 91-A ACCESS TO PUBLIC RECORDS AND MEETINGS

Section 91-A:1

91-A:1 Preamble. – Openness in the conduct of public business is essential to a democratic society. The purpose of this chapter is to ensure both the greatest possible public access to the actions, discussions and records of all public bodies, and their accountability to the people.

Source. 1967, 251:1. 1971, 327:1. 1977, 540:1, eff. Sept. 13, 1977.

Section 91-A:1-a

91-A:1-a Definition of Public Proceedings. –

I. The term "public proceedings" as used in this chapter means the transaction of any functions affecting any or all citizens of the state by any of the following:

- (a) The general court including executive sessions of committees; and including any advisory committee established by the general court;
- (b) The governor's council and the governor with the governor's council; including any advisory committee established by the governor by executive order or by the governor's council;
- (c) Any board or commission of any state agency or authority, including the board of trustees of the university system of New Hampshire and including any advisory committee established by such entities;
- (d) Any board, commission, agency or authority, of any county, town, municipal corporation, school district, school administrative unit, charter school, or other political subdivision, or any committee, subcommittee or subordinate body thereof, or advisory committee thereto.

II. For the purposes of this section, "advisory committee" means any committee, council, commission, or other like body whose primary purpose is to consider an issue or issues designated by the appointing authority so as to provide such authority with advice or recommendations concerning the formulation of any public policy or legislation that may be promoted, modified, or opposed by such authority.

Source. 1977, 540:2. 1986, 83:2. 1989, 274:1. 1995, 260:4, eff. July 1, 1995. 2001, 223:1, eff. Jan. 1, 2002.

Section 91-A:2

91-A:2 Meetings Open to Public. –

I. For the purpose of this section, a "meeting" shall mean the convening of a quorum of the membership of a public body, as provided in RSA 91-A:1-a, to discuss or act upon a matter or matters over which the public body has supervision, control, jurisdiction or advisory power. "Meeting" shall not include:

- (a) Any chance meeting or a social meeting neither planned nor intended for the purpose of discussing matters relating to official business and at which no decisions are made; however, no such chance or social meeting shall be used to circumvent the spirit of this chapter;
- (b) Strategy or negotiations with respect to collective bargaining;
- (c) Consultation with legal counsel; or
- (d) A caucus consisting of elected members of a public body of the same political party who were elected on a partisan basis at a state general election or elected on a partisan basis by a town or city which has adopted a partisan ballot system pursuant to RSA 669:12 or RSA 44:2.

II. All public proceedings shall be open to the public, and all persons shall be permitted to attend any meetings of those bodies or agencies. Except for town meetings, school district meetings and elections, no vote while in open session may be taken by secret ballot. Any person shall be permitted to use recording

devices, including, but not limited to, tape recorders, cameras and videotape equipment, at such meetings. Minutes of all such meetings, including names of members, persons appearing before the bodies or agencies, and a brief description of the subject matter discussed and final decisions, shall be promptly recorded and open to public inspection within 144 hours of the public meeting, except as provided in RSA 91-A:6, and shall be treated as permanent records of any body or agency, or any subordinate body thereof, without exception. Except in an emergency or when there is a meeting of a legislative committee, a notice of the time and place of each such meeting, including a nonpublic session, shall be posted in 2 appropriate places or shall be printed in a newspaper of general circulation in the city or town at least 24 hours, excluding Sundays and legal holidays, prior to such meetings. An emergency shall mean a situation where immediate undelayed action is deemed to be imperative by the chairman or presiding officer of the body or agency who shall employ whatever means are available to inform the public that a meeting is to be held. The minutes of the meeting shall clearly spell out the need for the emergency meeting. When a meeting of a legislative committee is held, publication made pursuant to the rules of the house of representatives or the senate, whichever rules are appropriate, shall be sufficient notice. If the charter of any city or guidelines or rules of order of any body or agency described in RSA 91-A:1-a require a broader public access to official meetings and records than herein described, such charter provisions or guidelines or rules of order shall take precedence over the requirements of this chapter.

Source. 1967, 251:1. 1969, 482:1. 1971, 327:2. 1975, 383:1. 1977, 540:3. 1983, 279:1. 1986, 83:3. 1991, 217:2, eff. Jan. 1, 1992. 2003, 287:7, eff. July 18, 2003.

Section 91-A:3

91-A:3 Nonpublic Sessions. –

I. (a) Bodies or agencies shall not meet in nonpublic session, except for one of the purposes set out in paragraph II. No session at which evidence, information or testimony in any form is received shall be closed to the public, except as provided in paragraph II. No body or agency may enter nonpublic session, except pursuant to a motion properly made and seconded.

(b) Any motion to enter nonpublic session shall state on its face the specific exemption under paragraph II which is relied upon as foundation for the nonpublic session. The vote on any such motion shall be by roll call, and shall require the affirmative vote of the majority of members present.

(c) All discussions held and decisions made during nonpublic session shall be confined to the matters set out in the motion.

II. Only the following matters shall be considered or acted upon in nonpublic session:

(a) The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.

(b) The hiring of any person as a public employee.

(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.

(d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

(e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his or her membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any body, board, or agency for the purposes of this subparagraph.

(f) Consideration of applications by the adult parole board under RSA 651-A.

(g) Consideration of security-related issues bearing on the immediate safety of security personnel or inmates at the county correctional facilities by county correctional superintendents or their designees.

(h) Consideration of applications by the business finance authority under RSA 162-A:7-10 and 162-A:13, where consideration of an application in public session would cause harm to the applicant or would inhibit full discussion of the application.

(i) Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

III. Minutes of proceedings in nonpublic session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of the body or agency itself, or render the proposed action ineffective, or pertain to terrorism, more specifically, to matters relating to the preparation for and the carrying out of all emergency functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life. This shall include training to carry out such functions. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.

Source. 1967, 251:1. 1969, 482:2. 1971, 327:3. 1977, 540:4. 1983, 184:1. 1986, 83:4. 1991, 217:3. 1992, 34:1, 2. 1993, 46:1, eff. June 7, 1993; 335:16, eff. June 29, 1993. 2002, 222:2, 3, eff. Jan. 1, 2003. 2004, 42:1, eff. Jan. 1, 2005.

Section 91-A:4

91-A:4 Minutes and Records Available for Public Inspection. –

I. Every citizen during the regular or business hours of all such bodies or agencies, and on the regular business premises of such bodies or agencies, has the right to inspect all public records, including minutes of meetings of the bodies or agencies, and to make memoranda, abstracts, and photographic or photostatic copies of the records or minutes so inspected, except as otherwise prohibited by statute or RSA 91-A:5.

I-a. Records of any payment made to an employee of any public body or agency listed in RSA 91-A:1-a, I(a)-(d), or to the employee's agent or designee, upon the resignation, discharge, or retirement of the employee, paid in addition to regular salary and accrued vacation, sick, or other leave, shall immediately be made available without alteration for public inspection. All records of payments shall be available for public inspection notwithstanding that the matter may have been considered or acted upon in nonpublic session pursuant to RSA 91-A:3.

II. After the completion of a meeting of such bodies or agencies, every citizen, during the regular or business hours of all such bodies or agencies, and on the regular business premises of such bodies or agencies, has the right to inspect all notes, materials, tapes or other sources used for compiling the minutes of such meetings, and to make memoranda, abstracts, photographic or photostatic copies, or tape record such notes, materials, tapes or sources inspected, except as otherwise prohibited by statute or RSA 91-A:5.

III. Each body or agency shall keep and maintain all public records in its custody at its regular office or place of business in an accessible place and, if there is no such office or place of business, the public records pertaining to such body or agency shall be kept in an office of the political subdivision in which such body or agency is located or, in the case of a state agency, in an office designated by the secretary of state.

IV. Each public body or agency shall, upon request for any public record reasonably described, make available for inspection and copying any such public record within its files when such records are immediately available for such release. If a public body or agency is unable to make a public record available for immediate inspection and copying, it shall, within 5 business days of request, make such record available, deny the request in writing with reasons, or furnish written acknowledgment of the receipt of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied. If a photocopying machine or other device maintained for use by a body or

agency is used by the body or agency to copy the public record or document requested, the person requesting the copy may be charged the actual cost of providing the copy, which cost may be collected by the body or agency. Nothing in this section shall exempt any person from paying fees otherwise established by law for obtaining copies of public records or documents, but if such fee is established for the copy, no additional costs or fees shall be charged.

V. In the same manner as set forth in RSA 91-A:4, IV, any body or agency which maintains its records in a computer storage system may, in lieu of providing original documents, provide a printout of any record reasonably described and which the agency has the capacity to produce in a manner that does not reveal information which is confidential under this chapter or any other law. Access to work papers, personnel data and other confidential information under RSA 91-A:5, IV shall not be provided.

VI. Every agreement to settle a lawsuit against a governmental unit, threatened lawsuit, or other claim, entered into by any political subdivision or its insurer, shall be kept on file at the municipal clerk's office and made available for public inspection for a period of no less than 10 years from the date of settlement.

Source. 1967, 251:1. 1983, 279:2. 1986, 83:5. 1997, 90:2, eff. Aug. 2, 1997. 2001, 223:2, eff. Jan. 1, 2002. 2004, 246:2, eff. Aug. 14, 2004.

Section 91-A:5

91-A:5 Exemptions. – The following records are exempted from the provisions of this chapter:

I. Records of grand and petit juries.

II. Records of parole and pardon boards.

III. Personal school records of pupils.

IV. Records pertaining to internal personnel practices; confidential, commercial, or financial information; test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examinations; and personnel, medical, welfare, library user, videotape sale or rental, and other files whose disclosure would constitute invasion of privacy. Without otherwise compromising the confidentiality of the files, nothing in this paragraph shall prohibit a body or agency from releasing information relative to health or safety from investigative files on a limited basis to persons whose health or safety may be affected.

V. Teacher certification records, both hard copies and computer files, in the department of education, provided that the department shall make available teacher certification status information.

VI. Records pertaining to matters relating to the preparation for and the carrying out of all emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

VII. Unique pupil identification information collected in accordance with RSA 193-E:5.

VIII. Any notes or other materials made for personal use that do not have an official purpose, including notes and materials made prior to, during, or after a public proceeding.

IX. Preliminary drafts, notes, and memoranda and other documents not in their final form and not disclosed, circulated, or available to a quorum or a majority of those entities defined in RSA 91-A:1-a.

Source. 1967, 251:1. 1986, 83:6. 1989, 184:2. 1990, 134:1. 1993, 79:1, eff. June 22, 1993. 2002, 222:4, eff. Jan. 1, 2003. 2004, 147:5, eff. Aug. 1, 2004; 246:3, 4, eff. Aug. 14, 2004.

Section 91-A:5-a

91-A:5-a Limited Purpose Release. – Records from non-public sessions under RSA 91-A:3, II(i) or that are exempt under RSA 91-A:5, VI may be released to local or state safety officials. Records released under this section shall be marked "limited purpose release" and shall not be redisclosed by the recipient.

Source. 2002, 222:5, eff. Jan. 1, 2003.

Section 91-A:6

91-A:6 Employment Security. – This chapter shall apply to RSA 282-A, relative to employment security; however, in addition to the exemptions under RSA 91-A:5, the provisions of RSA 282-A:117-123 shall also apply; this provision shall be administered and construed in the spirit of that section, and the exemptions from the provisions of this chapter shall include anything exempt from public inspection under RSA 282-A:117-123 together with all records and data developed from RSA 282-A:117-123.

Source. 1967, 251:1. 1981, 576:5, eff. July 1, 1981.

Section 91-A:7

91-A:7 Violation. – Any person aggrieved by a violation of this chapter may petition the superior court for injunctive relief. The courts shall give proceedings under this chapter priority on the court calendar. Such a petitioner may appear with or without counsel. The petition shall be deemed sufficient if it states facts constituting a violation of this chapter, and may be filed by the petitioner or his counsel with the clerk of court or any justice thereof. Thereupon the clerk of court or any justice shall order service by copy of the petition on the person or persons charged. When any justice shall find that time probably is of the essence, he may order notice by any reasonable means, and he shall have authority to issue an order ex parte when he shall reasonably deem such an order necessary to insure compliance with the provisions of this chapter.

Source. 1967, 251:1. 1977, 540:5, eff. Sept. 13, 1977.

Section 91-A:8

91-A:8 Remedies. –

I. If any body or agency or employee or member thereof, in violation of the provisions of this chapter, refuses to provide a public record or refuses access to a public proceeding to a person who reasonably requests the same, such body, agency, or person shall be liable for reasonable attorney's fees and costs incurred in a lawsuit under this chapter provided that the court finds that such lawsuit was necessary in order to make the information available or the proceeding open to the public. Fees shall not be awarded unless the court finds that the body, agency or person knew or should have known that the conduct engaged in was a violation of this chapter or where the parties, by agreement, provide that no such fees shall be paid. In any case where fees are awarded under this chapter, upon a finding that an officer, employee, or other official of a public body or agency has acted in bad faith in refusing to allow access to a public proceeding or to provide a public record, the court may award such fees personally against such officer, employee, or other official.

I-a. The court may award attorneys' fees to a board, agency or employee or member thereof, for having to defend against a person's lawsuit under the provisions of this chapter, when the court makes an affirmative finding that the lawsuit is in bad faith, frivolous, unjust, vexatious, wanton, or oppressive.

II. The court may invalidate an action of a public body or agency taken at a meeting held in violation of the provisions of this chapter, if the circumstances justify such invalidation.

III. In addition to any other relief awarded pursuant to this chapter, the court may issue an order to enjoin future violations of this chapter.

Source. 1973, 113:1. 1977, 540:6. 1986, 83:7, eff. Jan. 1, 1987. 2001, 289:3, eff. July 17, 2001.

Section 91-A:9

91-A:9 Destruction of Certain Information Prohibited. – A person is guilty of a misdemeanor who knowingly destroys any information with the purpose to prevent such information from being inspected or disclosed in response to a request under this chapter. If a request for inspection is denied on the grounds that the information is exempt under this chapter, the requested material shall be preserved for 90 days or while any lawsuit pursuant to RSA 91-A:7-8 is pending.

Source. 2002, 175:1, eff. Jan. 1, 2003.

Section 91-A:10

91-A:10 Release of Statistical Tables and Limited Data Sets for Research. –

I. In this subdivision:

- (a) "Agency" means each state board, commission, department, institution, officer or other state official or group.
- (b) "Agency head" means the head of any governmental agency which is responsible for the collection and use of any data on persons or summary data.
- (c) "Cell size" means the count of individuals that share a set of characteristics contained in a statistical table.
- (d) "Data set" means a collection of personal information on one or more individuals, whether in electronic or manual files.
- (e) "Direct identifiers" means:
 - (1) Names.
 - (2) Postal address information other than town or city, state, and zip code.
 - (3) Telephone and fax numbers.
 - (4) Electronic mail addresses.
 - (5) Social security numbers.
 - (6) Certificate and license numbers.
 - (7) Vehicle identifiers and serial numbers, including license plate numbers.
 - (8) Personal Internet IP addresses and URLs.
 - (9) Biometric identifiers, including finger and voice prints.
 - (10) Personal photographic images.
- (f) "Individual" means a human being, alive or dead, who is the subject of personal information and includes the individual's legal or other authorized representative.
- (g) "Limited data set" means a data set from which all direct identifiers have been removed or blanked.
- (h) "Personal information" means information relating to an individual that is reported to the state or is derived from any interaction between the state and an individual and which:
 - (1) Contains direct identifiers.
 - (2) Is under the control of the state.
- (i) "Provided by law" means use and disclosure as permitted or required by New Hampshire state law governing programs or activities undertaken by the state or its agencies, or required by federal law.
- (j) "Public record" means records available to any person without restriction.
- (k) "State" means the state of New Hampshire, its agencies or instrumentalities.
- (l) "Statistical table" means single or multi-variate counts based on the personal information contained in a data set and which does not include any direct identifiers.

II. Except as otherwise provided by law, upon request an agency shall release limited data sets and statistical tables with any cell size more than 0 and less than 5 contained in agency files to requestors for the purposes of research under the following conditions:

- (a) The requestor submits a written application that contains:
 - (1) The following information about the principal investigator in charge of the research:
 - (A) name, address, and phone number;
 - (B) organizational affiliation;
 - (C) professional qualification; and
 - (D) name and phone number of principal investigator's contact person, if any.
 - (2) The names and qualifications of additional research staff, if any, who will have access to the data.
 - (3) A research protocol which shall contain:
 - (A) a summary of background, purposes, and origin of the research;
 - (B) a statement of the general problem or issue to be addressed by the research;
 - (C) the research design and methodology including either the topics of exploratory research or the specific research hypotheses to be tested;

(D) the procedures that will be followed to maintain the confidentiality of any data or copies of records provided to the investigator; and

(E) the intended research completion date.

(4) The following information about the data or statistical tables being requested:

(A) general types of information;

(B) time period of the data or statistical tables;

(C) specific data items or fields of information required, if applicable;

(D) medium in which the data or statistical tables are to be supplied; and

(E) any special format or layout of data requested by the principal investigator.

(b) The requestor signs a "Data Use Agreement" signed by the principal investigator that contains the following:

(1) Agreement not to use or further disclose the information to any person or organization other than as described in the application and as permitted by the Data Use Agreement without the written consent of the agency.

(2) Agreement not to use or further disclose the information as otherwise required by law.

(3) Agreement not to seek to ascertain the identity of individuals revealed in the limited data set and/or statistical tables.

(4) Agreement not to publish or make public the content of cells in statistical tables in which the cell size is more than 0 and less than 5 unless:

(A) otherwise provided by law; or

(B) the information is a public record.

(5) Agreement to report to the agency any use or disclosure of the information contrary to the agreement of which the principal investigator becomes aware.

(6) A date on which the data set and/or statistical tables will be returned to the agency and/or all copies in the possession of the requestor will be destroyed.

III. The agency head shall release limited data sets and statistical tables and sign the Data Use Agreement on behalf of the state when:

(a) The application submitted is complete.

(b) Adequate measures to ensure the confidentiality of any person are documented.

(c) The investigator and research staff are qualified as indicated by:

(1) Documentation of training and previous research, including prior publications; and

(2) Affiliation with a university, private research organization, medical center, state agency, or other institution which will provide sufficient research resources.

(d) There is no other state law, federal law, or federal regulation prohibiting release of the requested information.

IV. Within 10 days of a receipt of written application, the agency head, or designee, shall respond to the request. Whenever the agency head denies release of requested information, the agency head shall send the requestor a letter identifying the specific criteria which are the basis of the denial. Should release be denied due to other law, the letter shall identify the specific state law, federal law, or federal regulation prohibiting the release. Otherwise the agency head shall provide the requested data or set a date on which the data shall be provided.

V. Any person violating any provision of a signed Data Use Agreement shall be guilty of a violation.

VI. Nothing in this section shall exempt any requestor from paying fees otherwise established by law for obtaining copies of limited data sets or statistical tables. Such fees shall be based on the cost of providing the copy in the format requested. The agency head shall provide the requestor with a written description of the basis for the fee.

Source. 2003, 292:2, eff. July 18, 2003.

APPENDIX B: ACCEPTANCE OF GIFTS

GIFTS AND LEGACIES

ARTICLE I

Acceptance RSA 31:19
§ 20-1. Acceptance.

ARTICLE II

Gifts of Personal Property to Board of Selectmen RSA 31:95-e
§ 20-2. Authorization.

ARTICLE III

Gifts of Personal Property to the Library Trustees RSA 202-A:4-d
§ 20-2. Authorization.

[HISTORY: Adopted by the Annual Town Meeting of the Town of Peterborough: Art. I, 3-18-1995 as Art. 23; Art II, 3-18-1995 as Art. 26; Art III, 3-15-1997 as Art. 24. Amendments noted where applicable.]

GENERAL REFERENCES

Gifts and Legacies—See Ch. 151

ARTICLE I

Acceptance RSA 31:19
[Adopted 3-18-1995]
§ 20-1. Acceptance.

The town authorizes the Board of Selectmen to accept, on behalf of the Town, gifts, legacies, and devises made to the Town in trust for any public purpose, as permitted by RSA 31:19, or take any other action relating thereto.

ARTICLE II

Gifts of Personal Property to Board of Selectmen RSA 31:95-e
[Adopted 3-18-1995]
§ 20-2. Gifts of Personal Property.

The town authorizes the Board of Selectmen to accept gifts of personal property which may be offered to the Town for any public purpose, pursuant to RSA 31:95-e; the Selectmen must hold a public hearing before accepting such gifts and the acceptance shall not bind the Town to raise, appropriate, or expend any public funds for the operation, maintenance, repair, or replacement of any such personal property; or take any other action relating thereto.

2001

ARTICLE III

Gifts of Personal Property to the Library Trustees RSA 202-A:4-d
[Adopted 3-15-1997]
§ 20-2. Authorization.

The Town votes to adopt the provisions of RSA 202-A:4-d authorizing the library trustees to accept gifts of personal property, other than money, which may be offered to the library for any public purpose, provided, however, that no acceptance of personal property by the library trustees shall be deemed to bind the town or the library trustees to raise, appropriate or expend any public funds for the operation, maintenance, repair or replacement of such personal property.

APPENDIX C: ACCEPTANCE OF GRANTS

Chapter 21 GRANTS

ARTICLE I Acceptance RSA 31:95-e § 21-1. Acceptance.

ARTICLE II

Library Grants

§ 21-2. Authorization.

[HISTORY: Adopted by the Annual Town Meeting of the Town of Peterborough: Art. I, 3-18-1995 as Art. 24; Art II, 3-18-1995 as Art. 25. Amendments noted where applicable.]

§ 21-1. Acceptance.

- The town votes to adopt the following article: “Shall the Town accept the provisions of RSA 31:95-b providing that any Town at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the Selectmen to apply for, accept and expend, without further action by the Town Meeting, unanticipated money from a State, Federal, or other governmental unit or a private source which becomes available during the fiscal year?”, or take any other action relating thereto.

§ 21-2. Library Grants.

- The Town votes to adopt the following article: “Shall the Town accept the provisions of RSA 202-A:4-c providing that any Town at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the public library trustees to apply for, accept and expend, without further action by the Town Meeting, unanticipated money from a State, Federal or other governmental unit or a private source which becomes available during the fiscal year?”, or take any other action relating thereto.

APPENDIX D: CODE OF ETHICS

Chapter 41 TOWN OF PETERBOROUGH CODE OF ETHICS

§ 41-1 Acceptance.

§ 41-2 Policy Statement.

§ 41-3 Conducting Business.

§ 41-4 Discrimination.

§ 41-5 Equal Treatment.

§ 41-6 Confidentiality.

§ 41-7 Law Abiding.

§ 41-8 Conflicts of Interest.

§ 41-9 Accepting Gratuities.

§ 41-10 Responsibility for the Code of Ethics.

[HISTORY: Adopted by Town Meeting 3-14-98 as Art. 11. Amendments noted where applicable.]

§ 41-1 Acceptance.

- The Town votes to adopt a Code of Ethics for public servants of the Town of Peterborough, public servants being all elected and appointed officials of the Town, all full-time and part-time employees of the Town, whether paid or unpaid, and all volunteers who serve the Town, or take and other action relating thereto.

§ 41-2 Policy Statement.

- As citizens of the Town of Peterborough, we appreciate that we live in a community where people relate to each other with openness, honesty, fairness, and respect. We honor these values, and seek to live by them in our own lives.
- In the conduct of our public affairs, we expect those who serve our community as public servants to act in accordance with these same values. As public servants, we mean to include all 4101
- § 41-2 PETERBOROUGH CODE § 41-7 elected and appointed officials of the Town; all full-time and part-time employees of the Town, whether paid or unpaid; and all volunteers who serve us on behalf of the whole community.
- We place our trust in these individuals, and have confidence they will serve us knowledgeably, responsibly and effectively, having in their hearts and minds the best interests of our entire community.
- Specifically, we ask each of them to subscribe to the following guidelines of a Code of Ethics we have adopted for our community.

§ 41-3 Conducting Business.

- Public servants will demonstrate the highest standards of personal integrity, truthfulness, honesty, and dedication in all public actions and activities in order to inspire public confidence and trust.

§ 41-4 Discrimination.

- Public servants will conduct their business with the highest standards of honesty, reliability, consistency, and fairness, and treat all fellow workers and citizens with dignity and respect. No person will be discriminated against because of age, race, religion, sex, national origin, disability, or sexual orientation. Public servants should ensure that the interest of the community and fairness to all are their primary considerations.

§ 41-5 Equal Treatment.

- Public servants will extend fair and equal treatment to all Town officials, Town employees, volunteers performing service to the Town, contractors working for or providing goods or services to the Town, and the general public. No special consideration, advantage or favor shall be given to any person or entity as a result of public status, wealth, position, or personal relationship.

§ 41-6 Confidentiality.

- Public servants will respect and safeguard confidential or privileged information that may be acquired in the performance of duties and responsibilities for the Town.

§ 41-7 Law Abiding.

- Public servants shall, in their public position, implement and abide by applicable New Hampshire laws, and all written administrative rules, policies, and procedures established by the Town's Board of Selectmen, or by specifically designated Town officials.

§ 41-8 Conflicts of Interest.

- Public servants shall avoid any potential or actual conflict of interest in the performance of duties and responsibilities. A conflict of interest might arise in a situation in which a person, designated to act on behalf of the entire community, uses his or her personal contacts or position to advance his or her own private business or financial interests.
- Public servants are expected to avoid placing themselves in positions involving a conflict of interest, and also to avoid any situations in which a conflict of interest may appear to exist. In cases where a conflict may exist, public servants should disclose the related matter of personal or financial interest to the appropriate person or committee. Matters of personal interest, which need full disclosure, may include but are not limited to, family relationships and financial interest. If the real or perceived interest is determined to be self-serving and not in the public interest, that person should disqualify themselves from participating in the particular action or transaction in question.

§ 41-9 Accepting Gratuities.

- Public servants should utilize discretion in accepting gratuities, staying within limits of what would be considered a nominal value and/or part of the natural process of relationship between friends and colleagues.

§ 41-10 Responsibility for the Code of Ethics.

- No Code of Ethics can address all situations which may arise in the course of duties performed on behalf of the Town. Personal judgment and common sense are the primary basis for consideration.
- In cases where doubt occurs or one becomes aware of an apparent violation of this code, individuals are encouraged to speak with their immediate Supervisor, The Town Administrator, Board or Committee chairperson, or the Town's Board of Selectmen. Seeking advice is the responsibility of the individual. To avoid this counsel does not excuse the individual for having a conflict of interest or otherwise acting in violation of this code.
- This code of Ethics does not replace written administrative rules, policies, and procedures established by the Town.

APPENDIX E: GRANT OF INDEMNITY

§ 23-1. Grant of indemnity.

Pursuant to RSA 31:105, the town indemnifies and saves harmless from personal financial loss and expense (including reasonable legal fees and costs, if any) any present or future member of the Board of Selectmen, any present or future member of any town board or agency and any present or future employee of the town, arising out of any claim, demand, suit or judgment by reason of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property, if the indemnified person at the time of the accident resulting in the injury, damage or destruction was acting in the scope of his employment or office.

APPENDIX F: VOLUNTEER APPLICATION FORM

Town of Peterborough

Application for Town Committees, Commissions, and Boards

Date: _____

Name: _____

Street Address: _____

Mailing Address:
(If Different) _____

Daytime Phone: _____

Evening Phone: _____

Email Address: _____

Which Committee, Commission, or Board would you like to join?

- _____ Capital Improvement Committee
- _____ Conservation Commission
- _____ Downtown TIF Advisory Board
- _____ Economic Development Authority
- _____ Generation X-Y Committee
- _____ Heritage Commission
- _____ Master Plan Steering Committee
- _____ Monadnock Cable
- _____ Monadnock Community Healthcare TIF Advisory Board
- _____ New Common Pathway
- _____ Open Space Committee
- _____ Parks Committee
- _____ Southwest Region Planning Commission
- _____ Water Resource Committee
- _____ West Peterborough TIF Advisory Board

Town of Peterborough
Committee Application

1. Please list any prior experience serving on any Public Boards, Commissions, or Committees (and approximate dates).

2. Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

3. Please provide a brief statement describing your interest in serving the Town of Peterborough.

4. Please list any professional qualifications, if any.

Attach any additional information to this application and return to the Selectmen's Office, Town of Peterborough, 1 Grove Street, Peterborough, NH 03458. Or fax to: (603) 924-8001, or email to: administration@townofpeterborough.us