

Policy for Removal of Members and Filling of Vacancies on Town Boards, Commissions and Committees

Introduction

Active volunteer board, commission and committee members are highly valued and very important to local government operation. The Enfield Board of Selectmen strongly believes regular meeting attendance is important to the functioning of our volunteer committees.

I. Budget Committee: [RSA 32:15 VI & VII]

Pursuant to the applicable State statutes, as amended, the following procedures will be followed for removal of Budget Committee members and filling of vacancies.

Removal:

A member-at-large shall cease to hold office immediately upon missing 4 consecutive scheduled or announced meetings of which that member received reasonable notice, without being excused by the Chair.

Notice to the subject member shall be made by the Chair within 7 days of the date of removal from office.

Filling Vacancies:

Given that Enfield has an elected Budget Committee, in accordance with state law, vacancies shall be filled by appointment by the Budget Committee. Persons appointed to fill vacancies shall serve until the next annual meeting at which time a successor shall be elected or appointed to either fill the unexpired term or start a new term, as the case may be.

II. Land Use Boards (Planning, Zoning, Heritage): [RSA 673:12 & 13]

Pursuant to the applicable State statutes, as amended, the following procedure will be followed for removal of Planning Board, Zoning Board of Adjustment and Heritage Commission members and the filling of vacancies.

Removal:

After a public hearing, appointed members and alternate members of an appointed local land use board may be removed by the appointing authority upon written findings of inefficiency, neglect of duty, or malfeasance in office.

The Board of Selectmen may, for any cause enumerated in RSA 673:13, paragraph I, remove an elected member or alternate member after a public hearing.

The appointing authority (Board of Selectmen) or the Planning Board shall file with the town clerk a written statement of reasons for removal under this section.

Notice of the public hearing shall be provided to the subject member at least 7 days in advance of the public hearing date and shall cite the reason for the proposed removal from office. A notice of decision shall be provided to the subject member within 7 days of the date of the public hearing.

Four consecutive unexcused absences, or being absent from fifty percent (50%) or more of a land use board's posted meetings during a 12-month period, shall be considered Neglect of Duty and cause for removal.

Filling Vacancies: Vacancies in the membership of a local land use board occurring other than through the expiration of a term of office shall be filled as follows:

- For an elected member, by appointment by the remaining board members until the next regular municipal election at which time a successor shall be elected to either fill the unexpired term or start a new term, as appropriate.
- For an appointed, ex officio, or alternate member, by the original appointing or designating authority, for the unexpired term.

The Chairperson of the local land use board may designate an alternate member of the board to fill the vacancy temporarily until the vacancy is filled in the manner set forth in RSA 673:12, paragraph I or II. If the vacancy is for an ex officio member, the Chairperson may only designate the person who has been appointed to serve as the alternate for the ex officio member.

III. Conservation Commission [RSA 36-A:3]

Pursuant to the applicable State statutes, as amended, the following procedures will be followed for removal of Conservation Commission members and filling of vacancies.

Removal:

Any member of a commission appointed in accordance with RSA 36-4:3, as amended, may, after a public hearing, if requested, be removed for cause by the appointing authority.

Notice of the public hearing shall be provided to the subject member at least 7 days in advance of the public hearing date and shall cite the reason for the proposed removal from office. A notice of decision shall be provided to the subject member within 7 days of the date of the public hearing.

Four consecutive unexcused absences, or being absent from fifty percent (50%) or more of the Conservation Commission's posted meetings during a 12-month period, shall be considered Neglect of Duty and cause for removal.

Filling Vacancies:

A vacancy occurring other than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

IV. Other Appointed Boards, Committees and Commissions

The following procedure will be followed for removal of members and filling of vacancies on appointed Boards, Committees and Commissions, which are not specifically addressed by State statute.

Committees subject to the procedures in this section include the following Committees, as well as any committees created subsequent to adoption of this policy which are not specifically addressed by State statute:

- Capital Improvement Program Committee
- Energy Committee
- Mascoma Lakeside Park Committee
- Old Home Days Committee
- Recreation Commission
- Tax Increment Finance District Advisory Committee
- Enfield Shaker Village Scenic Byway Advisory Board

Removal:

Any member of an appointed Board, Commission or Committee addressed in **Section IV** may, after a public hearing, if requested, be removed for cause by the appointing authority.

Notice of the public hearing shall be provided to the subject member at least 7 days in advance of the public hearing date and shall cite the reason for the proposed removal from office.

Four consecutive unexcused absences, or being absent from fifty percent (50%) or more of a given board/committee/commission's posted meetings during a 12-month period, shall be considered Neglect of Duty and cause for removal.

Filling Vacancies:

A vacancy occurring other than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

Adopted: July 1, 2019

John W. Kluge, Chair
Katherine D. P. Stewart
Meredith C. Smith
Enfield Board of Selectmen