

Policies and Procedures for HWRC	1
Committee Objectives	1
Committee duties	2
Committee Composition	2
Officers	2
Chairman	2
Vice Chairman	3
Secretary	3
Meetings	3
Communications	4
Appendix A - Right to Know	5
References	6
Contacts	6
Amendments	7

Policies and Procedures for HWRC

Adopted: 01-Apr-2020

Committee Objectives

1. To support the provision of safe, adequate, affordable and sustainable water sources for Hampstead and its residents
2. To raise awareness of water issues in and around Hampstead
3. To openly share and collaborate as a cohesive group

Committee duties

- To monitor via the NH DES one stop site the Registered Water User (RWU) water usage in the town, and bordering towns and report the usage to the Selectmen on a quarterly basis
- To bring to the Selectmen all water related issues which may affect the town or neighboring towns.
- Track and report on relevant water issues at the state level, specifically legislative initiatives, DES and PUC actions which may affect Hampstead or neighboring towns.
- The committee shall comply with [NH RSA 91-A Right To know law](#) as amended as well as other relevant right to know references as outlined in Appendix A.

Committee Composition

1. Committee will consist of five members appointed by the selectmen.
2. Committee members have staggered 3 year terms, which end at the end of March.
3. Committee will hold elections of officers in April of each year, however the committee can vote to hold elections as they see fit. If requested by a majority of those present, voting shall be by written ballot.
4. The committee will have up to three alternates who are appointed by the selectmen.
5. There will be a liaison from the selectmen who will be a non-voting member unless the committee has an even number of members, in which case the liaison can be a voting member.
6. Alternates and non-voting liaisons are not permitted to make motions, nor second motions; They are allowed and encouraged to take part in committee discussions and activities.
7. Email to the entire committee including alternates should be sent to hwrc.all@gmail.com
8. Email to only the chair can be sent to hwrc.chair@gmail.com

Officers

Chairman

The customary duties listed below may or may not represent all duties the chairman may be assigned to fulfill and act upon for the committee on a day to day basis. The chairman shall inform the committee (and alternates) of any duty that may be required that has not been identified on this document at the next public meeting via email to hwrc.all@gmail.com

1. Make a good faith effort to meet all requirements that are under NH RSAs in particular [91-A Right To know law](#)
2. Preside over all meetings of the committee and ensure that the committee carries out its duties in accordance with applicable laws.
3. Serve as the official spokesperson for the committee, however written statements, correspondence to local/state/federal agencies, press releases, reports to other town departments or committees, or recommendations to town selectmen shall be approved beforehand by a majority vote of the committee.
4. Prepare the committee annual budget with input and acceptance by the committee before submitting said budget.
5. Prepare the annual report statement with input and acceptance by the committee before submitting said report.

Vice Chairman

The vice chairman shall preside in the absence of the chairman and shall have the full powers of the chairman on matters that come before the committee in the absence of the chairman.

Secretary

The Secretary duties:

1. Record the minutes of public meetings
 - a. Minutes must be kept of all public meetings, and must be available to the public upon request within five business days after the close of the meeting.
 - b. Minimum content of meeting minutes includes:
 - i. Names of members present
 - ii. Other people participating (it is not necessary to list everyone present, however);
 - iii. A brief summary of subject matter discussed
 - iv. Any final decisions reached or action taken.

In the absence of the Secretary, the Chairman shall appoint a Secretary pro tem to keep records of the meetings.

Meetings

- Committee will meet at least monthly.
- Chairman will solicit input from the members regarding the upcoming agenda and share the agenda prior to having it posted.

- All meetings will be posted at least 48 hours in advance by emailing the agenda and a request to “post” to::
 - The IT tech for the selectmens’ office for posting at town hall
 - Director of the Hampstead Public Library for posting at the library
 - All committee members, including alternates and liaison.
- A special meeting may be called by a minimum of three members or alternates, provided at least one of the persons calling for the meeting is a member. Special meetings must be noticed at least 48 hours in advance per the rules above and state the purpose of the meeting.
- A majority of the board, including alternates sitting in place of regular members, shall constitute a quorum.
- If any regular committee member is absent from a meeting or disqualifies themselves from sitting on a particular topic, the chairman shall designate one of the alternates to sit in place of the absent/disqualified member for the duration of the topic discussion. Such alternate shall have all the powers and duties of a regular member in regards to the topic under discussion, including the ability to make motions and second motions.
- If any member finds it necessary to disqualify themselves from discussion as a committee member, they shall notify the chairman as soon as possible so that an alternate may be requested to fill their place. The disqualification will be announced by the chairman or the member, prior to the topic discussion, and will be recorded in the minutes. The member will sit in the audience during the discussion and can partake as a member of the public.
- If there is uncertainty as to whether a member should disqualify themselves, then on request of any member of the committee the committee shall vote on the question of whether that member should be disqualified. A vote on a question of disqualification shall be advisory and non-binding.
- Meeting etiquette:
 - Members are to be civil, respectful and courteous
 - Anger, rudeness, ridicule, obscene or profane language, impatience and lack of respect for others and personal attacks are not acceptable behavior.
 - Do not speak over other members
 - When a member makes a motion, it must be seconded before discussion ensues.
- Meetings will comply with RSA 91-A.
Any gathering of three or more members where deliberation on committee matters is to be discussed is a meeting which requires notice, and minutes be taken.

Communications

All correspondence from the committee should be shared with the committee. All emails to non-committee members should be cc'd to hwrc.all@gmail.com All correspondence via US

Mail must have agreement by a majority of the committee that said correspondence is to be sent. Agreement can be via the members signing the document or emailing the committee of their agreement or disagreement to hwrc.all@gmail.com

Appendix A - Right to Know

In an effort to clarify what the right to know laws say here are the relevant documents and a brief summary of areas of misinformation;

- [NH RSA 91-A Right To know law](#) as amended
- [2015-04 NH Municipal Association paper on RTK](#)
- [2015-03-20 NH Attorney General memo on 91-A](#)
- What is a meeting?
 - A quorum of the membership of the committee convened in person so that all members may communicate contemporaneously.
 - Generally, attendance by a quorum of a public body at a meeting being held by a different public body to discuss or act upon a matter within the first body's jurisdiction **should be treated as a meeting for Right-to-Know law purposes by both public bodies**. Both bodies should provide notice of the meeting and both bodies should keep minutes, which may be the same document, separately adopted as minutes by both.
- What is not a meeting?
 - The law makes it clear that certain gatherings and communications are not meetings subject to the Right to Know law (see RSA 91-A:2, I). They include....Circulation of draft documents which, when finalized, are intended only to **formalize decisions previously made in a public meeting** (but other provisions of the law may apply—for example, the documents may be subject to disclosure)
- Communication outside a meeting
 - RSA 91-A:2-a, limits the use of communications outside a public meeting. **The bottom line is that discussion and action on official matters should occur only in a properly held meeting.**
 - **No deliberations outside a public meeting.**
 - Definition of deliberation (Merriam-Webster):
 - the act of thinking about or discussing something and deciding carefully : the act of [deliberating](#)
 - a discussion and consideration by a group of persons (such as a jury or legislature) of the reasons for and against a measure
 - Definition of deliberation (Cambridge Dictionary):

- [considering](#) or [discussing](#) something
- **No circumvention of spirit or purpose of the law.**
 - Communications outside a meeting, “including, but not limited to, sequential communications among members of a public body,” shall not be used “to circumvent the spirit and purpose of this chapter.” This is intended primarily to prevent public bodies from skirting the “meeting” definition by deliberating or deciding matters via a series of communications, none of which alone involves a quorum of the public body, but which in the aggregate include a quorum.
 - E-mail use should be carefully limited to avoid an inadvertent meeting, albeit one where there is a failure to have a physical quorum at a noticed meeting place. Simultaneous e-mails sent to a quorum of a public body by a member discussing, proposing action on, or announcing how one will vote on a matter within the jurisdiction of the body would constitute an improper meeting. Sequential e-mail communications among members of a public body similarly should not be used to circumvent the public meeting requirement.
 - E-mail discussions of a quorum concerning matters over which the public body has supervision, control, jurisdiction, or advisory power would run counter to its spirit and purpose.

References

1. <https://www.mycommittee.com/BestPractice/Committees/Policiesandprocedures/tabid/248/Default.aspx>
2. [2015-03 NH Attorney General Memorandum on RTK](#)
3. [2015-04 NHMA Right to Know Law](#)
4. DES - NH Department of Environmental Services
5. RWU - Registered water user - a DES term for a water user that extracts more than 20K gallons per day, and is required to report their monthly water draw quarterly.
6. 1Stop - OneStop is a user-friendly, online, searchable database comprised of environmental information and data compiled by NHDES programs.
7. [LGW - Large groundwater water withdrawal program](#)

Contacts

Questions or comments about this document should be directed to: hwrc.all@gmail.com

Amendments

These rules can be amended by a majority vote of the members of the committee, provided that such amendment is read at two successive meetings immediately preceding the meeting at which the vote is to be taken. A copy of these rules and any amendments will be on file with the Town Clerk.