

**PELHAM BUDGET COMMITTEE**  
**By Laws**  
*Adopted: June 1, 2006*  
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**Section I Purpose:**

- A. The purpose of the By-Laws of the Budget Committee is to define the terms of office, vacancies, functions and duties of the Committee consistent with the provisions of the Municipal Budget Act, RSA 32 and other applicable state statutes.

**Section II Organization:**

- A. Membership – The Committee shall comprise of such number of members and other representation as determined by Town Meeting adoption of RSA 32.

B. Officers:

Nominations of, and elections for, all Officers shall be by a majority vote of those present.

1. A chairman, Vice Chairman and Secretary shall be elected at the first regularly scheduled meeting following Annual Town Meeting, but not later than April 30.
2. In the case of a vacancy in the position of Chairman after such election, the Vice Chairman shall immediately succeed to the position of Chairman. The Secretary shall thereupon succeed to the position of Vice Chairman. A new Secretary shall be elected at the first regularly scheduled meeting after the Secretary position becomes vacant.
3. In the case of a vacancy in the position of Vice Chairman, after such election, the Secretary shall immediately succeed to the position of Vice Chairman. A new Secretary shall be elected at the first regularly scheduled meeting after the Secretary position becomes vacant.

**Section III Duties of Officers:**

A. Chairman:

1. The Chairman shall preside at all meetings of the committee and perform all duties required by law. The Chairman shall execute all documents requiring signature on behalf of the committee, except as otherwise provided by law or by the committee.
2. The Chairman shall schedule all meetings, assemble the agenda and related materials for all regular and special meetings of the committee, schedule meeting rooms and notify all members of said schedule.
3. The Chairman with the approval of a majority of the Committee present, and/or at the request of the Selectmen or School Board, delegate certain Members of the Committee to investigate budgetary matters or to serve on citizens committees or sub-committees.

B. Vice Chairman:

1. In the absence of the Chairman, the Vice-Chairman shall preside and assume all duties and responsibilities of the Chairman in addressing the business of any regularly scheduled or special meeting.

C. Secretary:

1. The Secretary shall preside in the absence of a Chairman and Vice-Chairman and shall preside over and assume all duties and responsibilities of the Chairman in addressing the business of any regularly scheduled or special meeting.
2. The Secretary is the custodian of the official minutes and shall keep them in a bound volume which will be submitted to the Town Clerk annually.

**Section IV Vacancies:**

- A. A Member-at-Large vacancy occurring during the year shall be filled by appointment by majority vote of the budget committee members as provided by RSA 32:15,VII. Persons so appointed shall serve until the next annual town meeting when a successor shall be elected to fill the remaining un-expired term or start a new term as the case may be.

**Section V Responsibilities and Duties of the Committee**

- A. The Budget Committee shall carefully review all requests for budgets and all revenue estimates and shall give consideration to all lawful requests for the ensuing fiscal year and to review expenditure reports periodically pursuant to RSA 32 as may be amended from time to time.
- B. All members shall make every effort to attend each scheduled meeting. Unexcused absences from three (3) consecutive regularly scheduled meetings shall be just cause for the committee, by majority vote, to request the member's return to elected duties. A member-at-large shall cease to hold office immediately upon missing four (4) consecutive scheduled or announced meetings of which that member received reasonable notice, without being excused by the Chair as provided in RSA 32:15,VI.
- C. It is provided that the members of the committee have authority only when acting as a board legally in session. The committee shall not be bound in any way by any action or statement of any individual committee member except when such statement or action is furthering specific instructions of the committee.

**Section VI Conduct of Meetings**

A. General Provisions:

1. ORGANIZATIONAL MEETING – An organizational meeting to elect officers shall be held following town meeting and no later than April 30 on a date voted by the committee at its last scheduled meeting prior to town meeting.
2. REGULAR MEETINGS – A schedule for regular meetings for the budget year shall be agreed upon at the second regular meeting following town meeting.
3. SPECIAL MEETINGS – May be called in two ways: By the Chair with 48 hours notice; upon written request of three members of the committee.
4. CLOSED MEETINGS – All meetings are open to the public except that on a motion adopted by vote of a majority present, those matters specified in the "Open Meeting Law" as provided in RSA 91-A: 3 may be discussed in executive sessions.

All committee decisions on such matters shall be by a recorded vote passed in an open meeting.

5. PUBLIC HEARINGS – On the budgets recommended by the committee, shall be scheduled by majority vote of the committee, and that legal notice required by RSA 32 and any other applicable state statute given to the public. Normally hearings shall be on separate dates for the town and the school budgets but a single hearing date for both may be scheduled by majority vote of the committee.
6. DELIBERATIVE MEETINGS – During the Annual and Special Town and School District Meetings, the Budget Committee or selected members thereof, may be seated at the front of the hall, with a microphone, by coordination with the moderator. The committee Chair shall present each budget request and committee recommendation and explain the basis for the committee's recommendation and where the committee is divided, give a breakdown of the vote and read a written explanation of the minority position, if the minority so requests.

Any adjustments made to dollar amounts, previously carrying a recommendation of the Budget Committee, voted at the Deliberative Session will require that the Budget Committee reconvene for a Special Meeting at the call of the Chair to vote on the adjusted items prior to posting the Budget Committee's "Recommended" or "Not Recommended" vote on the official town ballot.

7. SUB-COMMITTEE MEETINGS – Shall be called by the Chair of the sub-committee.
8. SCHEDULE OF MEETINGS - A schedule of regular meetings shall be published annually by the Chairman

**B. REPORTS OF SUB-COMMITTEES**

Written reports from sub-committees shall be entered into the minutes of the Budget Committee.

**C. REVIEW OF AUDIT REPORTS**

The Budget Committee shall review the reports for each department submitted by the auditor prior to town meeting. The Chair of record shall receive copies from the Selectmen's office as soon as they are made available to the Selectmen.

**D. QUORUM**

A quorum shall consist of a majority of six members of the Budget Committee including the appointed members from the Board of Selectmen and the School Board as provided by RSA 21:15.

**E. ORDER OF BUSINESS or AGENDA is recommended as follows:**

1. Call to Order and Pledge of Allegiance
2. Receipt of Correspondence
3. Approval of Minutes
4. Old Business
5. Review of Budgets and Expenditures
6. Information and Proposals from sub-committees, school board, selectmen, department heads and citizens
7. Future Business

8. Adjournment – motion for adjournment will not be in order until the completion of the meeting to adjourn at a specified time.

F. Role of the Chair:

1. To open the session at the time at which the committee is to meet by calling the members to order;
2. To announce the business before the board, in the order in which it is to be acted upon;
3. To recognize members entitled to the floor;
4. To state and put to a vote all questions which are regularly called, or necessarily arise in the course of the proceedings, and to announce the result of the vote;
5. To protect the committee from annoyance;
6. To assist in expediting all business in every way compatible with the rights of the members, as by allowing brief remarks when undebatable motions are pending or by calling a brief recess to permit restoration of order or clarification of an obscure point, as the Chair thinks it advisable, to restrain the members engaged in debate, within the rules of order;
7. To enforce on all occasions the observance of order and decorum among the members, deciding all questions of order, subject to an appeal to the committee by any two members, unless the Chair chooses to submit the question for the decision of the committee;
8. To authenticate by signature as necessary, all acts, orders, and proceedings of the committee and committee staff.
9. The Chair is not relieved of the responsibility to vote on every question before the committee. The Chair shall be the last member to cast a vote on every issue.

G. Role of the Recording Secretary/Clerk

1. The Budget Committee shall employ a recording clerk chosen by vote of the majority of the committee.
2. The recording clerk shall be paid an amount appropriate in the annual budget on a basis adopted by the committee. The Chair and Secretary shall review and approve the salary requests of the clerk and forward them to the Selectmen for payment.
3. The recording clerk shall prepare a draft of the official minutes of the committee. An official copy of the clerk's records is to be on file in the Selectmen's office and open to inspection by any person at reasonable times. In addition to keeping the minutes of the meetings, it is the duty of the recording clerk to keep a roll of members and to call the roll when required. The clerk shall record the essentials called the "minutes" of the proceedings as follows:

- a. The kind of meeting; regular, special or adjourned.
- b. The time of meeting and place  
The presence or absence of committee members
- c. Whether the minutes of the previous meeting were approved or amended
- d. All motions except those withdrawn, and points of order and appeals,  
Whether such appeal was sustained or lost, and all other motions that were  
not lost or withdrawn
- e. The hour of adjournment

The meeting activities:

The recording clerk shall record the essentials of the proceedings, the name of the member who introduced a motion or amendment and then name of the second and the number of votes and names of the members voting on each side.

In addition to the strict record of what is done, the public minutes should contain the list of speakers on each side of every question with an abstract of all relevant points.

Reports of sub-committees should be printed exactly as submitted.  
The minutes should reflect any action taken by the committee.

#### H. Rules of Order:

##### 1. OBTAINING THE FLOOR

- a. Before a member is recognized to speak, the member should address the Chair and await recognition from the Chair. When a member has the floor, the member may, with few exceptions, speak without interruption. A Member shall be allowed unlimited debate so long as the discussion is germane to the question before the committee.

##### 2. MAKING A MOTION

- a. All proposals seeking action on the part of the Budget Committee should be presented through means of a "motion". A member will propose a motion by stating; "I move that . . .". The member may state the reasons for the motion. Any motion affecting any salary shall include an effective date.

##### 3. SECONDING A MOTION

- a. Before the motion may be discussed, it must be seconded. Thereafter if no objection to consideration is sustained, the committee may discuss it and decide to approve or disapprove the motion.

##### 4. AMENDING A MOTION

- a. If a member wishes to change a motion before the committee for consideration, the member must submit the proposal to the committee by "making a motion to amend the motion" and then may present the proposal briefly and concisely. A motion to amend must also be seconded before it can be discussed.

5. AMENDING THE AMENDMENT
  - a. Each amendment to a motion shall be taken up and voted on one at a time. Only one amendment shall be allowed on the floor at a time.
  
6. POINT OF INFORMATION
  - a. If issues become obscure or involved, a committee member may seek clarification by asking the Chair for a "point of information".
  
7. POINT OF ORDER
  - a. A possible violation of procedure can be checked by addressing the Chair to a "point of order". The Chair will be obliged to recognize the member and pass on the inquiry.
  
8. ORDERS OF THE DAY
  - a. When the meeting goes off on a tangent and does not follow the agenda or the order of business, a member may remind the Chair of this calling for the "Orders of the Day".
  
9. MOTION TO REFER
  - a. When a member thinks it is advisable to give further study to a proposal, the Member may move that it be referred to a sub-committee or an individual for review.
  
10. APPEAL FROM A DECISION OF THE CHAIR
  - a. Should a member disagree with a decision of the Chair, the member can "Appeal from the Chair" to the whole membership. If the appeal is seconded, the Chair must state the question at issue and ask the committee to vote on whether they wish to over-rule or sustain the chair.
  
11. RECORDING OF VOTES
  - a. Any action shall be, unless otherwise ordered, by roll call vote. The vote of each committee member present shall be recorded on each motion. No action shall be reconsidered or rescinded at a subsequent meeting in the same budget year except by a majority vote of the committee members.
  - b. A matter shall be reconsidered or rescinded at a subsequent meeting in the same budget year by an affirmative vote of a majority of the budget committee members present at that meeting, at which a quorum is present, as is provided by RSA 21:15 and discussed in an Opinion of the Attorney General dated March 9, 1990.

**SECTION VII Procedure for Review of Budgets:****A. FORMAT AND SCHEDULE FOR INITIAL REQUEST**

1. Fixed expenses and capital expenditure outlay budget requests shall be required by **October 1** on forms approved by the budget committee or on such other date as is scheduled by the committee.

**B. CAPITAL EXPENDITURES – Shall meet the following criteria:**

1. A warrant article shall be any item that has a useful life greater than 3 years, and meets or exceeds the **DOLLAR VALUE** of the current state bid price of a police cruiser.
  - a. A replacement capital expenditure whose dollar amount exceeds the lowest current state bid price of a police cruiser by no more than twice, may be inserted into an operational budget by a vote of the Budget Committee.
2. Any new personnel or change from part-time to full-time will be set forth in a warrant article.

**C. FORMAT AND SCHEDULE FOR FINAL REQUESTS**

1. Final budget departmental requests shall be required no later than (1) week prior to that department review date as scheduled by the Budget Committee agenda. The budget shall be broken down line-by-line on budget sheets showing the previous two-year's appropriation and expenditures to date for each item. All requests should be accompanied by a back-up sheet explaining the request.
2. Identification of proposed Warrant Articles for capital improvements shall be submitted prior to the scheduled site walks for the Town and School Buildings.
3. Town & School Budget presentations to the Budget Committee shall include prior year appropriation and expenditure, current year appropriation & expenditure, Selectman recommendation & Budget Committee recommendation. (Blank) Default Budget to be presented separately. All Budget & Warrant Article requests should be accompanied with detailed back-up sheets.

**D. COMMITTEE'S ACTION IN ABSENCE OF REQUEST**

1. Should a department fail to submit a budget request within the deadline, it shall be the duty of the Budget Committee to formulate a reasonable budget recommendation for that department after carefully studying past expenditures and possible future needs.

**E. NOTIFICATION**

1. The School Board, Selectmen or department head shall be notified in writing of the Budget Committee's action on their budget requests.

**SECTION VIII            Adoption and Amendment:**

- A.     These by-laws shall be known as the Municipal Budget Committee By-Laws of the Town of Pelham.
- B.     These by-laws shall become effective after adoption by majority vote of the Budget Committee at a regular or special meeting.
- C.     These by-laws may be amended from time to time by the Budget Committee at a regular or special meeting.
- D.     An amendment to these by-laws may be moved at one Budget Committee meeting but shall not be voted upon until the next regularly scheduled meeting, not less than seven days later. A copy of any amendment shall then be certified and submitted to the Town Clerk for inclusion in the town records.

/s/ John Lavallee, Chairman

/s/ Dennis Viger, Vice Chariman

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