

Charter for the Town of Peterborough

I. Purpose. This charter defines the requirements for including an official ballot session in the town meeting under provisions of RSA 49-D:3, II-a, and defines the form of government for the Town of Peterborough.

II. Form of Government. The Town of Peterborough shall have a town meeting form of government with a 3 member board of selectmen, with the additional provision that there shall be both official ballot and open sessions of the town meeting. The Board of Selectmen shall appoint a Town Administrator. The powers and duties of the Town Administrator shall be defined by the Board of Selectmen. All statutory provisions applicable to towns with town meeting and board of selectmen shall apply to Peterborough, except as described herein. Optional provisions of the town meeting form of government that are permitted by statute and that have been adopted by the town meeting shall continue to apply unless rescinded by a town meeting.

III. Town meeting sessions and dates. 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.

IV. Official ballot. The following items shall be included on the official ballot:

1. Elections

2. The annual operating budget

1. Factfinder's reports and cost items of collective bargaining agreements
2. Zoning articles, charter amendments, and other subjects required by general law to be placed on the official ballots for towns; procedures and schedules for which shall not be affected by this charter.

"Operating budget" as used in this charter means "budget," as defined in RSA 32:3, III, exclusive of special warrant articles," as defined in RSA 32:3, VI, and exclusive of separate warrant articles.

V. Dates for meetings, submittal of articles, and public hearings. The board of selectmen shall set the dates, times and place for all town meeting sessions within the times prescribed by general law and this charter.

For the budget and other articles required or chosen to be on the official ballot, and that are to be considered by the first open session, the general law requirements for public hearings and posting notice thereof shall apply, and dates shall be calculated from the date set for the first open session of the town meeting.

The selectmen shall reserve the discretion to place warrant articles on either the official ballot or on the warrant for the final session, unless their placement on either the official ballot or final session is directed by law or unless the articles were submitted by the Selectmen to the first session pursuant to Section III. Citizens who submit petition articles shall be allowed to request that the article be placed on either the official ballot or final session warrant, with the proviso that the selectmen shall retain the sole discretion to determine whether a petitioned article shall be placed on the official ballot or the final session warrant.

Bond articles and the issuance of debt per RSA Chapter 33 shall be placed on the final session warrant and a majority vote of 2/3rds shall be required for adoption.

For zoning articles, charter amendments, and other subjects required by general law to be placed on the official ballot, the general law requirements for public hearings and posting notice thereof shall apply, and dates shall be calculated from the second Tuesday in May.

Submission of and hearings on articles to be considered at the final open session, for zoning and other articles to be considered only by official ballot, and conduct of the open sessions of the town meeting and of the town elections shall be in accordance with general law as it applies to town meetings commencing on the second Tuesday in May.

The warrant for the first open session of the town meeting shall be prepared and posted in accordance with notice and other requirements for a meeting to be held on the date specified. The warrant shall provide notice of the official ballot items to be considered by the first open session, and notice of the

dates and general subject matter for the official ballot session and the final open session.

A single warrant shall be prepared and posted for the election/official ballot session and the final open session, to include the provision for elections, the articles which are prescribed by statute to be on the official ballot, the articles for the official ballot in the final form determined by the first session, and the articles to be considered at the open session following the official ballot session.

VI. Finalization process for the annual budget. A provisional article for the annual budget shall be placed on the warrant for the final open town meeting session, to be acted on only if the operating budget is not adopted by the official ballot session. If the official ballot session fails to adopt an annual operating budget, then the open session shall adopt an annual budget before the session is adjourned.

VII. Procedures for transfer of funds. The provisions of general law (See RSA 32:10) relative to procedures for transfer of funds among various departments, funds, accounts, and agencies shall apply to the Town of Peterborough, regardless of whether appropriations were made by official ballot or at the open session of the town meeting.

VIII. Special meetings. The official ballot procedure shall apply to special meetings when this charter requires the articles to be acted on by official ballot. The warrant for any special meeting shall prescribe the date, place, and hour for the meeting. If an official ballot is required, the warrant shall prescribe the date, place, and hour for both sessions. The second session shall be warned for a date not fewer than 28 days nor more than 60 days following the first session. Not more than one special meeting to raise and appropriate money for the same question or issue shall be held in any fiscal year. The general law provisions for calling special meetings shall apply.

IX. Town Code and Budget Committee. All divisions of the Code of the Town of Peterborough, as amended, and in force and effect on the date of the adoption of this charter shall remain in force. The budget committee shall continue as an advisory budget committee as set forth in the Code. The Code may be amended as provided by general law.

X. Amendments to the Charter. This charter may be amended as provided by general law.

XI. Date effective. This charter shall be effective on the first day of the next succeeding fiscal year commencing after it is adopted by the voters of the Town of Peterborough.

Submitted by the Charter Commission January 4, 2007

Adopted by the Voters of Peterborough March 13, 2007