



State of New Hampshire
Department of Revenue Administration

109 Pleasant Street
PO Box 487, Concord, NH 03302-0487
Telephone (603) 230-5000
www.revenue.nh.gov



MUNICIPAL AND PROPERTY
DIVISION

Lindsey M. Stepp
Commissioner

Carolynn J. Lear
Assistant Commissioner

April 11, 2019

Town of Temple
Board of Selectmen
423 Route 45
PO Box 191
Temple, NH 03084

Dear Governing Body :

The Municipal and Property Division is required under RSA 21-J:35 to review all appropriations and revenues to determine whether these appropriations have been voted according to the applicable statutes. The following issue was discovered;

The MS636 budget form and warrant were not posted in accordance with RSA 32:5 and RSA 39:5, therefore the March 16, 2019 meeting is procedurally defective and invalid.

The Select Board needs to hold a procedural defect meeting, in accordance with RSA 31:5-b. The warrant article to be voted on should read, "To see if the Town will vote to ratify the results of the March 16th annual meeting even though the posting requirements were not met." In addition, signed copies of the MS636 and annual meeting warrant need to be posted with the signed procedural defect meeting warrant.

Procedurally defect actions shall mean minor procedural irregularities such as failure to vote, hearing or wording, or with any procedural act not contrary to the spirit or intent of the law. The ratification of the procedurally defective action shall be subject to the following requirements. You may remedy this by following the requirements of RSA 31:5-b:

- (a) *The municipality may, on the authority of the governing body, call a special town meeting for the exclusive purpose of curing such defect.*
- (b) *The special town meeting called for that purpose may not take place less than 21 calendar days after the original vote.*
- (c) *Not less than 7 calendar days prior to the special town meeting, not counting the day of the special meeting, the governing body shall conduct a public hearing at which the reasons for the special town meeting shall be explained.*
- (d) *The municipality shall comply with all statutory notice and procedural requirements for holding special town meetings.*

TDD Access: Relay NH 1-800-735-2964

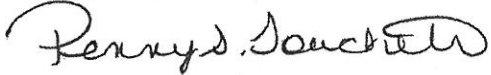
Individuals who need auxiliary aids for effective communication in programs and services of the Department of Revenue Administration are invited to make their needs and preferences known to the Department.

(e) The necessary majority required to cure the defects shall be the same as the majority as required for passage of the original article.

Please be sure to send signed copies of the posted procedural defect warrant, MS636, warrant and minutes from the procedural defect meeting within 20 days of the close of the meeting.

You may contact me at 230-5093 if you have any questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "Penny S. Touchette". The signature is written in dark ink and is positioned above the printed name.

Penny S. Touchette
Municipal Accounts Advisor

Procedural Defect Meeting (the "PDM")

To Cure Notice Deficiencies in Annual Town Meeting (the "ATM")

Important Dates and Deadlines:

1. Within 7 days after posting Warrant for PDM, copy of Warrant to be published 1x in newspaper.
 2. Attested Warrant must be posted 14 days prior to PDM at place of meeting and another public place in town.
- Note: 14 days cannot include i) day of posting and ii) day of PDM.

<u>Date</u>	<u>Event</u>	<u>Notes/Requirements</u>
March 16	ATM	
April 23 (Tues)	Public Hearing on PDM	Not less than 7 days prior to PDM (not counting day of PDM) Note – PDM cannot be less than 21 days after ATM (therefore, not before April 6)
April 24 (Wed)	Post Warrant for PDM	14 days out = 5/8 (Wed) per RSA 39:5 (14 days cannot include day of posting and PDM)
April 30 (Tues)	Publish Notice of Warrant in MLT	Within 1 week after posting Warrant as required by RSA 39:4
May 4 (Sat)	Supervisors of Checklist to meet for corrections per RSA 669:5	Must be available 6-13 days in advance
May 7 (Tues)	Supervisors of Checklist to meet (regularly scheduled)	
May 10 (Fri)	PDM	Note – Town Hall is open to be reserved
May 24 (Fri)	PDM (alternative proposal)	Note- Town Hall reserved both evenings of Mon-Tues 5/20-5/21 AND Thur. 5/23 and Bruce Kullgren has a conflict for Wednesday evenings.

Proposal:

1. Public Hearing on PDM April 23 and have SB sign warrant at conclusion. Will include date for PDM as chosen.
2. Post Warrant at Town Offices, General Store, Town Hall and TES – **MUST BE POSTED at least 14 DAYS PRIOR TO PDM**. Must be posted at place of PDM (14 days don't include day of posting and PDM – so 14 days in between).
3. Submit Warrant for publication in the Monadnock Ledger-Transcript on Tues., April 30th (submit Thurs. April 25th)
4. Certificate of Service to Town Clerk (certified mail)
5. Supervisors of Checklist to meet on Saturday, May 4th for correction of checklist (within 6-13 days prior to election per NH RSA 669:5).



Board Assistant <boardassistant@templeh.org>

Temple: Annual Meeting

1 message

Legal Inquiries <legalinquiries@nhmunicipal.org>
To: "boardassistant@templeh.org" <boardassistant@templeh.org>

Fri, Apr 19, 2019 at 11:59 AM

Good Afternoon Paul:

The necessity of holding a ratification special town meeting under RSA 31:5-b depends upon the existence of a defect in the holding of the Town Meeting in March. Since Temple has been informed by DRA such a defect exists, the necessity of the special town meeting is unavoidable.

Does your proposed special town meeting seek to ratify both the election of officers and other matters on the official ballot, and the action of the town business meeting? If the answer to that question is yes, due to the uncertainty brought about by the action of the Secretary of State in objecting to the postponement of town meeting voting day for the election of officers by official ballot under RSA 40:4, you should seek the advice of the town attorney for Temple to determine whether a RSA 31:5-b legalization meeting can be used to ratify the election of officers by official ballot.

For the legalization of your business meeting under RSA 31:5-b I would make the following observations. First, at a public meeting of the Select Board, the Board must vote to set the date for the special town meeting. A new special town meeting notice should be prepared and posted and published as required by RSA 39:5 and RSA 39:4. Not less than 7 calendar days prior to the special town meeting, not counting the day of the special town meeting, the Select Board shall conduct a public hearing at which the reasons for the special town meeting shall be explained.

The manner of conducting the ratification special town meeting could proceed as follows. All votes to ratify employ the same majority as passage of the original article. If all articles that were adopted at your business meeting were by simple majority, you could have the meeting vote to ratify all the previously adopted articles in one ratification motion, and there would be no need to conduct separate votes on individual articles. However, if any of the previously adopted articles were approved by super majority, either 2/3 or 3/5, those articles would have to be dealt with separately and approved by the applicable super majority.

Just like voting at a regular town meeting, voting is by any registered voter who attends the ratification special town meeting. However, the action to be taken, and the authority of the special town meeting, is clearly limited to curing the defect through a ratification vote. Accordingly, the voters could not reopen debate on the articles, or seek to amend any article previously adopted. The only proper debate, and action, by the voters would be a yes or no vote to ratify the actions taken at the March Town Meeting.

Stephen C. Buckley

Legal Services Counsel

NH Municipal Association

25 Triangle Park Drive

Concord, NH 03301

Tel: (603) 224-7447

Email: sbuckley@nhmunicipal.org

[Click here to upload files.](#)

From: Board Assistant <boardassistant@templeh.org>
Sent: Thursday, April 18, 2019 9:04 AM
To: Legal Inquiries <legalinquiries@nhmunicipal.org>
Subject: Town of Temple authorized contacts

Hi Stephen:

4/20/2019

Town of Temple Mail - Temple: Annual Meeting

Attached is our 2019 list of authorized contacts for legal inquiries. Please place on file. This is an update with new Select Board members and new town personnel.

I hope to call this week to quickly discuss the holding of a special meeting as a procedural defect cure for the Annual Meeting whose notice requirements were not properly met. The NH DRA has mandated we hold one. I hope you can provide a little guidance. I have read through NH RSA 39 as it pertains to this and have already called the NH Secretary of State.

Best regards,

Paul

--

Paul Clifton-Waite

Assistant to the Select Board

Town of Temple, NH

603.878.2536

Hours: Mon. 7-9 a.m., Tues. 8-6 p.m., Thurs. 8-6 p.m., 1st and 3rd Sat 8-11 a.m.

ledgertranscript.com

Tuesday, April 16, 2019 | MONADNOCK LEDGER-TRANSCRIPT 19

SERVICES

Services
CLEANING ANYWHERE: Apartments, homes, offices, Wash, supplies. Reasonable rates, free estimates. Insured. Over 36 years in business. All work guaranteed. Call 924-4455.

EMPLOYMENT

Help Wanted

American Steel Fabricators, Inc. located in Greenfield, NH is seeking **EXPERIENCED STAFF & RAIL FABRICATORS** to join our team.
 The right candidate must have a superior work ethic and enjoy working in a shop setting. Offer competitive wages & benefits.
 Interested candidates should submit a resume to: hr@americansteelcorp.com or visit our office at 324 Seawall Road, Greenfield, NH 03047 to complete an application.

ENTRY LEVEL AUTO TECHNICIAN: oil changes, tune-ups/inspections, brake, state inspections, M-F, 9am to 5pm. Call Lenca. 603-845-1838.

GARDEN HELP WANTED: Maintenance of formal gardens in Peterborough, NH. Tasks include mowing, edging, weeding, planning and watering. Please apply to ksteinan@comcast.net

Growing Structural & Miscellaneous Steel Company is looking for a structural parts filler with a minimum of 8 years of experience for our fabrication shop. Benefits include profit sharing, paid holidays and vacation time, dental and health insurance. Stop by to fill out an application at:
 35 Maria Drive, Jeffrey or email: ellen@opofaststeel.com.

Landscape Crew Member

We are a well established landscape company that offers landscape design, install, and all aspects of landscape maintenance. We have been serving the Monadnock region since 2006. Currently we have Landscape Crew Member positions open. Requirements: Solid attendance, punctuality, good attitude, strong work ethic, ability to safely operate various types of landscape equipment, and be willing and able to work in all weather conditions. Our short seasons do require periodic overtime and weekends. Previous landscape experience preferred. Applicants must have a valid drivers license with a clean driving record, and reliable transportation. Salary based on experience. Please email resumes to amyfatpoint.net

OPEN POSITIONS

Growing Structural & Miscellaneous Steel Company is looking for a welder and a laborer for our fabrication shop. Benefits include profit sharing, paid holidays and vacation time, dental and health insurance. Stop by to fill out an application at:
 Apollo Steel, LLC - 35 Maria Drive, Jeffrey or email: ellen@opofaststeel.com.

CDL-B DRIVER WANTED
 Must apply in person at:

MONADNOCK DISPOSAL SERVICE INC.
 101 OLD SHAFER ROAD - JAFFREY, NH 03452

RINDGE HIGHWAY DEPARTMENT SEASONAL SUMMER HELP
 Looking for an individual to mow lawns and provide general outdoor maintenance of commons, parks and cemeteries. Must be able to work independently and take pride in work. 30 ± hours, weekdays.
 Please pick up an application at the Selectmen's Office, 30 Payson Hill Rd, Rindge or online at www.town.rindge.nh.us.
 Contact Mike Cloutier, DPW Director 899-2105, with any questions.
 Rindge is an E.O.E.

EMPLOYMENT

Help Wanted



The Well School, an independent PreK - 8th grade day school, in Peterborough, NH, is seeking a **Third Grade Primary Teacher** for the 2019-2020 school year. This position is responsible for teaching students within the classroom; developing lesson plans; delivering group and individual student instruction within established curriculum guidelines; collaborating with other teachers, staff, and administrators in addressing instructional and/or classroom issues; and responding to a wide range of inquiries from students, parents or guardians regarding student progress and the instructional program.

For more information and requirements please visit: www.wellschool.org/employment

Please email cover letter and resume to: **T.J. Mackey** at TJMackey@WellSchool.org

MERCHANDISE

Wanted To Buy

Buying antiques, sterling silver, gold jewelry, coins, stamps, paper money, artwork, fine dishes and glassware or anything unique. Call, text, fax at 800-563-3668. gwillsh201@gmail.com Mailing House code line 10797

BUYING OLD BOOKS, magazines, postcards, photos, collections, old paper, military and sports items. paying well. Richard. 952-8182.

Bargain Bin

5 WINDOW AC'S
ASSORTED FISHING RODS \$25-\$827

TOW BEHIND LAWN AERATOR, (603)244-7079

TOW BEHIND LAWN DETHATCHER.

REAL ESTATE FOR RENT

Apartment Unfurnished



HANCOCK, 2BR/BA: Spacious 2-bedroom available April 2019. The historic "Sheldon House" in the heart of Hancock village has beautifully preserved brick and interior spaces, extensive well-maintained gardens, and direct access to Norway Pond. Additional storage space available in upper level of garage. Utilities paid by tenant. Garage parking available. \$200 (977)97-7383 www.madocooksmacnoble.com

REAL ESTATE FOR RENT

Office Space

OFFICE SPACE FOR RENT: Looking for healthcare professional to share fully equipped office space, utilities and phone included. (603)924-3930

Rooms

JAFFREY: FULLY FURNISHED non-smoking 1 bedroom, \$150/week includes all utilities plus cable, 603-845-7054.

American Heart Association
www.heart.org

Licensed Personal Lines Insurance Agent
 POSITION AVAILABLE-FT

Requirements:
 • Excellent phone/communication skills
 • Must be able to multi task efficiently in a fast paced professional environment
 • U-n-b-e-a-t, self motivated, friendly, reliable, punctual, customer service oriented, and a team player

Description:
 To provide Personal Lines sales and support in maintaining, expanding, and service accounts. Candidate must be able to provide excellent client service to new and existing customers with a focus on client satisfaction, retention and growth of new and existing accounts.
 Candidate must have strong sense of urgency while recommending appropriate insurance coverage.

Product Knowledge of Auto, Home, Umbrella & other PL insurance products. Assist clients with service needs regarding claims, billing, endorsements, renewals, etc.
 Please send resume & letter to: **Bellows-Nichols Agency** tnichols@bellowsnichols.com

ConVal is HIRING NOW for Multiple Positions:

- High School – Gr. 9-12
 - Student Support
 - English Teacher
 - Social Studies Teacher
 - Technology Integration Teacher (Part-Time)
 - Middle School – Gr. 5-8
 - Assistant Principal – Great Brook Middle School
 - Library/Media Paraprofessional
 - Math/English Teacher
 - Special Education Coordinator
 - Elementary School – Gr. K-4
 - Elementary Classroom Teachers (Multiple Positions)
 - RTI Paraprofessional (Multiple Positions)
 - District Positions
 - School Psychologist
 - District Systems Administrator
 - Special Education Teacher (Multiple Positions)
 - Accountant
 - Paraprofessionals (Multiple Positions)
 - Administrative Assistant (Multiple Positions)
- Go to www.conval.net, click on "Careers" and complete an application.

Town of Temple PLANNING BOARD NOTICE OF PUBLIC HEARING

A public hearing will be held on Wednesday, May 1st, 2019 at 7:30 p.m. at the Town Hall Annex for the purpose of acting upon an application for a minor subdivision of Map 2A Lot 20, located at 56 Webster Highway in the Rural Residential and Agricultural district, and owned by Alfred Copertino, Jr. GST Exempt Further Family Trust and Daniel Copertino-Kufinec GST Exempt Further Family Trust.

Town of Greenfield ZONING BOARD OF ADJUSTMENT NOTICE OF PUBLIC HEARING

The Greenfield Zoning Board of Adjustment will hold a Public Hearing on Tuesday, April 30th, at 6:30 PM in the Town Offices Conference Room for the purpose of considering a Waiver Request for Allrose Farm.
 Gil Morris, Chairman
 Greenfield Zoning Board of Adjustment

Town of Temple BOARD OF SELECTMEN NOTICE OF PUBLIC HEARING

The Town of Temple Select Board will hold a public hearing on Tuesday, April 23, 2019 at 6:30 p.m. at the Temple Town Hall Annex to discuss the reasons for calling of a Procedural Defect Meeting, per NH RSA 315-B, scheduled to be held on Tuesday, April 30, 2019, at 7 p.m. at the Temple Town Hall, as required by the New Hampshire Department of Revenue Administration to ratify the results of the March 16th annual Town Meeting due to deficiencies in meeting the posting requirements for the annual meeting. The Procedural Defect Meeting is anticipated to last approximately 10 minutes.

Town of Lyndeborough BOARD OF SELECTMEN PUBLIC NOTICE

The Town of Lyndeborough, NH is currently accepting bids for the "Old Town Barn Roof Replacement" - Bid specifications are available from the Selectmen's Office, 9 Citizens' Hall Road, Lyndeborough, NH 03082, or online at <http://town.lyndeborough.nh.us/>. Sealed bids will be received until Monday April 22, 2019, at 2:00 pm. Bids will be opened at the Board of Selectmen's April 24, 2019 meeting at 6:05 pm. The Town of Lyndeborough reserves the right to reject any and all bids if deemed in the best interest of the Town.

Hancock Town Library PUBLIC NOTICE PUBLIC HEARING

The Hancock Town Library Trustees will hold a public hearing on April 23, 2019 beginning at 6:00 P.M. in the Daniels Room, Hancock Town Library in Hancock, NH, pursuant to the provisions of RSA 202-A:4-c ll. (a), for the purpose of accepting donations over \$5,000.

Hancock Town Library Trustees
 Town of Hancock, NH
 April 9, 2019

Town of Rindge ZONING BOARD OF ADJUSTMENT PUBLIC HEARING NOTICE

You are hereby notified of a Public Meeting to be held at 7:00 PM on Tuesday, April 23, 2019 at the Rindge Town Office to take up the following:

Case # 1123: William Estey, 45 Colburn Lane, Rindge, NH, Tax Map 19, Lot 12 for a variance from Article VI, Section B2 of the Rindge Zoning Ordinance to permit the building of a garage less than 15 feet from an abutters property line.

Case #1124: Trevor Young, 262 East Monomac Road, Rindge, NH, Tax Map 18, Lot 14 for a special exception from the Rindge Accessory Dwelling Unit Ordinance Section 2.

Approval of the March 26, 2019 Minutes.
 Any other business to be conducted by the Board.
 Michele Christian
 ZBA Clerk

Town of Rindge BOARD OF SELECTMEN INVITATION TO BID

MEMORANDUM
 April 10, 2019
BID NUMBER #19-01 Paving PAVING

The Town of Rindge is inviting proposals for contract at the Selectmen's Office, 30 Payson Hill Road, Rindge, New Hampshire for Asphalt Hot Mix Paving for various streets in Rindge.

Bidding Documents may be obtained, at no charge, from the Selectmen's Office.

Review of roads can be by appointment with the Director of Public Works, 603-899-2105 x10.

Bids will be received at the Selectmen's Office, 30 Payson Hill Road, Rindge, NH until 11:00 AM, Thursday, May 23, 2019. Shortly thereafter, bids will be publicly opened and read aloud in any available office or conference Room at the Town Offices, 30 Payson Hill Road, Rindge, NH. Award will be by the Board of Selectmen at a regular Board meeting.

TITLE III

TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 39

TIME FOR HOLDING TOWN MEETINGS AND WARNING THEREOF

Section 39:1

39:1 Meetings, When Held. – A meeting of every town shall be held annually on the second Tuesday of March, or in accordance with RSA 40:13 if that provision is adopted in the town, for the choice of town officers and the transaction of all other town business. A town meeting may be warned by the selectmen, when, in their opinion, there shall be occasion therefor. In no event shall a special town meeting be held on the biennial election day.

Source. RS 32:1. CS 34:1. GS 35:1. 1878, 60:1. GL 38:1. PS 41:1. PL 45:1. RL 57:1. RSA 39:1. 1971, 562:1. 1976, 33:1. 1991, 370:4, eff. Aug. 31, 1991. 2000, 16:1, eff. April 30, 2000.

Section 39:1-a

39:1-a Towns Adopting a Fiscal Year. – Notwithstanding the provisions of RSA 39:1 any town which adopts a fiscal year accounting period pursuant to RSA 31, may by majority vote, hold its annual town meeting on the second Tuesday of May for the selection of town officers and the transaction of all other town business. A meeting shall be warned by the selectmen, when in their opinion, there shall be occasion therefor.

Source. 1971, 512:12, eff. July 6, 1971.

Section 39:1-b

39:1-b Meetings Outside Town. –

- I. A town may hold its town meeting outside the geographical boundaries of the town, if the town does not have a facility with a large enough seating capacity to accommodate the meeting.
- II. Warrants and other items required to be posted shall be posted for review by qualified voters at the place of the meeting on the day of the meeting.
- III. The selectmen of the town shall arrange transportation, for those voters who need it, from the usual polling place in the town to the out-of-town facility and back to the usual polling place.
- IV. The out-of-town meeting shall be held in an adjacent town or nearest appropriate facility.

Source. 1979, 191:1. 1993, 120:1, eff. July 16, 1993.

Section 39:1-c

39:1-c Updated Checklist. – An updated checklist shall be used at all town meetings and elections as provided in RSA 669:5.

Source. 1981, 571:2, eff. Sept. 4, 1981.

Section 39:2

39:2 Warrant. – The warrant for any town meeting shall be under the hands of the selectmen, and shall prescribe the place, day and hour of the meeting, and, if there is an election at said meeting, in which an official printed ballot containing more than one name is used, the warrant therefor shall prescribe the time the polls are to open and also an hour before which the polls may not close. A town meeting may vote to keep the polls open to a later hour but may not vote to close the polls at an earlier hour than that prescribed by the selectmen hereunder. The subject matter of all business to be acted upon at the town meeting shall be distinctly stated in the warrant, and nothing done at any meeting, except the election of any town officer required by law to be made at such meeting, shall be valid unless the subject thereof is so stated. Provided that in a case where the article in the warrant calls for the appropriation of a specific sum of money, the sum of money appropriated thereunder may be decreased or increased by the vote of the town, provided further that in a town under the municipal budget act no increase shall be valid which would violate the provisions of RSA 32:18, except as provided in RSA 32:18-a.

Source. RS 32:2. CS 34:2. GS 35:2. GL 38:2. 1885, 45:1. PS 41:2. PL 45:2. 1941, 130:1. RL 57:2. RSA 39:2. 1957, 239:1. 1993, 332:3, eff. Aug. 28, 1993. 2000, 193:4, eff. July 29, 2000.

Section 39:2-a

39:2-a Optional Provisions. –

I. Any town may at an annual meeting vote to conduct the choice of town officers elected by an official ballot and other action required to be inserted on said official ballot on the second Tuesday of March or on the second Tuesday of May if the town has adopted the provisions of RSA 31:94-a and authorize the selectmen to choose another day for the second session of the town meeting for the transaction of all other town business. Upon written application of 25 or more voters, addressed to the selectmen, the following question shall be submitted to the voter at such annual meeting: "Do you approve of having 2 sessions for the annual town meeting in this town, the first session for choice of town officers elected by an official ballot and other action required to be inserted on said official ballot and the second session, on a date set by the selectmen, for transaction of other business?" This question shall appear upon the official ballot in towns having such a ballot, otherwise upon a special ballot prepared by the town clerk. Proper provision shall be made on the ballot to permit the voter clearly to indicate his choice on the question. If a majority of the legal voters present and voting on the question vote in the affirmative, the provisions of this section shall be declared adopted. In any town adopting the provisions hereof the warrant for an annual meeting held hereunder shall prescribe the place, day and hours of each session of said meeting and said warrant shall be posted as required for any town meeting. In a town which has adopted the provisions of this section no business other than the election of town officers elected by an official ballot and other action required to be inserted on said official ballot shall be taken up at the first session of said meetings. A town which has adopted the provisions hereof may rescind such action in the same manner as provided for its adoption. The question in this case shall be: "Shall the provisions for having 2 sessions of the annual town meeting be declared no longer in effect in this town?"

II. Alternatively, a town may conduct its meetings and the election of officers through use of the official ballot by adoption of the provisions of RSA 40:13.

Source. 1969, 106:1. 1971, 562:2. 1976, 33:2. 1977, 267:1, eff. Aug. 21, 1977. 1997, 318:3, eff. Aug. 22, 1997.

Section 39:2-b

39:2-b Time Polls Open. – The warrant for any town meeting shall provide that polls at the additional polling place, if any, shall open at the same time as the polls at the central polling place.

Source. 1969, 117:1, eff. May 9, 1969.

Section 39:3

39:3 Articles. – Upon the written application of 25 or more registered voters or 2 percent of the registered voters in town, whichever is less, although in no event shall fewer than 10 registered voters be sufficient, presented to the selectmen or one of them not later than the fifth Tuesday before the day prescribed for an annual meeting, the selectmen shall insert in their warrant for such meeting the petitioned article with only such minor textual changes as may be required. Such corrections shall not in any way change the intended effect of the article as presented in the original language of the petition. For the purposes of this section, the number of registered voters in a town shall be the number of voters registered prior to the last state general election. The right to have an article inserted in the warrant conferred by this section shall not be invalidated by the provisions of RSA 32. In towns with fewer than 10,000 inhabitants upon the written application of 50 or more voters or 1/4 of the voters in town, whichever is fewer, and in towns with 10,000 or more inhabitants upon the written application of 5 percent of the registered voters in the town, so presented not less than 60 days before the next annual meeting, the selectmen shall warn a special meeting to act upon any question specified in such application. The checklist for an annual or special town meeting shall be corrected by the supervisors of the checklist as provided in RSA 654:25-31. Those persons qualified to vote whose names are on the corrected checklist shall be entitled to vote at the meeting. The same checklist used at a recessed town meeting shall be used at any reconvened session of the same town meeting. In no event shall a special town meeting be held on the biennial election day.

Source. RS 32:3. CS 34:3. GS 35:3. GL 38:3. PS 41:3. PL 45:3. 1937, 40:1. RL 57:3. 1947, 21:1. RSA 39:3. 1969, 59:1. 1971, 79:1. 1975, 160:1. 1981, 454:1. 1987, 299:1. 1990, 192:1. 1991, 223:1; 370:5. 1994, 197:1, eff. July 23, 1994. 1998, 194:1, eff. Aug. 17, 1998. 2018, 325:1, eff. Aug. 24, 2018.

Section 39:3-a

39:3-a Time for Presentation of Articles. – [Repealed 1969, 59:2, eff. June 3, 1969.]

Section 39:3-b

39:3-b Penalty. – A board of selectmen is guilty of a violation if it refuses to insert an article in the warrant, after being petitioned to do so in accordance with RSA 39:3.

Source. 1971, 79:4. 1977, 588:26, eff. Sept. 16, 1977.

Section 39:3-c

39:3-c Limitation. – Any petitioned article, which if adopted, would abolish a planning board, or zoning commission shall not be included in the warrant, unless such petition meets the requirements established by RSA 673:18, II.

Source. 1971, 396:1. 1985, 103:1, eff. Jan. 1, 1986.

Section 39:3-d

39:3-d Placement of Articles on Official Ballot. –

I. No article included in a warrant for a town meeting may be considered by placing a question on the official ballot used for election of town officers unless use of the official ballot for that article or type of article is specifically authorized or required by law.

II. For purposes of this section and RSA 40:4-e:

(a) Any law which requires a ballot vote on an article, and which uses the term "official ballot", shall be deemed to require the use of the official ballot for voting on that article, in towns which use the official ballot for the election of officers.

(b) Any law which prescribes the wording of a question, but where the term "official ballot" is not used, shall be deemed to authorize, but not require, the use of the official ballot for that question, unless a contrary intent is specified. If the official ballot is not used for voting on such a question, the prescribed wording shall be placed in the warrant, and may also be placed upon a preprinted ballot to be acted upon in open meeting in the same manner as a secret "yes-no" ballot under RSA 40:4-a.

III. This section shall not prohibit the use of secret written ballots at any town meeting pursuant to RSA 40:4-a or 4-b.

IV. Articles concerning the issuance of bonds or notes shall not be placed on the official ballot, unless the municipality has adopted a charter provision authorizing that votes on the issuance of bonds or notes shall be placed on the official ballot or unless the municipality has adopted the provisions of RSA 40:12-14.

V. Notwithstanding paragraph IV, in the town of Bedford, articles concerning the issuance of bonds or notes shall be in accordance with Bedford's Town Charter, Article 1-5 Finance, Paragraph 1-5-11 Borrowing Procedure.

Source. 1979, 445:1. 1988, 126:1. 1991, 113:1, eff. July 13, 1991. 1996, 156:3, eff. May 29, 1996. 1998, 166:1, eff. Aug. 14, 1998.

Section 39:4

39:4 Special Meetings. – The selectmen when calling a special town meeting shall, within one week after posting the warrant therefor, cause copy of said warrant to be published once in a newspaper of general circulation in said town.

Source. 1945, 39:1, eff. March 6, 1945.

Section 39:5

39:5 Posting Warrant. – The selectmen may address their warrant to the voters of the town, in which case they shall post an attested copy of such warrant at the place of meeting, and a like copy at one other public place in the town, at least 14 days before the day of meeting. The 14 days shall not include the day of posting nor the day of the meeting, but shall include any Saturdays, Sundays, and legal holidays within the said period.

Source. RS 32:4. CS 34:4. GS 35:4. GL 38:4. PS 41:4. PL 45:4. RL 57:4. RSA 39:5. 1967, 90:1. 1975, 11:3, eff. April 25, 1975. 2003, 289:4, eff. Sept. 1, 2003.

Section 39:6

39:6 Warrant to Constable. – Warrants for town meetings may be directed to a constable of the town, requiring the constable to notify the voters; and such constable shall post an attested copy of such warrant, as provided in RSA 39:5.

Source. RS 32:5. CS 34:5. GS 35:5. GL 38:5. PS 41:5. PL 45:5. RL 57:5. 2003, 289:5, eff. Sept. 1, 2003.

Section 39:7

39:7 Return of Warrant. – The selectmen or the constable serving any warrant shall return the same, at the time and place of meeting, with a certificate of the service thereof, to the town clerk, or, in his absence, to one of the supervisors.

Source. RS 32:7. CS 34:7. GS 35:7. GL 38:7. PS 41:7. PL 45:6. RL 57:6.

Section 39:8

39:8 Selectmen's Power. – In case of the death or removal of any of the selectmen of a town the major part of those who remain in office shall have power to warn meetings.

Source. RS 32:8. CS 34:8. GS 35:8. GL 38:8. PS 41:8. PL 45:7. RL 57:7.

Section 39:9

39:9 Warning, Upon Neglect. – If the selectmen unreasonably neglect or refuse to warn a meeting, or to insert any article in their warrant, a justice of the superior court, upon application in writing of 25 or more voters or of 1/6 part of the voters of such town, may issue a warrant for such meeting, or order the insertion of an article in the warrant.

Source. RS 32:9. CS 34:9. GS 35:9. GL 38:9. PS 41:9. PL 45:8. 1939, 21:1. RL 57:8.

Section 39:10

39:10 Warning by Justice: Other Cases. – If the biennial or annual meeting in any town shall not have been held, or if there has never been any legal meeting of the town; or if, by reason of death, removal from the town, disability or resignation of the board of selectmen, no member of the board remains in office, a justice of the superior court, on application of 25 voters, or of 1/6 part of the voters of the town, may issue a warrant for such meeting.

Source. RS 32:10. CS 34:10. GS 35:10. 1875, 2:1. GL 38:10. PS 41:10. PL 45:9. 1939, 21:1. RL 57:9.

Section 39:11

39:11 Warrant of Justice. – The warrant of a justice of the superior court for a town meeting shall be under his hand, directed to the sheriff or a deputy sheriff of the county in which the town is situate; it shall specify the time, place and object of such meeting and shall be served and returned in the same manner as warrants issued by selectmen.

Source. RS 32:11. CS 34:11. GS 35:11. GL 38:11. PS 41:11. PL 45:10. 1939, 21:1. RL 57:10.

Section 39:12

39:12 Other Warning. – Any town may, by vote, prescribe a different method of warning meetings; and the meetings warned in pursuance of such vote shall be legal and valid.

Source. RS 32:6. CS 34:6. GS 35:6. GL 38:6. PS 41:6. PL 45:11. RL 57:11.

Section 39:13

39:13 Penalty for Failure to Give Notice. – If the selectmen neglect to issue a warrant for any town meeting or town election or neglect to cause copies of such warrant, if not directed to a constable, to be duly posted, or notice of such meeting or election to be given agreeably to any vote of the town, they shall for each offense be guilty of a violation and any fines collected shall be remitted to the town.

Source. RS 32:12. CS 34:12. GS 35:12. GL 38:12. PS 41:12. PL 45:12. RL 57:12. RSA 39:13. 1973, 531:10. 1979, 410:5, eff. July 1, 1979.

Section 39:14

39:14 Adjournment Date Falling on Sunday. – Whenever any adjournment of any town meeting shall fall upon a Sunday, it shall be held on the next secular day thereafter, at the same time and place, and the proceedings thereon at that time shall be of the same force and validity as if the meeting had been adjourned thereto.

Source. 1919, 102:1. PL 45:13. RL 57:13.

Why is Debra Harling not here?

She should be enjoying this moment in the spotlight. When she quit her job two years ago I imagine she was astonished that the town did not fall apart. It didn't. In fact, we made great improvements.

The office was cleaned out of rubbish; people began learning their own jobs instead of having her do it all. We now have a specialized bookkeeper, and expert webmaster, and an assistant to the select board that does his job without trying to tell the select board how to do theirs.

It is true that the budget and warrant should have been posted at the school, being the actual meeting place for town meeting. It was posted in 4 places: office, store, town hall and website. It is a very obscure requirement to also post at the school. A person who truly cared about their town would have notified the office or one of the select board that this was a requirement, instead of filing a protest with the DRA. That is what I would have done.

But instead, she chose petty,, vindictive behavior. Our town should know this.

GAIL CROMWELL STATEMENT
4/23/19

Temple Special Town Meeting

WARRANT

To the inhabitants of the Town of Temple, NH in the County of Hillsborough in said State,
qualified to vote in town affairs:


You are hereby notified to meet at the Town Hall in said Temple, on Friday, the **Tenth Day of
May 2019** next, at ~~Seven o'clock~~ ^{Six thirty} in the evening, to act on the following subject.

Article 1: To see if the Town will ratify the results of the March 16th annual meeting even though the posting requirements were not met.


Given under our hands and seal this 23rd day of April 2019. A true copy of Warrant – Attest:



William Ezell, Chair



Ken Caisse, Vice Chair




George Willard

Select Board
Town of Temple, NH

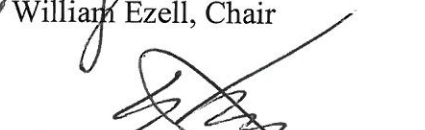
SPECIAL TOWN MEETING FOR TEMPLE, NEW HAMPSHIRE

Posting Certification

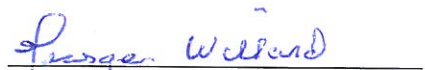
We hereby certify that we gave notice to the inhabitants within named, to meet at the time and place and for the purpose within mentioned, by posting an attested copy of the attached Warrant at the Temple Town Hall, the General Store, the Municipal Building, and Temple Elementary School on the ~~25~~²⁶ day of April, 2019.



William Ezell, Chair



Ken Caisse, Vice Chair



George Willard

Select Board
Town of Temple, NH

