

TO: SELECTMEN

FR: PAUL

RE: ARTICLES EMPOWERING SELECTMEN TO TAKE ACTION

DATE: JANUARY 14, 1999, updated February 21, 2000

Today I have reviewed Town Meeting Warrants back to 1991 seeking to record all articles that empower indefinitely the Selectmen or Library Trustees to take action on items without further Town Meeting authority. These articles are as follows:

Article 27, 1994 (Tax Anticipation Notes)

Shall the Town accept the provision of RSA 33:7 providing that any town at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the selectmen to issue tax anticipation notes?

Article 11, 1994 (Acceptance of Federal or State grants or gifts)

Shall the Town adopt the provisions of RSA 31:95-b providing that any town at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the selectmen to apply for, accept, and expend, without further action by the town meeting, unanticipated money from a state, federal, or other governmental unit or a private source which becomes available during the fiscal year?

Article 19, 1996 (Acceptance of gifts in trust)

To see if the Town will vote to authorize the Selectmen to accept on behalf of the Town gifts, legacies and devises made to the Town in trust for public purposes pursuant to RSA 31:19. This authority shall remain in effect until rescinded by the Town Meeting.

Article 18, 1996 (Acceptance of gifts of personal property)

To see if the town will vote to authorize the Selectmen to accept gifts of personal property, other than money, which may be offered to the Town for any public purpose pursuant to RSA 31:95-e. This authority shall remain in effect until rescinded by the Town Meeting.

Article 17, 1996 (Acceptance of Federal or State grants and gifts)

Shall the Town accept the provisions of RSA 31:95-b providing that any town at an annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the Selectmen to apply for, accept and expend, without further action by Town Meeting, unanticipated money from a state, federal or other governmental unit or private source which becomes available during the fiscal year?

Article 16, 1997 (Library Trustees acceptance of gifts)

To see if the Town will vote, pursuant to RSA 202-A:4d to authorize the library trustees, indefinitely, until rescinded, to accept gifts of personal property other than money, which may be offered to the library for any public purpose, provided, however,

that no acceptance of personal property by the library trustees shall be deemed to bind the town or the library trustees to raise, appropriate or spend any public funds for the operation, maintenance, repair or replacement of such personal property. Prior to accepting any such gift worth more than \$5,000.00 the library trustees shall hold a duly noticed public hearing.

Article 15, 1997 (Library Trustees Acceptance of Federal or State grants and gifts)

Shall the Town accept provisions of RSA 202-A:4c providing that any town at any annual meeting may adopt an article authorizing indefinitely, until specific rescission of such authority, the public Library Trustees to apply for, accept, and expend, without further action by the town meeting, unanticipated money from a state, federal, or other governmental unit or a private source which becomes available during the fiscal year?

Article 21, 1999 (Conveyance of liened property)

To see if the Town will vote, pursuant to RSA 80:80, to authorize the Selectmen to convey real estate tax liens or property acquired in default of redemption of tax liens, by sealed bid, public auction, or in such manner as justice may require. This authority shall continue indefinitely until rescinded by future action of the Town Meeting.

Article 7, 2004 (Acquire or sell land & buildings)

Article 7: To see if the Town will adopt the provisions of RSA 41:14a which authorizes the Board of Selectmen to acquire or sell land, buildings, or both, provided that the selectmen first submit the proposed acquisition or sale to the Planning Board and Conservation Commission for review and recommendation, and further provided that they first hold two public hearings on the proposal. Then Selectmen may proceed, provided that if 50 or more registered voters petition the Selectmen, the acquisition or sale shall not proceed until it is approved by the voters at town meeting.

**TITLE III
TOWNS, CITIES, VILLAGE DISTRICTS,
AND UNINCORPORATED PLACES**

**CHAPTER 31
POWERS AND DUTIES OF TOWNS**

Miscellaneous

Section 31:95-e

31:95-e Acceptance of Personal Property Donated to Towns and Village Districts.-

I. Any town or village district at an annual meeting may adopt an article authorizing the board of selectmen or board of commissioners to accept gifts of personal property, other than money, which may be offered to the town or village district for any public purpose, and such authorization shall remain in effect until rescinded by a vote of town or village district meeting.

II. Prior to the acceptance of any such gift with a value of over \$500, the selectmen or commissioners shall hold a public hearing on the proposed acceptance. For gifts with a value of \$500 or less, a public hearing on the proposed acceptance shall be at the discretion of the selectmen or commissioners.

III. No acceptance of any personal property under the authority of this section shall be deemed to bind the town or village district to raise, appropriate or expend any public funds for the operation, maintenance, repair, or replacement of such personal property.

Source. 1991, 25:2, eff. June 18, 1991. 1997, 105:2, eff. Aug. *, 1997. 1198, 196:1, eff. Aug.17, 1998.

Town meeting 1996, Article 18 "Approved."

See attached notice on acceptance of a gift of a Ford Expedition for Fire Department.