

Town of Raymond, NH

Meeting of the Town and School Moderators

Possible Quorum of the Board of Selectmen as an Emergency Meeting Notes

After consulting with the group, which included members of staff, the Select Board, the Fire Department, Police Department, Administration, Town Moderator and others, Moderator Wayne Welch made the decision to postpone the election scheduled for March 14th until March 28th, in accordance with the authority outlined by the following statutes due the impending winter storm that is forecast for March 14th (voting day).

**1 p.m. at Torrent Hall
(public safety building at 1 Scribner Road)**

Discussion of weather conditions on March 14th and whether the election should be postponed in accordance with RSAs 40:4, 669:1 and 669:1-a (see below):

Any decisions Regarding Postponement are made by the Moderators.

CHAPTER 40 GOVERNMENT OF TOWN MEETING

Moderator

Section 40:4

40:4 Duties. –

- I. The moderator shall preside in the town meetings, regulate the business thereof, decide questions of order, and make a public declaration of every vote passed, and may prescribe rules of proceeding; but such rules may be altered by the town.
- II. (a) If the National Weather Service issues a weather event warning applicable to a town on the

date of a deliberative session or business session of a town meeting, which the moderator reasonably believes may cause the roads to be hazardous or unsafe, the moderator may, up to 2 hours but not more than 48 hours prior to the scheduled session, postpone and reschedule the session of the meeting to another reasonable date, place, and time certain. If an accident, natural disaster, or other emergency occurs which the moderator reasonably believes may render use of the meeting location unsafe, the moderator may, at any time prior to the scheduled deliberative or business session, postpone and reschedule the session to a date, place, and time certain. To the extent practical, prior to making a decision to postpone, the moderator shall consult with the governing body, the clerk, and as appropriate for the circumstances the police chief, the fire chief, the road agent, and the local emergency management director. The moderator shall employ whatever means are available to inform citizens of the postponement and the rescheduled date or dates.

(b) In the event of a weather or other emergency as described in RSA 669:1 that occurs on or before the date of an official ballot voting day as defined in RSA 652:16-g, which the moderator reasonably believes may cause the roads to be hazardous or unsafe, the moderator may postpone the session in accordance with RSA 669:1 and RSA 669:1-a.

(c) The date originally scheduled shall continue to be deemed the deliberative session, business session, or official ballot voting day of the meeting for purposes of satisfying statutory meeting date requirements; provided, that in towns or districts that have adopted RSA 40:13, the postponement shall not delay the deliberative session more than 72 hours.

Source. Const., Art. 32. RS 33:3. 1847, 490:1. CS 35:3. GS 36:3. PS 42:5. PL 46:4. RL 58:4. RSA 40:4. 1998, 278:1, eff. Aug. 25, 1998. 2019, 192:1, eff. July 10, 2019.

CHAPTER 669 TOWN ELECTIONS

General Provisions

Section 669:1

669:1 Election Dates. –

- I. All towns shall hold an election annually for the election of town officers on the second Tuesday in March, except those towns which have adopted an alternative date under RSA 40:14 or those towns which have adopted the provisions of RSA 31:94-a and have, by majority vote at a previous town meeting, decided to elect officers on the second Tuesday in May.
- II. Notwithstanding the provisions of paragraph I of this section, any town which has adopted a municipal charter under the provisions of RSA 49-B:1-6 may establish the second Tuesday in March, the second Tuesday in May, or the first Tuesday after the first Monday in November in odd-numbered years as the date for the election of town officers.
- III. No town election shall be held in conjunction with the biennial election.
- IV. Any local political subdivision which has not adopted RSA 40:13, the official ballot referendum form of meeting, but whose voting checklist comprises all or part of the checklist for a school district which has adopted an April or May election date under RSA 40:14, may, by vote of the legislative body, vote to coordinate its elections with the school district's elections

and to hold its elections on the same April or May date as the school district. Such local political subdivision may, in addition, vote to hold the second session of its annual meeting, for transacting all business not required to be voted on by official ballot, within 2 weeks of the election date at a time and date determined by the governing body. The joint elections shall be held at a time and place determined by, and shall be supervised by, the election officials of the local political subdivision, coordinated as set forth in RSA 671:25 and RSA 671:26, with costs allocated in the same manner as in previous years or as may be mutually agreed upon by the governing bodies. A vote under this paragraph may be rescinded by the local political subdivision in like manner. No vote under this section shall take effect until the annual election next following such vote.

V. (a) If the National Weather Service issues a weather event warning applicable to a town on a date when an election is scheduled, which the moderator reasonably believes may cause the roads to be hazardous or unsafe, or if an accident, fire, natural disaster, or other emergency occurs that the moderator reasonably believes may render use of the election location unsafe on the date of the election, then the moderator may, after consulting with town officials, postpone the election. To the extent practical, prior to making a decision to postpone, the moderator shall consult with the governing body, the clerk, and as appropriate for the circumstances the police chief, the fire chief, the road agent, and the local emergency management director. The moderator shall document any decision to postpone the election and notify the secretary of state by phone or electronic mail of the postponement within 2 hours of the decision to postpone.

(b) When a ballot to be used at an election which has been postponed contains questions that are to be voted on simultaneously by more than one town, such as those relating to village, school, or water districts, the postponement of an election shall apply to all towns voting on that issue at the election. The moderators of the towns involved, after consultation with respective town officials, shall communicate with each other to reach a consensus on the postponement. In such instances, one of the moderators shall be selected to document the communications and notify the secretary of state. If a consensus cannot be reached, the election shall be postponed if a majority of the moderators vote to postpone.

(c) The decision to postpone shall be made on the day immediately prior to the election at any time before 6:00 p.m.

(d) If the moderator postpones the town election as provided in this paragraph, the moderator shall document the decision and notify the secretary of state by telephone or electronic mail of the postponement within 2 hours of the decision to postpone.

(e) If a special state election is scheduled for the date of the town election, this section shall not apply.

Source. 1979, 410:1. 1987, 299:6. 1988, 223:12. 1991, 370:7. 2000, 16:9, 10, eff. April 30, 2000. 2019, 192:7, eff. July 10, 2019.

CHAPTER 669

TOWN ELECTIONS

General Provisions

Section 669:1-a

669:1-a Postponed Town Elections. –

- I. Any election postponed pursuant to RSA 669:1, V shall be rescheduled to the Tuesday 2 weeks following the original date of the election, provided all other applicable statutory provisions associated with elections under this chapter shall also be extended the same 2 weeks.
- II. The supervisors of the checklist shall not be required to meet again until the postponed town election day.
- III. If the election is postponed to a date that follows the date of the business meeting, the end of the term of the moderator established in RSA 40:1 shall be extended through the completion of all election day duties or until the qualification of a successor, whichever is later.
- IV. Any school district election coordinated with a town under RSA 671:26-a or otherwise held in conjunction with the town election shall also be subject to the provisions of this section.
- V. The moderator and the governing body shall employ all reasonable means to provide voters with notice of the postponement, the date on which the postponed election shall be conducted, and information on obtaining absentee ballots for those voters who qualify to vote by absentee ballot at the postponed election. To the extent practical given the circumstances of the postponement, notice shall be posted at the location of the scheduled election, at the municipal offices, and on the website of each town, school district, and village district whose election is postponed.
- VI. All ballots prepared for the original date of the election shall be used for the postponed election. A notice explaining the deadline for returning an absentee ballot shall be issued to voters who request and are sent an absentee ballot during the period between the original date and the postponed date of the election.
- VII. All absentee ballots submitted to be counted on the date of the original election, all absentee ballots submitted for the original date of the election which arrive after that date but before 5:00 p.m. on the date of the postponed election, and all absentee ballots submitted to be counted at the postponed election shall be submitted to the moderator for processing in accordance with RSA 659.
- VIII. To the extent practicable, the town clerk may decide to be at the location of the originally scheduled election to receive applications for absentee ballots, to provide voters the opportunity to complete absentee ballots, and to receive returned ballots during what would have been normal polling hours. The town clerk may designate a deputy clerk or assistant to provide this service, provided the individual has taken an oath of office and has been trained in the requirements for using an absentee ballot and the procedures for issuing and receiving absentee ballots.
- IX. The absentee ballot of a voter who qualified to vote by absentee ballot because he or she expected to be absent or unable to appear at the polls on the original date of the election and who submitted an absentee ballot which otherwise satisfies the requirements for voting by absentee ballot, shall be counted even if the voter is present in the town or able to appear at the polls on the date of the rescheduled election.
- X. All absentee ballots shall be processed as provided for by RSA 659.

Source. 2019, 192:8, eff. July 10, 2019.

