

**Town of Conway Recodification
CHARTER AMENDMENTS**

Part II, § XI, is amended to add the following:

The Town hereby adopts the nonpartisan ballot system for the election of Town officers in accordance with RSA 669:13.

The Town hereby adopts absentee voting for all future Town Meetings. Said absentee voting shall cover the election of officers and ballot articles only.

Part II, § XVII, is amended to add the following:

In accordance with RSA 41:38, the Tax Collector is authorized to appoint a Deputy Tax Collector, with the approval of the Selectmen, who shall be sworn and have the powers of the Tax Collector.

Part II, § XXII, is amended to change the title from "COMMISSIONS" to "COMMISSIONS AND BOARDS"

Part II, § XXII, Subsection C, is amended to add the following:

In accordance with the provisions of RSA 36-A:5, a Conservation Commission Fund is established, in which the appropriations for the Conservation Commission will be allowed to accumulate from year to year.

In accordance with the provisions of RSA 36-A:4-a, I(b), the Conservation Commission may expend funds for contributions to "qualified organizations," as defined in Section 170(h)(3) of the Internal Revenue Code of 1986, for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the Town will retain no interest in the property.

Part II, § XXII, Subsection D, is added as follows:

HISTORIC DISTRICT COMMISSION

Pursuant to RSA 673:4, an Historic District Commission consisting of seven (7) members to be appointed by the Selectmen is established.

Part II, § XXII, Subsection E, is added as follows:

HOUSING COMMISSION

The New Hampshire Housing Commission is authorized to operate in the Town of Conway. Said New Hampshire Housing Commission is authorized to sponsor a project, under Section 8 of the United States Housing Act of 1937, as amended, for any of the following dwelling accommodations or a combination thereof: existing standard housing, rehabilitated housing, newly constructed housing, the total amount of the foregoing not to exceed fifty (50) dwelling units.

Part II, § XXII, Subsection F, is amended to add the following Subsections 1. through 4:

1. Election of members. Pursuant to RSA 36:4, as amended, the Town adopts the procedure to elect the members of the Conway Planning Board, consisting of seven members, at the next Annual Town Meeting.
2. Approval of subdivisions. The Planning Board is authorized to approve or disapprove, in its discretion, new subdivisions as provided in Chapter 36, §§ 19 through 29 inclusive, of the New Hampshire Revised Statutes Annotated 1955.
3. Approval of plats affecting streets and parks. The Planning Board is authorized to approve or disapprove, in its discretion, plats showing streets, or widening thereof, or parks (to adopt and administer subdivision regulations).
4. Approval of nonresidential and multifamily development site plans.
 - a. The Planning Board is authorized to review and approve or disapprove site plans for the development of tracts for nonresidential uses and multifamily dwelling units, whether or not such development includes a subdivision or resubdivision of the site, as provided by RSA 674:43 et seq., as amended.
 - b. The Planning Board is authorized to review and approve or disapprove site plans for the development of nonresidential uses and multifamily dwelling units consisting of more than two dwelling units and may review and approve or disapprove site plans for the development or change or expansion of use of tracts for nonresidential uses or for multifamily dwelling units which are defined as structures containing more than two dwelling units, all pursuant to RSA 674:43.

Part II, § XXII, is amended to redesignate former Subsections D through F as Subsections F through H, respectively.

Part II, § XXII, Subsection H, is amended to read as follows:

H. Police Commission.

The Police Commission has been established for the Town of Conway pursuant to the General Laws of New Hampshire for 1969 Chapter 570 and as adopted by the Town at its Annual Town Meeting of March 12, 1968, and shall continue as now invested with the same powers and duties as thereunder enumerated, provided nothing hereunder shall prohibit amendment thereof from time to time by the State of New Hampshire and the Town of Conway, as applicable.

There shall be a Police Commission for the Town of Conway consisting of three persons elected as hereinafter provided. Said Commissioners shall have been residents of said Town for at least five years immediately preceding the date of their election and shall not hold nor be candidates for any other political office of the Town of Conway during their term on said Commission. There shall be elected at each annual meeting one Commissioner for a term of three years. Any vacancy in the Commission shall be filled by appointment by the remaining members of the Commission. Such appointee shall hold office until the next annual meeting of the Town.

Powers and duties.

1. The Police Commission shall appoint such police officers, constables and superior officers as it may, in its judgment, deem necessary and fix their compensation.
2. Said Commissioners shall have full authority to make and enforce all rules and regulations for the government of the police force in the Town of Conway.
3. Said Commissioners shall have authority to remove any officer at any time for just cause and after due hearing, which cause shall be specified in the order of removal, except that special police officers appointed and designated as such shall serve at the pleasure of the Commission and may be removed for other than just cause.

Compensation. The salary for each of said Police Commissioners shall be \$100 per year.

Part II, § XVIII, is amended to add the following:

In accordance with RSA 41:29-a, the Town Treasurer, with the approval of the Board of Selectmen, may appoint a Deputy Treasurer, who shall be sworn and have the powers of the Treasurer. The Deputy Treasurer may be removed at the pleasure of the Treasurer.

Part II, § XXIII, is amended to add the following:

Effective March 1, 1971, officers and employees of the Town of Conway shall be included in the New Hampshire Retirement System, as provided for by RSA Ch. 100-A.

Part III, § III, is amended to add the following:

Indemnification of officers and employees. The Town shall indemnify and/or save harmless any person employed by the Town, including but not limited to its Town Manager, Assistant Town Manager, and/or Appraiser, any member of its Board of Selectmen, any administrative staff members, and any member of agencies, boards, committees, or commissions, all of which may include, but are not limited to, the Board of Adjustment, Planning Board, Trustee of Funds, Trustee of Libraries, Park Commission, Conservation Commission, Municipal Budget Committee, and/or any elected or appointed Town officials, all acting for and/or to the benefit of the Town of Conway, from any personal financial loss or damage and/or expense, including reasonable legal fees and costs, if any, arising out of any claim, demand, suit or judgment by reason of any of the following:

1. Any act or omission constituting a violation of the civil rights of an employee or any person under any federal and/or state law or constitution if such act or omission is not committed with malice and the indemnified person, at the time of such act or omission, was acting within the scope of his/her employment or office; and
2. Negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property if the indemnified person, at the time of the accident resulting in injury, damage or destruction, was acting in the scope of his/her employment or office.

Part III, § XI, is amended to add the following:

The Board of Selectmen is authorized to accept private donations of land, interest in land or money to be deposited into the conservation fund for the purposes of contributing conservation land or interest in land and other costs associated therewith for permanent conservation use under the New Hampshire Land and Community Heritage Investment Program (LCHIP) (RSA Ch. 227-M). The Selectmen are authorized to apply for and accept state matching funds under the LCHIP for the purposes of acquisition of the fee or lesser interest in conservation land. Said appropriated or donated funds and state matching funds may be expended by majority vote of the Conservation Commission.

The Board of Selectmen may acquire or sell real estate for the Town after recommendations from the Planning Board and Conservation Commission of the Town pursuant to procedures, including public hearings, set forth under RSA 41:14-a, but limited upon written petition to the Board of Selectmen. This authority shall remain in effect until specifically rescinded by subsequent vote of the Town, but such authority shall not permit sale of Town-owned conservation land, Town forest, or any real estate given to the Town for charitable or community purposes.