

SELECTMEN'S MEETING

March 11, 2015

Executive Board Attending: David Upton, Susan Hansel, Maury Collins, Edie Drinkwater, Admin. Assist.

Others attending: Michael and Mary Cornog, Rick Church, Elaine Giacomo, Tom Newcombe, Hope and Rick Lothrop

The meeting was opened at 3:00 PM by Chair David Upton.

Susan made a motion to appoint David Upton as Chair.

Maury seconded the motion.

The motion then carried by a vote of 3-0.

Michael and Mary Cornog came before the Board to share their observations of Town Meeting. They each offered gracious remarks and heartfelt support. We hope they know how much the Board and Administrative office appreciated their kind words.

Maury reported that he has contacted two commercial property appraisers for proposals to evaluate the Gravel Pit property in Gilsum. He hopes to hear back from them within the week.

Maury reported that the Light Tec/Eversource energy review is complete and all Town buildings, except the Town Barn, qualify. A representative from Eversource will be in touch to report and review the findings.

There was a brief discussion regarding the need to find a new Health Officer. Alex Lange has moved out of Town and reported to Susan that he was resigning from the position.

Rick Church came before the Board to further discuss a proposal to open a trail across land owned by the Town and located along Log Cabin Road. In addition to the Town property, abutting land owners would be contacted for their support of the project by allowing passage across a portion of their land as well. While this is still in the planning stages, the Trails committee and the Conservation Commission would like approval from the Board of Selectmen to proceed with the project.

Maury made a motion to support and approve the proposal from the Trails committee and Conservation Commission to create a walking trail on the Town owned land along Log Cabin Road.

David seconded the motion.

The motion then carried by a vote of 3-0.

David made a motion to approve both the Public and Non-Public minutes for March 4, 2015.

Maury seconded the motion.

The motion then carried by a vote of 3-0.

David made a motion to abate all interest and penalties on the property previously identified as 009-091-000 and listed to Victor and Nancy St. Pierre. Abatement is due to identifying and recording errors dating back over 10 years.

Maury seconded the motion.

The motion then carried by a vote of 3-0.

Susan reported that the manifest was complete and moved approval as presented.

David seconded the motion.

The motion then carried by a vote of 3-0.

The Board agreed that David Upton would remain as the Selectmen's representative to the Planning Board.

Elaine Giacomo and Tom Newcomb came before the Board to review the membership status of the Cemetery Board and the Trustees of Trust Funds.

Following the election (If all accept) the Cemetery Board will include:

Judi Lange.....2016
Elaine Giacomo.....2017
Candyce Fulford.....2018
Marty French.....2018
Vacancy.....2016

Trustees of Trust Funds

Tom Newcombe.....2018
Elaine Giacomo.....2017
Vacancy.....2016 (Edith Notman was recommended for this position and will be contacted by Tom Newcombe.)

All donations received for the 2014 Town Hall and Library lower level building projects were turned over to the Trustees of Trust Funds. The funds will be deposited into 3 accounts by donor designation (1. Town Hall, 2. Library Lower level, 3. For use on either project) The total of all donations received is \$81,615.32.

Documentation was provided to the Trustees of Trust Funds regarding a \$1,000 payment for the Lake Host Program from the Milfoil funds in 2013.

This payment was made as a result of a unanimous vote of the Conservation Commission , at their monthly meeting held on May 21, 2013, to use the funds for that purpose.

David made a motion to appointment the Town Buildings Committee for 2015 to include Lisa Sieverts, Russ Thomas, Bert Wingerson, Sandy Mackenzie, Dave Birchenough, and David Upton as Selectmen's representative.

Maury seconded the motion.

The motion then carried by a vote of 3-0.

Rick and Hope Lothrop came before the Board requesting a Non-Public session to discuss a pending legal matter.

At 4:21 PM David made a motion to move into Non-Public session in accordance with RSA 91-A:3 II (a&c&e) Pending legal, Personnel, Harm to reputation.

Susan seconded the motion.

The motion then carried by a roll call vote of 3-0 Maury – Yes, Susan – Yes, David – Yes

Non-Public Session of Nelson Board of Selectmen March 11, 2015

Town of Nelson [Board of **Selectmen**, Planning Board, ZBA etc. (choose one)]

Legal, Personnel and Harm to reputation

RSA 91-A: 3 II (a&c&e)

Minutes of Non-Public Session

Date: March 11, 2015

Present: David Upton Yes
Maury Collins Yes
Susan Hansel Yes

Motion to enter Non-Public Session made by David
and Seconded by Susan.

**SPECIFIC EXEMPTION RELIED UPON AS FOUNDATION FOR
THE NON-PUBLIC SESSION.**

X **RSA 91-A: 3 II (a)** – The dismissal, promotion or compensation of any public employee or the disciplining of such employee or the investigation of any charges against him unless The employee affected (1) has a right to a meeting, and (2) requests that the meeting be open, in which case the request shall be granted.

 RSA 91-A: 3 II (b) – The hiring of any person as a public employee.

X **RSA 91-A: 3 II (c)** – Matters which, if discussed in public, would likely affect adversely the Reputation of any person, other than a member of the board itself, unless such person requests an open meeting.

 RSA 91-A: 3 II (d) – Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

X **RSA 91-A: 3 II (e)** – Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the Town or any subdivision thereof, or against any member thereof because of his membership in such body, until the claim or litigation has been fully adjudicated or otherwise settled.

Roll call vote: Susan Hansel Yes
Maury Collins Yes
David Upton Yes

THE BOARD ENTERED NON-PUBLIC SESSION AT 4:21 PM

OTHER PERSONS PRESENT DURING THE NON-PUBLIC SESSION
Edie Drinkwater, Administrative Assistant, Hope Lothrop and Rick Lothrop

Town of Nelson Minutes of Non-Public Session

**BRIEF DESCRIPTION OF THE SUBJECT MATTER DISCUSSED AND
FINAL DECISIONS:**

Hope and Rick Lothrop presented with questions and concerns over a pending legal matter.

Due to the sensitive content and status of the legal matter, David made a motion to seal the minutes.

Maury seconded the motion.

The motion then carried by a roll call vote of 3-0. Maury – yes, Susan – yes, David – yes

David made a motion to return to public session.

Susan seconded the motion.

The motion then carried by a roll call vote of 3-0. Maury – yes, Susan – yes, David – yes.

Returned to Public session at 5:18 PM

NOTE: RSA 91-A: 3 (III) Minutes of proceedings in non-public session shall be kept and the Record of all actions shall be promptly made available for public inspection, except as provided in this Section. Minutes and decisions reached in non-public session shall be publicly disclosed within 72 hours Of the meeting, unless by recorded vote of 2/3 of the members present, it is determined that divulgence of the information would adversely affect the reputation of any person other than the member of the Board, or render the proposed action ineffective. In the event of such circumstances, information shall be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.

Shall the minutes be publicly disclosed? **No**

If No, the following motion is required:

MOTION MADE BY David, **SECONDED BY** Maury

TO NOT PUBLICLY DISCLOSE THE MINUTES BECAUSE IT IS DETERMINED THAT DIVULGENCE OF THE INFORMATION LIKELY WOULD:

Affect adversely the reputation of any person other than a member of the Board, or

Hinder an ongoing Police Investigation

Render the proposed action ineffective.

Cause harm to the Town through Possible litigation

ROLL CALL VOTE Maury - Yes

Susan - Yes

David - Yes

MOTION TO CLOSE THE NON-PUBLIC SESSION

MADE BY David **AND SECONDED BY** Susan

ROLL CALL VOTE Susan - Yes

Maury - Yes

David - Yes

The Board Reconvened the Public Session at 5:18 **PM**

Minutes recorded by: Edie Drinkwater

With nothing further, David made a motion to adjourn.

Susan seconded the motion.

The motion carried by a vote of 3-0.

Meeting adjourned at 5:20 PM

March 11, 2015

David Upton, Chair

Maury Collins

Susan Hansel