

## SELECTMEN'S MEETING

March 25, 2015

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

Others attending: John Bunce, Mike Tarr, Barry Tolman, Karen Tolman, Apple Hill representative

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

John Bunce and Maury reported on the Gravel Committee findings and recommendations.

Maury made a motion to hire North American Reserve to do the soil/mineral evaluation.

Susan seconded the motion.

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

John Bunce reported that he has made several attempts to reach Bud French to set up a meeting with Troy Tucker to discuss repairs to the 1986 fire tanker. At this time Bud has not responded to arrange a meeting. John will continue trying.

David made a motion to approve the MS- 232 for submission to the Department of Revenue.

Maury 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 11, 2015.

Susan seconded the motion.

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

The Moose Plate grant was reviewed and a brief discussion followed. Edie and Susan will continue working to meet the deadline for applying.

David made a motion to deny tax abatement to PSNH, now known as Eversource, upon recommendation from Avitar.

The Board reviewed plans for a building permit submitted by Apple Hill.

The plan proposes removal of 2 cabins that are in poor condition and building one new 16'x16' cabin which requires a permit. They will also be building 2 6'x8' "practice" cabins which do not require permits.

David made a motion to approve the building permit as presented.

Maury seconded the motion.

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

David made a motion to accept Tom Newcombe's resignation from the Cemetery Board.

Susan seconded the motion.

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

David made a motion to appoint Edith Notman as a Trustee of Trust Funds.

Maury seconded the motion.

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

David made a motion to accept Carol Raynor's resignation as Library Trustee.

Susan seconded the motion.

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

David made a motion to appoint Kathleen Vetter as Library Trustee.  
Maury seconded the motion.  
The motion then carried by a vote of 3-0.

David made a motion to approve letters to Governor Hassan and all State Legislators in accordance with article #32 of the 2015 Town Warrant.  
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.  
Maury seconded the motion.  
The motion then carried by a vote of 3-0.

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At 3:51 PM David made a motion to move into Non-Public session in accordance with RSA 91-A:3 II (c&e) Harm to reputation.  
Maury 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 25, 2015

**Town of Nelson** [Board of **Selectmen**, Planning Board, ZBA etc. (choose one)]  
Harm to reputation, Legal  
RSA 91-A: 3 II (c&e)  
**Minutes of Non-Public Session**

Date: March 25, 2015

Present: <u>David Upton</u>	Yes
<u>Maury Collins</u>	Yes
<u>Susan Hansel</u>	Yes

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

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

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   3:52   PM**

**OTHER PERSONS PRESENT DURING THE NON-PUBLIC SESSION**

Edie Drinkwater, Administrative Assistant, Karen and Barry Tolman

**Town of Nelson**

**Minutes of Non-Public Session**

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

Karen and Barry came before the Board to discuss the status of actions taken to discover the identity of the person or persons who falsely used their name for submission of a letter which was published in the Keene Sentinel.

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Next the Board briefly reviewed a legal matter that is presently being addressed by Town Counsel.

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

Susan 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.

Maury 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 4:35 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** Maury

**ROLL CALL VOTE** Susan - Yes

Maury - Yes

David - Yes

**The Board Reconvened the Public Session at** 4:35 **PM**

**Minutes recorded by:** Edie Drinkwater

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Upon returning to public session, the Board discussed options for appointing a new Health Officer. No action was taken.

The Board agreed to consult with Kohler & Lewis for an evaluation of the Climate control problems in the Library lower level meeting room, archives, and upstairs bathrooms.

The evaluation must address the needs of the three separate spaces to be heated and cooled under separate and different conditions and requirements.

**The following items were noted for further action:**

1. Contact the building painters to be placed on their spring schedule to begin the repairs and painting of Town buildings
2. Develop Board Policies for dealing with the Police Department as employees.
3. Set a meeting date for the JLMC and arrange member elections.
4. Contact Gary Kinyon for updates on pending legal matters.

The Board agreed that Susan would continue as Fire Department Liaison, Maury as Highway Liaison, and David as Police Liaison.

With nothing further, David made a motion to adjourn.

Maury seconded the motion.

The motion carried by a vote of 3-0.

Meeting adjourned at 5:11 PM

March 25, 2015

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David Upton, Chair

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Maury Collins

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Susan Hansel