

SELECTMEN'S MEETING

March 27, 2013

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

Others Attending: John Cucchi, P. Walter, Bert Wingerson, Dennis Dellagreca, Rick Lothrop

The meeting was called to order and opened by Chair David Upton at 2:03 PM.

There was a brief discussion regarding the need to go into Non-Public session to interview a prospective assessing company by contract.

Loren Martin, representing Avitar, agreed to a public session as long as contract figures were not publicly discussed.

The Board agreed.

Loren reviewed her qualifications and her 20 years of experience.

Loren would be assigned to Nelson and holds a Certificate with the NHDRA at the level of supervisor.

Susan asked for clarification of the list of clients.

Loren explained that the chart that was presented showed both the clients using the Avitar software and a separate column showing the clients using Avitar for assessing as well.

The length of service with the client was a bit unclear as it included any Avitar service. (Software or assessing)

Loren gave an overview of the assessing process and also explained that Avitar has access to sales data from many outside communities to aid in the evaluation in the event that Nelson has low annual sales.

Loren would work with Field staff but she would be the supervisor. She feels that this would provide more consistency in assessing.

Loren would be present in the Town Office one day per month to meet with residents to answer questions or to address any issue regarding their assessment and the process.

Following the complete reval in 2016 all property information would be available online for thirty days allowing residents to access the information at any time.

There is also a program available from Avitar that could be purchased that would allow for online availability beyond the thirty days. Loren will provide a proposal for this service as well for the Board to consider.

Cyclical assessing will be done in blocks after prior posting notice of the start date.

If no one is home then cards will be left indicating that the assessor has been there. Residents may call the Town Office with questions or to set up an appointment for an inside inspection.

The Police department and the Town Office will be notified when an assessor is in town working. All vehicles will be clearly marked as an assessor and all agents will carry identification.

Discussion continued and covered many topics including staff turnover, current use assessment, Lake Front property, abatements, and BTLA representation.

With no further question, the Board thanked Loren for coming and indicated that a decision would be made soon.

Next, Rick Lothrop came forward to meet with the Board regarding the process of selecting a new Fire Chief.

David reviewed the process and read a list of job duties indicating that Risk management on an administrative level and Safety in the field are key areas of concern in the development of a job description.

Rick feels that this can be accomplished with a deputy as the department is now set up. Rick agreed that having someone, such as a clerk, would be helpful with the record keeping. David presented two job descriptions. (One for Administrative and one for Field Operations) Rick read off a list of duties and responsibilities that he brought including care of the trucks, meetings, membership, budget development and use, Fire inspections, code enforcement, training, School inspections, mutual aid to other towns, life safety issues in foster homes and assisted living, burning permits, fireworks permits, management at fire and rescue incidents, activity logs and reports. Rick agreed to work on a job description and meet with the Board at 7:00 PM next Wednesday.

Paperwork was then presented.

David made a motion to approve the minutes of the March 20, 2013 Selectmen's meeting. Maury seconded the motion. The motion then carried by a vote of 3-0.

David made a motion to approve the minutes from the March 21, 2013 Selectmen's meetings, both Public and Non-Public sessions. Maury seconded the motion. The motion then carried by a vote of 3-0.

Susan made a motion to approve the manifest for March 27, 2013 as presented. Maury seconded the motion. The motion then carried by a vote of 3-0.

David made a motion to approve the Re-Committal Warrant for presentation to the new Town Clerk/Tax Collector. Maury seconded the motion. The motion then carried by a vote of 3-0.

Next, the Board agreed to move to Non-Public session for the purpose of deliberation over the hiring of an Assessing Company.

Town of Nelson [Board of **Selectmen**, Planning Board , ZBA etc. (choose one)]
Consideration of hiring of a Public Employee by contract
RSA 91-A: 3 II (b&c)

Minutes of Non-Public Session

Date: March 27, 2013

Present: David Upton Yes
Maury Collins Yes
Susan Hansel 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.

 X 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.

 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 4:20 PM

OTHER PERSONS PRESENT DURING THE NON-PUBLIC SESSION
Edie Drinkwater, Administrative Assistant.

Town of Nelson **Minutes of Non-Public Session**

BRIEF DESCRIPTION OF THE SUBJECT MATTER DISCUSSED AND FINAL DECISIONS:

Assessing Company bids were considered along with qualifications, length of time in assessing, and individual presentations.

After a discussion of all questions and concerns, David asked if the Board was ready for a vote.

Maury made a motion to award Avitar the assessing contract.

David seconded the motion.

The roll call vote resulted in Avitar being chosen to be awarded the assessing contract for the Town of Nelson. Maury – Aye, Susan – No, David - Aye

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? **Yes**

If No, the following motion is required:

**MOTION MADE BY _____, SECONDED BY _____
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 _____

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 5:01 PM

Minutes recorded by: Edie Drinkwater

Next, the Board agreed to move to Non-Public session for the purpose of discussing personnel issues.

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

Personnel Issues

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

Minutes of Non-Public Session #2

Date: March 27, 2013

Present: David Upton Yes
Maury Collins Yes
Susan Hansel 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.

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.

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 5:02 PM

OTHER PERSONS PRESENT DURING THE NON-PUBLIC SESSION

Edie Drinkwater, Administrative Assistant.

Town of Nelson

Minutes of Non-Public Session

BRIEF DESCRIPTION OF THE SUBJECT MATTER DISCUSSED AND FINAL DECISIONS:

Discussion opened regarding the position of Fire Chief.

Several areas of concern were discussed including book keeping, safety, policies and procedures, compensation stipend, cooperation and interaction with the Select Board, as well as the visit from the Harrisville Fire Chief.

The Board agreed to take no action at this time but to continue working with Rick Lothrop to resolve this matter and to then make a choice that seems in the best interest of the Town.
The Board also agreed that the detailed minutes should not be disclosed.

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 Susan Yes
Maury 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 5:55 PM

Minutes recorded by: Edie Drinkwater

Susan reminded the Board that the Floor at the safety building needs to be addressed in light of the findings from Keene Commercial Interiors.
Edie will ask Trevor to set up a consultation with the Board to present a recommendation for correcting the problems.

With nothing further, Maury made a motion to adjourn.
Susan seconded the motion.
The motion then carried by a vote of 3-0.

Meeting adjourned 6:07 PM

March 27, 2013

David Upton, Chair

Maury Collins

Susan Hansel