

SELECTMEN'S MEETING

April 16, 2014

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

Others Attending: Dana Hennessy

At 4:30 PM David Upton opened the April 16, 2014 meeting of the Select Board. The sole item on the agenda was a Non-Public session in accordance with RSA 91-A:3 II(a&c&e) Personnel, Harm to reputation of another & ongoing police investigation. At 4:32 PM David made a motion to move directly into Non-Public session for the purpose as stated above. Maury seconded the motion. The motion then carried by a roll call vote of 3-0. Susan – Yes, Maury – Yes, David – Yes.

Non-Public Session of Nelson Board of Selectmen April 16, 2014

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

Date: April 16, 2014

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.

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 4:32 PM

OTHER PERSONS PRESENT DURING THE NON-PUBLIC SESSION
Edie Drinkwater, Administrative Assistant, Dana Hennessy, Nelson Police Officer

Town of Nelson Minutes of Non-Public Session

BRIEF DESCRIPTION OF THE SUBJECT MATTER DISCUSSED AND FINAL DECISIONS:

Personnel issues were discussed at length along with details of an ongoing investigation.

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:

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

X Hinder an ongoing Police Investigation

 Render the proposed action ineffective.

 Cause harm to the Town through Possible litigation

ROLL CALL VOTE Maury - Yes
David - Yes
Susan - 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 7:09 PM

Minutes recorded by: Edie Drinkwater

With nothing further, Maury made a motion to adjourn.
David seconded the motion.
The motion then carried by a vote of 3-0. Meeting adjourned at 7:10 P.M.

April 16, 2014

David Upton, Chair

Maury Collins

Susan Hansel