

SELECTMEN'S MEETING

May 01, 2013

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

Others Attending: Kathy Blaudschun, Bud French, Dennis Dellagrecia, Patricia Jones

The meeting was called to order and opened by Chair David Upton at 5:00 PM.

David began by reviewing the minutes from the public and Non-public meeting on April 24, 2013.

David made a motion to approve the minutes of the Non-public session for 4/24/2013.

Maury seconded the motion.

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

David then made a motion to approve the minutes of the public session for 4/24/2013.

Maury seconded the motion.

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

Next Bud French came before the Board to be interviewed for the position of Nelson Fire Chief. He was offered a Non-public interview which he declined but David indicated that he would like to have a portion of the interview in Non-Public session.

Bud reviewed his time on the department and his credentials.

He went on to explain that he is in the process of updating his ICS certifications and he reported that a group from the department is interested in taking Firefighter I training.

He also reported on other classes and training that the members have been taking.

Bud noted that as of today (May 1, 2013) that he is the acting Fire Chief as Rick Lothrop's retirement official begins today.

Bud questioned why the Board is now involved with appointing the Deputies.

He went on to comment that he felt the Flow chart (presented by Rick Lothrop) does not match the job description.

David explained the difference in the Boards oversight now that payroll is involved.

Bud discussed the procedure of recording calls and their durations, the Mutual aid computer program tied into the dispatch center which records all of the data. He also noted that the department was just unpaid volunteer service in the past.

Susan and David explained the position of liaison to the Fire Department and why she would like to attend some of their meetings.

Bud stated that he had not seen the job description until Maury delivered a copy to him and requested that he come in to discuss the position.

Bud also expressed his belief that the job was being advertised outside of the department.

The entire Board told him that was not the case and that, in fact, it was announced at numerous meetings that the search for a new Fire Chief would be from within the department if anyone was interested.

Edie explained that the approved job descriptions were given to Rick Lothrop and he said he would be sure to give them to Bud however Bud indicates that Rick did not bring him these job descriptions.

Bud stated that he needs to consider further if he still wants to apply for the position.

Next Candyce Fulford came to present a program for mass email notices. Several options were discussed that would not require a fee.

Susan voiced her opinion that perhaps a commercial outlet is not the proper avenue for government business announcements to be circulated.

David reported a good response from the newly appointed Town Buildings committee and a time and date were set for the first meeting. This will be held on Tuesday May 7, 2013 at 6:00 PM at the Town Hall.

Edie reported that it has already been posted for both the committee and for the attendance by the Select Board.

David reported that Mike Tarr and Nick Barrett have agreed to fill the vacancies on the Joint Loss Management Committee. The Committee is now complete with three members from management and three members from labor. Members will be contacted and a meeting time set.

David reported on his meeting with JB Mack from SWRP and Barry Tolman. David presented a list of road safety concerns from Karen and Barry Tolman.

David will meet with Ron Grandmaison from the NH DOT to review recommendations from previous safety studies.

Next, Maury reported that the sidewalk project is ready to begin tomorrow if the Board agrees. The contractor understands the ADA requirements and assures full ADA compliance. The walk to the library will be done first.

Maury made a motion to begin the sidewalk project tomorrow.

Susan seconded the motion.

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

Next David made a motion to approve the job description for the Deputy Fire Chief of Operations.

Maury seconded the motion.

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

Maury reported on the "Mountain of Demo" training and equipment expo for Road Agents and Highway workers. This is at no cost to municipalities and Maury will plan to attend with Mike and Nick.

Edie will submit the sign-up paperwork tomorrow.

There was a brief discussion regarding the reverse 911 reporting program. David agreed to follow up and bring any further information to present to the Board.

Susan expressed a desire to investigate the possibility of a recycling center. After a very brief discussion, Susan indicated that she will explore this further.

There was a brief discussion regarding the Memorial Day activities. Some very general information was presented regarding flowers, a band, cub scout participation, etc.

David asked if there would be a parade. Susan said "not really"; people just follow the band up to the cemetery.

In further discussion Kathy Blaudschun indicated that the parade had been revived. It was also noted that Richard Pratt rounds up veterans to March and attend the ceremony. Patricia Jones reviewed the history of purchasing and placing geraniums for the cemetery. Patricia stated that Edith Notman was now acting Chair of the Cemetery Board and was going to do some footwork regarding the geranium purchase. Patricia indicated that approximately 150 would be needed and suggested ordering from Keene High School.

Edie reported that Charlie Lang came into the Town Office to reserve the Town Hall in December for the Holiday Concert. The day and time are on hold for the event. Edie asked the Board if they wish to sponsor the Holiday Concert featuring the Nelson Town Band. If so, as a Town function, there would be no cost to rent the Town Hall and no further insurance requirement.

Maury made a motion that the Board of Selectmen sponsor the December Holiday Concert featuring the Nelson Town Band.

David seconded the motion.

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

The Board was presented with a news release from Chief Pratt asking people to be vigilant and alert as there have been several burglaries in the region. Chief Pratt had asked the Board to review the notice before it was released.

David made a motion to approve the news release.

Maury seconded the motion.

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

David opened a very brief discussion regarding a possible gun buyback option for anyone who may be interested in getting rid of unwanted firearms but may not know how to proceed.

Next Patricia Jones requested permission to speak.

She was invited to come forward.

1. She informed the Board that Edith Notman has agreed to step in as Chair of the Cemetery Board for the coming year. (nominated by Tom Newcomb)
2. Informed the Board that she is finalizing a map and spreadsheet for cemetery #2. She will be correcting any inaccurate information from the past documents.
3. Noted that she will be meeting with Teri Upton to review meeting minutes of the Cemetery Board to be certain there is a complete set in the Town office as well as with the Cemetery Board files.
4. She wanted to make clear that she was turning over all CB materials to Edith Notman in a complete and well organized fashion.
5. Stated that Edith Notman informed her that the Board of Selectmen was irate with her and considered her meddling into the Jack Bradshaw donation. She continued to present background information attempting to support her statements.

Edie interjected that the information Patricia was presenting was not accurate. The situation as she outlined did not happen as she presented and Edie made it very clear that the Board was not involved in the situation and had no reason to have expressed any anger toward her as she stated. As it happened, three Cemetery Board members were in the Town office at the same time and all had very individual and separate reasons for being there. Edie explained that her meeting was with Tom Newcombe only and no one else was or needed to be informed at that time.

Patricia had business with the Town Clerk's office and Edith was picking up a flyer and catalog on flags that had been set aside for her. She may have had other business there as well which was not noted.

Patricia said she has just come tonight to clear the matter up. She then left the meeting.

Edie informed the Board that this kind of petty bickering is a constant element that is being disruptive to business conduct. False accusations against the Board or individuals are non – stop.

With the return of calm and quiet, paperwork was presented for review and signing.

An Intent to cut application was presented that had been submitted by Dennis Dellagrega. After review Maury made a motion to approve the intent to cut application. David seconded the motion. The motion then carried by a vote of 3-0.

A recommendation from Avitar regarding the Fairpoint request for abatement was review. The recommendation was to deny as there was still court action pending throughout the State. David made a motion to deny the Fairpoint abatement. Maury seconded the motion. The motion then carried by a vote of 3-0.

A recommendation from Cross Country regarding the Yardley/Strauss request for abatement was reviewed. The recommendation was to abate and offer an agreement in this BTLA appeal case. David made a motion to approve the abatement and agreement in the Yardley/Strauss case. Maury seconded the motion. The motion then carried by a vote of 3-0.

After reviewing the written response from Markings, Inc. in which they refuse to warranty their work on the Nelson Road there was a brief discussion of how to proceed with this company. This involves the lines painted on the road which began to fade within approximately three weeks and are now almost completely gone. (In less than four months) David made a motion to contact Gary Kinyon for legal advice on this matter. Maury seconded the motion. The motion then carried by a vote of 3-0.

Susan made a motion to approve the manifest for May 1, 2013 as presented. Maury seconded the motion. The motion then carried by a vote of 3-0.

At 7:50 PM David made a motion to move into Non-Public session in accordance with RSA 91-A:3 II (b&c) Maury seconded the motion. The motion then carried by roll call vote of 3-0. Maury – Aye, Susan – Aye, David - Aye

Town of Nelson [Board of Selectmen, Planning Board , ZBA etc. (choose one)]
Hiring of an employee, Cause harm to reputation of another,
RSA 91-A: 3 II (b&c)

Minutes of Non-Public Session

Date: May 1, 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 7:51 PM

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

BRIEF DESCRIPTION OF THE SUBJECT MATTER DISCUSSED AND FINAL DECISIONS:

There was a brief discussion regarding appointing a new Fire Chief.

David made a motion to seal the minutes due to lack of resolution during this session .

Maury seconded the motion.

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

At 8:37 PM 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. Susan – Aye, Maury – Aye, 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? **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 - Aye

David - Aye

Susan - Aye

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 8:37 PM

Minutes recorded by: Edie Drinkwater

Upon returning to public session the Board reviewed the closing date for application for the job of Deputy Fire Chief of Administration and Deputy Fire Chief of Operations. They agreed to 12:00 noon on May 8, 2013.

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 8:42 PM.

May 1, 2013

David Upton, Chair

Maury Collins

Susan Hansel