

SELECTMEN'S MEETING

May 29, 2013

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

Others Attending: Karen Tolman, Barry Tolman, Dennis Dellagrecia, Priscilla Walter, Bert Wingerson, Maureen Lord, Kathy Blaudschun

The meeting was opened by Chair David Upton at 6:00 PM.

The first order of business was to review the minutes from May 22, 2013.

Following the review and typo corrections David made a motion to approve the minutes of the Public session meeting for May 22, 2013.

Maury seconded the motion.

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

Next David made a motion to approve the minutes of the Non-Public session meeting for May 22, 2013.

Maury seconded the motion.

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

Maury reported on his attendance at the Road Agent's Assoc. Conference with Mike and Nick. A lot of good information was available along with several options for the future regarding used equipment.

Maury noted that tomorrow evening He and David will attend a Conservation training class in Peterborough and another on June 6, 2013. Both of these events have been posted for Selectmen's attendance.

David and Susan reported on the Town Buildings Committee meeting.

David noted that drafting has begun for the RFP to be sent to architects who may be interested in the proposed projects for the Town Hall and Library.

Susan reported that the Town Buildings Committee will be meeting on the next two Tuesday evenings.

Mike Tarr will be contacted by the committee to review his ideas for mitigating the water shed from the Town Hall roof near the rear emergency exit door.

David reviewed the JLMC meeting of May 28, 2013. As a quorum was not in attendance no actions could be taken. Those in attendance read through the report from the Department of labor and items were noted for discussion when a quorum can meet. The agenda that was planned for this meeting will be taken up at that time including election of officers and annual building inspections to maintain State compliance.

David reported that a tentative meeting has been set up with Ron O'Keefe for June 20, 2013. This will be open to the public and will address liability issues facing small Fire Departments across the State.

Next Matt Ferraro came before the Board with a request that the problem of potholes on the Henderson Road be addressed.

The Board will pass this concern on to Mike Tarr for his evaluation and repair.

There was a brief review of the changes in the property identification numbers when CAI produced the new Town maps. All properties were assigned new numbers that do not match the Avitar system or the property files. The original numbers are part of the history of every property in Town and in many cases are referenced in recorded deeds and land transfers. A meeting will be set up with Avitar and CAI to come up with a plan to make the new maps easily workable with the present system.

Next, Susan reported that the manifest was complete and then made a motion to approve as presented.

David seconded the motion.

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

At 6:37 PM David made a motion to go into Non-Public session in accordance with RSA 91-a:3 II (a&c&e)

Maury seconded the motion.

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

Town of Nelson [Board of **Selectmen**, Planning Board, ZBA etc. (choose one)]
Personnel, Cause harm to reputation of another, Legal
RSA 91-A: 3 II (a&c&e)

Minutes of Non-Public Session

Date: May 29, 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.

 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 6:38 PM

OTHER PERSONS PRESENT DURING THE NON-PUBLIC SESSION

Edie Drinkwater, Administrative Assistant, Barbara Jeffery

Town of Nelson

Minutes of Non-Public Session

BRIEF DESCRIPTION OF THE SUBJECT MATTER DISCUSSED AND FINAL DECISIONS:

Interview for position of Zoning and Planning Clerk

Updated information regarding Pending Legal cases was presented to the Board.

David made a motion to seal the minutes due to Harm to reputation of another and lack of resolution as this is an ongoing matter and there remains risk of litigation.

Maury seconded the motion.

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

At 9:42 PM Maury made a motion to return to public session.

Susan 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 Maury **AND SECONDED BY** David

ROLL CALL VOTE Susan - Yes
Maury - Yes
David - Yes

The Board Reconvened the Public Session at 9:41 **PM**

Minutes recorded by: Edie Drinkwater

Upon coming out of Non-Public session there was a brief review .
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 9:42 PM.

May 29, 2013

David Upton, Chair

Maury Collins

Susan Hansel