

SELECTMEN'S MEETING

June 17, 2015

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

Others attending: Winston O. French, John Bunce, Dennis Dellagrecia, Mike Tarr, Barry Tolman

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

John Bunce came before the board to voice his personal opinion regarding certain actions of the Select Board:

1. Displeased at not being informed of the negotiations regarding the Gilsum property.
2. Displeased that further research and an appraisal was performed for the property.
3. Displeased at actions taken by the Board regarding a personnel matter.
4. Displeased that the Selectmen are the approving authority for use of Town property.
5. Displeased that all departments are required to follow a Purchase Request policy.
6. Displeased that employees and volunteers are required to attend various training classes provided by the Town's liability carrier.
7. Leveled accusations of Harassment and Conflict of interest.

David Upton informed Mr. Bunce that any action taken by the Board in Non- Public session would not be commented on. (Including Personnel and Land Acquisition)

Mr. Bunce was informed that private organizations do not have authority (or liability coverage) to determine the use of Town property.

Dennis Dellagrecia, although not on the agenda, was given an opportunity to speak. He also wanted to complain about the Board's action regarding the personnel matter. He too was informed that the Board would not discuss it further.

Upon completion of their presentation, Mr. Bunce, Mr. Dellagrecia, and all others attending exited the meeting.

The Board reviewed a Building Permit application submitted by John Meehan to build a "barn style" structure to house a music studio.

Upon review it was noted that the property is in current use and the area that is not in current use has not been clearly defined by the landowner.

David made a motion to table the permit until more information can be obtained regarding the area not in current use.

Maury seconded the motion.

The motion carried 3-0.

The Board reviewed a Building Permit application submitted by Troy Tucker to replace an existing deck in kind.

Following a full review, David made a motion to approve the permit as presented.

Maury seconded the motion.

The motion carried 3-0.

David made a motion to approve an Intent to Cut submitted by Winston O. French.

Susan seconded the motion.

The motion carried 3-0.

David made a motion to approve both the Public and Non-Public minutes for June 9, 2015.
Susan seconded the motion.
The motion carried 3-0.

David made a motion to approve a Purchase Request from the Highway Department for Cold Patch.
Maury seconded the motion.
The motion carried 3-0. PR # 156171

Maury made a motion to approve a Purchase Request from the Highway Department for 2 culverts.
David seconded the motion.
The motion carried 3-0. PR # 156172

Susan reported that the manifest was complete and moved approval as presented.
David seconded the motion.
The motion carried 3-0.

David made a motion to approve a Purchase Request from the Highway Department for crushed stone.
Maury seconded the motion.
The motion carried 3-0. PR # 156173

David made a motion to approve a request from the Agricultural Commission to accept Barbara Fraser's resignation and to appoint Barbara Voymas to that position and to then appoint Pat Rich as an alternate.
Maury seconded the motion.
The motion carried 3-0.

Maury made a motion to approve a demolition permit for David Upton to take down a small shed/dog house.
Susan seconded the motion.
The motion carried 2-0. David recused.

The Board reviewed a letter of response to the auditors and a thank you letter from the Winchester Police Department to Richard Pratt.

Maury made a motion to approve the News ad and bidding conditions for the 1968 GMC Fire Truck.
David seconded the motion.
The motion carried 3-0.

Maury reported on his visit to the Fire Department meeting.

David made a motion to forward a letter to Town Counsel regarding Select Board attendance at Fire Department meetings.
Maury seconded the motion.
The motion carried 3-0.

David made a motion to enter into Non-Public session in accordance with RSA 91-A:3 II (d) Land Acquisition.
Susan seconded the motion.
The motion carried by a roll call vote of 3-0. Maury – yes, Susan – yes, David – yes.

Non-Public Session of Nelson Board of Selectmen June 17, 2015

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

Land Acquisition
RSA 91-A: 3 II (d)

Minutes of Non-Public Session

Date: June 17, 2015

Present: David Upton Yes
Maury Collins Yes
Susan Hansel Yes

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

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.

 X 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 4:49 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:

The Board moved into discussion of the Gilsum Land Acquisition
Based on a review of new information, Maury made a motion to forward all information to Town Counsel for review and completion of paperwork for submission.
David seconded the motion.
The motion carried 3-0

David made a motion to seal the minutes.
Susan seconded the motion.
The motion then carried by a roll call vote of 3-0. Susan – Yes, Maury – 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. Susan – Yes, Maury – Yes, David – Yes.

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** Susan

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 5:19 PM

Minutes recorded by: Edie Drinkwater

Return to Public Session:

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

Meeting adjourned at 5:23 PM

June 17, 2015

David Upton, Chair

Maury Collins

Susan Hansel