

# SELECTMEN'S MEETING

July 03, 2013

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

Others Attending: Maureen Lord, Chief Pratt, Bert Wingerson, Dean Huber, Karen Tolman

The meeting was opened by Chair David Upton at 2:00 PM.

Julia Lennon presented Debbie Poanessa as her choice for Deputy Town Clerk/Tax Collector. Julia also presented Debbie to fill the Clerk's position on the Zoning and Planning Boards indicating that she has met with both Rich Popovic and Eric Sandberg and has their approval. After a brief interview David made a motion to approve the appointment of Debbie Poanessa to the position of Deputy Town Clerk/Tax Collector and the position of Clerk to the Zoning and Planning Boards.

Susan seconded the motion.

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

Heather Lee Colson then came before the Board to request two building permits. The first is for a two story, single family home and the second is for a garage with storage wing. This property is located on Nubanusit Road in Nelson.

After a complete review of the site and building plans and completion of the checklist David made a motion to approve the building permit for the house.

Susan seconded the motion.

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

Then David made a motion to approve the building permit for the garage with storage wing.

Maury seconded the motion.

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

Karen Tolman came before the Board to request a parade permit for July 4, 2013 during the annual picnic on Tolman Pond Road.

Karen explained the tradition and reviewed the parade location. Chief Pratt indicated that a passage for traffic must be maintained.

David made a motion to approve the Parade permit to be held on July 4, 2013.

Maury seconded the motion.

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

Mike Tarr came in to discuss the drainage of water around the safety building. Mike indicated his belief that the water is under the floor and contained between the walls.

Several issues and options were discussed without clear resolve.

Mike will attempt to find the source of the problem.

Mike indicated that Chris Guida has filed the application for DES permits at the Granite Lake boat ramp.

At this time Chris has not made contact with the Town office or the Select Board to review the presentation being sent to NHDES.

Susan reported on the Meeting of the Town Building's Committee and the great response to the RFP.

Susan noted that the next meeting of the committee will be on Monday July 8, 2013.

David reported that he received a phone from David Crane of PSNH regarding the cutting on scenic roads. Mr. Crane reported that the tree cutting which is scheduled for discussion at a public hearing was mistakenly started on Tolman Pond Road. As soon as the mistake was discovered the land owners were contacted and the company has stopped work in that area until permission is granted through a public hearing of the Planning Board.

Next David read a list of provisions to be sent to Town council for inclusion in a contract for the conditional appointment of an Acting Fire Chief.

David made a motion to approve the provisions and move forward with the contract for conditional appointment of an Acting Fire Chief.

Maury seconded the motion.

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

The list was offered to Dean Huber to review and to share with Bud French.

Next Dean was asked if he has the time to address an electrical problem with emergency lights at the Town Hall and in the bathroom at the Town Office. He agreed to help with this problem.

Maury requested that the Conditional appointment of Acting Fire Chief be included in David's "One Selectmen's Report".

Paperwork was then circulated.

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

David seconded the motion.

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

David then made a motion to approve the public minutes of the June 26, 2013 Selectmen's meeting.

Susan seconded the motion.

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

David made a motion to approve the Non-Public minutes of the June 26, 2013 Selectmen's meeting.

Susan seconded the motion.

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

Maury reported that he will meet with John Halter at the Granite Lake Fire Station this evening to arrange for the chicken storage for the Barbeque on July 4<sup>th</sup>.

At 4:30 PM David made a motion to move into Non-Public session in accordance with RSA 91-A:3 II (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)]

Legal - Litigation

RSA 91-A: 3 II (e)

**Minutes of Non-Public Session**

Date: July 03, 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 4:30 PM

**OTHER PERSONS PRESENT DURING THE NON-PUBLIC SESSION**

Edie Drinkwater, Administrative Assistant , Chief Richard Pratt,

**Town of Nelson**

**Minutes of Non-Public Session**

**BRIEF DESCRIPTION OF THE SUBJECT MATTER DISCUSSED AND FINAL DECISIONS:**

The Board then discussed a law suit that has been filed against the Town of Nelson as well as an additional legal matter.

Due to the nature of some of the information discussed and the current status of the law suit David made a motion to seal the minutes of the Non-Public session.

Maury seconded the motion.

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

Susan – Aye, Maury – Aye, David – Aye

At 5:10 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.

  **X**   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 5:10 PM

Minutes recorded by: Edie Drinkwater

Immediately upon return to public session David made a motion to adjourn.  
Maury seconded the motion.  
The motion then carried by a vote of 3-0.

Meeting adjourned 5:29 PM

July 03, 2013

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David Upton, Chair

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Maury Collins

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Susan Hansel