

Town of Nelson Selectmen's Meeting

July 26, 2017

Executive Board Attending: David Upton, Maury Collins, Gary Robinson, Edie Drinkwater, Admin. Assist.

Others attending: Town Counsel Gary Kinyon, Dennis Dellegreca, Mary Dellegreca, Dan Prawdzik, Simone Lagace, Mary Cornog, Dragana Pilipovic, John Wengler, Julia Lennon, Lisa Sieverts, Peter Martel, Carol Raynor

At 3:00 PM David Upton opened the July 26, 2017 meeting of the Nelson Select Board with an introduction of Town Counsel Gary Kinyon.

David advised the audience of the three types of meetings commonly held by the Select Board:

1. Public Hearing – attendees are generally allowed to speak on the given topic of the meeting
2. Public Meeting – The Selectmen's meeting, those on the agenda may address the Board when acknowledged, other attendees are generally not allowed to speak except as may be permitted by the Selectmen.
3. Non-Public meeting - Held only in accordance with the exceptions allowed under RSA 91-A:3 II
The Selectmen determine who will be allowed to attend as their testimony may relate to the exception relied upon to enter the Non-Public session. A formal roll call vote is required for this type of meeting and for any motion to seal the minutes following the meeting.

At 3:13 PM

● David made a motion to move into Non-Public Session to hear a complaint brought forward by Dragana Pilipovic against a town employee and that Ms. Pilipovic and John Wengler be allowed to attend. This in accordance with RSA 91-A:3 II (a&c) - Complaint against a Town employee and Harm to Reputation

John Wengler objected to the process

Gary seconded the motion.

The motion carried by roll call vote 3-0. Maury- yes, Gary – yes, David – yes.

Ms. Pilipovic and Mr. Wengler were upset with the process of the Non-public session (excluding the audience) and at having the Town's attorney present without being given advance notice. After some consideration Ms. Pilivoc requested to be on the next meeting agenda.

David made a motion to close/not proceed with the Non-Public session and to move to the next agenda item.

Gary seconded.

The motion carried 3-0.

Attendee D. Prawdzik asked if there will be a future opportunity to speak to the matter.

J. Wengler continued to voice several concerns over safety issues and the Non-Public meeting process.

Attorney Kinyon reviewed the law governing Non-Public meetings and the rights of the Selectmen to control their meeting.

J. Wengler, still concerned that a lawyer representing the Town was present, wanted to postpone presenting the complaint.

There was a brief pause while Ms. Pilipovic and Mr. Wengler consulted together on how they wished to go forward with their complaint.

Ms. Pilipovic ultimately decided that she would like to present her complaint at today's meeting.

David made a motion to return to the first agenda item – D. Pilipovic complaint against a town employee.

Gary seconded.

The motion carried 3-0.

3:22 PM

● David again made a motion to move into Non-Public Session to hear the complaint brought forward by Dragana Pilipovic against a town employee and that Ms. Pilipovic and John Wengler be allowed to attend. This in accordance with RSA 91-A:3 II (a&c) - Complaint against a Town employee and Harm to Reputation

Gary seconded.

The motion carried by roll call vote 3-0. Maury – yes, Gary – yes, David – yes

The Board heard the complaint, comments, and requests and agreed to take the matter under advisement.

David made a motion to return to Public session.

Gary seconded.

The motion carried by roll call vote 3-0. Maury – yes, Gary – yes, David – yes

3:50 PM

Returned to Public Session

David made a motion to seal the Non- Public minutes.

Gary seconded.

The motion carried by roll vote 3-0. Maury – yes, Gary – yes, David – yes

3:52 PM

David made a motion to recess to go into legal consult with Town Counsel.

Gary seconded.

The motion carried 3-0.

4:11 PM

Consult ended.

David made a motion to reopen the Public meeting and to inform attendees who may have waited outside.

Gary seconded.

The motion carried 3-0.

● Lisa Sieverts and Peter Martel came before the Board on behalf of Monadnock Folklore Society for an annual renter's update on their use and care of the Town Hall.

David complimented and thanked the Folklore Society for their caring use of the building and their contributions to the building's welfare.

Lisa conveyed a request from MFS that the reverse osmosis unit be hooked up again.

The Board will consider this along with other options once the water situation is stable.

Lisa informed the Board that the fan in the Town Hall did not work but David reported that the circuit breaker was likely still off following the wiring needed to hook up the new well equipment.

Gary inquired about the floor in the Town Hall.

Lisa reported that MFS will be scheduling a time to reseal the floor but replacement will be necessary very soon.

Gary asked about the liability of dancing on the floor with several lifting boards causing trip hazards.

All agreed that care need to be taken.

Lisa advised that MFS would split the cost of the floor replacement 50%-50% with the town in 2019.

● Lisa then presented an update of work by a study group in Harrisville and Dublin to bring Broadband and cell service to the area. A full feasibility study will cost approximately \$10,000 (Plus or Minus). Lisa is involved with the Harrisville group and offered to head up a committee in Nelson to join in the study. The Board was in favor and Lisa agreed to put the word out through the Grapevine, Moving in Step, and David will add the information to his new letter.

● Gary made a motion to approve the minutes for July 12, 2017.
Maury seconded.
The motion carried 3-0.

● Julia Lennon came before the Board to register a complaint concerning the minutes for June 28th and for July 5th. She offered her request for amendments in writing and she claimed not to have been present at the June 28th meeting as the minutes reported. The Board agreed to review the minutes and her claim and to report back to her.

● Julia was then informed that the Town's public accountant reported to the Board that he has concerns over a high number of errors encompassing all areas of the Town Clerk's/Tax Collector's work. The accountant will be making further recommendation for monitoring her work and setting policies to that may prevent some of the errors.

● David made a motion to approve the manifests for July 19 and 26, 2017 as presented.
Gary seconded.
The motion carried 3-0

● David made a motion to approve a new Collection for Warrants and Town Fees Policy to be followed by the Town Clerk/Tax Collector and the Police Chief.
Maury seconded.
The motion carried 3-0.

● David made a motion to approve an Intent to Cut for A. Guida
Gary seconded.
The motion carried 3-0.

● Maury made a motion to approve a request from Val Van Meier for space near the Colonial Garden for the Agricultural Commission to set up a booth on Old Home Day.
Gary seconded.
The motion carried 3-0.

● David made a motion to approve space as requested by the Old Home Day Committee with the amended date of August 12, 2017.
Gary seconded.
The motion carried 3-0.

● Maury made a motion to approve a Purchase Request from the Highway Dept. for the purchase of a bucket edge.
David seconded.
The motion carried 3-0. PR # 177261

● David made a motion to deny a building permit for M.& L. Bean to demo one of their rental units and rebuild a larger dwelling on his non-conforming lot due to lack of acreage and to refer to the ZBA to seek a variance.
Gary seconded.
The motion carried 3-0.

● The minutes for June 28th and July 5th were brought forward for review by the Board.

Following a careful reading, the Board found no errors and David made a motion to stand by the minutes as presented.

Maury seconded.

The motion carried 3-0.

● Upon further consideration of the M. & L. Bean referral to ZBA, David made a motion to offer the Board's support for a variance to complete this project.

Gary seconded.

The motion carried 3-0.

● Following a review of the request for variance to the Fire Marshal, David made a motion to approve the application as presented on behalf of the Town by Jerry Tepe.

Gary seconded.

The motion carried 3-0.

● The Board reviewed a letter from Robert Lenox which provided an update of the work being done by the Nelson Fire and Rescue Equipment Committee.

They would like the Board to offer support and assistance toward 3 potential projects:

1. Evaluation of the Tanker for life expectancy or replacement
2. Feasibility study on the need for 2 Fire Stations in Nelson
3. Consideration of possible renovation of the Granite Lake Fire Station to allow for the housing of newer, larger vehicles.

The Board expressed support for each of these projects and Maury agreed to inform the committee at the next meeting and to find out what specific action they would like the Board to take.

● The Board began bid opening for Fire Code renovations for the Safety/Police/Fire/Highway building and fueling shed.

The first Bids were submitted by Bergeron Construction

Phase I project.....\$22, 310

Phase II project..... 9,345

Fuel Shed..... 40,110

The next bids were submitted by Ingram Construction

Phase I project.....\$58, 098

Phase II project..... 12,482

Fuel Shed..... 36,322

Plus \$1,250 P & P Bond

● The Board agreed not to award any contracts until there is a firm direction from the Fire Marshal regarding the application for a variance of much of the work.

● David made a motion to approve a letter to the Trustees of Trust Funds to withdraw funds from the Town Hall Renovation Expendable Reserve account and the Library and /or Town Hall Renovation Expendable Reserve account to pay toward the 2017 Town Hall Renovation principal payment as approve as offsetting funds in article #3 of the 2017 Town Warrant.

● Final reports:

Gary is still working on the hand rail project for the Library.

The Board considered the location for placement of the bicycle rack.

Maury will contact Heidi Tompkins to coordinate painting the shed.

Water samples are pending lab results.

● With nothing further, Maury made a motion to adjourn.
David seconded.
The motion carried 3-0.

Meeting Adjourned at 7:03 PM

July 26, 2017

David Upton, Chair

Maury Collins, Selectman

Gary Robinson, Selectman