

# SELECTMEN'S MEETING

August 14, 2013

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

Others Attending: Skip Sansoucy, Bud French, Kathy Blandschun, Maureen Lord, Jason Walter, Alex Lange, Elaine Giocomo, Mary Cornog, Karen Tolman, Richie Pratt

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

Mary Cornog came before the Board to present her strong concerns regarding vehicles driving at excessive speeds on Nubanusit Road near her home. Mary has voiced this concern in the past and this evening she joined in as Karen Tolman presented findings from traffic studies completed on Tolman Pond Road as well as Nubanusit Road.

The Board agreed that several factors present good cause to consider an enforceable speed limit on both roads at 25 MPH.

There is increased foot traffic on both roads, they are both dirt roads which can compromise a driver's ability to control a vehicle at a higher rate of speed, the roads have multiple turns and narrow passage when cars pass from opposite directions.

The Board will address this matter further at the August 28, 2013 meeting. A vote will be taken at that time.

Next, Mr. Skip Sansoucy came to meet with the Board concerning current litigation filed by PSNH against the Town of Nelson and several other NH Towns.

Skip is a State recognized "Expert Witness" who specializes in utility assessments for tax purposes. He is working on behalf of several Towns in defense of the assessment equations used to tax the property (poles, lines, etc.) owned by the utility company.

There was a lengthy review presented to the Board regarding the status of the case to date.

Skip indicated that some of the information he needs to present to the Board is considered confidential in nature and pertinent to the defense he will use as this case moves forward in the Court. He requested that the Board consider a brief Non-Public session.

David made a motion to move into Non-Public session in accordance with RSA 91-A:3 II (e) to further discuss the pending litigation with PSNH.

Susan seconded the motion.

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

Entered Non-Public Session at 6:39 PM.

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

Pending Litigation

RSA 91-A: 3 II (e)

## Minutes of Non-Public Session

Date: August 14, 2013

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.

   **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 6:39 PM**

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

Edie Drinkwater, Administrative Assistant and Skip Sansoucy “Expert Defense Witness” representing the Town of Nelson

Town of Nelson

Minutes of Non-Public Session

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

Confidential information regarding case presentation and defense of the Town was outlined in detail. Further information will follow as the case moves forward.

**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 the litigation process

**ROLL CALL VOTE** Maury - Aye  
David - Aye  
Susan - Aye

**MOTION TO CLOSE THE NON-PUBLIC SESSION  
MADE BY David AND SECONDED BY Susan**

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

The Board Reconvened the Public Session at 7:16 PM

Minutes recorded by: Edie Drinkwater

Bud French came before the Board to present a Fire Department review. Concerns over the electrical supply and computer issues were discussed. Allen Treadwell has already been asked to set up an appointment with the Police and Fire Departments to assess the problems.

Bud reported that he is working on hosting a Firefighter I class in Nelson and should have an answer in about two weeks.

Bud requested that the \$75,000 for the used fire truck be readied for payment. Transfer must take place from the Fire Department's Equipment Capital Reserve to the general fund so that a check may be issued.

Bud stated that the jobs of Deputy of Administration and Deputy of Operations are being done but no member of the department is willing to accept the positions. Bud stated that he will take the position of Deputy of Administration.

The Board requested that payroll logs be submitted to the administrative office for services through August so that checks may be issued and also to determine the budget status to date.

Bud reported that Alex Lange is now a certified EMT and requires a supply setup geared to his increased scope of practice. Bud indicated that the cost for purchasing the items online is far less than from a local medical supplier but this would require a credit card.

There was a brief discussion regarding obtaining a credit card for Bud.

Maury made a motion to approve a credit card in Bud's name for purchasing Fire Department needs.

Susan seconded the motion.

The motion then carried by a vote of 3-0

Until the credit card arrives Richie Pratt agreed to use the Police Department credit card to purchase the EMT supplies.

David reported that all department heads will be required to report to the Board at the beginning of each month. The report should include such items as activity from the previous month, budget status or concerns, and goals or projections for the coming month.

Susan reported that the Road Clean up sponsored by the Conservation Commission was a great success and thanked the Commission all who participated.

David requested that the Conservation Commission approve the application to DES for repairs to the Granite Lake Boat Ramp.

Bud indicated that the issue is on the agenda for August 20, 2013 at the Commission's regular meeting.

Richie Pratt presented a request on behalf of Dennis Dellagreca, EMD. Dennis would like to apply for a matching fund grant to purchase equipment to identification badges for emergency service personnel. The cost to the Town would be \$750.00. The Emergency Management Budget contains only \$500.00.

After considerable discussion for and against the purchase, Bud stated that the Fire Department would like to contribute \$250.00 toward the purchase.

Susan made a motion to approve the application for the matching grant to purchase the equipment to make badges for emergency service personnel.

Maury seconded the motion.

The motion then carried by a vote of 2-1.

Maury gave a brief report on a meeting he had with Mike Tarr and a flooring salesman regarding the floor at the Safety Building.

The flooring material was designed to cover the problem area but does not address the cause of such a high volume of moisture seeping in.

More research will be done to take corrective measures before placing new flooring in the concrete.

Paperwork was then presented for review and signing.

David made a motion to approve the MS-5 as presented.

Maury seconded the motion.

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

David made a motion to approve the "Notice of acreage change" letter and the land owner response form.

Maury seconded the motion.

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

Maury made a motion to approve the abatement detail letter to Bonnie Riley.

David seconded the motion.

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

Maury made a motion to approve letters to the architects who were not chosen for the Town Hall and Library basement projects.

David seconded the motion.

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

Susan reported that the manifest was complete and moved approval as presented.

David seconded the motion.

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

David made a motion to approve the minutes for the July 31, 2013 meeting.

Maury seconded the motion.

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

David made a motion to approve using Primex as the Town's worker's comp insurer.

Maury seconded the motion.

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

The bids for audit services were then reviewed.

After a brief discussion, David made a motion to approve Roberts & Green for audit services as they were the low bidder.

Maury seconded the motion.

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

David made a motion to approve the manifest for August 7, 2013 as had been presented.

Maury seconded the motion.

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

David announced the he will meet with JB Mack tomorrow to review areas for possible safety signage.

With nothing further, David made a motion to Adjourn.

Susan seconded the motion.

The motion then carried by a vote of 3-0

Meeting adjourned 9:19 PM

July 31, 2013

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David Upton, Chair

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Maury Collins

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Susan Hansel