

## Selectmen's Meeting

August 19, 2015

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

Others attending: Richard Pratt, Barry Tolman, Dennis Dellagrecia, John Bunce, Mike Tarr

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

David made a motion to approve the minutes for August 5, 2015.

Susan seconded.

The motion carried 3-0.

David made a motion to approve the MS-1 and MS-1V for submission to DRA.

Maury seconded.

The motion carried 3-0.

Susan made a motion to approve the manifests for August 12<sup>th</sup> and August 19<sup>th</sup> 2015

David seconded.

The motion carried 3-0.

David made a motion to approve a Purchase Request for Office supplies for the Administrative office and the Town Clerk/Tax Collector (\$600.00) PR #158191

Susan seconded the motion.

The motion carried 3-0.

David made a motion to approve a letter to D. Iselin (with typo corrected)

Maury seconded.

The motion carried 3-0.

After a review of the application and project plans, David made a motion to approve a Building Permit for Eric Marean.

Maury seconded.

The motion carried 3-0.

Susan made a motion to approve the purchase of 2 24"X36" warning signs for Apple Hill Road to alert tractor trailer drivers of the narrow and steep road conditions.

Maury seconded.

The motion carried 3-0.

Police Chief R. Pratt and Road Agent M. Tarr came before the Board to discuss parking problems on Nubanusit Road. After a lengthy discussion all agreed to leave the parking signs in place and to relocate one sign that is near the Cornog residence by moving it closer to the congested parking area at the Dam.

Misc. Paperwork review:

Mapping proposal for the next fiscal year submitted by Avitar. No action taken at this time.

Thank you and Update letter from PLT.

Notice from Eversource – Representative will attend Selectmen's meeting on August 26, 2015.

Susan made a motion to approve a Purchase Request from the Fire Department for rescue supplies. Maury seconded.

The motion carried 3-0. PR # 158192 (\$1120.32 Bound tree)

Susan made a motion to approve a second Purchase Request from the Fire Department for rescue supplies

Maury seconded.

The motion carried 3-0. PR # 158193 (\$447.29 Walgreens)

The Board reviewed two Environmental Assessment companies and had several questions. Dave agreed to contact one of the companies (Brackett) for more information.

A brief update was offered to the Road Equipment Committee regarding the status of negotiations on the gravel pit in Gilsum. The committee expressed frustration that more details cannot be public shared at this phase of the negotiations. Dennis Dellagrecia questioned the Board's right to move into Non-Public session to discuss the Land Acquisition.

He was informed that it is in accordance with RSA 91-A: 3 II (d).

All attendees left the meeting at this time.

At 4:32 PM David made a motion to move into Non-Public Session in accordance with RSA 91-A: 3 II (d) Land Acquisition.

Maury seconded.

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

**Non-Public Session of Nelson  
Board of Selectmen  
August 19, 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: August 19, 2015

Present: David Upton Yes  
Maury Collins Yes  
Susan Hansel Yes

Motion to enter Non-Public Session made by David Upton  
and Seconded by Maury Collins.

**SPECIFIC EXEMPTION RELIED UPON AS FOUNDATION FOR THE NON-PUBLIC SESSION.**

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.

Roll call vote: David Upton Yes  
Maury Collins Yes  
Susan Hansel Yes

**THE BOARD ENTERED NON-PUBLIC SESSION AT 4:32 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 Selectmen reviewed the status of negotiations as well as safe guard contingencies to be included in a sales agreement.

All research and cost findings were reviewed and discussed at length.

The Board approved a reply to the advice sent by Town Counsel.

David made a motion to seal the minutes.

Susan seconded the motion.

The motion carried by roll call vote: D. Upton – yes, S. Hansel – yes, M. Collins – yes

David made a motion to return to Public session.

Susan seconded the motion.

The motion carried by roll call vote: D. Upton – yes, S. Hansel – yes, M. Collins – 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 Upton, SECONDED BY Susan Hansel

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 or adverse to the general community.
- Cause harm to the Town through Possible litigation

Roll call vote: David Upton Yes  
Maury Collins Yes  
Susan Hansel Yes

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

Roll call vote: David Upton Yes  
Maury Collins Yes  
Susan Hansel Yes

The Board Reconvened the Public Session at 4:59 PM

Minutes recorded by: Edie Drinkwater

Return to Public Session: 4:59 PM

At 5:00 PM David made a motion to move into Non-Public Session in accordance with RSA 91-A:3 II (a&c) Personnel and Harm to reputation  
Susan seconded the motion.  
The motion carried by roll call vote 3-0. Susan – yes, Maury – yes, David – yes.

**Non-Public Session #2 of Nelson  
Board of Selectmen  
August 19, 2015**

**Town of Nelson** [Board of Selectmen Planning Board, ZBA etc. (choose one)]  
Personnel & Harm to Reputation  
RSA 91-A: 3 II (a&c)  
**Minutes of Non-Public Session**

Date: August 19, 2015

Present: David Upton Yes  
Maury Collins Yes  
Susan Hansel Yes

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

**SPECIFIC EXEMPTION RELIED UPON AS FOUNDATION FOR  
THE NON-PUBLIC SESSION.**

x **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.

x **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.

Roll call vote: David Upton Yes  
Maury Collins Yes  
Susan Hansel Yes

**THE BOARD ENTERED NON-PUBLIC SESSION AT 5:00 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 discussed two personnel complaints and agreed on action to be taken.

David made a motion to seal the minutes.

Maury seconded the motion.

The motion carried by roll call vote: D. Upton – yes, S. Hansel – yes, M. Collins – yes

David made a motion to return to Public session.

Susan seconded the motion.

The motion carried by roll call vote: D. Upton – yes, S. Hansel – yes, M. Collins – 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 Upton, **SECONDED BY** Maury Collins

**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 or adverse to the general community.**
- Cause harm to the Town through Possible litigation**

**Roll call vote:** David Upton **Yes**  
Maury Collins **Yes**  
Susan Hansel **Yes**

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

**Roll call vote:** David Upton **Yes**  
Maury Collins **Yes**  
Susan Hansel **Yes**

**The Board Reconvened the Public Session at** 5:17 **PM**

**Minutes recorded by:** Edie Drinkwater

**Return to Public Session:** 5:17 PM

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

Meeting adjourned at 5:20 PM

August 19, 2015

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David Upton, Chair

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Maury Collins

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Susan Hansel