

**Town of Nelson** [Board of Selectmen, Planning Board , ZBA etc. (choose one)]  
**Minutes of Non-Public Session**

Date: May 15, 2012

Present: Warren Hammack Yes  
Maury Collins Yes  
David Upton Yes

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

**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.

X **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.

   **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: Warren Yes  
Maury Collins Yes  
David Upton Yes

**THE BOARD ENTERED NON-PUBLIC SESSION AT 10:28 PM**

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

Eddie Drinkwater

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

Hiring of a public employee RSA 91-A:3 II (b)

Review of the applications and discussion of the experience they had presented at the public interview took place.

Because both seemed very good candidates David and Maury had not made the same "first choice" as their selection.

Since Warren had not met either for the interview the Board decided to set up a time for Warren to meet each candidate. After this occurs the Board will again go into Non-Public Session for the final dilation.

**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? **Yes**  
If No, the following motion is required:

**MOTION MADE BY \_\_\_\_\_, SECONDED BY \_\_\_\_\_  
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

\_\_\_ Render the proposed action ineffective.

\_\_\_ Cause harm to the Town through Possible litigation

**ROLL CALL VOTE** Not Required  
\_\_\_\_\_  
\_\_\_\_\_

**MOTION TO RECONVENE THE PUBLIC SESSION MADE BY David  
AND SECONDED BY Maury**

**ROLL CALL VOTE Maury YES  
David YES  
Warren YES**

**The Board Reconvened the Public Session at 11:00 PM  
Minutes recorded by: Edie Drinkwater**

**Hiring of a public employee RSA 91-A:3 II (b)**

Review of the applications and discussion of the experience they had presented at the public interview took place.

Because both seemed very good candidates David and Maury had not made the same "first choice" as their selection.

Since Warren had not met either for the interview the Board decided to set up a time for Warren to meet each candidate. After this occurs the Board will again go into Non-Public Session for the final dilation.

**David then made a motion to return to public session and to close the non-public session. This was seconded by Maury.**

**A roll vote followed: David - Aye , Maury - Aye , Warren - Aye Non- Public session closed at 11:00 PM**