

Non-Public Session Minutes

Town of Nottingham – Board of Selectmen

Date: *April 1, 2024*

Members Present: Y N

John Morin

Tim Dabrieo x

Steve Welch x

Matt Shirland x

John Decker x

Motion to enter Non-Public Session made by *Matt Shirland*, seconded by *Steve Welch*

Specific Statutory Reason cited as foundation for the nonpublic 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 or her, unless the employee affected (1) has a right to a public 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 this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, lien or other levy, if based on inability to pay or poverty of the applicant.
- 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 by or against this board or any subdivision thereof, or by or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled
- RSA 91-A:3, II (i) Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.
- RSA 91-A:3, II (l) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.
- RSA 91-A:3, II (m) Consideration of whether to disclose minutes of a nonpublic session due to a change in circumstances under paragraph III. However, any vote on whether to disclose minutes shall take place in public session.

Roll Call vote to enter nonpublic session: Remove public meeting tape (if applicable).

Roll Call Vote: Y N

John Morin

Tim Dabrieo x

Steve Welch x

Matt Shirland x

John Decker x

Entered nonpublic session at **8:16 p.m.**

Other persons present during nonpublic session:

Ellen White, Town Administrator

Description of matters discussed, and final decisions made:

Two applicants selected for conditional offers of employment were presented for final approval by the Selectboard.

The Board agreed to proceed with termination of a member of the Highway Department.

Discussion regarding a potential conflict of interest and its resolution.

Note: Under RSA 91-A:3, III. Minutes of proceedings in nonpublic sessions 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 nonpublic 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 likely would affect adversely the reputation of any person other than a member of this board, or render the proposed action of the board ineffective, or pertain to terrorism. In the event of such circumstances, information may be withheld until in the opinion of a majority of members, the aforesaid circumstances no longer apply.

Motion to leave nonpublic session and return to public session by ***John Decker***, seconded by ***Steve Welch***

Motion: PASSED / ~~DID NOT PASS~~

Nonpublic meeting tape removed, public meeting tape replaced (if applicable).

Public session reconvened at 8:47 p.m.

Motion made to seal these minutes? If so, motion made by _____, seconded by _____ because it is determined that divulgence of this information likely would...

___ Affect adversely the reputation of any person other than a member of this board

___ Render a proposed action ineffective

___ Pertains to preparation or carrying out of actions regarding terrorism

Motion: PASSED / DID NOT PASS

Roll Call Vote to seal minutes: Y N

John Morin

Tim Dabrieo

Steve Welch

Matt Shirland

John Decker

These minutes recorded by: *Ellen White, Town Administrator*