

Non-Public Session Minutes Town of Nottingham – Board of Selectmen

Date: *December 18, 2023*

Members Present:	<u>Y</u>	<u>N</u>
Ben Bartlett	x	
Matt Shirland	x	
John Morin		x
Steve Welch	x	
Tim Dabrieo	x	

Motion to enter Non-Public Session made by *Tim Dabrieo*, seconded by *Matt Shirland*

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.
- ___ 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.
- X 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

Ben Bartlett x

Matt Shirland x

John Morin

Steve Welch x

Tim Dabrieo x

Entered nonpublic session at *7:50 p.m.*

Other persons present during nonpublic session:

Ellen White, Town Administrator

Description of matters discussed, and final decisions made:

A bench trial has been scheduled for June 3 in the case of Jaye Vilchok vs. Town of Nottingham. Discussion ensued. Ellen will schedule a meeting with Attorney Lowry, tentatively prior to the 1/3/2024 work session to acquire necessary updates.

Ellen provided an update on the fire department staffing. Bruno and Fitzgerald have both given their resignations effective 1/8 and 1/15. With the recent new hire, this leaves a crew of three full-time, with three full-time vacancies.

Exit interviews conducted were reviewed as well as some other employee-related concerns.

Ben agreed to complete the performance review for Chief Woodman who is due by year-end. The past review completed and employment contract were presented for review as part of the process.

A performance review and recommended merit pay increase was presented for the Police Department Administrative Assistant. The Board agreed to the increase as proposed by Chief Woodman.

A performance review and recommended merit pay increase was presented for the Assistant Recreation Director. Discussion ensued. The Board agreed to a pay increase of \$3,000.

Ellen will be working on the performance review for Kortney who was due for an annual review in November.

A draft agreement for the working facilities manager was presented for review. The Board authorized Ellen to sign the agreement.

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 *Tim Dabrieo*, seconded by *Steve Welch*

Motion: PASSED / ~~DID NOT PASS~~

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

Public session reconvened at *8:50 p.m.*

- ___ 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

Roll Call Vote to seal minutes: Y N

Tim Dabrieo

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