

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting January 14, 2013
Swanzey Police Station, 34 Eaton Road, Swanzey, NH

Note: Minutes are not final until reviewed and approved by the Board. Review and approval of minutes generally takes place at the next regularly scheduled meeting of the Board.

CALL TO ORDER

Present were Deborah J. Davis, Nancy L. Carlson, and Kenneth P. Colby, Jr. The meeting was called to order by Deborah Davis at 9:14 a.m. at the Swanzey Police Station meeting room.

NEW BUSINESS

Non-public session per RSA 91-A:3II(a), Personnel Matters

Motion by Carlson to enter Non-public session pursuant to RSA 91:3II(a), seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 9:15 a.m. **Motion passed.** Present were the Board members only. **Motion** by Carlson, seconded by Colby to seal the minutes of the non-public session. **Motion passed.** **Motion** by Carlson to leave non-public session and return to public session, seconded by Colby, with all in favor. **Motion passed.** Non-public session ended at 12:21 p.m.

ADJURNMENT

Motion by Carlson to adjourn the meeting, seconded by Colby, all in favor. **Motion passed.** The meeting adjourned at 12:28 p.m.

Respectfully Submitted,

Deborah J. Davis, Selectman

Approved on January 22, 2013.

TOWN OF SWANZEY, NH

Board of Selectmen Minutes of January 14, 2013 Non-Public Session, Session 1

Present: Deborah J. Davis (Y) N Nancy L. Carlson (Y) N Kenneth P. Colby (Y) N

Motion to enter non-public session made by Nancy Carlson

Seconded by Ken Colby

Specific statutory reason cited as foundation for the non-public session:

- RSA 91-A:3II(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:3II(b) - The hiring of any person as a public employee.
- RSA91-A:3II(c) - Matters that, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.
- RSA 91-A:3II(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:3II(e) - Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his or her membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any body, board or agency for the purposes of this subparagraph.

Roll call vote to enter non-public session:

Deborah J. Davis (Y) N Nancy L. Carlson (Y) N Kenneth P. Colby (Y) N

The Board entered into non-public session at 9:15 AM/~~PM~~.

Other persons present during the non-public session: Town Administrator Shane O'Keefe Y (N)

Description of matters discussed and final decisions made:

Discussed and finished 6 evaluations of Dept. Heads for Town.

Continuation of Description from first page, if any: N/A

Motion made to seal these minutes? If so,

motion made by Nancy Carlson, seconded by Ken Colby,
to not publicly disclose the minutes because it is determined that divulgence of information likely would:

- Affect adversely the reputation of any person other than a member of the Board
- Render the proposed action ineffective.
- Pertain to preparation or carrying out of actions regarding terrorism.

Roll call vote to seal the minutes:

Deborah J. Davis (Y)N Nancy L. Carlson (Y)N Kenneth P. Colby (Y)N

Motion: Passed / Did not pass

Motion to leave non-public session and return to public session by Nancy Carlson

Seconded by Ken Colby. **Motion:** Passed / Did not pass

Public session reconvened at 12:21 ~~AM~~ (PM)

These minutes recorded by Deborah Davis

These Minutes approved by the Board of Selectmen on 1/22/2013

NOTE: RSA 91-a:3(III) Minutes of proceedings in nonpublic 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 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 the 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. In the event of such circumstances, information may be withheld until, in the opinion of a majority of the members, the aforesaid circumstances no longer apply.

Unsealed on February 18, 2014
[Signature]