

**Nonpublic Session Minutes – Unsealed 6/15/23**  
**TOWN OF DEERING, NEW HAMPSHIRE**  
**#2**

**Date:** 6/1/23

<b>Members Present:</b> Roy Watson	<u>X</u>
Jill Smith	<u>X</u>
Steve Diers	<u>X</u>

**Motion to enter Nonpublic Session** made by Chair Smith seconded by Selectman Diers

**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.*

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 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, fine 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 of more members of the public body, even where legal counsel is not present.*

<b>Roll Call vote</b> to enter nonpublic session:	Roy Watson	(Y)	N
	Jill Smith	(Y)	N
	Steve Diers	(Y)	N

**Entered nonpublic session** at 9:43p.m.

**Other persons present during nonpublic session:** Peter Flynn, Town Administrator, Wendy Baker, Recording Secretary and Brian Houghton, Road Agent

**Description of matters discussed and final decisions made. Note: Any votes taken must be recorded “in such a manner that the vote of each member is ascertained and recorded”:**

TA Flynn explained the Town has been searching for several months to find someone qualified for the open Mechanics position. We have a candidate, Brett Martin, who was a former employee of Deering as well as he has worked at other municipalities.

Road Agent Houghton said Brett left Deering on good terms and only because of an opportunity to work for a family business. Brett has his CDL-A and does need to get his inspection license and will do that. He would like to offer him the position of Mechanic at \$28.00/hr. with a retro of his benefits of 2 years and 10 months. He would also like to offer him one week of vacation to be taken by the end of 2023.

TA Flynn requested authorization to hire Brett Martin at \$28.00/hr with the benefits listed above.

The Board agreed.

TA Flynn updated the Board on the Ombudsman case with the Petitioner. He said he attempted to work things out with the Petitioner and there was nothing more they needed from the Board if there was no recording.

TA Flynn provided a copy of the letter he hand delivered to the Ombudsman of the outcome from trying to work it out with the Petitioner.

**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, **taken in public session**, 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 Chair Smith, seconded by Selectman Watson.

**Motion:** PASSED / DID NOT PASS (circle one)

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

**Public session reconvened** at 9:55p.m.

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

- X   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:**

Roy Watson

Ⓨ N

Jill Smith

Ⓨ N

Steve Diers

Ⓨ N

**Motion: PASSED / DID NOT PASS** (circle one)

**These minutes recorded by:** Wendy Baker, Recording Secretary