

**Nonpublic Session Minutes
Milton, NH Board of Selectmen**

Date: July 25, 2022

Reference: Litigation Three Ponds v Milton

Members Present: Chairman Claudine Burnham
Matthew Morrill
Humphrey Williams

✓
absent
✓

Motion to enter Nonpublic Session made by H.W. seconded by C.B.

Specific Statutory Reason cited as foundation for the nonpublic 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 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 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, 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(f) *Consideration or negotiation applications by the adult parole board under RSA 651-A*

RSA 91-A:3 II(g) *Consideration or negotiation of security related issues bearing on the immediate safety of security personnel*

RSA 91-A:3 II(h) *Consideration or negotiation of applications by the business finance authority under RSA 162-A:7-10 and 162-A:13*

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(j) *Consideration or negotiation of confidential, commercial, or financial information that is exempt from public disclosure.*

Roll Call vote to enter nonpublic session:

| | | |
|---------------------------|----------------------------------|---|
| Chairman Claudine Burnham | <input checked="" type="radio"/> | N |
| Matthew Morrill | <input type="radio"/> | N |
| Humphrey Williams | <input checked="" type="radio"/> | N |

SCANNED
7-26-22

Remove public meeting tape (if applicable)

Entered nonpublic session at 7:57 a.m./p.m.

Other persons present during nonpublic session: Chris Jacobs, TA and Bruce Woodruff

Description of matters discussed and final decisions made: Pending litigation update. Primex has been notified. Reviewed the correspondence between C. Christine Fillmore and Bruce Woodruff.

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 the majority of members, the aforesaid circumstances no longer apply.

Motion to leave nonpublic session and return to public session by H.W., seconded by CB.

Motion: Passed/ Did not pass (circle one)

Public session reconvened at 8:04 a.m./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.

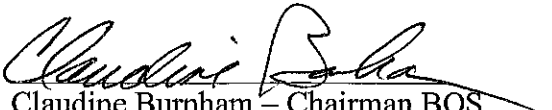
Roll Call Vote to seal minutes:

| | | |
|---------------------------|---|---|
| Chairman Claudine Burnham | Y | N |
| Matthew Morrill | Y | N |
| Humphrey Williams | Y | N |

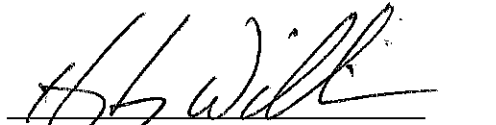
Motion: Passed/ Did not Pass (circle one)

These minutes recorded by: *Chris Jacobs, TA*

Given under our hands this 25th day of July, 2022.


Claudine Burnham – Chairman BOS

Matthew Morrill - Board Member


Humphrey Williams - Board Member

End of Non-Public Minutes - Litigation Three Ponds v Milton

