

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

**Date:** August 24, 2022      **Compensation of Elected Officials**

<b>Members Present:</b> Chairman Claudine Burnham	_yes___
Matthew Morrill	_yes___
Humphrey Williams	_yes___

**Motion to enter Nonpublic Session** made by Humphrey Williams seconded by Matthew Morrill.

**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.

<b>Roll Call vote</b> to enter nonpublic session:	Chairman Claudine Burnham	Y	N
	Matthew Morrill	Y	N
	Humphrey Williams	Y	N

**Closed public recording meeting tape @ 6:03pm**

**Entered nonpublic session at** \_\_ 6:03./p.m.

**Other persons present during nonpublic session:** *Chris Jacobs, TA* and C Christine Fillmore, Esq.(by phone), Pat Smith- PW Director, Nick Marique -Fire Chief, John Gagner – Town Clerk, Betsy Baker – Librarian, Anne Nute – Trustee of MFPL.

**Description of matters discussed and final decisions made:**

CFF – Pay for elected positions are paid annually what the Town Meeting approved.

CB- How does the Town adjust the pay of a person who needs additional training? CCF – In March, they are paid what the voters approved.

HW- Step Plan increases, 2% per year? CCF – The step plan having been approved by the voters and those elected officials, then they get the raise.

CB – The voters vote the bottom-line budget and so is the salary included, it doesn't need to be separated? CCF – yes.

HW- The Grade and Step plan has various pay rates based upon experience. So, can't we start the inexperienced person at the lower scale? CCF- No, they are paid what the line in the approved budget (reads).

NM – If the voters approve a default budget then the elected officials only get last years amount? CCF- Yes.

NM- Can the BOS still give out the 2% to the employee's if the find the money? CCF – Yes.

JG- Does the line stay the same? CCF- it can.

JG- Can it go down? CCF- if the voters approve it.

MM – Money approved for elected officials. Are we obligated to give the 2%? CCF- Yes, subject to the BOS approving it. Does not apply to the elected officials.

HW – In 2013 and 2014 the Fire Dept chief was a stipend with call time. In 2014 hourly pay was defeated. Was it legal to institute the hourly pay? CCF – Not legal. HW- But when the TA put together the budget for 2015 it was included in the default.

HW- How do we make it legal going forward? CCF- Put it in this years warrant as an article.

HW -Are we doing anything illegal now? CCF- No, because you have acted on an approved budget.

JG- Under RSA 31:9-B the Town Clerk is a 3 year election term, same pay all 3 years? CCF- subject to what the voters approve each year.

BB- Trustees approved raises for the library employees. The BOS did not support the raises. CCF the trustee's can raise the pay just as long as they don't exceed their bottom line. If the Town has a personell policy it has to specifically state that it covers library employees.

CCF – see RSA 202-5: 11 paragraph 5.

HW -Would the pay scale be under the Trustee's? CCF- Tes, Littleton vs. Taylor.

HW- Should the library be its own warrant articles or include it in the (proposed) budget? CCF – both are legal.

NM – What other Towns elect their fire chief? CCF- she will research.

NM- Will we get our increases? CAJ – Yes, if the BOS signs them. Either way you get the balance due in the last week of the year.

**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 Humphrey Williams seconded by Matthew Morrill.

**Motion: Passed**

Public session reconvened at \_\_\_7:23 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	<del>Y</del>	<del>N</del>
Matthew Morrill	<del>Y</del>	<del>N</del>
Humphrey Williams	<del>Y</del>	<del>N</del>

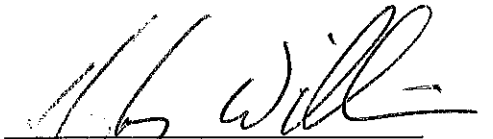
**Motion: ~~Passed~~/ Did not Pass** (circle one)

These minutes recorded by: *Chris Jacobs, TA*

Given under our hands this 24<sup>th</sup> day of August, 2022.

  
 \_\_\_\_\_  
 Claudine Burnham - Chairman BOS

  
 \_\_\_\_\_  
 Matthew Morrill - Board Member

  
 \_\_\_\_\_  
 Humphrey Williams - Board Member

**End of Non-Public Minutes – Compensation of Elected Officials**