

## Monday, September 16, 2024 4:00 PM

### Regular Session

### Dalton Select Board Meeting

Meeting called to order at 4:00 pm by Eric. Select Board members Jo Beth Dudley, Thomas Dubreuil (Tom), and Eric Moore were physically present. Town Admin, Jeanette Charon present and note taking.

Public attendees: Pam Kathan, Carol Sheltry, Cathleen Fountain, Michael Ryan, Sean Durkin, Tom Arrison, and videographer Emily Thompson as well as others who chose not to sign in and could not be identified.

The Select Board signed AP checks.

The Board signed three (3) Land Use Change Tax warrants.

The Board signed the Trustee of the Trust Funds reimbursement request for abatement and flooring work completed earlier in the year. Jo Beth motioned with Tom providing a second. Approval via roll call.

Jo Beth motioned to approve the September 3, 2024 meeting minutes. Eric provided a second with Tom abstaining.

Jo Beth motioned for approval on nonpublic meeting minutes 1, 2, and 3. Tom disagreed with nonpublic minutes #3. He agreed that Jo Beth could write the letter but he did not approve it. Tom instead motioned for approval on nonpublic meeting minutes 1 and 2 only. Jo Beth provides a second with approval via roll call vote. Jo Beth motioned to approve minutes for nonpublic session #3. Tom stated he didn't see a document accusing Kurt of the misrepresentation. Jo Beth asked if this should be discussed in nonpublic session. Tom wasn't sure. Jeanette, asking for clarification, asked Tom if he was stating he did not vote for the letter to be issued. Tom confirmed. Eric made the motion initially with Jo Beth providing a second. Jo Beth stated that further discussion needed to be in nonpublic.

September 9, 2024 meeting minutes will be reviewed and voted on at the next meeting.

Adam King, Road Agent, was present to provide a brief overview of the continued road repairs from July's flooding event. All roads are safe to travel and are plowable. The road crew continues filling in where necessary and they are starting to apply the top coat. This will continue to be a work in progress. The excavator was delivered the week of 9/8/24.

Jo Beth motioned to go into nonpublic at 4:32pm. Eric provided a second with approval via roll call.

Prior to the entering nonpublic, Sean Durkin spoke regarding the July meeting with NH DOT, providing his opinion on what he saw. He asked how things are going with FEMA. Jo Beth mentioned our meeting on 9/17 as mentioned and Sean offered to attend. Tom stated maybe Sean should attend. Jeanette stated that this wasn't really necessary since it's just FEMA and us; additionally, this was FEMA's meeting and it's not appropriate for us to add guests. Tom asked for Sean's phone number.

Jo Beth motioned to go back into public at 5:13pm. Eric provided a second with approval via roll call.

Jo Beth motioned to seal nonpublic meeting minutes 1, 2, and 4. Eric provided a second with approval via roll call vote.

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**Regular Session**

**Dalton Select Board Meeting**

Jeanette asked Eric and Tom about their response to Kristina Ennis' Right to Know Request from August 7<sup>th</sup> and 21<sup>st</sup> of 2024. Eric stated he forgot. Tom had no comment.

Tom motioned to send the Dalton Conservation Commission's (DCC) appeal to the town's legal counsel to determine whether or not Jon has the right, as the Chair of the DCC, to send such appeal, and to find out whether or not the Town can be legally held accountable. Jeanette asked for a copy of Tom's motion. Jo Beth stated this would cost the town unnecessary legal fees. Jo Beth wanted to discuss the topic since it was brought up in the previous meeting after nonpublic when the residents had been told there wouldn't be any additional business. The appeal was issued because Dalton was never notified of the shoreland permit application or project. She asked for Carol Sheltry to interject, as a DCC member. Carol confirmed that the town should be informed of all projects. Pam Kathan stated that we will be incurring legal fees anyway, especially with what's ahead of us, and that it's better to go for everything, in her opinion. Cathleen Fountain encouraged getting advice and made mention of incurred fees. Eric provided a second to Tom's motion. Jo Beth voted nay.

Eric motioned to break/adjourn the meeting at 5:22pm. Tom provided a second with approval via roll call. Pam Kathan asked why we were breaking and not adjourning. Jeanette stated that the Board would be attending the School District Funding Presentation together at White Mountain Regional High School at 6:00pm. While no town business will be discussed, all board members will be present.

Minutes Respectfully submitted by Jeanette Charon.

Minutes Approved On: 10/15/24 (date)

Jo Beth Dudley

Jo Beth Dudley

abstained

Thomas Dubreuil

Eric Moore

Eric Moore

Nonpublic Session Minutes

Town of Dalton

Date: September 16, 2024 # 3 Personnel

Members Present: Jo Beth Dudley   x  

Thomas Dubreuil   x  

Eric Moore   x  

Motion to enter Nonpublic Session made by Jo Beth seconded by Eric

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 shall be granted.

  x   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 averse 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.

Roll Call vote to enter nonpublic session:	Jo Beth Dudley	<input checked="" type="radio"/> Yes	No
	Thomas Dubreuil	<input checked="" type="radio"/> Yes	No
	Eric Moore	<input checked="" type="radio"/> Yes	No

Remove public meeting tape (if applicable).

Entered nonpublic session at 4:32 a.m./  p.m.

Other persons present during nonpublic session: Jeanette Charon, present and recording minutes. Adam King, Road Agent.

Description of matters discussed, and final decisions made: Jeanette provided Adam with a few resumes received for the Highway Operator position. One lived in CT, one worked for the town previously, and one could be viable. Jeanette asked if an interview should be scheduled. Adam stated that would be fine. Jeanette will try to schedule the interview between the 4:30 meeting and 6:30 meeting on Monday, September 30, 2024.

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 Jo Beth, seconded by Eric.

Motion: PASSED / DID NOT PASS (circle one)

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

Public session reconvened at 5:13 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:	Jo Beth Dudley	Yes	No
	Thomas Dubreuil	Yes	No
	Eric Moore	Yes	No

Motion: PASSED / DID NOT PASS (circle one)

These minutes recorded by: Jeanette Charon