

Nonpublic Session Minutes

Town of Dalton

Date: September 30, 2024 # 1 Legal

Members Present: Jo Beth Dudley x

Thomas Dubreuil x

Eric Moore x

Motion to enter Nonpublic Session made by Eric seconded by Tom

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.

 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 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	<input type="radio"/> No
	Thomas Dubreuil	<input checked="" type="radio"/> Yes	<input type="radio"/> No
	Eric Moore	<input checked="" type="radio"/> Yes	<input type="radio"/> No

Remove public meeting tape (if applicable).

Entered nonpublic session at 10:06 a.m./☒ p.m.

Other persons present during nonpublic session: Jeanette Charon, present and recording minutes.

Description of matters discussed, and final decisions made: Tom would like to pursue the legal action against Jon Swan regarding the social media criticism of him and Eric Moore as selectmen. Jo Beth and Jeanette advised Tom this is a public topic as it relates to the attack on them as individuals on the board members and not the board. Additionally, it relates to the reputation of the board members. Tom believes it is non-public because it is against Jon Swan. Jo Beth asks why we would consider any legal action, as there as been nothing forthcoming since the postings months ago, and the comments were against individual Board members, not the Board as a whole.

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 10:18 a.m. / p.m.

Motion made to seal these minutes. If so, motion made by Jo Beth, seconded by Eric, 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