

**New Durham Board of Selectmen
Nonpublic Meeting Minutes
Town Hall
Monday, January 12, 2015**

Present: David Swenson, Terry Jarvis, David Bickford

Also Present: Jeremy Bourgeois-Town Administrator

Selectman Jarvis made a motion to go into non-public session, pursuant to RSA 91-A: 3 II (a) – the dismissal, promotion or compensation of any public employee or the disciplining of such employee; (c)- matter which, if discussed in public would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to 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 & (d)- consideration or the acquisition, sale or lease of real or personal property which if discussed in public would likely benefit a person or parties who interests are adverse to those of the general community. Chair Swenson seconded the motion. Selectman Bickford stated he is not in agreement to go into non-public for the issues he expects to be discussed (d). Chair Swenson replied it is for discussion of department head evaluations. Selectman Jarvis replied (d) has been requested by the Town Clerk/Tax Collector. Interpretation of (d) was discussed and Selectman Bickford restated he is not in favor of it. He stated he thinks the issues should be separated out for discussion as he would vote yes on the others. **Roll Call: Selectman Jarvis – Aye; Selectman Bickford- No; Chair Swenson- Aye.**

The Board of Selectmen left public session at 2:35 p.m. and entered into non-public session at 2:48 p.m. at the Town Hall.

The Board of Selectmen reviewed draft performance evaluations of the Police Chief, Fire Chief, Road Agent, Equipment Mechanic, and Solid Waste Facility Foreman. A final draft of the evaluations was finished and will be distributed to the individuals.

The Board of Selectmen discussed an offer to repurchase the 139 Birch Hill Road property. An overview of past offers was given.

Selectman Jarvis made a motion to authorize the Town Administrator to contact Cunningham, Machanic, Cetlin, Johnson, Harney & Tenney Lawfirm working on behalf of CitiFinancial for 139 Birch Hill Road and after verification with the Tax Collector to offer to sell the property for \$60,000, with the closing to take place before the close of business on February 27, 2015. Chair Swenson seconded the motion. Motion passed, 3-0.

Selectman Jarvis made a motion that should the \$60,000 offer be rejected, the Town Administrator is authorized to negotiate a sale price for total back taxes, interest, and other costs. Chair Swenson seconded the motion. Motion passed, 3-0.

Chair Swenson made a motion to seal the nonpublic minutes. Selectman Bickford seconded the motion. Motion passed, 3-0.

Selectman Jarvis made a motion to leave nonpublic session. Selectman Bickford seconded the motion. Motion passed, 3-0.

The Board left nonpublic session at 6:38 P.M.

Respectfully submitted,
Jeremy *Bourgeois*, Town Administrator