

TOWN OF DERRY

Town Council
Derry Municipal Center

August 20, 2013
Tuesday – 6:30 PM

6:30 PM Call to order

Roll Call: Councilors Cardon, Osborne, Dimmock, Katsakiores, Wetherbee, and Chairman Fairbanks. (Councilor Benson arrived at 6:31)

Council Chair Mike Fairbanks announced that the 8/16/13 non-public minutes had been mistakenly sealed on a 4-3 vote. In fact, sealing the minutes requires a 5-2 vote.

Councilor Dimmock moved, Councilor Osborne seconded the following motion. Approved 6-1-0 (Katsakiores)

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 meeting and (2) requests that the meeting be open, in which case the request shall be granted.*

and

(c) *Matters 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.*

and

(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph.*

Town Council returned to public session at 8:30 PM.

Chairman Fairbanks read two resolutions into the record:

By unanimous vote:

THEREFORE, BE IT RESOLVED, that John Anderson's administrative leave with pay shall cease on August 20, 2013 and he shall be placed on administrative leave without pay effective immediately, pending the continuation of the Town Council inquiry into the matter.

THEREFORE, BE IT RESOLVED, that Larry Budreau is appointed the sole spokesperson for the Town of Derry regarding the matter of placing the Town Administrator on administrative leave without pay.

Chairman Fairbanks summarized the results of one motion into the record:

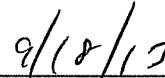
The Derry Town Council has directed the Acting Town Administrator to issue a Request for Proposals in order to secure legal counsel other than Boutin & Altieri to represent the Town in a pending or potential matter of litigation.

Adjournment 8:31 p.m.

Respectfully submitted by Larry Budreau, Acting Town Administrator 8/22/2013



Larry Budreau, Acting Town Administrator



Date