

Nonpublic Session Minutes Checklist
[INSERT NAME OF TOWN AND BOARD]

Date: _____

Members Present: [board member name]
[board member name]
[board member name]
[board member name]
[board member name]

Motion to enter Nonpublic Session made by _____ seconded by _____

Specific Statutory Reason cited under RSA 91-A:3, II as authority for the nonpublic session:

- ___ (a) *The dismissal, promotion, or compensation of any public employee or the discipline 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.*
- ___ (b) *The hiring of any person as a public employee.*
- ___ (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.*
- ___ (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.*
- ___ (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 hereof because of his or her membership herein, until the claim or litigation has been fully adjudicated or otherwise settled.*
- ___ (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.*
- ___ (l) *Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.*
- ___ (m) *Consideration of whether to disclose minutes of a nonpublic session due to a change in circumstances, although the vote itself to unseal must occur in public session.*

Roll Call vote to enter nonpublic session:	[name]	Y	N
	[name]	Y	N
	[name]	Y	N
	[name]	Y	N
	[name]	Y	N

Remove public meeting tape (if applicable).

Entered nonpublic session at _____ a.m./p.m.

Board members and other persons present during nonpublic session: _____

Description of matters discussed and final decisions made (including how each member voted): _____

Note: From RSA 91-A:, III: *Minutes of nonpublic sessions shall be kept and shall record all actions in such a manner that the vote of each member is ascertained and recorded. Minutes and decision reached in nonpublic session shall be disclosed within 72 hours of the meeting, unless, by recorded 2/3 vote of members present, taken in public session, 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 a proposed action ineffective, or pertain to terrorism (related to preparation for and carrying out of all emergency functions to thwart a deliberate act intended to result in widespread or severe damage to property, injury or loss of life, including training for such functions. Sealed minutes may be withheld until a majority vote by board that circumstances to seal them no longer apply. A list of sealed minutes shall be kept and made available as soon as practicable, including time and date of nonpublic session, reason for session, date of vote to seal, and date to unseal (if any). Minutes regarding RSA 91-A:3,II(d) must be unsealed as soon as transaction closes or board decides not to proceed.*

Motion to leave nonpublic session and return to public session by _____ seconded by _____.

Motion: PASSED / DID NOT PASS (circle one)

Nonpublic meeting tape removed, public meeting tape replaced (if applicable). _____

Public session reconvened at _____ 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; or
- Pertains to preparation or carrying out of actions regarding terrorism.

Roll Call Vote to seal minutes:	[name]	Y	N
	[name]	Y	N
	[name]	Y	N
	[name]	Y	N
	[name]	Y	N

Motion: PASSED / DID NOT PASS (circle one)

These minutes recorded by: _____