

**APPROVED – previously sealed**  
**Minutes of the Milford NH Board of Selectmen**  
**April 12, 2021**

**Members Present:** Gary Daniels, Chairman X  
Chris Labonte, Vice Chairman X  
Laura Dudziak, Selectman X  
Paul Dargie, Selectman X  
David Freel, Selectman X

**Motion to enter Non-public Session** made by Selectman Labonte and seconded by Selectman Freel.

**Specific Statutory Reason** cited as the foundation for the nonpublic session:

X RSA 91-A:3, II (a) Personnel. *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) Personnel. *The hiring of any person as a public employee.*

\_\_\_\_ RSA 91-A:3, II(c) Reputation. *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) Land Acquisition. *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.*

\_\_\_\_ RSA 91-A:3, II(e) Legal. *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.*

\_\_\_\_ RSA 91-A:3, II (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.*

<b>Roll Call vote</b> to enter nonpublic	Gary Daniels	<b>Y</b>
	Chris Labonte	<b>Y</b>
	Laura Dudziak	<b>Y</b>
	Paul Dargie	<b>Y</b>
	David Freel	<b>Y</b>

**Remove public meeting tape** (if applicable).

**Entered nonpublic session** at 8:05 p.m.

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Other persons present during the nonpublic session: \_\_\_\_\_

Description of matters discussed and final decisions made. **Note:** Any votes taken must be recorded "in such a manner that the vote of each member is ascertained and recorded": \_\_\_\_\_

**(RSA 91-A:3, II (b)) Personnel** – Chairman Daniels said we approved a raise for John but we didn't identify what the percentage would be. Town employees are getting 1.5%. Selectman Dudziak said she wouldn't go any lower, she would give him 2% at least. Selectman Labonte thought 1.5% across the board like everyone else. Selectman Dargie and Selectman Freel suggest 2% at least. Chairman Daniels just wants a consensus on the percentage so he can give the information to Finance. The consensus was 2%.

**Selectman Dudziak made a motion to approve the minutes of March 22, 2021 in accordance with (RSA 91-A:3, II(c)) Reputation. Seconded by Selectman Freel. A roll call vote was taken, Selectman Dargie yes Selectman Dudziak yes, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.**

**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 a recorded vote of 2/3 of the 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 the proposed action of the board ineffective, or pertaining 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.*

**Selectman Dudziak made a motion to leave the non-public session. Seconded by Selectmen Freel. A roll call vote was taken, Selectman Dargie yes, Selectman Dudzkai, Selectman Labonte yes, Selectman Freel yes, and Chairman Daniels yes. All were in favor. The motion passed 5/0.**

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

**The public session reconvened at 8:20 p.m.**

Selectman Labonte asked why we don't go back live when we leave non-public. Chairman Daniels said we are recording. Chairman Daniels said they can open the door and the public can come back in if they wish.

In non-public, the Board addressed one vote under reputation for approval of minutes

**A motion was made to seal these minutes?** If so, motion made by Selectman Dargie, seconded by Selectman Dudziak, because it is determined that divulgence of this information likely would:

  X   Affect adversely the reputation of any person other than a member of this board

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\_\_\_\_ Render a proposed action ineffective  
\_\_\_\_ Pertains to the preparation or carrying out of actions regarding terrorism  
\_\_\_\_ Other: \_\_\_\_\_

<b>Roll Call Vote to seal</b>	Gary Daniels	Y
	Chris Labonte	Y
	Laura Dudziak	Y
	Paul Dargie	Y
	David Freel	Y

**Motion: PASSED 5/0**

**These minutes recorded by Tina M. Philbrick**

**PERMANENTLY UNSEALED BY Board of Selectmen 9/13/2021; 4-0**