

# Nonpublic Minutes of the Milford NH Board of Selectmen

## December 12, 2022

**Members Present:** Paul Dargie, Chairman X  
Tim Finan, Vice Chairman X  
Gary Daniels, Selectman X  
Laura Dudziak, Selectman X  
Dave Freel, Selectman X

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

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

\_\_\_\_ 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.*

X 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	Paul Dargie	<b>Y</b>
	Tim Finan	<b>Y</b>
	Gary Daniels	<b>Y</b>
	Laura Dudziak	<b>Y</b>
	Dave Freel	<b>Y</b>

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

**Entered nonpublic session** at 8:40 p.m.

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Other persons present during the nonpublic session: Mark Bender, Town Administrator,  
Tina Philbrick, Executive Assistant.

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":

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**(RSA 91-A:3, II (c)) Reputation** – The Board was informed at the start of the non-public meeting that the scheduled attendee was unable to attend again.

The Board reviewed the non-public minutes from November 28, 2022 and determined that they could remain unsealed.

**Selectman Daniels made a motion to approve the non-public minutes from November 28, 2022. Selectman Freel seconded. All were in favor. The motion passed 5/0.**

**Selectman Daniels made a motion to exit non-public. Selectman Dudziak seconded. All were in favor. The motion passed 5/0.**

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

**The public session reconvened at 8:55 p.m. The minutes were not sealed.**

**A motion was made by Selectman \_\_\_\_\_ seal the minutes relative to REPUTATION, seconded by Selectman \_\_\_\_\_ 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 the preparation or carrying out of actions regarding terrorism
  - \_\_\_\_\_ Other: \_\_\_\_\_
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<b>Roll Call Vote to seal</b>	Paul Dargie	Y
	Tim Finan	Y
	Gary Daniels	Y
	Laura Dudziak	Y
	Dave Freel	Y

**Motion: PASSED 5/0**

**These minutes recorded by Tina Philbrick**