

**APPROVED - not sealed**  
**Nonpublic Minutes of the Milford NH Board of Selectmen**  
**May 30, 2023**

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

**Motion to enter Nonpublic Session** made by Selectman Finan. Seconded by Selectman Freel.

**Specific Statutory Reason** cited as 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.*

**Roll Call vote** to enter nonpublic session: Gary Daniels Y  
Chris Labonte Y  
Paul Dargie Y  
Tim Finan Y  
Dave Freel Y

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

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**Entered nonpublic session at 5:04 p.m.**

Other persons present during nonpublic session: Lincoln Daley, Town Administrator,  
Executive Assistant, Tina Philbrick and Citizen Aquiline Grugnele

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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**

Mr. Aquiline Grugnele expressed concerns about items being taken from the Still Good Shed and at the Transfer Station. He referenced items like lawn mowers and things that are being taken and used for scrap. He feels that these items are put in the still good shed for people who need them, not for people to profit from by selling the items at yard sales or for scrap metal. Mr. Grugnele stated that he was aware of one person who he knows made \$3,000 mostly from items the individual took from the Transfer Station. He was told about this from someone who works at the Transfer Station.

Selectman Freel said if items are brought to the still good shed, anyone can take them. Mr. Grugnele said a person who is volunteering and a person who is working at the Transfer Station are the ones taking all the good stuff for themselves. He feels that it's wrong to do that.

Selectman Finan said it isn't right if town employees are taking the items before anyone else see them. Selectman Freel said we don't have a policy saying employees can't take things from the shed on their own time. Mr. Grugnele said the employee loads his truck with items while he's working.

Chairman Daniels said the question is "when do you give up ownership of items that you are getting rid of". Selectman Freel said he has an issue if someone is working and taking things on town time.

Selectman Dargie said employees on town time should not be going to the shed and volunteers should not be going during the time that they are volunteering. Mr. Grugnele stated that residents may be looking for or need certain items and someone shouldn't be taking things from the shed just to make money.

There was additional discussion about employees taking items on their lunch break if they clock out during that time.

Mr. Grugnele said there also is an employee who takes items and put them aside for other employees. No one is allowed to touch the items.

Selectman Freel said there should be a policy that no one is allowed to do anything other than work their shift and do their job, not sift through items and save them for themselves. There was further discussion about where items go and when people can take them.

Administrator Daley will ask Tammy if there are rules in place and if not, he will get together with the Public Works Director and Tammy to draft a policy. Chairman Daniels said they will look at the volunteer rules as well.

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**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 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 pertain 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.*

**Motion to leave nonpublic session** and return to public session by Selectmen Labonte.  
Seconded by Selectmen Freel. All were in favor.

**Motion: PASSED 5 / 0 .**

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

**Public session reconvened** at 5:38 p.m.

**Motion made to seal these minutes?** NO      **If so, motion made by**

**Roll Call Vote to seal minutes:**

<b>Gary Daniels</b>	<b>N</b>
<b>Chris Labonte</b>	<b>N</b>
<b>Paul Dargie</b>	<b>N</b>
<b>Tim Finan</b>	<b>N</b>
<b>Dave Freel</b>	<b>N</b>

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