

Minutes of non-public session Tuesday October 18

Present at meeting: Henry Spencer, Lawrence Edwards, Leonard Espie, Claudia Lamphier

Transcribed by Claudia Lamphier from draft provided by Henry Spencer and reviewed by Town's Attorney Matthew Serge

At the end of the selectmen's meeting Selectman Edwards requested the Board go into a non-public session under 91-A:3, II (e). The Selectmen's vote to go into non-public session was approved by all Selectmen in attendance, Henry Spencer, Lawrence Edwards, Leonard Espie. When asked for the purpose, he told those present at the meeting that it was about the court case concerning the injunction that has been filed concerning the purchase of the pre-cast concrete culvert.

The non-public session was entered properly; the room cleared until the three selectmen and town administrator C. Lamphier were the only people in the room. When asked what this was about Selectman Edwards said he had spoken with his personal lawyer and knew how we can get out from under the injunction. He said all the Board had to do was to post an RFP for the manufacture of a culvert in two local papers. It was his stated opinion that if we post in only two local papers, and we inform the current holder of the contract to supply the culvert of the RFP, that no one else would submit an RFP for the project. Then we just need to accept the proposal from the current holder of the contract. Once this happened the court would have no reason to keep the current injunction on its docket.

Selectman Spencer stated that we might get another bid offering to supply the culvert at a lower price. Selectman Edwards then said that all we had to do was let the current holder of the contract know what the price was so they could lower theirs. When informed that this would be illegal he then said all we would have to do was accept the lower bid.

At this point Chairman Spencer stood up and told Selectman Edwards that his plan was not appropriate, representing nothing more than a way to circumvent a proper bid process; at which point Selectman Edwards stated that Chairman Spencer was perfectly aware that the whole reason for the injunction in the first place was a game being played by those who filed for the injunction in the first place. Mr. Edwards then stood up announcing that the meeting was over and proceeded to walk out of the meeting. Chairman Spencer was able to hold him off long enough to officially end the non-public meeting go into public session, vote not to seal the minutes of the meeting, and to adjourn the meeting. Selectman Edwards then left the building.

Henry Spencer, Chairman

Date

Lawrence Edwards, Selectman

Leonard Espie, Selectman