

Selectmen's Non- Public Meeting
With Town Counsel / John Ryan
14 May 1998
8:15am / Attorney Ryan's
Hampton Office

A non-public meeting was held with Attorney John Ryan to discuss ongoing litigation between Turner Porter and the Town of North Hampton. Those present included George Lagassa & Jack Steiner (Selectmen), John Ryan (Town Counsel) and Russell McAllister (Town Administrator).

The litigation between the Town and Turner Porter over his Mill Road Subdivision was discussed with potential liability to the Town explained by Mr. Ryan. Some discussion ensued regarding the Dorskicil appeal with the ZBA at the next scheduled meeting on 5/20/98. Mr. Lagassa reported that only three members would be hearing the Dorskicil appeal. Mr. Lagassa explained that some ZBA members had recused themselves because of possible conflict of interest, while other members had previous engagements that prevented their attendance on that evening. Mr. Ryan explained that Mr. Dorskicil could request that 5 members hear his appeal, rather than the 3 who would be in attendance. Such a request by Mr. Dorskicil would likely delay the hearing by another month. Mr. Ryan went on to explain that it was within the purview of the Board of Selectmen to appoint temporary members to the ZBA in order to provide Mr. Dorskicil the requisite number of ZBA members hearing the appeal. Discussion ensued over the merits of the Selectmen appointing temporary members to the ZBA. Because the appeal had dragged on 8 months without a decision on the matter the Selectmen felt that by appointing temporary members to the ZBA the process would be expedited. Furthermore, Mr. Dorskicil would have the advantage of the requisite number of members hearing his appeal.

The Selectmen discussed potential candidates and decided to contact those individuals regarding their willingness to accept the temporary appointment.

Other litigation the Town was involved in was briefly discussed. With the exception of the above-mentioned decision, no other decisions were made in connection with other ongoing litigation.

Respectfully,

Russell McAllister
Town Administrator