



TOWN OF NORTH HAMPTON, NEW HAMPSHIRE
SELECT BOARD
APPROVED MINUTES

NONPUBLIC SESSION I – FEBRUARY 11, 2013 –6:15PM
NORTH HAMPTON TOWN ADMINISTRATIVE OFFICES

CALL TO ORDER. The Chair called the meeting to order at 6:17 PM. Mr. Wilson, Mr. Miller and the Town Administrator were present.

MOTION. Mr. Wilson moved to go into nonpublic session to discuss a pending claim made against the Town in writing, pursuant to RSA 91-A:3, II(e). The motion was seconded by Selectman Miller. There was no additional discussion.

Roll Call: Mr. Maggiore: yes. Mr. Wilson: yes. Mr. Wilson: yes. The Chair declared the motion passed.

The Board entered nonpublic session at 6:20 PM.

The Board reviewed the document request by Attorney Hildreth in the Hampton Rod and Gun Club case for an LGC legal opinion dated October 10, 2011. A reason for disclosure is to get the preemption issue out in the open and avoid advancing an argument that is not a good one. The argument against disclosure is that the opinion is privileged. The Town Administrator provided the Board with a copy of a draft letter reviewed by counsel that establishes conditions on any disclosure so that giving the opinion does not result in a general waiver of the attorney-client privilege.

The consensus of the Board was that the reason for a limited disclosure is better than keeping the letter confidential. The Board agreed to make a motion to permit the disclosure in the public session, subject to the conditions contained in the draft letter.

MOTION. Mr. Miller moved to return to public session. Mr. Maggiore seconded the motion. There was no additional discussion.

Roll Call: Mr. Maggiore: yes. Mr. Wilson: yes. Mr. Wilson: yes. The Chair declared the motion passed.

The Board returned to public session at 6:30 p.m.

Respectfully submitted,

Paul L. Apple, Town Administrator