

MINUTES

BOARD OF MANUFACTURED HOUSING MEETING

Friday, May 13, 2016

1:00 PM

Legislative Office Building, Room 307
33 North State Street, Concord, NH 03301

The following members were present: Chair Mark Tay, Esquire, Vice-Chair Peter Graves, Lois Parris, Rep. Franklin Sterling, Rep. Catherine Cheney, Glenn Ritter, Judy Williams and Kenneth Dame.

Others in attendance included: Rick Wisler from OPLC, clerk of the Board of Manufactured Housing, and Chris Horne from OPLC, Technical Division. Also in attendance were Attorney Donald Routhier, Thomas Moughan, and Attorney Daniel Will.

The meeting was called to order by Chair Tay at 1:05 p.m.

Approval of Minutes: The March 11, 2016 minutes were reviewed. A motion was made and seconded by Board members Cheney and Williams, and voted unanimously to accept the minutes of the March 11, 2016 meeting.

Chair Tay announced the order of agenda items would be changed to best accommodate attendees.

Motion for Rehearing:

Docket 15-04 Thomas Moughan v Lamplighter Mobile Home Park. Complainant Moughan presented the basis of his motion for rehearing. Following questions from the board, Chair Tay invited Attorney Donald Routhier, representing the respondent Lamplighter Mobile Home Park, to present the basis of his opposition for the motion. The board asked questions of both Routhier and Moughan. Following board discussion the board concluded the complainant failed to demonstrate the board's decision is unlawful, unjust or unreasonable. Board member Graves moved to deny the motion for rehearing, board member Williams seconded, unanimous vote to deny.

Approval of Board Decision:

Docket 16-03 Richard Filion v. Salem Manufactured Homes. Due to Chair Tay's recusal from the hearing on this matter conducted at the March 11, 2016 meeting, Tay recused himself from discussion and vote of the decision. Vice-Chair Graves presided. Following a brief discussion, a motion was made and seconded to approve the decision. Unanimous vote to approve.

Chair Tay returned to preside over the meeting.

Threshold Review:

Docket 16-06 Robert O'Connell v. Pine Pond Park, Vaughn Cloutier. Chair Tay states he represented the Cloutiers a few years ago. Attorney Will, representing Pine Pond Park, was asked if the Cloutier's son is now operating the park. Attorney Will confirmed the son is operating the park. Chair Tay did not believe there was a conflict of interest but recused himself from discussion on this issue. Vice-Chair Graves presided. Following a brief discussion of the complaint, the board determined the complaint was within their jurisdiction. A motion was made and seconded to schedule a hearing for the issue. Unanimous vote to proceed with a hearing.

Chair Tay returned to preside over the meeting and asked the board clerk to include language in the notice of hearing of Chair Tay's prior representation of Wilfred and Mary Cloutier, that he believes he can be impartial on this matter, but parties could file a motion to recuse.

Other Business:

Chair Tay informed the members of his re-appointment to the board.

Board secretary Robert Hunt's appointment is due to expire July 16, 2016. Board members unanimously voiced their support of Hunt's re-appointment and asked the board clerk to draft a letter indicating their support, for Chair Tay's signature, to the Bar Association's President.

The next meeting is scheduled for June 3, 2016.

Adjournment at 2:20.