

MINUTES

BOARD OF MANUFACTURED HOUSING MEETING

Friday, June 9, 2017

1:00 PM

Office of Professional Licensure and Certification
Philbrook Building, 121 South Fruit Street, Concord, NH 03301

The following members were present: Chair Mark Tay, Lois Parris, Kenneth Dame, Adam Gidley, Judy Williams, Rep. Franklin Sterling, Rep. Thomas Laware.

Not in attendance: Glenn Ritter and Secretary Robert Hunt

Others in attendance included: Rick Wisler - clerk of the Board of Manufactured Housing. Also in attendance were: Kellyann Vick, Anthony Parrino, Pamela Dame, T. Morgan, Martin Fox, Bob Petrillo, Peter Parinno

The meeting was called to order by Chair Mark Tay at 1:15 p.m.

1. Approval of Minutes: The March 13, 2017 minutes were reviewed. Board member Judy Williams moved, Board member Lois Parris seconded, voted unanimously to accept the minutes of the March 13, 2017 meeting.

2. Approval of Non-Public Minutes of October 21, 2016. No action was taken as a quorum of members who participated in the meeting was not present. The item will be added to the next meeting agenda.

3. Ratification of Decision and distribution for docket 17-09 Richard and Belinda Gleason v. Pine Knoll Village. Chair Tay recused himself from discussion, Board member Judy Williams presided. The Board noted that the park's location was incorrectly listed on the agenda as Dover and should have been Lee. Board member Parris moved to ratify the decision and its distribution, Board member Rep. Sterling seconded, the motion unanimously passed.

4. Approval of Decision docket 17-13 Deborah Ford v. Woodstock Co-Op. Chair Tay returned to preside the meeting. Board member Rep. Sterling moved to approve the board decision and Board member Williams seconded. The motion unanimously passed.

5. Complaint Hearing docket 17-12 Muriel Day v. Paradise Ridge MHP. Neither party were present, Chair Tay moved the item to the end of the agenda.

6. New Complaint threshold review and possible hearing docket 17-14 Peter Parrino v. Mobile Courts, Inc. Chair Tay and Board member Adam Gidley recused themselves from the hearing. Board member Judy Williams presided. The complainant, Peter Parrino was present and not represented by counsel, but was joined by Bob Petrillo. The respondent, Glen Gidley, was present and represented by attorney Thomas Morgan. Following a review and discussion of the complaint, Board member Parris moved that the issue was within the Board's jurisdiction and should proceed immediately to hearing, Board member Rep. Sterling seconded. The motion unanimously passed.

Presiding chair Williams administered the oath to all parties and explained the hearing process. The matter then proceeded to hearing. Mr. Parrino presented a summary of his complaint. Attorney Morgan objected to Mr. Petrillo's upcoming testimony as a summary of his testimony was not previously provided as required by Man 209.03. Presiding chair Williams called for a short recess. Following the recess, the hearing was reconvened and Presiding chair Williams stated the Notice of Hearing clearly indicated all requirements of Man 209.03. Board member Rep. Sterling moved to continue the hearing so

the complainant could comply with the requirements. Board member Rep. Laware seconded, the motion unanimously passed. Respondent Gidley requested the hearing be continued until sometime after September 1, 2017 due to previously arranged travel plans. Attorney Morgan requested an opportunity to add witnesses to the respondent's list in response to any new submissions by the complainant.

7. New complaint threshold review and possible hearing docket 17-15 Martin Fox v. Oriental Gardens MHP. Chair Tay and Board member Gidley returned to the meeting, Chair Tay presided. Board members Parris and Williams were not present. The complainant, Martin Fox, was present and not represented by counsel. The respondent, Kellyann Vick, was present and represented Oriental Gardens MHP. Chair Tay offered both parties an opportunity to further discuss their issue and resolve it without board intervention. Board members Parris and Williams returned to the meeting. Following discussion, both parties could not reach a resolution. Board member Williams moved that the issue was within the Board's jurisdiction and should proceed immediately to hearing, Board member Gidley seconded. The motion unanimously passed.

Chair Tay administered the oath to all parties and explained the hearing process. The matter then proceeded to hearing. Complainant Martin Fox presented testimony regarding the complaint alleging the park violated RSA:205-A:2, XI by unreasonably denying a request for a second or extended shed on his lot.

Following testimonies and Board member questions of both parties, Chair Mark Tay closed the hearing and opened Board deliberation. After thoroughly discussing all the issues, Board member Rep. Sterling moved that the complainant did not demonstrate the park unreasonably denied the complainant's request, Board member Williams seconded. During discussion Board member Rep. Laware agreed with the motion because the complainant did not provide the park with proposed shed dimensions. The motion unanimously passed. Board member Gidley will draft the decision.

8. Complaint Hearing docket 17-12 Muriel Day v. Paradise Ridge MHP. Neither party were still present at the meeting. Chair Tay advised the Board that the complainant requested the day before to withdraw the complaint, however, the Board had earlier filed an amended complaint regarding the "Important Notice Required By Law". Chair Tay also noted that the Notice of Hearing clearly noted the amended complaint, and the Board clerk had a telephone conversation the day before with the respondent's attorney advising the hearing would proceed. The Board agreed that Chair Tay will draft an order for appearance at the next scheduled meeting.

9. Update Docket 17-16 David Thompson v. Pine Gardens MHP. Chair Tay advised the Board of the complainants' request to withdraw the complaint. The Board accepted the request.

10. Update on Board positions Chair Tay informed the Board that member Glenn Ritter will be resigning from the Board due to other commitments. Board clerk Wisler informed the members he is awaiting word on the re-appointment of member Kenneth Dame.

11. Non-public Session Board member Parris made a motion in accordance with RSA 91-A:5 and RSA 91-A:3, II(c) to go into non-public session for the purpose of discussing a matter which, if discussed in public, would likely affect adversely the reputation of a person or persons who is not a member of this body. Board member Williams seconded the motion. The Board voted unanimously in favor of the motion.

Upon return to public session, Parris made a motion to seal the Non-Public Minutes, Board member Williams seconded. The Board voted unanimously in favor of the motion.

Next Meeting: The Board scheduled the next meeting for Friday September 8, 2017, 1:00 at the LOB. Should a new complaint be received that will require an earlier meeting, Friday August 4, 2017 at 1:00 will instead be scheduled.

Adjournment: By consensus the Board adjourned the meeting at 4:15 p.m.