

BOARD OF AUCTIONEERS MINUTES
Legislative Office Building Room 308, Concord, NH
June 7, 2010 9:00 a.m.

The Board of Auctioneers convened at 9:00 a.m. with Chairperson Devin E. Moisan, Vice-Chairperson Jay T. St. Jean, Secretary Frank L. Eaton, Member Richard C. Berman and member Ashton E Welch present.

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The Board on motion of Frank L. Eaton, seconded by Ashton E. Welch, accepted the minutes of the May 3, 2010 meeting.

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Roscoe Putnam appeared today to explain why his bond had been cancelled, and to advise that a new bond has been put in place and should reach the Board's office shortly.

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Hearing conducted – In the Matter of Roscoe Putnam.

The Board on motion of Frank L. Eaton, seconded by Ashton E. Welch, found Mr. Putnam in violation of RSA 311-B :11 (c) & (d). All members voted in favor.

A motion by Frank L. Eaton, seconded by Ashton E. Welch was made to issue a letter of reprimand with the stipulation that Mr. Putnam will not hold another auction until the Board receives a sworn statement that all consignors from previous auctions have been paid; as well as a stipulation that a new bond must be in place before the commencement of any future auctions. The Board also placed a one year probation period on Mr. Putnam's license. All members voted in favor.

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DENIED – The Board on motion of Ashton E. Welch, seconded by Richard C. Berman voted to **deny** the request of William Noonan requesting a rehearing “In The Matter of Stephen Bennett”, Docket #10-01, and “In The Matter of Harold French”, Docket #10-02. The hearing was held April 5, 2010 and the deliberations were held May 3, 2010.

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DENIED with clarification – The Board on motion of Frank L. Eaton, seconded by Richard C. Berman voted to **deny** the request of The Law Offices of Justin C. Caramagno, Portsmouth, NH, requesting a rehearing “In The Matter of Stephen Bennett”, Docket #10-01. The hearing was held April 5, 2010 and the deliberations were held May 3, 2010. After the Board meets with Counsel and votes at the next Board meeting, it will then send out new orders with clarifications.

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DENIED with clarification – The Board on motion of Frank L. Eaton, seconded by Richard C. Berman voted to **deny** the request of Douglas, Leonard & Garvey P.C., Concord, NH, requesting a rehearing “In The Matter of Harold French”, Docket #10-02. The hearing was held April 5, 2010 and the deliberations were held May 3, 2010. After the Board meets with Counsel and votes at the next Board meeting, it will then send out new orders with clarifications.

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The Board on motion of Jay T. St. Jean, seconded by Frank L. Eaton, and further on a roll call vote as follows: Richard C. Berman – yes, Jay T. St. Jean – yes, Ashton E. Welch – yes, Devin E. Moisan – yes, and Frank L. Eaton – yes, voted to go into non-public session to discuss matters under RSA 91-A, specifically, matters which would likely adversely affect the privacy of individuals and or matters in which litigation has been threatened against the Board.

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The Board on motion of Frank L. Eaton, seconded by Jay T. St. Jean voted to come out of non-public session.

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The Attorney General’s office forwarded a complaint from Edward Millman, Dover, NH, with a letter of possible resolution. The Complainant and the Respondent also received a copy of the complaint and letter. The Respondent then hand delivered to the Board’s office, a statement of settlement. Both of which were reviewed today.

The Board on motion of Frank L. Eaton, seconded by Jay T. St. Jean voted to appoint an investigator.

The Board on motion of Frank L. Eaton, seconded by Richard C. Berman voted to appoint Jay T. St. Jean as investigator for the above complaint made by Edward Millman, Dover, NH.

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The Board on motion of Jay T. St. Jean, seconded by Richard C. Berman, authorized the application of May T. McGlaulin for an Auctioneers License.

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After review and discussion of the Machinery Associates “multi-listing” style business, the Board on motion of Frank L. Eaton, seconded by Jay T. St. Jean, found them to be in violation of RSA 311-B, and will request that they obtain an auctioneers license to do business in the State of NH.

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The Board discussed House Bill 598.

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The Board on motion of Frank L. Eaton, seconded by Ashton E. Welch voted to form a subcommittee to draft new rules. All members will provide input at the next meeting.

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The next scheduled monthly meeting will be held July 12, 2010
at the Upham-Walker House, Concord, New Hampshire.

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The Board on motion of Frank L. Eaton seconded by Jay T. St. Jean voted to adjourn the meeting.