

Conflict of Interest Committee (COI)

Meeting Minutes

PUBLIC

Monday, August 24th, 2026

DRAFT

Members

Christine Duerr- Vice Chair

Ray Lipfert – Secretary

Kayla Gallagher – Member

Timothy Streeter – Member

1. Meeting Start

The Meeting Officially starts at 5 PM

2. Roll Call

3. Approve Meeting Minutes from 8-20-2026

- Kayla Gallagher Motions to approve the Minutes, Timothy Streeter Seconds
- VOTE: Unanimous Approval (4-0)

4. Review of Contract: Interview

In this section of the meeting the Committee sits down with Chief Andrew Murphy, Building Inspector Brian Boyle, Town Administrator John Apple, and Lewis Builders' representative Josh Manning and asks them questions relating to the review.

The resulting information is gleaned from said interview:

- Jeffrey Murphy is owner as well as president of SFC

- Jeffrey Murphy is still a part-time volunteer firefighter at the Atkinson fire department; however his duty is relegated to firefighting duties and not paperwork or administrative work.
- Neither Jeffrey or Andrew Murphy have participated in any official or informal discussions relating to the bidding or contract process.
- During the bidding process, only two qualified companies responded to the bid put out for a third-party contractor.
- The individual who determines the “as needed” additional services beyond the fixed contract fees comprise of either the building inspector or Fire Chief relating on the specific issue (IE whether it's a building or fire safety issue). However, that would only occur during the construction of the next building if the fire code changes. During the construction of this building (of any construction project as per state law), the fire code at the time of building will remain status quo until construction is complete.
- While the town will be paying the SFC to conduct their third party review of the construction, Lewis Builders will be paying back the town ensuring there is no additional cost to the taxpayers.

5. Writing the Letter: The Following is the letter written to the BoS containing the COI official review and recommendation

“Dear Mr. Apple,

Thank you for your request to review a possible perception of a Conflict of Interest in regards to a supplier selection process at the Atkinson Fire Department. The Committee met with Deputy Chief Andrew Murphy, John Apple, Brian Boyle, and a Josh Manning on August 24th, 2026. As a result of this meeting and the questions asked and answered, we have concluded the following.

We affirm the 2023 COI committee findings that there are two points of issue:

1. Was there a Conflict of Interest in the selection of the Supplier SFC Engineering (SFC) for Fire Security Services?

And,

2. Is there a possible Conflict of Interest (COI) or perception of a COI going forward in the relationship between SFC and the Town of Atkinson, given the president and owner of

SFC is Mr. Jeff Murphy. Jeff Murphy also serves as a per diem Fire Fighter for the Town of Atkinson and is a town resident.

Additionally we find there is another point of issue to address:

3. Is there a possible Conflict of Interest (COI) or perception of a COI with Andrew Murphy being the Atkinson fire chief and brother to Jeff Murphy.

The findings of the Committee are as follows:

On Issue 1, we agree with the previous COI committee that met in 2023 that there is no COI in the way the supplier was chosen by the Board of Selectmen and the Request for Proposal process was thorough, transparent and did not involve Jeff Murphy or Andrew Murphy in any way. There was no prohibited conduct per the Ordinance.

On Issue 2, we feel that there could be a perception of a COI given Jeff Murphy is the owner of SFC, especially if the line is blurred between his volunteer role on the Fire Department and his role at SFC. We agreed there is no direct COI as Jeff Murphy would not be the project manager for the scope of work being provided by SFC for Lewis Builders. He also would not be responsible for inspections or approvals of work as a member of the fire department.

On Issue 3, we agree there could be a perception of a COI based on the fact that Andrew Murphy is the fire chief and his brother, Jeff Murphy, is the owner and president of SFC. However, the contract was created in 2023 when Andrew Murphy was not the fire chief and Jeff Murphy was not the president of SFC. The contract is changing based on a new building code that effects the continuation of future buildings that are already in process. From our understanding, Andrew Murphy cannot request or approve additional work to be done by SFC.

As such, we have the following recommendation for the Board of Selectmen.

In order to ensure voters that no COI exists on Issue 1, we recommend the Fire Department post the selection criteria for the supplier to their town website, so concerned residents can review the associated documentation. It is noted that the fire department obtained input from town counsel and the COI. A letter detailing the selection process has been provided to both the COI Committee and the Board of Selectman. This information will be noted in COI Committee meeting minutes and documentation for further information.

On Issue 2, we note that Jeff Murphy has no direct involvement in the SFC/Town of Atkinson contract. We emphasize that this was done within the formal contract by declaring SFC's project team does not include Jeff Murphy. We note that the contract itself will be based on fixed fees and ancillary expenses would need to be pre-approved before being invoiced. In this way, we feel Mr. Jeff Murphy will be free of any issues that may be construed as a COI. We further agreed that this addresses the issue of the perception of a COI.

On Issue 3, we recommend that there is oversight through separate parties (i.e. Board of Selectmen, Lewis Builders, and the building inspector) if any additional changes to the building code occur.

We recommend that Atkinson town residents are made aware that Lewis Builders are financially responsible for all fees and costs associated with this contract.

If you have any further questions, please do not hesitate to contact us.

Sincerely,

The Conflict of Interest Committee

Town of Atkinson New Hampshire"

6. Approving the Letter

- Ray Lipfert Motions to approve the letter, Kayla Gallagher Seconds it
- VOTE: Unanimous Approval (4-0)

7. Action Point:

Kayla Gallagher takes the action point of sending the letter to John Apple on behalf of the Committee.

8. Plan for Next Meeting if needed

Next meeting time is to be determined

9. End Meeting

- Ray Lipfert motions to end meeting at 7:26 PM, Christine Duerr Seconds.
- VOTE: Unanimous Approval (4-0)

Respectfully Submitted,

Ray Lipfert, Secretary