

*“Minutes must be kept of all public meetings and must be available to the public upon request not more than five business days after the public meeting. A business day means the hours of 8 am to 5 pm on Monday through Friday, excluding national and state holidays. The minimum content of meeting minutes includes: (1) names of members present; (2) other people participating (it is not necessary to list everyone present, however); (3) a brief summary of subject matter discussed; and (4) any final decisions reached or action taken. There is no legal requirement to accept or approve the minutes. Even if minutes have not yet been approved, they still must be made available not more than five business days after the public meeting. When the five business day deadline is reached before the minutes are approved, they can be made available to the public with a notation that they are a draft version.”*

Taken from “Knowing the Territory,” a publication from the New Hampshire Municipal Association.

## Selectmen’s Meeting Minutes Albany, NH June 6, 2018

**Call to Order:** At 5:03 p.m., Chairman Hiland called the Selectmen’s meeting to order.

**Pledge of Allegiance:**

**Attendance:**

Members present: Rick Hiland, Cathy Ryan and Joe Ferris

Town Administrator: Kathy Golding

Public: None

**New Business:**

- **Approval of the May 23 minutes:** Selectperson Ryan made a motion to approve the May 23 minutes as submitted, Selectman Ferris seconded the motion and all were in favor.
- **Approval of consent file:** Selectman Ferris made a motion to approve the consent file as presented, Selectperson Ryan seconded the motion and all were in favor.

Signed payroll checks and vouchers	\$1,920.07
Approved accounts payable invoices	\$58,428.23
Reviewed & sign previously approved accounts payable & issued checks	\$5,455.37
Approved one building permit	Map 7 Lot 50
Approved one request for leave	
Approved one welfare lien release	

Signed auditor's management representation letter	
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**Town Administrator's Report:**

The billboard sign just south of Perm a Pave that had its light shining into oncoming traffic's eyes, has been shut off. Shields are being ordered. Once placed, the light will be turned on again and tested.

The Health Officer and Deputy Health Officer attended their annual workshop. They both said it was worth it and they learned a lot.

The EMPG grant application that will help pay for the generator has been submitted.

The Trustees of the Trust Funds met and reorganized last week. The new Trustee is Anne Merrow.

The Town Administrator met with Chuck Merrow. He recently retired from Fairpoint as an accountant and would be interested in the Deputy Treasurer position. He will meet with the Selectmen in the near future.

The collateralization statement from the bank is still being worked on and should be complete soon. An Insured Cash Sweep account is being created and has been recommended by the auditors.

The letter mailed to Chuck Henderson requesting assistance to get an individual zip code for Albany has been returned because of the wrong address. The Town Administrator will look up the correct address and mail it out again.

A representative from Carol Shea-Porter's office called to see if they could hold office hours at the town of Albany. They will be in touch with a date and time.

Josh Snell, co-owner of Servicemaster, will be submitting an estimate for the town hall rug to be cleaned. Alyson Hermanson, who currently cleans town hall will be submitting an estimate to clean the windows.

There have been numerous reports of illegal dumping on Crossover Rd. Deputy Rowe called to say it is National Forest land and not Albany's problem. The Forest Service will be notified.

Deputy Rowe will inspect the cabins/campground on Route 16. This is the same property a violation letter has been sent to for operating an illegal junkyard. Deputy Rowe will then reach out to the Health Inspector for a formal inspection.

**Appointments:** None

**Old Business:**

- Emergency Management/Operations Plan – meetings will be scheduled
- Town Hall – building & parking lot maintenance – the Road Agent filled some areas of the driveway.
- State Bridge Aid – application filed and received by NHDOT – Chairman Hiland reported there has been new legislation adding \$20 million dollars to the Bridge Aid fund. Maybe Albany’s project will get moved up.
- Generator purchase/grant – grant application in process.
- QuickBooks Pro transformation – in process.
- Albany zip code – in process – the letter to Chuck Henderson will be resent to the proper address. A copy of the letter will be e-mailed.
- Chapel Committee/Historical Society – no action taken.
- Security/Fire system upgrade and evaluation – Pope Security will submit a plan – no response yet.
- Passaconaway Rd.- Northern Borders Regional Commission grant – submitted – Transportation Alternatives Program (TAP) –Selectman Ferris reported he hasn’t received any results from the North Country Council traffic count yet. Chairman Hiland would like to send a letter to Cersosimo Lumber to set up a meeting to discuss the road bond they posted.
- Annual Select Board meeting date in Wonalancet – September 12 at 4 pm
- Business Roundtable meeting – TBD (September)
- Camping & Parking issues on Passaconaway Road by tourists – Deputy Rowe recommendations for BOS ordinances. – the Board discussed the amendments. They will hold a public hearing on June 20 at 5:30 p.m. Road Agent, Curtis Coleman will be invited to attend.
- Road Standards update – in process
- Road Agent Spring update – to be scheduled
- Records Retention Committee – no action taken.
- Winter road maintenance policy – no action taken.
- Gibson Center – a letter of support to the AARP NH State Director was signed for the application for membership of our town as an Age-Friendly Community.
- Cable TV contract (2021) – Chairman Hiland contacted Town Counsel and NH Municipal Association legal department regarding the upcoming contract negotiations. Both advised Chairman Hiland to pay close attention to it once the negotiations begin.
- Indemnification of officials/employees – Selectman Ferris made a motion to approve the indemnification policy according to RSA 31:104, 31:105 and 31:106, Selectperson Ryan seconded the motion and all were in favor. The policy is an addendum on the last page of these minutes.

**Other Old Business:** follow-ups

- Route 16 Moulton property/campground – Certified letter sent - junk cars, trucks and campers clean-up— Deputy Rowe will inspect and contact the Health Officer.
- Route 16 – 2219 NH Route 16 – fire cleanup update – a note was sent and there has been no reply as of yet.

**Other Business (and Board reports):**

**Planning Board – Rick-** the Planning Board suggested the Combined Board meeting be held in January rather than February as it is too close to Town Meeting. The Selectmen agreed to change the meeting to January. It is listed in the Selectmen’s Rules of Procedure so it will be announced again at next week’s meeting in order to amend the Rules of Procedure.

**ESAA – Rick –** Chairman Hiland has been appointed as Chairman of the Governance Bylaw Committee. A meeting was held with the Board of Directors and a request to restructure the Board was discussed and approved. Chairman Hiland asked the other Selectmen if they would allow the meetings to be held in the Albany conference room. Both Selectperson Ryan and Selectman Ferris agreed to allow the meetings to be held in the Albany conference room.

**Conservation Commission – Cathy –** Selectperson Ryan reported there have been problems in the town forest with dog owners not picking up after them. Some have run through the farm land destroying newly planted crops. The Conservation Commission will place signage to hopefully remedy the situation. The farmer has been able to coordinate with the middle school and students are learning about farming. They are hoping to coordinate with the 4-H club to create a display at the Fryeburg Fair.

**School Board – Joe –** next meeting is June 12 at 5:30 p.m.

**Other:** Chairman Hiland reported on recent legislation. He added the NH Municipal Association is still accepting policy proposals if anyone had interest in submitting one.

Chairman Hiland would like to begin to review the NH Retirement System and to investigate if there is something better to offer the Town Administrator.

Chairman Hiland would like to hold another town hall session with our legislators in late August or early September.

Selectperson Ryan requested a ride along with a Sheriff Deputy.

**Correspondence:** NHMA letter regarding policy proposals  
White Mountain Realtors-On Common Ground

RH\_\_\_\_  
CR\_\_\_\_  
JF\_\_\_\_

**Public Comment:** None

**Next Meeting: June 13, 2018 at 5 PM**

**Adjournment:**

At 6:35 p.m., Selectman Ferris made a motion to adjourn, Selectperson Ryan seconded the motion and all were in favor.

Respectfully Submitted,

Kathleen Golding  
Town Administrator

**Indemnification Policy – Town of Albany, NH**

**Indemnification of Town Employees and Officials Pursuant to NH RSA 31:104, 105, 106**

The Board of Selectmen of the Town of Albany, New Hampshire in Carroll County hereby adopts the provisions of NH RSA 31:104, NH RSA 31:105, NH RSA 31:106, whereby the Town shall indemnify and save harmless for loss or damage occurring after the date of the adoption of this motion and to reaffirm the vote of the Legislative Body at the 1985 Albany Town Meeting, to the fullest extent possible, any person employed by it and by any member or officer of its Board of Selectmen, administrative staff or municipal agencies, including, but not limited to, the Selectmen, Town Administrator, Road Agent, Town Clerk / Tax Collector, Deputy Town Clerk / Tax Collector, Treasurer, Deputy Treasurer, Regional Planning Commissioners /Representatives, Health Officer, Deputy Health Officer, as well as the members of its Conservation Commission, Heritage Commission, Highway Safety Committee, Planning Board, Supervisors of the Checklist, Trustees of Trust Funds, advisory bodies/committees, and members of the Zoning Board of Adjustment from personal financial loss and expense from any of the following:

- A. **NH RSA 31:104 Liability of Municipal Executives** - Arising out of any claim, demand, suit or judgment and shall not be held liable for civil damages for any vote, resolution, or decision made by said person acting in his or her official capacity in good faith and within the scope of his or her authority for the Town of Albany.
- B. **NH RSA 31:105 Indemnification for Damages** - Arising out of any claim, demand, suit or judgment by reason of negligence or other acts resulting in accidental injury to a person or accidental damage to or destruction of property if the indemnified person at the time of the accident resulting in such injury, damage or destruction, was acting within the scope of employment or their official duties for the Town of Albany.
- C. **NH RSA 31:106 Indemnification; Civil Rights Suits** - Arising out of any claim, demand, suit, or judgment by reason of any act or omission constituting a violation of the civil rights of an employee, teacher or student, or any other person under any federal law if such act or omission was not committed with malice, and if the indemnified person at the time of such act or omission was acting within the scope of employment or office for the Town of Albany.

This policy of indemnification shall not apply to any action by an otherwise indemnified individual in the event that the conduct forming the basis of the claim was as a result of a wanton or malicious behavior or actions taken in bad faith which shall include, but not be limited to, conscious wrongdoing or behavior based upon a dishonest, immoral or improper motive.

RH\_\_\_\_  
CR\_\_\_\_  
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The omission by title of any municipal employee, official or board or committee member from the above enumeration shall not be construed to deny indemnification to such individuals. In addition, pursuant to NH RSA 31:108 Attachment, Trustee Process Prohibited – No attachment or trustee process shall be available or allowed where immunity has been granted pursuant to RSA 31:104 or where indemnification has been voted pursuant to RSA 31:105 or where indemnification is required pursuant to RSA 31:106.

**Adopted by the Board of Selectmen of the Town of Albany, NH on June 6, 2018.**