

## **Minutes**

### **Albany NH Selectmen's Meeting**

**April 23, 2014**

At 4:30 p.m., the Selectmen's meeting was called to order. In attendance were Rob Nadler, Jack Rose. Also present were Lee Grant, June Johnson, Bill Lake, Mark & Laurie Lundblad, along with their attorney, Donald Ekberg. The following business was conducted.

#### **Regular Business:**

- Reviewed & approved April 9 minutes-Jack made a motion to approve the minutes as submitted, Rob seconded the motion and all were in favor.
- Signed checks totaling \$7,063.63.

#### **Town Administrator Report:**

Kathy reminded the Board of the New Hampshire Municipal Association's Official workshop is to be held in Littleton on May 1.

Kathy received a response from the Department of Revenue regarding the request from Valley Vision to transfer franchise fees from Time Warner over to Valley Vision. Valley Vision did not submit a petitioned warrant article and therefore the expenditure was not included in Albany's budget nor warrant. The response is as follows: The Municipal Bureau has authority to review and adjust appropriations, but not expenditures. Once the voters have approved the appropriations, it becomes the responsibility of the elected officials to ensure that expenditures are made within the letter of the law.

#### **New Business:**

The North Country Council has been awarded a \$300,000 grant from the US Economic Development Administration This funding will support working with business leaders and local officials to facilitate long term disaster resiliency and recovery efforts in the North Country. Rob thought Albany may be eligible for a generator or infrastructure improvements. He asked Kathy to get in touch with Colleen Cormack to review the recommendation list from the energy audit that was conducted a few years ago.

Lee and June left the meeting.

**Mark & Laurie Lundblad:**

Mark and Laurie's attorney, Don Ekberg asked the Selectmen about their request for a building permit for the Lundblad's temporary garage. Rob told Don the definition of a structure as it currently reads does not distinct between temporary or permanent. Rob went on to say that Albany's attorney, Walter Mitchell, feels it is a strong case. Don asked if Walter was saying it was a structure. Rob replied yes. We would like the permit application filled out and the Selectmen will recommend that the Planning Board waive the site plan review, but the Selectmen cannot speak for the Planning Board.

Don repeated what Rob told him saying the Selectmen recommend filling out the permit application and then it goes to the Planning Board. Jack said the building permit comes to the Selectmen and the Selectmen will recommend that the Planning Board waive the site plan review. Rob added the gray area is this is a commercial property and the Selectmen do not feel it needs a site plan review but cannot preempt the Planning Board. The Selectmen are hoping it will be waived.

Don said in the event the building permit goes to the Planning Board and they vote it needs site plan review, it has to go before the Planning Board? Rob replied yes.

Don asked about other lots with the temporary structures on them. Rob replied the Selectmen are dealing with this now and are looking at the commercial zone. Mark said two weeks ago, the Selectmen told him the permit would be denied. Jack said he felt that a building permit is required. Don asked what happens if the building permit is not filled out. Rob told Don it would be turned over to the town attorney. Don asked what the deal with Coleman and all of his temporary structures was. Rob replied the Board's goal is that they will all be taxed. If something has been there for 10 years, we want to make sure it gets taxed. This one is obvious. The Planning Board brought it to our attention, we are just trying to do our job and work with the Planning Board. These structures were not addressed when the ordinances were written.

Don asked if there was an issue with grandfathering. If a temporary structure had been there for 10 years, now they won't be made to permit it? Rob replied boards have changed over the years and our preference is to make it as easy as possible but we don't want to encourage people to just put up tents. We have to start somewhere.

Don asked if he could contact the town attorney. Jack and Rob both replied yes. Jack told Don this is a beginning. Don asked the Board if they would give him two weeks before implementing any fines so he may contact Walter Mitchell. Rob made a motion to extend the permit filing deadline by two weeks, Jack seconded the motion and all were in favor. Jack told Don and the Lundblads that Rob had attended a Planning Board meeting and he felt as though they would cooperate on this issue. Laurie said their issue is that what is fair for one is fair for all and they felt as if they were the only ones to be hammered. Don, Mark and Laurie left the meeting.

### **Old Business:**

Jack would like to see more progress from the Jon Munro property. He feels the cleanup should be complete by now. Kathy told Jack that Jon Munro Jr. submitted his letter from his doctor saying that he had surgery on his other shoulder and said he would continue the cleanup but it would be slow. Jack asked what the town could do about it. Kathy said if the town wanted to, the cleanup could be paid for by the town and then a lien placed on the property. Jack thought the least Jon could do is to get the mobile home out of there.

### **Website Planning:**

Kathy compiled a list of potential e-mail addresses of all boards and their members. The count of addresses is up to 33. After 15 addresses, the town will be charged. Kathy asked if it was necessary for every board member to have an e-mail address. For instance, the Zoning Board of Adjustment has five members and one alternate. They may meet once or twice a year. The need for all board members to have an e-mail address is very low and will cost Albany money for little to no use at all. Rob asked Kathy to contact each Board Chair to see what they prefer. At least it should be the Chair and Secretary with an e-mail address.

### **Town Board Selectmen's Rep Reports:**

Rob reported the Conservation Commission met with the Forest Service on Tuesday. Jack asked when they would be taking the barriers down by the Covered Bridge. Rob wasn't sure but Mike Martin, Forest Ranger, said they will be putting up a protective barrier with a metal chain and he acknowledged the Forest Service will be responsible for the cost.

Conway Village Fire District burned a small portion of the fields on Tuesday. The Forest Service would like to be involved in the next one.

Rob reported there has been problems with people camping in the town forest. The Forest Service would like to move the gate up to the parking lot. They have to research their deed and they need the Fire District to cooperate. The entry road is still in the works.

**Other Reports NCC, MWVEC:**

Rob attended the Mount Washington Valley Economic Council's meeting today. They are looking for additional members who may contact their office if anyone is interested. Rob submitted their research report, "Measures of Economic Condition of Mt. Washington Valley, 2003 through 2012."

**Strategic Plan Update:**

The Board discussed security and energy efficiency project. Jack asked if there was money appropriated to continue the list from the energy audits. Kathy replied there was no money appropriated for any large projects but something small would fall under building maintenance and repairs. However, having the two trees cut down on the property as well as moving the phone/internet wires was spent from that line item. Rob thought we should see if the North Country Council's grant may cover some of our energy projects. Security projects will have to take budgeted next year.

At 5:52 p.m., Rob made a motion to adjourn, Jack seconded the motion and all were in favor.

Respectfully Submitted,

Kathleen Vizard  
Town Administrator