

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.

Minutes

Albany NH Selectmen's Meeting

April 30, 2014

At 4:20 p.m., the Selectmen's meeting was called to order. In attendance were Rob Nadler, Jack Rose and Kelly Robitaille. Also present were Lee Grant, June Johnson, Rick Hiland, Peter Carboni, Shawn Bergeron and Dorothy Solomon. The following business was conducted.

Regular Business:

Reviewed & approved April 23 minutes-Jack made a motion to approve the minutes as submitted, Rob seconded the motion and all were in favor.

Signed checks totaling \$7,630.48.

Town Administrator Report:

Kathy reported she had e-mailed Kim Guptill regarding the cemetery cleanup. Kim hoped to get out to the cemeteries with Kelly and Cathy Ryan either this week or next week and then make a plan from there.

Kathy spoke with Animal Control Officer Jo Anne Gayer who will be resigning her position within the next six months as she is moving out of the area. Kathy asked Jo Anne if it were necessary to go to the academy to be a dog officer. Jo Anne replied no and many officers throughout the state have not gone through the academy. There is a one week course during the

summer at UNH that educates Animal Control Officers but the cost is \$600, so she has never attended.

Rob said he knows a few people who may be interested in the position. Maybe we can see what the going rate is and post the position.

Kathy told the Selectmen the auditors spent seven hours in the office on Tuesday and everything went very smoothly. They will be submitting their report shortly.

New Business:

On May 13, there will be a Right to Know class for local officials at the Madison Elementary School gymnasium.

The Planning Board would like to have their agenda posted on the town hall door.

Shawn Bergeron:

Shawn belongs to the state building code review board which is connected to the Department of Safety. Recently he was contacted by Tin Mountain Conservation who has begun construction of an intern housing building. Conway Fire Chief Steve Solomon performed an annual inspection, saw the construction and said the building falls under the state building and fire code. The building will need alarms, sprinklers and another egress. Shawn is assisting them with these requirements and hopes to educate towns on building codes and how they are supposed to be applied. He went on to say Tin Mountain is correctable but will cost them time and money. If the error is picked up before the permit is issued the correction can be made on paper instead of work. Rob asked Shawn if Tin Mountain submitted their plans to the Fire Chief as they were supposed to. Shawn did not know. Peter did not know either. Peter said he received a call from Chief Solomon regarding the inspection.

Shawn suggested before the town approves a permit, they should require the applicant to contact Chief Solomon and if necessary have NHDES and NHDOT sign off on the permit as well as the fire chief. It will require decent plans to be submitted.

Peter asked Shawn if a residential structure may exist on an existing commercial property and still be labeled as residential. Shawn replied yes but that is a Planning Board issue and building codes will not address that. If the town authorizes it as residential it may exist on the same property.

Shawn said it is very common to have a fire chief confirm code compliance on a permit before it is approved. In addition, the Board of Selectmen, Planning Board and Zoning Board of Adjustment all have the authority to say an application is extensive, that is outside of their knowledge and would like to hire a third party to act as their agent. The applicant would be responsible for the cost. This would relieve burden on difficult projects.

Shawn left the meeting at 4:55 p.m.

Dorothy Solomon:

Dorothy told the Board she is on a committee for housing homeless veterans. It had been suggested to her that committee members go to Selectmen meetings to let them know what is going on. Six months ago, their committee went before the Carroll County Delegation and after discussion, a vote was taken to allow this group to use two wings of the old nursing home for housing of Carroll County homeless veterans. By next year at this time, they must show the funding for the project. Dorothy added this is housing, not shelter. This is for a longer time but not forever. It is for people who come to this project to get back on their feet, if they need help with drugs or alcohol rehabilitation, learning a trade or just needing a job. This will be for men only because it is easier that way. Jack asked if it would be for families. Dorothy said no they could not push it through. They have to take baby steps, maybe in time, but this is for now. Dorothy said they tried to make it for homeless and not just veterans but it did not go through. It will be in the old Ossipee nursing home. Jack said he heard the building was unusable. Dorothy replied the building was not useable for the nursing home. It could not meet state requirements and it was too small along with other issues. That is why the new one was built, the old one needs work. Rob asked Dorothy if they were getting grants. Dorothy replied yes. Rob offered a letter of support from the Selectmen. Dorothy said they will be looking to start raising \$1,000,000. They have met with Kelly Ayotte's office as well as Annie Custer who is on a veteran committee. Dorothy didn't know if they could come up with some money from the federal budget but if there were money available, she will pursue it. Jack asked about the issues in the old nursing home. He heard the roof needs replacing and there is mold. Dorothy replied yes and yes. There had been a Commissioner's meeting regarding the roof and if they would go along with their portion of the building. The Commissioners had not hired anyone to do the repair so Dorothy said her group could not say if they were going to go along with it or not. Jack asked if the leaking roof was causing the mold. Dorothy said there is a leak but she doesn't know if it is the source of the mold. Jack appreciates the fact Dorothy

is requesting \$1,000,000 and they probably need more like \$2,000,000. Dorothy told the Board they would not be using anything in the core of the building. The County still uses portions of the old nursing home. Kelly thought this is a worthwhile cause.

On an unrelated issue, Rob told Dorothy he had received a blow back on the Selectmen's minutes and people who interpret them their way. The Selectmen think their minutes go way beyond what is required by law. Dorothy replied as former Commissioner she recognizes this problem. Rob thought since Dorothy also interprets them and posts them in the town column, he would like her to know from now on there will be a disclaimer at the top of the minutes. Rob handed the disclaimer to Kathy for recording.

Dorothy left the meeting at 5:12 p.m.

Old Business:

Kathy received a response from the Department of Revenue regarding the request for funding from Valley Vision. A petitioned warrant article was not received and therefore, not approved at town meeting. Typically, Valley Vision requests the same amount of funding as Albany receives in franchise fees from Time Warner Cable. Valley Vision is requesting the franchise fees of \$4000.

The Department of Revenue said records must be maintained which show the voted appropriations against the properly classified and authorized expenditures. Since Valley Vision's appropriation was not voted on or approved at town meeting, the Selectmen cannot approve the funding.

Website Planning:

Kathy sent an e-mail to Kim Guptill, School District Clerk, to poll the School Board as to who should have a town e-mail address. Kim has not responded yet. Kathy asked Rob to poll the Planning Board for the same. Andy Davis would like the ZBA's Chairman and Secretary to have town e-mail addresses.

Enforcement Issues:

At Monday's Planning Board meeting, Rob was told that according to the Site Plan Review Regulations, the Lundblads would not be required to submit an application before their building permit is approved. Rob said it is really quite clear and referred to page three, Section 3.b of the Site Plan Review Regulations. "A development shall be considered exempt from these Site Plan

Review regulations if there is no change of use, or if any expansion of an existing use does not exceed 1200 square feet of additional building area in any five year period, and the development meets all other requirements of the Zoning Ordinance.”

Rob suggested writing the Lundblads a letter to let them know they just have to submit their building permit application. Peter thought they should submit their application first to see what the structure will be used for. Right now they are in violation of not having a permit. Kathy said they are scheduled to be at the next Selectmen’s meeting.

Rob would like to see a question and answer sheet to go along with all applications available. It would make it easier on an applicant to know what is expected of them.

Rick Hiland suggested putting together a checklist if someone wants to build either commercial or residential; have one for each. That way conflicts can be eliminated. Rob said the current building permit application is outdated and he has made notes to redo it but who ultimately will do it. Rick suggested gathering other town’s applications, having one meeting for the draft, give it some time and then make alterations before approving it. Rob would like to give a list of priorities to eliminate some problems. A guide is needed on different buildings, make a sequence and the forms should be easy to read. Rob also wants Peter’s input as Code Enforcement Officer. Jack would like Peter to pick up what he thinks is good representation so the Board could be prepared. Rob would like to help every applicant so it is transparent.

Peter thinks a Safety Officer should inspect all commercial buildings. Jack told Peter that Chief Solomon is our Safety Officer. Peter said we need to have a plan to bring all commercial buildings into compliance along with a timeline to do so. If someone has the authority to go in and make the compliance immediate, it could drive someone out of business. Rob asked Peter how many businesses are there and what would be the cost. Kelly asked if there is a liability to the town. Peter replied he did not know.

Rob would like Chief Solomon to come into a meeting to discuss safety inspections as well data for rescue calls on the Kancamagus. Lee asked about the revenue that the Forest Service thought Albany was getting and if it had been looked into. Rob thought if the Board could get the specs on accidents and calls on the Kancamagus Highway, we could say they don’t fully fund what they should through payment in lieu of taxes each year.

Town Board Selectmen’s Rep Reports:

RN____
JR____
KR____

Jack said the Conservation Commission had met with the Forest Service Chief Supervisor in Campton a few years ago, who said they would have a memorandum of understanding regarding the town farmland so we knew exactly where we stand for farmland. Rob said last Tuesday they walked the whole thing with the Forest Service and we just have to stay on them but we also have to try to get along with them because they are going to build our access road.

Rob reported the Conservation Commission will be meeting with a potential farmer for the lease of 10 acres of land in the town forest. The Upper Saco Valley Land Trust will be helping to write an agricultural management plan which is needed before a lease can be signed. The Conservation Commission is also working on signs for the kiosk.

June asked if there will be a picnic meeting in June. Rob did not know but has told the Forest Service the tentative date is July 19.

At 5:55 p.m., Jack made a motion to adjourn, Kelly seconded the motion and all were in favor.

Respectfully Submitted,

Kathleen Vizard
Town Administrator