

## **Minutes**

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

**February 6, 2014**

At 3:45 p.m., the Selectmen's meeting was called to order. In attendance were Jack Rose, Kelly Robitaille and Rob Nadler. At 4:20 p.m., Joe Ferris, Zack Ferris, Steve Knox, Bill Lake and Leah Valladares joined the meeting. The following business was conducted.

#### **NonPublic Session RSA 91-A:3(a):**

At 3:46 p.m. Jack made a motion to move into nonpublic session citing RSA 91-A:3 II (a). Rob seconded the motion and all were in favor. Roll call was unanimous in the affirmative.

At 4:18 p.m., Rob motioned to move into public session, seconded by Kelly and all were in favor.

At 4:20 p.m. it was determined that the minutes shall not be publicly disclosed. Jack motioned to seal the minutes, to not publicly disclose the minutes because it is determined that divulgence of the information will likely affect adversely the reputation of any person other than a member of the Board. Rob seconded the motion and all were in favor.

#### **Regular Business:**

- Reviewed & approved January 29 minutes-Jack made a motion to approve the minutes as submitted, Rob seconded the motion and all were in favor.
- Signed checks totaling \$3000.83.
- Discussed proposed budget-see below.

#### **Bill Lake:**

Bill submitted a letter to the Selectmen questioning the validity of proposed zoning ordinance amendments by the Planning Board. A public hearing was held on November 18, 2013. Bill said this public hearing was held more than 120 days before town meeting as required by law, adding the public hearing is to be held between 90 and 120 days before the town meeting.

Leah Valladares told the Selectmen the amendments are supposed to be posted in two public places five weeks prior to town meeting. She believes the amendments are invalid.

Rob told Bill the Boards would have to consult with town counsel regarding this issue for an opinion. Rob made a motion to consult town counsel, Kelly seconded the motion asking Kathy to contact Josephine Howland, in addition to Jae Whitelaw.

Leah noted the proposed amendments are dated as approved by the Planning Board on February 13, 2013. She believes they are invalid and said the criteria was not met as a certified copy from the public hearing noticed November 18, 2013 was not submitted. Rob suggested the minutes from that meeting may be considered as valid.

The Board voted on Rob's motion to contact town counsel on this issue, seconded by Kelly and all were in favor.

### **Proposed Budget:**

Kathy researched title companies and found one that does title searches for \$12.00 per parcel. Kathy also noted the reason for the increased expense last year in that category of her budget was that 61 properties went to lien in comparison to 42 in the prior year. Each property has to have a title search performed in order to notify mortgagees of the tax lien execution.

Pope Security will be sending an estimate on keyless entry pads on each the Selectmen door and the Town Clerk door. Kathy was told they have two in stock and it was estimated they would cost \$500 each without labor. Rob thought this was expensive as he has seen them at Lowe's at a much cheaper price. He asked Kathy to contact the regular maintenance company to submit an estimate.

### **Miscellaneous:**

Kathy told the Board the Conway Public Library Trustees will be meeting at the Conway Public Library on Monday, February 10 at 4:00 p.m. Rob and Jack will attend. Rob said he didn't see anything to lose. Kelly said let's see what they say on Monday. Kathy told the Board she did not find a written agreement with the library.

Jack asked Kathy to call Sheriff, Domenic Richardi, to see if he recommends any changes for patrols in Albany.

Rob said he will submit the Conservation Commission report for the annual town report by next week. Cort is finishing up the trail map. Rob would like to see it in the town report as a tear out page in color. Jack would like to put a color picture of the town forest and maybe of the town picnic in order to publicize what is going on in town. He thinks it should go in the back cover of the town report. Kathy will contact Minuteman Press for a revised estimate.

Kelly mentioned the tree at the bottom of the driveway. He inspected it as Kathy requested and it is beginning to split. He thinks it should come down. Kathy added if that were to be done a pole would have to be placed there for the lights illuminating the flag and driveway. If electric work were to be done, the light that illuminates the flag may as well be replaced with a photo cell fixture, so when power is lost, the timer does not have to be reset.

Jack asked Kathy to get a price on the tree removal and electrical work to be done.

**Public Comment:**

Steve asked for more information on the discussion the Selectmen had allowing Kathy to contact town counsel. Rob said the subject was touched upon and it was not extensive. Rob said as far as that responsibility, it has been common practice over the years and Kathy routinely contacted the town attorney. Steve said the discussion wasn't shown in the minutes. The Board discussed the different town boards and who they view has the authority to contact town counsel. Steve said it didn't show in the minutes. Rob said the Board touched on it on December 11, it is part of the job description adopted on December 18 and he had put out a list of the different boards to discuss. It wasn't substantive. Steve wondered what would arise that Kathy would have to contact town counsel. Rob replied a number of things and a lot of reasons. The Board never had a substantive discussion; it was touched on at various meetings and it was voted on to make it formal.

Steve discussed the issue of the Town Clerk not being available on Friday, January 31, from 3 to 5 p.m. Jack noted he understood the Town Clerk was to be available and not on site and no one has ever brought this up. Steve said he has always applied well before the Friday deadline. Rob said the real issue if there is a problem to get a solution. Jack said Steve was trying to make issues. Steve replied an issue that was a Planning Board issue, Kathy contacted town counsel and the Selectmen didn't know about it. Kelly said

JR\_\_\_\_  
KR\_\_\_\_  
RN\_\_\_\_

Kathy got information that the Board could use and she made no decisions. Steve said Kathy challenged the Planning Board. Leah said that as a citizen when she comes to town hall the first person she sees is the Town Administrator. Leah felt the Town Administrator should have the ability to get information for a resident. Leah went on to say the Town Clerk position is a voted one and no one has challenged by putting their name on the ballot.

Kelly thinks the town is running pretty well. Rob welcomes comment even if he doesn't agree with it as long as it is constructive criticism. The Board needs feedback because they can't fix it if they don't know it is there. Steve said he still has questions about the process.

Leah asked if the Town Administrator job description is on the website. Kathy replied no, the old one is still there. Rob asked Kathy to update the website with the new job description.

Joe told the Board if he is to continue to volunteer as Emergency Management Director, he will need a security code to get into the building. Kathy told Joe that according to the state representative, Albany does not have an Emergency Management Director. Kelly made a motion to rescind the appointment of Joe Ferris as Emergency Management Director, Jack seconded the motion and all were in favor. Jack made a motion to appoint Kelly as Emergency Management Director, Rob seconded the motion and all were in favor. Kelly would like to look into what is required of an Emergency Management Director.

At 5:20 p.m., Jack made a motion to adjourn, Rob seconded the motion and all were in favor.

Respectfully Submitted,

Kathleen Vizard  
Town Administrator