

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**

**March 25, 2015 4:00 p.m.**

At 4:00 p.m., the Selectmen's meeting was called to order. In attendance were Kelly Robitaille, Jack Rose and Cathy Ryan. Also present were Lee Grant, June Johnson, Rick Hiland, Steve Knox, Sara Young-Knox and Colleen Cormack. The following business was conducted.

Chairman Robitaille led in the pledging of allegiance.

#### **Regular Business:**

- Reviewed & approved March 11 minutes-Kelly made a motion to approve the minutes as submitted, Jack seconded the motion and all were in favor.
- Signed checks totaling \$41,169.31.

#### **New Business:**

The Selectmen signed one timber certification and warrant.

The Board approved the MS-232, the approved 2015 budget report.

The Town Administrator informed the Board that the Health Officer inspected and took inventory and pictures of a town owned mobile home. The tenants have vacated the premises per the notice to quit served on February 4, 2015. The health officer made a disturbing discovery through his

inspection. Two cats had been left behind and were deceased. Chairman Robitaille made a motion to report this to the Sheriff's Department, Selectman Rose seconded the motion and added this should be on record. All were in favor.

**Colleen Cormack (Lower Mount Washington Valley Solid Waste District (LMWVSWD)):**

Colleen gave an overview of the timeline of the re-establishment of the LMWVSWD. It had been dormant for years. Colleen became interested when neighbors of hers left furniture and mattresses outside after moving out, instead of bringing it to the transfer station. There is a fee to take it to there. She reported progress is being made and the recycling program is doing well.

Colleen noted that Albany had not paid its solid waste bill on time last fall and other board members made her aware of it. She would like to remedy the problem and not have it happen again. Chairman Robitaille suggested changing the due date of the bill to allow for the town's tax revenue to start coming in and he felt it was only a matter of days late. Selectman Rose said maybe the Board could borrow in anticipation of taxes to remedy the problem. Colleen just wanted the Selectmen to be aware of the problem.

Colleen would also like a webpage for the LMWVSWD and to add contact information to that page. She would like to post the annual Hazardous Waste Collection Day. She thought it should also go on the town's homepage as the calendar on the website is not on the homepage. Visitors to the website should see upcoming events on the homepage.

Colleen noted her LMWVSWD report did not appear in the town's annual report. She hopes it will make it in for next year. The Town Administrator apologized and said she dropped the ball and takes full responsibility for that.

Colleen has also been elected as the School Board Treasurer. It will be a learning experience over the next year. Colleen would like to create a process so school funding will be available from the Selectmen's office in a timely manner.

Selectman Ryan told Colleen the school has never had a problem as they know the money will be there as soon as tax revenue starts to come into the Town. The Board has talked about borrowing in anticipation of taxes and

also to collect taxes twice a year. Colleen doesn't want Albany to get a bad reputation of not paying their bills.

Colleen asked the Board if e-mail correspondence with them is okay. Chairman Robitaille replied it is recommended to go through the town but if necessary and it is for town purposes as opposed to a personal opinion, then yes, e-mail the Selectmen. Chairman Robitaille noted nothing can be decided on as an individual, so it is best to go through the town.

Colleen discussed the Albany Events & Notice Facebook page noting posts can be boosted to a larger audience for a small fee to Facebook.

Chairman Robitaille would like to see if the due dates for the solid waste bills can be moved. Colleen replied that people don't forget that bills aren't paid on time and if there are ways to plan ahead for the expense, it won't happen.

Selectman Rose asked Colleen if there was a term associated with her position on the LMWVSWD. Colleen replied yes, it is three years and there should be two alternate members. Selectman Ryan asked how often the district meets. Colleen replied approximately quarterly. Colleen was appointed in 2011. Selectman Rose made a motion to appoint Colleen to the LMWVSWD for another three years, Chairman Robitaille seconded the motion and all were in favor. Selectman Ryan would like to see a list of openings on town boards.

Colleen discussed the three phases the transfer station has gone through and continues to go through, noting recycling brings in far more money than single stream recycling.

### **Miscellaneous:**

Chairman Robitaille said there is a fundraiser for Albany resident, Danielle Shannon Friday night at Mt. Cranmore from 5-10 p.m. Danielle was in a skiing accident in Alaska recently.

Chairman Robitaille would like to move forward with the public address system as soon as possible. Selectman Rose would like to see two cordless microphones to pass around town meeting. Chairman Robitaille would like to plan a meeting with the State Representatives from our District and the citizens from our District.

Selectman Rose would like to congratulate Noah and Kristin Coleman on their daughter's accomplishment of representing the United States in a ski competition in Canada.

Selectman Ryan discussed open positions on committees in town and then appeal to Albany citizens to fill these positions. It may take a personal phone call. She would like to get a variety of citizens involved.

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

Selectman Ryan attended an Emergency Management meeting that was held at the Conway Fire Station. It was very informative and she feels that Albany is in good shape. We have a fairly new plan in place. The contact list needs to be updated. Selectman Ryan asked if Albany needs to have supplies, meals, blankets or cots readily available. Conway Fire Chief Solomon said probably not and Albany is pretty self-sufficient. He recommends the town move forward with the generator or at least the hookup for a generator.

Selectman Ryan also noted the power at town hall was out on Tuesday night and the emergency lighting did not come on. The batteries are probably dead.

Selectman Ryan noted the webinar she attended with respect to the Right to Know Law, videotaping, and the lawyer's e-mail response helped her understand it better. The NH Municipal lawyer Stephen Buckley notes as follows:

"Let's start with the Right to Know law. Under 91-A:4 (II) if a video tape of a meeting of a public body is used as the raw material for creating the minutes of that meeting, the videotape would have to be made available for review by a citizen if requested. And just like audio tapes, once the minutes are created using the videotape, the videotape may be erased or recorded over (we are assuming a videotape would be treated the same as a "tape recording"). See, RSA 33-A:3 (LXXX). That provision of the Disposition of Municipal Records statute states that "Meeting minutes, tape recordings: keep until written record is approved at meeting. As soon as minutes are approved, either reuse the tape or dispose of the tape." The videotape is merely another method of preserving the record of what took place at the recorded public meeting. Neither the Right to Know Law or RSA Chapter 33-A mandate retention of videotape recording of public meetings beyond the time the minutes of that meeting are created. However, if the videotape of a public meeting is retained beyond the period of time for the creation of the minutes of that

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meeting, that videotape would be a governmental record subject to disclosure under the Right to Know law.

We would recommend Albany develop a written set of guidelines concerning videotaping public meetings, keeping the things stated above in mind.”

Selectman Ryan replied it helped her understand what will be needed and how the Board may want to proceed.

Selectman Rose would like an updated town official contact list.

Chairman Robitaille said the Planning Board has completed their set of Rules of Procedure. There was a lot of talk about the protection of their data and minutes as well as digital copies of minutes and how they are preserved. Before the Planning Board moves forward, they would like to know if a policy is already in place. Rick Hiland suggested a portable hard drive can be used for backups and are relatively inexpensive. Hard copies of minutes must be kept. Selectmen Rose noted the Selectmen’s data is backed up on Carbonite. The Town Administrator also backs up the data on a thumb drive. The Board discussed other options and would like to look into what other towns are doing.

Chairman Robitaille made a motion to reappoint Tara Taylor and Leah Valladares to the Planning Board, Selectman Rose seconded the motion and all were in favor. Chairman Robitaille noted the Planning Board will restructure their officers at their next meeting.

Chairman Robitaille would like to get the Planning Board information updated on the website as well as the Conservation Commission.

At 5:17 p.m., Chairman Robitaille made a motion to adjourn, Selectman Rose seconded the motion and all were in favor.

Respectfully Submitted,

Kathleen Vizard  
Town Administrator