

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

May 14, 2014

At 4:30 p.m., the Selectmen's meeting was called to order. In attendance were Rob Nadler, Jack Rose and Kelly Robitaille. Also present was Peter Carboni. The following business was conducted.

Regular Business:

- Reviewed & approved May 7 minutes-Rob made a motion to approve the minutes as submitted, Kelly seconded the motion and all were in favor.
- Signed checks totaling \$5,839.54.

Town Administrator Report:

Kathy left a message with the Sheriff to set up an appointment with the Selectmen to update them on the recent patrols.

Kathy spoke with the liability insurance company regarding the vandalism at 2008 Passaconaway Rd. They told her to submit a claim online at their website. Rob visited the site and said two windows were smashed in, the door was broken through and boards had been removed from the back of the barn. The damage was scheduled to be repaired this week.

New Business:

The White Mountains Chapter of the New England Mountain Bike Association is working with the Forest Service to construct a single track trail for bicycle/pedestrian/skier use paralleling Passaconaway Rd. One portion of the trail would cross the town owned property at 2008 Passaconaway Rd. The Forest Service needs to go through a formal approval process but suggested they get permission to cross the private land. They are asking if a trail easement would be feasible and if it is not, a generally positive response may allow the Forest Service to proceed with their approval process.

Rob thought the trail would probably be fine but he didn't think an easement would be wise in case the town ever wanted to do something with the property or the prior owner bought it back. He felt it should be looked into more but, felt comfortable writing a letter of support without granting an easement would be the way to go at this point. Jack said the Forest Service wouldn't grant an easement but a renewable use permit. We could do the same with the condition that it is subject to the approval of Albany's town attorney. Rob wanted to make sure we can do this amidst of an ownership transfer.

The auditors have submitted their annual adjusting journal entries for approval. Kelly made a motion to approve the entries, Rob seconded the motion and all were in favor.

Kelly made a motion to approve one timber intent, Rob seconded the motion and all were in favor.

Kathy informed the Board the timber bond has been received from Cersosimo Lumber. They will probably begin logging within the next week.

The Selectmen reviewed the budget. Kelly would like to see an additional column that shows the percentage of expended funds. Rob thought it could be done in Quickbooks.

Kathy, as Town Clerk, has received notification from the Department of Safety that a towing business would like to obtain transporter registration approval. The letter states their business is located at 2 Bernice Lane. This property is part of 1297 NH Route 16. The letter asks if they are in compliance with all town ordinances and if this approval would affect the land use. Kathy has asked the Planning Board for their input as this is a new business in town that will exist on the same property as Albany Auto.

She asked the Selectmen for their input as well. Rob felt the towing business is compatible with the existing garage. Jack thought the Planning Board should review and give a recommendation.

Old Business:

Rick Hiland obtained a copy of many neighboring towns' building permit applications. Kathy will e-mail a copy of each one to Peter Carboni. Peter is going to go through them, make notes and come back with suggestions for Albany.

Jack said the meeting with North Country Council scheduled to invite towns that are not currently members has been cancelled.

Other Reports:

Kelly reported that he and Kathy attended the NHMA Right to Know class at the Madison Elementary on Tuesday. There was a lot of information given.

Approval of minutes is not necessary. Draft minutes must be available within five days of the public meeting. Any amendments to those minutes become part of the following meeting minutes. The draft minutes remain available as they were.

Nonpublic meeting minutes must be available within 72 hours of the session. The reason for moving into nonpublic session must be announced before moving into nonpublic session. The only topic of discussion shall be the reason for the nonpublic session. If the minutes are to be sealed it should be done so before moving back into public session. Once the reason for minutes being sealed no longer exists, the sealed minutes should be unsealed. A checklist of the procedure can be found on nhmunicipal.org.

Municipal records must be available to the public for inspection. They may not be removed from the building, but the public may take notes from, take copies of, or take pictures of these records. The municipality may charge a fee for creating copies of records. The NHMA recommends the same rate at the County Superior Court which currently is .50 per page. The record must be available in whatever format is exists. If an electronic record is requested and it is not available in that format, the municipality is not required to create the record in that format. Other records that are not a typical record obtained by a municipality is not defined as a governmental record and the municipality is not obliged to create the record. The municipality has five

RN____
JR____
KR____

business days in which to produce a requested governmental record unless the record is easily obtainable, it must be available at that time.

Municipalities should have written policies for disposing of records. There is law pertaining to some records and their retention schedules. According to 91-A:4.III-b, the municipality is not subject to disclosure of an electronic record once the record has been initially and legally deleted.

As all public meetings are required to be open to the public, Kelly suggested the Selectmen choose another manner in which to tour the town. Jack thought maybe all three Selectmen could use their own vehicle on their own time and come to the meeting with potential ideas to tackle as a Board. Next week's Selectmen's meeting will begin at 4:30.

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