

Minutes
Albany NH Selectmen's Meeting
April 21, 2010

At 3:55 p.m., the Selectmen's meeting was called to order. In attendance were Jack Rose, Sara Young-Knox and Joe Ferris. Also present were Lee Grant and June Johnson. The following business was conducted.

Regular Business:

- Reviewed & approved amended April 7 & April 14 minutes
- Signed checks
- Reviewed & approved two pistol permits
- Reviewed & signed Quarterly Federal Tax Return
- Reviewed & signed Quarterly Tax and Wage Report
- Reviewed & approved two Timber Warrants
- Reviewed & approved two Timber Intents—Joe would like to see the town roads be bonded for future timber intents where the logging will take place on town roads.
- Reviewed bids for copy/fax/scan machine—tabled until next week.
- Discussed HB 86 regarding ordinance violations—see below
- Discussed state building codes—see below
- Discussed concerns from Planning Board—see below

HB 86: <http://gencourt.state.nh.us/legislation/2009/HB0086.html>

Joe encouraged the Board of Selectmen to enforce Albany Zoning Ordinance Section IX: A & C-3. This would impose a fine of no more than \$275.00 per day for ordinance violations. Joe went on to say that by notifying violators using the format as in HB 86 and then having the notice delivered in hand by the sheriff's department, the town could then begin to impose the fine ten days later. Sara suggested that in a current ongoing case that the town should proceed as Peter Malia, town counsel, is doing. Joe would like the registered letter sent so the fine may be imposed as soon as possible. The AA noted that Peter Malia had sent a certified letter to the violator which was received and thought the fine could be imposed ten days after the receipt of that letter.

Joe made a motion to use the format as in HB 86 as a template for all future ordinance violation citations. Sara Young-Knox seconded the motion and all were in favor.

Joe made a motion to place an article on the 2011 Warrant to adopt HB 86 by the legislative body. Jack seconded the motion and all were in favor.

Miscellaneous:

Jack asked that the AA prepare or seek out a form letter telling residents they must clean trash and debris from their property as it is a health hazard.

The Board decided they will meet at 1:00 p.m. next Wednesday, April 28 to continue touring the remainder of the town. Their regular Selectmen business will be conducted immediately thereafter. Brian Taylor will be invited along to search for any health violations.

Sara would like to remind all Albany residents about Valley Pride Day on Saturday, May 1. It is not necessary to sign up in advance. You may show up at town hall that morning at 8:30 a.m.

Jack asked the AA to e-mail Peter Malia and ask for an updated version of the Purchase and Sales agreement between the town and the Trust for Public Land.

Joe brought up issues that were discussed at the Planning Board meeting the previous week. First was that Moat View Drive is not gated and should be. The AA will contact Dorothy Solomon who is a member of the association to see if this issue can be resolved.

The Planning Board noted that the White Mountain Waldorf School's portable classrooms were built in Maine and their roof snow load limit did not meet New Hampshire's requirements which violated the agreement between the Waldorf School and the Planning Board. Jack said he was a part of the Planning Board at that time and they did approve the classrooms. The AA read minutes from the Selectmen's meeting held on 6/25/08 saying that Jack and Bob agreed that the building permit would be approved as long as Shawn Bergeron inspected and signed off on the roofs because he is licensed and certified to do those inspections. Sara suggested that Shawn Bergeron be contacted as he must have records of such. The AA will call Shawn for copies of his records.

The next issue Joe discussed was the sign violations in town, namely Mud on the Run who is continually adding signage without permits and clearly violating the town's sign ordinance. Other noted businesses were Discount Deli II and Almost There Restaurant who both have two primary signs. The two latter businesses will be researched. A letter will be mailed to Mud on the Run notifying them of the violations in addition to not completing the revision of their site plan review. Another sign violation is Chocorua, LLC who has a sign posted at the bottom of Drake Hill Road at the corner of Route

16 on property owned by the World Fellowship Center. Sara and Jack suggested sending a letter of violation to the World Fellowship Center since the violation is on their property.

The final issue Joe wanted to discuss was adhering to the state's building codes. He feels that the town should cover itself so it's not liable by hiring a building inspector to ensure all buildings are in compliance. Jack told Joe that the town is not liable for residential buildings, only commercial. Sara said if it is a building such as the Waldorf School where people assemble, then yes it should be inspected. Jack agreed stating it must be signed off on and residential buildings must be up to code but the town does not have to inspect them.

At 5:25 p.m., Joe made a motion to adjourn, Jack seconded the motion and all were in favor.

Respectfully Submitted,

Kathleen Vizard
Administrative Assistant