

Minutes
Albany NH Selectmen's Meeting
April 14, 2008

At 9:00 a.m., the Selectmen's meeting opened with Robert Mathieu, Dan Sdankus and Jack Rose in attendance. Also in attendance were several citizens. The following business was conducted.

Miscellaneous:

Bob began the meeting with discussing a health complaint that he received. There are two pickup trucks full of trash on Wildwood Rd. The owner's name is Les Horn. He rents out this property. Bob contacted Les Horn and informed him of the hazard. Les replied that the trash would be removed by Monday, April 21. As Bob will be on vacation along with Dan, Bob has asked that Jack check in on the situation on Monday to make sure the trash is removed.

Easement:

Jack suggested that the Board investigate the absolute requirements from DOT for access to the easement from Route 16 to Golden Oaks. Curtis said that the first thing that needs to be done is a survey. Then DOT will come back and say if there needs to be a traffic count. Curtis thinks this is doubtful but is a possibility. Then Malia can create the agreement.

Bob asked Curtis if the survey has to be done before the permitting process. Curtis replied yes otherwise DOT won't even look at the application. Jack asked who is responsible for paying for the survey. Bob said the Town pays. Dan asked who the Town should use. Curtis said there are many possibilities; Paul King, Thad Thorne, but Paul King has been the most reasonable. Jack again suggested the investigation as to what DOT will absolutely require. Dan said to call Paul King for an estimate as to what the survey will cost.

Bob suggested that Peter Malia, town counsel, should create the language in the letter of intent that will accompany Bill Lake's amended driveway application. Curtis added that Peter could create the parameters and then enter into negotiations. Dan added that Brad Donaldson of Golden Oaks should also receive the letter of intention. Bob thought that the permit should be approved before any negotiations begin.

RM_____

DS_____

JR_____

Marc Donaldson asked the Board about the Planning process. He understood that any new roads being built in town had to go before the Planning Board to which they could deny it. Dan agreed that all roads should go through the Planning Board. Steve Knox cited RSA 674:40 which states that the Selectmen have authority to build the road but they have to go through the Planning Board process. If it's denied, the Selectmen can take it back to the voters and in order to override the Planning Board, it would require 2/3 vote. But, even if it passed, the road would still have to be built to town road specifications. Bob replied that the Board would consult with Peter Malia on the matter. Curtis added that Malia might say because it was a Town vote, the Selectmen do not need Planning Board approval.

Rick Hurd commented that the permit should have been investigated before saying at Town Meeting that the Town did possess a permit. Ron Kratt said he respected the Board but saying that they would bypass the Planning Board is not right. He added that the survey will cost money and this is money that was not appropriated as part of this project. Bob replied that extra money is required every year for fixing roads and this is just part of the process. He went on to say that this project is the cheapest solution to this problem. It can't be done any other way for \$130,000. Curtis added that this is an option that was put on the table and a he did a lot of homework before bringing it to the people.

Lance Zack commented that the Town should not take responsibility for this road and we should have the lawyer take a look at the park. He is concerned that the health officers aren't taking action against the owner of Golden Oaks. He went on to say that this road should also be his responsibility and he hasn't followed through on legal issues. Bob replied that the Board is proceeding with caution. Lance suggested that a performance bond be required of both Bill Lake and Brad Donaldson because that would show caution in addition to the road being built to town specifications. Curtis said that towns and counties all over create roads according to budget all the time. Steve Knox said he disagreed because our zoning ordinances are clear that an engineer be sure the specifications are in order. Curtis said that the street specifications were created in 1989 and everything is basically obsolete. Steve asked if they should just be ignored then. Curtis replied that everything is made better these days and they don't use the products that are named in the street specification. Jack asked if the street specifications should be upgraded. Bob and Curtis said it would be up to the Planning Board. Jack and Steve Knox said it would be beneficial to include Curtis in the process of amending the street standards.

RM_____

DS_____

JR_____

Dan said the Board is prepared to deal with Bill Lake. Lance argued that he appreciates Dan's point of view but if there's no bond, there's no trust and Bill should be required to post a bond.

Curtis said the easement is costing \$80,000 and the road is costing \$50,000. So, a bond would only be required for the \$50,000. Marc said the Board should ask for a bond and a proper letter of intent. Bob replied that this would not happen in the permitting process. Marc said that the Town still has to buy the right of way whether Bill has a bond or not. Curtis added that if everyone thinks that a bond should be required then the Town of Albany should acquire it because it's 100% guaranteed and it's cheap insurance. Jack inquired as to if Golden Oaks be required to also post a bond so the entrance must be completed. This will ensure it.

Jack asked Curtis if he would look through the current street standards, and come up with suggestion for amending. Curtis said an engineer should update them. Steve Knox said as Planning Board Chair, he would welcome input and comments from Curtis.

Brian Taylor told the Board that the group of citizens was not there to personally attack the Board but were there for legitimate reasons. Bob replied that he took points personally because his name has appeared in the paper and this is only because he is the speaker for the Board.

At 9:50 a.m. Bob motioned to adjourn, Jack seconded and all were in favor.

Respectfully Submitted,

Kathleen Vizard
Administrative Assistant