

## **Minutes**

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

May 14, 2008

At 4:00 p.m. the Selectmen's meeting opened with Robert Mathieu and Jack Rose in attendance. Many members of the community also attended the meeting. The following business was conducted.

#### **Regular Business:**

- Reviewed & approved May 7 minutes
- Signed checks
- Reviewed & approved one building permit
- Reviewed letter from Paul King regarding DOT stipulations on Lake driveway permit
- Reviewed invitation from North Country Council to attend a presentation on historic preservation tools—no one will be attending
- Reviewed & approved a request from North Country Council for support to receive a federal grant
- Reviewed letter from Peter Malia regarding Warrant Article 15
- Reviewed findings from Civil Solutions, LLC regarding Chocorua View Estates
- Reviewed Forum invitation from Mt. Washington Valley Economic Council—no one will be attending

#### **Miscellaneous:**

Bob had spoken with members of the Albany Planning Board who have requested the authority to call on the Town's legal counsel without permission from the Board of Selectmen. Jack thought that the Planning Board should have their own line item for legal counsel in their budget. Bob agreed but said that it should be used wisely. Jack said that the Planning Board needs it to clear up legal issues they face. Bob said it should be implemented at the next annual Town Meeting and based on the Planning Board's activity according to the current budget.

#### **Richard Lake:**

Richard and Bill Lake came before the Board to update them on the driveway permit application that was submitted to DOT and returned with points of concern. Bill said that Paul King, surveyor and civil engineer had submitted a new plan addressing the DOT's concerns. Bill was told by a DOT

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representative that once the concerns had been addressed that the driveway permit would be approved and issued.

Jack stated that he didn't see any drainage indicated on the engineer drawing and asked if Bill had submitted the plan to NHDES. Bill said he had not and it was all internal. Jack stated that the water runs to the neighboring land. Bill answered by saying that it always has run to the neighboring property. Jack was of the understanding there would be a second culvert added. Bill said there would be but instead of an open flow, it will go through a culvert wherever the state will approve it. This will not change the natural water flow. Jack disagreed as he said it would change the flow. Bill added that the lay of the land creates the same flow. Bob asked Bill if he thought that the drainage issue would create DES interest. Bill answered no. It has the same impact as it is a dry culvert and it is only wet when it rains. He added that the engineer is involved and including DES will only prolong the project and drive up costs. Jack responded that he wants to make sure that every step along the way is legal.

Bob asked about the letter from DOT regarding points of concern to be addressed by Paul King. He asked if all points had been addressed and if we are now just awaiting state approval. Jack asked if Bill knew when will it be approved. Bill was told by a DOT representative that if the list of concerns were met then it would be approved and it shouldn't take too long.

Jack asked Bob if the Board should form an opinion on DES approval. Bob said he didn't feel comfortable forming an opinion until the full Board could vote.

Richard Lake requested that the Board go into nonpublic session to discuss the purchase of the real estate. Sara Young-Knox stated that the RSA that pertains to such a request must be recited in order to move into a nonpublic session. At 4:45 p.m., Bob motioned to move into nonpublic session according to RSA 91-A:3-d, the consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community. Jack seconded the motion.

At 5:00 p.m. Bob motioned to move into public session, Jack seconded the motion and all were in favor.

Bob mentioned that the situation concerning the tenants at Les Horn's property in Tabor Circle has become a serious situation. There is trash, debris, furniture and the yard is a complete mess. He thought the loose dog situation had been taken care of since he saw the dog on a leash as he passed

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the house. Bob stated that Betty Holmes had been contacted and responded. She will be contacting the Selectmen office with the information concerning the call.

Bob will contact Les Horn by phone and ask for verbal permission to walk the property. Bob had spoken to an abutter who told him that she had contacted state police about the situation and was told to worry about themselves. Bob asked the AA if a letter had been compiled yet and the AA replied no. Bob said he would like Dan to go along on the visit to the property as deputy Health Officer. Jack mentioned that he would volunteer to go if Dan couldn't. Bob said that Jack could go as a Selectmen representative. Bob asked the AA to draft a letter and invite Les to come forth and meet with the Board to discuss the situation of the rental house in Wildwood.

Bob asked the AA to find the Sheriff's contract from last year that was signed between the Board and Carroll County Sheriff's Department for the patrolling of Albany roads to see if there was an expiration date. If the expiration date is not stated, the funding for patrolling Albany's roads cannot be encumbered.

Bob asked if the Andrea Walsh of the World Fellowship Center had called about having the speed bumps installed by Memorial Day weekend. The AA responded by saying that Andrea had called but wanted them installed by mid June as they have a wedding party coming in then. The AA notified the road agent via e-mail. The road agent confirmed the information by a phone call to the office.

Bob and Jack both agreed to allow the Lock Shop to take a look at the Town Hall door and fix it if possible.

An advertisement will go into the paper to contract a maintenance person.

The AA will seek bids to fix the Town Hall roof from Dwight and Sons, and Rick Hurd.

Granite State Glass will be called to fix the Selectmen office window pane.

At this time, Bob asked if there were any public comments or inquiries.

Joe Ferris asked if it were possible, could he receive monthly budget reports. Joe also would like a copy of the nonpublic minutes from today's meeting within 72 hours as the law requires. The AA told Joe that he may receive the budget reports although at times it could take up to a month before the full

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report is reconciled and ready to report. The AA said that the nonpublic minutes will be made available within 72 hours and will be e-mailed to Joe.

Bob noted that Dan could not attend tonight's Selectmen's meeting in addition to the Planning Board meeting at 6:00. He added this means that there will not be a full Selectboard and therefore, he will not attend the Planning Board meeting at 6:00 but will attend at 7:00 for support of other issues.

Joe Ferris responded to Bob and told him that last week the full Board agreed to attend the Planning Board meeting tonight. He added that Planning Board members adjusted their schedule to meet earlier than the normal time with the Selectboard. Sarah Knox added that it would've been nice to be notified of Bob's decision to not attend so people could adjust their schedules. Bob stated that there would not be a full Board and he didn't feel comfortable making any decisions without the full Board being present. Sarah stated that the majority of the Board would be there so decisions could be made. Bob said that he would attend but would arrive back at 6:15p.m.

At 5:40 p.m., Jack motioned to adjourn, Bob seconded and all were in favor.

Respectfully Submitted,

Kathleen Vizard  
Administrative Assistant