

## **Minutes**

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

**May 21, 2008**

At 4:00 p.m., the Selectmen's meeting opened with Robert Mathieu, Daniel Sdankus and Jack Rose in attendance. Several Albany residents were also in attendance.

#### **Regular Business:**

- Reviewed & approved May 14 minutes
- Signed checks
- Reviewed & approve two building permits
- Reviewed & signed approval for Rob Nadler to be voting member of North Country Council Transportation Committee
- Reviewed & approved sign permit
- Reviewed quote from Alpine Web—Board would like appointment with Carla
- Reviewed & signed letter to Les Horn
- Discussed oil spill on Tabor Circle(Health Officer)
- Signed W-4—Jack
- Reviewed & signed W-9—Jack
- Signed LGC Application & Participation Agreement
- Reviewed DRA Community Action Report
- Reviewed DOT Block Grant April Adjustment
- Reviewed NHDES letter regarding environmental course

#### **Health Officer:**

As Health Officer, Bob reported that he has made his yearly inspection of Albany searching for any health hazards. He stated that he has the authority to pursue the ongoing situation at the property owned by Les Horn on Tabor Circle. He said he was on the site and feels there is good reason to move forth and see to it that the property be cleaned up. Bob said he tried to contact Les, leaving messages but never received a return call. Bob was invited into the house by the current tenant. The tenant reported that he had been brain damaged in an accident. He has no income and Les has been kind enough to let him stay at the residence in exchange for cleaning the place up. The tenant has been taking the debris from the inside of the residence and bringing it out. He doesn't have a license or vehicle in which to transport the trash to the dump. Dan feels that Les Horn should be the

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person to make sure that this trash is properly taken care of. Bob recalled a time in which Cathy Ryan was a member of the SelectBoard. The Board has the authority to hire someone to clean the mess and require the property owner to pay the bill. The Town also has the authority to put a lien on the property for such an amount. Bob will try to find the RSA associated with this action. He will try to contact Louise from the state for help. Bob added that he was contemplating the donation of his dump truck and his time to drive it back and forth to the dump to help in this situation. The AA has compiled a letter to Les requiring him to have the property cleaned within two weeks at which time the Health Officer will make an inspection. The AA added to this letter, the RSA associated with the Health Officer's authority to enter onto any private property without the consent of the owner. RSA 128:5-a.

Bob reported that a few sites in Golden Oaks needed some attention with regard to debris cleanup. The first was 133 Golden Oaks, owned by Marion Hebert. The second was 88 Golden Oaks, owned by Carroll Foster. Bob would like to notify these owners with an awareness letter to clean up their sites. He said he will be on site next week to inspect them.

Bob also reported that there was an oil spill at 29 Tabor Circle, Bob's own property. He inspected it and notified NHDES. He spoke with Mike Galuszka. The Town will be notified of the spill and a company hired by DES will be hired to remove the oil tank and the contaminated soil. The soil will be replaced and it is possible that a monitoring well will be installed. Bob said that at this point, the clean up procedure has commenced.

### **Miscellaneous:**

Bob asked Jack if he would approach Mark Keenan at DII convenience store. Bob said that Mark is in violation of the sign ordinances. His secondary signage needs to be removed. Bob can't approach Mark himself because as former owner of the store, it would be a conflict of interest. Jack agreed he will talk to Mark.

Bob asked the AA if the Roast Beef restaurant that is opening in the former Boston's Best Roast Beef building had come in for a sign permit because there is a banner hanging from the building right now. The AA replied that they had not.

Jack asked the Board to again discuss the possibility of requiring the road project from Route 16 to Golden Oaks to have DES approval because of the drainage issues. Last week the issue was tabled as there was not a full

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Board. Bill Lake said that he was already permitted to disturb earth on his property as a gravel pit owner. He added that even if he were not permitted, he is not disturbing more than 150,000 square feet of earth. He said that dry culverts do not need DES approval. He went on to say that he is not changing the natural water course and the culvert is in the original permit that was approved. That culvert did not require wetland approval. Jack asked Bill if he could see that permit. Bill responded that he would get it to him. Jack stated that it was not a water source just a storm drain basically. Dan responded that it was just a water runoff.

Bob said that he will call Peter Malia to get the purchase and sales agreement process going.

Bob asked Jack why he had to attend the Planning Board meeting the previous week and that Jack was the Selectmen's representative and has the authority to make decisions as such. Jack responded by saying that the full Board was asked to attend. Joe Ferris added that Bob had agreed to appear the previous week and Bob should appear. Joe added that Jack should not take the brunt of the argument. Bob said that Jack is the Selectmen's representative to the Planning Board and should be able to give approval on behalf of the SelectBoard.

At 5:25 p.m. Bob motioned to move into nonpublic session, Dan seconded the motion according to RSA 91-A:3(c). Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.

At 5:37 p.m. it was determined that the minutes shall not be publicly disclosed. Bob Mathieu motioned to seal the minutes, to not publicly disclose the minutes because it is determined that divulgence of the information will likely affect adversely the reputation of any person other than a member of the Board. Jack Rose seconded the motion and all were in favor.

At 5:38 p.m. Bob motioned to move into public session, Jack seconded the motion.

Bill Lake reported to the Board that his application for the renewal of his gravel permit had been tabled by the Planning Board at their last meeting. Therefore it will be a month until they consider it again. Jack stated that he

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thought that David Maudsley wanted to review the information before a vote was made.

At 5:45 p.m., Richard Lake asked the Board to move into nonpublic session according to RSA 91-A:3 (c). Bob motioned to move into nonpublic session, Jack seconded the motion according to RSA 91-A:3 (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.

At 5:54 p.m. it was determined that the minutes shall not be publicly disclosed. Bob Mathieu motioned to seal the minutes, to not publicly disclose the minutes because it is determined that divulgence of the information will likely affect adversely the reputation of any person other than a member of the Board. Jack Rose seconded the motion and all were in favor.

At 5:55 p.m., Jack motioned to move into public session, Bob seconded the motion.

At 6:00 p.m., Bob motioned to adjourn, Jack seconded and all were in favor.

Respectfully Submitted,

Kathleen Vizard  
Administrative Assistant