

Minutes

Albany NH Selectmen's Meeting

May 28, 2008

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

**Appointments: Carla from AlpineWeb 4:30 p.m.
Ken & Linda Wiggan 5:00 p.m.**

Regular Business:

- Reviewed & approved May 21 minutes
- Signed checks
- Reviewed & signed one timber warrant
- Reviewed approved driveway permit
- Reviewed Preliminary Purchase and Sales Agreement from Peter Malia—see below
- Reviewed invitation to Merrimack River Watershed Wetland Restoration Plan
- Reviewed e-mail, PSNH's Approach to Vegetation Removal/Trimming
- Reviewed Property Tax Deed List—see below

Purchase and Sales Agreement

Jack stated he was concerned that the Road Construction Contract does not require Brad Donaldson to begin any work on his part until the new road is complete. He would like to be assured that Brad's portion will hold the volume of traffic and he would also like to see in writing to close off the top entrance of the park once the new entrance is complete. Curtis Coleman agreed stating that it was a great idea to have Brad prepping the new entrance as Bill is working on the new road. Bill Lake stated that in talking to Brad, he was ready to begin working on the new entrance to the park. Jack would like to have a paragraph added to insist that Brad prepare the new entrance while Bill is working on the new road. Bob added that he thought that was a good idea.

Curtis understood from Brad that Brad would like to install a maintenance gate at the old entrance so that he could move his equipment from his garage and into the park. Bob stated that a solid gate should be obligated. Curtis suggested a swing gate. Bob said a double gate would allow Brad to get

through with his equipment but not allow residents to get through. Jack stated that the double gate makes sense. Bob suggested that Brad and Ann Crotto be invited to the next Selectmen's meeting to discuss this issue. Curtis stated that the Town should have control of this gate and allow him to have access to cross it. He added that Peter Malia should add this to the agreement.

Bob motioned to table this issue. Jack seconded. Before Curtis left he stated that he will attend next week's Selectmen's meeting to discuss the quotes he has received for the roof replacement on the Covered Bridge in addition to its paint job.

Carla from Alpine Web:

Carla came before the Board to discuss her plan to upgrade the Town's current website. Bob asked her to explain how she would do this. Without going into computer lingo, Carla explained that she would discuss with the Board, color palettes, and information to go on the website along with applications, minutes, whatever the Town would like to see. She stated that some Towns she has worked for have a calendar for upcoming events. She has worked for Conway, Madison, Ossipee and Eaton. Carla said that the website would lessen the foot traffic through town hall as people could get the information needed from the website. This might take a few months for people to get used to but it will prove to be beneficial. Carla said that a lot of realtors also post links to town websites from their own. She said she will make the website user-friendly and a clean, easy way to use it. She added that she has been successful with the towns she has worked with.

Jack stated that the website should also be used as a marketing tool. Carla agreed and said it could be whatever the Town would like it to be. Jack said that if people were thinking of moving to Albany the website would be a great place to see what Albany has to offer them. Carla referred back to the realtors who have links to towns they are selling houses in. Bob would like to cater to the people of Albany. Carla suggested that a calendar of events should do that. Bob asked if other town website advertise bids for work. Carla answered yes, absolutely. Conway does it on their scroller in addition to snow advisories. She stated that it's easy to update. Bob asked if the website would be able to handle viewing the Town Meeting. Carla replied that yes, Valley Vision would have to provide a universal format such as an MP3 and the site would have plenty of room for it. Jack asked about Carla's estimate for her work of \$1750. He asked if that included all she spoke of. Carla responded yes except for the hosting which would be \$288 per year. And if the Board would like to lower that cost, they could by having the AA

transferring the files to be used online to a PDF format. Carla said the less she does, the less it will cost the Town.

Bob asked for public comment. Peter Donkonics stated that New Hampshire has the highest rate of computers per household in the United States. Carla stated that computers are not just for the young. The majority of people using the internet are the elderly. Peter added that computers are used for convenience and to keep informed. He said it would be nice to have the Town's website more available to get ideas and to contact each department by e-mail. Carla said that the current website is called a blog site. It's a good idea but not what she would suggest for Albany. Rita Wells thinks it is a good idea for a lot of older people who just don't get out and around but would like to stay informed of what goes on in Town. Sandy Perry added that she would've appreciated it last winter as she resided in Nashua, NH. Ron Kratt asked Carla if the site would be available from any computer, to which Carla replied, yes all computers.

Bob asked the AA how it would affect her workload. The AA replied at first it would increase but in the long run it would decrease the foot traffic coming through the door allowing for other work to be done or updating of the website.

Bob asked Carla how long the process would take. Carla said between two to three weeks. Bob asked if the estimate included training for the AA to update the site. Carla replied yes it would probably only take about two hours to teach the software. Bob asked if the website down time would have a guarantee. Carla predicted the time the website would be down would be about 45 minutes per year to upgrade with the latest technology but she couldn't make a guarantee. Bob asked Carla if the estimate included service. Carla said yes but it's not 24/7 service. Jack motioned to accept Carla's bid and Bob seconded the motion.

At 4:55 p.m. Bob Mathieu motioned to move into non-public session in accordance with RSA 91-A:3 II (c), Jack seconded and all were in favor.

At 5:29 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 5:30 p.m., Bob Mathieu motioned to move into public session, seconded by Jack Rose and all were in favor.

Joe Ferris submitted a letter to the Selectmen from the Albany Citizens Coming Together Committee (ACCT). They are requesting use of the Town Hall for meetings without paying the \$75 fee. Bill Lake said the group feels that they are already paying for the hall rental by paying their property taxes. Joe added that this group has formed to work on Town issues, such as the Town's master plan. Bob said that he as an Albany citizen would have to pay if he were renting the hall for a wedding. Sandy Perry said this is different. This group is working on Town issues. Rita Wells agreed that if an Albany citizen were planning a wedding or personal event then yes they should pay to rent the hall but this is for Town issues. Bob stated that he would like to table this issue until Dan could chime in and the full Board vote on it. Joe Ferris said that the group is just asking to waive the fee and that they are working on Town issues to make the Town better. Bob replied that he didn't want to say he'd waive the fee for this group and then not waive it for another. Jack would like to set up criteria for waiving the rental fee.

Jack went on to say that he understood that this ad hoc committee had formed to discuss Town issues but the Board has to be careful not to open the door for too many groups. Jack feels that the Board should come up with specific wording. He went on to say that any time an organization can prove validity, the fee could be waived. Joe asked what could be done right now to get the proper wording. Jack replied to request consideration in writing.

After receiving the request Jack motioned to accept the request to waive the rental fee. Bob did not second the motion. He said he is concerned about the liability to the Town. Joe stated the Town has insurance for that reason.

Bob made a motion to allow the group to meet next Tuesday and waive the rental fee. He would like to further discuss the matter and iron out the details. Jack seconded the motion. Joe asked when this matter will be discussed next. Bob replied next Wednesday.

Purchase and Sales Agreement:

Bill Lake said that the Road Construction Contract is not finalized. Peter Malia put it together but it hasn't been discussed with Curtis Coleman. Bill wants a purchase and sales agreement to be signed. Bob said that the road construction contract was the purchase and sales agreement, integrated. Richard said #5 of the contract should read, minimum of \$15,000 upon signing, \$15,000 when it's rough filled, \$10,000 when the gravel is in place, and the final \$10,000 when the crushed gravel is graded, not unreasonably withheld. Bill added that because there are no specifics, Curtis will put minimums on the gravel. He went on to say that the contract is fine in concept but it doesn't manage or put restrictions that I have placed in my own purchase and sales agreement. Joe Ferris asked for a copy of the Easement Deed that Peter Malia had drawn up. Richard requested that the

final draft of the Easement Deed be public but not the draft. Bob agreed and added that the Lakes' purchase and sales agreement should be integrated with Peter's contract. Jack stated that Peter did not use any language from the Lakes' purchase and sales agreement in the contract. Bob said the Town needs to be protected also. Jack said he was amazed that the DOT didn't put more stipulations on the project. He went on to say that Peter was hired to make the road construction contract and we should get Peter's opinion as to why he didn't combine it with the purchase and sales agreement. Richard asked that if his wording were to be changed in the agreement that it be done with his approval. Bob suggested that this be tabled in order to integrate the purchase and sales agreement with the road construction contract. He added that he frowns upon the wording in the P&S agreement about the road reverting back to the Lakes' if Golden Oaks closes and the road isn't used. Jack agreed. Jack said there should be two contracts but they should reference each other. Other than the road reverting back to the Lakes, Jack agrees with the wording in the Lakes' P&S agreement.

Bill stated that he would like to see #31 of the P&S integrated into the road construction contract. He won't warrantee the road because if he builds the road with no pavement over it immediately and if there is torrential rains which wash away the material two weeks later, he feels he should not be responsible to fix it at his cost. Bob said it should be paved. Jack responded that there are no funds to do it. Bob said there are encumbered funds from last year. The AA reported that those funds could not be encumbered legally. Bob responded that the Board has the responsibility to take care of all town roads and this is one of them.

Richard reported that he and Bill may form a new entity for this project so it would be just Bill as the contractor. Bill added that also the new entity would be formed so that the funds are won't be spent incorrectly. Richard stated that he wants item #8 of the road contract to be deleted. He stated that he will not sign anything that is worded with mediation. He refuses to go through any mediation. Bob said he will ask Peter Malia's opinion on the matter. Bill said mediation is the new way of doing things. Bob replied that the Town must be protected. Richard repeated that he will not sign the agreement if mediation is worded in it. Bob would like Peter to attend next week's meeting and said that if he were not there, they will not talk about this issue.

Health Officer:

Bob, as health officer has made the decision to move forth and act upon the complaints of neighbors on Tabor Circle. He will get the material off the premises. He has his tractor, dump truck, and gloves ready to go but will not

do it for free. Or he can hire someone to do the work, charge the town and in turn the town can put a lien on the property if Les Horn does not pay.

Jack asked when the work will commence. Bob replied tomorrow. He figured it would cost about \$85 per load which includes loading the material and transporting it to the dump. Jack asked if it would take just one load. Bob replied he thought it take about five loads because some of the stuff is recyclables. Jack asked about the dog situation there. Bob replied it had been taken care of by Betty Holmes. Jack said it sounded reasonable to bill Les and see if he pays it. Jack motioned that Bob perform the job. Bob seconded the motion. Bob said it had been seven weeks since the first complaint was received. He will bill the Town and the Town can, in turn bill Les. Bill Lake added that there were similar issues in Golden Oaks mobile home park. Bob said he was aware of the issues and has begun to solve them. Bob asked the AA to send a letter of warning to the two residents of Golden Oaks he had noted last week.

Review of Deed List:

Bob informed Jack that the majority of this list is mobile homes in Golden Oaks. These trailers are liabilities and not worth taking by deed so the Board has been waiving them in the past. He added that at last years' Town Meeting, the voter clearly sent the message not to take these trailers by deed. Jack asked if there was nothing else that could be done. Joe Ferris said that if the trailers are hazardous the Board should go after the owner of the park. Bob responded that DES found nothing hazardous. Bob believes that the people who live there chose to live that way.

Miscellaneous:

Bob reported to Jack that DII (formerly Beep Beep) is selling sparklers which are against the ordinances of Albany. He recalled being reprimanded by former Selectmen for the same issue. Jack confirmed he had spoken to Mark Keenan of DII concerning the secondary signage that is to be removed. He asked the AA to seek out his file in the Planning Board room and then call Jack. It shows the design plans for the signage. The new plans show no secondary signage. Bob said he understood that it would come down.

At 6:55 p.m., Jack motioned to adjourn, Bob seconded the motion and all were in favor.

Respectfully Submitted,

RM____
JR____

Kathleen Vizard
Administrative Assistant