

Minutes must be kept of all public meetings and must be available to the public upon request not more than five business days after the public meeting. A business day means the hours of 8 am to 5 pm on Monday through Friday, excluding national and state holidays. The minimum content of meeting minutes includes: (1) names of members present; (2) other people participating (it is not necessary to list everyone present, however); (3) a brief summary of subject matter discussed; and (4) any final decisions reached or action taken. There is no legal requirement to accept or approve the minutes. Even if minutes have not yet been approved, they still must be made available not more than five business days after the public meeting. When the five business day deadline is reached before the minutes are approved, they can be made available to the public with a notation that they are a draft version.

Taken from “*Knowing the Territory*,” a publication from the New Hampshire Municipal Association.

Selectmen’s Meeting
Minutes
Albany, NH
November 9, 2016 4:00 p.m.

Members present: Cathy Ryan, Rick Hiland and Joe Ferris
Public: Lee Grant, June Johnson, Dorothy Solomon and Steve Knox

Call to Order: At 4:00 p.m., Chairman Ryan called the Selectmen’s meeting to order.

Pledge of Allegiance:

New Business:

- **Approval of the October 26 minutes:** Selectman Ferris made a motion to approve the minutes as submitted, Selectman Hiland seconded the motion and all were in favor.
- **Approval of consent file:** Selectman Ferris made a motion to approve the consent file as presented, Selectman Hiland seconded the motion and all were in favor.

Signed checks	\$42,083.79
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- **Town Administrator report:** The Conway Village Fire District is proposing to expand its boundaries to include a few parcels in Albany. They suggest Albany and Conway Selectmen hold their public hearings together. The Town Administrator will get more information.

Time Warner submitted their quarterly franchise fees, but the check has not arrived.

A letter was received from Mary Swezey. She is inquiring about a cemetery plot for her husband along with a current set of cemetery regulations. She mailed a letter to the Cemetery Trustees but has not received a response. Chairman Ryan will bring the letter to the attention of Kim Guptill, Cemetery Trustee.

Old Business:

Selectman Hiland would like to meet at town hall next Wednesday to car pool to Wonalancet for the Selectmen meeting. Anyone may join him. The Board agreed to meet at 3:15 p.m.

- Chief Solomon's recommendations-reviewed estimates from Advanced Lock and Door and Granite State Glass.
- MWVEC & NCC meeting-Selectman Hiland is working on the meeting.
- Red listed bridges-the Selectmen would like to meet with the Forest Service and Tom Wagner on November 30 to discuss a permanent solution to protect the Covered Bridge.
- Semi-annual billing-the surveys are coming in and the majority is on the no side. Selectman Hiland would like to put it on the warrant as non-monetary to get the conversation going as to the benefit to the town to bill property taxes twice per year.
- Meeting with state reps.-Selectman Hiland would like to get more information from the farmers regarding leasing town property and then set up the meeting with the state representatives. The Selectmen will meet with the Conservation Commission at their December 6 meeting.
- Sign ordinance-the Selectmen would like the NH Municipal Association to review the current sign ordinance and give an opinion.
- Contract/lease review policy-no action taken.
- Review Fish & Game contract-the Board would like to inspect the buildings on the property.
- Town Counsel-currently interviewing.
- Generator purchase/grant-no action taken.
- Selectman Ferris would like to create a list of businesses in town and the list to be placed on old business until complete.

Appointments: Chris Meier (Cooper, Cargill, Chant): Chris told the Board of his experience as a lawyer. He generally represents taxpayers but has also represented towns and zoning boards of adjustment.

Chairman Ryan asked Chris if he had the time to research answers in order to give the Selectmen a good and solid opinion. Chris replied yes, their firm is large enough that research could be spread to others when needed. There are other lawyers and one paralegal to bounce things off of.

Chairman Ryan asked if Chris had any conflicts of interest. Chris replied there is nothing ongoing right now. He has been involved with the Upper Saco Valley Land Trust which holds easements on the Albany Town Forest but he didn't see any issues with that. Selectman Hiland told Chris the town is currently in the process of leasing farm land and needs to stay within the confinements of the easements. Chris replied he is very familiar with easements. Selectman Hiland noted the town forest is partly in Conway which could bring up another issue of assessment and taxation. Chris told the Board he does not represent any surrounding towns at this time. He has represented other Boards in Madison but not at this time.

Chairman Ryan asked how much Chris would charge and is there a retainer? Chris replied the fee would be \$200 per hour and no retainer. Chairman Ryan asked if an hour can be broken down. Chris replied yes, every six minutes.

Chairman Ryan asked if he would be the only attorney we would be in contact with. Chris replied yes, unless he consults with another attorney but he would ask the town first.

Chairman Ryan asked if all correspondence could be in writing. Chris replied yes, it is generally a good idea.

Chairman Ryan asked if Chris could attend town meeting and what the charge would be. Chris replied he could and it would be at the hourly rate.

Selectman Hiland asked Chris if he has experience with contracts. Chris said he has seen a lot. He is a litigator but his main experience is when contracts go bad. And to see them go bad is a good way to write a good one.

Chris told the Board if he represented the Selectmen, he would recommend other Boards get their own attorney. Chairman Ryan concluded by saying the Board is looking for straight answers. Selectman Ferris added, the Board doesn't want an opinion tailored to what they want to hear. Chris agreed and told the Board if there are any questions, they can go to the Cooper, Cargill, Chant website or give him a call.

Other Business:

Chairman Ryan commented on the election and the teamwork that made it turn out so well and run smoothly. The Attorney General's office inspected the polling place and all was in order. It was well organized. Selectman Hiland thanked all of the people who came after the polls closed to count the ballots. He also thanked Kathy Vizard, Town Clerk for a job well done.

Chairman Ryan expressed her satisfaction that Albany is a hand count town and not electronic. Selectman Hiland added that it makes the election personal. Chairman Ryan added it was gratifying to be part of the democratic process.

Matthew Upton & Keriann Roman (Drummond Woodsum Law):

Matt told the Board Drummond Woodsum is a large firm who represents many towns and school districts in New Hampshire, large and small. They respond to clients typically within 24 hours. They give out their cell phone numbers in order to expedite responses. They take it very seriously. Because they have lawyers with expertise in employment, planning, finance and municipal law, their research time is shortened and therefore the charge to the town is lowered. They prefer to prevent problems before they occur.

Selectman Hiland said in the past Albany has had contact with different attorneys from the same firm and received two different opinions. Matt replied that will not happen with Drummond Woodsum as he is aware of what is going on. Albany would choose their primary contact. They are interested in giving the most efficient advice, legally complying with the law. Matt told the Board he will give straight advice even if it is not what the Board would like to hear.

Matt said he did not want money to be an issue. He would like to work within the Town's budget for six months when the Board can form an opinion and sit down to say what is working and what is not. They want to work out small nuances to make the relationship work. If there is a concern with a bill, they will make sure the town is happy. Matt went on to say, they are in the area often as they represent a few entities in the Valley. Travel time costs can be shared.

Matt and Kerri discussed their database and the ability to access any document they have worked with from anywhere that has internet.

Chairman Ryan asked if they charge hourly, in portion of hours and do they require a retainer. Matt replied they don't want impediments. They will

work at the same rate the town is being charged right now. If Albany tries them, the Board will be happy with their service.

Selectman Hiland asked if they could be available for town meeting. Matt replied if it were necessary but he can read a warrant and say if he will be needed. The town doesn't need to pay for things that they don't need. Matt wants a long term relationship.

Matt told the Board his firm offers education classes to their clients at no charge.

Matt told the Board if they decide to move forward, he will come back and talk about how to make this relationship successful and layout expectations.

Matt and Kerri left the meeting.

The Selectmen will wait a week before making a decision as to who to hire.

Other Business (Board reports):

Correspondence: Conway Village Fire District
Time Warner Cable
Letter from Mary Sweezey

Public Comment: Steve Knox reminded the Selectmen that at the Albany 250th birthday party, Austin Bernier was suggested as an alternate to the Conservation Commission. Steve added Ed Alkalay's original Albany song was a classic. He thinks it should be sung at the Annual Town meeting each year after the pledge of allegiance. Dorothy said Ed has agreed to have it recorded. Selectman Hiland noted Ed agreed to have it played at the end of Town Meeting.

Selectman Ferris suggested Steve put a pen to his stories of Albany.

Other Business:

Chairman Ryan made a motion to appoint Austin Bernier as an Alternate to the Conservation Commission, Selectman Ferris seconded the motion and all were in favor.

Selectman Hiland made a motion to appoint Tara Taylor as an Alternate to the Planning Board, Chairman Ryan seconded the motion and all were in favor.

CR____
RH____
JF____

Selectman Hiland asked about the website change. The Town Administrator replied it is in the works.

Adjournment: At 5:30 p.m., Selectman Hiland made a motion to adjourn, Selectman Ferris seconded the motion and all were in favor.

Respectfully Submitted,

Kathleen Vizard
Town Administrator