

Albany Selectmen's Meeting Minutes

Albany, New Hampshire
April 28, 2021 at 4:00 P.M.



- 1. Call to Order:** Chairman Ferris called the meeting to order at 4:01 p.m.

Note: This meeting may be streamed at www.TownHallStreams.com and to participate you may call 1-480-660-5317. Use conference code 540682

- 2. Pledge of Allegiance:** Chairman Ferris led the meeting in The Pledge.

- 3. Attendance:** **In Person:** Chairman J. Ferris, Selectperson K. Golding, Town Administrator K. Collins **By Phone:** Selectman R. Hiland (who is alone), Dorothy Solomon/Chair of Chapel Committee and Stan Solomon

- 4. New Business:**

- A. Approval of April 14, 2021 Selectmen's Meeting minutes**

Selectperson Golding made a motion to accept the minutes of the April 14, 2021 Selectmen's Meeting, as presented. Chairman Ferris seconded. Roll

Call Vote: Chairman Ferris – aye; Selectman Hiland – aye, Selectperson Golding – aye. **Motion passed: 3-0-0.**

- B. Approval of April 28, 2021 consent file**

Review & Sign manifest in the amount of \$ 6,312.75, this includes payroll and accounts payable for 4/28/2021 and one manual check written on 4/20/2021 to Spectrum

Review & approve Pistol Permit for resident

Review, discuss and approve/deny building permit for M5, L11 for a 0 30 x 28 foot attached garage on Old Colony Road

Review, discuss and approve/deny Sign Permit for Profile Subaru at 1323 NH Route 16

Review, discuss and approve/deny Intent to Cut on M9, L38 & 41 Passaconaway Road

Review, discuss and approve/deny Intent to Cut on M6, L86 on NH Route 16

Review, discuss and approve/deny building permit for M6, L53 for improvements to cell phone tower at 2209 NH Route 16

Chairman Ferris made a motion to approve the consent file, as presented. Selectperson Golding seconded. Chairman Ferris withdrew his motion.

Selectperson Golding withdrew her second.

Chairman Ferris made a motion to approve the consent file with the exception of Item #4 The Sign Permit for Profile. Selectman Hiland seconded. Roll Call Vote: Chairman Ferris – aye; Selectman Hiland – aye, Selectperson Golding – aye. **Motion passed: 3-0-0.**

Selectman Hiland made a motion to deny the sign permit for Profile Subaru as it does not meet the requirements of the Town's sign ordinance. The reason is the 68 ¼ square feet, our zoning allows 32 square feet. The proposed overall height is 21 feet, our zoning allows 18 feet from center line (they did not specify where they measured from). Their application does not show what the set back is from the road or the property south of them. Selectperson Golding also asked if this sign is a replacement sign for the same size. Selectman Hiland noted that no, this is bigger. Chairman Ferris seconded. Roll Call Vote: Chairman Ferris – aye; Selectman Hiland – aye, Selectperson Golding – aye. **Motion passed: 3-0-0.**

The TA will notify Profile Subaru, in writing, and let them know that their appeal process would be to the Town's Zoning Board of Adjustment. She will copy the Zoning Board on that notification.

C. Review and discuss process for re-opening of Town Hall

Selectperson Golding asked that we begin a discussion about the opening of Town Hall and the circumstances under which we will operate. Town Clerk/Tax Collector wants to stay open by appointment only. Selectperson Golding suggests a large 18 x 24 sign for the front door, noting that masks are required. The Board also suggested seeing if the cleaning person would come in and do restrooms weekly. Selectperson Golding would like to do this effective June 1, 2021. Tim Sorgi appreciates us addressing this issue. He appreciates us starting to move in this direction. Mr. Sorgi asked if the Albany School Board could get a key to the front door and the meeting room. The TA will take care of this.

D. Review, discuss and approve/deny request for appeal of Parking Citation #1457

The Board reviewed the email that was originally sent to Sheriff's Deputy Argue. The driver has paid the ticket. Selectman Hiland made a motion to deny the request for appeal of Citation #1457. Selectperson Golding seconded. **Roll Call Vote:** Chairman Ferris – aye; Selectman Hiland – aye, Selectperson Golding – aye. **Motion passed: 3-0-0.**

E. Review and discuss letter from Mr. Mills at M6, L92-1 regarding building on M6, L91

The Board reviewed the correspondence from Mr. Mills regarding the use of the lot adjacent to his and whether it meets current town zoning. The Town Administrator did provide a draft response to Mr. Mills inquiry. The Board reviewed the drafted letter and signed it.

Selectman Hiland noted that it seems that from the photo, the building appears to be a little elaborate for a shed and there is another shed built on the property. Selectperson Golding believes our zoning requires a building permit for any structure. The TA notes that our Building Permit Administrator has not been requiring permits for sheds. She will research this and speak to the Building Permit Administrator, as well.

F. Review, discuss, approve and appoint Kathleen Carrier as Deputy Treasurer upon Treasurer's recommendation

The Board reviewed the recommendation from Town Treasurer, Chuck Merrow, recommending appointment of Kathleen Carrier as Deputy Treasurer. The Board approved and signed the appointment form. *Chairman Ferris made a motion to appoint Kathleen Carrier as Deputy Treasurer. Selectperson Golding seconded. Roll Call Vote: Chairman Ferris – aye; Selectman Hiland – aye, Selectperson Golding – aye. Motion passed: 3-0-0.*

G. Review, discuss and approve/deny Lakes Region Conservation Trust and NH Audubon Society's request for Charitable Exemption

The Board reviewed and discussed the request for charitable exemption for NH Audubon and Lakes Region Conservation Trust. *Selectman Hiland made a motion to deny the request for charitable exemption for Lakes Region Conservation Trust and NH Audubon Society. Selectperson Golding seconded. Roll Call Vote: Chairman Ferris – aye; Selectman Hiland – aye, Selectperson Golding – aye. Motion passed: 3-0-0.*

5. Town Administrators Report:

A. Covered Bridge research – we received an email from a person who is researching covered bridges and TA is looking for someone to refer them to.

The Board suggested referring them to Buzz or Curtis Coleman or Steve Knox. Selectman Hiland also noted that there are (3) books in the Chapel that relate to Albany's history and they may be helpful

B. Legal changes to RSA 91-A The Right to Know Law. A recent Court ruling may have an impact on whether Town's legal advice from counsel meets the attorney/client privilege test.

The Board took this under advisement and notes that the NHMA is pursuing this.

C. Computer/IT services. The Town Administrator has had CCS take a look at our hardware and software and provide recommendation on IT service.

The Board would like the Town Administrator to get additional written proposals. They suggested calling Northledge Technologies and NHMA for the name of additional vendors.

D. Move the Non Public Session to public session.

The Board agreed to move the Non Public Session to Public under Other Business.

6. APPOINTMENTS: none

7. Old Business:

A. Chapel Committee/Historical Society – Received a third written proposal on steeple work – emailed to Chair on 4/12/2021. The Chapel Committee has not had a formal meeting but they are working on the (3) estimates they got for the repairs to the steeple. The Chair is waiting for Ray DesMarais to come back to get his professional opinion as a builder, he will be back in June.

B. Federal Land Access Program (FLAP) – Results of drilling were completed and report is being generated

C. Cable TV contract (2021) – Revised franchise agreement was sent to John Maher at Charter on 3/22/2021, waiting for a response. TA sent follow up email on 4/6/2021 and 4/26/2021. Mr. Maher emailed on 4/26 to say the agreement is still under review.

D. Review, discuss, and approve contract for services for the Humane Society, for 2021 – Humane Society Executive Director has reviewed our request for changes to contract and will make the changes and re-send it to us.

E. Review draft letter to Tin Mountain Conservation Center regarding PiLoT agreement

The Board reviewed the letter the TA drafted based on the conversation at their last meeting. The Board approved and signed the letter to Tin Mountain. The letter will be sent and their \$2000 check will be returned.

8. Other Business (and Board reports):

A. Planning Board – Selectperson Golding – May 12 is the Public Hearing for Profile Subaru and regular meeting. (Correction: the date of the Planning Board Public Hearing is May 10, 2021)

B. NHMA – Selectman Hiland – NHMA is on this issue and it affects not only municipalities but Secretary of States (SoS) office, Attorney General's (AGs) office, Governor's Office, and State Legislature. They are all getting together to ask the Supreme Court to reconsider their decision. They are looking for a Senator to add to 91A:5 wording that would bring back the attorney/client privilege. Selectman Hiland would encourage everyone to email Senator Jeb Bradley to support this change in wording to protect the attorney/client privilege
House bill 111 did fail by 6 votes but then it was tabled and you only need a simple majority to bring it back up.

C. Carroll County Broadband – Selectman Hiland – Broadband

D. Other: The Town Administrator brought up the Fairpoint abatement settlement offer. (this was originally posted as NP)
Selectman Hiland made a motion that we settle this Fairpoint abatement for 2012, 2013, 2014 and 2015. Chairman Ferris seconded. The cost to settle will be \$5512 for all (4) years, if we agree by May 1. Roll Call Vote: Chairman Ferris – aye; Selectman Hiland – aye, Selectperson Golding – aye. Motion passed: 3-0-0.

9. Correspondence:

A. Review and discuss email from Charter Communications regarding grant funds available to expand broadband services

The Board reviewed the email from Charter Communications

B. Review and discuss email from NH DES re: surficial geologic mapping in Albany

Refer them to Buzz and/or Curtis Coleman

10. Public Comment: none

11. Next Meeting: May 12, 2021 at 4:00 PM at Albany Town Hall

12. Non-Public Sessions:

A. Non Public Session under RSA 91-A:3, II (c) pending litigation re: possible settlement. (this item was moved to “other” above)

Adjournment: *Chairman Ferris made a motion to adjourn at 5:08 p.m. Selectperson Golding seconded. Roll Call Vote: Chairman Ferris – aye; Selectman Hiland – aye, Selectperson Golding – aye. Motion passed: 3-0-0.*

Respectfully submitted by:
Kelley A. Collins
Town Administrator