



# Albany Selectmen's Meeting Minutes

Albany, New Hampshire  
June 14, 2023 at 5:30 p.m.

- 1. Call to Order:** Chair J. Spofford called the meeting to order at 5:30 p.m.

This meeting may be viewed or streamed at:

[https://youtube.com/playlist?list=PLE32cPKZXM4\\_W1ba2XKkjQH6Flf\\_gx5AI](https://youtube.com/playlist?list=PLE32cPKZXM4_W1ba2XKkjQH6Flf_gx5AI)

- 2. Pledge of Allegiance:** Chair J. Spofford led the meeting in The Pledge.

**In Attendance:** Chair J. Spofford, Selectman K. Golding, Selectman K. Robitaille, Town Administrator, K. Collins, Road Agent C. Coleman and Videographer L. Slitt

- 3. New Business:**

- A. Approval of May 31, 2023 Selectmen's Meeting minutes, including (2) sets of sealed Non Public minutes**

*Selectman K. Golding made a motion to approve the minutes of the May 31, 2023 Selectmen's Meeting, including (2) sets of sealed Non Public minutes, as presented. Chair J. Spofford seconded. Motion passed: 3-0-0.*

- B. Approval of June 14, 2023 consent file**

\_\_Review & Sign manifest(s) in the amount of **\$12,949.58, and \$4,747.46** this includes an accounts payable and payroll manifest for 6/7 and 6/14/2023

\_\_Review, discuss and approve/deny "revised" Residential Building Permit for repairs to 10 Red Path Road, Map 1, L2

\_\_Review, discuss and approve/sign 2023 MS-535 (*BOS reviewed a draft at their 5/31/2023 meeting*)

\_\_Review discuss and approve/deny Residential Building Permit for garage at 28 Abenaki Way

*Selectman K. Golding made a motion to approve the June 14, 2023 consent file, as presented. Chair J. Spofford seconded. Motion passed: 3-0-0.*

- C. Review, discuss, approve and sign a Municipal Facility Use Application for 8/11, 8/12 and 8/13/2023 for a rehearsal and wedding**

*Selectman K. Golding made a motion to approve the Municipal Facility Use Application for 8/11 through 8/13/2023 and charge the applicant under*

Category 2 at \$150 per day plus a \$50 refundable cleaning charge. JS seconded. Motion passed: 3-0-0.

**D. Review, discuss and approve/deny request for Charitable Exemption for MWV Habitat for Humanity on Map 3, Lot 37** (see email from Assessor)

The Board reviewed the email provided by our Licensed Assessor, J. Call with his recommendation for MWV Habitat for Humanity's request for a Charitable Exemption

Chair J. Spofford made a motion to deny MWV Habitat for Humanity's request for a Charitable Exemption based on current case law that they "own" the property but are not currently "using or occupying" it for their mission. Selectman K. Golding seconded. Motion passed: 3-0-0. The selectmen signed a letter as prepared by the Town Administrator (TA) to MWVHFH.

**E. Review, discuss, approve/deny request for Charitable Exemption for Tin Mountain.** (see email from Assessor)

The Board reviewed the email provided by our Licensed Assessor, J. Call with his recommendation for the Charitable Exemption for Tin Mountain.

Selectman K. Golding made a motion to deny the Charitable Exemption, under RSA 72:23 for Tin Mountain due to the fact that their application missed the April 15, deadline. Chair J. Spofford seconded. Motion passed: 3-0-0.

**4. Town Administrator's Report:**

**A. Review, discuss and approve a time off request for the Town Administrator on Monday, June 19, 2023**

The Town Administrator has to take her husband to a medical appointment at Lahey in MA on Monday, June 19, 2023.

Selectman K. Golding made a motion to approve the TA's time off request. Chair J. Spofford seconded. Motion passed: 3-0-0.

**B. Review and discuss email from Mitchell Municipal Group regarding closed files.**

The TA asked the Board if they would like her to request any files that belong to the Town of Albany from the Mitchell Municipal Group? The Board does not want to request the files.

**C. Review, discuss, approve/deny a Local Approval for Construction of an Individual Sewage Disposal System on Drake Hill Road Map 3, Lot 71**

Selectman K. Golding made a motion to approve the Individual Sewage Disposal System on Map 3, Lot 71, Chair J. Spofford seconded. Motion passed: 3-0-0.

**5. APPOINTMENTS/PUBLIC HEARING**

**A. Meet with Road Agent, Curtis Coleman, to review possible “next steps” with regard to US DOT FLAP grant and repairs to Passaconaway Road**

The Board and the Road Agent discussed US DOT’s decision to disregard the Town’s notice that Passaconaway Road could not be closed during their boring study and recommending “fixes” that require a road closure. Curtis Coleman is fairly certain that they can figure out some repairs and maintenance to the road that will not require closure. The Town Administrator noted that in 2019 the Town raised and appropriated \$200,000 to be used as a match to the federal dollars that we were hoping the project would generate. That money was raised and appropriated through 12/31/2025.

**Demolition of 11 Octa Lane**

The Town Administrator has spoke to Rickers in Tamworth and they did not call back. The Road Agent has also reached out to Sean Sylvester a couple of times but he has not called back either. The TA asked if Coleman can demolish and haul this manufactured housing away. The Road Agent believes they can get a dumpster and demolish it.

**Water/Drainage Issues at Map 7, Lot 90 on Bald Hill Road**

The Road Agents has been made aware of some drainage issues at Map 7, Lot 90 that may impact the town road (Bald Hill) at some point. Since the Town has obtained legal advice on this issue from NHMA already (basically that while the town cannot force a private homeowner to fix the drainage on their property – the Town can bill the private landowner for any actual damage that occurs). The Selectmen will send a letter to the owner of Map 7, Lot 90 and ask them to address their drainage before it undermines the town road.

**Water/Drainage issue at 56 Ridge View Drive**

The Town sent a letter to the owners’ of 56 Ridge View Drive as there was damage to Ridge View Drive from the improper drainage from that property during the May 1, 2023 rain event. The owner’s did contact the Town and let them know that they had brought in some gravel. The Road Agent took a look at what the owner did/had done and it is insufficient to address the drainage problems and subsequent damage to the road. The Road Agent will phone the owner’s and explain that they need to actually address the issue.

**US Forest Service logging operations**

The Board of Selectmen and the Road Agent generally discussed the possibility of requiring a road bond for any new logging operations from US Forest Service land onto town roads. The Board will meet with Jim Innes/US Forest Ranger in the near future to discuss status of future cuts.

**6. Old Business:**

**A. Chapel/Historical Society –**

**B. Federal Land Access Program (FLAP)** – Set up an appointment to meet with Town Road Agent for “next steps” - *See meeting with the Road Agent, #5 above.*

**7. Other Business (and Board reports):**

**A. Planning Board – Selectman K. Robitaille** – June 12, 2023 Planning Board meeting was cancelled

**B. Other:** none

**8. Correspondence:**

**A. Review and discuss notice from Town of Conway on Potential Regional Impact of 228 residential dwelling units, 15 townhouses and 5,675 sf clubhouse at 1552 White Mountain Highway**

The Board reviewed the notice from the Town of Conway regarding a development with a potential regional impact.

**B. Review and discuss notice from NH Department of Environmental Services re: a Land Resources Management File for 53 Bridge Street**

The Board reviewed the notice from NH DES to the owner of 53 Bridge Street

**C. Review and discuss notice from USDA White Mountain National Forest regarding Hales Location Prescribed Fire Project**

The Board reviewed the notice from USDA White Mountain National Forest re: Hales Location Prescribed Fire Project

**D. Review and discuss (2) notices from Charter Communications, one regarding programming and one regarding franchise fees**

The Board reviewed the two notices from Charter Communications

**9. Public Comment:**

**10. Non Public Session under RSA 91-A:3, II as necessary**

**A. Non Public Session under RSA 91-A: 3, II (c)** Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body 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.

*Chair J. Spofford made a motion to go into Non Public Session under RSA 91-A:3, II (c) at 6:31 p.m. Selectman K. Golding seconded. Roll Call Vote: Chair J. Spofford – aye; Selectmen K. Golding – aye; Selectman K. Robitaille – aye.*

\_\_\_JS  
\_\_\_KG  
\_\_\_KR

*Selectperson J. Spofford made a motion to withdraw her motion to go into Non Public Session under RSA 91-A:3, II (c), Selectman K. Golding withdrew her second. Roll Call Vote: : Chair J. Spofford – aye; Selectmen K. Golding – aye; Selectman K. Robitaille – aye.*

The Board stayed in Public Session to discuss the next meeting date. See minutes of discussion below under Item #11.

*Selectman K. Golding made a motion to go into Non Public Session under RSA 91-A:3, II (c) at 6:35 p.m. Chair J. Spofford seconded. Roll Call Vote: Chair J. Spofford – aye; Selectmen K. Golding – aye; Selectman K. Robitaille – aye.*

The Board reviewed and discussed a potential payment plan on a piece of property that was taken by tax collector's deed in December 2023. *Chair J. Spofford made a motion to enter into a payment plan with the former owner of a piece of tax deeded property. Selectman K. Golding seconded. Motion passed: 3-0-0.* (the specific minutes of this session were sealed by vote of the Board.

*Chair J. Spofford made a motion to leave Non Public Session at 6:43 p.m. and seal the minutes. Selectman K. Golding seconded. Roll Call Vote: Chair J. Spofford – aye; Selectmen K. Golding – aye; Selectman K. Robitaille – aye.*

**11. Next Meeting: Review & discuss date and time of next meeting.**

Chair J. Spofford is not available for the June 28, 2023 meeting. She suggested either meeting next week (June 21<sup>st</sup>) or earlier on June 28, 2023, or just meeting on July 12 and skipping the second meeting of June. The Board decided that they will wait to make the decision on the June 28<sup>th</sup> meeting until Monday June 26<sup>th</sup> and the TA will let them know what is pending. If it is things that can be accepted as part of a consent file then they may cancel the meeting or K. Robitaille and K. Golding may meet without J. Spofford if there is nothing crucial.

**12. Adjournment:** *Chair J. Spofford made a motion to adjourn at 6:44 p.m. Selectman K. Golding seconded. Motion passed: 3-0-0.*

Submitted by:  
Kelley A. Collins  
Town Administrator

Submitted by  
Kelley A. Collins  
Town Administrator