

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.

Minutes

Albany NH Selectmen's Meeting

May 27, 2015 4:30 p.m.

At 4:35 p.m., the Selectmen's meeting was called to order. In attendance were Kelly Robitaille, Jack Rose and Cathy Ryan. Also present were Lee Grant, June Johnson, Dorothy Solomon, Steve Knox, Peter Carboni, Steve Parker, Paul King and Conway Fire Chief Steve Solomon. The following business was conducted.

Chairman Robitaille led in the pledging of the allegiance.

Regular Business:

- Reviewed & approved May 20 minutes and sealed minutes-Selectman Rose made a motion to approve the minutes as submitted, Chairman Robitaille seconded the motion and all were in favor.
- Signed checks totaling \$201,540.91.

Paul King:

Paul reported the perambulation was in order. There are granite posts placed in all corners and everything was in good shape. He modified his prior report to reflect his findings today. The Selectmen signed the perambulation reports. Paul will bring them to the Madison Selectmen and return two copies to Albany.

Paul noted an article in the Wall Street Journal highlighting the Albany/Madison perambulation and the history of perambulation in New Hampshire. <http://www.wsj.com/articles/some-devoted-new-englanders-went-for-a-stroll-in-1651-and-havent-stopped-since-1432308932?KEYWORDS=perambulation>

Paul told the Board he lives in Wonalancet and there is a place on Ferncroft Rd. where heavy rain may wash the road out completely. Chairman Robitaille will direct the Road Agent to look at it.

New Business:

The auditors will be at town hall on Tuesday, June 2.

Old Business:

Randy from LCR verbally described to the Town Administrator, his plan to rebuild the rock wall and reseed the grass in front of the chapel. He is going to try to reuse as many rocks as he can. The rocks will be the same size as is there now. He will use mortar to stabilize the wall but it will not be visible. He will then have a truck load of loam delivered and reseed the lawn. Randy and the Town Administrator discussed cutting down the overgrown shrubs in front of the chapel. They partially block the two rocks with the plaques with the engraved names of veterans who served in the Civil War as well as World War II. Chairman Robitaille would like the Town Administrator to take over this project as she sees fit and the Board will approve the quote to do the work. Selectmen Ryan and Rose agreed to have the shrubs removed.

The Town Administrator has not heard back from the company that was to install the Rinnai hot water heater and suggested going with the other company that submitted a bid for the same amount. Chairman Robitaille said to go with that. Selectman Ryan had no problem with that.

The legal size file cabinet has been delivered.

Chairman Robitaille spoke with Conway Town Manager, Earl Sires regarding the Valley Vision memorandum of understanding. Chairman Robitaille told Earl that Albany had appropriated \$4,000.00 not \$4,200.00. Earl suggested that Chairman Robitaille make the change and initial the MOU. Chairman Robitaille made a motion to change the amount noted in the MOU from \$4,200.00 to \$4,000.00 and initial it. Selectman Rose seconded the motion and all were in favor. The Selectmen approved the MOU as amended.

Steve Parker:

Steve is willing to take on the Animal Control Officer position if it was offered as a salary and not on a case by case basis. Chairman Robitaille made a motion to hire Steve as Albany's Animal Control Officer. Peter Carboni noted Steve would need a few pieces of equipment such as a cage. The Town Administrator said that could be taken from the small equipment line item as it would be town property. Selectman Ryan asked if he would be covered under the town's liability insurance. The Town Administrator replied yes. Selectman Rose seconded the motion. Chairman Robitaille suggested the Board wait until the appropriate way would be done. The position will be finalized next week.

Chairman Robitaille asked Steve if the town owned mobile home had been cleaned up. Steve replied yes. Chairman Robitaille had driven through and noted there was not much left. He asked who is in charge of letting people in. The Town Administrator said the town is in charge. Steve replied he had no problem letting people in. Especially if it is a potential buyer. Selectman Rose asked if all of the furniture was gone. Steve replied mostly. The remaining pieces were going to be picked up next week. Steve added the doors have been padlocked. Chairman Robitaille worried about vandalism and retaliation. Steve said he didn't think that would happen.

Steve Solomon (Conway Village Fire Chief):

Chairman Robitaille told Chief Solomon he has the utmost respect for him. A concerned citizen came to the Board and it is difficult to say the Chief is doing too good of a job. He would like to find a happy medium. Chief Solomon said he is charged with enforcing the minimum code and there are few circumstances where it is suggested to go beyond code. Chief Solomon went on to say the World Fellowship is well outside of compliance by two years. Shawn Bergeron is very experienced but on the wrong side of this issue. Chief Solomon shut down their sprinkler job because it did not meet minimum code and to protect the property owners from paying more in the long run. Chief Solomon said the State Fire Marshall's office signed off on the plan without knowledge of the building. Shawn allowed the plan to start before it was approved. Chairman Robitaille asked who approves the plan. Chief Solomon replied he does. Chief Solomon also added the building does not meet an exception to the code. Chairman Robitaille asked if there was anyone to oversee what the Chief does. Chief Solomon replied the state sets the codes and the fire chief is designated to enforce them. Appeals can be made to the Superior Court. Chairman Robitaille asked if the State Fire

Marshall's office can override what Chief Solomon has ruled. Chief Solomon replied no they cannot with the exception of state owned property. Chief Solomon added he is not above admitting when he is wrong but he phoned the plans review person and she agreed the World Fellowship porch must be sprinklered. He has been working with Shawn and Andy and Andrea to reach a resolution. They have continued other work but there is no resolution right now and they are due to open in a few weeks. A timeline needs to be set along with the other buildings that are well outside of code. It must meet minimum life safety requirements to proceed to let them open for the season. Chairman Robitaille said it is hard to say where the Selectmen fall into this. Possibly a second opinion to prove the Chief is right and it would come from an outside source. Chief Solomon replied the state won't get involved in political based issues. A fire protection engineer could be hired but would cost money.

Steve Knox asked if the person from the state who agreed with Chief Solomon sent a letter to give to Andy and Andrea. Chief Solomon replied no. Selectman Rose would like to contact her and ask for a letter of agreement with Chief Solomon.

The Board reviewed the current contract with Conway Village Fire District and Chairman Robitaille read the final paragraph. "To the extent of fire inspections services are required for businesses, schools, or other purposes in Albany, CVFD shall provide the same without additional charges therefore to Albany, but this shall not prohibit CVFD from charging such further fees therefore to the recipient of such inspection services in the same manner and at the same rate as otherwise respectively charged to the recipients of such inspection services within the District." Chairman Robitaille noted it had been signed on January 9, 2015. He would like to give everyone a fair shake and asked Chief Solomon for advice on how to proceed. Chief Solomon replied to wait and see what plans the World Fellowship comes back with. Shawn Bergeron is supposed to get back to Chief Solomon with a plan.

Chief Solomon informed the Board of a few recent calls to Albany.

Town Board Selectmen's Rep Reports:

Selectman Ryan noted Rick Hiland attended a NH Municipal Association webinar called "It's All About the People." She said she enjoys the webinars as they are usually scheduled on Wednesdays and it is a good day for her to attend them. Selectman Ryan did not have time to look at the Hazard Mitigation Plan.

KR_____

JR_____

CR_____

Selectman Rose announced the next Historical Society meeting will be held at the town hall on June 23 at 11:00 a.m. A newsletter will be mailed out to everyone on the voter checklist in order to attract new members.

The NHDOT road safety audit committee contacted Selectman Rose to set up a time to meet at the Albany Town Hall on June 12 or June 19. Selectman Rose replied either date would work. They will be in touch with him.

Chairman Robitaille asked Dorothy to be careful of what is written into the town column. It could potentially cause a problem for the Board of Selectmen if things are misinterpreted. Dorothy will e-mail the town column to Chairman Robitaille for review, but any changes must be made immediately because it has to go into the paper the following day.

Public Comment:

June Johnson asked the Board if the wiring in the chapel that was noted in Chief Solomon's report would need to be fixed this year and would the town pay or the historical society. The Town Administrator replied the town would take care of it. If there is not enough money this year, it can be voted in next year's budget.

Steve Knox said he is sympathetic to the World Fellowship but the contract with Conway Village Fire District is good and brings expertise to the table. If the town starts to second guess the Chief it could develop cronyism. The town should be sensitive. Chairman Robitaille replied no one is on top and it is not unfair to give the World Fellowship the option of getting a second opinion if they want to pay for it and then we, the Board, can get back to the Chief.

NonPublic Session RSA 91-A:3 II (a) & (c):

At 5:50 p.m. Selectman Rose made a motion to move into nonpublic session citing RSA 91-A:3 II (a) and RSA 91-A:3 II (c). Selectman Ryan seconded the motion and all were in favor. Roll call was unanimous in the affirmative.

At 6:20 p.m. it was determined that the minutes shall not be publicly disclosed. Selectman Rose 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. Chairman Robitaille seconded the motion and all were in favor.

KR____

JR____

CR____

At 6:21 p.m., Selectman Rose motioned to move into public session, seconded by Chairman Robitaille, all were in favor.

At 6:22 p.m., Selectman Rose made a motion to adjourn, Chairman Robitaille seconded the motion and all were in favor.

Respectfully Submitted,

Kathleen Vizard
Town Administrator