

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

November 19, 2014 3:30 p.m.

At 3:30 p.m., the Selectmen's meeting was called to order. In attendance were Rob Nadler, Jack Rose and Kelly Robitaille. Also present were Lee Grant, June Johnson, Steve Knox, Sara Knox, Joe Ferris, Rick Hiland and Mike Helmers. The following business was conducted.

Regular Business:

- Reviewed & approved November 5 minutes-Rob made a motion to approve the minutes as submitted, Kelly seconded the motion and all were in favor.
- Signed checks totaling \$14,362.41.

Town Administrator Report-

Kathy gave the Selectmen different amounts to use of the unreserved fund balance in order to lower the unapproved tax rate. After a short discussion, Rob made a motion to use \$150,000 of the unreserved fund balance. The tax rate will be \$12.77 per assessed thousand. Jack seconded the motion and all were in favor. Rob made a motion to sign the tax warrant out of session after the state approves the tax rate. Jack seconded the motion and all were in favor.

New Business:

Reviewed and approved four building permits.

Reviewed and approved one pistol permit.

Reviewed and approved one septic design.

Reviewed and approved 2015 health insurance rate.

Reviewed and approved one timber intent.

Jack made a motion to accept the resignation of Josephine Howland from the Planning Board, Rob seconded the motion and all were in favor.

Rob asked the Board if they would like to appoint a new member. Kelly asked if the Planning Board had made any recommendations. Rob replied no. Jack made a motion to table the appointment, Rob seconded the motion and all were in favor.

Rob made a motion to amend something previously adopted in the minutes of the August 13, 2014 Selectman's meeting where it states "Chairman, Mike Helmers said they did not have to listen to the public" and replace it with "Vice Chairman, Josephine Howland said they did not have to listen to the public." Jack seconded the motion.

This issue is on the floor for discussion. Rick said since he has been an alternate to the Planning Board, he received information from the Planning Board Secretary. In review of the Planning Board minutes from October 15, 2014, Josephine made it publicly clear that she was the one who had made the comment. Rick went on to say at the Selectmen's August 13 meeting, he misstated Chairman but the minutes reflect Mike Helmers. Rick would like to correct the record. He added he would not make an excuse. The meeting was chaotic with two and three people talking at once.

Rick had submitted a right to know request for the recording of the meeting and had been denied in violation of the right to know law. Rick said this could have been cleared up much sooner if the right to know request was not denied and subsequently destroyed. Rick has told the Planning Board Secretary he would not pursue it in court. Rick contacted Rob and asked him to open the minutes from the August 13 Selectmen's meeting and amend the

record. He would like to also reference today's meeting in the amendment. Rick would like to publicly apologize to Mike Helmers. Mike thanked Rick.

Rob made a motion to amend the minutes of the August 13, 2014 Selectmen's meeting to remove Mike Helmers' name and replace with Josephine Howland and also to make a reference to today's meeting. Jack thought it should be reflected in today's minutes. Rob said it did not hurt to amend the August minutes.

Sara noted she was disappointed at how long this took to resolve and Mike had been contacting Rob for weeks about this. Rob replied the minutes are not verbatim and he apologized to Mike, saying it was an off the cuff remark.

Mike said he had met with Rob before the August 13 minutes were published and Rob's comment at that time was that it was public comment and Rob wanted to put issues behind him between the Selectmen and Planning Board. Mike does not want to participate because of the way Rob acted. It took Mike sending a certified letter before getting a response. Mike added, character assassination is not acceptable. Mike accepted Rick's apology and thanked him. Rob made a motion to amend the August 13, 2014 minutes and all of the discussion into today's minutes, Jack seconded the motion and all were in favor.

Rob stated, effective December 1, 2014, he will be resigning from the Albany Selectboard. A new opportunity in his business demands his full attention. He very much enjoyed working with his fellow Selectmen, Jack Rose and Kelly Robitaille. The Town Administrator, Kathy Vizard, has been invaluable in helping to manage the town affairs. He thanks the people of Albany for electing him to represent them and hopes to continue to volunteer for the town.

Jack would like to go on record that it is with deep regret and ill feeling that we accept Rob's resignation. He has been a very important part of our Board. Rob said he still wants to talk with the Conway Village Fire District and be advisory to the Selectmen. Rob suggested the Selectmen consider Cathy Ryan as his replacement because of her history, she may be ideally suited for the position. He hopes they will consider her. Kelly would like to echo what Jack had said. Rob is invaluable and put his heart and soul into the Selectmen position. This is unfortunate but things seem to be rolling in a good direction. Kelly hopes the Selectmen can count on Rob's continued participation. Kelly added he is thrilled that Cathy Ryan wants to get back into the Selectmen position and the more he gets to know her, the more he likes her. Jack would like to talk with her.

Rob noted Road Agent, Curtis Coleman, had suggested updating Albany's road standards. He asked Kathy to retype the standards Curtis had suggested and have the Planning Board look at them for adoption. They could also be added to the future subdivision regulations.

The Board discussed outstanding bills that are due December 1 and how to pay them if the property taxes have not started to flow in. Rob said the town could get a tax anticipation note although that hadn't happened in over seven years. Jack noted the tax rate has been set, so tax money should start coming in. Joe Ferris said after December 10, SAU 9 can start charging interest on the amount due and a tax anticipation note interest would be cheaper. Rick Hiland suggested the town could change from a calendar year to a fiscal year to avoid this and the town could also bill biannually to avoid being late. Rob said the town can consider billing biannually next year.

Public Comment:

Joe told the Board he was not on the agenda as requested by an e-mail to Kathy. Kathy replied she did not receive an e-mail.

Sara posted the School Board meeting with the Selectmen on the town's website this morning and this afternoon it was gone. Kathy said Carla had been making changes.

Sara understands from the Planning Board rules that the next senior alternate gets appointed to fill a vacancy. Rob said the Planning Board has rules but the Selectmen can appoint who they choose.

Steve suggested the Selectmen take a vote to approve the on demand workshop offered by the NH Municipal Association. Rob said the request for a workshop has been made. Sara would like to see more public participation with new faces. Kelly said he is encouraged by the new members of the Planning Board and said this is a good time to have the workshop. Kelly made a motion to get more information for the on demand training for the Planning Board and Zoning Board of Adjustment. Rob noted that Andy Davis, Zoning Chair and Peter Carboni, Planning Chair, have to agree to it. Jack seconded Kelly's motion and all were in favor.

Lee Grant said the Boards need more participation and one way to get it would be to pay people for their time. Steve has had conversations with Wonalancet residents who don't feel as if they are a part of Albany because of

geography. They are resentful because years ago, Albany voted to not allow them to become part of Sandwich.

Rick Hiland suggested the Selectmen contact their state reps as a new year of legislation is about to begin. This would be the time to get them to sponsor bills regarding mobile home property taxes not being paid as well as getting their deeds recorded.

Domenic Richardi, Carroll County Sheriff, joined the meeting.

Domenic Richardi:

Domenic informed the Selectmen that although the Department's rates had increased, Albany benefitted from keeping the old rates in 2014. However, in January 2015, Albany's rate for patrols will be increased to \$55.00 per hour. Either the Selectmen could continue to budget \$20,000 and lose seven shifts for the year or increase the budget by \$1,680.00.

Domenic next discussed the Animal Control Officer position. Rob said the Tamworth Animal Control Officer was interviewed but never submitted a proposal. Domenic said he will put his feelers out for Albany. Domenic asked if Albany contracts with the local Humane Society. Rob replied yes.

Domenic proposed that Albany allow the Sheriff's Department to conduct the whole process of issuing a pistol permit. The only downfall is Albany would lose the \$10.00 permit fee. Jack would like to think about it. Jack asked how things were going in Albany. Domenic replied, good. Domenic left the meeting.

Old Business:

Steve asked if it was theoretically possible to have the mobile home park owner collect property taxes along with the monthly rent. Rick would also like to see the mobile home deeds being filed. Rob replied there is no penalty for not recording a deed. We need legislation. Rick said this is the time to start filing legislation bills.

At 4:36 p.m., Jack made a motion to adjourn, Kelly seconded the motion and all were in favor.

Respectfully Submitted,

RN____

KR____

JR____

Kathleen Vizard
Town Administrator

DRAFT