

Town of Canterbury, NH  
Board of Selectmen  
Date: 2024 October 7  
Location: Meeting House

Selectmen: Scott Doherty (Chair), Kent Ruesswick, Beth Blair

Town Administrator: Ken Folsom

Others Present: Edgar Rivera (Libertad Press NE), David Katz (CSV Board Chair), Erin Hammerstedt (CSV new exec director), Rebecca Davis, Ruth Mann, Danielle Belle, Tracey LeClair, Mike LeClair, Benjamin Davis

1. Call to Order
  - a. The meeting was called to order at 4:58 p.m.
2. Public Hearing for Fire Department Grant
  - a. The public hearing to accept Assistance to Firefighters Grant funds from FEMA in the amount of \$71,800.95 per RSA 31:95-b was opened at 4:58 p.m.
  - b. The amount in the posted notice for this hearing was \$75,391 due to a clerical error.
  - c. The hearing was left open during administrative business to allow time for comments. No comments were made. The hearing was closed at 5:31 p.m.
  - d. Scott made a motion to accept the Assistance to Firefighters Grant funds from FEMA in the amount of \$71,800.95 per RSA 31:95-b. Kent seconded. All in favor by roll call, motion carried.
3. Administration
  - a. The Selectboard signed:
    - i. Kent made a motion to sign the Accounts Payable Manifest in the amount of \$1,010,626.41. Beth seconded. All in favor by roll call, motion carried.
      1. This manifest is unusually high due to the regular bi-monthly School District payment and purchasing the Motor Road Grader per Warrant Article WA-2024-13 for \$440K. \$400K of which is being funded by the Highway Grader Capital Reserve Fund.
    - ii. Kent made a motion to sign the Payroll Manifest in the amount of \$48,557.02. Beth seconded. All in favor by roll call, motion carried.
    - iii. The Selectboard signed Jordan Westgate's Police Department Appointment Slip.
    - iv. The Selectboard signed Beth Blair Tricentennial Committee Appointment Slip.
      1. This appoints Beth as a resident, not as a Selectboard member. Scott is the Selectboard rep for this Committee.
  - b. Previous Minutes Approval
    - i. Several typos were corrected in the September 23, 2024 public minutes.
    - ii. Kent made a motion to approve the public minutes for the Selectboard meeting as amended on September 23, 2024. Beth seconded. All in favor by roll call, motion carried.
    - iii. Kent made a motion to approve the non-public minutes for the Selectboard meeting on September 23, 2024. Beth seconded. All in favor by roll call, motion carried.
4. Canterbury Shaker Village Taxes
  - a. See Selectboard minutes 9/23/24 Section 9.b. for previous discussion.
  - b. David Katz (CSV Board Chair) and Erin Hammerstedt (CSV Executive Director) attended.
  - c. Mr. Katz introduced Ms. Hammerstedt. She started at CSV on 9/3/24.

- d. Kal distributed the “Shaker Village 9-12-24” document which showed each property in question, Assessor Mandy Irving’s recommendations, CSV’s response, and Town Counsel’s opinion.
  - e. This process began when Mandy, Joel French (Building Inspector), Ken, and Michael Gamache (Fire Chief) conducted a site visit on 9/11/2023.
  - f. Mr. Katz discussed how CSV was unaware of any tax implications resulting from the site visit until the bill arrived in June 2024. After his letter in response to the bill, he received no notification that this topic would be discussed at Selectboard meetings and he did not see a copy of the “Shaker Village 9-12-24” document until this meeting. He expressed disappointment in the lack of communication.
  - g. In regards to Map 228 Lots 1, 8, 13 and Map 242 Lots 5, 7, Mr. Katz and Ms. Hammerstedt indicated that they would need time to read the “Nature Conservancy” case that Town Counsel cites. They believe that since the land is reserved for public good, it should not be taxed as Current Use.
  - h. Mr. Katz discussed the letter he sent in response to the tax bill. Eventually it was determined that most of his concerns had already been addressed by the “Shaker Village 9-12-24” document.
  - i. Two of the buildings are no longer being used as they were in September 2023, so they are not subject to taxation anymore. The remaining buildings could be considered tax exempt if they are each listed in more detail on the April 2025 A9 form. But that only affects the bill going forward, not the one already issued.
  - j. CSV has already paid for part of the bill that was issued in June. They sent the Town a check for \$5,009 and disputed the remaining \$2K, since they already submitted that amount to the Town in their regular annual “Payment in Lieu of Taxes”. Officially the \$2K goes into the General Fund and cannot be applied to a tax bill, so CSV is in arrears. Mr. Katz disputes this interpretation and believes the \$2K should be applied to the tax bill. The Selectboard could abate the interest and penalties this is generating.
  - k. Ken will connect Ms. Hammerstedt and Mandy so they can discuss the “Nature Conservancy” case. Ms. Hammerstedt and Mr. Katz will come back to discuss this further at the next Selectboard meeting.
5. New Business
- a. Appointment of Ballot Clerks
    - i. Moderator Jim Miller let the Selectboard know via email that they need to appoint a registered Republican ballot clerk. The law requires an even distribution of clerks from both parties and Canterbury currently has only Undeclareds and one Democrat.
    - ii. The NH Republican party did not appoint anyone by the July 15<sup>th</sup> deadline, so it is the Selectboard’s responsibility to appoint someone.
    - iii. Town Clerk Sam Papps is looking for candidates and will have them attend the next Selectboard meeting for approval.
  - b. Update Town Building Rental Policy
    - i. The Town currently has a Building Rental Agreement and a Facilities Use Policy for when non-municipal people/groups need to use Town buildings. Kal updated and combined them, but there are some outstanding questions.
    - ii. Currently the Town requires anyone renting space to have a \$1M insurance policy. But normally the space is only used for small events like baby showers, so that seems onerous.
    - iii. The policy currently allows alcohol to be served at an event if it is being done through a licensed vendor and a police officer is present. This could be changed to not require an officer, disallow alcohol completely, or limit it to tastings/buying to-go.

- iv. This policy covers the Meeting House, Town Hall, Library, Municipal Complex, and Gazebo.
  - v. Ken will consult with the Town's insurance provider for advice on insurance and alcohol requirements. The Selectboard will continue to review the policy at the next meeting.
- c. Payroll
- i. The Town has been doing payroll in-house, but QuickBooks Desktop's payroll software is expensive and buggy. Kal tried switching to QuickBooks Online, but that system can't do what is needed.
  - ii. Ken asked other municipalities in the area and they recommended Checkmate. The cost is a few hundred dollars more per year than in-house (including labor and software).
  - iii. We would retain a cheaper version of QuickBooks to use for Accounts Payable. This switch would save some time, but timesheets would still need to be processed.
  - iv. The Selectboard agreed to proceed with the switch to Checkmate.
6. Old Business
- a. Dirt Road Update
    - i. See Selectboard minutes 9/9/24 Section 10.e. for previous discussion.
    - ii. Ken spoke with Mike Rislov on 9/26 and gave him a deadline of October 15<sup>th</sup>.
  - b. Comcast Update
    - i. See Selectboard minutes 9/23/24 Section 9.d. for previous discussion.
    - ii. Ken spoke with Bryan Christiansen today. An edited version of the franchise agreement will be available to review at the next meeting.
    - iii. All of the addresses in Canterbury that got wired this summer have been released to the sales team. Everyone should be getting notified, but we can also publicize it.
    - iv. The remaining 20/30 people who will be covered by BGMI funds should also be released soon.
  - c. Old Schoolhouse Road Update
    - i. See Selectboard minutes 9/23/24 Section 5 for previous discussion.
    - ii. Ken, Road Agent John O'Connor, the Pullens, and Eversource met on 10/3 and came to an agreement on what Eversource will do to repair the road.
    - iii. Mr. Pullen hasn't begun removing the stone wall.
  - d. Town Hall Wiring Issue
    - i. Ken met with Larry Martin and Scott on Saturday at the Town Hall. The wiring has been fixed.
    - ii. Ken will meet with Rick Crockford about the Canterbury Fair stuff in the basement to discuss what can be cleaned up.
  - e. New Road Grader
    - i. See Selectboard minutes 9/23/24 Section 4.e.iii. for previous discussion.
    - ii. The new road grader arrived on 10/1 and John got trained in its use.
    - iii. John is going to take the wing off. Herb Batchelder from the Fire Department will help so he doesn't have to do it alone.
  - f. Highway Hiring Update
    - i. One candidate for the vacation Highway Department positions was interviewed last Thursday. Haven't heard back from him since.
    - ii. Considering the current job market, the Town is not offering competitive wages. Because there is unspent wage money this year, the Town could offer higher wages, but that would blow up the wage line next year.
    - iii. Ken expressed concern that if the Highway wages increased significantly, there would need to be parity in other departments. Other towns are having the same issues. Some are giving huge sign-on bonuses (e.g. Lebanon offering \$30K to Police Officers).

- iv. Beth suggested that since Police and Fire are well-staffed, they might understand that Highway needs a bump.
- v. The NH Town Administrators email group has seen discussion about sharing staff, but people are still figuring out the logistics of insurance, workers comp, retirement, etc.
- g. 2025 Budget
  - i. Ken is looking at different health insurance plans and providers to see if any savings can be found there. He will have that information ready for the 11/4 Budget Committee meeting.
- h. Meeting House Gutters (Warrant Article 2024-23)
  - i. See Selectboard minutes 6/17/24 Section 8.e. for previous discussion.
  - ii. The gutters have been installed. They appear to be working as of the rain this morning.
  - iii. Need to wait for heavier rain to see where the puddles are forming and if the water flow needs to be addressed.
- i. Transfer Station Staffing
  - i. Andres is back from vacation, so there should be enough coverage for now.
- 7. Public Hearing for 1 Carter Hill Road
  - a. The public hearing to determine if there is an Obnoxious Use (as per Canterbury Zoning Ordinance Article 2.1) at 1 Carter Hill Road (Map 247 Lot 27) per RSA 674 and 676:17-a was opened at 5:59 p.m.
  - b. See Selectboard minutes 9/9/24 Section 10.b. for previous discussion. The Selectboard decided in a non-public session on 9/23/24 to hold a public hearing regarding this matter.
  - c. Danielle Belle, Tracey LeClair, Mike LeClair, Rebecca Davis, Ruth Mann, and Benjamin Davis were in attendance.
  - d. Ken recapped the situation so far. Several months ago some neighbors contacted the Selectboard regarding this property and one attended the 6/17/24 meeting. They complained about the cleanliness of the property, the traffic, and an unlicensed business. The owners and resident were contacted. It was determined that an unlicensed business was not being run. The owners have taken steps to evict the resident and take care of the situation.
  - e. Scott asked for public comments.
    - i. Ruth Mann of Fife Road said that sometimes there are people at this house parking/standing in the road at the intersection of 132 and Carter Hill Road where there is low visibility and a school bus stop.
    - ii. Rebecca Davis of Fife Road said that she is also concerned about the traffic and visibility, especially since the cars are often in the road at night with no lights on.
    - iii. Benjamin Davis of Cogswell Road also spoke about concern over traffic/visibility/safety.
  - f. Mike LeClair represented his father, Dick LeClair, who is the sole owner of the property.
    - i. Mike explained that his brother, Tim, is the resident that is being evicted. Tim has mental health issues and his family has been trying to work with him.
    - ii. Dick has filed for bankruptcy. Between the bankruptcy and eviction proceedings, the process to remove Tim and clean up the property has been slow. They began the eviction in May 2024.
    - iii. They are currently waiting for the court to send out a court date or a writ of removal. Worst case scenario, the judge may grant Tim 90 days to leave. A realtor has been hired to clean up the property and sell it as soon as the eviction is complete.
  - g. There was discussion about the eviction legal process.
  - h. Ken explained that the Selectboard need to decide if there is an Obnoxious Use, if they want to send a Cease and Desist, and if they would like to seek injunctive relief (fines) from a court. The fines would be from the owner, not the tenant.
  - i. Kent suggested waiting to see how the eviction goes. Beth and Scott agreed that taking this to court would not be helpful.

- j. Scott expressed concerns about the safety issues. He suggested asking the Police Dept. to pay more attention to the parking issues happening at that property.
  - k. Beth suggested declaring an obnoxious use, taking care of the safety issue, and waiting to hear about the eviction. If things go wrong or take longer than expected, fines can be sought later.
  - l. Scott made a motion to determine that there is an Obnoxious Use at 1 Carter Hill Road and to issue a Cease and Desist per RSA 674 and 676:17-a; however, he does not suggest any monetary fines. Kent seconded. All in favor by roll call, motion carried.
  - m. Beth made a motion to close the public hearing at 6:25 p.m. Kent seconded. All in favor by roll call, motion carried.
8. Snow Plowing Update
- a. The Town is still looking for seasonal workers. Ads have been placed.
  - b. Benjamin Davis is still planning to do plowing for the Town as a part-time employee.
  - c. Benjamin suggested advertising the position on Facebook and letting people know we are in dire straits. The position has been advertised on the town email, website, newsletter, Concord Monitor, and Union Leader.
  - d. Including one contractor who expressed interest, 3 of the 5 plow routes are covered.
9. Adjournment
- a. Kent made a motion to adjourn the meeting at 6:28 p.m. Scott seconded. All in favor by roll call, motion carried.

Next Meeting: 2024 October 21, 5:00 p.m. at the Meeting House

Minutes submitted by Kathleen McKay, Administrative Assistant