

Town of Canterbury, NH
Board of Selectmen
Date: 2024 April 1
Location: Meeting House

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

Town Administrator: Ken Folsom

Others Present: Edgar Rivera (Libertad Press NE), Greg Meeh (PB Chair), Megan Portnoy (PB), Justin Crotty (Police Chief), Michael Dumas (PD), Sam Papps (Town Clerk-Tax Collector), John Goegel (Cemetery Trustee), Art Rose

1. Call to Order
 - a. The meeting was called to order at 5:00 p.m.
2. Administration
 - a. The Selectmen signed:
 - i. Kent made a motion to sign the 4/1/24 Accounts Payable Manifest in the amount of \$514,761.41. Beth seconded. All in favor by roll call, motion carried.
 - ii. Kent made a motion to sign the 3/20/24 Accounts Payable Manifest in the amount of \$8,519. Beth seconded. All in favor by roll call, motion carried.
 - iii. Kent made a motion to sign the 3/30/24 Payroll Manifest in the amount of \$11,834.45. Beth seconded. All in favor by roll call, motion carried.
 - iv. Kent made a motion to sign the 4/6/24 Payroll Manifest in the amount of \$70,748.56. Beth seconded. All in favor by roll call, motion carried.
 - v. The Selectmen signed an interfund transfer to the Conservation Commission Fund in the amount of \$13,775. This for two land use change tax payments.
 - vi. The Selectmen signed 2024 MS-636 and 2024 Warrant.
 - vii. The Selectmen signed Motor Vehicle Junkyard license for Map 208 Lot 13.
 - viii. The Selectmen signed Notice of Intent to Cut Wood or Timber for Map 229 Lot 14 on Baptist Hill Road.
 - ix. The Selectmen signed two Veterans' Tax Credits applications for Map 108 Lot 2 and Map 233 Lot 26.
 - x. The Selectmen signed warrant for Land Use Change Tax for Map 216 Lot 19 in the amount of \$11,088.
 - xi. The Selectmen signed Yield Tax Levy Warrant for Map 256 Lot 5 in the amount of \$215.61.
 - b. Previous Minutes Approval
 - i. The Selectmen approved the March 15, 2024 Town Meeting Minutes.
 - ii. Kent made a motion to approve the public minutes for the Selectmen's meeting on March 18, 2024. Scott seconded. All in favor by roll call, motion carried.
3. Police Department Personnel Updates
 - a. Swear in Justin Crotty as Chief of Police and sign contract
 - i. In attendance were Justin's family, Sheriff David Croft, Lt. Crockwell, Officer Kirathi, and Officer Dumas.
 - ii. Scott read some remarks and administered the oath of office.
 - iii. The Selectmen signed the contract for Chief Crotty.
 - b. New Patrol Officer Michael Dumas introduced himself to the Selectboard.
4. Hannon re Maple Grove Cemetery

- a. Ken gave an overview of the paperwork that the Selectboard would be signing. The Town is purchasing a portion of Tax Map 241 Lot 23 that abuts Maple Grove Cemetery. This is part of the expansion that was approved in WA 2024-17. The Town is purchasing .459 acres for \$3,000 and applying to the Planning Board for a lot line adjustment so that the purchased land becomes part of the Cemetery property (Map 241 Lot 25).
 - b. Kent signed the Offer and Agreement to purchase the agreed upon .459 acre portion of Map 241 Lot 23 for \$3,000.
 - c. The Selectmen signed the Application for Lot Line Adjustment between Map 241 Lot 25 and Map 241 Lot 23.
 - d. Edward and Cheryl Hannon signed the purchase agreement and the application for lot line adjustment.
5. Planning Board (PB)
- a. Capital Improvement Committee (CIC)
 - i. Greg Meeh (Planning Board Chair) discussed why the Town needs a new Capital Improvement Plan (CIP).
 - ii. A CIP is a document that predicts the lifespan and repair timelines for resources and assets (e.g. buildings, vehicles, roads). It determines how much money should be saved in Capital Reserve Funds and what/when improvement projects need to be done. It is similar to a Master Plan (MP) and does not go to Town Meeting.
 - iii. Greg said that a CIP is also a foundational document to support the Town's innovative land use ordinances (e.g. the 3% building permit cap).
 - iv. CNHRPC is able to create one for the Town. It would cost \$4K, but \$1K of that could be funded through a grant. Their process includes meeting with department heads to collect information and then following their templates to create a CIP. They provided an example CIP they made for Epsom. The example includes budgeting for updating 1/6th of their roads each year.
 - v. A CIC creates a CIP and presents it to the Selectboard for approval. It normally consists of representatives from the Planning Board, the Budget Committee, and the Selectboard.
 - vi. Scott asked how a CIP could be created without the Master Plan being finished.
 - vii. Greg said the PB expects to finish the Master Plan in June/July. They could start collecting information now and continue once the MP is finalized.
 - viii. Megan Portnoy (PB Member) confirmed Greg's statements about needing a CIP to justify land use ordinances. She said this cannot be done until the MP is finished. She wants to consider if a CIP could be done in-house instead of through CNHRPC.
 - ix. Ken described how he and Jan Stout created a CIP in 2019 that focused on the age of equipment to support the amounts being put into the Capital Reserve Funds (CRF). The Town has been contributing to CRFs for decades as a way to save money for equipment (e.g. graders, fire engines). The Town has approximately 100 miles of paved roads and we have been paving approximately 10 miles of pavement per year with a ten year rotational plan.
 - x. Road maintenance is a particularly complicated plan to create because of how many factors contribute to the wear and tear. The Town currently uses a program that was set up by CNHRPC to evaluate and track roads.
 - xi. Megan expressed concern that some vendors artificially extend contracts in order to keep a customer. Greg said that the Town has not had that issue with CNHRPC and they usually contribute to or cover projects using grant money.
 - xii. Beth asked how the CIP would be maintained going forward. Ken said that it is a living document that should be updated every two years. Once a format is provided, it is easier to update.

xiii. Art Rose described how the CIC worked in Goffstown. It was essentially another Budget Committee and they met annually to do updates.

b. Road Mapping

- i. Greg discussed how the Town doesn't appear to have an official road map. The most recent one that is registered with the Merrimack County Registry of Deeds is from 1991. This has led to applicants "map shopping" to find a map that is favorable to them.
- ii. The Town is also supposed to have a road dossier which includes a record for how each road was formed and changed over time. The Town does not have this and it would be a big project to create.
- iii. CNHRPC has created updated maps for the Town before. They have been given authorization to use the data from the Town's tax assessing software to make updates.
- iv. Tax maps are updated based on information added by the Assessor. They tend to run about a year behind because of the amount of work it takes to do updates.
- v. The Selectboard and Greg decided that the PB would take on creating a new official road map. First they will have CNHRPC provide an updated map, then they will hold a public hearing to get feedback from residents. The Selectboard will then meet individually with department heads and Town Office staff. Once a consensus is reached, the Selectboard will approve it and the Town Clerk will sign it.
- vi. If someone disputes the map after it is created, they would bring their concerns and evidence to the PB or Selectboard. They would work together to find out what is accurate and change the map if needed. If they could not come to an agreement, the person would take their case to the superior court.
- vii. Greg was unsure what the timeline for this project would be, but said they will expedite the process since this map is sorely needed.

6. New Business

a. Code of Conduct for Boards and Committees

- i. Scott distributed a proposed code of conduct for the Selectboard and asked for comments from Beth and Kent.
- ii. The Selectboard discussed a variety of questions about how this code of conduct would be implemented and enforced. They also reviewed a proposed code of conduct for Boards and Committees and had similar questions. They agreed that more discussion and research was needed.
- iii. RSA 676:1 allows land use boards to adopt their own rules and procedures. Ken was unsure if the Selectboard could create a code of conduct that applied to everyone because of this.
- iv. The Selectboard decided to hold a work session for this on April 16th. They will send Ken any questions ahead of time that need research or advice from legal counsel.

b. Right To Know, RSA 91:A

- i. Scott reminded the Selectboard that all emails and communications they send are public except for personnel issues and correspondence with town counsel.
- ii. Ken added that the NHMA free legal advice is not protected.
- iii. Beth will be attending NHMA's Right to Know workshop on 4/17.

c. Letter from DES re Map 101 Lot 32

- i. The NH DES sent the Town a letter regarding 99 Canterbury Shore Drive. The DES received a complaint that the owners have removed vegetation from a shoreline unlawfully. The Town sold this property in 2023.
- ii. This is just an FYI. The DES handles this and no action is needed by the Town.

d. Cybertron Contract

- i. Cybertron has been the Town's IT provider for about 6 years. They have not raised the price of their service contract for the Town Office in 3 years (\$10K). This year's contract needs to be signed.
 - ii. The Selectboard granted Ken the authority to sign this contract.
 - e. Discuss use of streaming equipment by Boards/Committees
 - i. Scott asked why other boards do not stream their meetings like the Selectboard does.
 - ii. Ken explained that streaming began during the pandemic as a way to have members in attendance without being physically present. It is available to all boards/committees, but there have been technical difficulties so some have used it and some haven't. There are no laws requiring streaming or video recordings of meetings. Only the Selectboard has been doing it consistently since 2020.
 - iii. Greg said that the PB has no objection to streaming, but they don't have the bandwidth or technical knowledge to manage doing that for every meeting.
 - iv. The Selectboard discussed the technical questions about how the streaming system has worked and how it could work better.
 - v. Scott emphasized how this would encourage transparency. Kent expressed concern that video can lack context.
 - vi. Ken will look into fixing some of the technical issues and send out a reminder to the boards that this is available to them.
 - f. Letter from Mark Hopkins re Gazebo repairs
 - i. Mark Hopkins of Foster Road sent a letter to the Selectboard regarding WA 2024-22.
 - ii. Scott read the letter aloud. It included technical specifications of how the gazebo railings should be constructed and encouraged awarding the work to Alex Young. Mark will donate several dozen balusters for this project.
 - iii. The Town got one bid before the Town Meeting. Alex Young has inquired about the work, but has not yet submitted a bid.
 - iv. Kent has been coordinating this project with Dale Casewell. He feels that the handrails are part of the structure of the building. He understands Mark's suggestions, but is not sure if making three sections of rail removeable will meet the strength requirements. Dale originally designed and built the gazebo. He purposefully did not make those sections removeable to ensure structural strength.
 - v. Ken suggested asking for a warranty as part of the bid process.
 - vi. Beth agreed with Kent that it is more important for the gazebo to be structurally sound than to have removable railings for events.
 - g. Proposals for Historical Society mini-split
 - i. The Town has received two proposals for replacing the mini-split in the Historical Society room of the Library. This project was approved in WA 2024-18 with a budget of \$10K.
 - 1. Lake's Region Heating and Air Conditioning: \$6,500
 - 2. Rowell's Services: \$9,350.
 - ii. These costs are for installation, not ongoing maintenance. There was discussion about how much, if any, regular maintenance was needed for this machine.
 - iii. Sam Papps said that he brought these bids to the Historical Society and Fred Portnoy of the Energy Committee was at the meeting. Fred suggested getting a third proposal and the Historical Society agreed.
 - iv. The Selectboard decided to hold off on this conversation until the next meeting so that a third bid could be produced. Ken will let Fred know that there is a two-week deadline.
7. Old Business
- a. ARPA grant and dirt roads proposal from Road Agent
 - i. See Selectboard Minutes 2/5/24 Section 3.c.iii. for previous discussion.

- ii. The Town received \$250K in ARPA money a few years ago. The Selectmen have decided to use this money to repair the dirt roads in Town.
- iii. Road Agent John O'Connor has provided a list of which sections of dirt roads are most in need of repair. He included estimated costs of new material for each section.
- iv. Art Rose spoke against just adding material to the roads, saying that the underlying problem of the dirt roads being built wrong needs to be fixed first. He suggested that the Town bring in a grader operator to assess the state of the roads and teach the Highway Department to how to reshape and repair. This operator would work by the hour and bring their own grader.
- v. Kent believes that the ditches not being deep enough is the main problem and wants that addressed first. John believes that ditching isn't enough and adding a lot of new material is required.
- vi. Art believes some of the ditches are too deep and the entire shape of the road needs to be considered. He doesn't anticipate needing much, if any, new material.
- vii. Kent recommended setting aside some of the Highway budget each year for dirt road repair like they do for paved roads.
- viii. The Selectboard expressed concern about how to go about this project and come to a consensus on the plan without stepping on toes.
- ix. They decided to start by having a meeting with Kent, Art, John, and Ken to discuss the options and come up with a plan.
- b. Committee appointments
 - i. See Selectboard Minutes 3/18/24 Section 2.d. for previous discussion.
 - ii. Selectboard Representatives
 - 1. Scott read aloud the list of Selectboard representatives for Committees and Departments.
 - 1. Scott Doherty: Fire Department, Police Department
 - 2. Kent Ruesswick: Planning Board, Solid Waste Committee, Community Power Committee, Highway Department
 - 3. Beth Blair: Conservation Commission, Energy Committee
 - 2. Agricultural Commission
 - 1. This group has not had a Selectboard rep mostly because the Selectboard are busy and the AC didn't think it was necessary.
 - 2. Kent would like there to be one. Beth volunteered.
 - 3. Shaker Village
 - 1. David Katz (Vice Chair of the CSV Board of Trustees) has expressed that it would be logistically easier if the Selectboard invited a SV representative to attend Selectboard meetings on a quarterly basis.
 - 2. Kent will attend HDC/SV meeting and set this up.
 - 4. Sherwood Forest
 - 1. Kent is currently the representative but he would like someone to shadow him to learn how the organization works. Beth volunteered.
 - 5. Zoning Board of Adjustment
 - 1. The ZBA doesn't have a Selectboard rep because they only do hearings, no other discussions or projects.
 - 6. Center Beautification Committee
 - 1. There was an unofficial committee that did this work for the last 15 years. They would clean up areas such as the cemetery, fire pond, behind buildings, etc. When they retired, an official committee was created, headed by Jim and Donna Miller. The Millers are unable to continue doing this so the committee is disbanded for now.

2. Kent is considering asking the new gardening club if they would have any interest in reforming the committee. The main problem right now is containing invasives.
- iii. Committee Members
 1. The Selectboard discussed if maximum term limits should be established for appointed members.
 2. Ken confirmed that a committee member whose term is expired is still considered a town official until the Selectboard reappoints them or fills the position with someone else.
 3. The Selectboard signed appointment slips for the Recreation Committee. The appointments were 2 year terms for Randi Johnson, Katelynn Fehn, and Danielle Krautmann.
 4. The Selectboard signed appointment slips for the Community Power Committee. The appointments were 2 year terms for Ben Stonebraker, Kelly Stonebraker, and Beth McGuinn.
 5. The Selectboard signed appointment slips for the Historic District Commission. The appointments were 3 year terms for Kevin Bragg and Harry Kinter.
 6. The ZBA, Agricultural Commission, Conservation Commission, and Energy Committee did not submit their preferences for reappointments. Ken will let them know that they must provide this information by the next meeting or the Selectboard will decide for them.
 - c. Naloxbox locations
 - i. See Selectboard Minutes 3/18/24 Section 3.b.ix. for previous discussion.
 - ii. The Selectboard decided to station the naloxone boxes next to the AEDs at the Library and Sam Lake House.
 - d. Land use application documents policy
 - i. Ken distributed a draft policy for how to handle land use application documents. The policy would require that originals stay in the Sam Lake House. All documents would be scanned and paper or electronic copies could be distributed to board members.
 - ii. The Selectmen reviewed the draft. Finding no issues, they signed it.
 - e. Land Use Administrator interview process
 - i. The Selectboard decided to conduct a phased interview for this position. The first interview will be with Ken, Lois Scribner (PB Secretary), Lisa Carlson (ZBA Secretary), and Mandy Irving (Assessor and PB Associate). The second interview will be with the ZBA and PB Chairs and Kent.
 - ii. One person has applied so far.
 - iii. The Selectboard decided to keep the applications open until April 15th.
 - f. Update on Map 102 Lot 37 and offer for Town-owned property Map 102 Lot 52
 - i. See Selectboard Minutes 3/4/24 Section 2.a.v. for previous discussion.
 - ii. The sale of Map 102 Lot 37 to Sandra Steenbergen has been finalized.
 - iii. Ms. Steenbergen would also like to purchase Map 102 Lot 52 (85 Canterbury Shore Drive). She has asked how much the Selectboard would want to sell it for.
 - iv. This lot would be buildable unless the Selectboard put a condition on the deed like they did for Lot 37.
 - v. Ken will send the Selectboard the tax card for the property. The Selectboard will go visit the property and continue the discussion at the next meeting.
 - g. Update on Map 256 Lot 3
 - i. See Selectboard Minutes 2/5/23 Section 5.b. for previous discussion.
 - ii. The Town has notified the potential Lovering heirs who replied to the initial letters that they should seek legal advice on how to proceed establishing ownership.

- iii. The issue with Mr. McGill has been resolved and he no longer claims ownership.
- iv. Since the Town does not own the property, this issue is a civil matter. We do not know the status of Mr. Cambril's adverse possession claim, but no more action is needed.
- h. Website proposals
 - i. Beth discussed her opinions of the proposals. She liked FIREHORSE Creative the best and would like to eliminate revize and Sullivan+Wolf Design. She asked if there is a conflict of interest if hasOptimization is chosen since the owner, Logan Snyder, is a member of the Planning Board.
 - ii. Ken explained that the auditors check for town officials/employees doing business with the Town. The Town can do business with hasOptimization, but it must be reported.
 - iii. The Selectboard agreed to narrow the proposals down to FIREHORSE Creative and hasOptimization.
 - iv. Beth asked that FIREHORSE Creative's custom CMS be looked into so that the remaining questions can be answered.
 - v. Adding an emergency alert system to the project was also discussed. There are companies that offer this type of service, but it is a larger and separate project with technical and organizational issues that would need to be worked out.
- i. Local ordinance for dirty dirt and biosolids
 - i. See Selectboard Minutes 3/18/24 Section 7.a. and Planning Board Minutes 3/26/24 Section 8 for previous discussion.
 - ii. The Planning Board appears to be holding up the subdivision on Wyven Road due to concerns about the material that would be used to improve the road. Wyven Road is a private road and requires a waiver from the Road Agent and Selectboard to build there. The Road Agent is who would be able to object to the material.
 - iii. Ken expressed concern that the PB is overstepping their bounds by not allowing the subdivision. The Selectboard could talk with the PB Chair about it, but that position is elected and the Selectboard have no authority over them.
 - iv. The Selectboard agreed that they would like to have an ordinance banning the use of "dirty dirt" and "biosolids". Ken will create a draft based on similar ordinances in Belmont and Loudon.
 - v. The Selectboard will review the draft at the next meeting. If they approve it, the ordinance will be posted and take effect 30 days after posting.
- 8. Adjournment
 - a. Scott made a motion to adjourn the meeting at 8:48 p.m. Kent seconded. All in favor by roll call, motion carried.

Next Meeting: Regular Meeting 2024 April 15, 5:00 p.m. at the Meeting House
 Working Session 2024 April 16, 5:00 p.m. at the Sam Lake House

Minutes submitted by Kathleen McKay, Administrative Assistant