

Town of Canterbury
Selectmen's Meeting
September 13, 2021

Selectmen Present: Cheryl Gordon
Art Hudson

Town Administrator: Ken Folsom

The meeting was called to order at 5:00 PM

Administrative

The Board signed: A/P Manifest
P/R Manifest
Sam Lake Trust Disbursement Letter
Welfare Manifest
Interest Abatement Policy
Intent to Cut Map 220 Lot6 off Northwest Rd & Lot9 off Ayers Rd
Yield Tax Map 253 Lot 7, Map 253 Lot 41, Map253 Lot 05
41 Old Gilmanton Rd. Mechanics Lien & HUD Form 1

Art made a motion to sign the Accounts Payable Manifest in the amount of \$24,920.84. Cheryl seconded the motion. All in favor by roll call, motion carried.

Art made a motion to sign the Payroll Manifest in the amount of \$38,746.77. Cheryl seconded the motion. All in favor by roll call, motion carried.

Art made a motion to sign the Welfare Manifest in the amount of \$844.00. Cheryl seconded the motion. All in favor by roll call, motion carried.

The Selectmen signed an Interest Abatement Policy authorizing the Tax Collector to abate interest due up to \$25.00 if, in the Collector's judgement, the administrative and collection costs involved do not warrant the collection of the amount due.

Cheryl signed a Mechanics Lien & HUD form 1 for the sale of the 41 Old Gilmanton Rd. Town Property. The Arnolds will be closing on the sale on Friday 9/17/21 and will be bringing in a check to the Town of Canterbury on Monday 9/20/21.

The Selectmen signed a disbursement letter to Citizens Bank requesting the Town of Canterbury's annual mandatory disbursement of the Sam Lake Trust interest of \$13,884.48.

The Selectmen signed an intent to cut for Map 220 Lot6 off Northwest Rd & Lot9 off Ayers Rd.

The Selectmen signed Yield Taxes for Map 253 Lot 7, Map 253 Lot 41, & Map 253 Lot 05.

Minutes

The Selectmen reviewed the minutes of the August 30, 2021 Selectmen's meeting. Art made a motion to approve the minutes as printed. Cheryl seconded the motion. All in favor by roll call, motion carried.

Appointments

Ann & Jay Berry came in @ 5:00 to discuss Canterbury Hall. Ann & Jay explained that they went to the August 10, 2021 Planning Board Meeting for a Site Plan Review, as suggested by the Selectmen, to discuss the change of use of Canterbury Hall. They reported that after a lengthy discussion at the Planning Board Meeting, the Planning Board decided that Ann & Jay needed to go to the ZBA to determine whether there is a new use in the proposal and if a variance needs to be granted. The Planning Board voted to table the Site Plan Review Application until Ann & Jay get their answer from the ZBA. Ann stated that they received a denial letter from the Planning Board. Cheryl read the minutes of that PB meeting which states: Joshua Gordon proposed the motion that the Site Plan Review Application be tabled, and the applicants be referred to the Zoning Board to determine whether there is a new use in the proposal and if a variance needed to be issued. Greg Meeh seconded. Members voted. Greg Meeh, Joshua Gordon, Lucy Nichols and Ann Dowling voted yes. Bob Steenson and Scott Doherty voted no. The Chair abstained. The motion carried. Cheryl stated that she feels that is not a denial. Art and Ken both agreed that the wording that was used in the minutes states tabled not denied. Ann and Jay feel as though they were stonewalled by the PB and that they were unable to present their case and explain their understanding of the established PB & Zoning Board regulations for change of use. They feel that the PB had already made up their decision. Jay stated that they agree that it is clearly a new use according to the Zoning regulations since there isn't any new construction. Cheryl stated that the original approved use was for Bed and breakfast and minimal care facility for the elderly and the application was check for multi-family. Ann stated that she asked Mandy to help her with that but Ann didn't think that that box should be checked. Ken broke in to explain that the Town of Canterbury has only one set of Zoning Regulations and Site Plan Review Regulations which is the Planning Board. Jay said that Multi-Family is not allowed in the Conservation District and then the question is it an allowance. Ann and Jay both stated that the 3 apartments have been occupied since 2005. Jay further explained that upon conversation with Joe about the definition of a dwelling unit that it's not a room. A room is not a dwelling unit. It has to include a kitchen. One or more rooms with a single kitchen is not a multi-family dwelling it's a single family dwelling because it has one kitchen and all the rooms together make it a single family dwelling. Ken asked if they were renting them out individually and Jay said yes. Jay said his thesis is that it is not a multi-family dwelling and therefore they are not in violation on the regulations. Ken asked for clarification of what they are currently renting. Ann & Jay stated that currently Canterbury Hall is renting 5 rooms individually that share 1 kitchen, 3 apartments, and 3 B&B without kitchen. Jay stated that if you look at the chart they still have 3 apartments and a single family dwelling all in the same building which is not allowed in the conservation zone but then if you look in the nonconforming use section and it says if it's already there you can still continue to use it but if it burns down you can't rebuild it. Jay and Ann feel that under the existing regs they are all right. Art said that Ann & Jay would have to go to the Zoning Board for their decision and then go back to the Planning Board to resume the Site Plan Review. Selectmen don't have jurisdiction over the PB and the ZBA, therefore, if the PB tabled the issue and deferred to the ZBA then that is the route that must be taken. Ann inquired as to what they should do if the ZBA denies them. Ken stated that they could appeal if they thought it was a

technical mistake and if you're still denied you could petition the superior court and do it through the court system. Ann questioned if they should go in as a hardship since the reason they closed Canterbury Hall was due to a shortage of help and Covid19. Ken said that a hardship is part of why you should get the variance. There is a list of 5 or 6 items to be considered and if you can check off all of the items you should be granted the variance. Art stated that Joe would explain that at the hearing, Ken suggested that Ann & Jay go over all the points of the variance and make sure they can check them all off. Joe runs a very regimented meeting and you have to meet all of those conditions in order to get a variance. Ken stated that pages 39 & 40 of the regs are where they will find the variance items. Ann asked if they can check off all of the items does that mean they will get the variance. Art and Ken stated that there would be discussions about each item and there could be contingencies related to the items that might have to be met before the variance is granted. Ann asked if there was a time limit and Art said there isn't but they should get on it soon. Ken stated that the ZBA has the second Wednesday of every month set aside for their hearings.

The Budget Committee met at 6:00 pm. The members present were Bob Scarponi, Tyson Miller, Kent Ruesswick and Kelly Short.

Ken presented budget highlights. He began with Buildings. There was a pond pump purchased for Sam Lake House as well as solar panel wiring repairs, shelving for files and water softener repairs. The pond pump was set up to try to take care of the algae that has built up on the pond. Bob asked how often does it go and Ken stated that it is on a timer and runs during the day and shuts off at night. Bob asked how we know that the solar panels weren't working and Ken said that he reads the meter in the basement monthly and when he went down there to read it said fault. Ken called the electrician and it was discovered that the repairs needed to be done due to broken wires. It cost around \$600.00.

The Municipal building got exterior LED lights as well as a repair to the wiring on the LED lights that were already installed on the PD side. Now all of the exterior lights are LED. The FD and Hwy Departments had a pretty big expense on the floor heaters. It cost about \$3,200 for repairs and another \$750 to rent a lift to be able to get up there to work on them. Five out of the eight infrared heaters were malfunctioning. The heaters were 13 or 14 years old so we ended up replacing parts in all eight heaters. One of the FD doors needed repairs and new weather stripping. The interior and hallway in the PD was repainted using the Department of Corrections Inmates again. That is no cost to the town other than the paint. They are finishing up a big job at the fire academy right now and then they will be available to do some exterior painting at the Library and they are available year round to do interior painting if we choose to.

The tiles in the PD area are in pretty rough shape due to heavy traffic, even though we have had them professionally cleaned each year. There is money in the PD salary budget due to one of the officers being called to active duty for the past year, so the tiles are going to be replaced with heavy duty vinyl such as what is on the floors in the Sam Lake House. Kent inquired if it was the stuff with the wood grain on it and Ken said he didn't know what the Chief was going to pick out. Art said he is pretty sure the Chief is picking out the wood grain.

Ken went over some Equipment updates. He stated that the FD command vehicle has been delivered and has been lettered and they are waiting for the lights and radios to be installed. It should be ready by the 1st of October. The PD cruisers are due in October or sometime in November and should be in service by the end of the year. Ken stated that the Police Chief came to him today and said that the pick-up truck has been stripped of all its police decals and the lights and is ready to go over to the Highway Department to be used as a pick-up truck for them

to use. Right now the Road Agent is using his own pick-up truck and we are reimbursing his mileage. There will be a pick-up truck available now for him to use. Kelly inquired that in the recent years we had been leasing the cruisers and is wondering why we decided to purchase these new ones instead. Ken stated that we decided to purchase the FD command vehicle and the 2 cruisers because we were able to get a bond with an interest rate of .74% and the lease was going to be over 5%. We saved a few thousand dollars by bonding them for 5 years.

The FD purchased a new floating pump to replace their 30 year old one. That is at no cost to them because they received a grant from the NH Division of Forestry. Ken stated that the Fire Chief is working on a grant for improved audio visual up at the Emergency Operation Center which would include big screens and computer hookups. It is a grant from Homeland Security for 40 or 50 thousand dollars. Kent inquired if they have a computer up there now and Ken said they only have a laptop that they pulled in from the Chief's office.

Ken reported that the taxes collected YTD is \$3,786,320.22, which includes some back taxes from the previous year. He said we do have a total of \$118,325.7 owed in back taxes, but that is only from the last 4 or 5 years. We did deed a property back in August and we sent out 4 or 5 notices that we were going to deed and they ended up coming in and paid. We can't deed until after 3 years and we have some outstanding from 2019 that will be deeded next year if they don't come in a pay. That is down from over \$200,000.00 from last year at this time. Kent inquired if the notices motivates the property owners to come in and pay. Ken said yes that we lien after 1 year of non-payment and deed 3 years after that. A good example is the fact that we sent deeding notices to several property owners and they all paid except for the one that we had to deed in August. It was a vacant lot in Sherwood Forest. Ken said we try not to deed a property that has people living in it because it is very hard for the town to do that, but we have done it. Ken said that sometimes we set up payment plans. Art said that we end up having to refund the back taxes paid if we end up deeding after a payment plan. Ken confirmed that we have to go back 1 year from the deeding date to refund back taxes paid.

Under Personnel Ken updated that on the Highway Department we had 1 person resign and the Transfer Station Manager resigned and we are working on hiring for those positions. On the PD side we had 1 resignation and we just hired 1 new officer that started last Monday. Her name is Kaitlyn Mills. She worked for the Department of Corrections, Grafton County. The Police Chief will be putting an update in the October newsletter. Kent stated that Officer Crockwell was on duty for the Vaccination Clinic at the Library and that he was very impressed with him. Ken reported that we received \$13,884.48 from the annual Sam Lake Disbursement which will be going into the Capital Reserve Account. This is a forced distribution that we have been getting for the past 4 years and is to be used for the betterment of the Sam Lake property. Hopefully for the garage repairs and it could also be used toward the purchase of the Pond pump.

Ken stated that we received \$128,977.64 from the American Rescue Plan Act which is 50% of the funds that are available for Canterbury. We sent RFP's to 6 companies and we received two proposals. One from Comcast and one from ViaNet. This money can only be used for certain things and broadband expansion is one of them. We are working with Comcast on expansion costs. Bob asked if we had to apply for it and Ken said we did. He said we have until 2026 to spend it and we have to let them know what we are spending it on before we spend it. We will get the remainder next year. Kelly asked if we received any response from Consolidated and Ken said no because there is more money coming from the state and they are going to work with the state on that. The state works directly with the vender instead of the towns. Right now Comcast serves about 80% of the town leaving only 20% does not have accessibility. The town

doesn't want to spend millions of dollars on duplicating the services that 80% of the town already has. That is what Consolidated was proposing that we were going to have to do. Art said that Ken and Bob Steenson have been doing a great job of working with Comcast on this. Ken said they haven't signed anything on this and are waiting for the estimate from Comcast. Kent brought up ViaNet which is a satellite based service which will eventually be covering the world. Kelly mentioned that it is an expensive service and Kent said that M Bertolone has it and it cost \$500.00 per box and then \$99.00 per month. Ken said that satellite is definitely the future but not a good option right now. Satellite service is an individual decision that doesn't require a contract with the town.

The next issue on Ken's highlight was the Morrill Road Bridge. He stated that the project has been delayed due to DES permitting, but the work should begin this week. The DES is requiring a lot more work, for example setting up a dewatering system, which is going to be more expensive than the original quote which was used for the Warrant Article. It will be 20 or 30 thousand dollars more. Ten thousand of which is due to an increase in supplies costs due to Covid 19. Ty asked who we have contracted and Ken said M. A. Bean and Associates who have built the last 3 bridges we have done. M A Bean thought they had their ducks in a row, but apparently there are some new employees at DES and they had some different ideas that were unexpected by M A Bean and the Bridge company. Ty said that in the past we didn't have these problems and Ken said we didn't need to go through this because we weren't going in the water. Ken stated that the Exit 17 round about project is also having some difficulties with DES permitting as well!

Looking ahead to the 2022 budget, Ken mentioned that the Highway Department would like to get another F550 or something comparable and the Fire Truck Committee has there spec's done and will be submitting them to the venders to get some prices. Bob asked if it was a ladder truck and Ken said a pumper to replace Engine 3 which is 26 years old now. The FD is looking to use the Capital Reserve account and do a lease similar to what the Police did a few years ago with the cruisers. There will be \$370K available at the end of this fiscal year in the Capital Reserve account. Kent inquired as to what something like that would cost. Ken estimated that we would be looking at \$600K or more. Like cars the prices have gone sky high. Ty asked for more clarity in regard to the F550 that the Highway is looking for. Is it an addition or a replacement? Ken said they used to have 2 one tons and they had to get rid of one and bought an F550 and now they want to buy another one. They will end up with 2 of the smaller vehicles that don't require a CDL to drive. They can put wings on them and use them on the smaller roads to plow.

Ty asked if there was any more grant money available to get. Ken stated that we already got \$128K for the ARPA funding and that we would be getting another \$128K next year. There is also Broadband money available from the County and the State. The NHMA has hired a consulting company to help municipalities with ARPA funding and they just came on line in the last couple of weeks. Ken stated that it has to be treated as unanticipated revenue and the Selectmen have to have a Public Hearing to accept the funds. Ken said that all are welcome to go on the NHMA website and watch as many webinars as they like on the grants. He can use all the help he has available. Grants are a cumbersome administrative endeavor. We also did get Covid 19 funding for vaccination details, also for Election supplies. Bob said that it is confusing because it is recorded as income. Ken and Ty explained that if you look at the budget it has it listed as a revenue offset for the expenses.

Ken mentioned that he also had the server for the Town Office on the list of highlighted items. It has been ordered and should be installed in the next month or so. Bob asked what that would mean. Ken explained that the server we have was installed in 2011 or 2012 and it's no longer supported and right now we are backing up our financials each day onto a desktop due to software updates not being supported. Bob asked if this was just for Sam Lake House and Ken said yes. It connects all of the computers at the Sam Lake House and all data is backed up off site each night. The Police Department has backup in the Cloud for each computer separately. They do not have a server. Bob asked if this was the best way to handle it. Ken said that a few years ago we had a company come in and quote us for a dark fiber line to connect the PD to our server or to purchase a server for the PD and the Selectmen felt the cost was prohibitive at the time and so we didn't pursue it. Bob suggested that maybe it could be one of the things we could use some of the grant money for. Ken said maybe it could if it is one of the things we are allowed to spend that money on. If it is he feels it would be a great idea. Kelly inquired as to whether or not we considered a Cloud based back up for Sam Lake and Ken said that at the time the server was cheaper and more secure. Kent brought up the subject of having a new cell tower in town and Ken said that, other than the 2 that already exist which were installed before the ordinance changed, cell towers are not allowed in Canterbury. Ty asked about other software being up to date and Ken said yes all of our software is kept up to date as needed. Our IT Company is good at letting us know about updates.

Bob updated that he was on the Town website today and that the Historical Society has posted the Cote negatives if anyone wants to go in and check them out. While he was on the site he noticed that the whole town is being revalued and that once the values were out there would be hearings for residents to discuss their new values. He asked if this was happening. Ken said that Mandy has been in the field for most of August and today she just finished up the last couple of properties. She has the revaluation almost all done and the notices with the updates will be going out in 2-3 weeks to all property owners in town. Bob asked if the values were going up and Ken said that all of the property values will go up due to the crazy times right now, but the tax rate will go down. Mandy will be scheduling reval meetings for anyone who needs or wants them. Ty said that now there will be an easy way to calculate the new ratio and Ken agreed. Ken said that we won't know the exact rate until the DRA approves it, but it will be close.

In summary, Ken stated that there were no real big line items and asked if there were any questions about any of the highlighted items. Ty asked if the Fire Chief part-time salary was for 2 people and Cheryl and Ken said it was for 1 person. Ty said that we are at roughly 66% of the budget at this time and Ken agreed.

Kent asked if this was the time to raise issues about monies that he needs for the Cemeteries. Ken said if he is looking for next year no. Kent said they are running out of places to sell plots. They have the land but need to clear and stump and seed the area. Right now they have about 80'X40' cleared and would like to make it 80'X80'. He said that would add about 400 plots. He wants to know if Trust Funds can be used. Kent said he would like to do it this year. Ken said he can't go over the budget and they would need to get a good legal opinion to use Perpetual Care money. The Perpetual Care money is proportioned to each individual lot and must be used for the care of lots. You can't use it for the Cemetery. Bob asked why the town doesn't come up with a bill to the Perpetual Care Fund each year. Kelly asked if there were any trees of value that would help toward the costs. Kent said no. Ty said that he would have to put it in his budget for next year. Kent replied that he was trying to not have it come out of the taxpayers' pockets. Cheryl and Ty thanked everyone for their input. Kent asked if they were going to be able to have

another look at the budget when we get closer to the end of the year and Ken said yes we will start again at the end of October and the beginning of November to start talking about next year's budget.

New Business

Ken reported that Gordon Jackson dropped off a request for expenditure for a new tree in the center of town. He passed it to the Selectmen for review. Art asked Ken if he knew why Gordon wanted to plant an Elm tree there. Ken said he did not. Cheryl questioned where it was going and Art said over by the monument. Ken explained that they had a budget for it and Art made a motion to approve the expenditure for a new tree and Cheryl seconded the motion. All in favor by roll call, motion carried.

Ken showed the Selectmen a memo received from Mandy Irving filing for an extension for the MS 1. She is waiting for the DRA to release the utility values. She also included in the request that the town is in the process of updating assessed values, but the project should be completed by October 1st.

Ken reported that there is a request to continue to use the Town Hall for Yoga from September 23rd through October 14th on Thursday nights from 6-7. Art inquired if she was charging for that and Ken said yes and that she dropped off payment for the last time she did 4 classes and we charged her \$50.00. Ken stated that she charged \$50 per person for 4 weeks and he assumes she will charge the same this time too.

Ken also updated that Randy Johnson from the recreation committee has requested to use the Town Hall for Halloween on Saturday 10/30/21 from 5:30-7:30 pm. She plans to only use the Town Hall. The president of the BHS sophomore class reached out to see if they could resurrect the Spooky Walk as a fundraiser. Both Art and Cheryl said they don't have a problem with it.

Ken had an FYI that he received an email from UNH T2, their training division. They have a Roads Scholar program for highway department employees. John O'Connor has successfully completed 20 hours of classes and has earned a Road Scholar I.

Ken reported that the Police Department pick-up truck has been stripped and is ready to go to the Highway Department. The Fire Department's new command car is being worked on for the radios and the lights. The lettering is already done. Cheryl asked if the new cruisers were in and Ken said not yet but should be between October and November.

Old Business

Ken said he got an email from Erin, the Principal of CES, just the other day saying she is working on her submission for the October newsletter and she wants feedback on what she wrote. Ken read it to the selectmen. Art confirmed with Ken that the Selectmen will be able to see what the sign will say before the work begins and Ken said yes. Cheryl said it sounds good.

Art made a motion to adjourn the meeting at 7:09 PM. Cheryl seconded the motion. All in favor by roll call, motion carried.

Respectfully submitted,

Mary A. Hauptman
Accounting Clerk