

Town of Canterbury, NH
Board of Selectmen
Date: 2023 November 20
Location: Meeting House

Selectmen: Cheryl Gordon (Chair), Kent Ruesswick, Scott Doherty
Town Administrator: Ken Folsom

Department Heads: Sam Papps (Town Clerk/Tax Collector), Michael Labrecque (Police), John O'Connor (Highway), Michael Gamache (Fire), Rachel Baker (Library)

School Withdrawal Committee: Randi Johnson (Chair), Calvin Todd
Others Present: Edgar Rivera (Libertad Press NE), Jim Miller (Town Moderator), Mike Pelky

1. Call to Order
 - a. The meeting was called to order at 4:57 p.m.
2. Administration
 - a. The Selectmen signed:
 - i. Kent made a motion to sign the Accounts Payable Manifest in the amount of \$21,101.39. Scott seconded. All in favor by roll call, motion carried.
 - b. Previous Minutes Approval
 - i. Kent made a motion to approve the public minutes for the Selectmen's meeting on November 13th, 2023. Scott seconded. All in favor by roll call, motion carried.
3. Department Heads
 - a. Kathleen distributed Profit & Loss Budget vs. Actual 1/1/23 through 11/16/23.
 - b. Sam Papps (Town Clerk/Tax Collector)
 - i. Sam distributed the All Unpaid Receivables Listed by Warrant 11/20/2023 and the ImageCast Precinct information sheet.
 - ii. See Selectmen's Minutes 10/16/2023 Section 2.a. for previous discussion of a new ballot-counting machine for elections.
 - iii. For about the last 27 years the Town has been using the [AccuVote-OS Precinct Count \(AVOS\)](#). This machine is no longer supported and frequently breaks down. Parts are increasingly difficult to find.
 - iv. The Town budgeted \$7,000 to replace the old ballot-counting machine in 2023 under item 4140.16. The State's approval process has been delayed, so the new machines are only now available for pre-order. This money will need to be encumbered until the machine is ready for purchase in early 2024.
 - v. Moderator Jim Miller attended a demonstration of the new voting machines. Sam will be attending a future session.
 - vi. There are three choices for voting machines that NH Towns may choose.
 1. Option 1 is to use the [VxScan](#) by VotingWorks.
 2. Option 2 is to use the [ImageCast Precinct](#) by Dominion Voting Systems.
 3. Option 3 is remaining with AccuVote for as long as possible.
 - vii. From the demonstration and conversations with other town moderators, Jim came to the conclusion that the ImageCast Precinct would be the best option for Canterbury. The manufacturer is older and the machines have been tested more. The VxScan is promising, but most would like to give it time to prove itself and to improve certain features.
 - viii. No election policies or procedures would need to change regardless of machine choice. These machines still come with a slot for those who would like their ballot hand counted.

- ix. The ImageCast Precinct takes a few more seconds to process a ballot than the AccuVote, but places with high volume have tested it and not had any delays.
 - x. The old AccuVote machine can likely be sold for parts.
 - xi. The new machine will first be used in the September 2024 Primary. The 2024 budget covers the cost of cards and machine maintenance.
 - xii. Cheryl made a motion that the Selectmen of Canterbury, New Hampshire approve the adoption of the use of the Dominion ImageCast Precinct electronic ballot-counting device as approved conditionally by the New Hampshire Ballot Law Commission in their Decision BLC 2023-3, for the elections in said town, and to approve the purchase of the said device from the vendor LHS Associates of Salem, NH, and further to forward a notice of this decision to Secretary of State's office as prescribed in RSA 656:40. Scott seconded. All in favor by roll call, motion carried.
- c. Michael Gamache (Fire)
- i. Chief Gamache distributed Canterbury Fire Department Selectmen's Report 10/16/23 through 11/20/23.
 - ii. The department has had 293 calls so far in 2023. They responded to 8 incidents during the snowstorm, 6 of which were on the highway. They assisted with a structure fire in Loudon.
 - iii. False Alarms Ordinance
 - 1. The self-storage unit on Hall Road has had 6 false fire alarms in 2 weeks. The company says they are going to fix it, but that has not yet happened.
 - 2. Chief Gamache proposes drafting an ordinance that would charge a fee for response if a location has over a certain number of false alarms in a year due to lack of maintaining the system.
 - 3. Other cities and towns have similar ordinances and use them when businesses are refusing to fix broken systems.
 - 4. Chief Gamache will work with the Police Department to draft an ordinance that covers both departments. This change would not require a Warrant Article, but would need Selectboard approval.
 - iv. Several inspections were done and active shooter drills were conducted at CES.
 - v. Two members are graduating FF2 and several have signed up for large animal rescue training due to the incident last month.
 - vi. Concord Area Dispatch (CAD) transitioned to a new system last week. The change will not be noticeable to those calling 911.
 - vii. Lieutenant Nelson will be retiring in March. At the 10/16/23 meeting, the Selectboard approved switching to a per-diem system rather than hiring a new full-time firefighter. Department member Herb Batchelder has expressed interest in the position, so Chief Gamache will be discussing that transition with him.
 - viii. Letter for [Capital Area Mutual Aid Fire Compact](#)
 - 1. The Fire Compact handles dispatch for 24 towns and cities in and around Concord including Canterbury. The radio system they currently use is 40+ years old and will need to be replaced in the next 2-3 years. The new system is estimated to cost \$5.9 million.
 - 2. The Fire Compact needs written permission from the participating communities to seek grants and other funding sources to purchase the new system. Chief Gamache has drafted a letter from Canterbury.
 - 3. Scott made a motion to sign the letter to the NH Congressional Delegation in support of the Capital Area Mutual Aid Fire Compact FY 2024. Kent seconded. All in favor by roll call, motion carried.
 - ix. Fire Department Budget

1. Item 4220.3 g Tanker was budgeted for \$2K. The engine blew a filter and it cost \$15K to fix so that line is \$13K over budget. The department is trying to make up for that by reducing spending for the remainder of 2023.
 2. The 2024 Department budget is up 5%. That is mostly wages, insurance, and dispatch.
 3. Lieutenant Nelson retiring in March will likely result in cost savings, but that cannot be determined with certainty until a last day has been finalized.
- d. Michael Labrecque (Police)
- i. Chief Labrecque distributed the Personnel Analysis Reports 9/25/2023 through 11/20/2023. The documents were reviewed; no concerns.
 - ii. On 11/7 the Department responded to a missing child at the preschool in the center of town. The child was found within 6 minutes of them receiving the call. They made recommendations to the preschool for improving security. The State is running their own investigation that Canterbury PD has no insight into.
 - iii. The PD also responded to multiple accidents during the snowstorm.
 - iv. No more applications have been received for the vacant position.
 - v. There were no questions or concerns about the 2024 budget.
- e. Rachel Baker (Library)
- i. The Library is having a trustees meeting tonight to discuss maintenance and budget.
 - ii. Broken Furnace
 1. Burner 3 on the propane furnace has been offline for about 3.5 weeks. This affects the conference room and bathrooms. The furnace is 16 years old and will likely need to be replaced in 2 years.
 2. Rachel has gotten estimates for repair and replacement and will be applying for grants to cover the costs. They may propose a warrant article for grant matching in 2025/2026.
 3. Replacement may involve switching to electric and installing a mini-split. Rachel will consult with the Energy Committee for options.
 - iii. Roof Repair
 1. See Selectmen's Minutes 11/6/2023 Section 4.a. for previous discussion.
 2. There is some confusion about whether the Library roof has been fixed or not. There may have been a miscommunication about what work needs to be done inside of the building.
 3. Rachel will follow-up with the repairman.
 - iv. Meeting House Drains
 1. See Selectmen's Minutes 7/3/2023 Section 5.a. for previous discussion.
 2. Rachel is concerned that the new gutters on the Meeting House may lead to drainage issues behind the Library. She and Ken will discuss the options later.
 - v. 2024 Budget
 1. Rachel would like to indicate in the Town Report that the money from the Trustees is an offset rather than an expense.
 2. The way the budget is currently laid out shows the Library having a 21.7% increase in spending, but when the offset from the Trust is taken into account, the increase is 10.2%.
 3. Rachel will attend the meeting on 12/4/23 to discuss this with the Budget Committee.
- f. John O'Connor (Highway)
- i. The Department has been working on ditching and grading.
 - ii. All issues in the last snowstorm occurred on State roads, not Town roads.
 - iii. The F550 truck has returned from maintenance at the dealership.
 - iv. The Department had a resignation last month and one employee is still in school to get their CDL. This may impact plowing for the storm predicted on Wednesday.
 - v. 2024 Budget

1. See Selectmen's Minutes 11/6/23 Section 4.e.iv. and 7/17/23 Section 2.d.xiv. for previous discussion.
 2. Earlier in the year the Selectboard discussed spending ARPA funding for major repairs/additional material and grading for the town's dirt roads. This is not in the 2024 proposed budget. Does it need to be added? The Selectmen will discuss this at the meeting with the Budget Committee on 12/4/23.
 3. They received the estimate for paving the Library parking lot. The handicap spaces are flush with the ground and need to be raised. The quote included milling, but John thinks that overlay is a sufficient solution. John will talk with Ken about the options.
 4. They received the quote for the new grader. It will be \$440K for the grader and \$45K for the roll packer. This would need to be a warrant article. The grader capital reserve has \$380K that could be used. John will talk with Ken to confirm the specs so that exact numbers can be presented to the Budget Committee at the 12/4/23 Selectboard meeting.
4. School Withdrawal Committee
- a. See Selectmen's Minutes 11/13/2023 Section 3.d. for previous discussion.
 - b. Committee Chair Randi Johnson and Committee member Calvin Todd provided an update.
 - c. The process is currently in limbo while they wait for the State Board of Education to review the majority and minority reports.
 - d. If the Board's lawyers deem the reports to be in good order, the topic will be put on the docket for the Board's 12/14/23 meeting.
 - e. If the Board's lawyers ask for changes, the Committee will need to make edits and resubmit. If this process cannot be done in time, or the Board already has a full docket, they may not address this topic until their January meeting.
 - f. Friday February 9th, 2024 is the last day that the Town can give notice for a public hearing about the Town Warrant.
 - g. Many believe that the Board is likely to vote yes, due to their pro-school choice stance.
 - h. If the Board approves, then the Shaker Regional School District will vote as a whole and Canterbury will also vote on it's own as a town.
 - i. If Canterbury votes yes with a simple majority AND the entire school district votes yes with a simple majority, then the withdrawal passes.
 - ii. If Canterbury votes yes with a 3/5 supermajority, then the withdrawal passes.
 - iii. See [House Bill 530-LOCAL](#).
 - i. Both the Committee and Selectboard would like to host informational sessions for the town.
 - i. These would be arranged after the Board of Education makes their decision.
 - ii. There would be multiple sessions.
 - iii. There likely would not be time to add this to the Meet the Candidates Night, but that event has historically has high turnout.
 - j. If the Board of Education approves of the withdrawal, the School Withdrawal Committee will be dissolved with that approval. So, the Selectmen need to decide who will take on management of this process from there and if they are able to reappoint the Committee for that purpose.
 - k. If the withdrawal passes the District and Town votes, the District dissolution will be effective July 1st, 2025.
 - i. We believe that the new school board would not need to be elected until 2025.
 - ii. The Town would need to create its own school district within one year of the vote.
 - iii. The Town would need to hire a Superintendent, a Business Administrator, a Special Education Director, a Buildings and Grounds person, and IT staff OR contract these positions if possible.
 - iv. The Town would need to find space for a server room and offices for the new personnel. The Committee is not sure if CES has the space for that.

- v. The Town would need to pay at least \$1.7 million to Belmont. The payment terms could be negotiated by lawyers, but it is possible that Belmont may want the sum all at once.
 - l. Calvin spoke with Concord's Superintendent about a potential contract.
 - i. Not sure if the contract would be between Concord and the new school district or Concord and the Town.
 - ii. This contract would have Concord cover some or all of the administrative work of running a school district. The Town wouldn't know exactly what would be covered by this contract until formal negotiations start. That cannot begin until the Board of Education has voted.
 - iii. The Superintendent said Concord schools are 35% below capacity, so they would have plenty of room for Canterbury students.
 - m. If a contract with Concord is negotiated and a parent wanted their student to attend a different school:
 - i. The Town would need to negotiate contracts for tuition and transportation with each school district that a parent requested.
 - ii. Ideally, the students who want to stay at Belmont would be allowed to, so the Town would need to negotiate with Belmont's new school district.
 - iii. If a school choice system were to be implemented, then the Town would choose an "anchor school" to set their standard tuition rates. If a parent wanted send their child to a more expensive school, the Town could ask the parent to pay the difference.
 - n. If the Board of Education approves the withdrawal plan at the 12/14/23 meeting, then the 2024 budget will need to have an education lawyer added.
 - o. The focus of the Committee has changed over time.
 - i. Originally they were looking for a way to reduce the Town's budget, later it became about the quality of the education. Regardless of the outcome, a variety of potential improvements were identified.
 - ii. The School District hasn't had the opportunity to discuss the recommendations from the minority report yet. These discussions most likely won't take place until after the vote in March.
5. New Business
- a. NH DOT Funds
 - i. The Town received a letter from the NH DOT that they are sending us an additional \$26K for road maintenance due to [HB-2-FN-A-LOCAL 2023](#) item 171.
 - ii. When the check comes in, the Selectboard will need to have a public hearing to accept the money.
 - b. Unauthorized Deed Transfer
 - i. Assessor Mandy Irving discovered that a piece of Town-owned property had a deed transfer recorded in the Merrimack County Registry of Deeds.
 - ii. Essentially, a private party is attempting to claim Town-owned property.
 - iii. Ken has contacted the Town's attorney and will work with Mandy to find a resolution.
6. Old Business
- a. Sale of town owned property Tax Map 101 Lot 36
 - i. See Selectmen's Minutes 11/13/2023 Section 3.c. for previous discussion.
 - ii. Scott said that had he been at the meeting on 10/16/23 he would have voted to sell the property to Mr. Pelky at the offered \$5,000. He believes the fair thing to do would be to rescind the vote from 11/6/23 and sell the land to Mr. Pelky.
 - iii. Scott made a motion to rescind the vote on 11/6/23 that accepted the offer from Donald Pare for \$6,500. Kent seconded. All in favor by roll call, motion carried.
 - iv. Scott made a motion to accept Mike Pelky's original offer of \$5,000. Kent seconded. All in favor by roll call, motion carried.

- b. Sale of town owned property in the Sherwood Forrest area
 - i. See Selectmen’s Minutes 11/13/2023 Section 3.c. for previous discussion.
 - ii. Ken distributed the list of Town-owned property in the Sherwood Forrest Area.
 - iii. Assessor Mandy Irving discovered that the Town still owns 10 parcels and 3 islands.
 - iv. The 1995 Town Report Warrant Article 5 authorized the Selectmen to sell property indefinitely until rescinded per RSA 80.
 - v. Ken recommended not selling the islands, since they are not buildable.
 - vi. 2 of the 10 parcels have no original deed.
 - vii. One of the properties has a federal lien due to the previous owner being convicted for drug trafficking and dying in prison. This would not be sellable without resolving who actually owns the property. Ken recommended leaving that lot alone for now.
 - c. HDC proposed amendments
 - i. See Selectmen’s Minutes 11/6/2023 Section 4.c. for previous discussion.
 - ii. The HDC has provided draft warrant articles for two proposed changes.
 - iii. The Selectmen agreed to sponsor the two proposed warrant articles from the HDC. The language submitted will likely be modified to meet DRA standards.
 - d. 2024 Tax Rate and Budget
 - i. See Selectmen’s Minutes 11/13/2023 Section 3.a. for previous discussion.
 - ii. Reviewed most recent 2024 Draft Budget, Tax Rate Scenarios, and Capitol Reserve Accounts Summary.
 - iii. Tax Rate Scenarios
 - 1. The DRA provided a preliminary tax rate of \$21 per thousand, which is up from \$20.80 in 2023.
 - 2. The Selectmen reviewed the Tax Rate Scenarios document which shows some of the different options the Selectmen have to take money from the Unreserved Fund Balance to lower the tax rate.
 - 3. Canterbury’s tax rate is at the lower end of the median compared to neighboring towns.
 - 4. Ken spoke with Tax Collector Sam Papps and Assessor Mandy Irving. The three of them recommend accepting the DRA’s proposal.
 - 5. The Selectmen decided to accept the DRA’s proposal of \$21. They will need to come in on Wednesday to sign the paperwork.
 - iv. 2024 Draft Budget
 - 1. A few minor changes have been made since the last draft.
 - 2. Ken will ask the department heads to refrain from non-necessary purchases for the remainder of the year.
 - 3. Ken spoke with Howard Moffett about the CCPC budget. The CCPC had been a single line under the Energy Committee in the 2023 Budget, but they would like to have their own section. They will be meeting next week to discuss and will provide the requested budget by the 12/4/23 meeting.
 - v. Town Report Printing
 - 1. The graphic artist who has been making the Town Report is retiring from this type of work. She recommended contacting the printer to see if they could also do the design.
 - 2. Ken contacted [Evans Printing](#). They are going to look into it and provide an estimate.
 - 3. The majority of towns in the area have gone to a larger 8x10 format. Depending on the estimate, we may move to that too.
7. Scott made a motion to adjourn the meeting at 6:37 p.m. Kent seconded. All in favor by roll call, motion carried.

Next Meeting: 2023 December 4, 5:00 p.m. at the Meeting House
 Minutes submitted by Kathleen McKay, Administrative Assistant