

Town of Canterbury, NH  
Board of Selectmen  
Date: 2025 April 21  
Location: Meeting House

Selectmen: Scott Doherty (Chair), Beth Blair, Calvin Todd

Town Administrator: Ken Folsom

Department Heads: Sam Papps (Town Clerk/Tax Collector), Justin Crotty (Police), John O'Connor (Highway)

Others Present: Edgar Rivera (Libertad Press NE), Louis Audet, Brian Gaessler, Fred Portnoy

1. Call to Order
  - a. The meeting was called to order at 5:58 p.m.
2. Department Heads
  - a. Sam Papps (Town Clerk-Tax Collector)
    - i. Sam distributed the All Unpaid Receivables Listed by Warrant 4/21/2025.
    - ii. Sam will be executing the liens for the properties in 2024P01 and 2024P02 on Thursday.
    - iii. The deeding for properties in 2022L01 will be next month. Sam hasn't heard from either owner.
    - iv. Beulah Fellowship
      1. See Selectboard minutes 1/20/25 section 2.a.iv. for previous discussion.
      2. The Beulah Fellowship Minister, Nathan Davis, called Sam today and asked for more time to file an abatement before the property (Map 212 Lot 6) is liened on Thursday.
      3. Mr. Davis said that he was surprised by both the tax bill and the notice of the impending lien. He does not have the money to pay the bill, but said he could gather it soon.
      4. Sam explained that Mr. Davis is the person who has worked with Mandy the last few years to file the tax exemption paperwork. Sam has sent out many letters and notices regarding the tax bill and since none have been returned, he assumes they arrived at the correct address. No communication has been received from Beulah until today.
      5. Sam advised Mr. Davis that he would need to contact the Selectboard and file abatement paperwork after the lien has been placed, but the liening process has already begun and it is too late to stop it unless full payment is received.
      6. In 2024 the religious tax exemption paperwork was late and incomplete, and the property was abandoned, so the Selectboard denied the exemption. (See 6/17/24 section 3.b.)
      7. Ken will reach out to Mr. Davis.
  - b. Justin Crotty (Police)
    - i. Chief Crotty distributed Canterbury Police Department Selectmen's Report 3/17/25 through 4/21/25.
    - ii. There have been 9 Incidents, 3 Arrests, 1 Accidents, 45 Citations, and 461 Calls for Service this month. The State Police assisted with 4 calls.
    - iii. The Dept. held a drug interdiction class and officers from as far as Maine attended.
    - iv. Officer Westgate attended an instructor development class at the Police Academy.
    - v. Officer Dumas attended a leadership class through the FBI. This training was paid for by another department that he works for part-time.

- vi. In May, the competition to design the Tricentennial badge at Canterbury Elementary School begins. School staff will choose the 3 finalists and the Tricentennial Committee will choose the winner. The plan is to announce the winner on the last day of school at assembly.
- vii. There was an accident on Hackleboro Road last night that was partially due to speed.
- viii. Beth asked where the Dept. plans to do speed checks. The normal places they target are Shaker Road, Intervale Road, and 132 because of the straightaways.
- ix. Hackleboro does have a speed problem, but there is nowhere to pull off. The Dept. would need to get in contact with homeowners for permission to sit in their driveways.
- x. Chief Crotty is trying to change the schedule for the summer so that Officers can take a break from desk work and do more active patrols. Speeding increases during the nicer weather.
- c. John O'Connor (Highway)
  - i. John contacted Allegiance and T1 is in the shop. There is no eta on when this repair will be done, but it isn't urgent.(See 4/15/25 section 4)
  - ii. Jesse earned his CDL-B. We don't have any vehicles in town that require a CDL-A. The plow was removed from one of the trucks, so he can drive that and the packer.
  - iii. The Dept. has been out grading and ditching.
  - iv. They moved the box trailer into the dock at the Transfer Station so they can store excess cardboard.
  - v. The new employee at the Transfer Station seems to be working out well.
- d. Michael Gamache (Fire)
  - i. Chief Gamache couldn't attend due to a brush fire.
  - ii. The Department's annual pancake breakfast is on Saturday starting at 7:30 a.m.
- e. Rachel Baker (Library)
  - i. Rachel couldn't attend since this meeting conflicts with the Library Trustees meeting.
- 3. Administration
  - a. The Selectboard signed:
    - i. Beth made a motion to sign the Accounts Payable Manifest in the amount of \$38,993.27. Calvin seconded. All in favor by roll call, motion carried.
    - ii. Beth made a motion to sign the Payroll Manifest in the amount of \$52,796.30. Calvin seconded. All in favor by roll call, motion carried.
    - iii. Welfare Manifests in the amounts of \$150 and \$1,644.68 respectively.
      - 1. The \$150 was reimbursed using the Lucia Elkins Sick and Worthy Poor Trust Fund.
      - 2. A 3<sup>rd</sup> manifest was saved for later in the meeting so the Selectboard could discuss it in non-public session.
    - iv. Interfund transfer from Elkins Memorial Building Repairs to TDBank Operating A/C in the amount of \$300. This is to cover additional stone for door frame at Elkins Memorial Building.
    - v. Land Use Change Tax Warrants for Map 212 Lot 16-2 and Map 212 Lot 16-1
    - vi. Yield Tax Levy for Map 238 Lot 12 (101 Old Tilton Road)
    - vii. Veteran's Tax Credits for Map 255 Lot 7 and Map 263 Lot 22
    - viii. Abatement for Map 204 Lot 13 in the amount of \$748.44. This is the same abatement as the previous meeting, additional signatures were required.
  - b. Previous Minutes Approval
    - i. Kal reviewed the proposed changes for the non-public 3/17/25 minutes.
      - 1. Line 80: change "made up" to "created"
      - 2. Line 139: change phrasing to clarify that Kal is not the one moving.
    - ii. Scott made a motion to approve the non-public minutes as amended for the Selectboard meeting on March 17, 2025. Beth seconded. All in favor by roll call, motion carried.

- iii. Kal reviewed the proposed changes for the public 4/7/25 minutes.
  - 1. Line 67: change “she found...” to “she asked for a copy of the SWC mission statement”
  - 2. Line 245: insert “Ken will be the general contractor on this project.”
- iv. Scott made a motion to approve the public minutes as amended for the Selectboard meeting on April 7, 2025. Beth seconded. All in favor by roll call, motion carried.
- v. Kal reviewed the proposed changes for the non-public 4/7/25 minutes.
  - 1. Line 30: change phrasing to show it was previous Selectboards who made the decision.
  - 2. Line 49: change the sentence to more accurately reflect what the person said.
- vi. Scott made a motion to approve the non-public minutes as amended for the Selectboard meeting on April 7, 2025. Beth seconded. All in favor by roll call, motion carried.
- vii. Kal reviewed the proposed changes for the public 4/15/25 minutes.
  - 1. 3.k. change to “... it was recommended in 2003 that he follow up on this matter and he did not.”
  - 2. 4.k. change “BMGI” to “Highway Block Grant”
  - 3. A number of changes were made to section 7 Solid Waste Committee to improve accuracy and better reflect the tone of the meeting that was being discussed.
    - 1. 7.d. change to “... was initially received with surprise, rather than being seen as helpful.”
    - 2. 7.g. change to “At the meeting in question, Rich emphasized Scott’s reminder that the SWC serves at the pleasure of the Selectboard.”
    - 3. 7.h. change to “... about whether this attitude was helpful in...”
    - 4. 7.i. add “In conversation with Ken, David expressed that the SWC was initially unwelcoming to him.”
    - 5. 7.o. change to “After reading through the SWC minutes from 2022-2024, Beth got the impression that the SWC didn’t like that the staff at the Transfer Station were less concerned for change than were members of the committee.”
    - 6. 7.q. add “... about the SWC mission statement or formation of the SWC after the Recycling Committee was disbanded.”
  - 4. 10.a. change to “... met with the website designer for the Historical Society about adding pages for them...”
- viii. Scott made a motion to approve the public minutes as amended for the Selectboard meeting on April 15, 2025. Beth seconded. All in favor by roll call, motion carried.
- ix. Kal explained that the non-public 4/15/25 minutes only had grammatical changes.
- x. Scott made a motion to approve the non-public minutes as amended for the Selectboard meeting on April 15, 2025. Beth seconded. All in favor by roll call, motion carried.
- 4. Kearsarge Energy re Group Net Metering
  - a. See Selectboard minutes 4/7/25 section 6.a. for previous discussion.
  - b. Andrew Bernstein, founder of Kearsarge Energy, attended via Zoom.
  - c. Ken distributed copies of a letter Kearsarge sent via email.
  - d. Mr. Bernstein shared a PowerPoint presentation on the TV screen.
    - i. Mr. Bernstein explained the history of the company, their business model, and their portfolio. Kearsarge develops large solar projects and sells the power to municipalities for group net metering.
    - ii. The Town would still purchase electricity through Unitil/Community Power, but Kearsarge would apply credits to the account(s) for 80-90% of the Town’s utility usage.
    - iii. The cost of power through Kearsarge is cheaper, so this would save money on the electricity bills. Kearsarge would also give the Town a monthly payment from the project’s power generation so that savings are consistent even if the supply price fluctuates.

- iv. Mr. Bernstein explained how group net metering works, showed a chart estimating the costs/savings for the Town, and example Eversource bills.
  - v. The contract would be a 20-year commitment, but if the program changes, the Town could leave at no cost.
  - e. Mr. Bernstein explained that the Town would select a project to buy into. They have one starting in Stratford that should start producing power summer 2026.
  - f. Ken explained that the municipal buildings are all in the Unitil area. Mr. Bernstein said that would mean the Town would need to buy into a project in Concord that should be operating by the end of March 2026.
  - g. The Town has many different Unitil accounts, for each building and light pole. Kearsarge would be able to allocate the credits pro rata to each of the accounts.
  - h. Ken will contact the Energy Committee and Community Power Committee to meet with Kearsarge and provide advice on this idea.
  - i. Mr. Bernstein will send Ken the slides and new estimates based on Unitil rather than Eversource.
5. New Business
- a. Tax Abatement Recommendation for Map 258 Lot 12 on New Road
    - i. Property owner, Louis Audet attended.
    - ii. The Selectboard were given a letter from Assessor Mandy Irving and a packet of information about the property via email ahead of the meeting.
    - iii. In 2004/2005 the Town was converting the tax cards from paper to digital and Map 258 Lot 12 was entered and coded as buildable even though it wasn't. In 2006, when the Town was reassessed, this lot was assessed as buildable and the taxes increased.
    - iv. Subsequent revaluations occurred in 2011, 2016, and 2021. Each time letters were sent out and hearings held for any residents who wished to correct their assessed value.
    - v. In 2024, Mr. Audet tried to sell the parcel and a potential buyer figured out the error when they were researching the property. Mandy corrected the assessed value of the property.
    - vi. Mr. Audet is looking for money back. He estimates that he has overpaid around \$40K over the last 18 years. He isn't expecting the entire amount, but would like something. He also wanted to verify that the new assessed value was correct.
    - vii. The Selectboard asked why Mr. Audet didn't file anything during one of the 4 revaluations that have occurred since the error. Mr. Audet explained that he just thought the taxes had gone up.
    - viii. Mandy recommended this meeting to determine if there was good cause for granting an abatement.
    - ix. Ken explained that this has never happened before. Usually if the Town makes a mistake, the abatement request will be submitted within a year and the correction will happen right away. From the perspective of the Assessor and Town, there is a personal responsibility to check your tax bill. Every year property owners have the opportunity to review their bill with the Assessor.
    - x. Mr. Audet explained that he trusted the Town to know what it is doing.
    - xi. Since Mr. Audet didn't request a specific amount in the abatement request, the next step is to get an exact number from Mandy of how much he overpaid. Ken will get that number to Mr. Audet and they can decide a course of action at the next meeting.
    - xii. Ken will ask Sam if an abatement would need to be a cash refund or if it could be applied as a tax credit.
  - b. Shell Meetinghouse Road

- i. A resident emailed Road Agent John O'Connor asking why the gate on Shell Meetinghouse Road had been locked and if the road was discontinued. He had been using the road and doing maintenance on it.
- ii. Ken explained that this is one of 17 roads researched by the Road Committee in 2018/2019. These roads were discontinued at Town Meetings in the early 1900s, but there is no evidence that the discontinuance was done properly.
- iii. Prior to 1960 if a road crossed a town border, the discontinuance needed to be filled in superior court. Any time a road is discontinued at Town Meeting, the abutters to the road must be noticed. If a vote occurs at Town Meeting that is illegal or not properly processed, then the vote is non-binding.
- iv. If the road was discontinued, then it became a private road and is now owned by the abutters. If it was not discontinued, then it is still a Town-owned road, but Class VI and thus subject to gates and bars.
- v. The Road Committee worked with the town's counsel and the Selectboard and in 2019 after a lot of research and discussion, the recommendation was that the Town should consider these roads as Class VI and take it on a case by case basis if someone felt otherwise. If someone claimed a road was discontinued, the onus would be on them to present evidence that the discontinuance was done properly.
- vi. Ken read aloud minutes from 11/4/2019 and 11/13/2019 in which the Selectboard discussed and accepted this recommendation.
- vii. In November 2020, the question came up regarding Sawyer's Ferry Road and the Selectboard upheld the decision from 2019 that the road is Class VI.
- viii. In the Town Meeting where Shell Meetinghouse Road was discontinued, the language on the warrant and in the minutes is different. It is possible that the length of the discontinued portion was amended from the floor.
- ix. In a letter from 1985, the Selectboard referred to Shell Meetinghouse as Class VI. In 1994, they sent a letter saying it was discontinued. So until the 2019 decision, there were conflicting viewpoints.
- x. Ideally the Town would revisit this issue by doing a new warrant article to discontinue the roads and doing the paperwork properly this time.
- xi. Calvin suggested looking at the State Archives. Wayne Mann had already looked there for the Roads Committee regarding the 17 roads in question, but there wasn't the time or people to turn over every stone. Calvin volunteered to do the legwork.
- xii. Beth felt that the Roads Committee did their due diligence and the Selectboard at the time decided correctly. Calvin felt that the Town needed more proof. Scott cautioned that tonight was just about Shell Meetinghouse Road. He agreed to more research, but wanted to focus on just this road for now.
- xiii. The person who inquired is mostly concerned about the lock on the gate. The lock was installed recently by the Meeh's who own the property around the road. If the road is Class VI, then it is subject to gates/bars so the lock must be removed. The Meeh's feel it is a discontinued road, but they will need to prove it.
- xiv. Calvin expressed a desire to have concrete answers and not trust interested parties to do the research.
- xv. Scott suggested sending the Meeh's a letter requiring proof that the road is not Class VI. He was concerned that doing the research for them would set a precedent of the Town researching every complaint. Beth agreed.
- xvi. Ken will draft the letter. The letter will say that the lock must be removed until they have provided proof of discontinuance.

- xvii. Later the Selectboard resumed discussion of this topic. Calvin will go to the archives tomorrow and do some research anyway since he is interested in the topic.

## 6. New Business

### a. Parking Issues at Town Office

- i. Ken explained that people have been using the parking at the Town Office when attending an exercise class at the Parish House. At one point last week, this led to staff not having a place to park.
- ii. Ken has contacted the event organizers and ask them to direct people to park in the Center parking lot instead. This is the 2<sup>nd</sup> time they have promised to fix it.
- iii. Signs prohibiting parking during business hours would be \$22 a piece plus labor to install them. The lot would need 6 signs.
- iv. This is just an FYI in case it doesn't get resolved and the signs need to be purchased.

### b. Potential Zoning Violation

- i. Canterbury Behavioral Health at 367 Shaker Road (formally New Freedom Academy), has changed the criteria for what patients they accept and this may violate what they were approved for through the Planning Board.
- ii. Joel French, Code Enforcement Officer, will contact them and Ken will provide updates.

## 7. Old Business

### a. Code of Conduct/Ethics

- i. See Selectboard minutes 4/7/25 section 7.f. for previous discussion.
- ii. The latest drafts of the Code of Conduct/Ethics were distributed and reviewed.
- iii. There was discussion about if it was accurate to say the Selectboard's basic function is policy creation. The consensus was yes.
- iv. They decided to combine the staff/employees section. The main idea Beth wanted to convey was that the Selectboard can't go direct John on how to maintain the roads, but they can ask Kal for a reasonable amount of copies.
- v. The consequences section was removed from both documents. Several sections were rearranged.
- vi. Kal will send out the new draft and collect feedback for the next meeting.

### b. Land Acknowledgement Proposal

- i. See Selectboard minutes 4/7/25 section 3 for previous discussion.
- ii. Kal acknowledged that they forgot to send the Selectboard the requested information from Evan Christensen. This will be pushed to the next meeting.

### c. Health Insurance Update

- i. See Selectboard minutes 4/15/25 section 5 for previous discussion.
- ii. Ken notified all employees about the healthcare changes.
- iii. Ken is working with a broker to get quotes.
- iv. June 30<sup>th</sup> is the closing date for NHIT. Ken will check with Harvard Pilgrim to see if that is the exact cutoff date for the plans.

## 8. Executive Session

- a. Scott made a motion at 8:02 p.m. to enter into Non-Public session as per RSA 91-A:3 II (c) to discuss a welfare case. Calvin seconded. All in favor by roll call, motion carried.
- b. The Selectboard signed the Welfare Manifest in the amount of \$1,677.79.
- c. Scott made a motion at 8:19 p.m. to exit the Non-Public session. Calvin seconded. All in favor by roll call, motion carried.
- d. Scott made a motion to seal the minutes. Beth seconded. All in favor by roll call, motion carried.

## 9. Upcoming Meetings

- a. The next Solid Waste Committee meeting is May 12<sup>th</sup>.

- b. The next Tricentennial meeting is May 24<sup>th</sup>.
- c. The Planning Board will be voting for a new Chair tomorrow (4/22).
- 10. Kal explained a recent RSA 91:A request in which someone asked for information about the Planning Board meeting on 2/11/25.
- 11. Adjournment
  - a. Scott made a motion to adjourn the meeting at 8:33 p.m. Beth seconded. All in favor by roll call, motion carried.

Next Meeting: 2025 May 5, 5:00 p.m. at the Meeting House

Minutes submitted by Kathleen McKay, Administrative Assistant