

2025-05-19 Board of Selectmen Minutes

Town of Canterbury, NH
Board of Selectmen
Date: 2025 May 19
Location: Meeting House

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

Town Administrator: Ken Folsom

Department Heads: Justin Crotty (Police Chief), John O'Connor (Road Agent), Michael Gamache (Fire Chief)

Others Present: Edgar Rivera (Libertad Press NE), Brian Gaessler, Nathan Davis, Megan Portnoy

1. Call to Order

- a. The meeting was called to order at 5:58 p.m.

2. Department Heads

a. Michael Gamache (Fire Chief)

- i. Chief Gamache distributed Canterbury Fire Department Selectmen's Report 3/17/25 through 5/19/25.
- ii. There have been 130 incidents so far this year. In the last month there were several brush fires and a rollover accident on Hackleboro Road. There was a crash on I93 in which the jaws of life were successfully used to extract someone and get them to the hospital.
- iii. The FD assisted with fire response in Hopkinton and Loudon.
- iv. There was an incident at Canterbury Behavioral Health that the FD and PD responded to. Chief Gamache indicated that the response could have gone better, so he is working with Chief Crotty and the Belmont Chief to improve response for this type of incident.
- v. In early June the FD will be doing a water drill at Canterbury Shaker Village.
- vi. The FD did training with DHART and the Army National Guard, both of which offer helicopter assistance for emergency response.
- vii. There are now 3 Paramedics on the roster. One member left, so there are about 20 active members remaining. Next month Chief Gamache will do a recruitment drive to try and increase membership.
- viii. The State Fire Marshall gave the FD a 100% rating on their report writing accuracy.
- ix. Unitil hosted a conference and provided training on their emergency response portal.
- x. Chief Gamache wanted to remind everyone that fire permits are now required for outside burning if it is not raining.
- xi. The dry hydrant at Pickard Road will be going in next month. (See Selectboard minutes 3/17/25 section 3.c.xi.)
- xii. In the next few weeks, the FD will put out the signs and life saving devices at the Riverland beaches.

b. Justin Crotty (Police Chief)

- i. Chief Crotty distributed Canterbury Police Department Selectmen's Report 4/21/25 through 5/18/25.
- ii. There have been 11 Incidents, 1 Accidents, 104 Citations, and 418 Calls for Service this month. The State Police assisted with 4 calls.
- iii. On May 14th the PD attended a training in Loudon about mutual aid and pursuit.
- iv. Officer Westgate received training to be a LEAD Instructor. He did so well that the program would like him to start teaching the class for other officers.

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- v. The PD will be participating in Memorial Day celebrations on Friday and Monday.
- c. John O'Connor (Road Agent)
 - i. T1 is back from the shop and the engine appears to be working fine now.
 - ii. One of the F550s had a problem with the brakes and is in the shop.
 - iii. The grader went down for a week but is back and running. The issue turned out to be a ¼ inch nut floating around in the fuse box.
 - iv. The backhoe went down due to a wiring issue and is back up.
 - v. The Dept. is currently working on grading and ditching dirt roads.
 - vi. Clough Pond Road was closed for a day and half due to a broken culvert.
 - vii. Briar Bush Road has been underwater for most of the month due to beavers repeatedly blocking a culvert. It is currently dry.
 - viii. The Dept. will be at a trade show all day Thursday.
- d. Sam Papps (Town Clerk-Tax Collector)
 - i. Sam was unable to attend. He distributed the All Unpaid Receivables Listed by Warrant 5/19/2025 ahead of time.
 - ii. Sam sent out the deeding for one property. Sam has spoken with the owner. He expects the bank to call him once they get the notification.
 - iii. Sam sent out the liens for overdue 2024 taxes.
 - iv. The Selectboard will be signing the warrant for the first 2025 bill later tonight. Sam will send out the bills on Wednesday.
- e. Rachel Baker (Library Director)
 - i. Rachel couldn't attend since this meeting conflicts with the Library Trustees meeting.
 - ii. Rachel is working on a grant for funding a heating system replacement.
 - iii. The weatherization work from warrant article 2025-12 has been completed. The Library was very pleased with the quality of the work. Paperwork has been sent to Unifil for the grant, so the promised \$7K should be received in the next two weeks.
- 3. Nathan Davis re Beulah Fellowship Abatement Request
 - a. See Selectboard minutes 4/21/25 section 2.a.iv. for previous discussion.
 - b. Nathan Davis, President of Beulah Fellowship and pastor, attended.
 - c. Mr. Davis explained the reasons why Beulah Fellowship did not pay their 2024 tax bill.
 - i. He said that he became president a few years ago and has been struggling to get things in order due to changes in leadership. He explained that 2 or 3 board members passed away and the Secretary moved to Maine.
 - ii. He said that the property hasn't been used much since COVID and that he hasn't wanted people using it since the buildings are in rough shape and he is concerned that someone could get hurt.
 - iii. He said Beulah Fellowship doesn't have the money to pay the bill and he will likely pay for it personally.
 - d. Mr. Davis requested more time to get the money together to pay the tax bill and for the Selectboard to explain to him how the process works.
 - e. Beth asked for clarification about when Mr. Davis got involved. Mr. Davis responded that occurred 4-6 years ago. (Note: The tax exemption paperwork for Beulah Fellowship indicates that Mr. Davis has been president and filing this paperwork since 2017.)
 - f. Scott asked when the camp was last used for a gathering/event. Mr. Davis said about 2 years ago.
 - g. Scott said that the neighbors have reported the property wasn't used at all in 2023. Mr. Davis said that several families went up to camp on the property in 2024, but there are no records about who went and when.

- h. Scott asked if Mr. Davis has filed the 2025 tax exemption paperwork (A-9 form) yet. Mr. Davis said he had not and claimed not to know that he had to do that. He claimed that Assessor Mandy Irving told him that the process changed a few years ago and he didn't know that he needed to request a form. (Note: The process is set by the State and has not changed in many years.)
 - i. Scott confirmed that the Town is currently using the correct mailing address for Mr. Davis. Several years ago Beulah Fellowship lost access to their PO Box, so the address had to be corrected at that time.
 - j. Scott explained that Mr. Davis has received these instructions before in 2023 and 2024 and that the onus is on him to request a copy of the form from the Assessor.
 - k. In 2023 the A-9 form was submitted late and the Selectboard voted to accept it on 6/19/2023. In 2024 the A-9 form was again submitted late and the property wasn't being used, so the Selectboard voted to reject it on 6/17/2024. The A-9 form has not been submitted yet for 2025 and it was due on 4/15/2025.
 - l. Ken explained that Beulah Fellowship owes over \$11K in taxes for 2024. The lien has already been filed, so the Selectboard could choose to forgive the debt or arrange a payment plan. For 2025, the Selectboard could consider to accept the late paperwork once it is received.
 - m. Scott instructed Mr. Davis to contact Mandy and file the A-9 for 2025 as soon as possible.
 - n. Beth pointed out that if the property still isn't being used, then the 2025 A-9 will have the same problems as the 2024 A-9.
 - o. Mr. Davis reiterated that he doesn't want anyone using the property until the safety issues with the buildings are fixed. There was discussion about the condition of the buildings and if the Building Inspector should be sent out. Joel will be instructed to call Mr. Davis and visit the property.
 - p. Ken will speak with Mandy and send out instructions to Mr. Davis. Mr. Davis agreed to reply with confirmation when he receives the email.
4. Solid Waste Committee (SWC)
- a. See Selectboard minutes 4/15/25 section 7 for previous discussion.
 - b. Megan Portnoy attended as a resident and spoke to the Selectboard about the report presented by Roy Plisko at the 5/12/25 SWC meeting.
 - i. Roy Plisko, member of the SWC, made a report entitled Environmental, Political and Financial Risk Assessment for the Former Canterbury Landfill and presented it to the SWC. The report argued for the Transfer Station to be moved to a new location for a variety of reasons. One of the foci was the results of groundwater testing that Aries Engineering has been conducting for the Town.
 - ii. Megan explained that she is an abutter to the land being tested and she is alarmed by the report and the high levels of PFAS that have been detected. She pointed out that because it is in the water, it is only a matter of time before it spreads.
 - iii. Megan spoke with a DES representative as an abutter and learned the history of the testing. DES began testing for PFAS in 2017 and found high levels. In response, they set up a groundwater monitoring zone and have been testing wells on Map 246 Lots 15 and 13.
 - iv. State regulations say that if the PFAS get into drinking water, the Town will need to perform remediation that could be \$20K per affected house. Megan agrees with the part of Roy's report where he asserts that the \$153K saved up in the Landfill Closure Capital Reserve Fund would not be enough to cover such a situation.
 - v. The person who Megan spoke with at DES was surprised that only one abutter well was being regularly tested. They said all 6 should be tested and Megan agreed.
 - vi. The DES representative told Megan that they have recently begun testing surface water and there is a regulation currently being discussed by the legislature that would set requirements about surface water testing and cleanliness.

- vii. Megan is going to pay for the well on her property to be tested for PFAS and will share the results with DES and the Town.
- viii. There was discussion about if the Landfill Closure CRF would be able to be used for remediating PFAS. It would depend on the wording of the warrant article that created it.
- ix. Ken explained some more about the history of the testing. All testing being done by the Town has been at the direction of DES and state regulations. About 3 years ago, DES expanded the testing requirements so the Town worked with Aries Engineering to determine what wells were within the testing radius specified by DES. One abutter had a well within that area, so that abutter was notified and the Town has been paying for testing of that well since.
- x. Ken explained that if the Town needed to test more wells, Aries Engineering could provide an estimate. Almost all of the expense with these tests is the lab work, not the labor to collect samples.
- xi. When the PFAS were first detected, extensive research was done to determine why they might have been there. No one could recall the Fire Dept. using foam at that location, so it is likely due to something put in the landfill before it was closed. This topic was discussed at 2016 Town Meeting.
- xii. The old landfill was unlined and uncapped. A cap is a barrier that would prevent rainwater from entering the soil and washing the chemicals into the groundwater.
- xiii. In 2023 the Town was subpoenaed for information about where the PFAS could have come from as part of a lawsuit against 3M.
- xiv. The Transfer Station no longer serves as a landfill. All refuse is removed the property for incineration or recycling. Some burning does occur on site, but only brush smaller than 3-5 inches is allowed.
- xv. Megan requested appointment to the SWC. She would like to help get their processes in better order and improve their functionality.
- xvi. There was discussion about if now is a good time to appoint Megan to the SWC, since the Selectboard will be discussing tonight if the SWC should be disbanded. The Selectboard indicated they would like to appoint her, it was just a timing issue.
- c. The Selectboard discussed the report from Roy Plisko.
 - i. Ken sent the report to Aries Engineering and spoke with George Holt. Mr. Holt explained that if the Transfer Station was moved, the Town would still need to monitor the existing site, so the liability and cost would not decrease. Mr. Holt also explained that the DES and EPA have been encouraging reuse of existing contaminated properties rather than breaking ground on greenfield properties.
 - ii. Scott expressed concern that this report was generated without the knowledge of the SWC by someone with no background in this field.
 - iii. Beth explained that the report was emailed to the SWC and Selectboard on Friday 5/9 and handed out at the SWC meeting on Monday 5/12. She felt that the report was skewed towards being scary rather than informative, but she is not an expert in the field and can't tell from the report how accurately the situation is represented.
 - iv. Scott expressed frustration with the way the SWC has been operating and the lack of communication about important topics. He feels they are being obstructionist.
 - v. Beth discussed how the minutes of the SWC don't show how they reached the conclusion that the Transfer Station needs to be moved. She has not seen evidence for much of their reasoning.
 - vi. Calvin expressed worry about how this information is being presented and spread. It is a sensitive topic and releasing this report without having an expert review it for accuracy,

could be causing an issue that doesn't exist. He would have liked a chance to see and discuss the report before it was released.

- d. The Selectboard discussed the purpose and direction of the SWC.
 - i. Ken read aloud the SWC mission statement and list of charges that the Selectboard gave the SWC when it was formed. These were put together by the Selectboard at the time, Ken, and the Recycling Committee (predecessor of the SWC).
 - ii. There are no bylaws for the SWC. Megan discussed how a lot of the issues the SWC has been having stem from lack of process.
 - iii. Beth discussed how the minutes show the SWC has been having a lot of good conversations about a variety of important topics (e.g. stickers vs bags, packer truck), but they haven't been bringing any of these ideas to the Selectboard for follow through.
 - iv. The next SWC meeting is on Monday 5/26, Memorial Day.
 - v. Scott questioned if these issues are fixable or if the SWC should be disbanded.
 - vi. Calvin said that he thinks advisory committees can be very helpful for alleviating workload from others, but only if it doesn't cause more headaches than the work they are doing.
 - vii. There was discussion about the various warrant articles and petition warrant articles that came from the SWC for this past Town Meeting. Scott expressed frustration that Rich made a redundant petition warrant article (WA 2025-18) because he didn't trust the Selectboard.
 - viii. Beth would like to try coming up with bylaws and a new set of tasks for the SWC. She said that there are many on the SWC who care and have the expertise and energy for these projects, so she doesn't want to disband them without another chance.
 - ix. The Selectboard agreed to try setting up process and giving very clear direction to get the SWC back on track.
- e. The Selectboard discussed the feasibility study Aries Engineering is conducting for warrant article 2025-15.
 - i. Mr. Holt has told Ken that they have collected almost all of the information Aries needs. They are waiting on information about 3-phase power from Unitil.
 - ii. Aries also wanted to contact an electrician that the Town might use to do that work for technical questions. Ken will give them Larry Martin's info since he did the work for the new entrance a few years ago.
 - iii. The scope of work with Aries requested information about if it is feasible for the Transfer Station to remain at the current site or not. They will likely be looking at the contamination from the landfill, but the concerns in Roy Plisko's report weren't specifically part of the scope.
 - iv. Megan pointed out that the Planning Board would be interested in the report if it contains information about how many more people/tons of waste it could handle before upgrades would be needed. The traffic count being taken this year would likely help with that.
 - v. The Selectboard discussed if the SWC should be on hold until this study is complete. The focus of their projects will be very different if the Transfer Station is moving than if it is not.
 - vi. The 5/26 meeting is meant to go over the results from the Hazardous Waste Day. The meeting after that is cancelled because Rich is away on a business trip.
 - vii. The Selectboard agreed to have the SWC appoint a Vice-Chair so that meetings can happen even if Rich can't attend.
 - viii. The Selectboard agreed to come up with a list of to-do items for the SWC while they wait for the study to finish.
 - ix. The Selectboard agreed to appoint Megan to the SWC. Kal will make an appointment slip and they will sign it at their working session on Thursday 5/22.

5. Administration

- a. The Selectboard signed:

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- i. Beth made a motion to sign the Accounts Payable Manifest in the amount of \$56,932.26. Scott seconded. All in favor by roll call, motion carried.
 - ii. Beth made a motion to sign the Payroll Manifest in the amount of \$55,763.28. Scott seconded. All in favor by roll call, motion carried.
 - iii. Beth made a motion to sign the Welfare Manifest in the amount of \$1,644.68. Scott seconded. All in favor by roll call, motion carried.
 - iv. Beth made a motion to sign an Interfund transfer from Operating A/C to Conservation Commission Fund in the amount of \$14,759. Scott seconded. All in favor by roll call, motion carried.
 - v. Beth made a motion to sign the Tax Collector's Warrant for \$4,296,246. Scott seconded. All in favor by roll call, motion carried.
 - vi. Recording Secretary for Land Use Board job description.
 1. This is an updated job description for Recording Secretaries who work with land use boards.
 2. The Selectboard discussed how they want consistency in how the minutes are done across boards since the Recording Secretaries work with multiple groups.
 3. Michelle is now the Land Use Administrator, but will continue to be the secretary for the SWC and Planning Board.
 - vii. Signature form for new bank account that will be used with the credit card machine at the Transfer Station.
 1. See Selectboard minutes 11/18/24 section 2.d.vi. for previous discussion.
 2. The machine will have a 3% fee added on just like at the Town Clerk's Office. Customers will still be able to use cash and check.
 3. The machine will be secured in the Transfer Station Office.
 4. The Town is setting up a separate account for this so as not to intermingle funds. Even though it doesn't meet the technical definition of an Enterprise Fund, we do keep the Transfer Station funds separate as if it was one.
 - viii. Notice of Intent to Cut Wood or Timber Map 223 Lot 8, 26 Briar Bush Road.
 1. Calvin pointed out that this cutting has already been taking place for two weeks.
 2. The laws says that Selectboard don't need to sign these forms, but they can't prevent someone from doing the cutting. This form is just for the purpose of collecting the timber tax.
 3. There was discussion about mud issues this project has been causing. Contrary to rumor, this project did not cause flooding on Briar Bush Road. That flooding was due to beavers plugging a culvert repeatedly. The property owner has hired a trapper to catch and relocate the beaver(s).
 - ix. Yield Tax Warrant in the amount of \$1,791.96. Map 260 Lot 2.
- b. Previous Minutes Approval
- i. Kal read aloud the suggested changes.
 1. Line 17 change "shouldn't have paid" to "feels were paid in error".
 2. Line 31 add to the end "once in 2006 for his residence at 140 New Road and again in 2009 for the 2008 tax year on the same residence".
 - ii. Beth made a motion to approve the public minutes as amended for the Selectboard meeting on May 5, 2025. Scott seconded. All in favor by roll call, motion carried.
6. New Business
- a. 25 Layton Drive Tree Cutting
 - i. The owners of 25 Layton Drive contacted Ken to seek permission from the Town to cut down several dead trees that abut/are on "common property".

- ii. When Cambridge and Layton Drive were laid out, the Planning Board required them to preserve open space. The tax maps don't indicate who owns that land. The land owners were supposed to form an association, but since they never did the Town is probably responsible for it.
- iii. Ken showed the Selectboard a map indicating where the trees are. The owners will pay for the removal, they just wanted permission before doing so.
- iv. The Selectboard agreed to allow the owners of 25 Layton Drive to remove the indicated trees.

7. Old Business

a. Louis Audet Abatement

- i. See Selectboard minutes 5/5/25 section 2 for previous discussion.
- ii. The Selectboard visited the office separately to review the documents in Mandy's office.
- iii. When the reval happened in 2006, the taxes on the undeveloped property in question jumped from \$228 to \$1,820. That was the same year he filed an abatement for his home, which abuts the undeveloped property in question.
- iv. Because he saw the jump and chose not to address it at the time, and demonstrated that he does know how the process works and looks closely at his bills, Beth is not in favor of granting the abatement.
- v. Calvin agreed.
- vi. Scott agreed. The RSA requires showing good cause and that hasn't been demonstrated.
- vii. Beth moved to deny the abatement request for Louis Audet on Map 258 Lot 12. Calvin seconded. All in favor by roll call, motion carried.
- viii. The Town will send Mr. Audet a letter with this decision and include that he may appeal this decision to the BTLA.

b. Canterbury Representative to CPCNH

- i. See Selectboard minutes 5/5/25 section 7.e. for previous discussion.
- ii. Beth discussed the state of the Canterbury Community Power Committee (CCPC). There are 2 or 3 members remaining and none of them want to be this representative.
- iii. Two people have expressed interest in being the representative to CPCNH, Edgar Rivera and Beth McGuinn. Beth will send them info about the process and confirm that they would like to do this.
- iv. Scott thinks that there should be a discussion about dissolving the CCPC since there are so few members and they don't want to manage the main thing this committee is supposed to do.

c. Sam Lake House Garage Renovation Bids

- i. See Selectboard minutes 5/5/25 section 7.c. for previous discussion.
- ii. None of the Selectboard members sent Ken emails with questions about the bids after the last meeting.
- iii. Beth said she would like to pick Peter Galatis as the contractor because he has worked in town before and he presented a more complete proposal.
- iv. The other contractor, Daniel Remillard, also has a good reputation. He was recently hired by Boscawen to rebuild their highway garage.
- v. Beth said she would like to pick Trusted Electrical Services LLC because their bid was \$1,500 less and they said they would dig the trench.
- vi. Ken gave the scope of work to the HDC Chair and didn't hear anything back.
- vii. There was discussion about the specifications of the roof and siding.
- viii. Galatis gave a time estimate of 1 month to complete the job. Both have been told that the exterior can be done any time, but the interior must wait until August, after the Canterbury Fair.

- ix. Ken got a \$7,500 quote for the HVAC from Home Energy Products. They did the one last year in the Historical Society room at the Library.
- x. Regardless of which contractors are picked, the bids would allow the project to stay within the \$80K budget.
- xi. Galatis said he would be willing to get certified in lead abatement if needed. Remillard is already certified.
- xii. Remillard's bid was \$10K cheaper.
- xiii. Calvin is in favor of Remillard because we wouldn't need to wait for him to get lead certified and the lower bid would provide more wiggle room in the budget in case larger issues are found. He is very worried about the potential lead.
- xiv. Scott agreed with Calvin.
- xv. The Selectboard decided to accept Daniel Remillard's bid of \$49K to do the renovation of the Sam Lake House Garage.
- xvi. The Selectboard decided to accept the bid from Trusted Electrical Services LLC in the amount of \$6K to do the electrical work for the renovation.
- d. Discontinue Tricentennial Committee
 - i. The Tricentennial Committee was formed in September 2024. The Committee decided to become part of the Historical Society rather than be an official Town committee, so the Selectboard need to officially disband it.
 - ii. Beth moved to discontinue the Tricentennial Committee as originally formed by the Selectboard and recognize it instead as a sub-committee of the Historical Society. Scott seconded. All in favor by roll call, motion carried.
- e. Donation to Canterbury Newsletter
 - i. See Selectboard minutes 11/4/24 section 6.o. for previous discussion.
 - ii. Kent had suggested making a donation to the Canterbury Community Newsletter in honor of Mark Travis. The Selectboard at the time agreed, but it was forgotten during the budgeting process.
 - iii. The Library gives \$350 a year to the Newsletter. (Line 4550.33)
 - iv. There is a line for Miscellaneous with \$100. (Line 4130.25)
 - v. It costs \$600 for the Newsletter to print an issue.
 - vi. Beth moved that the Selectboard make a donation to the Canterbury Community Newsletter in honor of Mark Travis in the amount of \$600. Scott seconded. All in favor by roll call, motion carried.
- f. Kearsarge Energy Update
 - i. See Selectboard minutes 4/21/25 section 4 for previous discussion.
 - ii. In an email to the Selectboard, Beth McGuinn recommended against signing up to the program Kearsarge Energy proposed.
 - iii. Ken was very concerned about her point that the Town may not be eligible for the program because we already have solar installed.
 - iv. The Selectboard agreed to not sign up for the proposal from Kearsarge Energy.
- g. 367 Shaker Road Update
 - i. See Selectboard minutes 5/5/25 section 7.d. for previous discussion.
 - ii. The Manager of Canterbury Behavioral Health replied to the correspondence from the Town's attorneys. They feel they are not in violation of the Zoning Ordinance.
 - iii. The patient at the center who is the source of the violation will be leaving today.
 - iv. Ken will discuss this with the attorney tomorrow. The Town will continue to push that there was a violation. The Planning Board would have the ability to revoke their special exception, but the issue has not gone to them yet.

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- v. Beth felt it is important to pursue this even though the person has left, because a similar situation could arise tomorrow.
 - h. The Selectboard will start presenting reports on the Committees/Boards they are representatives on at the 1st meeting of the month.
 - i. Calvin will be able to start attending meetings at 5 p.m. starting with the June 16th meeting.
 - j. Ken will be out of office June 4 – 6.
8. Executive Session
- a. Scott made a motion at 8:52 p.m. to enter into Non-Public session as per RSA 91-A:3 II (a) to discuss a personnel matter. Beth seconded. All in favor by roll call, motion carried.
 - b. Scott made a motion at 8:58 p.m. to exit the Non-Public session. Beth seconded. All in favor by roll call, motion carried.
 - c. Scott made a motion to seal the minutes. Beth seconded. All in favor by roll call, motion carried.
9. NHMA's Advice Regarding Non-public session
- a. Kal learned at the latest Right to Know training by NHMA that as soon as non-public minutes are voted to be "sealed", they are no longer supposed to be looked at. Even to review drafts or give the secretary time to make the notes coherent. This is impractical to do.
 - b. The Selectboard agreed to ask the Town's attorneys about it since they would be the ones to represent the Town in court if this ever became an issue.
10. Adjournment
- a. Scott made a motion to adjourn the meeting at 9:02 p.m. Beth seconded. All in favor by roll call, motion carried.

Next Meeting: 2025 June 2, 6:00 p.m. at the Meeting House

Minutes submitted by Kathleen McKay, Administrative Assistant