

Town of Canterbury
Board of Selectmen
May 16, 2011

Selectmen Present: Bob Steenson
Briggs Lockwood
Tyson Miller
Town Administrator: Roger A. Becker

The meeting was called to order at 6:04 PM.

Wayne Mann attended the meeting to discuss the committee that was once formed to address several issues concerning the management of the Gold Star Farm. One of those issues was naming the property. Wayne proposes that a committee be established for the purpose of proposing a name for the property that will cover all types of agricultural/conservation operations that may exist in the future. He suggested that one representative from the Agricultural Commission, Conservation Commission, Historical Society and the public at large make up the Committee.

Wayne explained that he does not want to burden the Board with more responsibilities, so he will assume the task of forming the committee and executing its mission. He will report back to the Board with the Committee's recommendations.

The Selectmen thanked Wayne.

Road Agent, Phil Stone attended the meeting for his regularly scheduled meeting with the Selectmen.

The Selectmen discussed with Phil using the Town trucks to bring gravel from Dunn's Pit on Route 106 to Asby Road, per an agreement with the courts. Mr. Dunn has asked the town use single axle trucks only, that would hold approximately 10-12 tons. The Board asked Phil to inspect the gravel prior to hauling.

Phil reported that he received a call from Bob Fife about blocking off the access to Kimball Pond. Conservation Commission Chairperson, Jen Taylor, joined the meeting. Jen reported that Ken Stern had also contacted her with the same request. She explained that the Town is responsible for the dam and that driving on it could potentially damage the dam.

Phil explained that the Fire Department needs to have the ability to access the pond.

Briggs suggested putting up a cable with a sign "no vehicles beyond this point". Phil will further discuss this with Fire Chief Angwin and Dave Nelson.

The Board discussed with Phil the incident that occurred on Clough Pond Road. A resident drove over the windrow of gravel and damaged her vehicle. She is expecting the Town to reimburse her for the damage. Phil explained that they put signs up on each end of the road before they start grading the roads.

The Selectmen, Phil and Jen discussed the Riverland gate.

Jen explained that Memorial Day is traditionally the time they open the gate. The lock on the gate is gone again and she is looking for some resolution on the situation. She wants to have a successful summer season. Last year, the Highway Department opened the gate and the Police Department closed the gate on a daily basis. Phil explained that he is willing to continue that schedule. Jen will work with Chief LaRoche about closing the gate and the weekend schedule.

Briggs suggested that they look into some type of tamper proof lock. Briggs will research the options

available and get back to her.

A brief discussion was held on the removal of the Canterbury/Boscawen Bridge. They are waiting for Eckman Engineering to put the project out for bid.

Jen reported that the Conservation Commission performed the easement monitoring on Canterbury Woods and everything looked fine. Canterbury Woods was given easement placards to be placed on the easement boundaries.

Jen reported that the Conservation Commission will be working on the Bob Fife Conservation area. They are planning to remove some rocks and to bring in equipment for the installation of a culvert.

The Board thanked Jen and Phil for attending.

Ronald and Edna Beauchesne attended the meeting to discuss delinquent taxes.

Bob thanked them for coming in. Bob reported that the Selectmen reviewed their proposal with a payment schedule to pay off their delinquent taxes. The Board expressed concerns that the proposed monthly payment would not be aggressive enough to get them on top of the situation.

Ron and Edna agreed to pay \$1,000 per month. He presented a check in the amount of \$800.00 and will pay \$1,200 next month.

Roger will draft a letter stating the agreement for the Selectmen and Beauchesnes to sign.

The Beauchesnes thanked the Selectmen.

Bob made a motion to enter into non-public session at 7:20 PM to discuss a legal matter and advice from Town Counsel. Ty seconded the motion. All in favor by roll call, motion carried.

Bob made a motion to exit the non-public session at 7:27 PM and to seal the minutes through the resolution of Gold Star. Ty seconded the motion. All in favor by roll call, motion carried.

Jeff Leidinger and Dwight Keeler attended the meeting to discuss an appraisal of the Gold Star property. Ty reported that the Selectmen have an appraisal that was done on Gold Star in 2006 showing assessed values before and after the easement. Jeff asked if the Gold Star property could be sold. Ty explained that yes it could, but the Town would have to pay \$158,425 to LCHIP for their initial investment of the property.

Ty explained that the Town's investment was \$950,000. The Conservation Commission contributed \$150,000 and the Town borrowed \$800,000. To date, we have received \$229,000 in lease payments. If the Town were to sell the property, we would need \$1,149,945 to break even. Briggs noted that the original lease was set up as \$200/per acre; in these economic times, leased acreage would most likely be in the range of \$50 to \$100.

A brief discussion was held on the location of the tillable area. This area would include the portion that was planted with nursery stock.

Ty reported that he spoke with a representative from New England Landscape and they would be willing to help assess the nursery stock.

Bob commented that there is nothing in the deed that would restrict having multiple tenants.

Dwight asked if a portion of the property could be sold. Bob replied that there cannot be any subdivision

Jeff explained that the Sod Farm has some of the most important soils in the State of New Hampshire. A recent Sod Farm was sold at \$2,000/acre. As far as lease rates, he found the average rate to be around \$75/acre and would be stepped up depending on what is being grown.

A brief discussion was held on having an updated appraisal done. Jeff estimated that this could cost between \$3,000 & \$4,000.

A brief discussion was held on a lease with an option to buy. Jeff explained that with the lease with option to buy, the potential buyer wouldn't have to get an immediate mortgage. The lease could be set it up as a 5 year lease with the option to extend another 5 years. This would allow the purchaser to demonstrate the viability of the business and should make obtaining a mortgage less of a problem. Jeff explained that typically Agricultural Leases are a function of the market and the intended use of the soil.

Dwight suggested that the Selectmen could build into the lease a requirement for quarterly financial statements.

Jeff offered his assistance in drafting a RFP.

The Selectmen thanked Jeff and Dwight.

George, Peter and Eric Glines attended the meeting to discuss planting corn on a portion of the Gold Star property. George explained that it was his understanding that the Blackstone's are not using a portion of the open land. George would like to lease 40 acres on an annual basis. He would like to plant corn prior to June 1, as the later it is planted, the lower the yield. George spoke with Brian Forst who rents land in Concord; he is paying \$23/acre. Bob stated that the Board should be cautious about encumbering the land when trying to lease it.

A preliminary agreement was made to lease 40 acres to George Glines at \$25/acre.

Frank Tupper stated that there are so many people that were involved in purchasing the Sod Farm; he would like the Selectmen to have a public meeting. Bob agreed that once they have gotten this straightened out a public information meeting is a good idea.

George, Peter & Eric thanked the Selectmen.

George suggested that the Selectmen review the zoning ordinance regarding the removal of topsoil.

Bob stated that they will further discuss this with legal counsel and get back to George by the end of this week or the beginning of the next.

Amy & Robert Frazel attended the meeting to discuss an incident on Clough Pond Road. Amy explained that on April 12th, she was taking her first trip on Clough Pond Road when she encountered the Road Grader approaching her. She slowed down and looked at him, gesturing to the driver as to what she should do. She claims that the driver waved her on. Amy drives a jeep and found that there was not a passable lane once she proceeded. The left side of the road was mud and a windrow was in the middle of the road. She felt that her choices were go in the ditch or straddle the windrow. Once she reached Route 106, she noticed her vehicle was making noises. She called her husband, he took the vehicle and washed the rocks/dirt from the undercarriage and found that it was still making noises. He suggested that she go to Goodyear. She did and the mechanic pulled the rotors and got as much debris out as he could. A rock was caught in the wheel and destroyed it and 2 pieces of trim were damaged. She has gotten an estimate for the repairs (\$1,061 from Grappone), but has not had the repairs done as she wanted to wait and see what the Town would do. She also paid \$47.50 to have the brakes cleaned.

Amy stated that other than her financial risk, she is concerned about the safety risk.

Bob explained that the Town has been grading the roads for a long time. Normally, the Town doesn't accept liability when someone decides to drive down the road when the grading operation was visible. Amy stated that visually it didn't look that deep. Robert stated that maybe the person in the grader should have turned her around. Bob explained that the driver would have no idea of knowing if she was going into the next driveway or driving the entire distance of the road.

Briggs explained that it is his view that that was a decision that she made, she could have also stopped. It was clearly her decision to continue. He had not had the difficulty that she described. Amy stated that she didn't have the information to make the decision, there were no signs. Bob explained that the Road Agent told him that the Grader was broken down and was located within sight of Baptist Road.

Amy stated that if there is not a safe passable lane, either close the road or notify the person. She felt that her safety was compromised.

The Selectmen will discuss this with the Grader operator. Bob suggested that she file a claim with her insurance and they can approach the Town's insurance.

Amy and Robert thanked the Selectmen.

The Selectmen Signed:

- Payroll Manifest
- Welfare Manifest
- Accounts Payable Manifest
- 2 leave requests
- Memo to Tax Collector to issue a tax deed
- TD Bank ACH Agreement
- Abatement requests reviewed:
 - Tax Map 264 Lot 9 55-57 New Road
 - Tax Map 234 Lot 2 303 Intervale Road
 - Tax Map 208 Lot 11 426 Baptist Road
- Intent to Cut:
 - Tax Map 224 Lot 10
 - Tax Map 236 Lot 17
 - Tax Map 221 Lot 11
- Land Use Change Tax
- Timber Tax Amendment
- Disable Exemption Tax Map 233 Lot 32 (Bob will discuss the options with the resident)

The Selectmen reviewed:

- A letter from a resident regarding the use of a town vehicle.
- Correspondence from Town Counsel re: Town of Canterbury v Calvin Dunn
- ZBA Hearing Notification
- Project Agreement with Gold Star, Town of Canterbury and the Society for the Protection of New Hampshire Forests.

Jan explained that David Boles from Rocky Pond contacted the Office regarding funding for Milfoil for Rocky Pond. The Board asked Roger to contact Conservation Commission Chair Jen Taylor.

The Selectmen reviewed two proposals for telephone/internet services. Fairpoint services are less expensive than Comcast. The Town will continue to use Fairpoint for these services.

Bob made a motion to adjourn the meeting at 10:20 PM. Briggs seconded the motion. All in favor by roll call, motion carried.

The next regularly scheduled Selectmen's meeting will be held on June 5, 2011 at 6:00 PM at the Meeting House.

Respectfully submitted,

Jan Stout
Administrative Assistant