

BOS AGENDA

For Website Publication





TOWN OF HENNIKER, NEW HAMPSHIRE
SELECTMEN & SEWER COMMISSIONERS
AGENDA

Place: Henniker Community Center 57 Main Street
Henniker, NH 03242

Tuesday September 5, 2023
5:45 PM

- I. CALL TO ORDER**
- II. 5:45 NON-PUBLIC SESSION**
 - 1) [Chief French – Police Department Matter](#)
 - 2) [Deb Aucoin, Town Clerk/Tax Collector - Taxpayer request for payment agreement](#)
- III. RETURN TO PUBLIC SESSION 6:15 PM**
- IV. PLEDGE OF ALLEGIANCE**
- V. ANNOUNCEMENTS**
- VI. CONSENT AGENDA**
 - 3) [Consent Agenda September 5, 2023](#)
- VII. PUBLIC COMMENT #1** – (For any comment by any Henniker resident on a topic. Request time limit, up to 3 minutes)
- VIII. APPOINTMENTS WITH THE BOARD**
 - 4) [Susan Fetzer – Community Building \(Brick Church\) Historic Designation](#)
 - 5) [Warren Mattiello - Historic District Commission](#)
 - 6) [Bob Garrison – Perambulation of Town Boundaries](#)
- IX. NEW BUSINESS**
 - 7) [Rescind Chapter 15 of Henniker Town Ordinance - Assemblies, Large](#)
 - 8) [Fuel Bid Award 2023-2024 Heating Season](#)
 - 9) [Amend Selectmen Policy III.7: Rental of Community Center, Grange Hall and Community Park –Strike Teen Center Language](#)
- X. CONTINUED BUSINESS**
 - 10) [ARPA Fund Prioritization](#)
- XI. TABLED BUSINESS**
 - Policies
 - III.1, III.3, III.5, III.7, IV.5
 - Personnel Policies – tabled 3/21/23 pending input from TA/Finance/HR

- Crosswalk on Main St. Pending CNHRPC study and public input.
- Proposed Payment in Lieu of Taxes Agreement with Santa Fuel Inc.

XII. PAST MEETING MINUTES

- 11) [Acceptance of Board of Selectmen non-public session meeting minutes August 15, 2023, 5:30 p.m. – Wastewater Personnel](#)
- 12) [Acceptance of Board of Selectmen public meeting minutes August 15, 2023, 6:15 p.m.](#)

XIII. COMMUNICATIONS

- 13) [Town Administrator Report](#)
- 14) Correspondence - Letters and Notices
- 15) Selectmen Reports

XIV. PUBLIC COMMENT #2 (For any comment by any Henniker resident on a topic. Request time limit, up to 3 minutes)

XV. NON-PUBLIC – If Necessary Non-public Session 91-A:3 II a, b, c, d, or e

XVI. ADJOURNMENT

XVII. UPCOMING DATES 2023

- September 6, 2023 – Broadband Committee Meeting @ 4:30 p.m.
- September 6, 2023 – Conservation Commission Meeting @ 7:00 p.m.
- September 11, 2023 – Police Facility Assessment Committee Meeting @ 6:00 p.m.
- September 13, 2023 – Economic Development Committee Meeting @ 4:30 p.m.
- September 13, 2023 – Planning Board Meeting & Public Hearing @ 6:00 p.m.
- September 18, 2023 – Budget Advisory Committee Meeting @ 4:30 p.m.
- September 18, 2023 – Energy Committee Meeting @ 5:30 p.m.
- September 18, 2023 – Henniker Youth Athletic Committee Meeting @ 7:00 p.m.
- September 19, 2023 – Cogswell Spring Water Commissioners Meeting @ 4:00 p.m.
- September 19, 2023 – Board of Selectmen Meeting @ 6:15 p.m.

Please see the town website www.henniker.org and bulletin boards for meeting dates, times, locations, and agendas. ([Calendar: Public Meeting + Holiday | Henniker, NH](#))

Visitor Orientation to the Town Selectman's Meeting

Welcome to this evening's Selectmen's meeting. Please note that the purpose of the meeting is for the Selectmen to accomplish its work within a qualitative timeframe. Meetings are open to the public, but public participation is limited. If you wish to be heard by the board, please note the "Public Comment" at the beginning and end of the meeting to speak about items on a meeting agenda and/or matters pertaining to the business of the Selectmen. In addition, public hearings may be scheduled for public comment on specific matters. Speakers must be residents of the Town of Henniker, property owners in the town of Henniker, and/or designated representatives of recognized civic organizations or businesses located in the Town of Henniker. When they are at the podium, speakers first need to recite their name and address for the record. Visitors should address their comments to the board and not to any individual member. Each speaker shall be provided with a single opportunity for comment, limited to three (3) minutes. Public forum shall be limited to fifteen (15) minutes. Visitors should not expect a response to their comments or questions since the Board may not have discussed or taken a position on a matter. Public Comment is not a two-way dialogue between speaker(s), Selectmen, and/or the Town Administrator. The Chair will preserve strict order and decorum at all Board of Selectmen meetings. Outbursts from the public are not permitted.

NON-PUBLIC #1

NON-PUBLIC #2

ANNOUNCEMENTS

CONSENT AGENDA



TOWN OF HENNIKER, NEW HAMPSHIRE
BOARD OF SELECTMEN
CONSENT AGENDA

Tuesday, September 5, 2023

Consent Agenda

- Item 1:** 2023 Application for Reimbursement to Towns with Federal & State Forest Land
- Item 2:** Re-Appointment to Economic Development Committee – Paula Amato, EVP & CFO
- Item 3:** Re-Appointment to Budget Advisory Committee – Jarrod Gleason
- Item 4:** Re-Appointment to Highway Safety Committee – Thomas French
- Item 5:** Re-Appointment to Zoning Board of Adjustment – Gigi Laberge
- Item 6:** 2024 Application for Property Tax Exemption for Commercial & Industrial Properties Pursuant to RSA 72:81 – Solutions Holdings, LLC
- Item 7:** 2024 Veteran’s Tax Credit Application – Lot 5C-370
- Item 8:** July 2023 Tax Abatement Map/Lot 6-318-P38, site 38 Spacious Skies Campground
- Item 9:** July 2023 Supplemental Tax Warrant Map/Lot 6-318-P38, site 38 Spacious Skies Campground
- Item 10:** Supplemental Agreement No. 5 between Secretary of the Army & Town of Henniker – Hopkinton-Everett Lakes Project
- Item 11:** Intent To Cut – Map/Lot 8-586-A
- Item 12:** Payroll Check Register – August 23, 2023
- Item 13:** Payroll Check Register – August 30, 2023
- Item 14:** Accounts Payable Manifest – August 30, 2023
- Item 15:** Accounts Payable Manifest – September 6, 2023

Board of Selectmen Approval:

*Please note that the Consent Agenda is subject to change until 4:00 pm the day of a scheduled Selectmen’s Meeting.

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
**APPLICATION FOR REIMBURSEMENT TO TOWNS AND CITIES
 IN WHICH FEDERAL AND STATE FOREST LAND IS SITUATED**
 2023



Received by
 TOWN OF HENNIKER

JUN 30 2023

SELECTMEN'S OFFICE

TOWN OF HENNIKER
 OFFICE OF SELECTMEN
 18 DEPOT HILL ROAD
 HENNIKER NH 03242

The Town/City of HENNIKER hereby makes application for reimbursement pursuant to RSA 227-H based on the facts as set forth herein.

List the name of the state or federal forest, eligible* number of acres of state or federal forestland in town/city and per acre assessed value if land were taxable. (Insert assessed value and not current use values.)

Name of State or Federal Forest	Number of Acres (per DRED)	Value Per Acre	Total Assessed Valuation	FOR DEPT OF REVENUE USE ONLY
Ames State Forest 9-608	12.70	\$2,764	\$35,100	
Totten Trails State Forest 8-646	109.00	\$3,665	\$399,500	
Vincent State Forest 11-721-F	4.70	\$15,319	\$72,000	

If your municipality is having a revaluation or statistical update for April 1, 2023, please indicate this so that we will use the proper ratio when we compute the forestland reimbursement. *Eligible State and Federal forestlands are those owned by NH DRED at the acreage noted above and the White Mountain National Forest.

Full Reval
 Cyclical Reval (values updated)
 Cyclical In Progress
 Partial
 Update/Statistical
 Other: Please Explain

(Please check appropriate box, if applicable)

Signature of Selectmen/Assessors (Sign in Ink)

Date Signed: 9/5/2023

THE APPLICATION FOR REIMBURSEMENT MUST BE RETURNED TO EQUALIZATION BUREAU, MUNICIPAL & PROPERTY DIVISION, DEPARTMENT OF REVENUE ADMINISTRATION, PO BOX 487, CONCORD NH 03302-0487 OR E-MAIL TO EQUALIZATION@DRA.NH.GOV BY SEPTEMBER 15, 2023 OR REIMBURSEMENT CANNOT BE MADE.



TOWN OF HENNIKER APPOINTMENT

To **Paula Amato**, of Henniker, NH, in the County of Merrimack:

Town of Henniker Board of Selectmen:

Motion: To accept the Volunteer Application of *Paula Amato*, appointing her as a Volunteer Member of the *Economic Development Committee*. The term will expire on September 1, 2026.

BOARD OF SELECTMEN:

Date: _____

Date: _____

Date: _____

Date: _____

Date: _____

AUG 17 2023

SELECTMEN'S OFFICE



Town of Henniker
18 Depot Hill Road
Henniker, NH 03242
Phone (603) 428-3221 / Fax (603) 428-4366
www.henniker.org

APPLICATION FOR VOLUNTEER POSITION

COMMITTEE / COMMISSION: Economic Development

This is my first time volunteering for this position

I am reapplying for this position

NAME (as it should appear): Paula Amato, EVP & CFO

FULL NAME: Dr. Paula A. Amato

PHONE: [REDACTED]

PHYSICAL ADDRESS: 98 Bridge St. Henniker NH 03242

MAILING ADDRESS: 98 Bridge St. Henniker, NH 03242

EMAIL ADDRESS: [REDACTED]

Why are you seeking this appointment?

What experience would you bring to this position?

Do you have any specific goals or objectives you would seek to implement if you were appointed to this position?

SIGNATURE: [REDACTED]

Date: 8/14/2023

pg 2 of 2



TOWN OF HENNIKER APPOINTMENT

To **Jarrold Gleason**, of Henniker, NH, in the County of Merrimack:

Town of Henniker Board of Selectmen:

Motion: To accept the Volunteer Application of *Jarrold Gleason*, re-appointing him as a Volunteer Member of the Budget Advisory Committee. The term will expire on September 1, 2026.

BOARD OF SELECTMEN:

_____	Date: _____
_____	Date: _____
_____	Date: _____
_____	Date: _____
_____	Date: _____



Town of Henniker
18 Depot Hill Road
Henniker, NH 03242
Phone (603) 428-3221 / Fax (603) 428-4366
www.henniker.org

Received by
TOWN OF HENNIKER

AUG 23 2023

SELECTMEN'S OFFICE

APPLICATION FOR VOLUNTEER POSITION

COMMITTEE / COMMISSION: Budget Advisory Committee

This is my first time volunteering for this position

I am reapplying for this position

NAME (as it should appear): Jamod Gleason

FULL NAME: Jamod Gleason

PHONE: [REDACTED]

PHYSICAL ADDRESS: [REDACTED] Henniker, NH 03242

MAILING ADDRESS: [REDACTED] Henniker, NH 03242

EMAIL ADDRESS: [REDACTED]

Why are you seeking this appointment?

To continue my work on the committee

What experience would you bring to this position?

3 years on same committee; experience with finance

Do you have any specific goals or objectives you would seek to implement if you were appointed to this position?

I would like to continue working with Diane and Sherry to expand the committee's usefulness to the town.

SIGNATURE: [REDACTED]

Date: 08/21/2023



TOWN OF HENNIKER APPOINTMENT

To **Thomas French**, of Henniker, NH, in the County of Merrimack:

Town of Henniker Board of Selectmen:

Motion: To accept the Volunteer Application of *Thomas French* re-appointing him as a Volunteer Member of the Highway Safety Committee. The term will expire on September 1, 2026.

BOARD OF SELECTMEN:

_____	Date: _____
_____	Date: _____
_____	Date: _____
_____	Date: _____
_____	Date: _____



Town of Henniker
18 Depot Hill Road
Henniker, NH 03242
Phone (603) 428-3221 / Fax (603) 428-4366
www.henniker.org

Received by
TOWN OF HENNIKER

AUG 24 2023

SELECTMEN'S OFFICE

APPLICATION FOR VOLUNTEER POSITION

COMMITTEE / COMMISSION: Highway Safety Committee

This is my first time volunteering for this position

I am reapplying for this position

NAME (as it should appear): THOMAS FRENCH

FULL NAME: THOMAS FRENCH

PHONE: [REDACTED]

PHYSICAL ADDRESS: [REDACTED], Henniker, NH 03242

MAILING ADDRESS: same

EMAIL ADDRESS: [REDACTED]

Why are you seeking this appointment?

I possess a unique body of knowledge that will add greatly to this committee

What experience would you bring to this position?

I have over 30 years as a roadway/bridge engineer AND 30 years as an EMT/Firefighter in town of Henniker.

Do you have any specific goals or objectives you would seek to implement if you were appointed to this position?

To make sure the committee provides well thought out responses based on Engineering & Common Sense when issues are sent to the committee by the Board of Selectmen

SIGNATURE: [REDACTED]

Date: 8/1/2023



TOWN OF HENNIKER APPOINTMENT

To **Gigi Laberge**, of Henniker, NH, in the County of Merrimack:

Town of Henniker Board of Selectmen:

Motion: To accept the Volunteer Application of Gigi Laberge, re-appointing her as a Volunteer Member of the *Zoning Board of Adjustment* until September 1, 2026.

BOARD OF SELECTMEN:

_____	Date: _____
_____	Date: _____
_____	Date: _____
_____	Date: _____
_____	Date: _____



Town of Henniker
18 Depot Hill Road
Henniker, NH 03242
Phone (603) 428-3221 / Fax (603) 428-4366
www.henniker.org

Received by
TOWN OF HENNIKER

AUG 23 2023

SELECTMEN'S OFFICE

APPLICATION FOR VOLUNTEER POSITION

COMMITTEE / COMMISSION:

This is my first time volunteering for this position

I am reapplying for this position

NAME (as it should appear): GIGI LABERGE

FULL NAME: GIGI LABERGE

PHONE: [REDACTED]

PHYSICAL ADDRESS: [REDACTED] HENNIKER, NH 03242

MAILING ADDRESS: SAME

EMAIL ADDRESS: [REDACTED]

Why are you seeking this appointment?

TO SHARE MY EXPERIENCE ON THE HENNIKER ZBA.

What experience would you bring to this position?

PREVIOUS TERMS.

Do you have any specific goals or objectives you would seek to implement if you were appointed to this position?

NO.

SIGNATURE: [REDACTED]

Date: 8/24/2023



TOWN OF HENNIKER

18 DEPOT HILL ROAD
HENNIKER, NH 03242

TOWN HALL (603) 428-3221 FAX (603) 428-4366
WWW.HENNIKER.ORG

Application for Property Tax Exemption

For Commercial and Industrial Properties Pursuant to RSA 72:81

YOU MUST APPLY FOR EXEMPTION BEFORE STARTING CONSTRUCTION OR RENOVATION

Date: 3/14/2023

Name of Business: Solutions Holdings LLC / Maple Expert Solutions, Inc.

Applicant/Title: Clayton Christie / President

Property Address: 82 Centerville Rd, Henniker NH

Tax Map: 9 Lot: 548

Telephone: [REDACTED] Email: [REDACTED]

Type of project to be completed: New Construction Addition Renovation

Provide a description of the work to be done (Attach building plans if available):

Construct new 80x200 Shop for manufacturing maple
syrup equipment

Anticipated start date: 3/29/23

Estimated completion date: 8/1/2023

Estimated total cost of project: \$ 975,000

As voted by the Legislative Body of the Town of Henniker at the 2020 Town Meeting, the exemption shall apply only to the municipal and local school property taxes assessed by the Town. State education and county taxes are excluded from the exemption.

The exemption applies to the increase in assessed value attributable to construction of new structures, and additions, renovations, or improvements to existing structures, as follows: The exemption applies to the percentage of increased assessed value as follows - 50% for year 1 and 2, 40% for the year 3 and 4, 30% for the year 5 and 6, 20% for the year 7 and 8, 10% for the year 9 and 10. Subsequent years will be assessed at the full rate.

As voted by the Legislative Body of the Town of Henniker, **in order to satisfy the public benefit requirement a minimum of one of the benefits listed below must be demonstrated.** Where applicable, provide an explanation of the anticipated outcomes of the project for each of the following eligible public benefits (attach additional sheets if needed):

1. Enhance economic growth and increase the Town's tax base:

Construct new building with a value near \$1 million

2. Creation of needed services or facilities not currently available in the Town:

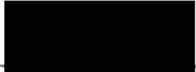
3. Redevelop and revitalize commercial or industrial area:

4. Prevent or eliminate blight:

5. Retain local jobs, increase local job base, and/or provide diversity in the job base:

We are planning on hiring two full time additional employees after we build the building.

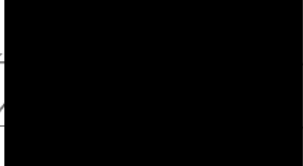
I have read and understand the above conditions of this exemption. By signing below, I affirm that I am authorized to sign this application on behalf of the entity seeking this exemption.

Signature of Applicant & Title:  President / member

Date: 3/14/23

Office Use Only

Director of Planning Review:

OK, project approval by the Pl. Bd. 

Assessor Review:

Reviewed for assessment at 4/1/23, which will be the base/Starting assessment = \$136,600

Henniker Board of Selectmen: Approve Deny

Selectmen

Date

Selectmen

Date

Selectmen

Date

Selectmen

Date

Selectmen

Date



Avitar Associates of New England, Inc.

A Municipal Services Company

May 20, 2023

**Town of Henniker
Helga Winn
Board of Selectmen
18 Depot Hill Road
Henniker, NH 03242**

Re: Commercial and Industrial Construction Exemption (72:81) – Map 9, Lot 548

Dear Helga & Board Members;

Attached is my recommendation on the above-referenced application.

As always, should you have questions or concerns, please do not hesitate to contact me.

Sincerely,



**Evan Roberge
Assessor Supervisor**

ER/sjc
Enclosures

The taxpayer has filed an application for the Commercial and Industrial Construction Exemption under RSA 72:81. This exemption is governed by RSA 72:80, 81, 82 and 83, please see attached for additional information on those RSA's. According to town records and my review on May 16, 2023, this parcel is a vacant, cleared site in the Heavy Commercial Zone with 4.5 acres. The taxpayer plans to construct a new 80 x 200 shop for manufacturing maple syrup equipment with an estimated cost of \$975,000.

Pursuant to RSA 72:81 – Application for Exemption, *“an owner shall apply for the exemption under RSA 72:81 prior to construction, but not after December 31st, before the beginning of the tax year for which the exemption is sought”*. As the taxpayer applied in March of 2023, this exemption, if approved will be effective for Tax Year 2024. The taxpayer did apply timely before construction was started, and no building or construction was noted on April 1, 2023, meaning their value on that date of \$136,600, will be their starting assessment (base) when determining the *“increase in assessed value attributable to the construction of new structures”*. As this will be for TY2024, pursuant to statute the Town of Henniker has until *“February 28 before the beginning of the tax year for which the exemption is sought”* to notify the applicant of their decision.

Pursuant to RSA 72:81, the exemption amount shall not exceed 50% and may run for a maximum period of 10 years, following the new construction. As the Town of Henniker has already adopted this, the percentage rate and duration of the exemption shall be the same for all applicants. The exemption applies to the increase in assessed value attributable to the construction of new structures, and additions, renovations, or improvements to existing structures. The exemption shall only apply to the municipal and local school property taxes assessed by the municipality, which shall exclude state education property taxes and county taxes assessed. Henniker previously determined the percentage of increase assessed value, which shall be as follows: 50% for year 1 and 2, 40% for the year 3 and 4, 30% for the year 5 and 6, 20% for the year 7 and 8, 10% for the year 9 and 10, with all subsequent years assessed at the full rate.

For example, let's say I visit the property on April 1, 2024, the building is complete, and after review determine the increase in assessed value attributable to the new construction is adding \$1,000,000 (completely hypothetical at this point) to the market value of the property, meaning the total value of the property now would be \$1,136,600 (new construction structure, plus land value/starting assessment). To determine the assessment towards the exemption, take the total assessment value of \$1,136,600, minus the starting/base assessment of \$136,600, the result being \$1,000,000 attributable to the new construction. Therefore, in this case, the taxpayer's exemption would be based on the value of \$500,000 ($\$1,000,000 \times 50\%$) for years 2024 (year 1) and 2025 (year 2) and as previously mentioned only shall apply to the municipal and local school portion of the tax rate, with the remaining \$636,600 towards the full tax rate.

Recommendation: As noted by the Director of Planning on the application, this application appears complete, timely filed for Tax Year 2024, and as such, I recommend this application be approved for TY2024.

TITLE V TAXATION

CHAPTER 72 PERSONS AND PROPERTY LIABLE TO TAXATION

Commercial and Industrial Construction Exemption Statewide

Section 72:81

72:81 Property Tax Exemption. –

I. An eligible municipality may, by vote of the local legislative body pursuant to RSA 72:82, adopt a new construction property tax exemption for commercial or industrial uses, or both. The intent of the exemption is to provide incentives to businesses to build, rebuild, modernize, or enlarge within the municipality. The exemption shall apply only for municipal and local school property taxes assessed by the municipality which shall exclude state education property taxes under RSA 76:3 and county taxes assessed against the municipality under RSA 29:11, and shall be a specified percentage on an annual basis of the increase in assessed value attributable to construction of new structures, and additions, renovations, or improvements to existing structures, but which shall not exceed 50 percent per year. The exemption may run for a maximum period of 10 years following the new construction.

II. Once adopted by the local legislative body, the percentage rate and duration of the exemption shall be granted on a per case basis based on the amount and value of public benefit as determined by the governing body either:

(a) To all properties within the municipality; or

(b) To a specific group or groups of parcels within the municipality as designated by the legislative body.

III. For the purposes of this section, public benefit shall be defined by the local legislative body as part of the adoption of the property tax exemption.

Source. 2017, 179:2, eff. Aug. 28, 2017. 2019, 221:1, eff. July 12, 2019.

TITLE V TAXATION

CHAPTER 72 PERSONS AND PROPERTY LIABLE TO TAXATION

Commercial and Industrial Construction Exemption Statewide

Section 72:80

72:80 Definitions. –

I. In this subdivision:

- (a) " Commercial uses " shall include all retail, wholesale, service, and similar uses.
- (b) " Eligible municipality " shall mean any city or town in the state.
- (c) " Industrial uses " shall include all manufacturing, production, assembling, warehousing, or processing of goods or materials for sale or distribution, research and development activities, or processing of waste materials.

II. An eligible municipality adopting a property tax exemption pursuant to RSA 72:81 may, in lieu of the definitions in this section, adopt by reference the definitions of similar terms as may be contained in that town's or city's zoning ordinances.

Source. 2017, 179:2, eff. Aug. 28, 2017.

TITLE V TAXATION

CHAPTER 72 PERSONS AND PROPERTY LIABLE TO TAXATION

Commercial and Industrial Construction Exemption Statewide

Section 72:83

72:83 Application for Exemption. –

- I. An owner shall apply for the exemption under RSA 72:81 prior to construction, but not after December 31 before the beginning of the tax year for which the exemption is sought. In such cases the selectmen or assessors may anticipatorily grant the exemption, subject to adjustment when the actual increase in assessed value becomes known. If construction is partially complete on April 1 of any year, the exemption for that year shall be based on the increased assessed value attributable to the partial construction, but the duration of the exemption shall be adjusted such that the cumulative amount of exemptions received, based on the construction as completed, is proportional to that received by other eligible properties.
- II. The selectmen or assessors shall notify the applicant of their decision no later than February 28 before the beginning of the tax year for which the exemption is sought. The decision shall specify the amount of the exemption, that it is effective with the new tax year, and the number of years for which the exemption applies to qualified construction. The decision of the selectmen or assessors may be appealed in the manner set forth in RSA 72:34-a.
- III. The selectmen or assessors may request such additional or updated information as is necessary to determine eligibility. If they are satisfied that the applicant has willfully made any false statement, or has refused to provide information after such a request, they may refuse to grant the exemption.
- IV. If the municipality completes a revaluation during the period for which an exemption has been granted, the amount of the exemption shall be adjusted by the difference in equalization ratios applicable in the municipality before and after the revaluation.

Source. 2017, 179:2, eff. Aug. 28, 2017.

TITLE V TAXATION

CHAPTER 72 PERSONS AND PROPERTY LIABLE TO TAXATION

Commercial and Industrial Construction Exemption Statewide

Section 72:82

72:82 Procedure for Adoption. –

I. A municipality desiring to adopt the provisions of RSA 72:81 shall do so in accordance with the procedures set forth in RSA 72:27-a. The vote shall specify that the exemption, if granted, shall apply to all properties within the municipality if adopted in accordance with RSA 72:81, II(a) or to a specific group or groups of parcels within the municipality if adopted in accordance with RSA 72:81, II(b). The vote shall specify the maximum percentage of new assessed value to be exempted, the maximum number of years duration of the exemption following new construction, a definition of public benefit, and a reference to zoning use category definitions, if applicable. The exemption shall take effect in the tax year beginning April 1 following its adoption.

II. A vote adopting RSA 72:81 shall remain in effect for a maximum of 5 tax years; provided, however, that for any application which has already been granted prior to expiration of such 5 tax year period, the exemption shall continue to apply at the rate and for the duration in effect at the time it was granted.

Source. 2017, 179:2, eff. Aug. 28, 2017. 2019, 221:2, eff. July 12, 2019.

OWNER INFORMATION	SALES HISTORY	PICTURE																								
SOLUTIONS HOLDINGS LLC PO BOX 388 HENNIKER, NH 03242	<table border="1"> <thead> <tr> <th>Date</th> <th>Book</th> <th>Page</th> <th>Type</th> <th>Price</th> <th>Grantor</th> </tr> </thead> <tbody> <tr> <td>03/19/2021</td> <td>3729</td> <td>823</td> <td>QI</td> <td>130,000</td> <td>DAVID P CURRIER</td> </tr> <tr> <td>09/14/2017</td> <td>3570</td> <td>0024</td> <td>UI 21</td> <td>120,000</td> <td>SWEENEY SCOTT A</td> </tr> <tr> <td>03/20/2014</td> <td>3433</td> <td>1955</td> <td>UI 24</td> <td></td> <td>1 GOULD JR EARL E</td> </tr> </tbody> </table>	Date	Book	Page	Type	Price	Grantor	03/19/2021	3729	823	QI	130,000	DAVID P CURRIER	09/14/2017	3570	0024	UI 21	120,000	SWEENEY SCOTT A	03/20/2014	3433	1955	UI 24		1 GOULD JR EARL E	
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LISTING HISTORY	NOTES
05/16/23 ERPR 03/23/22 ERPR 08/31/21 RD00 MEASUR+LISTED	15: MH REMOVED, 4-2-1 NEW HOME = FRAMED, BOARDED, ROOFED BUT NOT SHINGLED, RV IS REGISTERED THROUGH 8/2015 18: SIGN ON BARN=NO TRESPASSING 19: NC, CK 2020 20: NC, CK 2021 21: CAMPER ON SITE W/PORTA POTTY BLDG DEMO'D - FOUND REMAINS, SITE WORK, LNT IS NOW GONE, REMOVE FOR 2022, CK 2022 FOR NEW BLDG; 3/22 LT & FNDTN REMOVED, VU'D ELEC & WELL=FAIR; PU CAMPER; NC AT 4/1, VACANT/CLEARED SITE WITH THE CAMPER ONLY;JUST STARTING THE SITE WORK FOR THE NEW BLDG;CK24

EXTRA FEATURES VALUATION							MUNICIPAL SOFTWARE BY AVITAR					
Feature Type	Units	Lngh	x Width	Size Adj	Rate	Cond	Market Value	Notes				
									HENNIKER ASSESSING OFFICE			
									PARCEL TOTAL TAXABLE VALUE			
		Year	Building	Features			Land					
		2022	\$ 9,900	\$ 0			\$ 126,700					
								Parcel Total: \$ 136,600				
		2023	\$ 9,900	\$ 0			\$ 126,700					
								Parcel Total: \$ 136,600				

LAND VALUATION											LAST REVALUATION: 2022			
Zone: HEAVY COMMERCIAL Minimum Acreage: 2.00 Minimum Frontage: 125											Site: FAIR Driveway: GRAVEL/DIRT Road: PAVED			
Land Type	Units	Base Rate	NC	Adj	Site	Road	DWay	Topography	Cond	Ad Valorem	SPI	R	Tax Value	Notes
1F RES	2.000 ac	127,000	D	90	95	100	95	95 -- MILD	125	122,500	0	N	122,500	USE/COMM ZONE
1F RES	2.500 ac	x 2,500	X	100				90 -- ROLLING	75	4,200	0	N	4,200	WATER EASEMENT
	4.500 ac									126,700			126,700	

PICTURE



OWNER

SOLUTIONS HOLDINGS LLC

PO BOX 388

HENNIKER, NH 03242

TAXABLE DISTRICTS

District	Percentage

BUILDING DETAILS

Model: 1.00 STORY 5TH WHEEL
 Roof: FLAT/METAL/TIN
 Ext: PREFIN METAL
 Int: WALL BOARD
 Floor: LINOLEUM OR SIM
 Heat: GAS/FA NO DUCTS

Bedrooms: 1 Baths: 1.0 Fixtures:
 Extra Kitchens: Fireplaces:
 A/C: Yes 100.00 % Generators:
 Quality: A2 AVG+20

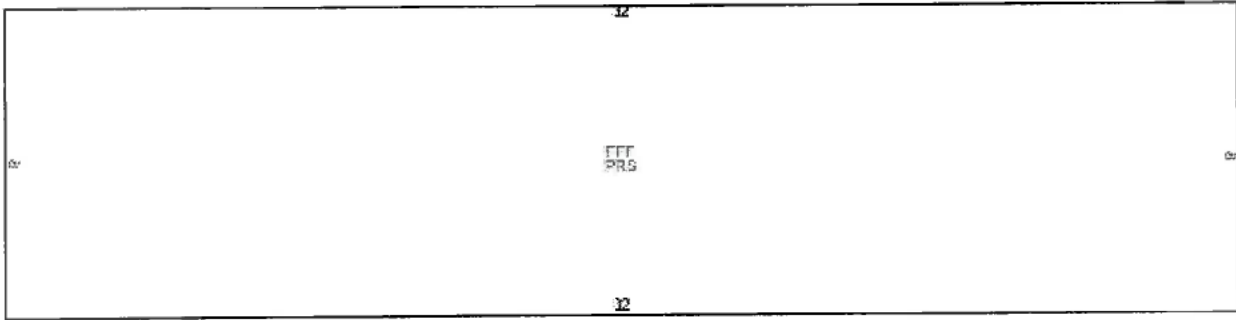
Com. Wall:
 Size Adj: 1.3716 Base Rate: MRV 80.00
 Bldg. Rate: 1.4484
 Sq. Foot Cost: \$ 115.87

PERMITS

Date	Project Type	Notes

BUILDING SUB AREA DETAILS

ID	Description	Area	Adj.	Effect.
FFF	FST FLR FIN	256	1.00	256
PRS	PIERS	256	-0.05	-13
GLA:	256	512		243



2022 BASE YEAR BUILDING VALUATION

Market Cost New:	\$ 28,156
Year Built:	2006
Condition For Age:	AVERAGE 65 %
Physical:	
Functional:	
Economic:	
Temporary:	
Total Depreciation:	65 %
Building Value:	\$ 9,900

0 2023

FORM
PA-29

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
PERMANENT APPLICATION FOR PROPERTY TAX CREDITS/EXEMPTIONS
DUE DATE APRIL 15 PRECEDING THE SETTING OF THE TAX RATE

Roy Jones

PROPERTY OWNER NAME

PROPERTY OWNER NAME

TAX MAP | BLOCK | LOT

STEP 1 OWNER AND APPLICANT NAME AND ADDRESS

OWNER AND APPLICANT INFORMATION

OWNER: JAMES ROY / Joyce Roy If required, is a PA-33 on file? YES NO

APPLICANT'S LAST NAME: Roy APPLICANT'S FIRST NAME: JAMES MI: [REDACTED]

APPLICANT'S LAST NAME: [REDACTED] APPLICANT'S FIRST NAME: [REDACTED] MI: [REDACTED] PHONE NUMBER: [REDACTED]

STATE: NH ZIP CODE: 03302

STATE: NH ZIP CODE: 03242

TAX MAP: 5C BLOCK: [REDACTED] LOT: 370

IS THIS YOUR PRIMARY RESIDENCE? YES NO

STEP 2 VETERANS' TAX CREDITS AND EXEMPTION

VETERAN'S INFORMATION

1. APPLICANT IS THE Veteran Spouse Surviving Spouse

2. APPLYING FOR: Veterans' Tax Credit (RSA 72:28) Standard (\$50) / Optional (\$51 up to \$500)

All Veterans' Tax Credit (RSA 72:28-b) if Adopted by Town Standard (\$50) / Optional (\$51 up to \$500)

Tax Credit for Service-Connected Total Disability (RSA 72:35) Standard (\$700) / Optional (\$701 up to \$2,000)

Tax Credit for Surviving Spouse (RSA 72:29-a "...of any person who was killed or died while on active duty...")

Certain Disabled Veterans (Exemption) (RSA 72:36-a)

3. Veteran's Name: JAMES ROY Dates of Military Service: Enter (MMDDYYYY) [REDACTED] 5. Date of Discharge/Release: [REDACTED]

IF A VETERAN OF ALLIED COUNTRY: (RSA 72:32)

6. Name of Allied Country Served in: [REDACTED] 7. Branch of Service: [REDACTED]

8. Please Check One: US Citizen at time of entry into Service Alien but resident of NH at time of entry into Service

9. Does any other eligible Veteran own interest in this property? YES NO If YES, provide name: [REDACTED]

STEP 3 EXEMPTIONS

STANDARD EXEMPTIONS

10. Elderly Exemption (Must be 65 years of age on or before April 1 of year for which exemption is claimed) (RSA 72:39-a) (Enter numbers only MMDDYYYY) 10a. Applicant's Date of Birth: [REDACTED] 10b. Spouse's Date of Birth: [REDACTED]

11. Improvements to Assist Persons with Disabilities (RSA 72:37-a)

LOCAL OPTIONAL EXEMPTIONS (if adopted by city/town)

12. Blind Exemption (RSA 72:37) Solar Energy Systems Exemption (RSA 72:62)

Deaf Exemption (RSA 72:38-b) Wind-Powered Energy Systems Exemption (RSA 72:66)

Disabled Exemption (RSA 72:37-b) Woodheating Energy Systems Exemption (RSA 72:70)

STEP 4 RESIDENCY

13. NH Resident for One Year preceding April 1 in the year in which the tax credit is claimed (Veterans' Tax Credit)

NH Resident for Five Consecutive Years (Deaf) or At Least Five Years (Disabled) preceding April 1 in the year the exemption is claimed

NH Resident for Three Consecutive Years preceding April 1 in the year the exemption is claimed (Elderly Exemption)

STEP 5 OWNERSHIP

14. Do you own 100% interest in this residence? Yes No If NO, what percent (%) do you own? 50% / 100%

STEP 6 SIGNATURE

Under penalties of perjury, I declare that I have examined this document and to the best of my belief the information herein is true, correct

[REDACTED]

DATE: 6/30/23

MUNICIPAL AUTHORIZATION - TO BE COMPLETED BY MUNICIPAL ASSESSING OFFICIALS

VETERANS TAX CREDIT

MUNICIPAL TAX MAP 5C BLOCK LOT 370 AMOUNT 500 GRANTED DENIED DATE 8/15/23

Veterans' Tax Credit RSA 72:28 (Standard \$60, Optional \$51 up to \$500)

All Veterans' Tax Credit RSA 72:28-b (Standard \$56, Optional \$51 up to \$500)

Tax Credit for Service-Connected Total Disability (Standard \$700, Optional \$701 up to \$2,000)

Surviving Spouse Tax Credit (Standard \$700, Optional \$701 up to \$2,000)

Review Applicable Discharge Papers Form(s)

Other information

4/1
2024

VETERANS EXEMPTION

Certain Disabled Veterans' Exemption Veteran Surviving Spouse GRANTED DENIED

APPLICABLE ELDERLY, DISABLED AND DEAF EXEMPTION INCOME AND ASSET LIMITS

CONTACT YOUR MUNICIPALITY FOR INCOME AND ASSET LIMITS

Income Limits	Deaf Exemption	Disabled Exemption	Elderly Exemption	Elderly Exemption Per Age Category	
Single	<u> </u>	<u> </u>	<u> </u>	65-74 years of age	<u> </u>
Married	<u> </u>	<u> </u>	<u> </u>	75-79 years of age	<u> </u>
Asset Limits				80+ years of age	<u> </u>
Single	<u> </u>	<u> </u>	<u> </u>		
Married	<u> </u>	<u> </u>	<u> </u>		

STANDARD and LOCAL OPTIONAL EXEMPTIONS (if adopted by the City/Town)

	AMOUNT	GRANTED	DENIED	DATE
<input type="checkbox"/> Elderly Exemption	<u> </u>	<input type="radio"/>	<input type="radio"/>	<u> </u>
<input type="checkbox"/> Improvements to Assist Persons with Disabilities	<u> </u>	<input type="radio"/>	<input type="radio"/>	<u> </u>
<input type="checkbox"/> Blind Exemption	<u> </u>	<input type="radio"/>	<input type="radio"/>	<u> </u>
<input type="checkbox"/> Deaf Exemption	<u> </u>	<input type="radio"/>	<input type="radio"/>	<u> </u>
<input type="checkbox"/> Disabled Exemption	<u> </u>	<input type="radio"/>	<input type="radio"/>	<u> </u>
<input type="checkbox"/> Solar Energy Systems Exemption	<u> </u>	<input type="radio"/>	<input type="radio"/>	<u> </u>
<input type="checkbox"/> Woodheating Energy Systems Exemption	<u> </u>	<input type="radio"/>	<input type="radio"/>	<u> </u>
<input type="checkbox"/> Wind-powered Energy Systems Exemption	<u> </u>	<input type="radio"/>	<input type="radio"/>	<u> </u>

A photocopy of this Form (Pages 1 and 2) or Form PA-35 must be returned to the property owner after approval or denial.

The following documentation may be requested at the time of application in accordance with RSA 72:34, II.

- * List of assets, value of each asset, net encumbrance and net value of each asset
- * State Interest and Dividend Tax Form.
- * Statement of applicant and spouse's income.
- * Property Tax Inventory Form filed in any other town.
- * Federal Income Tax Form.

* Documents are considered confidential and are returned to the applicant at the time a decision is made on the application.

Municipal Notes

Taxpayer meets all statutory requirements to qualify for the Veterans Tax Credit per RSA 72:28 for Tax Year 2024.

PRINT / TYPE NAME OF SELECTMEN / MUNICIPAL ASSESSING OFFICIAL	SIGNATURE (IN INK) OF SELECTMEN / MUNICIPAL ASSESSING OFFICIAL	DATE
PRINT / TYPE NAME OF SELECTMEN / MUNICIPAL ASSESSING OFFICIAL	SIGNATURE (IN INK) OF SELECTMEN / MUNICIPAL ASSESSING OFFICIAL	DATE
PRINT / TYPE NAME OF SELECTMEN / MUNICIPAL ASSESSING OFFICIAL	SIGNATURE (IN INK) OF SELECTMEN / MUNICIPAL ASSESSING OFFICIAL	DATE
PRINT / TYPE NAME OF SELECTMEN / MUNICIPAL ASSESSING OFFICIAL	SIGNATURE (IN INK) OF SELECTMEN / MUNICIPAL ASSESSING OFFICIAL	DATE
PRINT / TYPE NAME OF SELECTMEN / MUNICIPAL ASSESSING OFFICIAL	SIGNATURE (IN INK) OF SELECTMEN / MUNICIPAL ASSESSING OFFICIAL	DATE



TOWN OF HENNIKER, NEW HAMPSHIRE

September 5, 2023

July 2023 Administrative Tax Abatement

Selectmen's Office
*Administration, Finance,
Assessing, Planning,
Zoning & Building Permits*
18 Depot Hill Rd.
Henniker NH 03242
Ph (603) 428-3221
Fx (603) 428-4366

Town Clerk / Tax Collector
18 Depot Hill Rd.
Henniker NH 03242
Ph (603) 428-3240
Fx (603) 428-4366

**Transfer / Recycling Center
Parks and Properties**
18 Depot Hill Rd.
Henniker NH 03242
Physical: 1393 Weare Rd.
Ph (603) 428-7604

Cogswell Spring Water Works
146 Davison Rd.
Henniker NH 03242
Ph (603) 428-3237
Fx (603) 428-3362

Wastewater Treatment Plant
18 Depot Hill Rd.
Henniker NH 03242
Ph (603) 428-7215
Fx (603) 428-8312
Physical: 199 Ramsdell Rd.

Highway
18 Depot Hill Rd.
Henniker NH 03242
Physical: 209 Ramsdell Rd.
Ph (603) 428-7200
Fx (603) 428-7200

Police
340 Western Ave.
Henniker NH 03242
Ph (603) 428-3213
(Dial 911 for an Emergency)
Fx (603) 428-7509

Fire & Rescue
216 Maple St.
Henniker NH 03242
Ph (603) 428-7552
(Dial 911 for an Emergency)
Fx (603) 428-7628

To the Collector of Taxes.

By vote of the Board of Selectmen upon application of:

Kevin Davies & Catherine Ogonowski

Lot Number/Location: 6-318-P38 / 38 Spacious Skies Campground

Mailing Address: 15A Dexter Street
Derry, NH 03038-1664

Abated Amount: \$710.00 plus interest accrued for July 2023
Property tax bill.

The Assessor Avitar inventories all campgrounds annually. Ownership changes at campsites are frequent and require annual updates of the 110+ sites. During the data entry process the previous owner (Davies/Ogonowski) was billed in error. A supplemental warrant for the correct owner, Billie McShane, is being issued this day. **Thus, the selectmen should abate the July 2023 tax bill for Kevin Davies & Catherine Ogonowski at Map/Lot 6-318-P38.**

Approval by Board of Selectmen

Town of Henniker
 18 Depot Hill Rd
 Henniker, NH 03242
 Temp - Return Service Requested

DAVIES KEVIN
 OGONOWSKI CATHERINE
 15A DEXTER ST
 DERRY, NH 03038-1664

2023 HENNIKER PROPERTY TAX – BILL 1 OF 2

Invoice: 2023P01006704
 Billing Date: 06/05/2023
 Payment Due Date: 07/10/2023
 Amount Due: \$ 710.00

8% APR Charged After 07/10/2023

PLEASE SEE BACK OF THIS TAX BILL FOR MORE INFORMATION ON RSA 76:11-a

Property Owner		Assessments	
Owner: DAVIES KEVIN			
OGONOWSKI CATHERINE			
Tax Rates		Assessments	
County:	\$ 0.89	Taxable Land:	0
School:	\$ 5.92	Buildings:	66,200
Town:	\$ 3.47	Total:	66,200
State Education:	\$ 0.44		
Total Tax Rate: \$ 10.72 *		Net Value:	66,200

Property Description		
Map: 000006	Lot: 000318	Sub: 000P38
Location: 38 SPACIOUS SKIES CAMPG Acres: 0.000		
Summary Of Taxes		
First Bill:		\$ 710.00
- Abated/Paid:		\$ 0.00
- Veteran Credits:		\$ 0.00

Amount Due By 07/10/2023: \$ 710.00

Other Due Amount(s): \$ 642.89

Total: \$ 1,352.89

"Other Due Amount(s)" indicates additional balance(s) existing on this property. Please call for the proper payment amount(s).

* First Bill Tax Rate Equals 1/2 Last Year's Final Tax Rate

2023 HENNIKER PROPERTY TAX – BILL 1 OF 2

Mailed To:
 DAVIES KEVIN
 OGONOWSKI CATHERINE
 15A DEXTER ST
 DERRY, NH 03038-1664

Town of Henniker
 Monday, Wednesday & Friday 8:00am to 4:00pm
 Tuesday 10:00am to 6:00pm Thursday Closed
 (603) 428-3240
 Tax Collector: Deborah C. Aucoin

Owner: DAVIES KEVIN
 OGONOWSKI CATHERINE
Location: 38 SPACIOUS SKIES CAMPG
Map: 000006 **Lot:** 000318 **Sub:** 000P38
Invoice: 2023P01006704

Amount Due By 07/10/2023: \$ 710.00

Other Due Amount(s): \$ 642.89

Total: \$ 1,352.89

Remit To:
 Town of Henniker
 18 Depot Hill Rd
 Henniker, NH 03242
 Temp - Return Service Requested

RETURN THIS PORTION WITH PAYMENT

REMITTED AMOUNT: _____

Map: 000006

Lot: 000318

Sub: 000P38

Card: 1 of 1

38 SPACIOUS SKIES CAMPG

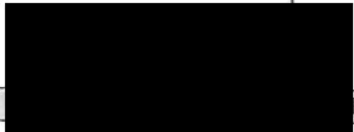
HENNIKER

Printed: 04/18/2023

OWNER INFORMATION		SALES HISTORY				PICTURE		
DAVIES KEVIN OGOROWSKI CATHERINE 15A DEXTER ST DERRY, NH 03038-1664		Date	Book	Page	Type	Price Grantor		
LISTING HISTORY 04/28/22 ERPR		NOTES						
4/28/22 ERPR		4/22 PU "TRANSCEND" CAMPER W/NO PLATE/REG. 4/23 "Coachman Freelander motor home 27QB" last reg to 12/21; last year built						
4/20/23 [REDACTED]		MUNICIPAL SOFTWARE BY AVITAR HENNIKER ASSESSING OFFICE						
FEATURES VALUATION		PARCEL TOTAL TAXABLE VALUE						
Feature Type	Units	Length	Width	Size Adj	Rate	Cond	Market Value	Notes
		Year Building Features Land 2022 \$ 24,900 \$ 0 \$ 0 Parcel Total: \$ 24,900 2023 \$ 24,900 \$ 0 \$ 0 Parcel Total: \$ 24,900						
LAND VALUATION				LAST REVALUATION: 2022				
Zone: RURAL RESIDENTIAL Minimum Acreage: 5.00 Minimum Frontage: 250		Land Type 1F RES Neighborhood: E		Site: Driveway: Road:		Cond Ad Valorem SPI R Tax Value Notes		
0 ac								

new

12/21
27QB
21 QB



✓

4/20/23

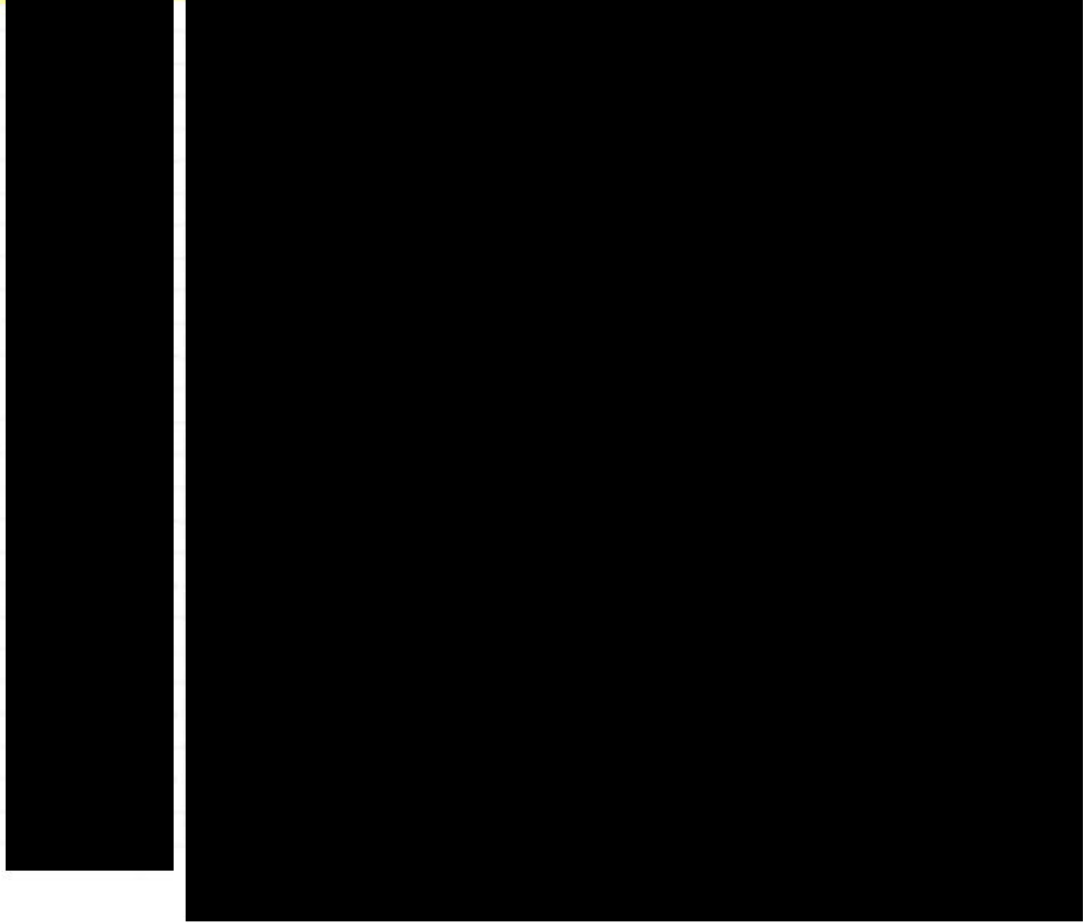
Spacious Skits

Add "0" in front

✓ 1	Christine	Prentiss
✓ 8	Troy	Rietta
✓ 9	Mollie	Gendron
10	Jim	Chase
✓ 11	CHRISTINA	JACKSON
✓ 15	Amy	chaput
✓ 19	Nancy Rescino	Bumford
✓ 22	Michael	Gambale
✓ 26	Carroll	Ramos
✓ 38	Billie	McShane
✓ 43	Pamela	Atwood
✓ 44	Pamela	Atwood
✓ 45	Tina	Connor
✓ 48	Shari	Coplan
- ✓ 49	Debra	Currie
✓ 57	Rebecca	Hageman
63	Kevin	Anctil
64	Kevin	Anctil
✓ 65	Kevin	Anctil
- ✓ 68	Robert and Deborah	McHenry
✓ 70	Dan	Barton
✓ 71	Shane	Walsh
✓ 74	Brian	Costain
✓ 75	Scott and Cynthia	Hagerty
✓ 76	Stephanie	Ciraso
- ✓ 80	David	Lanouette
- ✓ 83	Sarah	Davidson
✓ 84	Andrew	Bennett
✓ 87	Jose	Franqui
- ✓ 88	Mike	Sforza
- ✓ 89	Andres	Diaz
✓ 90	Melissa and Edmund	Rowell
- ✓ 93	Tracey	Powell
✓ 94	larry	buccella
- ✓ 96	Tim and Fran	Muir
✓ 97	Eddie & Amanda	Weeks (Lagerberg)



332 South Michigan ave Chicago IL 60604



more on back + ATT

**TAX COLLECTOR'S PROPERTY TAX SUPPLEMENT WARRANT
STATE OF NEW HAMPSHIRE**

Merrimack ss.

TO: Deborah C. Aucoin, Collector of Taxes for Henniker, New Hampshire in said county.

In the name of the State you are hereby directed to collect the property taxes committed to you, amounting to the sum of Seven Hundred Ten Dollars (\$710.00) and with interest at eight (8%) percent per annum on all sums not paid thirty (30) days after the bills are mailed.

And we further order you to remit all monies collected to the Town Treasurer, or to the Town Treasurer's designee as provided by RSA 41:29, VI, at least on a weekly basis, or daily whenever tax receipts total One Thousand Five Hundred Dollars (\$1,500.00) or more.

Given under our hands at Henniker, New Hampshire, this Fifth day of September in 2023.

Kris Blomback, Chair

William Marko

D Scott Osgood

Jeff Morse

Neal B. Martin

Board Of Selectmen
Henniker, New Hampshire

Owner	PID & Location	Amount
MCSHANE BILLIE	000006 000318 000P38	\$710.00
332 SOUTH MICHIGAN AVE	38 SPACIOUS SKIES CAMPG	
CHICAGO, IL 60604		
Reason: CORRECTED OWNERSHIP/ISSUING TO CORRECT CAMPER OWNERS ETC.		

Spacious Skies

APP "D" P. 1

✓ 1 Christine	Prentiss
✓ 8 Troy	Rietta
✓ 9 Mollie	Gendron
10 Jim	Chase
✓ 11 CHRISTINA	JACKSON
✓ 15 Amy	chaput
✓ 19 Nancy Rescino	Bumford
✓ 22 Michael	Gambale
✓ 26 Carroll	Ramos
✓ 38 Billie	McShane
✓ 43 Pamela	Atwood
✓ 44 Pamela	Atwood
✓ 45 Tina	Connor
✓ 48 Shari	Coplan
- ✓ 49 Debra	Currie
✓ 57 Rebecca	Hageman
63 Kevin	Anctil
64 Kevin	Anctil
✓ 65 Kevin	Anctil
- ✓ 68 Robert and Deborah	McHenry
✓ 70 Dan	Barton
✓ 71 Shane	Walsh
✓ 74 Brian	Costain
✓ 75 Scott and Cynthia	Hagerty
- ✓ 76 Stephanie	Ciraso
- ✓ 80 David	Lancuette
- ✓ 83 Sarah	Davidson
✓ 84 Andrew	Bennett
✓ 87 Jose	Franqui
- ✓ 88 Mike	Sforza
- ✓ 89 Andres	Diaz
✓ 90 Melissa and Edmund	Rowell
- ✓ 93 Tracey	Powell
✓ 94 Larry	buccella
- ✓ 96 Tim and Fran	Muir
✓ 97 Eddie & Amanda	Weeks (Lagerberg)



332 South Michigan ave Chicago IL 60604



more on back + ATT



Consent Agenda STAFF REPORT

DATE: 9/5/2023
TITLE: Army Corp. Renewal of License to Store Highway Equipment
INITIATED BY: US Army Corp.
PREPARED BY: Diane Kendall, Town Administrator
PRESENTED BY: Consent Agenda

AGENDA DESCRIPTION:

This is Supplemental Agreement No. 5 with the DEPARTMENT OF THE ARMY NEW ENGLAND DISTRICT, CORPS OF ENGINEERS under License No. DACW33-3-98-57 granted to the TOWN OF HENNIKER, NEW HAMPSHIRE to renew a license to store highway equipment over, across, and upon lands of the United States at Hopkinton-Everett Lakes Project known as a portion of Tract No. 1911. (See attached). Extends agreement through July 10, 2028.

2 modifications to the license are as follows:

- Condition 20.a (added by Supplemental Agreement No. 4) is modified by adding at the end the following language: "Equipment stored on the property shall not be leaking fluids of any kind. The Grantee shall not store chemical tanks, waste, or junk material (raw or otherwise) on the property.
- The Grantee shall apply for a Consultation through United States Fish and Wildlife Service (USFWS) for any proposed maintenance to cutting or tree trimming and shall adopt the Conservation Measures listed for the Northern Long Eared Bat (NLEB) (April 1 to October 31)".

Legal Authority: N/A

Financial Details: N/A

Highway Superintendent Comment:

Town Administrator Comment:

Recommend authorization of the renewal.

Exhibit A – is not included it is the original map stored in archives with the original agreement. Provided for reference is Exhibit B.

Suggested Action/Recommendation:

Suggested Motion:

Selectboard authorizes Chairman Kris Blomback to endorse License No. DACW33-3-98-57 Supplemental Agreement No. 5

Chairman Signature: _____

Date: _____

Bill Marko : _____

Date: _____

D. Scott Osgood: _____

Date: _____

Jeff Morse: _____

Date: _____

Neal Martin: _____

Date: _____



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

August 8, 2023

SUBJECT: Hopkinton-Everett Lakes Project - Supplemental Agreement No. 5 to License No. DACW33-3-98-57

Town of Henniker
Attention: Diane Kendall
18 Depot Hill Road
Henniker, New Hampshire 03242

Dear Ms. Kendall:

Attached you will find Supplemental Agreement No. 5 to renew License No. DACW33-3-98-57 to allow for storage of highway equipment to be placed on the property.

Kindly sign and date the Supplemental Agreement and return it to this office for Government execution. We will return a fully-executed copy to you for your records. You should retain the document in your permanent records.

Furthermore, the Town must apply for a Consultation through the United States Fish and Wildlife Service (USFWS) for any proposed maintenance to cutting or tree trimming and shall adopt the Conservation Measures listed for the Northern Long Eared Bat (NLEB) (April 1 to October 31) and must comply with all other conditions of the license.

If you have any questions please contact Patrick Dolan of this office by email at Patrick.e.dolan@usace.army.mil or by telephone at 978-318-8184.

Sincerely,

Timothy W. Shugert
Chief, Real Estate Division

**DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 Virginia Road
Concord, Massachusetts 01742-2751**

**SUPPLEMENTAL AGREEMENT NO. 5
between
THE SECRETARY OF THE ARMY
and
TOWN OF HENNIKER, NEW HAMPSHIRE**

**License No. DACW33-3-98-57
Hopkinton-Everett Lakes Project**

WITNESSETH:

WHEREAS, THE SECRETARY OF THE ARMY, under License No. DACW33-3-98-57 granted to the TOWN OF HENNIKER, NEW HAMPSHIRE a license to store highway equipment over, across, and upon lands of the United States at Hopkinton-Everett Lakes Project known as a portion of Tract No. 1911 as shown in Exhibit "A" attached thereto and made a part thereof; and

WHEREAS, Supplemental Agreement No. 1 extended the term of said license through July 10, 2008; Supplemental Agreement No. 2 extended the term through July 10, 2013; Supplemental Agreement No. 3 extended the license term through July 10, 2018 and added certain additional conditions; and Supplemental Agreement No. 4 extended the license term through July 10, 2023 and added additional conditions; and

WHEREAS, it has been determined to be advantageous and in the best interest of the parties hereto to modify said license to extend the term of the license and add certain other conditions;

NOW, THEREFORE, the parties hereto, in consideration of the premises, do mutually further agree as follows, effective July 10, 2023:

1. The termination date of the said license is hereby extended through July 10, 2028.
2. Condition 20.a (added by Supplemental Agreement No. 4) is modified by adding at the end the following language: "Equipment stored on the property shall not be leaking fluids of any kind. The Grantee shall not store chemical tanks, waste, or junk material (raw or otherwise) on the property."

3. Condition 20.g. is added to said license and provides as follows:

“g. The Grantee shall apply for a Consultation through United States Fish and Wildlife Service (USFWS) for any proposed maintenance to cutting or tree trimming, and shall adopt the Conservation Measures listed for the Northern Long Eared Bat (NLEB) (April 1 to October 31)”.

All of the other terms and conditions of the aforesaid license are hereby ratified and, except as modified by Supplemental Agreements No. 1, No. 2, No. 3, No. 4 and by this Supplemental Agreement No. 5, shall remain in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand by authority of the Secretary of the Army this ____ day of _____, 2023.

UNITED STATES OF AMERICA

Maureen B. Davi
Realty Specialist
Real Estate Contracting Officer

THIS SUPPLEMENTAL AGREEMENT is also executed by the grantee this ____ day of _____, 2023.

TOWN OF HENNIKER

KRIS BLOMBACK
Chair, Board of Selectmen

CERTIFICATE OF AUTHORITY

I, _____, certify that I am _____ of the Town of Henniker, New Hampshire; that Kris Blomback, who executed the foregoing instrument on behalf of the grantee, was then the Chairperson of the Town of Henniker, New Hampshire Select Board and that the said officer was acting within the scope of powers delegated to this officer by the governing body of the grantee in executing said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 2023.

By: _____



H-357

H-365

H-367

H-366

Henniker Highway Office and Garages

H-362

H-358

H-359

H-360

H-361

Tract 1911

Contocook River

INTENT TO CUT CHECKLIST

Date received 08/30/2023 Office ID# _____

Owner's name Downes, Martha Lot # 8-586-A

4115 Highway A1A, Vero Beach, FL 32963
Route to: Highway Superintendent

Conservation Commission

Items 1 - 10 Complete Map information complete not submitted

Missing items:

Missing items:

- 1 Town/City
- 2 Tax map/lot
- 3 Original/supplemental
- 4 Name of road using
- 5 Acreage of lot/acreage to be cut
- 6 Type of ownership
- 7 SIGNATURES OF OWNER(S) OF RECORD
ADDRESS OF OWNER(S)
TELEPHONE NUMBER OF OWNER(S)
- 8 Description of wood or timber to be cut
- 9 Personal use amount
- 10 LOGGER/FORESTER SIGNATURE
LOGGER/FORESTER PRINTED NAME
LOGGER/FORESTER PHONE NUMBER/ADDRESS

- 1 Area(s) to be cut
- 2 Road to be used
- 3 Landing(s)
- 4 Point of egress onto town road

Taxes current Yes No
Security bond required Yes No \$ Amount _____
Date paid _____ Date returned _____

Driveway permit needed Yes No Initialed Applied + Approved

Road bond required Yes No \$ Amount _____
Date paid _____ Date returned _____

Permission to Haul Form Yes No Date received _____

Wetlands permit required Yes No Date received unknown

Notes/ Comments Temporary logging driveway approved 8/30/23.
Using Craney Hill Rd as egress/ingress.

AUG 30 2023

FORM
PA-7

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
NOTICE OF INTENT TO CUT WOOD OR TIMBER

(Assigned by Municipality)
YR TOWN OP#
[] - [] - [] - T

For Tax Year April 1, 2023 to March 31, 2024

PLEASE TYPE OR PRINT (if filling in form on-line; use TAB Key to move through fields)

- Town/City of: HENNIKER
- Tax Map/Block/Lot or USFS Sale Name & Unit No.
MAP 8 LOT 586A
- Intent Type: Original Supplemental (Original Intent Number)
- Name of Access Road: CRANEY HILL ROAD
- 5a. Acreage of Lot: 7 Acreage of Cut: 4
- 5b. Anticipated Start Date: 9-1-2023
- Type of ownership (check only one):
 - Owner of Land and Stumpage (Sole Owner)
 - Owner of Land and Stumpage (Joint Tenants)
 - Owner of Land and Stumpage (Tenants in Common)
 - Previous owner retaining deeded timber rights
 - Owner/Purchaser of stumpage & timber rights on public lands (Fed., State, municipal, etc.) or Utility Easements

REPORT OF CUT / CERTIFICATE TO BE SENT TO:

OWNER OR LOGGER / FORESTER

BY MAIL OR E-MAIL

7. I/We hereby accept responsibility for reporting all timber cut within 60 days after the completion of the operation or by May 15, whichever comes first. I/We also assume responsibility for any yield tax which may be assessed. (If a corporation, an officer must sign.)

SIG [Redacted] owners. 8/19/23
DATE SIGNED

PRINT CLEARLY OR TYPE NAME OF OWNER(S) OR CORPORATE OFFICER(S)

SIGNATURE (in ink) OF OWNER(S) OR CORPORATE OFFICER(S) DATE SIGNED

Martha Downes
PRINT CLEARLY OR TYPE NAME OF OWNER(S) OR CORPORATE OFFICER(S)

[Redacted Signature Area]

8. Description of Wood or Timber To Be Cut

Species	Estimated Amount To Be Cut	
White Pine	30	MBF
Hemlock		MBF
Red Pine		MBF
Spruce & Fir		MBF
Hard Maple	5	MBF
White Birch	5	MBF
Yellow Birch		MBF
Oak	10	MBF
Ash		MBF
Soft Maple	10	MBF
Beech/Pallet/Tie & Mat Logs/Pine Box	5	MBF
Other (Specify)		MBF
Pulpwood		Tons
Spruce & Fir		
Hardwood & Aspen		
Pine		
Hemlock		
Biomass Chips	300	
Miscellaneous		
High Grade Spruce/Fir		Tons
Cordwood & Fuelwood	36	Cords

9. Species and Amount of Wood or Timber For Personal Use or Exempt. See exemptions on back of form.

Species Amount:

10. By signing below, the Logger/Forester or person responsible for cutting hereby accepts responsibility for verifying the volumes of wood and timber to be reported by the owner, and certifies that [Redacted], the timber harvest laws.

SIGNATURE (in ink) OF PERSON RESPONSIBLE FOR CUT DATE 8-18-23

AARON D STERLING
PRINT CLEARLY OR TYPE NAME OF PERSON RESPONSIBLE FOR CUT

Po Box 991
MAILING ADDRESS

HENNIKER NH 03242
CITY OR TOWN STATE ZIP CODE

FOR MUNICIPAL ASSESSING OFFICIALS ONLY

- The Selectmen/Municipal Assessing Officials hereby certify that:
- All owners of record have signed the Intent;
 - The land is not under the Current Use Unproductive category;
 - The form is complete and accurate; and

- Any \$ [Redacted]
- The tax collector will be notified within 30 days of receipt pursuant to RSA 79:10.
- This form to be forwarded to DRA immediately after signing.

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL DATE SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL DATE SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL DATE

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL DATE SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL DATE

**TOWN OF HENNIKER
PAYROLL CHECK REGISTERS
DATE: AUGUST 23, 2023**

**WAGES: \$52,057.31
PAYROLL DEDUCTIONS: \$10,993.82
TOTAL: \$41,063.49**

BOARD OF SELECTMEN APPROVAL

Kris Blomback **Date**

Scott Osgood **Date**

Bill Marko **Date**

Neal Martin **Date**

Jeff Morse **Date**

Stacie Kuda *8/22/23*

Town Administrator **Date**

Treasurer **Date**

DEPARTMENTAL HOURS AND GROSS SUMMARY REPORT FOR TOWN OF HENNIKER

For 08/23/2023 to 08/23/2023

Pay Code	Regular Hours	Suppl. Hours	Regular Gross	OT Hours	OT Gross
Department: CODE CODE					
Department Totals For: CODE					
SALARY	18.00	0.00	485.57	0.00	0.00
Totals:	18.00	0.00	485.57	0.00	0.00
Department: CSWW CSWW					
Department Totals For: CSWW					
REGULAR	47.00	0.00	2,263.46	0.00	0.00
Totals:	47.00	0.00	2,263.46	0.00	0.00
Department: FIRE/RESCUE FIRE/RESCUE					
Department Totals For: FIRE/RESCUE					
REGULAR	50.00	0.00	1,053.04	0.00	0.00
STIPEND	0.00	0.00	595.23	0.00	0.00
Totals:	50.00	0.00	1,648.27	0.00	0.00
Department: HIGHWAY HIGHWAY					
Department Totals For: HIGHWAY					
OVERTIME	0.00	0.00	0.00	3.00	199.98
REGULAR	264.50	0.00	7,265.24	0.00	0.00
SICK	1.50	0.00	44.76	0.00	0.00
USECOMP	10.00	0.00	192.80	0.00	0.00
Totals:	276.00	0.00	7,502.80	3.00	199.98
Department: LIBRARY LIBRARY					
Department Totals For: LIBRARY					
REGULAR	123.50	0.00	3,351.64	0.00	0.00
Totals:	123.50	0.00	3,351.64	0.00	0.00
Department: POLICE POLICE					
Department Totals For: POLICE					
EVENING	40.00	0.00	30.00	0.00	0.00
MIDNIGHT	75.00	0.00	75.00	0.00	0.00
OUTSIDE DETAIL	4.00	0.00	180.52	0.00	0.00
OVERTIME	0.00	0.00	0.00	30.00	1,584.94
REGULAR	326.00	0.00	9,152.77	0.00	0.00
SICK	18.00	0.00	443.88	0.00	0.00
USECOMP	1.00	0.00	30.97	0.00	0.00
VACATION	50.00	0.00	2,274.30	0.00	0.00
Totals:	514.00	0.00	12,187.44	30.00	1,584.94
Department: RESCUE RESCUE					
Department Totals For: RESCUE					
OVERTIME	0.00	0.00	0.00	15.00	541.25
REGULAR	283.50	0.00	7,258.07	0.00	0.00
VACATION	2.33	0.00	56.69	0.00	0.00
Totals:	285.83	0.00	7,314.76	15.00	541.25
Department: SELECTMAN SELECTMAN					
Department Totals For: SELECTMAN					
REGULAR	93.10	0.00	2,136.35	0.00	0.00
SALARY	68.50	0.00	3,171.14	0.00	0.00
SICK	1.00	0.00	41.56	0.00	0.00
VACATION	10.50	0.00	453.45	0.00	0.00
Totals:	173.10	0.00	5,802.50	0.00	0.00

DEPARTMENTAL HOURS AND GROSS SUMMARY REPORT FOR TOWN OF HENNIKER
For 08/23/2023 to 08/23/2023

Wages

Pay Code	Regular Hours	Suppl. Hours	Regular Gross	OT Hours	OT Gross
Department: TC/TX TOWN CLERK / TAX COLLECTOR					
Department Totals For: TC/TX					
OVERTIME	0.00	0.00	0.00	0.75	21.58
REGULAR	40.00	0.00	767.20	0.00	0.00
SALARY	44.75	0.00	1,292.92	0.00	0.00
Totals:	84.75	0.00	2,060.12	0.75	21.58

Department: TRANSFER TRANSFER					
Department Totals For: TRANSFER					
REGULAR	118.00	0.00	2,809.16	0.00	0.00
USECOMP	30.00	0.00	563.10	0.00	0.00
Totals:	148.00	0.00	3,372.26	0.00	0.00

Department: WELFARE WELFARE					
Department Totals For: WELFARE					
REGULAR	7.00	0.00	148.68	0.00	0.00
SICK	3.00	0.00	63.72	0.00	0.00
Totals:	10.00	0.00	212.40	0.00	0.00

Department: WWTP WASTE WATER TREATMENT PLANT					
Department Totals For: WWTP					
HOLIDAY	8.00	0.00	204.40	0.00	0.00
OVERTIME	0.00	0.00	0.00	2.00	106.74
REGULAR	75.00	0.00	2,201.70	0.00	0.00
SICK	14.00	0.00	407.85	0.00	0.00
USECOMP	23.00	0.00	587.65	0.00	0.00
Totals:	120.00	0.00	3,401.60	2.00	106.74

Grand Totals:					
EVENING	40.00	0.00	30.00	0.00	0.00
HOLIDAY	8.00	0.00	204.40	0.00	0.00
MIDNIGHT	75.00	0.00	75.00	0.00	0.00
OUTSIDE DETAIL	4.00	0.00	180.52	0.00	0.00
OVERTIME	0.00	0.00	0.00	50.75	2,454.49
REGULAR	1,427.60	0.00	38,407.31	0.00	0.00
SALARY	131.25	0.00	4,949.63	0.00	0.00
SICK	37.50	0.00	1,001.77	0.00	0.00
STIPEND	0.00	0.00	595.23	0.00	0.00
USECOMP	64.00	0.00	1,374.52	0.00	0.00
VACATION	62.83	0.00	2,784.44	0.00	0.00
Totals:	1,850.18	0.00	<u>49,602.82</u>	<u>50.75</u>	<u>2,454.49</u>

= 52057.31 Gross Wages

TOWN OF HENNIKER
PAYROLL CHECK REGISTERS
DATE: AUGUST 30, 2023

WAGES: \$49,966.61
PAYROLL DEDUCTIONS: \$10,541.93
TOTAL: \$60,508.54

BOARD OF SELECTMEN APPROVAL

Kris Blomback Date

Scott Osgood Date

Bill Marko Date

Neal Martin Date

Jeff Morse Date

 8/29/23
Town Administrator Date

Treasurer Date

DEPARTMENTAL HOURS AND GROSS SUMMARY REPORT FOR TOWN OF HENNIKER

For 08/30/2023 to 08/30/2023

Pay Code	Regular Hours	Suppl. Hours	Regular Gross	OT Hours	OT Gross
Department: CODE CODE					
Department Totals For: CODE					
SALARY	18.00	0.00	485.57	0.00	0.00
Totals:	18.00	0.00	485.57	0.00	0.00
Department: CSWW CSWW					
Department Totals For: CSWW					
REGULAR	29.00	0.00	1,681.46	0.00	0.00
Totals:	29.00	0.00	1,681.46	0.00	0.00
Department: FIRE/RESCUE FIRE/RESCUE					
Department Totals For: FIRE/RESCUE					
REGULAR	26.00	0.00	502.48	0.00	0.00
STIPEND	0.00	0.00	595.23	0.00	0.00
Totals:	26.00	0.00	1,097.71	0.00	0.00
Department: HIGHWAY HIGHWAY					
Department Totals For: HIGHWAY					
OVERTIME	0.00	0.00	0.00	4.50	214.81
REGULAR	265.50	0.00	7,021.98	0.00	0.00
SICK	1.50	0.00	44.76	0.00	0.00
VACATION	11.50	0.00	511.06	0.00	0.00
Totals:	278.50	0.00	7,577.80	4.50	214.81
Department: LIBRARY LIBRARY					
Department Totals For: LIBRARY					
REGULAR	121.00	0.00	3,311.46	0.00	0.00
Totals:	121.00	0.00	3,311.46	0.00	0.00
Department: POLICE POLICE					
Department Totals For: POLICE					
EVENING	72.00	0.00	54.00	0.00	0.00
MIDNIGHT	76.00	0.00	76.00	0.00	0.00
OVERTIME	0.00	0.00	0.00	16.00	787.15
REGULAR	363.00	0.00	10,778.85	0.00	0.00
VACATION	13.00	0.00	427.88	0.00	0.00
Totals:	524.00	0.00	11,336.73	16.00	787.15
Department: RESCUE RESCUE					
Department Totals For: RESCUE					
COMP OVER BASE	11.83	0.00	315.57	0.00	0.00
REGULAR	300.17	0.00	7,575.33	0.00	0.00
VACATION	10.00	0.00	320.50	0.00	0.00
Totals:	322.00	0.00	8,211.40	0.00	0.00
Department: SELECTMAN SELECTMAN					
Department Totals For: SELECTMAN					
REGULAR	107.75	0.00	2,411.60	0.00	0.00
SALARY	71.50	0.00	3,304.36	0.00	0.00
SICK	2.25	0.00	102.04	0.00	0.00
USECOMP	2.50	0.00	71.45	0.00	0.00
VACATION	6.25	0.00	259.75	0.00	0.00
Totals:	190.25	0.00	6,149.20	0.00	0.00
Department: TC/TX TOWN CLERK / TAX COLLECTOR					

DEPARTMENTAL HOURS AND GROSS SUMMARY REPORT FOR TOWN OF HENNIKER
For 08/30/2023 to 08/30/2023

Pay Code	Regular Hours	Suppl. Hours	Regular Gross	OT Hours	OT Gross
Department Totals For: TC/TX					
OVERTIME	0.00	0.00	0.00	1.25	35.96
REGULAR	40.00	0.00	767.20	0.00	0.00
SALARY	45.25	0.00	1,292.92	0.00	0.00
Totals:	85.25	0.00	2,060.12	1.25	35.96
Department: TRANSFER TRANSFER					
Department Totals For: TRANSFER					
REGULAR	125.00	0.00	2,919.25	0.00	0.00
SICK	10.00	0.00	157.80	0.00	0.00
VACATION	5.00	0.00	168.25	0.00	0.00
Totals:	140.00	0.00	3,245.30	0.00	0.00
Department: WELFARE WELFARE					
Department Totals For: WELFARE					
REGULAR	8.00	0.00	169.92	0.00	0.00
VACATION	2.00	0.00	42.48	0.00	0.00
Totals:	10.00	0.00	212.40	0.00	0.00
Department: WWTP WASTE WATER TREATMENT PLANT					
Department Totals For: WWTP					
OVERTIME	0.00	0.00	0.00	2.00	106.74
REGULAR	112.00	0.00	3,142.56	0.00	0.00
RETRO	0.00	0.00	25.60	0.00	0.00
VACATION	8.00	0.00	284.64	0.00	0.00
Totals:	120.00	0.00	3,452.80	2.00	106.74
Grand Totals:					
COMP OVER BASE	11.83	0.00	315.57	0.00	0.00
EVENING	72.00	0.00	54.00	0.00	0.00
MIDNIGHT	76.00	0.00	76.00	0.00	0.00
OVERTIME	0.00	0.00	0.00	23.75	1,144.66
REGULAR	1,497.42	0.00	40,282.09	0.00	0.00
RETRO	0.00	0.00	25.60	0.00	0.00
SALARY	134.75	0.00	5,082.85	0.00	0.00
SICK	13.75	0.00	304.60	0.00	0.00
STIPEND	0.00	0.00	595.23	0.00	0.00
USECOMP	2.50	0.00	71.45	0.00	0.00
VACATION	55.75	0.00	2,014.56	0.00	0.00
Totals:	1,864.00	0.00	<u>48,821.95</u>	23.75	<u>1,144.66</u>

\$ 49,966.61

**TOWN OF HENNIKER
ACCOUNTS PAYABLE MANIFEST
CHECK DATE: AUGUST 30, 2023**

TOTAL: \$81,044.49

BOARD OF SELECTMEN APPROVAL

Kris Blomback **Date**

Scott Osgood **Date**

Bill Marko **Date**

Neal Martin **Date**

Jeff Morse **Date**

Den Kadar *8/25/23*
Town Administrator **Date**

Treasurer **Date**

**TOWN OF HENNIKER
ACCOUNTS PAYABLE MANIFEST
DATE: SEPTEMBER 6, 2023**

TOTAL: \$75,391.32

BOARD OF SELECTMEN APPROVAL

Kris Blomback	Date
Scott Osgood	Date
Bill Marko	Date
Neal Martin	Date
Jeff Morse	Date
Town Administrator	Date
Treasurer	Date

APPOINTMENTS WITH THE BOARD



STAFF REPORT

DATE: 9/5/2023
TITLE: Community Center (Brick Church) DHR State Register
INITIATED BY: Susan Fetzer, Henniker Historical Society
PREPARED BY: Diane Kendall, Town Administrator
PRESENTED BY: Diane Kendall, Town Administrator

AGENDA DESCRIPTION:

The Historical Society completed research and an application to the NH Division of Historical Resources to the Community Center (a.k.a. Brick Church) designation on the NH State Register of Historic Places. The NH DHR has determined the building is eligible. The Selectboard is asked to authorize the listing of this property pending approval by the State Historical Resources Council on October 30, 2023.

No restrictions or requirements. Owners of property listed on the State Register are free to maintain, manage, or dispose of their property as they choose, without oversight or comment from the NHDHR. However, as property owners plan for needed maintenance or changes, staff members at the NHDHR are available for questions and assistance.

Effects of Listing:

1. Consideration in planning of local, state funded, or otherwise state-assisted projects.
2. Qualification for state financial assistance for preservation projects.
3. Special consideration of relief in the application access, building and safety codes.

Legal Authority: N/A

Financial Details: N/A

Town Administrator Comment:

Thank you to the Historical Society for their dedication and attention to the town's historic buildings. Their work will inspire pride from the community and avail the town to important state resources needed for the ongoing maintenance and preservation of the Community Center.

I highly recommend the Board of Selectmen approve the listing of the Community Center on the State Register.

Suggested Action/Recommendation:

Suggested Motion:

Motion to authorize the listing of the Community Center on the NH State Register and authorize the Town Administrator as legally-appointed representative of the property for the state register purposes.



NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES

Department of Natural and Cultural Resources
172 Pembroke Road, Concord, NH 03301
603-271-3483
TDD Access Relay NH 1-800-735-2964
www.nh.gov/nhdhr
preservation@dncr.nh.gov

August 22, 2023

Town of Henniker
18 Depot Hill Rd.
Henniker, NH 03242

Dear Selectmen,

The Division of Historical Resources (DHR) has reviewed the inventory form prepared for the Henniker Community Center (aka Brick Church) at 57 Main Street in Henniker and has determined that it is eligible for listing to the New Hampshire State Register of Historic Places.

To officially list the property on the New Hampshire State Register, please have a legally-appointed representative of the property check and sign this letter below and return it to our office at the address noted above. With a returned signed letter, we will place it on the agenda for final approval by the State Historical Resources Council at its quarterly meeting on October 30, 2023. More information on the State Register and its benefits is enclosed.

A copy of the Determination of Eligibility evaluation form for your files is also attached. This evaluation and the inventory data will be added to DHR's database for historic properties in New Hampshire. Thank you for your stewardship of this important piece of New Hampshire history and please feel free to call with questions.

Sincerely,

Megan R. Rupnik
National Register & State Survey Coordinator

Encl.

I certify that I am the legal property owner or legally-appointed representative of the above property.

Please list my property on the New Hampshire State Register, pending approval by the State Historical Resources Council

Please do NOT list my property on the New Hampshire State Register at this time:

Signature

Name (please print)

Date



THE NEW HAMPSHIRE STATE REGISTER OF HISTORIC PLACES



The New Hampshire State Register of Historic Places is an honorary listing that encourages the protection of significant buildings, districts, sites, landscapes, structures or objects that are meaningful in the history, architecture, archeology, engineering, or traditions of New Hampshire residents and communities.

Listing a Property

How do I list a property?

Property owners can nominate properties to the State Register by submitting a completed Individual Inventory Form for the resource to the Division of Historical Resources. The nomination is reviewed by the Determination of Eligibility Committee first (meets twice a month), and the State Historic Resources Council for final listing (meets quarterly). Forms and directions are available from the Division's web site at www.nh.gov/nhdhr/programs/survey.htm.

How old does the property have to be?

Generally, properties eligible for listing on the State Register should be at least fifty years old.

How do I determine the property's significance?

Properties may be significant for the story or history they tell, for associations with people who made important contributions to a community or profession, for their architecture, landscape or engineering, or as local landmarks. Significance is determined by considering the property's history and the physical property itself, and then analyzing how much the physical property still represents its history. Properties must maintain enough of their historic materials to be able to convey their stories today.



No Restrictions or Requirements
Owners of property listed on the State Register are free to maintain, manage, or dispose of their property as they choose, without oversight or comment from the NHDHR. However, as property owners plan for needed maintenance or changes, staff members at the NHDHR are always available for questions and assistance.

Effects of Listing

In addition to honorary recognition, listing in the State Register results in these benefits for historic properties:

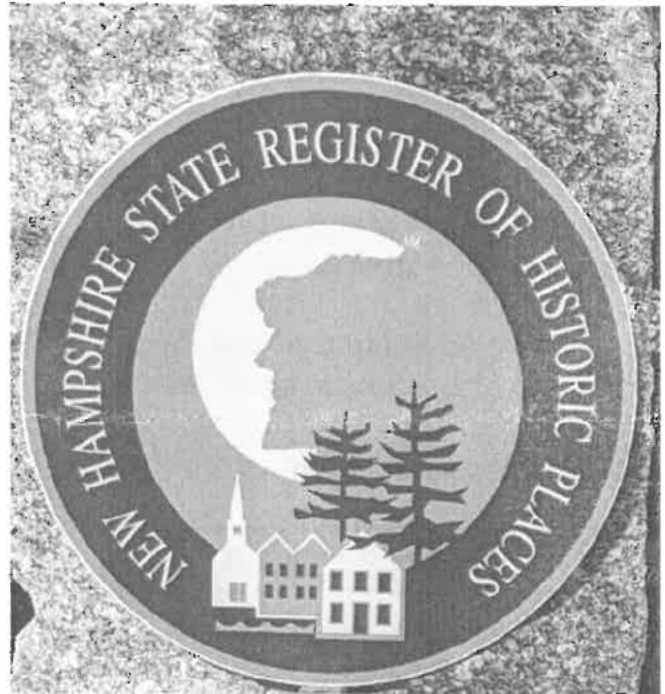
Consideration in the planning of local and state-funded or otherwise state-assisted projects: Listing on the State Register can help property owners and communities be more effective advocates for their historic properties by recognizing these resources as vital parts of a community and its landscape. Both state and federal historic preservation regulations seek to protect identified historic resources during activities such as governmental land sales and transportation projects.

Qualification for state financial assistance for preservation projects, when funds are available: Historic preservation grants and funding from sources such as the Land and Community Heritage Investment Program (LCHIP) and Conservation License Plate funds (Moose Plate) use eligibility for or listing on the State Register, among other criteria, as a qualifying requirement. Private initiatives, such as grant programs from local historical societies, may use State Register listing as a requirement as well.

Special consideration or relief in the application of access, building and safety codes: Historic properties, including those listed on the State Register, are offered special consideration in the application of the Americans with Disabilities Act, building, energy, and fire codes, the state lead poisoning prevention law and administrative rules, and the state floodplain ordinance. Historic properties are not exempt from these code regulatory processes. However, during the review and approval process, historic property owners, with NHDHR assistance if desired, can work with regulatory agencies to develop plans that meet preservation, access, building, and safety needs.

A complimentary one-year membership to the New Hampshire Preservation Alliance: Founded in 1985, the New Hampshire Preservation Alliance works to preserve the state's historic buildings, landscapes and communities through leadership, advocacy and education. A non-profit membership group, the Preservation Alliance works with the NHDHR on many projects and generously offers State Register property owners a complimentary one-year membership, giving each a voice in protecting the beauty of New Hampshire and the places people value.

A State Register plaque is also available for purchase by property owners



Determination of Eligibility (DOE)

Inventory #: HEN0026

DOE Review Date: 8/9/2023

Date Received: 8/3/2023

Final DOE Approved: Yes

MR

Property Name: Henniker Community Center (aka Brick Church)

Area:

Address: 57 Main Street

Town: Henniker

County: Merrimack

Reviewed For: SR

DOE Program(s):

State Register

Determination of Eligibility:

Contributes to a National Register/eligible dist	Integrity: Yes	Level: Local			
National Register eligible, individually					
State Register eligible, individually					
Criteria:	A: Yes	B: No	C: Yes	D: No	E: No

Areas of Significance(s):

Architecture

Social History

Period of Significance: 1834 to 1973

Boundary:

Tax Parcel Map 5D, Parcel 242

Statement of Significance:

The Henniker Community Center/Brick Church is locally significant for its Gothic Revival style architecture and the important role its played in the social life of the community since its construction. First a Baptist church, later a Methodist church, then reused by the local Masonic Lodge, and currently a community center used for town meetings and other gatherings, it is an integral part of the community's identity.

Comments:

Follow Up:

Notify appropriate parties.



TOWN OF HENNIKER, NEW HAMPSHIRE

STAFF REPORT

DATE: 9/5/2023

TITLE: Historic District Commission Report to Board of Selectmen

INITIATED BY: Warren Mattiello, Historic District Commission Chairperson

PREPARED BY: Diane Kendall, Town Administrator

PRESENTED BY: Warren Mattiello, Historic District Commission Chairperson

AGENDA DESCRIPTION:

The Henniker Historic District was first established at Town Meeting 1975, amended in 1976, 2005 and 2012.

The Historic District is limited to town owned properties: Town Hall and surrounding land, Cemetery, Academy Hall, the Grange, and Community Center. Of the properties in the District, Academy Hall is not used for governmental purposes.

A Historic District Commission was never established by the legislative body pursuant to 673:1.

Pursuant to 674:54 Governmental Land Uses

In general, municipal land use regulations do not apply to state, county, city, town or village district construction projects, when in furtherance of an essential function of government

- When a governmental entity proposes a use of property that constitutes a substantial change in use or a substantial new use it must comply with the provisions of RSA 674:54
- Written notice of the project, along with plans and specifications, must be provided to the governing body 60 days prior to the commencement of construction
- Upon receiving that notice the governing body or the Planning Board can then hold a public hearing on the proposed project, with details about the project provided and at that hearing by the governmental entity.
- After the public hearing the governing body or Planning Board "may issue nonbinding written comments relative to conformity or nonconformity of the proposal with normally applicable land use regulations to the sponsor of the governmental use within 30days after the hearing.

Academy Hall is not used for governmental purposes and is subject to Historic District Ordinance.

Legal Authority: 672:7 Local Land Use Board, 673:4 Historic District Commission, 674:45 Purposes, 674:46 Authority Granted, 674:46-a Powers and Duties of the Historic District Commission, 674:47, Abolition of Historic Districts, 674:48 Interpretation, 674:49 Enforcement, 675:6 Method of Adoption IV, RSA 676:8-10,

Financial Details: The HDC budget line item is 01-4130-4615 is \$1,250.

Town Administrator Comment:

- In April 2023 the new chairman of the HDC, Warren Mattiello, ask for my assistance to gather relative documentation to the complete history of the HDC and any and all documentation with regards to how it can and should function. We could not find HDC rules of procedure or historic design guidelines.
- Several administrative questions came up regarding the May 8, 2023, HDC meeting and hearing regarding a Certificate of Appropriateness Application proposing placement of two veterans' banners in Woodman Park and agenda item discussion regarding benches in front of town hall. The process was confusing, some members claimed the HDC shall meet with the Board of Selectmen before holding a hearing. Certificate of Appropriateness application #4 indicates "to Attach a copy of the minutes of the Board of Selectmen hearing that approved the project". We could not find Board of Selectmen or HDC rule of procedure requiring a hearing to approve of a project.

- Discussion arose on May 8, 2023 HDC meeting regarding rules of procedure and guidelines and authority of the HDC under 674:54.
- In June, Mr. Mattiello asked to speak with me about how the HDC could gain more credibility and the authority of the HDC over town owned properties. After doing much research, consulting with NHMA Attorney Stephen Buckley and town attorney Upton and Hatfield, Town Planner Mark Fougere we came to the following conclusions:
 - The Historic District was established in 1975, and amended later is only comprised of town properties. We could not find the overlay map identified in Ordinance 133-162 District Areas.
 - Creating an overlay district does not automatically result in the creation of a historic district commission. As applied to the Town of Henniker, any town property that is maintained in the performance of its governmental functions would be exempt from historic district regulations.
 - RSA 674:54, II does require a governmental user of land to participate in a hearing process before the select board or the planning board when undertaking a new use or a use that is a substantial change of an existing use. That is the extent of the local involvement with governmental uses of land. However, it would be within the authority of the select board to require Town of Henniker governmental uses to submit to the town’s historic district zoning regulations and apply for building permit permission to the Historic District Commission.
 - Town should take steps to clarify the role and authority of the HDC. If the Town would like to reaffirm the existence of the HDC’s role regulating property within the historic overlay district my recommendation is to prepare a warrant article for the upcoming annual meeting clearly establishing a voter approved HDC with the authority to “regulate the construction, alteration, repair, moving, demolition or use of such structures and places” within the historic overlay district pursuant to RSA 674:46.
 - Even if the HDC is properly established (or is re-established through a warrant article), NHMA has provided guidance that “any town property that is maintained in the performance of its governmental functions would be exempt from historic district regulations.” Town attorney Midolo agrees with NHMA’s analysis. NH Supreme Court case law states a municipality is “not bound by its own zoning ordinance in the performance of its governmental functions absent any statutory provision to the contrary.”
 - I recommended HDC meet with the Town Planner, Planning Board and Board of Selectmen.

Suggested Action/Recommendation:

Suggested Motion:

Suggestions will come from the Historic District Commission and may include the following options:

Reaffirm:

- *2024 Warrant Article to re-affirm the Historic District pursuant to 674:46 and 674:46-a and amend the Zoning ordinance 133-162 to specifically identify the town owned properties in 133-162.*
- *2024 Warrant Article to establish a Historic District Commission pursuant to 673:1*

-OR-

Abolish:

- *674:47 Abolition of Historic Districts. – Upon petition of 25 voters, the historic district commission shall hold 2 public hearings at least 15 days apart on the proposal to abolish the historic district, at which hearings citizens shall have an opportunity to be heard. Notice for each public hearing shall be as provided in RSA 675:7. Following the above public hearings, the proposal to abolish a historic district shall be presented for insertion in the warrant of a regular or special town meeting as provided in RSA 39:3. The historic district shall be abolished upon a vote of 2/3 of the members of the local legislative body present and voting.*

If Abolished:

- *Create a Historic Land and Building Advisory Committee*

From: [Legal Inquiries](#)
To: [Diane Kendall](#)
Subject: Henniker: Historic District Commission Question
Date: Thursday, June 22, 2023 3:22:41 PM

Good Afternoon Diane:

RSA 674:54 only creates a process whereby a governmental user of land must participate in a process of receiving non-binding comments on a proposed use of land for governmental purposes. The underlying immunity from local zoning and planning regulations enjoyed by all governmental entities derives from decisions of the NH Supreme Court. As stated by the Court in *McGrath v. Manchester*, 113 N.H. 355 (1973):

"New Hampshire adopts the majority rule that a county is not required to comply with a city zoning ordinance in the erection and construction of a court-house" a project which is an essential function of government. The same majority rule supports the view that a city is not bound by its own zoning ordinance in the performance of its governmental functions absent any statutory provision to the contrary. 8 E. McQuillin, *Municipal Corporations* § 25.15 (1965 rev. vol.); 2 R. Anderson, *American Law of Zoning* § 9.03 (1968); 2 A. Rathkopf, *The Law of Zoning and Planning* 53-1 to 53-6 (1960). The extent to which any governmental unit shall be immune from zoning requirements is a matter within legislative control; but our enabling act is silent upon the subject. RSA 31:60-89; see Note, *Zoning Immunity*, 84 Harv. L. Rev. 869, 879-83 (1971).

As applied to the Town of Henniker, any town property that is maintained in the performance of its governmental functions would be exempt from historic district regulations.

RSA 674:54, II does require a governmental user of land to participate in a hearing process before the select board or the planning board when undertaking a new use or a use that is a substantial change of an existing use. That is the extent of the local involvement with governmental uses of land. However, it would be within the authority of the select board to require Town of Henniker governmental uses to submit to the town's historic district zoning regulations and apply for building permit permission to the Historic District Commission.

Stephen C. Buckley
Legal Services Counsel
[NH Municipal Association](#)
25 Triangle Park Drive
Concord, NH 03301
603-224-7447

<https://www.nhmunicipal.org/federal-funding-and-resources>

From: Diane Kendall [REDACTED]
Sent: Thursday, June 22, 2023 9:53 AM
To: Legal Inquiries [REDACTED]
Subject: Historic District Commission Question

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe

Good morning,

The town of Henniker has an unusual historic district only includes town owned properties. The Historic District Commission is seeking guidance on relative to 674:54 Governmental Land Uses. I found this on NHMA website:

- In general, municipal land use regulations do not apply to state, county, city, town or village district construction projects, when in furtherance of an essential function of government
- When a governmental entity proposes a use of property that constitutes a substantial change in use or a substantial new use it must comply with the provisions of RSA 674:54

Do we interpret 674:54 to mean town owned properties are exempt from Historic District Ordinance unless it is substantial change as demolition, addition, or change of use. How is substantial determined?

RSA 674:54 II. The state, university system, community college system of New Hampshire, county, town, city, school district, or village district shall give written notification to the governing body and planning board, if such exists, of a municipality of any proposed governmental use of property within its jurisdiction, which constitutes a substantial change in use or a substantial new use. Written notification shall contain plans, specifications, explanations of proposed changes.

Thank you,

Diane Kendall
Town Administrator
Town of Henniker

[REDACTED]
[REDACTED]

From: [Nathan C. Midolo](#)
To: [Diane Kendall](#)
Cc: [REDACTED] Questions
Date: Tuesday, August 8, 2023 4:05:18 PM

Hi Diane,

Thanks for talking with me today and pulling together the prior warrants and sending those along. I had not seen those yet. In my view, there are two separate issues to address. First, whether the HDC was properly established. Second, even if it was, what is the HDC's role in regulating Town owned property used for a governmental purpose.

Regarding the first issue, the 1975 warrant article (#22) created of the historic district. The 2005 warrant article (#2 - which was a petitioned article) referenced the historic district, reaffirmed the 1975 warrant, and created an overlay district map specifically stating the district "includes only town owned property." The 2012 warrant article (#4) amended the district to include additional Town owned property identified in the warrant article. These articles refer to an overlay district, but they do not reference the creation of a Historic District Commission. Are there any separate warrant articles or BOS meeting minutes that discuss the creation of the HDC itself (not just the creation of a historic district)?

The warrant articles' language adds a bit of a wrinkle to the analysis. First, it is not clear to me that the legislative body of the Town (i.e. its voters) ever created a Historic District Commission. I think the voters did create a historic district, but creating an overlay district does not automatically result in the creation of a historic district commission. RSA 674:46 states:

the local legislative body of any [] town . . . shall have the authority, by ordinance, to establish, change, lay out and define historic districts. Within the district, the municipality is empowered to regulate the construction, alteration, repair, moving, demolition or use of such structures and places.

If you think there is other documentation supporting the creation of the HDC, please let me know. However, based on the documents I have, it is my opinion the prior warrant articles clearly created a historic overlay district, but it is unclear whether the voters authorized the creation of a HDC in addition to the historic overlay district. An argument could be made that the HDC is referenced in the ordinance approved in 2005, and therefore, approval of the 2005 petitioned warrant article authorized the creation of the HDC implicitly. I would want to confirm whether the current HDC ordinance (Article XXIX) went before the voters and there was an opportunity to review and provided comments. However, even if the HDC ordinance was available to the voters, the wording of the 2005 warrant article is ambiguous enough that the Town should take steps to clarify the role and authority of the HDC. If the Town would like to reaffirm the existence of the HDC's role regulating property within the historic overlay district my recommendation is to prepare a warrant article for the upcoming annual meeting clearly establishing a voter approved HDC with the authority to "regulate the construction, alteration, repair, moving, demolition or use of such structures and places" within the historic overlay district pursuant to RSA 674:46.

Regarding the second issue, even if the HDC is properly established (or is re-established through a warrant article), NHMA has provided guidance that “any town property that is maintained in the performance of its governmental functions would be exempt from historic district regulations.” I agree with NHMA’s analysis. NH Supreme Court case law states a municipality is “not bound by its own zoning ordinance in the performance of its governmental functions **absent any statutory provision to the contrary.**” See *McGrath v. Manchester*, 113 N.H. 355 (1973). Since the *McGrath* case, the New Hampshire Legislature has enacted the governmental land use statute (RSA 674:54) which establishes a set of requirements a municipality must follow when there is a “substantial change in use or a substantial new use” of governmental property. Accordingly, in my opinion, Town property maintained in the performance of its governmental function is exempt from the HDC’s regulations.

With that said, I anticipate a possible argument to be made that the HDC does have authority to regulate Town property used for a governmental purpose because the Town’s legislative body (annual meeting) approved warrant articles establishing the historic district ordinance, and, therefore, the Town has an ordinance contrary to the general rule announced in *McGrath*. In my view, I do not think that is a strong argument because the court (citing established municipal principals) referenced a contrary “**statutory** provision,” not a contrary local rule or ordinance. “Statutory” refers to NH State statutes. If the court intended to include a local rule or regulation (such as the Historic District ordinance) it presumably would have made that clear in its holding. In addition, RSA 674:54, II-a states “any use, construction, or development of land occurring on governmentally owned or occupied land, but which is not a governmental use . . . shall be fully subject to local land use regulations.” Inherent in RSA 674:54, II-a is the State Legislature’s recognition that municipal owned land (used for a governmental use) is not subject to local regulations unless the governmental use is abandoned.

However, the existence *McGrath* and RSA 674:54 does not render the historic overlay district and HDC (if properly created) valueless. Any use of property within the overlay district that is not a “governmental use” would clearly come under the purview of the HDC. For example, if a private entity rents the property from the Town, any changes or alterations the private entity would like to do to the property would require HDC approval. Similarly, if the Town were ever to decide the sell property within the overlay district to a developer, the development of the property would require approval from the HDC. The HDC would not have an oversight role in these scenarios without the existence of the overlay district and HDC. I also think it is helpful to keep in mind that there is an RSA that specifically regulates governmental use of land. RSA 674:54 creates a process in which the Town must provide notification to the public about any “substantial change” or “substantial new use” of Town property. I understand that is not the same as the HDC, but it is an extra layer of oversight of a Town’s use of its own property that does not apply to private property (or non-governmental use of Town property).

Regarding the specific questions raised in your e-mail, as noted above, (assuming the creation of a valid HDC) there is value to the existence of the HDC even if it cannot regulate town owned property used for a governmental purpose. Non-governmental use of the property (whether the property is Town owned or not) would come under the purview of the HDC. If the overlay historic district did

not exist, any non-governmental use of the property would only need to satisfy the existing zoning requirements applicable to the property.

In terms of how the Commission can move forward and function similar to how it has, I think the first step is to create a warrant article as discussed above. The warrant article should clarify that the historic district commission has authority to regulate the construction, alteration, repair, moving, demolition or use of property within the district if not used for a governmental purpose. In addition, the warrant article could indicate the HDC shall serve as an advisory committee to the BOS, and although not binding, provide recommendations for any substantial change or substantial new use of a Town building when used for a governmental purpose.

Regarding the last e-mail question, the legislative body has the power to establish an overlay district and create a HDC (including an advisory commission). However, a town meeting vote cannot overrule an RSA or established case law.

Feel free to reach out with any further thoughts or questions on this.

Thanks,

Nate

NATHAN C. MIDOLO

UPTON & HATFIELD, LLP

10 Centre Street
P.O. Box 1090

Concord, NH 03302-1090

T: 603-224-7791

F: 603-224-0320

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From: Diane Kendall [REDACTED]

Sent: Tuesday, August 8, 2023 8:45 AM

To: Nathan C. Midolo [REDACTED] >

Cc: [REDACTED]

Subject: Historic District Commission Questions

Hi Nate,

Hope your doing well and had a nice vacation.

The Historic District Commission has more questions.

1. “ get a reading from the Town attorney as to what value was the 2005 annual meeting vote to validate the existence of the HHDC and the fact that it has acted as an independent commission to manage the properties placed under **its' purview for some 50 years.**”
2. “OPTIONS for how our Commission might function in the way it has for all those decades?”
3. “Does the “LEGISLATIVE BODY” - a Town Meeting - have the option to change the present commission to a different form of Commission or can the "LEGISLATIVE BODY" have the power to vote to overrule an RSA?”

Warm regards,

Diane Kendall
Town Administrator
Town of Henniker
603-428-3221 (105)



**Henniker Historic District Commission Meeting
August 14, 2023 Town Hall**

THIS A DRAFT ONLY

ATTENDING: Susan Adams, Warren Mattiello, Scott Osgood, Bob Pogano and Diane Kendall.

Warren opened the meeting at 9:40.

MINUTES: The minutes of the meeting on May 8, 2023 were moved by Bob, seconded by Warren and unanimously approved.

COMMUNITY CENTER DOORS: Diane brought us up to date on meeting with a Hopkinton builder. The doors are not compliant with life safety codes because they do not have crash bars installed. The doors are very bad condition and efficient for heat loss. The builder examined the doors, threshold and determined that because the doors are recesses, water causing damage to the structure. In addition, making the doors flush with the building will allow the doors to swing open fully, increasing safety and reducing damage to door trim. Replacement doors would match the current doors as closely as possible. The rough quote (\$18,000) included materials and labor. The RFP has not been issued because funding has not been appropriated.

STATUS OF THE HENNIKER HISTORIC DISTRICT COMMISSION:
At our last HHDC meeting there was question as to whether the HHDC needed to have approval of the BOS, to have a meeting to discuss banners in Woodman Park. This eventually lead Diane Kendall (town administrator) to call into question the “legitimacy” of the HHDC – per the evaluation of the Town attorney. From subsequent research by Diane – with the NH Municipal Association and our Town attorneys, it became apparent that Town Meeting votes in **1975/1976/2005 & 2012** ONLY established an “**Historic DISTRICT**”, NOT a “**COMMISSION**”.

Further it was found that under RSA 674, “Town owned properties are **EXEMPT** from “historic commission regulations”. At the above stated Town

meetings, only “town owned properties” were setup within the Henniker Historic DISTRICT.

That research, based on our Town Attorney’s emails, stated that it would be necessary to put a “warrant article” at the 2024 Town Meeting, to “properly establish an “Historic District Commission””. (This action however would be questionable though – considering a COMMISSION cannot have any control over Town owned properties – UNLESS there are “substantial change in use or a substantial new use” OR MIGHT involve the demolition, of a certain property. Diane suggested that we work with the Planning and Zoning Boards to accomplish this.

The simple fact is that the HHDC has functioned as a quasi independent body for the past 50 years – dealing with the repair, maintenance and well-being, of the Town owned properties set up in the “historic district”, without the Town’s LEGISLATIVE body (Town meetings) ever properly establishing it as a “commission” and even if they had it still would not “legally” have the authority to function as it has.

As it stands now, we are just an advisory committee for the BOS. Our decisions have NO authority.

It was moved (Bob) and seconded (Warren) to go before the Planning and Zoning Boards for direction in going forward. Then a meeting with the BOS would be needed to ascertain their decision as to how our “commission” would function – again - as it cannot function as a “HISTORIC COMMISSION” per RSA regulations and could only be an ADVISORY COMMITTEE to the BOS. The motion was carried unanimously and Warren will follow up with those Boards to setup meetings to discuss the future of the HHDC.

The meeting was adjourned at 10:18.

Respectfully submitted,

Susan Adams, Secretary
October 16, 2023



HISTORIC DISTRICT COMMISSION BEST PRACTICES

From the National Alliance of Preservation Commissions

People are often surprised to learn that their local Historic District Commission is an arm of their local government; that it is a quasi-judicial body with binding authority, just like the Planning Board and Zoning Board of Adjustment. Its members are public servants, just like other boards, and it must follow the same rules of procedure, public notice, ethics, meeting conduct, conflict of interest, and record keeping as the town council. How the Historic District Commission operates is critically important, because it deals with personal property in a way that other Boards and Commissions don't. Effective and sound Historic District Commission operation is a dynamic, ongoing process, constantly improving as it responds to community needs and evolving preservation practice. The following discusses six aspects of commission operation and provides best practice techniques to help your commission be highly-functioning. The time invested in constantly checking to ensure that the commission is following the best practices possible pays-off in headaches avoided and public support gained.

THE PUBLIC

How do property owners discover the commission and what will be their first impression?

- Send friendly welcome letters to new property owners telling them about the commission and its work. Include a boundary map and a simple brochure outlining what type of work is and is not reviewed by the commission. Let them know where they can get copies of applications and other materials.
- Make the Certificate of Appropriateness easy to read and complete. Avoid jargon and, where appropriate, use illustrations to make it as user-friendly as possible. Include a checklist of required application materials and steps.
- Commission staff and members should be willing and available to help property owners understand the application, review process, and standards and guidelines. Some commissions have publicly-noticed "working sessions" for applicants either before regularly scheduled meetings or at other designated times.

THE POLICY

Are your policies clearly communicated and updated when necessary?

- Periodically review your ordinance to ensure that you are familiar with its provisions and are following them. A periodic review will also help identify any deficiencies that need to be corrected.
- Guidelines only go so far. Ultimately, *The Secretary of the Interior's Standards* are the baseline criteria against which most commissions measure their work. Don't be afraid to refer to them and cite them when rendering decisions.
- Design guidelines should be based upon the local community and preservation objectives, and should fit the district's composition and character. One size does not fit all. For example, if a district doesn't have any commercial buildings, a section on signage and storefronts would be superfluous and confusing; or if the community's preservation goal is maintenance of a certain streetscape rhythm, the guidelines should provide ample information about size, scale, massing, setbacks, spacing, etc.
- A simple but professional brochure explaining what work the commission does and does not review can help to educate the public and dispel misinformation. Be sure to include the general review criteria used as well as an overview of the review process and where to get more information. Make the brochure available at town hall, the planning office and building permit counter, real estate offices, and the library.
- As you identify guidelines gaps and gaffs, take the necessary steps to correct them. Correcting an ineffective and unclear policy when the problem is first identified will prevent future problems.

THE PROCEDURE

What is your conduct before, during, and after the meeting?

- Be aware of the minimum public meeting posting requirements and try to do more. Consider additional notice measures like yard signs, posting in multiple places, and online notice.

- Be prepared! Review application packets before the meeting to become familiar with the applications so that there is no struggle to understand the project or keep up during deliberations, and more importantly to ensure that your decision is an informed one.
- Take the time for a site visit. Photographs are informative but do not tell the whole story. Check it out in person.
- The meeting should always start on an upbeat, positive, and professional tone. The chair should always acknowledge all commissioners and staff by name and use place cards so the audience can know who is speaking during deliberations. Remember that for many, your meeting will be the first and only interface residents have with the inner-functioning and management of their community – make it as professional as possible.
- Try to remember when it is the applicant’s first time at the table. Be patient with new commissioners and applicants and help them understand the process.
- Produce accurate minutes and adopt them at every meeting. Accurate and timely minutes help keep a commission’s work on track. After adoption, make the minutes publicly available. If the commission is doing its job according to the rules, minutes can be an effective public relations tool.

THE PRACTICE

Is everyone at the table making the effort?

- In addition to a basic training and orientation session for new commission members, everyone should attend an annual training event. Look for sessions at the New Hampshire Preservation Alliance Spring Conference, the Office of Energy and Planning Annual Conference, the National Alliance of Preservation Commission Conference, as well as regional workshops and lectures.
- Join a listserv devoted to Historic District Commission issues. Both the National Alliance of Preservation Commissions and the New Hampshire Division of Historical Resources maintain such listserves.
- Create commissioner notebooks for all commission members. Notebooks should contain, at a minimum, the ordinance, rules of procedure, regulations, design guidelines, map of the district, and any other information the commission distributes, such as brochures and handouts.
- Consider a consent agenda and administrative review, if feasible or warranted. If a commission has staff, identify work that can be approved at the administrative level and include a list of that work in the guidelines. If a commission does not have staff, consider designating several commissioners as “Expediting Commissioners” who can give administrative approval for a limited range of work. It is advisable to require approval by more than expediting commissioner to receive a Certificate of Appropriateness.
- Consider visiting other commissions’ meetings and inviting other commissions to yours.
- Review and reflect upon your work at the end of every year, and take the time to review the commission’s operation and decisions. Take photos of completed projects and create a “before and after” slide show, allowing you to identify areas where improvements can be made as well as to acknowledge where a good job was done.

THE POLITICS

Are you soliciting support from the local leadership?

- Use an annual report to inform elected officials of how many applications the commission approved and how many were denied. Chances are the officials won’t hear about the approvals unless the commission tells them. Send the report to the local media along with a brief press release.
- Consider periodic joint meetings with the other land use boards and elected officials to keep everyone informed and aware of the commission’s work and needs.
- Look for ways to involve the commission in as many aspects of local government as possible, including representation on other boards, such as the Planning Board, as well as participation in civic activities.

THE PERCEPTION

Are you recognizing the good preservation work of others?

- Don’t forget about positive reinforcement! Look for ways to recognize good preservation work in the community – not just the large-scale projects, but the small ones as well. Consider starting a joint awards program with the local preservation non-profit organization or participating in programs already in place.
- If local incentives exist, such as a façade grant program or certified local government program, make sure people know about it. Let people know about the Federal Rehabilitation Tax Credit Program.
- A commission doing its job well and consistently following the rules is its best defense against accusations of being arbitrary and capricious.

TITLE LXIV PLANNING AND ZONING

CHAPTER 672

GENERAL PROVISIONS

Words and Phrases Defined

Section 672:7

672:7 Local Land Use Board. – " Local land use board " means a planning board, historic district commission, inspector of buildings, building code board of appeals, zoning board of adjustment, or other board or commission authorized under RSA 673 established by a local legislative body.

Source. 1983, 447:1. 2010, 226:4, eff. Aug. 27, 2010.

Chapter 673

LOCAL LAND USE BOARDS

Establishment of Boards

Section 673:1

673:1 Establishment of Local Land Use Boards. –

- I. Any local legislative body may establish a planning board, the members of which shall be residents of the municipality.
- II. Any local legislative body may establish any or all of the following: a heritage commission, a historic district commission, an agricultural commission, and a housing commission.
- III. Any local legislative body may provide for the appointment of an inspector of buildings. The local legislative body may fix the compensation for any inspector who is so appointed.
- IV. Every zoning ordinance adopted by a local legislative body shall include provisions for the establishment of a zoning board of adjustment. Members of the zoning board of adjustment shall be either elected or appointed, subject to the provisions of RSA 673:3.
- V. Every building code adopted by a local legislative body shall include provisions for the establishment of the position of a building inspector, who shall issue building permits, and for the establishment of a building code board of appeals. If no provision is made to establish a separate building code board of appeals, the ordinance shall designate the zoning board of adjustment to act as the building code board of appeals. If there is no zoning board of adjustment, the board of selectmen shall serve as the building code board of appeals.

Source. 1983, 447:1. 1992, 64:5. 2007, 266:2. 2008, 391:2. 2009, 286:1, eff. Jan. 1, 2010.

Section 673:4

673:4 Historic District Commission. –

I. The historic district commission shall consist of not less than 3 members and no more than 7 members who shall be appointed in a manner as prescribed by the local legislative body.

II. Each historic district commission member shall be a resident of the city or town which establishes the district. One commission member shall be a member of the local governing body and one commission member may be a member of the planning board. Not more than 5 alternate members may be appointed. When an alternate sits in absence or disqualification of a regular member, the alternate shall have full voting powers. In determining each member's qualifications, the appointing authority shall take into consideration the appointee's demonstrated interest and ability to understand, appreciate and promote the purposes of the historic district commission.

III. Members of a historic district commission also may serve on other municipal boards and commissions, including but not limited to a conservation commission established under RSA 36-A, and a heritage commission established under RSA 673:4-a.

Source. 1983, 447:1. 1995, 138:3, eff. July 23, 1995.

Historic Districts

Section 674:45

674:45 Purposes. –

The preservation of cultural resources, and particularly of structures and places of historic, architectural and community value is hereby declared to be a public purpose. The heritage of the municipality will be safeguarded by:

I. Preserving districts in the municipality which reflect elements of its cultural, social, economic, political, community and architectural history;

II. Conserving property values in such districts;

III. Fostering civic beauty;

IV. Strengthening the local economy; and

V. Promoting the use of historic districts for the education, pleasure and welfare of the citizens of the municipality.

Source. 1983, 447:1. 1992, 64:13, 14, eff. June 19, 1992.

Section 674:46

674:46 Authority Granted. – For the purpose of this subdivision, the local legislative body of any city, town, or county in which there are located unincorporated towns or unorganized places shall have the authority, by ordinance, to establish, change, lay out and define historic districts. Within the district, the municipality is empowered to regulate the construction, alteration, repair, moving, demolition or use of such structures and places.

Source. 1983, 447:1. 1985, 103:22. 1989, 266:21, eff. July 1, 1989.

Section 674:46-a

674:46-a Powers and Duties of the Historic District Commission. –

I. For the purpose of establishing a legal basis for the district, the historic district commission may perform research and prepare the content of the historic district ordinance prior to its adoption or amendment as provided in RSA 675:2. In cases in which a municipality chooses to have both a heritage commission and a historic district commission, the historic district commission may request assistance from the heritage commission in performing research and preparing the content of the historic district ordinance.

II. The historic district commission may adopt and amend regulations in the manner provided in RSA 675:6.

III. The historic district commission shall be responsible for administering the ordinance and regulations within the historic district as provided in RSA 676:8-10.

IV. All districts and regulations shall be compatible with the master plan and zoning ordinance of the city, town, or county in which they exist.

V. The historic district commission may assume, if authorized by the local legislative body, the composition and duties of heritage commissions.

Source. 1985, 103:23. 1989, 266:22. 1992, 64:15. 1993, 32:2, eff. June 7, 1993.

Section 674:47

674:47 Abolition of Historic Districts. –

I. Except as provided in paragraph II, any district established pursuant to the provisions of this subdivision may be abolished in the following manner: Upon petition of 25 voters, the historic district commission shall hold 2 public hearings at least 15 days apart on the proposal to abolish the historic district, at which hearings citizens shall have an opportunity to be heard. Notice for each public hearing shall be as provided in RSA 675:7. Following the above public hearings, the proposal to abolish a historic district shall be presented for insertion in the warrant of a regular or special town meeting as provided in RSA 39:3. The historic district shall be abolished upon a vote of 2/3 of the members of the local legislative body present and voting.

II. In counties in which there are located unincorporated towns or unorganized places, the local legislative body shall determine the manner in which any district established pursuant to the provisions of this subdivision may be abolished for those unincorporated towns and unorganized places.

Source. 1983, 447:1. 1989, 266:23, eff. July 1, 1989.

Section 674:48

674:48 Interpretation. – Nothing in this subdivision shall be construed to prevent ordinary maintenance or repair of any structure or place within any historic district nor to prevent the construction, alteration, repair, moving or demolition of any structure under a permit issued by the building inspector or other duly delegated authority prior to the establishment of any historic district.

Source. 1983, 447:1, eff. Jan. 1, 1984.

Section 674:49

674:49 Enforcement. – The enforcement of the provisions of this subdivision shall be made through the zoning ordinance of the municipality. Any local legislative body which has established a historic district commission under RSA 673 shall include provisions for the enforcement of the commission's administrative decisions in the zoning ordinance of the municipality.

Source. 1983, 447:1, eff. Jan. 1, 1984.

TITLE LXIV PLANNING AND ZONING

CHAPTER 675 ENACTMENT AND ADOPTION PROCEDURES

Zoning Ordinance, Historic District Ordinance and Building Code Enactment Procedures

Section 675:6

675:6 Method of Adoption. –

Every local master plan, subdivision regulation, site plan review regulation and historic district regulation referred to in this title shall be adopted or amended by the planning board or historic district commission, as appropriate, in the following manner:

- I. The board or commission, as appropriate, shall hold a public hearing prior to adoption or amendment. Notice for the time and place of the hearing shall be as provided in RSA 675:7.
- II. The board or commission, as appropriate, may adopt or amend the master plan or regulation upon completion of the public hearing by an affirmative vote of a majority of its members.
- III. No master plan, regulation, amendment or exception adopted under this section shall be legal or have any force and effect until copies of it are certified by a majority of the board or commission and filed with the city clerk, town clerk, or clerk for the county commissioners.
- IV. The historic district commission may adopt or amend regulations only after the commission has held a public hearing within the district. Notice for the time and place shall be as provided in RSA 675:7. The adopted regulations shall be certified by a majority of the historic district commission members and filed with the city clerk, town clerk, or clerk for the county commissioners.

Source. 1983, 447:1. 1985, 103:24. 1989, 266:26, eff. July 1, 1989.

Historic District Commission

Section 676:8

676:8 Issuing Approval for Building Permits. –

The historic district commission shall review applications for building permits within the historic district for their impact on the historic district and its objectives by:

I. Requesting reports and recommendations regarding the feasibility of the applicant's proposal from the planning board, fire chief, building inspector, health officer and other administrative officials who may possess information concerning the impact of the proposal on the historic district.

II. Seeking advice from professional, educational, cultural or other groups or persons as may be deemed necessary for the determination of a reasonable decision.

III. Filing with the building inspector or other duly delegated authority either a certificate of approval or a notice of disapproval following the review and determination of the application.

Source. 1983, 447:1, eff. Jan. 1, 1984.

Section 676:9

676:9 Procedure for Approval of Building Permits. –

I. The historic commission district shall file a certificate of approval or a notice of disapproval pursuant to RSA 676:8, III within 45 days after the filing of the application for the certificate, unless the applicant agrees to a longer period of time.

II. No building permit shall be issued until a certificate of approval has been filed with the building inspector; but, in the case of disapproval, notice of disapproval shall be binding upon the building inspector or other duly delegated authority, and no permit shall be issued.

III. Failure to file the certificate within the specified period of time shall constitute approval by the commission.

Source. 1983, 447:1, eff. Jan. 1, 1984.

Section 676:10

676:10 Enforcement by Historic District Commission. –

I. In municipalities which have established one or more historic districts pursuant to RSA 674:46, but which have no local zoning ordinances, the historic district commission shall have within the bounds of the historic district all the authority, powers and duties prescribed in this chapter for planning boards insofar as such authority, powers and duties are within the intent of the historic district commission's grant of power. In such municipalities, the requirement of conformity with the local zoning ordinance, as provided in RSA 674:46, shall not apply.

II. In municipalities which do not have a planning board, the requirements of RSA 674:46 and 676:6 relating to conformity with the master plan and the requirement of RSA 673:4 that one member of the commission may be a planning board member shall not apply.

III. In municipalities which do not have a building inspector, the certificate of approval of the commission, as provided in RSA 676:8, III, shall be the equivalent of a building permit. In municipalities which do not have a zoning board of adjustment, motions for rehearing and appeals from decisions of the historic district commission shall be governed by the provisions of RSA 677, insofar as applicable.

TITLE LXIV PLANNING AND ZONING

CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS

Governmental Use of Property

Section 674:54

674:54 Governmental Land Uses. –

I. In this section, "governmental use" means a use, construction, or development of land owned or occupied, or proposed to be owned or occupied, by the state, university system, the community college system of New Hampshire, or by a county, town, city, school district, or village district, or any of their agents, for any public purpose which is statutorily or traditionally governmental in nature.

II. The state, university system, community college system of New Hampshire, county, town, city, school district, or village district shall give written notification to the governing body and planning board, if such exists, of a municipality of any proposed governmental use of property within its jurisdiction, which constitutes a substantial change in use or a substantial new use.

Written notification shall contain plans, specifications, explanations of proposed changes available at the time, a statement of the governmental nature of the use as set forth in paragraph I, and a proposed construction schedule. Such notification shall be provided at least 60 days prior to the beginning of construction. Either the governing body or planning board of the municipality may conduct a public hearing relative to the proposed governmental use. Any such hearing shall be held within 30 days after receipt of notice by the governing body or planning board. A representative of the governmental entity which provided notice shall be available to present the plans, specifications, and construction schedule, and to provide explanations. The governing body or planning board may issue nonbinding written comments relative to conformity or nonconformity of the proposal with normally applicable land use regulations to the sponsor of the governmental use within 30 days after the hearing.

II-a. Any use, construction, or development of land occurring on governmentally owned or occupied land, but which is **not a governmental use** as defined in paragraph I, shall be fully subject to local land use regulations.

II-b. The construction and operation of any solid waste disposal facility on land owned or occupied by any city or town within another city or town shall be subject to local land use regulations to the same extent as if the land were owned and occupied by a private entity. Nothing in this paragraph shall affect the construction and operation of a solid waste facility on land owned by a solid waste management district formed under RSA 53-A or RSA 53-B or any combination of municipalities authorized by an act of the general court, if the land is located within a city or town that is part of the district.

III. This section shall not apply to:

(a) The layout or construction of public highways of any class, or to the distribution lines or transmission apparatus of governmental utilities, provided that the erection of a highway or utility easement across a parcel of land, shall not, in and of itself, be deemed to subdivide the remaining land into 2 or more lots or sites for conveyance for development purposes in the absence of subdivision approval under this title. For purposes of this subparagraph, "transmission apparatus" shall not include wireless communication facilities.

(b) The erection, installation, or maintenance of poles, structures, conduits and cables, or wires in, under, or across any public highways under RSA 231, or licenses or leases for telecommunication facilities in, under, or across railroad rights of way. For purposes of this subparagraph, "structures" shall not include wireless communications facilities.

IV. In the event of exigent circumstances where the delay entailed by compliance with this section would endanger public health or safety, the governor may declare a governmental use exempt from the requirements of this section.

Source. 1996, 262:1. 1998, 281:2. 2007, 29:1, eff. May 14, 2007; 361:32, eff. July 17, 2007.

674:54 Governmental Land Uses

- **In general, municipal land use regulations do not apply to state, county, city, town or village district construction projects, when in furtherance of an essential function of government**
- When a governmental entity proposes a use of property that **constitutes a substantial change in use or a substantial new use it must comply with the provisions of RSA 674:54**
- Written notice of the project, along with plans and specifications, must be provided to the governing body 60 days prior to the commencement of construction
- Upon receiving that notice the governing body or the Planning Board can then hold a public hearing on the proposed project, with details about the project provided and at that hearing by the governmental entity.
- After the public hearing the governing body or Planning Board “may issue nonbinding written comments relative to conformity or nonconformity of the proposal with normally applicable land use regulations to the sponsor of the governmental use within 30days after the hearing.

[PowerPoint Presentation \(nhmunicipal.org\)](http://nhmunicipal.org)

[Historic Districts — New Hampshire Preservation Alliance \(nhpreservation.org\)](http://nhpreservation.org)

**RECORD OF AFFIRMATIVE VOTES AT
ANNUAL MEETING 1975**

Article 2 VOTED, that the reports of Town Officers, Library Trustees, of Town Trust Funds and other Committees be accepted as printed in the Town Report.

Article 3 VOTED, that the Town raise and appropriate the sum of \$89,689.83 (Eighty nine thousand six hundred eighty nine dollars and eighty three cents) to defray Town charges for the ensuing year, divided as follows:

Town Officers Salaries	\$ 12,000.00
Town Officers Expenses	12,000.00
Election & Registration	500.00
Expenses of Town Buildings	3,000.00
Town Poor	2,000.00
Interest	8,000.00
Insurance	15,000.00
Street Lighting	5,000.00
Visiting Nurse Association	4,800.00
Memorial Day	500.00
Old Age Assistance	5,000.00
Legal Services.	1,000.00
Hydrant Rental	1,000.00
Central N. H. Regional Planning Commission	1,370.83
New Loader Note	2,000.00
Civil Defense	150.00
Capital Reserve Fund (Heavy Equipment)	4,000.00
Property Map	100.00
Sidewalk Plowing	1,950.00
Town Dump	3,500.00
Land Fill Maintenance	3,500.00
Community Center	2,000.00
Planning and Zoning	400.00
Blister Rust & Care of Trees	199.00
Office Machines	720.00

And that Town Officers be paid at the following rates: Auditors, Ballot Clerks, Fence Viewers, Health Officers, Selectmen, Supervisors of Checklist, and Surveyors of Wood and Lumber at \$2.50 per hour; Moderator at \$2.75 per hour; Treasurer at \$600.00 per year; Tax Collector at the rate of three-quarters of one percent of the taxes collected; and Town Clerk at \$100.00 per year; and that the funds appropriated for the Community Center be earmarked for the support of summer swimming program, Henniker Community Center Basketball team, Peewee League Baseball program and Henniker Town Team Basketball and that payments be made through the Selectmen of Henniker and by the Town Treasurer.

Article 4 VOTED, to indefinitely postpone any action on this article. (College Exemption to increase to \$1,000,000.00)

Article 5 VOTED, that the Town raise and appropriate the sum of \$102,973.06 (One hundred two thousand nine hundred seventy three

Article 16 VOTED, that the Town raise and appropriate the sum of \$4,500.00 (four thousand five hundred dollars and no cents) for the support of the Henniker Youth Services, that the ten percent decrease (the original motion read \$5,000.00) be taken equally from the director's salaries, and that all receipts and expenditures be processed by the Town.

Article 17 VOTED, that the Town raise and appropriate the sum of \$500.00 (five hundred dollars and no cents) for the Bi-Centennial Committee.

Article 18 VOTED, that the Town raise and appropriate the sum of \$684.00 (six hundred eighty four dollars and no cents) for the support of the Community Action Program.

Article 19 VOTED, that the Town authorize the withdrawal from the Revenue Sharing Fund, established under the provisions of the State and Local Assistance Act of 1972, toward the completion of the renovations of the old Town Hall, of \$30,000.00 (thirty thousand dollars and no cents).

Article 20 VOTED, that the Selectmen be directed to give priority to local vendors in services and products for the town, to the extent said vendors offer comparable and competitive products, prices or services.

Article 21 VOTED, that the Town consent to the use of the grounds adjacent to the Henniker Community Center, not including the ball park, for park and play purposes.

Article 22 VOTED, that the Town designate the Old Town Hall as an Historic Building and the area bounded by Circle Street and Route 114 an Historic District.

Article 24 VOTED, that the Selectmen be authorized to apply for, accept and expend on behalf of the Town any grants or other funds available for Town purposes, including, but not limited to, disaster aid and highway funds which may now or hereafter be available from the United States Government, the State of New Hampshire or any Federal, State or private agency or individual, or take any other action in relation thereto.

Article 25 VOTED, to authorize the Selectmen to report at next Town Meeting on possibilities of expanding Town Recreation Facilities using Federal Grants and/or Federal Matching Funds.

**RECORD OF AFFIRMATIVE VOTES
AT ANNUAL MEETING 1976**

Article 2 **VOTED**, that the reports of Town Officers, Library Trustees, and Town Trust Funds and other Committees be accepted as printed in the Town Report.


Article 3 **VOTED**, that the Town raise and appropriate the sum of \$101,805.73 (One hundred and one thousand eight hundred five dollars and seventy three cents) to defray Town Charges for the ensuing year, divided as follows:

Town Officers Salaries	\$ 13,000.00
Town Officers Expenses	14,000.00
Election & Registration	2,000.00
Town Hall & Other Town Buildings	6,000.00
Planning & Zoning	1,000.00
Insurance	20,000.00
Civil Defense	150.00
Conservation Commission	100.00
Town Dump	8,000.00
Street Lighting	7,000.00
Sidewalk Plowing	2,000.00
Town Poor	2,000.00
Old Age Assistance	6,500.00
Memorial Day	500.00
Hydrant Rental	1,000.00
Damages & Legal Expenses	2,000.00
Property Map	200.00
Advertising & Regional Associations	1,433.73
Long Term Debt	2,000.00
Interest	8,000.00
Blister Rust & Care of Trees	122.00
Visiting Nurse	4,800.00

And that Town Officers be paid at the following rates: Auditors, Ballot Clerks, Fence Viewers, Health Officers, Selectmen, Supervisors of Checklist and Surveyors of Wood and Lumber at \$2.50 per hour; Moderator at \$2.75 per hour; Treasurer at \$600.00 per year; Tax Collector at the rate of three quarters of one percent of the taxes collected; and Town Clerk at \$100.00 per year.

Article 4 **VOTED**, to indefinitely postpone any action on this article. (New England College exemption).

Article 5 **VOTED**, that the Town raise and appropriate the sum of \$93,472.37 (Ninety three thousand four hundred seventy two dollars and thirty-seven cents) for the repair of Highways and Bridges and repair or purchase of machinery; that \$23,472.37 (twenty three thousand four hundred seventy two dollars and thirty-seven cents) come from the Highway Subsidy fund and that \$70,000.00 (Seventy thousand dollars and no cents) be for Highway expenses.

Article 31 VOTED, to indefinitely postpone any action on this article.
(Depot Hill in Historic District). 

Article 32 VOTED, that the Cemetery area behind the Town Hall be
incorporated into the Historic District.

A True Copy, Attest:
Lorraine Knapton,
Town Clerk

Town of Henniker
State of New Hampshire

RECORD OF AFFIRMATIVE VOTES
AT TOWN MEETING 2005

Polls opened at the Henniker Community School Gymnasium in Henniker, NH on Tuesday the Eighth (8th) day of March 2005, at seven of the clock in the morning (7:00 a.m.) And voting commenced on the following:

1. Town Officers were elected as follows (*asterick indicates person elected):

Cemetery Trustee - 3 year term
Martha Taylor* (466)

Planning Board - 3 year term
Kristin H. Claire* (349)
Terry Stamps* (339)

Planning Board - 1 year term
Gail Abramowicz* (350)
Stephany Marchut Lavallee (145)
James D. McElroy* (313)

Town Clerk/Tax Collector - 3 year term
Kimberly I. Johnson* (458)

Trustee of the Trust Funds - 6 year term
Lynn B. Kimball* (440)

Trustee of the Tucker Free Library - 3 year term
Christine(Putnam)Anderson* (395)
Terrance Simkin* (381)

Selectmen - 1 year term
Aaron M. Lavallee (79)
Cheryl Morse* (346)
James W. Roberts (35)

Selectmen - 3 year term
Carl Hamel (98)
Elizabeth(Lisa)Hustis (231)
Cordell Johnston* (324)
Thomas J. Watman* (287)

Treasurer - 1 year term
Susan E Y Damour* (457)

Cogswell Spring Water Works
Commissioner - 3 year term
Jospeh P. Damour (453)

To vote on the following:

- 2) Are you in favor of adopting an amendment to the Henniker Zoning Ordinance reaffirming the Historic District that was established by Town Meeting votes of 1975 and 1976, as proposed by the Henniker Historic District Commission? The amendment would establish an Overlay District as defined in the 1975 and 1976 Town Meeting votes. This district includes only town owned property in the town hall area as shown on the Historic District Overlay Map submitted as part of this amendment. A certificate of Approval from the Historic District Commission will be required to construct, alter, move or demolish any building or structure within the district in order to safeguard the historical and architectural heritage of this district. Submitted by petition. Approved by the Planning Board.

YES 382 NO 124

- 3) Are you in favor of Amendment No. 2 to the Henniker Zoning Ordinance, which would remove sections 133-15, 133-19, 133-23D, 133-25E, 133-25F, 133-27C, 133-27D, and 133-29F from the ordinance? These are provisions the planning board has identified as unnecessary or inconsistent. Section 133-15 contains a reference to Astudent residences@ that is unnecessary and inconsistent with the rest of the ordinance. Section 133-19 prohibits Acluster housing,@ a term that is no longer recognized. Sections 133-23D, 133-25F, 133-27D, and 133-29F relate to Aconventional development,@ a term that is no longer used elsewhere in the ordinance. Sections 133-25E and 133-27C purport to prohibit any commercial use in the RN and RR Districts, which is inconsistent with more specific provisions allowing certain commercial uses (home business and home business/retail) in those districts. Proposed by the Planning Board.

YES 387 NO 110

- 4) Are you in favor of Amendment No. 3 to the Henniker Zoning Ordinance, which would change or add certain definitions? The amendment would change the definitions of Aabutter,@ Aagriculture,@ and Awetlands@ to conform to state law, and define Anonconforming lot@ as Aa lot which does not meet the requirements of this ordinance for the district in which the lot is located.@

Record of Affirmative Votes from 2012 Town Meeting (continued)

- 3) Are you in favor of amending Chapter 133, Zoning Regulations, Article VIII Commercial District Regulations, Section 133- 28 Regulations for all commercial districts, G, by amending it as follows: No commercial retail buildings, as defined as any building for commercial retail use, with a building footprint greater than 35,000 square feet will be allowed within any of the zoning districts in the Town of Henniker shall be prohibited from all zoning districts, except for the CH Heavy Commercial District.

Purpose: At this time, no commercial buildings larger than 35,000 square feet are allowed anywhere in the community. Given the location of the CH Heavy Commercial District, (eastern portion of Old Concord Road), the Planning Board believes that this area of the community is well suited for commercial growth, with excellent access and vacant land. In addition, it will provide opportunities to expand the tax base, which is greatly needed.

YES 211 NO 212

A recount was requested by 15 registered voters. The recount was conducted on March 27, 2012 at 4:30 pm in the meeting room at the Town Hall. Wayne Colby, Moderator; Kimberly Johnson, Town Clerk/Tax Collector; the Selectmen: Kris Blomback, Ronald Taylor, Thomas Watman, Robert French Jr. and Leo Aucoin were present. The results from the recount are:

YES 212 NO 213

- 4) Are you in favor of amending Chapter 133, Zoning Regulations, Article XXIX Historic District, by amending Section 133-162 District areas, Paragraph B, by adding the following properties to the Historic District Overlay Map: Lot 413 (The Grange), Lots 242 A & B (The Community Center and Community Park) and Lot 203 (Academy Hall). All properties are owned by the Town of Henniker.

Purpose: At this time, the Historic District is limited to the area around Town Hall (Park across the street, Town Hall, ball fields and cemetery). This proposal will add four town owned properties to the District, affording them the same historic protections that now exist for the Town Hall. This amendment was initiated and supported by the Historic District Commission.

YES 316 NO 110

- 5) Are you in favor of amending Chapter 133, Zoning Regulations, Article XI, Signs, by amending the Ordinance in numerous places, with the goal to clarify and streamline the permitting process, along with other amendments that: 1) Remove the current requirements for sign permits for many types of signs, including temporary signs, window signs, flags and banners, while still maintaining existing size and lighting requirements. 2) Remove restrictions on when temporary signs can be displayed. 3) Remove requirements for sign setbacks, unless there is a safety issue. 4) Permit projecting signs. 5) Clarify that sign sizes exclude the sign framework. 6) Clarify that the Ordinance applies only to business type signs and not homeowner signs. 7) Allow for service organization signs (like Rotary or Farmer's Markets) which are presently allowed under the current regulations. 8) Ensure that externally lighted signs may use energy saving compact fluorescent lights (which currently are not allowed) and that these signs will be designed to avoid excessive glare. And, 9) Authorizes the Board of Selectmen to designate a town staff person to issue sign permits instead of requiring the approval of a sign permit at a Board meeting.

Purpose: The existing sign ordinance contains language that can be very confusing and difficult to interpret. In addition, all sign permits now must be approved by the Board of Selectmen, which can cause delays in issuing permits. In order to address these issues and streamline the process, a number of changes are being proposed including clarifying wording, removing the need for permits in some cases and allowing town staff to issue permits.

YES 309 NO 110



TOWN OF HENNIKER, NEW HAMPSHIRE

Town Hall
18 Depot Hill Road
Henniker, NH 03242
Tel: (603) 428-3221

Request for Board of Selectman Agenda Item Consideration

Per Town of Henniker Selectmen's Polices Section II .1 Meeting, Board & Committee Policies, Board of Selectmen Meeting Procedures and Section II.3 Citizen Participation at Meetings.

- Persons may request an addition to the Board of Selectman Agenda until noon on the Thursday preceding the scheduled Selectman meeting. Depending upon the boards schedule, appearances will be scheduled within the next two regularly scheduled board meetings whenever possible.
- Purpose of this policy is for the notification in advance of the Board of Selectmen and the public to review supporting materials prior to the meeting.
- This form will provide the board with basic information of the topic or request.
- Persons who have been pre-scheduled to appear before the Board will normally speak during the New Business section of the agenda. Please see the policy for more information.

SUBMIT FORM TO THE TOWN ADMINISTRATOR diane.kendall@henniker.org or mail to address at top of form.

Requested Meeting Date: <u>9/5/2023</u> P.S. Today I am 81 Years Old	
REQUESTOR CONTACT INFORMATION	
Name: <u>Robert Garrison</u>	
Address: [REDACTED]	[REDACTED]
Email: [REDACTED]	[REDACTED]
Phone: [REDACTED]	
DESCRIPTION OF TOPIC OR REQUEST	
TITLE: <u>Perambulation of town lines 2023</u>	
PERSON PRESENTING TO THE SELECTBOARD AND CONTACT INFORMATION IF DIFFERENT:	
DESCRIPTION OF QUESTION OR PROBLEM: <u>Perambulation needs to be started soon. Selectmen will have to select at least 2 people. See RSA 5182</u> <u>I am not able to do it again but will help</u>	
PREVIOUS ACTIONS TAKEN BY REQUESTER OR OTHERS: (include attempts to resolve prior to coming to BoS) <u>See attached letter</u>	
EXPECTED OUTCOME, ACTION OR DECISION: (be specific) <u>Hopefully Selectmen will appoint the people to do this soon</u> <u>A YES or NO decision is requested</u>	

KNOWN FINANCIAL IMPACT:

OTHER SUPPORTING INFORMATION: (attach supporting documentation or add additional comments here)

FOR OFFICE USE ONLY

DATE RECEIVED: 8/28/2023

DATE SCHEDULED: 9/5/23

TOWN ADMINISTRATOR COMMENT:

See attached

DEPARTMENT HEAD AND COMMITTEE COMMENTS:

LEGAL AUTHORITY:

FINANCIAL DETAILS:

SUGGESTED ACTION/MOTIONS/RECOMMENDATIONS:

POST MEETING NEXT STEPS AND FOLLOW-UP

RESOLUTION:

Town of Henniker Perambulation 2023

This year it will be time to get together with representatives from 6 other towns and hike the bounds of Henniker. I thought we just did that. Thinking back, it was last done in 2016. Time flies.

State law **51:2 Perambulation of Town Lines.** – The lines between the towns in this state shall be perambulated, and the marks and bounds renewed, once in every 7 years forever, by the selectmen of the towns, or by such persons as they shall in writing appoint for that purpose.

How hard can it be to walk around town and check out a couple of dozen monuments or marks that haven't ever wandered from their current location? The town of Newport has put their report of the perambulation of the town bounds done in 2020 on the internet and it is worth looking at. Whoever put in their monuments was a clever dude and he seems to have mostly put monuments where the town lines cross roads. They did a good job and filed a long and complete report.

Henniker is a bigger town than Newport and has about twice as many marks to locate. Many are nowhere near a road. Several of the marks near road crossings had been destroyed by road work since the 1997 perambulation done by Leo Dube and Richard Martin. The perambulating, finding the marks and bounds and "renewing" them is only part of the job. I want to thank Cherry Palmisano for contacting all the other towns and getting volunteers from all the towns and work out a schedule for when the volunteers of each town would be available to go do the required perambulations. All dates required a rain date just in case. To add to the effort, she put into getting volunteers she took the pictures and descriptions of the perambulation, for each town, and put together the package for each town and send them to their selectmen to sign and return so they could be sent to the State as required. Oh yes, she also signed up to be the perambulator for her hometown town of Weare. Probably most of you have never walked the bound between Henniker and Weare but it is not an easy walk. Her husband just shook his head and bought her a pair of hiking boots for the party. She did a great job and much better than I thought she could. Most of the representatives from all the towns did a great job and we got the whole thing done in a little over a month. The only person that did nothing to help the process was the Henniker Selectman, Ben Fortner. He signed up for hiking every one of the bounds but didn't complete any. He always showed up late at the agreed get together points, or not at all, making everybody else stand around and wait. If he came, he would tag along for about 30 minutes and then would have something else to do. Finally, future groups agreed that we would leave the departure point at the appointed time. We didn't see him after that. The returns that are sent to the state have to be signed by the selectmen. He held up the signing for Henniker for many days just to prove he was important. Finally, he was informed that only two signatures were required and there were already enough. He signed. The NH State Archivist sent a note thanking us for our good work. Attached is copy.

If you are wondering why I am bothering you now about something that probably won't be done until the fall of 2023, if at all. I will try to fill on the blanks. First you have to find the marks and bounds before you can renew them. We had GPS technology which make this whole project much easier than using a compass. We started with the USGS maps that gave us approximate locations for the 4 corners of the town. We walked the town bounds and added waypoints for each bound we encountered and moved the line we were following to fit reality. With this new line to follow we found more monuments that were not found the first time. We cleaned the monuments, stood up fallen ones and then painted the printing on the monuments so they were easier to see. Some monuments were broken and needed

more work. Anyway, it took about 5 complete trips around Henniker to get things fixed up. In this process we located a number of monuments that haven't been reported in a long time. The GPS coordinates will allow anyone with a GPS receiver get to within 30 feet or better of whatever location they want. Blazes on trees and stone walls and a little clearing will help locating the points of interest. Your fancy cellphone will get you pretty close too. The necessary GPS data for the location of the boundary and each of the monuments is available in the Henniker town hall. Copies of all of the final returns are there too.

There have been a few minor corrections made since the 2016 perambulation. The section of the town line between Warner and Henniker runs through a large property that is in both towns. There aren't much of any boundary markers since the property is all one piece. Since 2016 I have put quite a bit of time searching for marked trees along the town line. There are many trees with hard to see blazes on trees that are the real thing and in the right place. The bound was marked with red paint on trees long ago, but if you search you can find them. We had to clear the brush, etc. to find the path but it is there. Some parts of the bound has been logged since the trees were painted and there is nothing to find. I have led a representative from Warner to see the red marks before repainting them. They were content and the marks are now painted yellow. The 2016 perambulation marked monument #4 where a boulder has a drill hole and a vague T mark. It turns out that the State town line sign is more accurate and lines up with the new marks on the trees.

I turned 80 years old this past year and will not be able to do the perambulation, etc. I will gladly spend time with your next leader and give him or her a few of the tricks I learned along the trail. I can help by leading all the places that the town line crosses roads and also show them where the corners of the town are. I also have many spare signs and tools for putting up signs. Perambulating is best done in the fall, after things dry out and there are fewer bugs and less mud in the wet spots.

If you like to wander in the woods, hiking the Town Bounds is actually a nice hike, sort of an Easter Egg hunt for grownups. You can chew as much as you want to bite off.

Bob Garrison

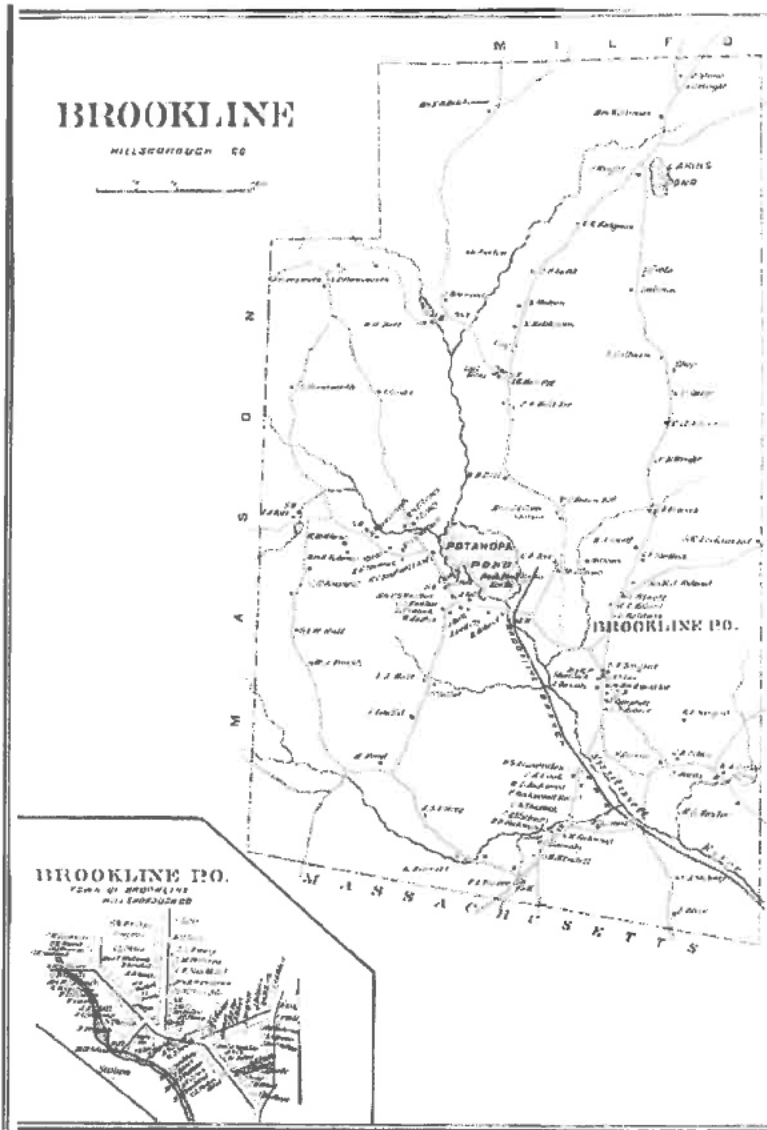
Fri, Jun 30, 2023

Finding your metes and bounds.

Perambulation. What is it? According to the dictionary it is "The act of walking or going before". For New Hampshire municipalities, it's the process of confirming the metes and bounds that define their boundaries as required by RSA 51, attached below. The Brookline Selectboard is looking for volunteers to assist with the process of "renewing" the boundaries of the Town of Brookline. Because of the size of the task, this may be done in segments over a period of several weeks, if necessary. This may start late-Summer and lead into Fall...but certainly before the snow flies!

You can view the last preambulation results here: <https://www.brooklinenb.us/sites/g/files/vyhli2876/f/uploads/brookline...>

If you are interested in participating, please let Town Administrator Scott Butcher know by sending an e-mail to sbutcher@brooklinenb.us.



Brookline Town Map of 1892, screenshot from Town website

an add in the "Messenger" might help you find interested perambulators.

RSA 51 Town Lines and Perambulation of Boundaries

51:1 On Connecticut River. – The northerly and southerly lines of towns adjoining Connecticut River are continued and extended across the river to the westerly line of the state, and the west line of the state is the western boundary of such towns. *Source.* RS 37:1. CS 39:1. GS 47:1. GL 51:1. PS 52:1. PL 56:1. RL 69:1.

51:2 Perambulation of Town Lines. – The lines between the towns in this state shall be perambulated, and the marks and bounds renewed, once in every 7 years forever, by the selectmen of the towns, or by such persons as they shall in writing appoint for that purpose. *Source.* RS 37:2. CS 39:2. GS 47:2. GL 51:2. PS 52:2. PL 56:2. RL 69:6.

51:3 Additional Perambulation. – If the selectmen of any town deem it necessary that the town lines be perambulated or any marks and bounds renewed at other times than at the regular perambulation provided for by RSA 51:2 they may give notice to the selectmen of the town adjoining and the procedure for said perambulation or renewing of bounds shall be the same as that provided in RSA 51:2, 4-7. *Source.* 1935, 38:1. RL 69:7.

51:4 Return. – A return of the perambulation shall be made, particularly describing the courses and distances and the marks and monuments of such line, which shall be signed by the selectmen or persons making the same, recorded in the respective town books, and filed with the secretary of state. *Source.* RS 37:3. CS 39:3. GS 47:3. GL 51:3. PS 52:3. PL 56:3. RL 69:8. RSA 51:4. 1969, 67:1, eff. June 13, 1969.

51:5 Notice. – The selectmen of the town first incorporated, or, if both were incorporated on the same day, of the town which is highest in the proportion of public taxes, shall give to the selectmen of the town adjoining notice of the time and place of meeting for such perambulation 10 days before the day of meeting. *Source.* RS 37:4. CS 39:4. GS 47:4. GL 51:4. PS 52:4. PL 56:4. RL 69:9.

51:6 Penalty for Selectmen's Neglect to Give Notice or Attend. – If the selectmen whose duty it is to give such notice shall neglect to notify as aforesaid, or shall neglect to attend agreeably to such notice, or if the selectmen of any town, after being duly notified, shall neglect to attend, or if any selectman shall neglect to cause a return of such perambulation to be made and recorded as aforesaid, each selectman so neglecting shall be guilty of a violation. Any fines collected shall be distributed with 1/2 for the use of the town whose selectmen have done their duty, and the other half to the use of the county. *Source.* RS 37:5. CS 39:5. GS 47:5. GL 51:5. PS 52:5. PL 56:5. RL 69:10. RSA 51:6. 1973, 531:15, eff. Oct. 31, 1973 at 11:59 p.m.

51:7 Disagreement. –

I. When the selectmen of adjoining towns shall disagree in renewing and establishing the lines and bounds of such towns, the superior court for the county in which the town first incorporated or paying the highest tax as aforesaid is situate, upon petition and after notice to the other towns interested, shall, either examine said disputed lines or appoint a committee for that purpose, and the court's decision thereon shall be final; and the court may order either or both towns to pay the costs, as deemed just.

II. For a dispute as to the actual location of a town line arising in a matter on appeal before the board of tax and land appeals pursuant to RSA 76:16-a, the board of tax and land appeals shall have concurrent jurisdiction with the superior court and shall have the authority granted the superior court in paragraph I. *Source.* RS 37:6. CS 39:6. GS 47:6. GL 51:6. PS 52:6. PL 56:6. RL 69:11. 1951, 221:5. 1998, 344:1, eff. Aug. 25, 1998.

51:8 By County Commissioners. – When the place next to any town has no organization and is on the line of adjoining counties, the county commissioners of the county in which the place is situated shall be empowered to act in the perambulation of the line between the county and town, and shall be notified and proceed in the same manner and subject to the same liabilities as the selectmen of towns. *Source.* 1881, 61:1. PS 52:7. PL 56:7. RL 69:12.

51:9 Alteration of Town Lines. – No portion of the territory of any town or city shall be united with another town or city unless the legislative enactment providing for such union shall be ratified by 2/3 of the voters of each town or city affected, present and voting by ballot at the regular annual or biennial meeting for the election of town or city officers held next after the passage of such act. *Source.* 1903, 99:1, 2. PL 56:8. RL 69:13.

CONCORD MONITOR

(<https://www.concordmonitor.com>)

News > Local (/News/Local/)

Walking the line: officials from Hopkinton, Henniker go on a hike mandated nearly 400 years ago



Bob Garrison of Henniker, with a GPS in hand and an antenna atop his head, stands Sunday at the Bound Tree monument that marks where Hopkinton, Henniker and Warner meet. Lola Duffort photos / Monitor staff » [Buy this image](#)

Garrison (left) and
The line of boulder



By [LOLA DUFFORT \(/byline?byline=By LOLA DUFFORT\)](#)

Monitor staff

Published: 10/20/2016 1:05:17 AM

Clipboard in hand, [Hopkinton \(http://www.concordmonitor.com/Keyword?keyword=Hopkinton%20NH\)](http://www.concordmonitor.com/Keyword?keyword=Hopkinton%20NH). Selectman Steve Lux went on an 8-mile hike Sunday. He was joined by Amy Patenaude and Bob Garrison, representatives from [Henniker \(http://www.concordmonitor.com/Keyword?keyword=Henniker%20NH\)](http://www.concordmonitor.com/Keyword?keyword=Henniker%20NH), and together they strolled through woods, scrambled up hills, and wound their way around pounds, eventually tracing the border between their two towns.

Clipboard in hand, Hopkinton Selectman Steve Lux went on an 8-mile hike Sunday. He was joined by Amy Patenaude and Bob Garrison, representatives from Henniker, and together they strolled through woods, scrambled up hills, and wound their way around ponds, eventually tracing the border between their two towns.

The group was fulfilling one of New Hampshire's oldest and strangest municipal obligations – perambulation.

An import from England, the practice has been on the books in what is now New Hampshire since 1651, when the Granite State was just a part of the Massachusetts Bay Colony. Now codified as RSA 51, the state law requires selectmen – or their appointees – to physically walk their town lines every seven years, noting the place and condition of the monuments that dot their borders.

Sunday's hike was initiated by Henniker – by law, the oldest town on a border must initiate the process. Garrison, an amateur cartographer, was tapped by the select board to fulfill the town's centuries-old obligation, one it hadn't made good on in two decades.

Patenaude, an avid hiker, decided to come along as Henniker's second representative, and Mary Current, a friend of Garrison's from Milton, briefly joined the hike.

"This is fun for us," Patenaude said Sunday.

Before Hopkinton, Garrison had already officially perambulated the Bradford, Warner and Weare borders with Henniker. Only Deering and Hillsboro are left (a representative from both towns must be present for the hike) although Garrison has already walked the full border by himself, flagging the trees on the route and monuments with neon pink tape.

A report must be prepared for each border shared between towns – 589 in total – and signed off by officials on both sides of the line. (Technically, there are 624 borders. But the balance of those lines are made up of bodies of water, and as state archivist Brian Burford wryly noted in a history of perambulation written for the New Hampshire Municipal Association, there have been no "recent attempts to walk on water.")

While perambulation is a long tradition in New Hampshire, so is noncompliance with the law. At least since 1969, when state law started requiring towns to submit their reports to the secretary of state's office, the number of towns doing so has hovered around 16 percent, Burford said.

Report submissions briefly spiked after the state's archivist at the time, Frank Mevers, in frustration sent noncompliant towns a letter urging them to comply. But the uptick never stuck.

And that's a shame, Burford argues, because perambulation, while archaic, isn't irrelevant – even in the era of Google Maps.

A big part of perambulating is actually finding the bounds – or monuments – that trace the border along the way. They're often granite posts, chiseled with a date, sometimes a sign – occasionally simply a large boulder on the ground, painted with a mark.

"You actually have to see that the bound is there. And in doing so, it perpetuates where the town's jurisdiction is," Burford said.

Within just 10 minutes of starting their trek through the woods Sunday, the Hopkinton-Henniker group would find an unrecorded bound – a granite post, leaning slightly, dated 1913.

"They clearly didn't walk the line," Lux said, leafing through his town's previous report.

In defending perambulation, Burford frequently points to Milford, whose select board in 2005 pushed for a bill doing a way with the nearly 400-year-old law. That same year, a surveyor found several homes near the Milford-Amherst line weren't in the town they thought they were. It took an act of the state Legislature to redraw the boundaries and clear up the situation.

Or, he notes a 2015 lawsuit, brought against Middleton and Wakefield by a man whose property straddles the two towns, demanding the municipalities re-do their perambulations. John Fournier had deliberately built his home in Middleton, and claimed in his suit that a 2009 perambulation had, by relying on a GPS, mistakenly put his home in

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"In order to understand your liabilities, you sort of have to understand the parameters," Burford said.

For Lux, who volunteered to perambulate even before he joined the select board, it's about history.

"It's tradition and I believe in tradition quite a bit," he said.

And it's also about the fact that without the work of maintenance – of rooting around in the woods, uprighting falling monuments and keeping careful records – history gets blurry.

"All of it gets lost," he said.

(Lola Duffort can be reached at 369-3321 or lduffort@cmonitor.com.)

[hopkinton nh \(/keyword/?keyword=hopkinton nh\)](#) [henniker nh \(/keyword/?keyword=henniker nh\)](#)

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(<mailto:?&subject=Walking the line: officials from Hopkinton, Henniker go on a hike mandated nearly 400 years ago&body=Read%20this%20article%20from%20the%20Concord%20Monitor%3A%20%20https://www.concordmonitor.com/walking-the-line-5439542>)

More News (/News)

Granite Geek: Can a 'shark tank' incubator be touchy-feely? Healthcare sure hopes so
([/dartmouth-medical-research-51950786](#))

Today

When it comes to medical breakthroughs, my mind has always taken a technofuturistic turn, as you would expect from the name of this column. We need...



TOWN OF HENNIKER, NEW HAMPSHIRE

STAFF REPORT

DATE: 9/5/2023
TITLE: Perambulation 2023
INITIATED BY: Robert Garrison
PREPARED BY: Diane Kendall, Town Administrator / Robert Garrison
PRESENTED BY: Diane Kendall, Town Administrator / Robert Garrison

AGENDA DESCRIPTION:

Appoint perambulators to carry out 2023 Henniker perambulation per RSA 51 Town Lines and Perambulation of Boundaries. – The lines between the towns in this state shall be perambulated, and the marks and bounds renewed, once in every 7 years forever, by the selectmen of the towns, or by such persons as they shall in writing appoint for that purpose. For reference please see this link to: [UNH Manual on Municipal Boundaries](#)

Legal Authority: [RSA 51 TOWN LINES AND PERAMBULATION OF BOUNDARIES](#)

Financial Details: N/A

Town Administrator Comment:

Perambulators may volunteer for specific Town Boundaries. In 2016 the Board of Selectmen appointed perambulators:

- Selectman Fortner
- Martha Sunderland
- Rod Pimentel
- Bob French
- Amy Patenaude
- Beth Gray
- David Gray
- Bob Garrison
- Kristen McLean

The town has a good template to carry out the process including previous reports, photos, maps, letters, and schedules. Mr. Garrison is seeking a successor to lead the perambulation team for 2023.

From UNH [A MANUAL ON MUNICIPAL BOUNDARIES PERAMBULATING TOWN LINES IN NEW HAMPSHIRE](#), Robert G. Moynihan P.E., L.L.S. *“If the selectmen appoint others, the written appointment should include a statement of the purpose of the appointment, the specific duties delegated to those appointed, the date of the writing, and should be signed by the selectmen. The governing bodies of two adjoining municipalities may appoint the same individual to run the lines between the municipalities, which, if done legally, will be regarded as a perambulation of the municipal boundary line according to Adams v. Stanyan, 24 N.H. 405 (1852).” Many towns have a N.H. licensed land surveyor perform the task. In some instances, both towns will share the cost of the same surveyor. The selectmen from each town may accompany the surveyor. Any number of scenarios is possible. But in all cases, there must be an ‘official’ appointment, in writing, by the municipal officials for the individuals who will perform the task and report on the findings. If new monuments need to be set or replaced, a licensed land surveyor is required as discussed in Section IV.*

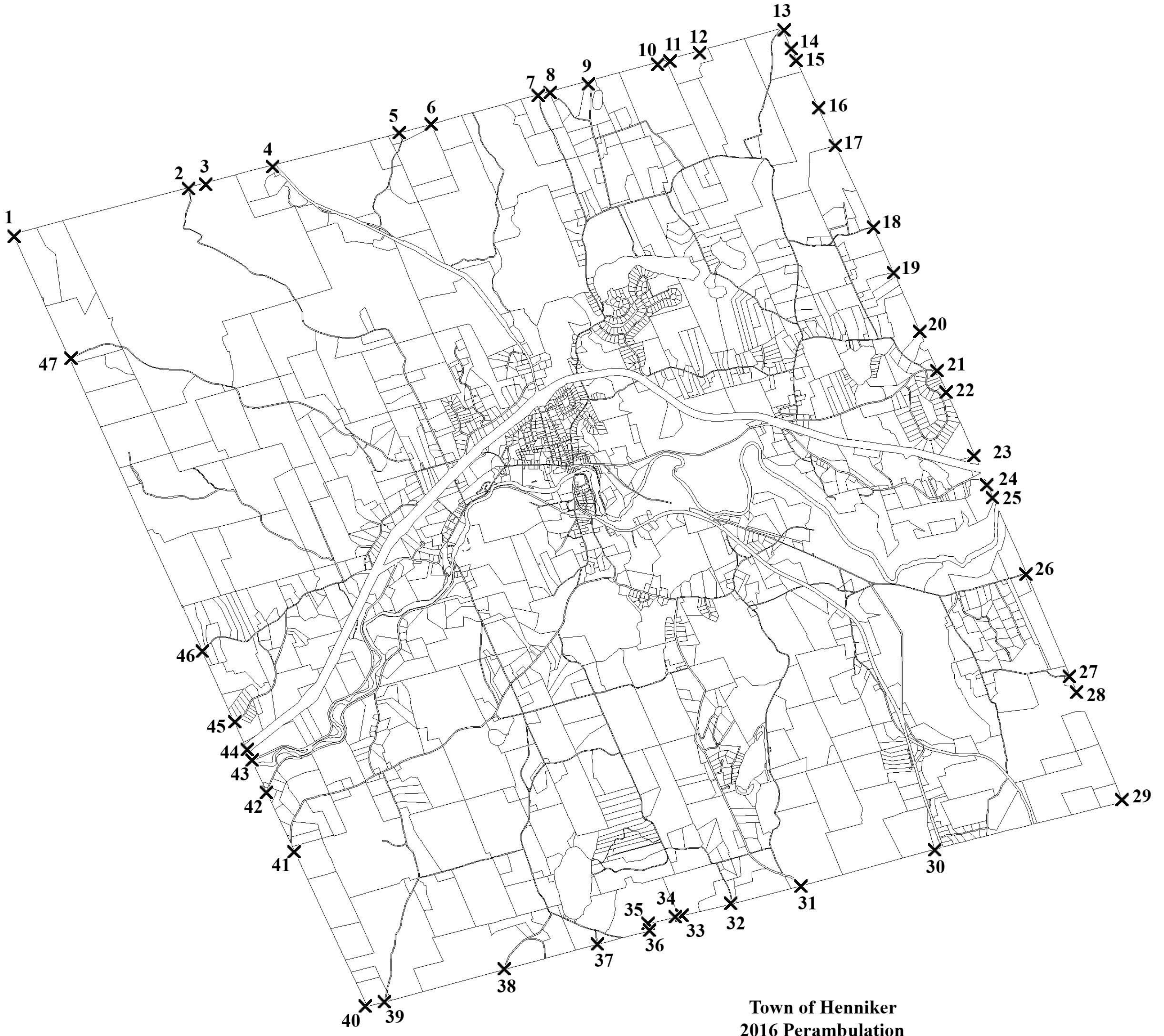
Some have suggested that the towns try to have the fire and police chiefs attend the walk to familiarize themselves with the limits of the municipal authority and liability.”

Suggested Action/Recommendation:

Suggested Motion:

Motion to appoint (2) Selectmen as perambulators of the town boundaries and to prepare the Return in accordance with RSA 51.

Seek additional volunteers.



**Town of Henniker
2016 Perambulation
Bounds Locations
on Tax Map**

HENNIKER – DEERING
Town Line
Return of Perambulation
2016

The bearing and length of the line segments and the location of the monuments on the Henniker town line were recorded with a GPS receiver. To avoid confusion, the monuments located on the entire border of Henniker were numbered starting at the northwest corner of Henniker, the northeast corner of Hillsborough and the south bound of Bradford, continuing in a clockwise direction around Henniker and back to the starting point. Also attached are photos of many of the bounds and they use the same numbers for identification. The locations are given as Latitude and Longitude (NAD 83) which for the accuracy of the data is equivalent to the WGS84 datum used by most consumer grade GPS receivers. The locations are provided so that future perambulators do not have to search for the various marks. The locations are believed to be better than +/- 20 feet. The lot numbers in the descriptions, if any, are all from the Henniker tax map unless otherwise noted. Hopefully this data will help future perambulators to use GPS technology to locate the monuments. The bearings and distances are given, proceeding in the clockwise direction on the Henniker boundary. The bearings are given referenced to true north.

On September 29, 2016 Kristen MacLean and Ben Fortner, Perambulators for the Town of Henniker met with Gary Samuels, Perambulator for the Town of Deering for the purpose of checking the Henniker – Deering town lines. The bound between the towns was agreed to be as follows:

Beginning at Bound

#36 Granite post marked H, D, W being the corner between Henniker, Deering and Weare.

(Lat/Lon: 43° 07' 28.08" N, 71° 48' 33.99" W)

Thence 2339 feet on a bearing of 254.9 Degrees, partly along stone walls to Bound #37 Town line on Quaker Street about 600 feet south of Heath Hill Road. There is a survey pin on the east side of the road for a corner of Vincent State Forest and a stone wall on the west side of the road. Monument previously noted (1997) was not found and was probably destroyed when the new culvert was put in.

(Lat/Lon: 43° 07' 22.05" N, 71° 49' 4.43" W)

Thence 4192 feet on a bearing of 255.0 Degrees, partly along stone walls to Bound #38 Town line on Dudley Pond Road. Stone walls are on both sides of the road.

(Lat/Lon: 43° 07' 11.33" N, 71° 49' 59.02" W)

Henniker – Deering Perambulation 2016

Dated this 15th day of November, 2016

Respectfully submitted,



Kristen MacLean, Henniker Perambulator



Ben Fortner, Henniker Perambulator




Gary Samuels, Deering Perambulator

This perambulation of the Henniker - Deering town lines is hereby approved and accepted.

Date 11-15-16

Board of Selectmen

T 









Date 10-7-16

Board of Selectmen

T 





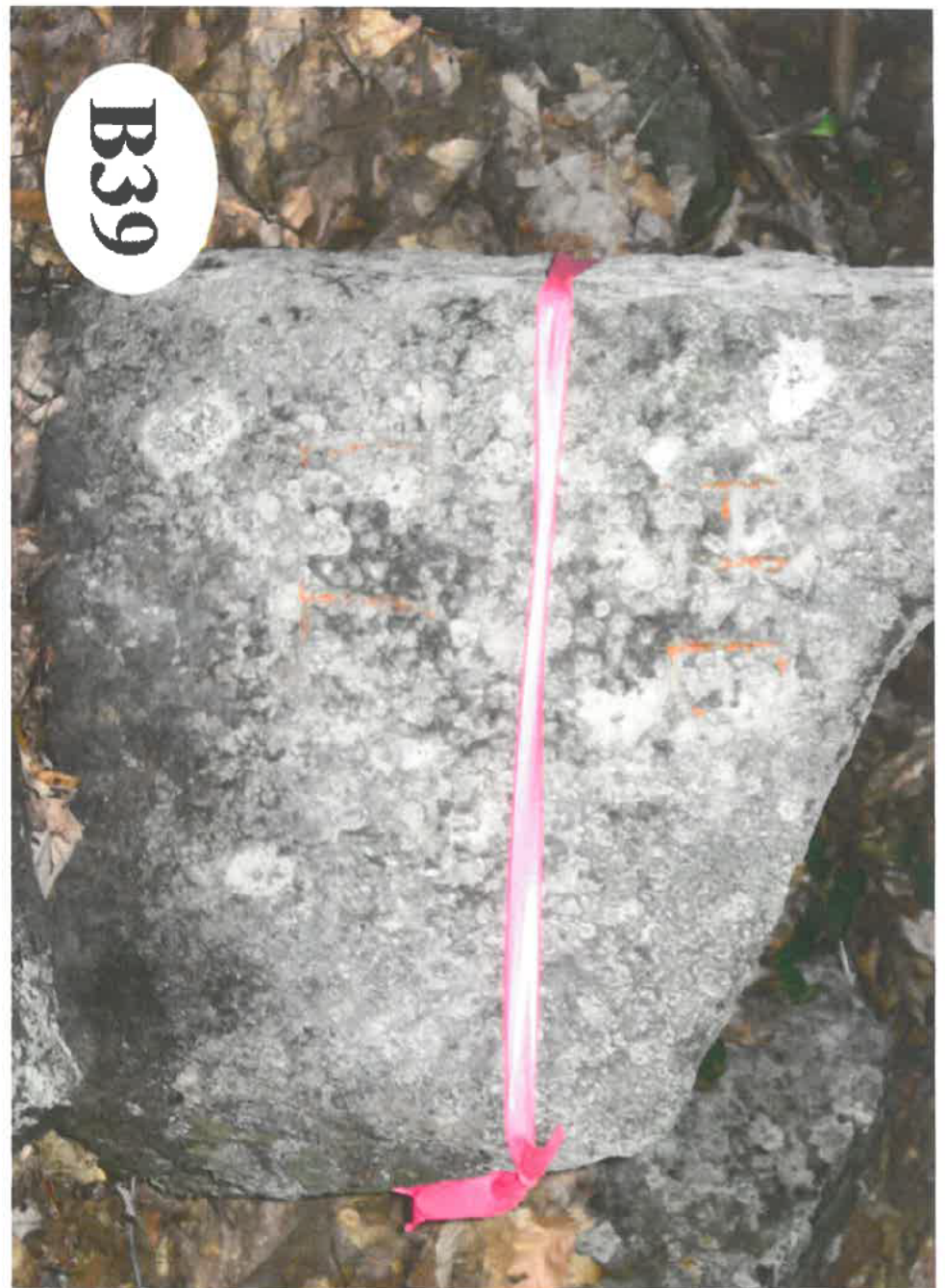
Thence 5386 feet on a bearing of 254.6 Degrees, partly along stone walls to Bound #39 Stone monument on the west side of Mathews Road marked H, D, and T L. Note: The monument is about 15 feet south of the property boundary line blazed with red paint for lot 708-A.

(Lat/Lon: 43° 06' 57.24" N, 71° 51' 9.05" W)

Thence 839 feet on a bearing of 256.2 Degrees, along a blazed property line to Bound #40 A stone in the corner of walls marked D, H, H and also a nearby stone marked H,H. This point is the southwest corner of Henniker and the southeast corner of Hillsborough on the north border of Deering.

(Lat/Lon: 43° 06' 55.27" N, 71° 51' 20.04" W)





August 10, 2016

Naomi Bolton
Town Administrator
Town of Weare
15 Flanders Memorial Road
Weare, NH 03281

Dear Naomi,

On behalf of the Henniker Board of Selectmen, I am contacting you regarding the perambulation of our shared town line. Our records show that the last perambulation was completed in 1997. According to state RSA the town line should be perambulated, and the marks and bounds renewed, once in every seven years.

The Henniker Selectmen have appointed delegates to perambulate the shared town lines along with Selectman Ben Fortner. It would be appreciated if the Selectmen of Weare could also appoint delegates to perambulate the shared town line of Henniker and Weare.

Once your delegates have been appointed please contact me to arrange a convenient date and time to perambulate our shared town line. It would be best for this to be done in late September or early October when the temperatures are cooler and the mosquitoes in retreat.

Best regards,

Cherry J. Palmisano
Executive Secretary/Land Use Coordinator
Town of Henniker
18 Depot Hill Road
Henniker, NH 03242
[REDACTED] ext. 1

Town Line	Contact	Delegates	Date to Perambulate	Meeting Location	Notes
Bradford 2 miles	Perry Teele 9 [REDACTED] [REDACTED]	[REDACTED] Bob French Rod Pimental	Monday, 10/3 Walk Complete	Short. Stone wall. 2 hours Emailed re: Return 10/14	Instructions sent 9/23
Deering 2.5 miles	Gary Samuels [REDACTED] home [REDACTED]	Kristen MacLean Ben Fortner	Thursday 9/29 Walk Complete	Pink tape is up - partially 3-4 hours Kristen submitted Return/pics	Instructions sent 9/23 No Bob Need GPS
Hillsborough 6 miles	Town Administrator, Laura Buono laura@[REDACTED]	[REDACTED] David Gray Ben Fortner	Tuesday 9/27 part 1 walk complete part 2 10/20	2 days 9am on Gould Pond Road at the town line	Instructions sent 9/26 Need GPS
Hopkinton 6 miles	Steve Lux Jr. Steve [REDACTED]	[REDACTED] Bob G. Ben Fortner	Walk Complete	2 days	Need GPS
Warner 4.5 miles	Jim Bingham [REDACTED] [REDACTED] cell / [REDACTED] h	Rod Pimental Mark Lucard Ben Fortner	Friday, 10/7 Walk Complete	Emailed re: Return 10/14	Need GPS
Weare 5 miles	Keith Lacasse [REDACTED] [REDACTED] Palmisano	Ben Fortner Bob G.	Saturday 10/15 Walk Complete	1 full day	Need GPS

This schedule is a work in progress and subject to change.

Henniker Perambulators

Bob Garrison [REDACTED]
Amy Patenaude [REDACTED]
Rod Pimental c) [REDACTED]
Kristen MacLean c) [REDACTED] h) [REDACTED]
Beth Gray [REDACTED]

David Gray [REDACTED]
Mark Lucard [REDACTED]
Ben Fortner [REDACTED]
Bob French [REDACTED]

January 4, 2017

N.H. Department of State
Division of Records Management and Archives
71 South Fruit Street
Concord, NH 03301

**Re: Perambulation Documents between the Town of Henniker and the
Towns of Bradford, Deering, Hillsborough, Hopkinton, Warner
and Weare**

Enclosed for state record please find fully executed copies of the above-referenced documents.

Should there be any questions, I can be contacted at [REDACTED] ext. 1 or via email at [REDACTED]

Best regards,

Cherry J. Palmisano
TOWN OF HENNIKER
Executive Secretary/Land Use Coordinator
18 Depot Hill Road
Henniker, NH 03242

NEW BUSINESS



Town Hall
18 Depot Hill Road
Henniker, NH 03242

Tel: (603) 428-3221
Fax: (603) 428-4366

Incorporated November 10, 1768
"Only Henniker on Earth"

TOWN OF HENNIKER, NEW HAMPSHIRE

STAFF REPORT

DATE: 9/5/2023

TITLE: Rescind Chapter 15 of Town Ordinance – Assemblies, Large

INITIATED BY: Helga Winn, Executive Assistant

PREPARED BY: Helga Winn, Executive Assistant

PRESENTED BY: Diane Kendall, Town Administrator

AGENDA DESCRIPTION: Request to rescind local ordinance Chapter 15 - Assemblies Large. Chapter 15 – Assemblies, Large is not in compliance with State and NFPA regulations and life safety codes. On August 15, 2023, the Board of Selectmen voted to adopt Chapter 16 – Special Events to replace Chapter 15 Assemblies, Large.

[Click or tap here to enter text.](#)

Legal Authority: N/A

Financial Details: N/A

Town Administrator Comment: N/A

Suggested Action/Recommendation:

Suggested Motion: Motion to rescind Chapter 15 of the Henniker Town Ordinance.

CHAPTER 15 ASSEMBLIES, LARGE

Chapter 15

ASSEMBLIES, LARGE

[HISTORY: Adopted by the Town of Henniker 10-1-1977; amended 6-6-1984. Amendments noted where applicable.]

GENERAL REFERENCES

Open containers of alcohol on public property -- See Ch. 7, Art. I.

Fireworks -- See Ch. 50.

Noise restrictions - See Ch. 71, Art. II.

~ 15-1. Findings and declarations.

The Town of Henniker finds and declares that it is necessary for the protection of the health and welfare of the general public and the inhabitants of the town that rules and regulations be established for the purpose of regulating large assemblies so as to ensure the public health and safety, proper sanitary, fire, police, health and safety measures be provided to regulate such gatherings. (RSA 155:1, 155:2, 155:17, 155:39 and RSA 651:2)

~ 15-2. Applicability; size of crowd.

This chapter pertains to any assembly or gathering of persons within the Town of Henniker for the purpose of entertainment, games, shows, activities, exhibitions, amusements, etc., for which the promoter has reason to believe will attract ~~300~~ 50 or more persons at any one time.

~ 15-3. Permit required.

It shall be unlawful for any promoter to allow, permit, encourage, promote, organize, conduct or advertise any such assembly or gathering unless a valid permit has first been obtained therefore from the Board of

Commented [HB1]: Chairman Blomback moved to change the wording of Chapter 15 from 300 to 50 to be in compliance with current NFPA per State of New Hampshire, Selectman Osgood seconded. Motion carried unanimously. 05/02/2023

Selectmen.

~ 15-4. Submission of application.

Application for permit must be submitted to the Board of Selectmen 30 days prior to the date upon which event is to be held or may be held. If application for permit is not approved, the denial shall be in writing setting forth the reason(s) for the denial. The decision of the Selectmen shall be final.

~ 15-5. Surety.

- A. At the discretion of the Selectmen, surety will be posted by the promoter, prior to the date of the event, to satisfy damages to public or private property, reimbursements for expenses of any town department and any and all other expenses incurred as a result of the event.
- B. Any or all unexpended funds from said surety shall be returned to the promoter.

~ 15-6. Contents of application.

The applicant for a permit under this chapter shall furnish the following information:

- A. Owner's name and exact location planned for activity.
- B. Owner's name and exact location of area(s) to be used for parking or other uses incidental to the activity.
- C. Date or dates and hours during which the event is to be conducted.
- D. An estimate of the minimum and maximum number of customers, spectators, participants and other persons expected to attend the event for each day it is conducted; detailed information supporting such estimate.

CHAPTER 15 ASSEMBLIES, LARGE

- E. Explanation of program, plans and ability to supply water and facilities, food supply and facilities, sanitation facilities (including but not limited to sewage, garbage and rubbish), medical and first-aid facilities, vehicle parking space, on-site traffic control, wrecker service, also plans for maintaining vehicle routes to allow emergency vehicles access to event.
- F. Provisions for cleanup of premises and removal of rubbish at conclusion of event.
- G. Such other information pertinent to the event as the Selectmen or any other officer of the town finds is reasonably necessary and required in order to determine whether or not the permit should be granted.
- H. Explanation of promoter's plan for policing the activity in the event that more persons attempt to attend the event than are permitted by the permit.

~ 15-7. Right of entry.

The promoter must consent to the entry, at any time, in the course of his or her duties, of any peace officer, employee of the Police Department, health officer and any other town officer in the performance of his or her duties, including but not limited to inspection.

~ 15-8. Additional requirements.

- A. Drinking water. The permittee shall provide drinking water from a source approved by the Selectmen in consultation with the Health Officer.
- B. Sanitary facilities. Adequate toilet facilities for both sexes must be available on the premises. One water closet, chemical or sanitary privy unit must be supplied for each 250 persons.
- C. Parking. The permittee shall have on the premises, or contiguous thereto, automobile space equal to 1/4 of the number of persons which the permit allows to attend the event. At the discretion of the Selectmen, fewer parking spaces may be required.
- D. Hours of operation. The permittee shall operate the event only on day(s) and during the

hours specified in the permit.

- E. Controlled admission. The permittee shall not sell, give or distribute a greater number of tickets than the number which the permit allows to attend.
- F. No advertising before permit granted. A person shall not advertise or announce by any means or medium, including but not limited to pamphlets, handbills, newspapers, radio and television, the holding of such an event prior to the granting of a permit.
- G. Illumination of area. Every permittee planning an event after dark, or planning to allow persons who attend the event to remain on the premises after dark, shall provide electrical illumination to ensure that those areas to be used may be lighted.

~ 15-9. Permit not transferable.

No permit granted under this chapter shall be transferable to another location, another person or entity or another set of dates.

~ 15-10. Conditional approval.

If the required facilities fail to meet the standards set forth in the plans and specifications therefore, which have been conditionally approved, such conditional approval shall be withdrawn, and any and all permits granted subject to such approval shall be canceled and withdrawn.

~ 15-11. Violations and penalties.

Whenever in this chapter any act is prohibited or is made or declared to be unlawful or an offense or the doing of any act is required or the failure to do any act is declared to be prohibited, unlawful or an offense where no specific penalty is provided therefore, the violation of any such provision of this chapter shall be punishable by a fine not to exceed \$1,000. (RSA 641:2)



TOWN OF HENNIKER, NEW HAMPSHIRE

Town Hall
 18 Depot Hill Road
 Henniker, NH 03242
 Tel: (603) 428-3221

STAFF REPORT

DATE: 9/5/2023
TITLE: Award Fuel Bid for 2023-2024 season
INITIATED BY: Diane Kendall
PREPARED BY: Diane Kendall
PRESENTED BY: Diane Kendall
AGENDA DESCRIPTION: Annual Fuel Bid
LEGAL AUTHORITY: Purchase policy
FINANCIAL DETAILS: \$33,519.10 to \$ 35,685.10

BACKGROUND: Bid requests were issued on August 9, 2023. The bid package was sent to known vendors, posted on the website and NHMA. Bids were opened at 10:00am on August 31, 2023. The following results are tabulated for comparison.

			Ayer&Goss	Ciardelli	Difference
2023-2024 #2 Fuel Oil Delivery Estimates			3,419	3,399	
Address	Building	Gallons			
18 Depot Hill Rd	Town Hall	1,400	4,786.60	4,758.60	
340 Western Ave	Police Dept	1,200	4,102.80	4,078.80	
199 Ramsdell Rd	WWTP - Belt Press	1,700	5,812.30	5,778.30	
31 Western Ave	Tucker Free Library	1,800	6,154.20	6,118.20	
TOTAL #2 Fuel		6,100	20,855.90	20,733.90	122.00
			Ayer&Goss	Ciardelli	
2023-2024 Propane Delivery Estimates			1,439	1,699	
Address	Building	Gallons			
250 Weare Rd	Cogswell Water	2,500	3,597.50	4,247.50	
199 Ramsdell Rd	WWTP (all propane)	925	1,331.08	1,571.58	
21 Western Ave	Grange	970	1,395.83	1,648.03	
Crescent St	Community Ctr	175	251.83	297.33	
216 Maple St	Fire & Rescue	2,700	3,885.30	4,587.30	
340 Western Ave	Police Dept	30	43.17	50.97	
209 Ramsdell Rd	Highway	1,500	2,158.50	2,548.50	
TOTAL Propane		8,800	12,663.20	14,951.20	(2,288.00)
TOTAL All Fuel			33,519.10	35,685.10	(2,166.00)

OTHER DEPARTMENT HEAD COMMENTS: N/A

SUGGESTED ACTIONS / MOTIONS:

***Motion:** Motion to award the heating oil/propane pay as you go agreement for the 2023-2024 season to the apparent low bidder Ayer & Goss for a total estimated fuel cost of \$33,519.10. No pre-payment required.*

Town of Henniker, NH

Bid Request

Issued 8/9/2023

The Town of Henniker is currently seeking individual bid quotes for the 2023-2024 heating season and for the following fuels and amounts.

1. 6,100 gallons of #2 Heating Oil
2. 8,000 gallons of propane

Vendor must accommodate town with automatic fill during winter season.

Vendor must guarantee a **PREPAID RATE FOR EACH FUEL (#2 OIL AND PROPANE)**.

Send or deliver Bid proposals to Selectmen's Office no later than **Thursday, August 31, 2022, at 10 am.**

The Town will return late submissions unopened.

The Board of Selectmen also reserve the right at their sole discretion to reject any and all bids, wholly or in part, to waive any informalities or any irregularities therein, to accept any bid even though it may not be the lowest bid, to call for rebids, to negotiate with any bidder, and to make an award which in its sole and absolute judgment will best serve the Town's interest.

Send sealed bid to:

**Diane Kendall, Town Administrator
Town of Henniker
18 Depot Hill Road
Henniker, NH 03242**

And clearly mark on outside of envelope:

Attn.: Heating Fuel Bid

Delivery Estimates for the 2023-2024 Season

2023-2024 #2 Fuel Oil Delivery Estimates

Address	Building	Gallons
18 Depot Hill Rd	Town Hall	1,400
340 Western Ave	Police Dept	1,200
199 Ramsdell Rd	WWTP - Belt Press	1,700
31 Western Ave	Tucker Free Library	1,800
TOTALS		6,100

2023-2024 Propane Delivery Estimates

Address	Building	Gallons
250 Weare Rd	Cogswell Water	2,500
199 Ramsdell Rd	WWTP (all propane)	925
21 Western Ave	Grange	970
Crescent St	Community Ctr	175
216 Maple St	Fire & Rescue	2,700
340 Western Ave	Police Dept	30
209 Ramsdell Rd	Highway	1,500
Total		8,800



FUEL BID 2023-2024

August 30, 2023

Diane Kendall
Town Administrator
Town of Henniker
18 Depot Hill Rd
Henniker, NH 03242

Dear Mrs. Kendall,

Ayer & Goss is pleased to offer the following Fixed Price Bid for the 2023-2024 heating season to begin at the time a signed agreement is completed and ending when the committed volumes are delivered or May 31, 2024, whichever comes first:

2023-24 Fuel Contract is a Pay as You Go Agreement. No pre-payment is required.

#2 Heating Oil – 6,100 gallons at \$3.419 to the locations included in the bid request.

Propane – 8,800 gallons at \$1.439 to the locations included in the bid request.

Pricing is effective on 8/30/2023 and valid until 9/8/2023, then subject to change with changes in commodity markets.

All of us here at Ayer & Goss want to thank you for your long-standing customer relationship and community support. We are proud to have served your heating fuel needs as well as providing quality gasoline and diesel at our fuel islands. We will continue to provide a discounted rate at both of our fuel islands in Bradford and Henniker as we have done for many years.

7750 gallons of fuel island gasoline and diesel purchased in 2022-23 at a .10 cents per gallon discount for a Total Savings of \$775.00

Thank you again for the opportunity to present this proposal and to provide you with a reliable propane and fuel oil service. Please feel free to contact us at 428-3333 or Info@ayerandgoss.com.

Sincerely,

Your Ayer & Goss Team

William, Cheryl, Amy, Kate, Lisa, Bill, Jim, Chris, Bob, Andy, Keith, Mike, Jacob & Liberty

Ayer & Goss, Inc. ~ P.O. Box 496 ~ Henniker, NH 03242 ~ 428-3333

Fuel Oil and Propane Guaranteed Price Contract for the 2023- 2024 Heating Season

THIS OFFER IS AVAILABLE FOR A LIMITED TIME ONLY. Due to market conditions, the price is subject to change after 09/08/2023 without notice and is not guaranteed until a signed agreement is executed by both parties.

This contract is to confirm that the Town of Henniker (acct# 6662, 5901, 2592) agrees with Ayer & Goss, Inc. to purchase #2 Heating Oil and Propane to be consumed during the 2023-2024 heating season, which begins on or after September 1, 2023, and ends on May 31, 2024, according to the following contract:

2023-2024 Pay as You Go Fixed Price PLAN

6,100 gallons of Fuel oil at \$3.419 (cash/ck) per gallon
(Fixed, non-fluctuating price)

Total cost \$21,221.90

8,800 gallons of Propane at \$1.439 (cash/ck) per gallon
(Fixed, non-fluctuating price)

Total cost \$13,191.20

By signing below, you accept this agreement in its entirety, including additional terms on reverse side.

SIGNATURES _____
Customer

Ayer & Goss

Date _____

Date _____

AYER & GOSS, INC. PRICE PROTECTION PROGRAM

Contract Terms for Residential Fixed Price Program

You must return this signed Agreement with your payment within 5 business days to guarantee the sale of fuel at the quoted price per gallon.

This Contract provides that Ayer & Goss, Inc. will sell, and the above-named customer, heirs, and/or assignees ("You") will buy exclusively from AYER & GOSS, INC., the gallons of product shown ("Committed Gallons") for the period shown ("Contract Period") at the price shown, including all taxes except sales and use tax, to be delivered at the following address(es) shown under the following conditions:

- 1. Prepayment Terms:** You shall prepay the entire amount due (shown including applicable taxes). All gallons delivered will be temperature compensated.
- 2. Requirements Purchase Obligation:** You shall purchase from AYER & GOSS, INC. ALL requirements of the fuel type indicated for the Contract Period, even if the amount of such gallons exceeds the Committed Gallons listed and shall not purchase from any other source during such period. The price of any fuel purchased in excess of the Committed Gallons will be Ayer & Goss, Inc.'s standard daily retail price per gallon in your area as of the delivery date.
- 3. Payment Terms Service and Equipment:** Charges to your account beyond the fuel charges described above shall be paid in full by the due date of the invoice.
- 4. Automatic Delivery:** AYER & GOSS, INC. will deliver to the address(es) listed on the enrollment form automatically, based upon projections calculated from historical consumption and weather. You should notify AYER & GOSS, INC. of any changes in consumption expectations. AYER & GOSS, INC.'s failure to automatically deliver does not void any other terms of this Agreement. Also, please keep the path to the fill location clear for AYER & GOSS, INC.'s driver.
- 5. Limitation of Liability:** AYER & GOSS, INC. shall not be liable for any indirect or consequential damages whatsoever. Furthermore, AYER & GOSS, INC. shall not be liable for damages incurred as a result of failure or delay in delivery of fuel as a result of circumstances beyond AYER & GOSS, INC.'s control, including but not limited to, force majeure, supplier interruptions, government mandated allocation, your failure to notify AYER & GOSS, INC. of consumption changes, or your failure to keep the fill location clear.
- 6. New Taxes:** The Contract Price set forth may be increased by an amount equal to the increment of new taxes imposed on fuel sales not in effect at the time this Agreement was made.
- 7. Termination by AYER & GOSS, INC.:** AYER & GOSS, INC. may terminate this Agreement and pursue legal remedies if You breach this Agreement in any way, including failing to pay for goods and services and/or the Committed Gallons covered by this Agreement, and/or by notifying AYER & GOSS, INC. that you do not intend to fulfill the purchase requirements in paragraph 2. AYER & GOSS, INC. may elect to cease deliveries and pursue damages and/or Liquidated Damages as set forth below.
- 8. Damages, and Liquidated Damages:** If You do not make any payment when required or otherwise breach in any way, AYER & GOSS, INC. shall be entitled to damages, reasonable costs of collection or attempted collection, and reasonable attorneys' fees. For instance, if You fail to purchase all of the Committed Gallons from AYER & GOSS, INC., or if You purchase fuel from another source during the Contract Term, AYER & GOSS, INC. shall be entitled to, at a minimum, Liquidated Damages calculated as follows: (Committed Gallons, minus delivered gallons) times the greater of \$1.00 per gallon, or 50% of the Contract Price per gallon, such amount to be paid within 10 days following the end of the Contract Term or the date of Your breach, whichever is earlier. These liquidated damages reasonably approximate actual damages to compensate AYER & GOSS, INC. for costs and risks incurred in securing fuel quantities and prices to satisfy the Committed Gallons. In addition, you shall pay any outstanding amounts for all delivered goods and services.
- 9. NOTICE OF PRICE RISK TO CONSUMER:** The fixed price in this Agreement is based upon market conditions prevailing at the time of signing. You understand and agree that the price is fixed for the season regardless of whether market price goes up or down. You are agreeing to all the Committed Gallons regardless of weather conditions reducing your fuel requirements.
- 10. Fixed Price Contract Compliance:** AYER & GOSS, INC.'S performance is secured by fixed price contracts and inventory in compliance with NH - R.S.A. §339:79.
- 11. THIS IS A LEGALLY BINDING CONTRACT. PLEASE READ CAREFULLY BEFORE SIGNING. THIS AGREEMENT IS NOT BINDING UNTIL A SIGNED COPY IS RECEIVED BY AYER & GOSS, INC. BY THE DEADLINE SPECIFIED ABOVE.**



Ciardelli Fuel Company - Proposal

8/29/2023

Town of Henniker
18 Depot Hill Rd
Henniker, NH 03242

Ciardelli Fuel Company is pleased to submit this proposal for providing Propane and # 2 oil to the Town of Henniker for 2023/2024 through June of 2024

PROPANE PRICING:

Ciardelli Fuel Company will deliver PROPANE at a Fixed price of \$1.699/gal. through 6/30/24.

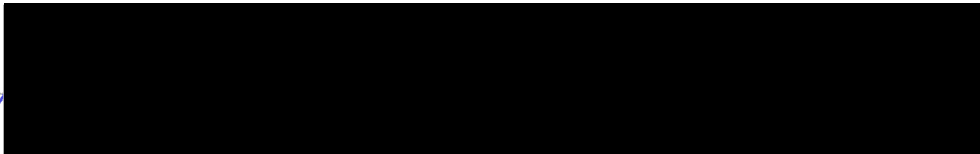
#2 HEATING OIL PRICING:

Ciardelli Fuel Company will deliver #2 HEATING OIL at a Fixed price of \$3.399/gal. through 6/30/24.

Thank you for the opportunity to submit this proposal.

*This Proposal is valid for 7 days.

Accepted by: _____ Date: _____
Town of Henniker



Thank you,

Allan Kingsbury
Operations Manager
Akingsbury@cfuel.com
603-428-3159



Ciardelli Fuel Company - Proposal

8/30/2023

Town of Henniker
18 Depot Hill Rd
Henniker, NH 03242

Ciardelli Fuel Company is pleased to submit this proposal for providing Propane and #2 oil to the Town of Henniker for 2023/2024 through June of 2024.

PROPANE PRICING:

Ciardelli Fuel Company will deliver PROPANE at a Fixed price of \$1.699/gal. through 6/30/24.

#2 HEATING OIL PRICING:

Ciardelli Fuel Company will deliver #2 HEATING OIL at a Fixed price of \$3.399/gal. through 6/30/24.

Thank you for the opportunity to submit this proposal.

*This Proposal is valid for 7 days.

Accepted by: _____ Date: _____
Town of Henniker

Date: 8/30/23

Thank you,

Allan Kingsbury
Operations Manager
Akingsbury@cfuel.com
603-428-3159



STAFF REPORT

DATE: 9/5/2023
TITLE: Amend Selectmen Policy III.7 to Strike Teen Center Language
INITIATED BY: Diane Kendall, Town Administrator
PREPARED BY: Diane Kendall, Town Administrator
PRESENTED BY: Diane Kendall, Town Administrator

AGENDA DESCRIPTION:

Consider Change to Selectmen Policy III.7 Rental of Community Center, Grange Hall and Community Park to strike from policy paragraph "SPECIAL NOTICE ABOUT THE TEEN CENTER: The Henniker Teen Center cannot be rented or used unless special permission is received by the Henniker Board of Selectmen, with input from the Community Center Activities Committee".

Legal Authority: Selectmen's Policies II.4 Town Committees and Boards and III.7 Rental of Community Ctr, Grange Hall & Community Park.

Financial Details: N/A

Town Administrator Comment:

This is proposed as a discussion item per I.1 Policy Adoption

- The Community Center lower level known as the Teen Center was under the direction of the Community Center Activities Committee. (BoS 9/19/2006). On 9/20/2022 the Selectboard voted to dissolve the Community Center Activity Committee and replaced it with a Teen Center Activities Committee.
- Minutes of 9/20/2022 "*Selectman Flynn motioned for the board to authorize the formation of a Teen Center Activities Committee effective October 10th, come back to the board with charge, rules and regulation within 60 days. Selectwoman Hooper asked to add to the motion provision the committee be constituted for grades 7 and up to be held at 57 Main St. lower level and operate through volunteers and donation as coordinated by the committee. Selectwoman Hooper seconded the motion. The motion approved unanimously.*"
- It has been more than 60 days since the establishment of the TCAC. The committee is inactive and has no members.

The town has a need for another space for public meetings, civic groups, and adult and youth recreation. We receive requests for space for children's birthday parties and other social occasions. The lower level has not been used for teen center activities since prior to COVID.

The space including activity room, office, restrooms, and kitchen are well suited for civic and youth group activities, art classes, fitness classes, learning opportunities, small social gatherings, etc. It could also serve as another meeting and storage location for Henniker Youth Athletics Committee.

This is a request for the expansion of use. Repurposing as a general use room might not prevent future Teen/Youth use.

This will require a policy change to III.7; Rental of Community Ctr, Grange Hall & Community Park as follows:

~~SPECIAL NOTICE ABOUT THE TEEN CENTER: The Henniker Teen Center cannot be rented or used unless special permission is received by the Henniker Board of Selectmen, with input from the Community Center Activities Committee.~~

Consideration of this item as a first reading to a policy change will give ample opportunity for the public to weigh in about a Teen Center and volunteers to come forward to serve on the Teen Center Activities Committee.

Suggested Action/Recommendation:

Suggested Motion:

Motion to consider striking the Special Notice About the Teen Center from Policy III.7 as the First Reading according to Policy I.1 and to move the item to a Second Reading.

First Reading: "The proposed policy shall be presented as a discussion item at the first meeting with an opportunity for questions of clarification and directions regarding changes to the policy. The first reading will be followed by the public announcement, publication and distribution of the proposal to interested parties."

Second Reading: "The proposed policy shall be presented as a discussion item at the second meeting. There will be an opportunity offered to concerned groups or individuals to react to the policy proposal. Amendments may be proposed and acted upon at this time."

CONTINUED BUSINESS

**2022 ARPA Funding Request
Tracking Sheet**

DESCRIPTION	Requesting Dept/Agency/Person	BoS Appropriation Date	Use		Source			Evaluation Criteria (1 = least; 5 = most)				Other Comments
			Total Project Cost	TOTAL ARPA Committed	ARPA Requests Estimates	TOTAL ARPA	Other Project Funding	Urgency	Public Safety	Public Benefit	Other Funding Available	
						525,333						
Wastewater												
Wastewater Upgrades	Town Meeting	3/12/2022	3,200,000	100,000		100,000	3,100,000					
Transfer Station - Sanitation												
Main door replace	Transfer Stat.	2022	27,083	27,083		27,083						
Replace Fire / Security System	Fire Dept.		5,649		5,649	5,649						
OTHER BUILDINGS												
Town Office												
Ductless A/C Minisplits	TA	2022	47,075	47,075		47,075						
Grange												
Fire alarm	TA/Fire Dept		9,186		9,186	9,186						
ADA ramp height and railings	TA/Safety Com.		2,645		2,645	2,645						
Front entry ADA door	TA/Safety Com.		8,950		8,950	8,950						
ADA restroom	TA/Safety Com.		7,480		7,480	7,480						
Rug removal	TA/Safety Com.		650		650	650						
Rug replacement/Keep Floor?	TA				TBD	TBD						
Community Building												
Fire Safety Updates - Front Doors	Fire Dept.		19,000		19,000	19,000						
Academy Hall												
Electrical Upgrade	Historical Soc.		5,600		5,600	5,600						
PARKS												
Azalea Park - Stabilization	Friends Azalea		75,000		75,000	75,000						
Community Park - Paint Bandstand	Concert Com		1,000		1,000	1,000						
Community Park - Sound System	Concert Com		7,794		7,794	7,794						
Community Park - Signs	Concert Com		1,200		1,200	1,200						
Community Park Irrigation	Concert Com		9,500		9,500	9,500						
PUBLIC SAFETY												
Street Light Rehabilitation												
Police	Beautification/Chamber		20,625		20,625	20,625						
Security System	Police Dept		TBD		TBD							
Fire												
Replace Inflatable Rescue	Fire Dept.	10/18/2022	16,803	16,803		16,803						
Fire Pond Old Concord Rd	Fire Dept.	Budget Wkshp	81,000	81,000		81,000						
Replace Fire / Security System	Fire Dept.		11,176		11,176							
EMS												
Administrative and Finance												
Library												
Accessibility & Safety Upgrades	Library Trustee		29,000		29,000	29,000						
Broadband Initiative												
NCDE/NHMA Consulting	TA/Plan/EDC	2022	7,500	7,500		7,500						
Public Safety Digital Sign	Highway Super.		18,630		18,630	18,630						
Emergency Management Tower Consultant	Public Safety	1/17/2023	5,000	5,000		5,000						
Roads and Bridges												
Water (Cogswell)												
White Birch												
Outdoor Pavilion - Senior Cit. Programs	White Birch		75,000		75,000	75,000						
TOTALS			3,692,546	284,461	308,085	581,370						
<i>ARPA Fund Balance</i>						<i>(56,037)</i>						

PAST MEETING MINUTES

DRAFT

Disclaimer – The following are Draft Minutes, which could include errors and are subject to change upon approval of the Select Board.



**Town of Henniker
Board of Selectmen NON-PUBLIC SESSION
Tuesday, August 15, 2023 5:30 PM
Henniker Town Hall**

Members Present: Chairman Kris Blomback, Vice-Chairman Bill Marko, Selectman Neal Martin, Selectman Jeff Morse, Selectman Scott Osgood

Member's Excused:

Town Administrator: Diane Kendall

Recording Secretary: Hank Bernstein

Guests: Wastewater Superintendent Richard Slager

NON-PUBLIC:

Motion to enter Nonpublic Session made by Selectman Marko, seconded by Selectman Osgood. Specific Statutory Reason cited as foundation for the nonpublic session:

RSA 91-A:3, II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.

Roll call vote to enter nonpublic session: **Kris Blomback, yes; Bill Marko, yes; Neal Martin, yes; Jeff Morse, yes; Scott Osgood, yes.** Public meeting recording stopped. Entered nonpublic session at **5:30 PM**.

Supt. Slager shared the two operators, Chazz Freeman and Eric Edwards, have been doing an exceptional job. Mr. Edwards recently acquired his Grade II license, and Supt. Slager would like to promote him to Chief Operator. Mr. Freeman has also taken on a lot of responsibility and Supt. Slager would like to create a new position that better reflects Mr. Freeman's role at the plant. Discussion ensued.

Selectman Marko moved to authorize the new position of Senior Operator at Grade 16 with the job description as presented, Selectman Morse seconded. Motion carried unanimously.

Selectman Marko motioned to move Chazz Freeman to Senior Operator Grade 16 step 8, \$24.55 an hour, effective pay date August 23rd, 2023. Selectman Morse seconded. Motion carried unanimously.

Selectman Marko motioned to move Eric Edwards to Chief Operator to Grade 18 step 7, \$25.55 an hour, effective pay date August 23rd, 2023. Selectman Morse seconded. Motion carried unanimously.

Motion to leave Nonpublic Session made by Chairman Blomback, seconded by Selectman Marko. The motion passed unanimously.

Public session reconvened at **6:05 PM**.

Respectfully submitted,

Hank Bernstein
Minute Taker

Minutes Approved:

DRAFT

Disclaimer – The following are Draft Minutes, which could include errors and are subject to change upon approval of the Select Board.



**Town of Henniker
Board of Selectmen Meeting
Tuesday Auguts 15th 2023 5:30 PM
Henniker Town Hall**

Members Present: Chairman Kris Blomback, Vice-Chairman Bill Marko, Selectman Neal Martin, Selectman Jeff Morse, Selectman Scott Osgood

Member's Excused:

Town Administrator: Diane Kendall

Recording Secretary: Hank Bernstein

Guests: See attached Sign-In Sheet

NON-PUBLIC SESSION

Item #1 - 5:30 pm Richard Slager, Wastewater Superintendent Personnel – RSA 91-A:3, II (a)
See attached

RETURN TO PUBLIC SESSION/ PLEDGE OF ALLEGIANCE

Public Session resumed at 6:15 and Chairman Kris Blomback opened the meeting with recitation of the Pledge of Allegiance.

ANNOUNCEMENTS

- **Household Hazardous Waste Day is scheduled for October 14**
- **Welcome to Henniker Police Officer Robert Buelte**
- **Welcome to Henniker Highway Braden Graeme**

CONSENT AGENDA

Item #2 - Selectman Marko motioned to approve the Consent Agenda August 15, 2023, seconded by Selectman Osgood. The motion passed, unanimously.

PUBLIC COMMENT #1

Bob Pagano, of Depot Hill, had comments about the PILOT for the Solar Project. Chairman Blomback reminded him that comment for that agenda item will be taken during the public hearing.

NEW BUSINESS

Item #3 - Greg Aucoin, Rescue Chief – Ambulance Service Agreement with Town of Bradford

Chief Aucoin shared that Bradford has been discussing updates to the Ambulance Service agreement. For the most part the updates are clerical, but there was an item that he wanted to discuss.

Bradford is charged an encumbrance factor, because it takes 50% longer to complete a call to Bradford than it does to Henniker. Bradford has asked that the building costs that they are responsible for at the Henniker Fire Rescue Station not include the encumbrance factor. Chief Aucoin stated that he does not usually support ideas that bring less revenue to the Town, but this did seem fair.

DRAFT

Disclaimer – The following are Draft Minutes, which could include errors and are subject to change upon approval of the Select Board.

Chief Aucoin also noted another update, that the minimum bill to Bradford would increase from \$40,000. Discussion ensued.

Chairman Blomback moved to approve the agreement as presented and authorize the Rescue Chief to negotiate on behalf of the Town of Henniker, seconded by Selectman Osgood. Motion carried unanimously.

PUBLIC HEARING

Item #4 - Andrew Kellar, New Hampshire Solar Gardens - Payment in Lieu of Taxes for Renewable Generation Facility with Santa Fuel, Inc. - Continued

Chairman Blomback gave background on this item- the property owner at 1104 Old Concord Rd is interested in leasing a portion of their property to a solar farm which requests a Payment in Lieu of Taxes (PILOT). Much discussion ensued.

Andrew Kellar noted that they are looking for a PILOT in the range of \$2,500 to \$3,500. Selectman Morse asked what the highest per megawatt NH Solar Gardens has gone for a PILOT. Mr. Kellar shared that Hillsboro has PILOT of \$4,500.

Selectman Martin asked about options for a five or ten year review process. Mr. Kellar noted that there is an option for an escalating PILOT, but otherwise NH Solar Gardens would need a more concrete plan for the future.

Discussion was open to the public.

Bob Pagano, of Depot Hill, shared that he had read an article detailing the negative effects of solar energy. He had five points that he wanted to discuss.

1. Electrical energy cannot be stored, it is a differential and must be used the moment it is created.
2. No solar cell on earth can produce more energy than it took to manufacture and produce. Solar cells are a huge net energy loss.
3. Solar energy raises the cost of electricity.
4. Solar energy requires taxpayer money to exist.
5. Manufacturing solar panels has a negative impact on the environment.

Selectman Osgood asked Mr. Pagano where he found this information. Mr. Pagano noted that he reads lots of books and would be happy to share their titles.

Bob Garrison had a few comments. He shared that he is bothered that they are putting in a system that costs over a million dollars, but they only want to pay the Town \$2,500 a year. Mr. Garrison objected to the PILOT.

Lori Marko asked questions about what would happen if the property is sold, changes ownership, or if the property get's abandoned. Mr. Kellar shared that the project is a tenant of the land and would stay with the land.

Joan O'Connor passionately spoke about property rights. She noted that this land is the property owners, and she should be allowed to do what she chooses with her land. Selectman Marko clarified that discussion is not on whether this project should be allowed, but rather whether the Board would agree to the PILOT.

Mehgan Brewer, the property owner, thanked Selectman Martin and Selectman Osgood for coming to visit the property. She also thanked Selectman Marko for visiting with the Planning Board back in March.

Discussion was closed to the public.

Selectman Morse asked how much of this project is funded by government, grants, tax credits, and incentives. Mr. Kellar shared that is about 30% of the project.

Mr. Kellar reminded the Board that currently the land only pays \$1,300 in taxes and that they are looking to improve the tax value of that land. Discussion continued. **Chairman Blomback moved to modify the PILOT proposed to be 50% of the yearly tax rate for a period of 10 years, Selectman Martin seconded.**

Discussion ensued. **Motion failed 2-3.**

(Blomback and Martin in favor, Marko, Morse, and Osgood opposed)

DRAFT

Disclaimer – The following are Draft Minutes, which could include errors and are subject to change upon approval of the Select Board.

Chairman Blomback asked TA Kendal to have the assessors find some modelling for the next ten years. Conversation will continue from there.

CONTINUED BUSINESS:

Item #5 - Chapter 16 Special Event Permits and Notification Requirements – 2nd Reading Continued

The Board of Selectmen continued the second reading of the Chapter 16 Special Event Permits and Notification Requirements.

Discussion was opened to the public.

There was no input from the public.

Discussion was closed to the public.

Selectman Marko moved to waive the third reading and adopt Chapter 16 Special Event Permits, seconded by Selectman Martin. Chairman Blomback noted that he had a degree of comfort that all of Fire Chief Jim Morse's requests are in the verbiage of the document as presented. **Motion carried unanimously.**

TA Kendall updated the Board on the status of the Special Events Notification. She noted that Special Event Notifications would pertain to property not owned by the Town. Because there is nothing to enforce, there is no need for an ordinance, or even a policy. It would simply be a process that would keep public safety officials informed and allow event organizers to advertise.

PAST MEETING MINUTES

Item #6 - Acceptance of Board of Selectmen non-public session meeting minutes August 1, 2023, 5:30 p.m. – Hiring Police Department

Selectman Marko moved to approve these minutes, seconded by Selectman Morse. Motion carried unanimously.

Item #7 - Acceptance of Board of Selectmen non-public session meeting minutes August 1, 2023, 5:41 p.m. – Hiring Highway Department

Selectman Marko moved to approve these minutes, seconded by Selectman Morse. Motion carried unanimously.

Selectman Marko moved to unseal these minutes, seconded by Selectman Martin. Motion carried unanimously.

Item #8 - Acceptance of Board of Selectmen non-public session meeting minutes August 1, 2023, 5:51 p.m. – Property Tax Deeding Town Clerk/Tax Collector

Selectman Marko moved to approve these minutes, seconded by Selectman Morse. Motion carried unanimously.

Item #9 - Acceptance of Board of Selectmen public meeting minutes August 1, 2023, 5:30 p.m.

Selectman Marko moved to approve these minutes, seconded by Selectman Morse. Motion carried unanimously.

COMMUNICATIONS

Item #10 - Town Administrator report:

TA Kendal reported on the Wastewater Treatment Plant, the Craney Hill Communication Tower, the Fire Pond, the Fuel Bid, ARPA funds, and the Historic District Commission.

Item #11 - Correspondence

Item #12 - Department Reports

Item #13 - Selectmen Reports:

Chairman Blomback no updates

Vice-Chairman Marko reported on the Road Management Committee.

DRAFT

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Selectman Martin reported on the Planning Board.

Selectman Morse also reported on the Road Management Committee Meeting.

Selectman Osgood reported on the Historic District Commission meeting.

PUBLIC COMMENT #2:

Lori Marko asked about the progress of the Fire Pond. TA Kendall reported that we are just waiting for DES approval.

Selectman Marko motioned to adjourn at 8:35 PM. Seconded by Selectman Morse. Motion carried unanimously.

Respectfully submitted,

Hank Bernstein
Minute Taker

Minutes Approved:



Meeting: BOARD OF SELECTMEN

Date: August 15, 2023

PLEASE PRINT

Name

Address

Joan O Connor

7 Echo Lane

Meghan Brewer

1104 Old Concord Rd

William Ostrowder

12 Ridgewood Point + Sunapee

Bob Pagano

Bob Garrison

Lori Marko

Andrew Kellar (via Zoom)

"The only Henniker on Earth."



Office of the Town Administrator

To: Board of Selectmen, employees, volunteers, and Town of Henniker
From: Diane Kendall, Town Administrator
Date: September 5, 2023
Ref: **Town Administrator's Report**

HB 321 Sealed Meeting Minutes Procedure Changes:

In short, HB 321 adds statutory language that tells public bodies to either develop their own process to review minutes or to follow a statutorily created process. In the absence of adopting its own process, a public body must follow the statutorily created process. That statutory process requires a review of sealed minutes "no more than 10 years from the last time the public body voted to prevent the minutes from being subject to public disclosure." The statutory process also includes a 10-year grace period. **The Henniker Selectboard has not adopted a policy to review sealed minutes.**

If the Board of Selectmen have minutes that were sealed more than 10 years ago and your board hasn't reviewed them since, we have 10 years after the law goes into effect to review those minutes and decide whether to keep them sealed or not.

2023 Tax Rate: The first tax bill of 2023 is half of the estimated total tax bill and calculated using the property values as of April 1, 2023, and the 2022 tax rate. The actual rate is usually established by early October. We are waiting for the completion of our Financial Statements and MS-535 Financial Report of the 2022 Budget from the town accounting and auditing firm. This along with revised 2023 revenues and school and county financials will be used by the DRA to set the 2023 draft tax rate. The financial statements will also provide us with the 2022 ending unreserved fund balance which can be used by the Board of Selectmen to stabilize the 2023 town portion of the rate.

2024 Budget:

We are preparing Budget Worksheets for the department heads. We will ask that they submit a zero-based budget that meets the current level of service. It is also during this time that we complete our employee evaluations to calculate merit increases up to 4%. The current policy for employee wage cost of living adjustments (cola) is to use the State of NH cola adjustment adopted in the preceding year. In 2023 the State adopted a [10% cola](#).

For planning purposes, we will aim to present a budget that supports the level of service provided with a minimal increase in the town tax rate. 2022 town rate = \$6.93 per thousand. We estimate \$737,270 is \$1.00 on the tax rate.

We will receive guaranteed maximum rates for health, dental and life insurance and return of surplus determination after Health Trust will hold rate setting hearing on September 28th. We expect our property/liability and unemployment insurance rates in the early fall. We will also receive appropriation requests for human services organizations in early fall.

The Budget Advisory Committee has requested a strategic planning joint meeting with the Board of Selectmen at a future Budget Advisory Committee meeting.

Wastewater:

The Energy Committee presented a proposal for the replacement of 9 exterior post top lighting fixtures for the Wastewater department. The proposal includes a \$50 per fixture rebate if the lights are purchased before September 29, 2023, for a total of \$4,120.

The Wastewater Superintendent and Underwood Engineering **do not recommend purchasing the light fixtures at this time.** The lighting is much greater than the fixtures themselves. The poles are failing and have to be replaced and also the power feed to many of the fixtures is bad so there will need to be work to repair or replace buried power conduit and wires to get them all going again. If the savings is only \$450, they don't believe that is worth the risk as we might even change the fixture to something different than currently exists.

Engineers are not aware of any specific regulations relative to the site lighting. It is more common sense that it is a safety issue if staff have to work at nighttime and cannot see properly to perform their job. Engineers suggest we hold off on this purchase and handle it under the larger project whereby our electrical engineer will fully investigate the situation and get the right solution together.

Craney Hill Public Safety Communication Tower:

- This is a project of the Henniker Public Safety departments: Police, Fire/Rescue, Highway in partnership with Capital Area Mutual Aid.
- The project was originally quoted in 2019 and included budget for 120' tower, repeater and generator.
- It is funded 100% by a Homeland Security Grant in the amount of \$311,372. No matching or in-kind funds are required **unless the project costs more than the Grant award.**
- The Tower team may ask the Board of Selectmen to reserve local ARPA funds for project overages.
- The project must be completed by and fully billed by June 30, 2024. We need all items submitted for reimbursement to NHDOS by July 30, 2024 as stated in your grant special conditions and other grant terms.
- We are still waiting for final federal approval to proceed with procurement pending the historical and environmental review.
- RFP for Design Build was issued on July 21st. Several interested vendors have had a site visit and submitted questions.
- The deadline to respond to the RFP was extended to September 12th.
- We will update the Board to the results at the September 19th meeting.

Old Concord Rd Fire Pond:

- Waiting for DES approval

ARPA Funds:

A reminder to the Board of Selectmen to prioritize ARPA fund requests in advance of the 2023 budget preparation. SLFRF funding is not required to be obligated until December 31, 2024 and jurisdictions **have until December 31, 2026 to fully expend their funds.** Spending should be used for costs incurred after March 3, 2021.

State and NHMA:

- For current workshops, training and state legislative updates: [NHMA NewsLink August 23, 2023](#)
- [2022 Property Tax Rates](#)
- [Timeline for Traditional Town Meeting Tuesday March 12, 2024](#)

Warm regards,

Diane Kendall

Town Administrator

CORRESPONDENCE