



TOWN OF HENNIKER, NEW HAMPSHIRE
SELECTMEN AGENDA

**Tuesday, July 20, 2021
6:15 PM**

6:15 p.m.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ANNOUNCEMENTS

IV. CORRESPONDENCE

Item 1: Email from Tracy Sudhalter – Re: Conservation Commission

V. CONSENT AGENDA

Item 2: Consent Agenda for June 28, 2021

Item 3: Consent Agenda for July 6, 2021

Item 4: Consent Agenda for July 20, 2021

VI. PUBLIC COMMENT #1 – (For any comment by any Henniker resident on a topic. Request time limit, up to 3 minutes)

VII. PUBLIC HEARING

Item 5: Receiving of funds from the American Rescue Plan Act (ARPA)

VIII. NEW BUSINESS

Item 6: Daniel Butler – Henniker Athletics Committee Appointment

Item 7: Safety Committee Update

Item 8: Acceptance of funds from the American Rescue Plan Act (ARPA)

Item 9: Wastewater Treatment Plant, Belt Press Building Roof Replacement RFP

Item 10: Tree Removal on Town Property

Item 11: Committee/Commission Openings – Seeking Volunteers

IX. OLD BUSINESS

X. PAST MEETING MINUTES

Item 12: Acceptance of Board of Selectmen Minutes June 1, 2021

Item 13: Acceptance of Board of Selectmen Minutes June 22, 2021

XI. COMMUNICATIONS

Item 14: June Department Reports

Item 15: Town Administrator's Report

Item 16: Selectmen Reports

- XII. PUBLIC COMMENT #2** (For any comment by any Henniker resident on a topic. Request time limit, up to 3 minutes)
- XIII. NON-PUBLIC – If Necessary**
Item 17: Non-public Session 91-A:3 II a, c, d e, or e Personnel/Reputation/Legal/Land
- XIV. ADJOURNMENT**
- XV. UPCOMING DATES**
July 21, 2021, 7:00 p.m. – Zoning Board of Adjustment Meeting
August 4, 2021, 7:00 p.m. – Board of Conservation Commission Meeting
August 11, 2021, 7:00 p.m. – Planning Board Meeting - Cancelled
August 17, 2021, 6:15 p.m. – Board of Selectmen Meeting

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 to 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 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.

Wendy Baker

From: Sudhalter, Tracy <TSudhalter@trccompanies.com>
Sent: Tuesday, June 29, 2021 1:04 PM
To: Wendy Baker
Subject: Resignation of Tracy Sudhalter from the Conservation Commission

Good Afternoon Wendy,

I have been serving on the Conservation Commission for the last several years and unfortunately need to submit my resignation as we will be moving to another Town in the next couple of weeks. I have really enjoyed my time on the commission and wish nothing best for the Town and the other committee members, they have all been great.

Please pass along my resignation to the Town Selectmen.

Thank You,

Tracy Sudhalter
Wetland and Wildlife Biologist/Project Manager



670 North Commercial St, Manchester, NH 03101
T 603.263.9378 | C 603.391.1040
[LinkedIn](#) | [Twitter](#) | [Blog](#) | [TRCcompanies.com](#)

Please note that our domain name and email addresses have changed



Please consider the environment before printing this e-mail.



TOWN OF HENNIKER, NEW HAMPSHIRE
BOARD OF SELECTMEN
CONSENT AGENDA

Monday, June 28, 2021

Consent Agenda

- Item 1:** Administrative Abatement – Map 1 Lot 318-P91
- Item 2:** Administrative Abatement – Map 1 Lot 318-P94
- Item 3:** PA-28 Inventory of Taxable Property Form for 2022
- Item 4:** Yield Tax Levy – Map 1 Lot 590-FX, Map 1 Lots 092/92-X, Map 1 Lot 717, Map 1 Lots 755/759
- Item 5:** Yield Tax Levy – Map 1 Lots 044/043/014/070, Map 1 Lot 548, Map 1 Lot 540-X7
- Item 6:** Yield Tax Levy – Map 1 Lot 329-A1, Map 1 Lot 659, Map 1 Lot 743

Board of Selectmen Approval:

*Please note that the Consent Agenda is subject to change until 4:30 pm the day of a scheduled Selectmen’s Meeting.

Telephone
603-428-3221

18 Depot Hill Road
Henniker, NH 03232
www.henniker.org

FAX
603-428-4366



TOWN OF HENNIKER, NEW HAMPSHIRE

June 22, 2021

2021 Administrative 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:

Roy & Schemell Voisine

Lot Number/Location: 1-318-P91 / East Side Drive

Mailing Address: 24 North Chester Rd.
Chester, ME 04457

Abated Amount: \$74.00

The owner contacted the tax collector and/or assessing office after receipt of the first issue tax bill and produced information demonstrating that the RV was registered as of April 1, 2021. The RV is registered, readily moveable, and in road worthy condition as of April 1, 2021. In accordance with the criteria established by the selectmen, this RV is not taxable for the tax year 2021. **Thus, the selectmen should abate the tax bill for this property.**

Approval by Board of Selectmen

TOWN OF HENNIKER
Office of the Tax Collector
 18 Depot Hill Road
 Henniker NH 03242

Hours
 Mon 8-5:30/T,W,F 8-4:30/
 2nd/4th Sat 10-12

ph. (603) 428-3240

TAX YEAR	ACCOUNT	BILLING DATE	INTEREST RATE	DUE DATE											
2021	31891	5/27/2021	0.08	7/12/2021											
MAP / PARCEL		LOCATION OF PROPERTY		AREA											
1-318-P91		EAST SIDE DRIVE		0.000											
OWNER OF RECORD			TAX CALCULATION												
VOITINE ROY VOITINE SCHEMELL 24 NORTH CHESTER RD CHESTER ME 04457			NET TAXABLE	\$4,700.00											
			TAX RATE	\$31.24											
			TOTAL TAX	\$147.00											
			ESTIMATED TAX AT 1/2 RATE	\$74.00											
			<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">2021 TAX RATE PER \$1000</th> <th style="width: 50%;">ASSESSED VALUATION</th> </tr> </thead> <tbody> <tr> <td>Municipal Rate \$9.94</td> <td>Building \$4,700</td> </tr> <tr> <td>County \$2.56</td> <td>Taxable Value \$4,700</td> </tr> <tr> <td>Local School \$16.75</td> <td></td> </tr> <tr> <td>State School \$1.99</td> <td></td> </tr> <tr> <td>TOTAL: \$31.24</td> <td></td> </tr> </tbody> </table>		2021 TAX RATE PER \$1000	ASSESSED VALUATION	Municipal Rate \$9.94	Building \$4,700	County \$2.56	Taxable Value \$4,700	Local School \$16.75		State School \$1.99		TOTAL: \$31.24
2021 TAX RATE PER \$1000	ASSESSED VALUATION														
Municipal Rate \$9.94	Building \$4,700														
County \$2.56	Taxable Value \$4,700														
Local School \$16.75															
State School \$1.99															
TOTAL: \$31.24															
Interest at 8.00% per annum after Monday, July 12, 2021.															
PAY THIS AMOUNT				\$74.00											

INFORMATION TO TAXPAYERS

PAYMENT OF THIS BILL DOES NOT PREVENT THE COLLECTION OF PREVIOUS UNPAID TAXES NOR DOES AN ERROR IN THE NAME OF THE PERSON TAXED PREVENT COLLECTION.

IF THIS BILL IS PAID BY CHECK OR MONEY ORDER IT IS NOT CONSIDERED PAID UNTIL CHECK OR MONEY ORDER IS CLEARED.

IF YOU ARE ELDERLY, DISABLED, BLIND, A VETERAN, OR VETERAN'S SPOUSE, OR ARE UNABLE TO PAY TAXES DUE TO POVERTY OR OTHER GOOD CAUSE YOU MAY BE ELIGIBLE FOR A TAX EXEMPTION CREDIT, ABATEMENT OR DEFERRAL. FOR DETAILS AND APPLICATION INFORMATION CONTACT THE SELECTMEN'S OFFICE.

THE TAXPAYER MAY BY MARCH 1 FOLLOWING THE DATE OF NOTICE OF TAX AND NOT AFTERWARDS, APPLY IN WRITING TO THE SELECTMEN OR ASSESSOR(S) FOR AN ABATEMENT AS PROVIDED UNDER RSA 76:16.

PLEASE DETACH AND RETURN LOWER PORTION WITH PAYMENT. RETAIN UPPER PORTION FOR YOUR RECORDS.

TOWN OF HENNIKER
18 Depot Hill Road, Henniker NH 03242

MAP / PARCEL	LOCATION OF PROPERTY	TAX YEAR	ACCOUNT	DUE DATE
1-318-P91	EAST SIDE DRIVE	2021	31891	7/12/2021

VOITINE ROY
 VOITINE SCHEMELL
 24 NORTH CHESTER RD
 CHESTER ME 04457

PAY THIS AMOUNT
\$74.00



TOWN OF HENNIKER, NEW HAMPSHIRE

June 22, 2021

2021 Administrative 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

To the Collector of Taxes.

By vote of the Board of Selectmen upon application of:

Brian Crapo

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

Lot Number/Location: 1-318-P94 / East Side Drive

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

Mailing Address: 585 Middlesex Trpk
Billerica, MA 01821

Abated Amount: \$125.00

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

The owner contacted the tax collector and/or assessing office after receipt of the first issue tax bill and produced a registration demonstrating that the RV was registered as of April 1, 2021. The RV is registered, readily moveable, and in road worthy condition as of April 1, 2021. In accordance with the criteria established by the selectmen, this RV is not taxable for the tax year 2021. **Thus, the selectmen should abate the tax bill for this property.**

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Approval by Board of Selectmen

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 2nd/4th Sat 10-12

ph. (603) 428-3240

TAX YEAR	ACCOUNT	BILLING DATE	INTEREST RATE	DUE DATE
2021	31894	5/27/2021	0.08	7/12/2021
MAP / PARCEL		LOCATION OF PROPERTY		AREA
1-318-P94		EAST SIDE DRIVE		0.000
OWNER OF RECORD			TAX CALCULATION	
CRAPC BRIAN 585 MIDDLESEX TRPK BILLERICA MA 01821			NET TAXABLE	\$8,000.00
			TAX RATE	\$31.24
			TOTAL TAX	\$250.00
			ESTIMATED TAX AT 1/2 RATE	\$125.00
2021 TAX RATE PER \$1000		ASSESSED VALUATION		
Municipal Rate	\$9.94	Building	\$8,000	
County	\$2.56	Taxable Value	\$8,000	
Local School	\$16.75			
State School	\$1.99			
TOTAL:	\$31.24			
Interest at 8.00% per annum after Monday, July 12, 2021.				
PAY THIS AMOUNT				\$125.00

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TOWN OF HENNIKER
18 Depot Hill Road, Henniker NH 03242

MAP / PARCEL	LOCATION OF PROPERTY	TAX YEAR	ACCOUNT	DUE DATE
1-318-P94	EAST SIDE DRIVE	2021	31894	7/12/2021

CRAPC BRIAN
 585 MIDDLESEX TRPK
 BILLERICA MA 01821

PAY THIS AMOUNT
\$125.00



State of New Hampshire
Department of Revenue Administration



109 Pleasant Street
PO Box 487, Concord, NH 03302-0487
Telephone (603) 230-5000
www.revenue.nh.gov

Lindsey M. Stepp
Commissioner

Carolynn J. Lear
Assistant Commissioner

June 15, 2021

MUNICIPAL AND PROPERTY
DIVISION
James P. Gerry
Director

Samuel T. Greene
Assistant Director

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

Re: PA-28 Inventory of Taxable Property Form for 2022

Dear Assessing Official,

This is our annual request to municipalities to determine whether the municipality will be utilizing the Form PA-28, Taxpayer Inventory Blank in accordance with RSA 74:4 for 2022. If Yes, please check the "WILL" Box below and indicate the number of forms needed. If your municipality has elected Not to use the Inventory form, in accordance with RSA 74:4-a, please check the "WILL NOT" Box below.

Please return this entire form with the section below completed and *signed* no later than **August 16, 2021** to the Department of Revenue Administration, PO Box 487, Concord, NH 03302-0487 or e-mail to equalization@dra.nh.gov.

If you are electing to use the form, it is our suggestion that you indicate your municipalities telephone number on your return-mailing label, should the taxpayers need to contact your municipality.

Please feel free to contact Cindy Paige at (603) 230-5971 if you require additional information.

Sincerely,
Linda C. Kennedy, Supervisor VII
Municipal & Property Division

<input checked="" type="checkbox"/> WILL NOT be using the PA-28 Form in 2022 Or <input type="checkbox"/> WILL be using the PA-28 Form in 2022 Number of PA-28 Forms Requested by the Municipality for 2022 # _____ (Our print order is based upon what is needed, so please be sure to order an adequate amount.)

Helga Winn
Print Name of Contact Person

6/17/2021
Date

603-428-3221 x 2
Contact Telephone #

Signature of Assessing Official

Date

Signature of Assessing Official

Date

Signature of Assessing Official

Date

**ORIGINAL WARRANT
YIELD TAX LEVY
July 6, 2021
THE STATE OF NEW HAMPSHIRE**

MERRIMACK

TO: KIMBERLY I. JOHNSON, Collector of Taxes for Town of HENNIKER, NH , in said county:

In the name of said State you are hereby directed to collect on or before thirty (30) days from date of bill from the person(s) named herewith committed to you, the Yield Tax set against their name(s), amounting in all to the sum of : **\$4,102.41** , with interest at eighteen (18%) percent per annum from the due date and on all sums not paid on or before that day. We further order you to pay all monies collected to the treasurer of said town, or treasurer's designee as provided in RSA 41:29, VI, at least on a weekly basis, or daily when receipts exceed \$1,500.00 or more often when directed by the Commissioner of Revenue Administration.

Given under our hands and seal at HENNIKER, NH

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

DATE: July 6, 2021

NAME & ADDRESS	MAP & LOT	OPERATION #	YIELD TAX DUE
GRANT WALTER A ET AL GRANT DEBORAH 20 OLD ALFRED RD BIDDEFORD, ME 04005	1-590-FX	20-213-02-T	\$1,476.71
GOSS WILLIAM F GOSS VICTORIA A 675 LIBERTY HILL RD HENNIKER, NH 03242	1-092/92-X	20-213-09-T	\$605.60
MOSKEY CARL MOSKEY DEBRA 943 QUAKER STREET HENNIKER, NH 03242	1-717	20-213-16-T	\$584.13
MEADOWSEND SAW MILL INC C/O PAMELA FRENCH 1405 BUCK MOUNTAIN RD EARLYSVILLE, VA 22936	1-755/759	20-213-11-T	\$1,435.97

TAX DUE DATE: August 5, 2021 TOTAL YIELD TAX: \$4,102.41

TIMBER CUT FOR INTENTS FILED DURING: April 1, 2020 to March 31, 2021

CERTIFICATION OF YIELD TAXES ASSESSED
INTENT FILED DURING TAX YEAR: April 1, 2020 to March 31, 2021

TOWN / CITY OF: HENNIKER, NH
COUNTY OF: MERRIMACK
CERTIFICATION DATE: July 6, 2021

 (Selectmen/assessor)

 (Selectmen/assessor)

 (Selectmen/assessor)

 (Selectmen/assessor)

 (Selectmen/assessor)

SEND SIGNED COPY TO: DEPT. OF REVENUE ADMINISTRATION
 MUNICIPAL AND PROPERTY DIVISION
 P.O. BOX 487
 CONCORD, NH 03302-0487

# 1	# 4	# 5	# 6	# 6	# 7	# 8	# 9	# 10
<u>NAME OF OWNER</u>	<u>SPECIES</u>	<u>NUMBER OF BOARD FEET IN THOUSANDS</u>	<u>NUMBER OF TONS</u>	<u>NUMBER OF CORDS</u>	<u>STUMPAGE VALUE</u>	<u>TOTAL ASSESSED VAL.</u>	<u>TAX AT 10 %</u>	
GRANT WALTER A ET AL GRANT DEBORAH 20 OLD ALFRED RD BIDDEFORD, ME 04005	WHITE PINE	99.635			\$125.00	\$12,454.38	\$1,245.44	
	HEMLOCK	3.195			\$35.00	\$111.83	\$11.18	
	RED PINE	0.000			\$20.00	\$0.00	\$0.00	TOTAL TAX
<u>ACCOUNT OR SERIAL #:</u> 599-1084	SPRUCE & FIR	0.000			\$70.00	\$0.00	\$0.00	DUE ON THIS
	HARD MAPLE	0.000			\$150.00	\$0.00	\$0.00	OPERATION
# 2 BY WHICH LOT WAS DESIGNATED IN NOTICE OF INTENT <u>MAP & LOT NUMBER</u> 1-590-FX	WHITE BIRCH	0.000			\$40.00	\$0.00	\$0.00	(TOTAL OF COL. # 9)
	YELLOW BIRCH	2.035			\$137.50	\$279.81	\$27.98	
	OAK	1.980			\$287.50	\$569.25	\$56.93	
	ASH	1.610			\$140.00	\$225.40	\$22.54	
	SOFT MAPLE	4.565			\$110.00	\$502.15	\$50.22	
	BEECH/PALLET/TIE LOGS	4.440			\$35.00	\$155.40	\$15.54	
	OTHERS :	0.000			\$0.00	\$0.00	\$0.00	
	OTHERS :	0.000			\$0.00	\$0.00	\$0.00	
					TONS	CORDS		
# 3 <u>OPERATION NUMBER</u> 20-213-02-T	SPRUCE & FIR		0.00		\$ -	\$0.00	\$0.00	
	HARDWOOD & ASPEN		85.68		\$ 2.25	\$192.78	\$19.28	
	PINE		0.00		\$ -	\$0.00	\$0.00	
	HEMLOCK		0.00		\$ -	\$0.00	\$0.00	
	BIOMASS CHIPS		0.00		\$ -	\$0.00	\$0.00	
	HIGH GRADE SPRUCE		0.00		\$ 20.00	\$0.00	\$0.00	
	CORDWOOD			24.00	\$ 11.50	\$276.00	\$27.60	
						\$14,767.00	\$1,476.71	

TOWN OF HENNIKER

18 Depot Hill Road

Henniker, NH 03242
(603) 428-3240

GRANT WALTER A ET AL
GRANT DEBORAH
20 OLD ALFRED RD
BIDDEFORD, ME 04005

YIELD TAX ON TIMBER CUT

TAX ACCOUNT & SERIAL I.D. NUMBER: 599-1084
TAX MAP & LOT NUMBER: 1-590-FX
YIELD TAX OPERATION NUMBER: 20-213-02-T
DATE OF YIELD TAX BILL: 7/6/2021
AMOUNT COMMITTED TO ME
FOR COLLECTION PER RSA 79: **\$1,476.71**

***** 18% APR INTEREST WILL BE CHARGED AFTER 8/5/2021 ON UNPAID TAXES *****

APPEAL: an owner may, within 90 days of notice of the tax, appeal to the assessing officials in writing for an abatement from the original assessment, but no owner shall be entitled to an abatement unless he has complied with the provisions of RSA 79:10 and 11. (RSA 79:8)

TAX OFFICE HOURS: MONDAY - THURSDAY 8-5:30, FRIDAY 8-12 (SUMMER HOURS)

Sincerely,

Kimberly I. Johnson
Tax Collector

CERTIFICATION OF YIELD TAXES ASSESSED
INTENT FILED DURING TAX YEAR: April 1, 2020 to March 31, 2021

TOWN / CITY OF: HENNIKER, NH
COUNTY OF: MERRIMACK
CERTIFICATION DATE: July 6, 2021

 (Selectmen/assessor)

 (Selectmen/assessor)

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SEND SIGNED COPY TO: DEPT. OF REVENUE ADMINISTRATION
 MUNICIPAL AND PROPERTY DIVISION
 P.O. BOX 487
 CONCORD, NH 03302-0487

# 1	# 4	# 5	# 6	# 6	# 7	# 8	# 9	# 10
NAME OF OWNER	SPECIES	NUMBER OF BOARD FEET IN THOUSANDS	NUMBER OF TONS	NUMBER OF CORDS	STUMPAGE VALUE	TOTAL ASSESSED VAL.	TAX AT 10 %	
GOSS WILLIAM F GOSS VICTORIA A 675 LIBERTY HILL RD HENNIKER, NH 03242	WHITE PINE	47.815			\$125.00	\$5,976.88	\$597.69	
	HEMLOCK	2.260			\$35.00	\$79.10	\$7.91	
	RED PINE	0.000			\$20.00	\$0.00	\$0.00	TOTAL TAX
ACCOUNT OR SERIAL #: 584-111	SPRUCE & FIR	0.000			\$70.00	\$0.00	\$0.00	DUE ON THIS
	HARD MAPLE	0.000			\$150.00	\$0.00	\$0.00	OPERATION
# 2 BY WHICH LOT WAS DESIGNATED IN NOTICE OF INTENT MAP & LOT NUMBER 1-092/92-X	WHITE BIRCH	0.000			\$40.00	\$0.00	\$0.00	(TOTAL OF
	YELLOW BIRCH	0.000			\$75.00	\$0.00	\$0.00	COL. # 9)
	OAK	0.000			\$225.00	\$0.00	\$0.00	
	ASH	0.000			\$80.00	\$0.00	\$0.00	
	SOFT MAPLE	0.000			\$70.00	\$0.00	\$0.00	
	BEECH/PALLET/TIE LOGS	0.000			\$20.00	\$0.00	\$0.00	
	OTHERS :	0.000			\$0.00	\$0.00	\$0.00	
	OTHERS :	0.000			\$0.00	\$0.00	\$0.00	
				TONS	CORDS			\$605.60
# 3 OPERATION NUMBER 20-213-09-T	SPRUCE & FIR		0.000		\$0.00	\$0.00	\$0.00	
	HARDWOOD & ASPEN		0.000		\$1.00	\$0.00	\$0.00	
	PINE		0.000		\$0.00	\$0.00	\$0.00	
	HEMLOCK		0.000		\$0.00	\$0.00	\$0.00	
	WHOLE TREE CHIPS		0.000		\$0.00	\$0.00	\$0.00	
	HIGH GRADE SPRUCE		0.000		\$20.00	\$0.00	\$0.00	
	CORDWOOD			0.000		\$8.00	\$0.00	\$0.00
						\$6,055.98	\$605.60	

TOWN OF HENNIKER

18 Depot Hill Road
\$0.00
Henniker, NH 03242
(603) 428-3240

GOSS WILLIAM F
GOSS VICTORIA A
675 LIBERTY HILL RD
HENNIKER, NH 03242

YIELD TAX ON TIMBER CUT

TAX ACCOUNT & SERIAL I.D. NUMBER: 584-111
TAX MAP & LOT NUMBER: 1-092/92-X
YIELD TAX OPERATION NUMBER: 20-213-09-T
DATE OF YIELD TAX BILL: 7/6/2021
AMOUNT COMMITTED TO ME
FOR COLLECTION PER RSA 79: \$605.60

***** 18% APR INTEREST WILL BE CHARGED AFTER 8/5/2021 ON UNPAID TAXES *****

APPEAL: an owner may, within 90 days of notice of the tax, appeal to the assessing officials in writing for an abatement from the original assessment, but no owner shall be entitled to an abatement unless he has complied with the provisions of RSA 79:10 and 11. (RSA 79:8)

TAX OFFICE HOURS: MONDAY - THURSDAY 8-5:30, FRIDAY 8-12 (SUMMER HOURS)

0

Sincerely,

Kimberly I. Johnson
Tax Collector

CERTIFICATION OF YIELD TAXES ASSESSED
INTENT FILED DURING TAX YEAR: April 1, 2020 to March 31, 2021

TOWN / CITY OF: HENNIKER, NH
COUNTY OF: MERRIMACK
CERTIFICATION DATE: July 6, 2021

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

SEND SIGNED COPY TO: DEPT. OF REVENUE ADMINISTRATION
 MUNICIPAL AND PROPERTY DIVISION
 P.O. BOX 487
 CONCORD, NH 03302-0487

# 1	# 4	# 5	# 6	#6	#7	# 8	# 9	# 10
NAME OF OWNER	SPECIES	NUMBER OF BOARD FEET IN THOUSANDS	NUMBER OF TONS	NUMBER OF CORDS	STUMPAGE VALUE	TOTAL ASSESSED VAL.	TAX AT 10 %	
MOSKEY CARL MOSKEY DEBRA 943 QUAKER STREET HENNIKER, NH 03242	WHITE PINE	38.050			\$125.00	\$4,756.25	\$475.63	
	HEMLOCK	0.000			\$20.00	\$0.00	\$0.00	
	RED PINE	0.000			\$20.00	\$0.00	\$0.00	TOTAL TAX
<u>ACCOUNT OR SERIAL #:</u> 10289-1348	SPRUCE & FIR	0.000			\$70.00	\$0.00	\$0.00	DUE ON THIS
	HARD MAPLE	0.000			\$150.00	\$0.00	\$0.00	OPERATION
# 2 BY WHICH LOT WAS DESIGNATED IN NOTICE OF INTENT <u>MAP & LOT NUMBER</u> 1-717	WHITE BIRCH	0.000			\$40.00	\$0.00	\$0.00	TOTAL OF COL. # 9)
	YELLOW BIRCH	0.000			\$75.00	\$0.00	\$0.00	
	OAK	0.000			\$225.00	\$0.00	\$0.00	
	ASH	0.000			\$80.00	\$0.00	\$0.00	
	SOFT MAPLE	0.000			\$70.00	\$0.00	\$0.00	
	BEECH/PALLET/TIE LOGS	24.145			\$35.00	\$845.08	\$84.51	
	OTHERS :	0.000			\$75.00	\$0.00	\$0.00	
	OTHERS :	0.000			\$0.00	\$0.00	\$0.00	
					TONS	CORDS		
# 3 <u>OPERATION NUMBER</u> 20-213-16-T	SPRUCE & FIR		0.000		\$0.00	\$0.00	\$0.00	\$584.13
	HARDWOOD & ASPEN		58.140		\$2.25	\$130.82	\$13.08	
	PINE		0.000		\$0.00	\$0.00	\$0.00	
	HEMLOCK		0.000		\$0.00	\$0.00	\$0.00	
	BIOMASS CHIPS		436.310		\$0.25	\$109.08	\$10.91	
	HIGH GRADE SPRUCE		0.000		\$20.00	\$0.00	\$0.00	
	CORDWOOD			0.000		\$8.00	\$0.00	
						\$5,841.23	\$584.13	

TOWN OF HENNIKER

18 Depot Hill Road
\$0.00
Henniker, NH 03242
(603) 428-3240

MOSKEY CARL
MOSKEY DEBRA
943 QUAKER STREET
HENNIKER, NH 03242

YIELD TAX ON TIMBER CUT

TAX ACCOUNT & SERIAL I.D. NUMBER: 10289-1348
TAX MAP & LOT NUMBER: 1-717
YIELD TAX OPERATION NUMBER: 20-213-16-T
DATE OF YIELD TAX BILL: 7/6/2021
AMOUNT COMMITTED TO ME
FOR COLLECTION PER RSA 79: **\$584.13**

***** 18% APR INTEREST WILL BE CHARGED AFTER 8/5/2021 ON UNPAID TAXES *****

APPEAL: an owner may, within 90 days of notice of the tax, appeal to the assessing officials in writing for an abatement from the original assessment, but no owner shall be entitled to an abatement unless he has complied with the provisions of RSA 79:10 and 11. (RSA 79:8)

TAX OFFICE HOURS: MONDAY - THURSDAY 8-5:30; FRIDAY 8-12 (SUMMER HOURS)

0

Sincerely,

Kimberly I. Johnson
Tax Collector

CERTIFICATION OF YIELD TAXES ASSESSED
INTENT FILED DURING TAX YEAR: April 1, 2020 to March 31, 2021

TOWN / CITY OF: HENNIKER, NH
COUNTY OF: MERRIMACK
CERTIFICATION DATE: July 6, 2021

 (Selectmen/assessor)

 (Selectmen/assessor)

 (Selectmen/assessor)

 (Selectmen/assessor)

 (Selectmen/assessor)

SEND SIGNED COPY TO: DEPT. OF REVENUE ADMINISTRATION
 MUNICIPAL AND PROPERTY DIVISION
 P.O. BOX 487
 CONCORD, NH 03302-0487

# 1	# 4	# 5	# 6	# 6	# 7	# 8	# 9	# 10
NAME OF OWNER	SPECIES	NUMBER OF BOARD FEET IN THOUSANDS	NUMBER OF TONS	NUMBER OF CORDS	STUMPAGE VALUE	TOTAL ASSESSED VAL.	TAX AT 10 %	
MEADOWSEND SAW MILL INC C/O PAMELA FRENCH 1405 BUCK MOUNTAIN RD EARLYSVILLE, VA 22936	WHITE PINE	35.052			\$108.00	\$3,785.62	\$378.56	
	HEMLOCK	0.017			\$29.90	\$0.51	\$0.05	
	RED PINE	0.000			\$20.00	\$0.00	\$0.00	TOTAL TAX
ACCOUNT OR SERIAL #: 03-0016	SPRUCE & FIR	0.000			\$70.00	\$0.00	\$0.00	DUE ON THIS OPERATION
	HARD MAPLE	0.000			\$150.00	\$0.00	\$0.00	
# 2 BY WHICH LOT WAS DESIGNATED IN NOTICE OF INTENT MAP & LOT NUMBER 1-755/759	WHITE BIRCH	0.000			\$40.00	\$0.00	\$0.00	(TOTAL OF COL. # 9)
	YELLOW BIRCH	0.000			\$75.00	\$0.00	\$0.00	
	OAK	34.085			\$266.25	\$9,075.13	\$907.51	
	ASH	0.000			\$80.00	\$0.00	\$0.00	
	SOFT MAPLE	6.025			\$96.40	\$580.81	\$58.08	
	BEECH/PALLET/TIE LOGS	0.035			\$29.90	\$1.05	\$0.11	
	OTHERS :	3.070			\$29.90	\$91.79	\$9.18	
	OTHERS :	0.000			\$0.00	\$0.00	\$0.00	
					TONS	CORDS		\$1,435.97
# 3 OPERATION NUMBER 20-213-11-T	SPRUCE & FIR		0.000		\$0.00	\$0.00	\$0.00	
	HARDWOOD & ASPEN		0.000		\$1.00	\$0.00	\$0.00	
	PINE		0.000		\$0.00	\$0.00	\$0.00	
	HEMLOCK		0.000		\$0.00	\$0.00	\$0.00	
	BIOMASS CHIPS		0.000		\$0.00	\$0.00	\$0.00	
	HIGH GRADE SPRUCE		0.000		\$20.00	\$0.00	\$0.00	
	CORDWOOD			80.000		\$10.31	\$824.80	\$82.48
						\$14,359.71	\$1,435.97	

TOWN OF HENNIKER

18 Depot Hill Road
\$0.00
Henniker, NH 03242
(603) 428-3240

MEADOWSEND SAW MILL INC
C/O PAMELA FRENCH
1405 BUCK MOUNTAIN RD
EARLYSVILLE, VA 22936

YIELD TAX ON TIMBER CUT

TAX ACCOUNT & SERIAL I.D. NUMBER: 03-0016
TAX MAP & LOT NUMBER: 1-755/759
YIELD TAX OPERATION NUMBER: 20-213-11-T
DATE OF YIELD TAX BILL: 7/6/2021
AMOUNT COMMITTED TO ME
FOR COLLECTION PER RSA 79: **\$1,435.97**

***** 18% APR INTEREST WILL BE CHARGED AFTER 8/5/2021 ON UNPAID TAXES *****

APPEAL: an owner may, within 90 days of notice of the tax, appeal to the assessing officials in writing for an abatement from the original assessment, but no owner shall be entitled to an abatement unless he has complied with the provisions of RSA 79:10 and 11. (RSA 79:8)

TAX OFFICE HOURS: MONDAY - THURSDAY 8-5:30, FRIDAY 8-12 (SUMMER HOURS)

0

Sincerely,

Kimberly I. Johnson
Tax Collector

**ORIGINAL WARRANT
YIELD TAX LEVY
July 6, 2021
THE STATE OF NEW HAMPSHIRE**

MERRIMACK

TO: KIMBERLY I. JOHNSON, Collector of Taxes for Town of HENNIKER, NH , in said county:

In the name of said State you are hereby directed to collect on or before thirty (30) days from date of bill from the person(s) named herewith committed to you, the Yield Tax set against their name(s), amounting in all to the sum of : **\$4,284.74** , with interest at eighteen (18%) percent per annum from the due date and on all sums not paid on or before that day. We further order you to pay all monies collected to the treasurer of said town, or treasurer's designee as provided in RSA 41:29, VI, at least on a weekly basis, or daily when receipts exceed \$1,500.00 or more often when directed by the Commissioner of Revenue Administration.

Given under our hands and seal at HENNIKER, NH

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

DATE: July 6, 2021

NAME & ADDRESS	MAP & LOT	OPERATION #	YIELD TAX DUE
MINK HILLS LAND, LLC PO BOX 48 HENNIKER, NH 03242	1-044/043/014/070	20-213-06-T	\$3,056.41
DAVID P CURRIER REVOC TRUST CURRIER, DAVID P TRUSTEE PO BOX 926 HENNIKER, NH 03242	1-548	20-213-08-T	\$265.14
NUNLEY, RYAN NUNLEY, MEREDITH 999 WEARE ROAD HENNIKER, NH 03242	1-540-X7	20-213-12-T	\$963.19
OWNER 4 OWNER ADDRESS TOWN, STATE, ZIP	000-0000-000	02-000-000-T	\$0.00

TAX DUE DATE: August 5, 2021 TOTAL YIELD TAX: \$4,284.74

TIMBER CUT FOR INTENTS FILED DURING: April 1, 2020 to March 31, 2021

CERTIFICATION OF YIELD TAXES ASSESSED
INTENT FILED DURING TAX YEAR: April 1, 2020 to March 31, 2021

TOWN / CITY OF: HENNIKER, NH
COUNTY OF: MERRIMACK
CERTIFICATION DATE: July 6, 2021

 (Selectmen/assessor)

 (Selectmen/assessor)

 (Selectmen/assessor)

 (Selectmen/assessor)

 (Selectmen/assessor)

SEND SIGNED COPY TO: DEPT. OF REVENUE ADMINISTRATION
 MUNICIPAL AND PROPERTY DIVISION
 P.O. BOX 487
 CONCORD, NH 03302-0487

# 1	# 4	# 5	# 6	# 6	# 7	# 8	# 9	# 10
<u>NAME OF OWNER</u>	<u>SPECIES</u>	<u>NUMBER OF BOARD FEET IN THOUSANDS</u>	<u>NUMBER OF TONS</u>	<u>NUMBER OF CORDS</u>	<u>STUMPAGE VALUE</u>	<u>TOTAL ASSESSED VAL.</u>	<u>TAX AT 10 %</u>	
MINK HILLS LAND, LLC 0 PO BOX 48 HENNIKER, NH 03242	WHITE PINE	67.580			\$141.00	\$9,528.78	\$952.88	
	HEMLOCK	18.725			\$56.30	\$1,054.22	\$105.42	
	RED PINE	0.000			\$20.00	\$0.00	\$0.00	TOTAL TAX
	SPRUCE & FIR	0.030			\$94.70	\$2.84	\$0.28	DUE ON THIS
<u>ACCOUNT OR SERIAL #:</u> 05-09016	HARD MAPLE	0.000			\$150.00	\$0.00	\$0.00	OPERATION
	WHITE BIRCH	0.445			\$77.90	\$34.67	\$3.47	(TOTAL OF COL. # 9)
BY WHICH LOT WAS DESIGNATED IN NOTICE OF INTENT <u>MAP & LOT NUMBER</u> 1-044/043/014/070	YELLOW BIRCH	1.515			\$157.50	\$238.61	\$23.86	
	OAK	45.640			\$305.60	\$13,947.58	\$1,394.76	
	ASH	0.040			\$159.20	\$6.37	\$0.64	
	SOFT MAPLE	1.445			\$122.80	\$177.45	\$17.75	
	BEECH/PALLET/TIE LOGS	19.110			\$39.80	\$760.58	\$76.06	
	OTHERS :	2.015			\$157.50	\$317.36	\$31.74	
	OTHERS :	0.000			\$0.00	\$0.00	\$0.00	
				TONS	CORDS			\$3,056.41
# 3 <u>OPERATION NUMBER</u> 20-213-06-T	SPRUCE & FIR		0.00		\$ -	\$0.00	\$0.00	
	HARDWOOD & ASPEN		344.21		\$ 4.30	\$1,480.10	\$148.01	
	PINE		0.00		\$ -	\$0.00	\$0.00	
	HEMLOCK		27.89		\$ 2.81	\$78.37	\$7.84	
	BIOMASS CHIPS		2,576.12		\$ 0.66	\$1,700.24	\$170.02	
	HIGH GRADE SPRUCE		0.00		\$ 20.00	\$0.00	\$0.00	
	CORDWOOD			98.00	\$ 12.62	\$1,236.76	\$123.68	
						\$30,563.93	\$3,056.41	

TOWN OF HENNIKER

18 Depot Hill Road

Henniker, NH 03242
(603) 428-3240

MINK HILLS LAND, LLC
0
PO BOX 48
HENNIKER, NH 03242

YIELD TAX ON TIMBER CUT

TAX ACCOUNT & SERIAL I.D. NUMBER: 05-09016
TAX MAP & LOT NUMBER: 1-044/043/014/070
YIELD TAX OPERATION NUMBER: 20-213-06-T
DATE OF YIELD TAX BILL: 7/6/2021
AMOUNT COMMITTED TO ME
FOR COLLECTION PER RSA 79: **\$3,056.41**

***** 18% APR INTEREST WILL BE CHARGED AFTER 8/5/2021 ON UNPAID TAXES *****

APPEAL: an owner may, within 90 days of notice of the tax, appeal to the assessing officials in writing for an abatement from the original assessment, but no owner shall be entitled to an abatement unless he has complied with the provisions of RSA 79:10 and 11. (RSA 79:8)

TAX OFFICE HOURS: MONDAY - THURSDAY 8-5:30 AND FRIDAY 8-12 (SUMMER HOURS)

Sincerely,

Kimberly I. Johnson
Tax Collector

CERTIFICATION OF YIELD TAXES ASSESSED
INTENT FILED DURING TAX YEAR: April 1, 2020 to March 31, 2021

TOWN / CITY OF: HENNIKER, NH
COUNTY OF: MERRIMACK
CERTIFICATION DATE: July 6, 2021

SEND SIGNED COPY TO: DEPT. OF REVENUE ADMINISTRATION
MUNICIPAL AND PROPERTY DIVISION
P.O. BOX 487
CONCORD, NH 03302-0487

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

# 1	# 4	# 5	# 6	# 6	# 7	# 8	# 9	# 10
NAME OF OWNER	SPECIES	NUMBER OF BOARD FEET IN THOUSANDS	NUMBER OF TONS	NUMBER OF CORDS	STUMPAGE VALUE	TOTAL ASSESSED VAL.	TAX AT 10 %	
DAVID P CURRIER REVOC TRUST CURRIER, DAVID P TRUSTEE PO BOX 926 HENNIKER, NH 03242	WHITE PINE	16.615			\$108.00	\$1,794.42	\$179.44	
	HEMLOCK	2.515			\$38.15	\$95.95	\$9.60	
	RED PINE	0.000			\$20.00	\$0.00	\$0.00	TOTAL TAX
ACCOUNT OR SERIAL #: 588-823	SPRUCE & FIR	0.000			\$65.00	\$0.00	\$0.00	DUE ON THIS
	HARD MAPLE	0.000			\$150.00	\$0.00	\$0.00	OPERATION
# 2 BY WHICH LOT WAS DESIGNATED IN NOTICE OF INTENT MAP & LOT NUMBER 1-548	WHITE BIRCH	0.000			\$35.00	\$0.00	\$0.00	(TOTAL OF
	YELLOW BIRCH	0.000			\$75.00	\$0.00	\$0.00	COL. # 9)
	OAK	1.945			\$252.80	\$491.70	\$49.17	
	ASH	0.000			\$80.00	\$0.00	\$0.00	
	SOFT MAPLE	0.055			\$96.40	\$5.30	\$0.53	
	BEECH/PALLET/TIE LOGS	0.200			\$29.90	\$5.98	\$0.60	
	OTHERS :	0.000			\$0.00	\$0.00	\$0.00	
	OTHERS :	0.000			\$0.00	\$0.00	\$0.00	
					TONS	CORDS		
# 3 OPERATION NUMBER 20-213-08-T	SPRUCE & FIR		0.000		\$0.00	\$0.00	\$0.00	
	HARDWOOD & ASPEN		0.000		\$1.00	\$0.00	\$0.00	
	PINE		0.000		\$0.00	\$0.00	\$0.00	
	HEMLOCK		0.000		\$0.50	\$0.00	\$0.00	
	WHOLE TREE CHIPS		250.580		\$0.33	\$82.69	\$8.27	
	HIGH GRADE SPRUCE		0.000		\$20.00	\$0.00	\$0.00	
	CORDWOOD			17.000		\$10.31	\$175.27	\$17.53
						\$2,651.31	\$265.14	

TOWN OF HENNIKER

18 Depot Hill Road
\$0.00
Henniker, NH 03242
(603) 428-3240

DAVID P CURRIER REVOC TRUST
CURRIER, DAVID P TRUSTEE
PO BOX 926
HENNIKER, NH 03242

YIELD TAX ON TIMBER CUT

TAX ACCOUNT & SERIAL I.D. NUMBER: 588-823
TAX MAP & LOT NUMBER: 1-548
YIELD TAX OPERATION NUMBER: 20-213-08-T
DATE OF YIELD TAX BILL: 7/6/2021
AMOUNT COMMITTED TO ME
FOR COLLECTION PER RSA 79: **\$265.14**

***** 18% APR INTEREST WILL BE CHARGED AFTER 8/5/2021 ON UNPAID TAXES *****

APPEAL: an owner may, within 90 days of notice of the tax, appeal to the assessing officials in writing for an abatement from the original assessment, but no owner shall be entitled to an abatement unless he has complied with the provisions of RSA 79:10 and 11. (RSA 79:8)

TAX OFFICE HOURS: MONDAY - THURSDAY 8-5:30 AND FRIDAY 8-12 (SUMMER HOURS)

0

Sincerely,

Kimberly I. Johnson
Tax Collector

CERTIFICATION OF YIELD TAXES ASSESSED
INTENT FILED DURING TAX YEAR: April 1, 2020 to March 31, 2021

TOWN / CITY OF: HENNIKER, NH
 COUNTY OF: MERRIMACK
 CERTIFICATION DATE: July 6, 2021

 (Selectmen/assessor)

 (Selectmen/assessor)

 (Selectmen/assessor)

 (Selectmen/assessor)

 (Selectmen/assessor)

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 P.O. BOX 487
 CONCORD, NH 03302-0487

# 1	# 4	# 5	# 6	# 6	# 7	# 8	# 9	# 10
NAME OF OWNER	SPECIES	NUMBER OF BOARD FEET IN THOUSANDS	NUMBER OF TONS	NUMBER OF CORDS	STUMPAGE VALUE	TOTAL ASSESSED VAL.	TAX AT 10 %	
NUNLEY, RYAN NUNLEY, MEREDITH 999 WEARE ROAD HENNIKER, NH 03242	WHITE PINE	65.450			\$141.00	\$9,228.45	\$922.85	
	HEMLOCK	0.000			\$20.00	\$0.00	\$0.00	
	RED PINE	0.000			\$20.00	\$0.00	\$0.00	TOTAL TAX
ACCOUNT OR SERIAL #: 05-10011	SPRUCE & FIR	0.000			\$65.00	\$0.00	\$0.00	DUE ON THIS
	HARD MAPLE	0.000			\$150.00	\$0.00	\$0.00	OPERATION
# 2 BY WHICH LOT WAS DESIGNATED IN NOTICE OF INTENT MAP & LOT NUMBER 1-540-X7	WHITE BIRCH	0.000			\$35.00	\$0.00	\$0.00	(TOTAL OF
	YELLOW BIRCH	0.000			\$75.00	\$0.00	\$0.00	
	OAK	1.320			\$305.60	\$403.39	\$40.34	COL. # 9)
	ASH	0.000			\$80.00	\$0.00	\$0.00	
	SOFT MAPLE	0.000			\$70.00	\$0.00	\$0.00	\$963.19
	BEECH/PALLET/TIE LOGS	0.000			\$20.00	\$0.00	\$0.00	
	OTHERS :	0.000			\$75.00	\$0.00	\$0.00	
	OTHERS :	0.000			\$0.00	\$0.00	\$0.00	
						TONS	CORDS	
# 3 OPERATION NUMBER 20-213-12-T	SPRUCE & FIR		0.000		\$0.00	\$0.00	\$0.00	
	HARDWOOD & ASPEN		0.000		\$1.00	\$0.00	\$0.00	
	PINE		0.000		\$0.00	\$0.00	\$0.00	
	HEMLOCK		0.000		\$0.50	\$0.00	\$0.00	
	BIOMASS CHIPS		0.000		\$0.00	\$0.00	\$0.00	
	HIGH GRADE SPRUCE		0.000		\$20.00	\$0.00	\$0.00	
	CORDWOOD			0.000		\$8.00	\$0.00	\$0.00
						\$9,631.84	\$963.19	

TOWN OF HENNIKER

18 Depot Hill Road
\$0.00
Henniker, NH 03242
(603) 428-3240

NUNLEY, RYAN
NUNLEY, MEREDITH
999 WEARE ROAD
HENNIKER, NH 03242

YIELD TAX ON TIMBER CUT

TAX ACCOUNT & SERIAL I.D. NUMBER: 05-10011
TAX MAP & LOT NUMBER: 1-540-X7
YIELD TAX OPERATION NUMBER: 20-213-12-T
DATE OF YIELD TAX BILL: 7/6/2021
AMOUNT COMMITTED TO ME
FOR COLLECTION PER RSA 79: **\$963.19**

***** 18% APR INTEREST WILL BE CHARGED AFTER 8/5/2021 ON UNPAID TAXES *****

APPEAL: an owner may, within 90 days of notice of the tax, appeal to the assessing officials in writing for an abatement from the original assessment, but no owner shall be entitled to an abatement unless he has complied with the provisions of RSA 79:10 and 11. (RSA 79:8)

TAX OFFICE HOURS: MONDAY - THURSDAY 8-5:30 AND FRIDAY 8-12 (SUMMER HOURS)

0

Sincerely,

Kimberly I. Johnson
Tax Collector

**ORIGINAL WARRANT
YIELD TAX LEVY
July 6, 2021
THE STATE OF NEW HAMPSHIRE**

MERRIMACK

TO: KIMBERLY I. JOHNSON, Collector of Taxes for Town of HENNIKER, NH , in said county:

In the name of said State you are hereby directed to collect on or before thirty (30) days from date of bill from the person(s) named herewith committed to you, the Yield Tax set against their name(s), amounting in all to the sum of : **\$2,609.93** , with interest at eighteen (18%) percent per annum from the due date and on all sums not paid on or before that day. We further order you to pay all monies collected to the treasurer of said town, or treasurer's designee as provided in RSA 41:29, VI, at least on a weekly basis, or daily when receipts exceed \$1,500.00 or more often when directed by the Commissioner of Revenue Administration.

Given under our hands and seal at HENNIKER, NH

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

DATE: July 6, 2021

NAME & ADDRESS	MAP & LOT	OPERATION #	YIELD TAX DUE
LUCIA R EVANS REV TST OF 2012 EVANS LUCIA R TTEE 61 OVERHILL RD. HENNIKER, NH 03242	1-329-A1	20-213-18-T	\$177.00
VOISIN JULIE 0 180 STUMPFIELD RD HOPKINTON, NH 03229	1-659	20-213-13-T	\$1,301.72
FUSCO MARK 0 155 GROVE ST WESTWOOD, MA 02090	1-743	20-213-14-T	\$1,131.21
OWNER 4 OWNER ADDRESS TOWN, STATE, ZIP	000-0000-000	02-000-000-T	\$0.00

TAX DUE DATE: August 5, 2021 TOTAL YIELD TAX: \$2,609.93

TIMBER CUT FOR INTENTS FILED DURING: April 1, 2020 to March 31, 2021

CERTIFICATION OF YIELD TAXES ASSESSED
INTENT FILED DURING TAX YEAR: April 1, 2020 to March 31, 2021

TOWN / CITY OF: HENNIKER, NH
COUNTY OF: MERRIMACK
CERTIFICATION DATE: July 6, 2021

SEND SIGNED COPY TO: DEPT. OF REVENUE ADMINISTRATION
MUNICIPAL AND PROPERTY DIVISION
P.O. BOX 487
CONCORD, NH 03302-0487

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

# 1	# 4	# 5	# 6	#6	#7	# 8	# 9	# 10
<u>NAME OF OWNER</u>	<u>SPECIES</u>	<u>NUMBER OF BOARD FEET IN THOUSANDS</u>	<u>NUMBER OF TONS</u>	<u>NUMBER OF CORDS</u>	<u>STUMPAGE VALUE</u>	<u>TOTAL ASSESSED VAL.</u>	<u>TAX AT 10 %</u>	
LUCIA R EVANS REV TST OF 2012 EVANS LUCIA R TTEE 61 OVERHILL RD. HENNIKER, NH 03242	WHITE PINE	5.000			\$108.00	\$540.00	\$54.00	
	HEMLOCK	2.550			\$29.90	\$76.25	\$7.63	
	RED PINE	0.000			\$20.00	\$0.00	\$0.00	TOTAL TAX
<u>ACCOUNT OR SERIAL #:</u> 162-644	SPRUCE & FIR	0.000			\$70.00	\$0.00	\$0.00	DUE ON THIS
	HARD MAPLE	0.220			\$202.80	\$44.62	\$4.46	OPERATION
# 2 BY WHICH LOT WAS DESIGNATED IN NOTICE OF INTENT <u>MAP & LOT NUMBER</u> 1-329-A1	WHITE BIRCH	0.000			\$40.00	\$0.00	\$0.00	(TOTAL OF
	YELLOW BIRCH	0.000			\$75.00	\$0.00	\$0.00	COL. # 9)
	OAK	2.500			\$266.25	\$665.63	\$66.56	
	ASH	1.800			\$119.60	\$215.28	\$21.53	
	SOFT MAPLE	0.200			\$96.40	\$19.28	\$1.93	
	BEECH/PALLET/TIE LOGS	0.000			\$20.00	\$0.00	\$0.00	
	OTHERS :	0.000			\$0.00	\$0.00	\$0.00	
	OTHERS :	0.000			\$0.00	\$0.00	\$0.00	
					TONS	CORDS		
# 3 <u>OPERATION NUMBER</u> 20-213-18-T	SPRUCE & FIR		0.00		\$ -	\$0.00	\$0.00	
	HARDWOOD & ASPEN		1.50		\$ 1.83	\$2.74	\$0.27	
	PINE		0.00		\$ -	\$0.00	\$0.00	
	HEMLOCK		0.00		\$ -	\$0.00	\$0.00	
	BIOMASS CHIPS		0.00		\$ -	\$0.00	\$0.00	
	HIGH GRADE SPRUCE		0.00		\$ 20.00	\$0.00	\$0.00	
	CORDWOOD			20.00	\$ 10.31	\$206.20	\$20.62	
						\$1,770.00	\$177.00	

TOWN OF HENNIKER

18 Depot Hill Road

Henniker, NH 03242

(603) 428-3240

LUCIA R EVANS REV TST OF 2012
EVANS LUCIA R TTEE
61 OVERHILL RD.
HENNIKER, NH 03242

YIELD TAX ON TIMBER CUT

TAX ACCOUNT & SERIAL I.D. NUMBER: 162-644
TAX MAP & LOT NUMBER: 1-329-A1
YIELD TAX OPERATION NUMBER: 20-213-18-T
DATE OF YIELD TAX BILL: 7/6/2021
AMOUNT COMMITTED TO ME
FOR COLLECTION PER RSA 79: **\$177.00**

***** 18% APR INTEREST WILL BE CHARGED AFTER 8/5/2021 ON UNPAID TAXES *****

APPEAL: an owner may, within 90 days of notice of the tax, appeal to the assessing officials in writing for an abatement from the original assessment, but no owner shall be entitled to an abatement unless he has complied with the provisions of RSA 79:10 and 11. (RSA 79:8)

TAX OFFICE HOURS: MONDAY - THURSDAY 8-5:30; FRIDAY 8-12 (SUMMER HOURS)

Sincerely,

Kimberly I. Johnson
Tax Collector

CERTIFICATION OF YIELD TAXES ASSESSED
INTENT FILED DURING TAX YEAR: April 1, 2020 to March 31, 2021

TOWN / CITY OF: HENNIKER, NH
COUNTY OF: MERRIMACK
CERTIFICATION DATE: July 6, 2021

SEND SIGNED COPY TO: DEPT. OF REVENUE ADMINISTRATION
MUNICIPAL AND PROPERTY DIVISION
P.O. BOX 487
CONCORD, NH 03302-0487

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

# 1	# 4	# 5	# 6	# 6	# 7	# 8	# 9	# 10
<u>NAME OF OWNER</u>	<u>SPECIES</u>	<u>NUMBER OF BOARD FEET IN THOUSANDS</u>	<u>NUMBER OF TONS</u>	<u>NUMBER OF CORDS</u>	<u>STUMPAGE VALUE</u>	<u>TOTAL ASSESSED VAL.</u>	<u>TAX AT 10 %</u>	
VOISIN JULIE 0 180 STUMPFIELD RD HOPKINTON, NH 03229	WHITE PINE	28.330			\$125.00	\$3,541.25	\$354.13	
	HEMLOCK	24.250			\$35.00	\$848.75	\$84.88	
	RED PINE	0.000			\$20.00	\$0.00	\$0.00	TOTAL TAX
	ACCOUNT OR SERIAL #: 06-01010	SPRUCE & FIR	0.000			\$70.00	\$0.00	\$0.00
# 2 BY WHICH LOT WAS DESIGNATED IN NOTICE OF INTENT MAP & LOT NUMBER 1-659	HARD MAPLE	0.000			\$150.00	\$0.00	\$0.00	(TOTAL OF COL. # 9)
	WHITE BIRCH	0.000			\$40.00	\$0.00	\$0.00	
	YELLOW BIRCH	0.330			\$137.50	\$45.38	\$4.54	
	OAK	23.865			\$287.50	\$6,861.19	\$686.12	
	ASH	0.000			\$80.00	\$0.00	\$0.00	
	SOFT MAPLE	0.000			\$70.00	\$0.00	\$0.00	
	BEECH/PALLET/TIE LOGS	10.250			\$35.00	\$358.75	\$35.88	
	OTHERS :	7.015			\$35.00	\$245.53	\$24.55	
	OTHERS :	0.000			\$0.00	\$0.00	\$0.00	
					TONS	CORDS		
# 3 OPERATION NUMBER 20-213-13-T	SPRUCE & FIR		0.000		\$0.00	\$0.00	\$0.00	
	HARDWOOD & ASPEN		159.850		\$2.25	\$359.66	\$35.97	
	PINE		0.000		\$0.00	\$0.00	\$0.00	
	HEMLOCK		164.860		\$0.88	\$144.25	\$14.43	
	WHOLE TREE CHIPS		608.930		\$0.25	\$152.23	\$15.22	
	HIGH GRADE SPRUCE		0.000		\$20.00	\$0.00	\$0.00	
	CORDWOOD			40.000	\$11.50	\$460.00	\$46.00	
						\$13,016.99	\$1,301.72	

TOWN OF HENNIKER

18 Depot Hill Road
\$0.00

Henniker, NH 03242
(603) 428-3240

VOISIN JULIE
0
180 STUMPFIELD RD
HOPKINTON, NH 03229

YIELD TAX ON TIMBER CUT

TAX ACCOUNT & SERIAL I.D. NUMBER: 06-01010

TAX MAP & LOT NUMBER: 1-659

YIELD TAX OPERATION NUMBER: 20-213-13-T

DATE OF YIELD TAX BILL: 7/6/2021

AMOUNT COMMITTED TO ME
FOR COLLECTION PER RSA 79: **\$1,301.72**

***** 18% APR INTEREST WILL BE CHARGED AFTER 8/5/2021 ON UNPAID TAXES *****

APPEAL: an owner may, within 90 days of notice of the tax, appeal to the assessing officials in writing for an abatement from the original assessment, but no owner shall be entitled to an abatement unless he has complied with the provisions of RSA 79:10 and 11. (RSA 79:8)

TAX OFFICE HOURS: MONDAY - THURSDAY 8-5:30; FRIDAY 8-12 (SUMMER HOURS)

0

Sincerely,

Kimberly I. Johnson
Tax Collector

CERTIFICATION OF YIELD TAXES ASSESSED
INTENT FILED DURING TAX YEAR: April 1, 2020 to March 31, 2021

TOWN / CITY OF: HENNIKER, NH
COUNTY OF: MERRIMACK
CERTIFICATION DATE: July 6, 2021

SEND SIGNED COPY TO: DEPT. OF REVENUE ADMINISTRATION
MUNICIPAL AND PROPERTY DIVISION
P.O. BOX 487
CONCORD, NH 03302-0487

(Selectmen/assessor)

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(Selectmen/assessor)

# 1	# 4	# 5	# 6	# 6	# 7	# 8	# 9	# 10
<u>NAME OF OWNER</u>	<u>SPECIES</u>	<u>NUMBER OF BOARD FEET IN THOUSANDS</u>	<u>NUMBER OF TONS</u>	<u>NUMBER OF CORDS</u>	<u>STUMPAGE VALUE</u>	<u>TOTAL ASSESSED VAL.</u>	<u>TAX AT 10 %</u>	
FUSCO MARK 0 155 GROVE ST WESTWOOD, MA 02090	WHITE PINE	7.145			\$125.00	\$893.13	\$89.31	
	HEMLOCK	0.000			\$20.00	\$0.00	\$0.00	
	RED PINE	0.000			\$20.00	\$0.00	\$0.00	TOTAL TAX
<u>ACCOUNT OR SERIAL #:</u> 1177-1402	SPRUCE & FIR	0.000			\$70.00	\$0.00	\$0.00	DUE ON THIS
	HARD MAPLE	1.245			\$230.00	\$286.35	\$28.64	OPERATION
# 2 BY WHICH LOT WAS DESIGNATED IN NOTICE OF INTENT <u>MAP & LOT NUMBER</u> 1-743	WHITE BIRCH	0.035			\$70.00	\$2.45	\$0.25	(TOTAL OF COL. # 9)
	YELLOW BIRCH	0.125			\$137.50	\$17.19	\$1.72	
	OAK	23.360			\$287.50	\$6,716.00	\$671.60	
	ASH	0.000			\$80.00	\$0.00	\$0.00	
	SOFT MAPLE	4.890			\$110.00	\$537.90	\$53.79	
	BEECH/PALLET/TIE LOGS	12.715			\$35.00	\$445.03	\$44.50	
	OTHERS :	4.140			\$137.50	\$569.25	\$56.93	
	OTHERS :	0.000			\$0.00	\$0.00	\$0.00	
					TONS	CORDS		
# 3 <u>OPERATION NUMBER</u> 20-213-14-T	SPRUCE & FIR		0.000		\$0.00	\$0.00	\$0.00	
	HARDWOOD & ASPEN		18.370		\$2.25	\$41.33	\$4.13	
	PINE		0.000		\$0.00	\$0.00	\$0.00	
	HEMLOCK		0.000		\$0.00	\$0.00	\$0.00	
	BIOMASS CHIPS		1141.590		\$0.25	\$285.40	\$28.54	
	HIGH GRADE SPRUCE		0.000		\$20.00	\$0.00	\$0.00	
	CORDWOOD			132.000		\$11.50	\$1,518.00	\$151.80
						\$11,312.03	\$1,131.21	

TOWN OF HENNIKER

18 Depot Hill Road
\$0.00
Henniker, NH 03242
(603) 428-3240

FUSCO MARK
0
155 GROVE ST
WESTWOOD, MA 02090

YIELD TAX ON TIMBER CUT

TAX ACCOUNT & SERIAL I.D. NUMBER: 1177-1402
TAX MAP & LOT NUMBER: 1-743
YIELD TAX OPERATION NUMBER: 20-213-14-T
DATE OF YIELD TAX BILL: 7/6/2021
AMOUNT COMMITTED TO ME
FOR COLLECTION PER RSA 79: **\$1,131.21**

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TAX OFFICE HOURS: MONDAY - THURSDAY 8-5:30; FRIDAY 8-12 (SUMMER HOURS)

0

Sincerely,

Kimberly I. Johnson
Tax Collector



TOWN OF HENNIKER, NEW HAMPSHIRE
BOARD OF SELECTMEN
CONSENT AGENDA

Tuesday, July 6, 2021

Consent Agenda

- Item 1:** Abatement Application – Map 1 Lot 662 – with explanation
- Item 2:** Intent to Cut – Map 1 Lots 332-E & F and 336

Board of Selectmen Approval:

_____	_____
_____	_____

*Please note that the Consent Agenda is subject to change until 4:30 pm the day of a scheduled Selectmen’s Meeting.

Telephone
603-428-3221

18 Depot Hill Road
Henniker, NH 03232
www.henniker.org

FAX
603-428-4366



TOWN OF HENNIKER, NEW HAMPSHIRE

June 1, 2021

2021 ABATEMENT

To the Collector of Taxes:

By vote of the Board of Selectmen upon application of:

Joshua & Kimberly McCabe

Lot Number: 1-662 / 316 Patch Rd.
Mailing Address: 316 Patch Rd.
Henniker, NH 03242

2021 1st half assessment: \$565,271
2021 1st half revised assessment: \$513,051

Abated amount of assessed value: \$ 52,220

Abated tax amount for 1st half bill: \$ 816.00

(Adjustment due to previous abatement filed & approved for 2020)

Board of Selectmen:

Peter R. Flynn *Joe Coyne*

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

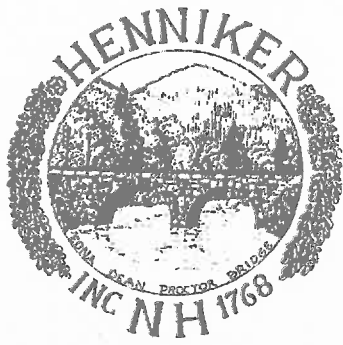
Cogswell Spring Water Works
146 Davison Rd.
Henniker NH 03242
Ph (603) 428-3237
Fx (603) 428-3362

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



TOWN OF HENNIKER, NEW HAMPSHIRE

ADDENDUM TO 2021 ABATEMENT REQUEST:
JOSHUA & KIMBERLY MCCABE.

Lot number: 1-662
Property address: 316 Patch Road.

The property owner requested a tax abatement for the 2020 tax year, which was granted by the Board of Selectmen on June 1, 2021.

The revised assessment for this property is \$513,051 and not \$565,271 as stated on the tax bill for the first half of 2021.

Therefore, the property owner is due a refund in the amount of \$816.00.

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

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Henniker NH 03242
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(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) 428-7828

TOWN OF HENNIKER
Office of the Tax Collector
 18 Depot Hill Road
 Henniker NH 03242

Hours
 Mon8-5:30/T,W,F 8-4:30/
 2nd/4th Sat 10-12

ph. (603) 428-3240

TAX YEAR	ACCOUNT	BILLING DATE	INTEREST RATE	DUE DATE
2021	10648-1266	5/27/2021	0.08	7/12/2021
MAP / PARCEL	LOCATION OF PROPERTY		AREA	
1-662	316 PATCH ROAD		38.120	
OWNER OF RECORD			TAX CALCULATION	
MCCABE JOSHUA M MCCABE KIMBERLY A 316 PATCH ROAD HENNIKER NH 03242			NET TAXABLE	\$565,271.00
			TAX RATE	\$31.24
			TOTAL TAX	\$17,659.00
			ESTIMATED TAX AT 1/2 RATE	\$8,830.00
2021 TAX RATE PER \$1000		ASSESSED VALUATION		
Municipal Rate	\$9.94	Land	\$82,900	
County	\$2.56	Building	\$481,000	
Local School	\$16.75	Current Use	\$1,371	
State School	\$1.99	Taxable Value	\$565,271	
TOTAL:	\$31.24			
Interest at 8.00% per annum after Monday, July 12, 2021.				
PAY THIS AMOUNT				\$8,830.00

INFORMATION TO TAXPAYERS

PAYMENT OF THIS BILL DOES NOT PREVENT THE COLLECTION OF PREVIOUS UNPAID TAXES NOR DOES AN ERROR IN THE NAME OF THE PERSON TAXED PREVENT COLLECTION.

IF THIS BILL IS PAID BY CHECK OR MONEY ORDER IT IS NOT CONSIDERED PAID UNTIL CHECK OR MONEY ORDER IS CLEARED.

IF YOU ARE ELDERLY, DISABLED, BLIND, A VETERAN, OR VETERAN'S SPOUSE, OR ARE UNABLE TO PAY TAXES DUE TO POVERTY OR OTHER GOOD CAUSE YOU MAY BE ELIGIBLE FOR A TAX EXEMPTION CREDIT, ABATEMENT OR DEFERRAL. FOR DETAILS AND APPLICATION INFORMATION CONTACT THE SELECTMEN'S OFFICE.

THE TAXPAYER MAY BY MARCH 1 FOLLOWING THE DATE OF NOTICE OF TAX AND NOT AFTERWARDS, APPLY IN WRITING TO THE SELECTMEN OR ASSESSOR(S) FOR AN ABATEMENT AS PROVIDED UNDER RSA 76:16.

PLEASE DETACH AND RETURN LOWER PORTION WITH PAYMENT. RETAIN UPPER PORTION FOR YOUR RECORDS.

TOWN OF HENNIKER
18 Depot Hill Road, Henniker NH 03242

MAP / PARCEL	LOCATION OF PROPERTY	TAX YEAR	ACCOUNT	DUE DATE
1-662	316 PATCH ROAD	2021	10648-1266	7/12/2021

MCCABE JOSHUA M
 MCCABE KIMBERLY A
 316 PATCH ROAD
 HENNIKER NH 03242

PAY THIS AMOUNT
\$8,830.00

INTENT TO CUT CHECKLIST

Date received 07/06/2021 Office ID# _____
Owner's name Timothy McComish Revocable Trust Lot # 1-332-E+F/1-336

Route to: Highway Superintendent Conservation Commission

Items 1 - 10 Complete Map information complete Not included

- Missing items:
- | | |
|---|----------------------------------|
| 1 Town/City | 1 Area(s) to be cut |
| 2 Tax map/lot | 2 Road to be used |
| 3 Original/supplemental | 3 Landing(s) |
| 4 Name of road using | 4 Point of egress onto town road |
| 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 | |

Taxes current Yes No
Security bond required Yes No \$ Amount _____
Date paid _____ Date returned _____
Driveway permit needed Yes No No Initialed Unknown
Road bond required Yes Yes No \$ Amount _____
Date paid _____ Date returned _____
Permission to Haul Form Yes Yes No Date received _____
Wetlands permit required Yes Yes No Date received Unknown

Notes/
Comments Ingress/Egress through lot 332-F
(909 Old Hillsboro Rd)

JUL 06 2021

FORM
PA-7

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

(Assigned by Municipality)

SELECTMEN'S OFFICE

YR TOWN OP#

- - -

For Tax Year April 1, 21 to March 31, 22

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.
11/332/EJ, 11/332/FI, AND 11/336/I
- Intent Type: Original Supplemental
(Original Intent Number)
- Name of Access Road: OLD HILLSBOROUGH ROAD
- 5a. Acreage of Lot: 49.1 Acreage of Cut: 37
- 5b. Anticipated Start Date: Summer
- 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.)

Attach a signature page for additional owners.

Tim McCormish 7-6-21

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

Tim McCormish

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

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

TIMOTHY MCCOMISH

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

PO BOX 644

MAILING ADDRESS

HENNIKER NH 03242

CITY OR TOWN STATE ZIPCODE

mccomishexe@gmail.com

E-MAIL ADDRESS

(603) 428-8080

HOME PHONE (Enter number without dashes) CELL PHONE (Enter number without dashes)

8. Description of Wood or Timber To Be Cut

Species	Estimated Amount To Be Cut	
White Pine	10	MBF
Hemlock	6	MBF
Red Pine		MBF
Spruce & Fir		MBF
Hard Maple	1	MBF
White Birch	1	MBF
Yellow Birch	1	MBF
Oak	60	MBF
Ash	2	MBF
Soft Maple	1	MBF
Beech/Pallet/Tie & Mat Logs/ Pine Box	10	MBF
Other (Specify)		MBF
Pulpwood	Tons	
Spruce & Fir		
Hardwood & Aspen		
Pine		
Hemlock		
Biomass Chips	720	
Miscellaneous		
High Grade Spruce/Fir		Tons
Cordwood & Fuelwood	30	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 they are familiar with RSA 227-J, the timber harvest laws.

M. Lemire 4/26/21

SIGNATURE (in ink) OF PERSON RESPONSIBLE FOR CUT DATE

MICHELLE LEMIRE

PRINT CLEARLY OR TYPE NAME OF PERSON RESPONSIBLE FOR CUT

237 ELM AVE

MAILING ADDRESS

ANTRIM NH 03440

CITY OR TOWN STATE ZIPCODE

(603) 588-3718 rlsns@tds.net

PHONE NUMBER E-MAIL ADDRESS

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 timber tax bond required has been received.
\$ _____ Date: _____
 - The tax collector will be notified within 30 days of receipt pursuant to RSA 79:10.
 - This form to be forwarded to DRA within 30 days.

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		

MEMO FOR INTENTS TO CUT

TO: KIMBERLY JOHNSON, TAX COLLECTOR
FROM: HELGA WINN, ASSESSING TECHNICIAN

RE: Timothy McComish Revoc. Trust

MAP/LOT: 1-332-E, F + 336

ARE ALL TAXES PAID ON THIS PROPERTY?

YES

NO



TOWN OF HENNIKER, NEW HAMPSHIRE
BOARD OF SELECTMEN
CONSENT AGENDA

Tuesday, July 20, 2021

Consent Agenda

- Item 1:** Daniel Butler – Appointment to the Henniker Athletics Committee
- Item 2:** Intent to Cut – Map 1 Lots 755 & 759
- Item 3:** Intent to Cut – Map 1 Lot 26
- Item 4:** Yield Tax Levy – Map1 Lot 599-A
- Item 5:** Warrant for Land Use Change Tax Map 1 Lot 49-C
- Item 6:** Warrant for Land Use Change Tax Map 1 Lot 540-X9
- Item 7:** Tax Refund – Map 1 Lot 583-F
- Item 8:** Azalea Park Private Trust Donation Acceptance

Board of Selectmen Approval:

_____	_____
_____	_____

*Please note that the Consent Agenda is subject to change until 4:30 pm the day of a scheduled Selectmen’s Meeting.

Telephone
603-428-3221

18 Depot Hill Road
Henniker, NH 03232
www.henniker.org

FAX
603-428-4366



TOWN OF HENNIKER APPOINTMENT

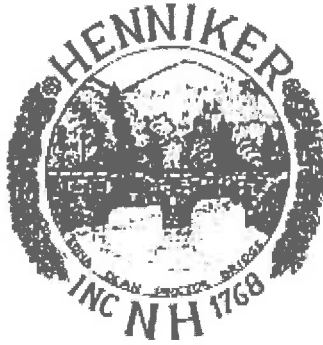
To **Daniel Butler**, of Henniker, NH, in the County of Merrimack:

Town of Henniker Board of Selectmen:

Motion: To accept the Volunteer Application of Daniel Butler, appointing him as an Alternate Volunteer Member of the Henniker Athletics Committee until September 1, 2024.

BOARD OF SELECTMEN:

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



APPLICATION FOR VOLUNTEER POSITION

Committee/Board: Henniker Youth Athletics

Name (as it should appear on Appointment Form): Daniel P Butler

First Daniel M.I. P Last Butler

Phone: 774-954-2775 Email: Butler3523@yahoo.com

Physical Address: 85 Juniper Ridge

Mailing Address: _____

Why are you seeking this appointment? To volunteer and because the previous Soccer Director was looking to end his appointment

What experience would you bring to this position? I have experience with youth sports and project management

Do you have any specific goals or objectives you would seek to implement if you are appointed to this position? Just to keep youth sports alive.

Signature: [Handwritten Signature] Date: 2021-07-07

INTENT TO CUT CHECKLIST

Date received 07/06/2021

Office ID# _____

Owner's name Meadowsend Saw Mill Inc.

Lot # 1-755 + 1-759

Route to: Highway Superintendent

Conservation Commission

Items 1 - 10 Complete _____

Map information complete Not provided

Missing items:

Missing items:

- | | |
|---|----------------------------------|
| 1 Town/City | 1 Area(s) to be cut |
| 2 Tax map/lot | 2 Road to be used |
| 3 Original/supplemental | 3 Landing(s) |
| 4 Name of road using | 4 Point of egress onto town road |
| 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 | |

Taxes current	<input checked="" type="radio"/> Yes	<input type="radio"/> No	
Security bond required	<input type="radio"/> Yes	<input checked="" type="radio"/> No	\$ Amount _____
Date paid _____	Date returned _____		
Driveway permit needed	<input type="radio"/> Yes	<input checked="" type="radio"/> No	Initialed _____
Road bond required	<input type="radio"/> Yes	<input checked="" type="radio"/> No	\$ Amount _____
Date paid _____	Date returned _____		
Permission to Haul Form	<input type="radio"/> Yes	<input checked="" type="radio"/> No	Date received _____
Wetlands permit required	<input type="radio"/> Yes	<input type="radio"/> No	Date received <u>Unknown</u>

Notes/
Comments

Ingress/Egress through Hatfield Rd.,
Hopkinton.

FORM
PA-7

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

JUL 06 2021

(Assigned by Municipality)

YR - TOWN - OP# - T

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

1. Town/City of: HENNIKER

2. Tax Map/Block/Lot or USFS Sale Name & Unit No.
MAP 1 LOT 755 & 759

3. Intent Type: Original Supplemental

4. Name of Access Road: HATFIELD ROAD

5a. Acreage of Lot: 108 & 19 Acreage of Cut: 50

5b. Anticipated Start Date: July

6. Type of ownership (check only one):
- a. Owner of Land and Stumpage (Joint Tenants)
 - b. Owner of Land and Stumpage (Tenants in Common)
 - c. Previous owner retaining deeded timber rights
 - d. 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.)

Timber Tax Information is Available at www.revenue.nh.gov
Questions?? Call (803) 230-5950

Jeremy G. Turner 6/29/21
 SIGNATURE (in ink) OF OWNER(S) OR CORPORATE OFFICER(S) DATE SIGNED
 JEREMY G. TURNER
 PRINT CLEARLY OR TYPE NAME OF OWNER(S) OR CORPORATE OFFICER(S)

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

MEADOWSEND SAWMILL INC

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

PO BOX 966
MAILING ADDRESS

NEW LONDON NH 03257
CITY OR TOWN STATE ZIPCODE

jgturner@mtforests.com
E-MAIL ADDRESS

526-8886 481-1091
HOME PHONE (Enter number without dashes) CELL PHONE (Enter number without dashes)

FOR MUNICIPAL ASSESSING OFFICIALS ONLY

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

- 4. Any timber tax bond required has been received.
\$ _____ Date: _____
- 5. The tax collector will be notified within 30 days of receipt pursuant to RSA 79:10.
- 6. This form to be forwarded to DRA within 30 days.

8. Description of Wood or Timber To Be Cut

Species	Estimated Amount To Be Cut	
White Pine	75	MBF
Hemlock	5	MBF
Red Pine	0	MBF
Spruce & Fir	0	MBF
Hard Maple	0	MBF
White Birch	0	MBF
Yellow Birch	0	MBF
Oak	50	MBF
Ash	5	MBF
Beech & Soft Maple	5	MBF
Pallet or Tie Logs	5	MBF
Other (Specify)	BOX PINE 20 MBF	
Pulpwood	Tons	Cords
Spruce & Fir	0	
Hardwood & Aspen	0	
Pine	200	
Hemlock	200	
Whole Tree Chips	0	
Miscellaneous		
High Grade Spruce/Fir	0	Tons
Cordwood & Fuelwood	100	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. I have become familiar with RSA 79:10 the timber harvest laws.

Jeremy G. Turner 6/29/21
 SIGNATURE (in ink) OF PERSON RESPONSIBLE FOR CUT DATE
 JEREMY G. TURNER - MEADOWSEND CONSULTING CO.
 PRINT CLEARLY OR TYPE NAME OF PERSON RESPONSIBLE FOR CUT

PO BOX 966
MAILING ADDRESS

NEW LONDON NH 03257
CITY OR TOWN STATE ZIPCODE

5 - laurabryer@mtforests.com
PHONE NUMBER E-MAIL ADDRESS

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

INTENT TO CUT CHECKLIST

Date received 07/12/2021 Office ID# _____
 Owner's name Buck Hill Farm, LLC Lot # 1-026
% Wayland, Christopher
 Route to: Highway Superintendent Conservation Commission
 Items 1 - 10 Complete Map information complete

Missing items:

Missing items:

- | | |
|---|--|
| <ol style="list-style-type: none"> 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 | <ol style="list-style-type: none"> 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

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 Ingress/Egress onto Hemlock Corner Loop.
Temp Logging driveway applied for.

FORM PA-7

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

JUL 12 2021

(Assigned by Municipality)

YR TOWN OP#

Grid for Year, Town, OP#, and T

For Tax Year April 1, 21 to March 31, 22

SELECTMEN'S OFFICE

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

1. Town/City of: Henniker

2. Tax Map/Block/Lot or USFS Sale Name & Unit No. 1-26

3. Intent Type: Original [X] Supplemental [] (Original Intent Number)

4. Name of Access Road: Hemlock Corner Loop

5a. Acreage of Lot: 133 Acreage of Cut: 60

5b. Anticipated Start Date: 8-1-21

- 6. Type of ownership (check only one): a. Owner of Land and Stumpage (Sole Owner) [X] b. Owner of Land and Stumpage (Joint Tenants) [] c. Owner of Land and Stumpage (Tenants in Common) [] d. Previous owner retaining deeded timber rights [] e. 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 [X] 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.) Attach a signature page for additional owners.

Signature: Christopher Wayland, Date: 7-6-21

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

Signature: Christopher Wayland, Date: 7-6-21

Mailing Address: 1037 UPPER STRAW ROAD, HOPKINTON, NH 03229, WAYLACA @ G-MAIL . COM, HOME PHONE: 6035339307

8. Description of Wood or Timber To Be Cut

Table with columns: Species, Estimated Amount To Be Cut, MBF, Tons, Cords. Includes rows for White Pine, Hemlock, Red Pine, Spruce & Fir, Hard Maple, White Birch, Yellow Birch, Oak, Ash, Soft Maple, Beech/Pallet/Tie & Mat Logs/Pine Box, Other (Specify), Pulpwood, Spruce & Fir, Hardwood & Aspen, Pine, Hemlock, Biomass Chips, Miscellaneous, High Grade Spruce/Fir, Cordwood & Fuelwood.

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

Species: Cordwood, Amount: 10 cords

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 they are familiar with RSA 227-J, the timber harvest laws.

SIGNATURE (in ink) OF PERSON RESPONSIBLE FOR CUT: Aaron Sterling, Date: 7-5-21. MAILING ADDRESS: PO Box 991 Henniker, NH 03242. PHONE NUMBER: 428-8192, E-MAIL ADDRESS: STERLINGTIMBER@COMCAST.NH

FOR MUNICIPAL ASSESSING OFFICIALS ONLY

The Selectmen/Municipal Assessing Officials hereby certify that: 1. All owners of record have signed the Intent; 2. The land is not under the Current Use Unproductive category; 3. The form is complete and accurate; and 4. Any timber tax bond required has been received. \$ Date: 5. The tax collector will be notified within 30 days of receipt pursuant to RSA 79:10. 6. This form to be forwarded to DRA within 30 days.

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

Town of Warner
Clark County, Nevada

27

28

25

26

Area To Be
CDT

26-A

25-A

LANDING

25-X

26-X

I-B

24-A

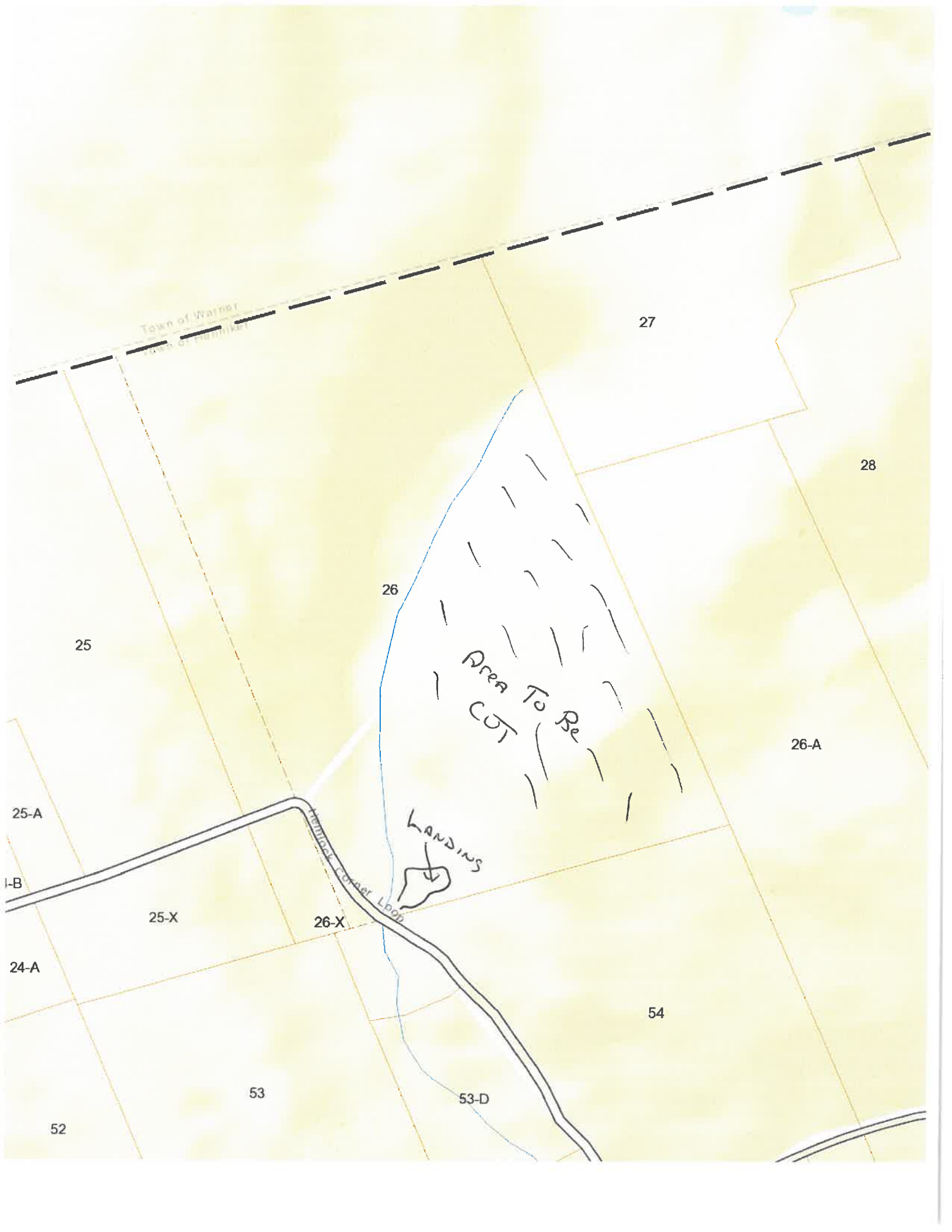
54

53

53-D

52

Warner Loop



**ORIGINAL WARRANT
YIELD TAX LEVY
July 20, 2021
THE STATE OF NEW HAMPSHIRE**

MERRIMACK COUNTY

TO: KIMBERLY I. JOHNSON, Collector of Taxes for Town of **HENNIKER**, in said county:

In the name of said State you are hereby directed to collect on or before thirty (30) days from date of bill from the person(s) named herewith committed to you, the Yield Tax set against their name(s), amounting in all to the sum of : **\$5,086.24**, with interest at eighteen (18%) percent per annum from the due date and on all sums not paid on or before that day. We further order you to pay all monies collected to the treasurer of said town, or treasurer's designee as provided in RSA 41:29, VI, at least on a weekly basis, or daily when receipts exceed \$1,500.00 or more often when directed by the Commissioner of Revenue Administration.

Given under our hands and seal at NAME

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

DATE SIGNED: July 20, 2021

NAME & ADDRESS	MAP & LOT	OPERATION #	YIELD TAX DUE
HHP, INC. JOSEPH CARRIER PO BOX 489 HENNIKER, NH 03242	1-599-A	20-213-19	\$5,086.24

TAX DUE DATE: August 19, 2021 TOTAL YIELDTAX: \$5,086.24

TIMBER CUT FOR INTENTS FILED DURING: April 1, 2020 to March 31, 2021

**CERTIFICATION OF YIELD TAXES ASSESSED
INTENT FILED DURING TAX YEAR: April 1, 2017 to March 31, 2018**

**TOWN / CITY OF: HENNIKER
COUNTY OF: MERRIMACK COUNTY
CERTIFICATION DATE: July 20, 2021**

**SEND SIGNED COPY TO: DEPT. OF REVENUE ADMINISTRATION
MUNICIPAL AND PROPERTY DIVISION
P.O. BOX 487
CONCORD, NH 03302-0487**

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

(Selectmen/assessor)

# 1	# 4	# 5	# 6	# 6	# 7	# 8	# 9	# 10
NAME OF OWNER	SPECIES	NUMBER OF BOARD FEET IN THOUSANDS	NUMBER OF TONS	NUMBER OF CORDS	STUMPAGE VALUE	TOTAL ASSESSED VAL.	TAX AT 10 %	
# 1 JOSEPH CARRIER HHP, INC. PO BOX 489 HENNIKER, NH 03242 ACCOUNT OR SERIAL #: 1	WHITE PINE	280.215			\$159.00	\$44,554.19	\$4,455.42	
	HEMLOCK	1.955			\$41.00	\$80.16	\$8.02	
	RED PINE	11.210			\$41.00	\$459.61	\$45.96	TOTAL TAX
	PINE PALLET	23.000			\$30.00	\$690.00	\$69.00	DUE ON THIS OPERATION
	HARD MAPLE	0.000			\$0.00	\$0.00	\$0.00	OPERATION
	BLACK BIRCH	0.220			\$51.00	\$11.22	\$1.12	(TOTAL OF
	WHITE BLACK OAK	5.850			\$140.00	\$819.00	\$81.90	COL. # 9)
	OAK	11.540			\$301.00	\$3,473.54	\$347.35	
	ASH	0.540			\$205.00	\$110.70	\$11.07	
	SOFT MAPLE	1.745			\$140.00	\$244.30	\$24.43	
# 2 BY WHICH LOT WAS DESIGNATED IN NOTICE OF INTENT MAP & LOT NUMBER 1-599-A	BEECH/PALLET/TIE LOGS	1.880			\$40.00	\$75.20	\$7.52	
	OTHERS :	4.655			\$51.00	\$237.41	\$23.74	
	OTHERS :	0.150			\$100.00	\$15.00	\$1.50	
# 3 OPERATION NUMBER 20-213-19	SPRUCE & FIR	0.00			\$ -	\$0.00	\$0.00	\$5,086.24
	HARDWOOD & ASPEN	424.56			\$ 0.11	\$46.70	\$4.67	
	PINE	390.63			\$ 0.11	\$42.97	\$4.30	
	HEMLOCK	22.05			\$ 0.11	\$2.43	\$0.24	
	BIOMASS CHIPS	0.00			\$ -	\$0.00	\$0.00	

TOWN OF HENNIKER

18 DEPOT HILL RD.

HENNIKER, NH 03242

(603) 428-3240

HHP, INC.
JOSEPH CARRIER
PO BOX 489
HENNIKER, NH 03242

YIELD TAX ON TIMBER CUT

TAX ACCOUNT & SERIAL I.D. NUMBER: 10043-1096 (P2-461)
TAX MAP & LOT NUMBER: 1-599-A
YIELD TAX OPERATION NUMBER: 20-213-19
DATE OF YIELD TAX BILL: 7/20/2021
AMOUNT COMMITTED TO ME
FOR COLLECTION PER RSA 79: **\$5,086.24**

***** 18% APR INTEREST WILL BE CHARGED AFTER 8/19/2021 ON UNPAID TAXES *****

APPEAL: an owner may, within 90 days of notice of the tax, appeal to the assessing officials in writing for an abatement from the original assessment, but no owner shall be entitled to an abatement unless he has complied with the provisions of RSA 79:10 and 11. (RSA 79:8)

TAX OFFICE HOURS: MONDAY - THURSDAY 8-5:30, FRIDAY 8-4 (SUMMER HOURS)

Sincerely,

KIMBERLY I. JOHNSON
Tax Collector

FORM
A-5W

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
WARRANT FOR LAND USE CHANGE TAX

STEP 1 - TAX COLLECTOR'S WARRANT FOR LAND USE CHANGE TAX IN THE MUNICIPALITY OF:

NAME OF MUNICIPALITY TOWN OF HENNIKER		
STREET ADDRESS 18 DEPOT HILL ROAD		
MAILING ADDRESS 18 DEPOT HILL ROAD		
MUNICIPALITY HENNIKER	STATE NH	ZIP CODE 03242

STEP 2 - COLLECTION OF LAND USE CHANGE TAX

(a) State of New Hampshire, County of: MERRIMACK	
(b) To: KIMBERLY I. JOHNSON	Municipal Collector of taxes
(c) for the municipality of: HENNIKER	in said County.
(d) In the name of said State you are directed to collect the LAND USE CHANGE TAX in the list herewith committed to you, amounting in all of the sum of:	\$ 46.00
Interest at 18% will be assessed after 30 days.	
(e) Given under our hands at HENNIKER, NH	
(f) This day of JULY 20, 2021	
(g) LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY HUBBARD, LORI & WILLIAM	
LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY MAILING ADDRESS 7 COLLEAGUE POND ROAD, HENNIKER, NH 03242	
(h) MUNICIPAL TAX MAP 1	LOT NUMBER 49-C

STEP 3 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS

TYPE OR PRINT NAME (in black or dark blue ink) KRIS BLOMBACK	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) TIA HOOPER	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) PETER FLYNN	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) D. SCOTT OSGOOD	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) LEON PARKER	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL

STEP 1 - LAND USE CHANGE TAX TO BE BILLED TO:

PROPERTY OWNER(S) OR RIGHT OF WAY RESPONSIBLE PARTY LISTED BELOW:

PLEASE TYPE OR PRINT	LAST NAME/CORPORATION/TRUST NAME HUBBARD	FIRST NAME/CORPORATION/TRUST NAME LORI	INITIAL
	LAST NAME/CORPORATION/TRUST NAME HUBBARD	FIRST NAME/CORPORATION/TRUST NAME WILLIAM	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	MAILING ADDRESS 7 COLLEAGUE POND ROAD		
MUNICIPALITY HENNIKER		STATE NH	ZIP CODE 03242

STEP 2 - PARCEL IDENTIFICATION OF DISQUALIFIED CURRENT USE LAND

PLEASE TYPE OR PRINT	(a) RIGHT OF WAY LAND USE CHANGE TAX - PROVIDE NAME OF LANDOWNER ON WHICH THE RIGHT OF WAY IS LOCATED			
	(b) ACCESSIBLE STREET LOCATION 7 COLLEAGUE POND ROAD		MUNICIPALITY HENNIKER	COUNTY MERRIMACK
	(c) TOTAL ACRES OF PARCEL 12.14	PARCEL TAX MAP AND LOT # 1	49-C	DEED BOOK AND PAGE # 3528 2055
	(d) CHECK ONE BELOW: <input checked="" type="checkbox"/> PARTIAL RELEASE <input type="checkbox"/> FULL RELEASE <input type="checkbox"/> RIGHT OF WAY LAND USE CHANGE TAX			

NOTE: A separate land use change tax (LUCT) must be submitted for each separate parcel of land.

STEP 3 - DOCUMENTATION AND FEE FOR PROPERTY TO BE ENROLLED IN CURRENT USE (CU)

(a) Owners Name When Land Was First Recorded in Current Use: LOIS W. BROWN	DEED BOOK AND PAGE # 1742 0792
(b) Total Number of Acres Originally Enrolled in Current Use	12.14
(c) Total Number of Acres Previously Released Since The Original Recording	1.34
(d) Number of Acres Subject to the LUCT Per This Assessment	0.203
(e) Number of Acres Remaining in Current Use [3(b) minus 3(c) and 3(d)]	10.60

FORM
A-5

**NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL**

(continued)

STEP 4 - ASSESSMENT OF LAND USE CHANGE TAX

(a) Narrative Description of the Disqualification: TAKING ADDITIONAL LAND OUT OF CU TO ALLOW FOR CONSTRUCTION OF BARN.	
(b) Actual Date of Change in Use (MM/DD/YYYY)	04/21/2021
(c) Full and True Market Value at Time of Change in Use	\$ 256.00
(d) Land Use Change Tax [Step 4(c) multiplied by 10%]	\$ 26.00 + \$20 = \$ 46.00

STEP 5 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS

TYPE OR PRINT NAME (in black or dark blue ink) KRIS BLOMBACK	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) TIA HOOPER	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) PETER FLYNN	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) D. SCOTT OSGOOD	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) LEON PARKER	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021

STEP 6 - BILL LAND USE CHANGE TAX TO:

(COMPLETED BY MUNICIPAL ASSESSING OFFICIALS)

LAST NAME/CORPORATION/TRUST NAME HUBBARD		FIRST NAME/CORPORATION/TRUST NAME LORI & WILLIAM	INITIAL
MAILING ADDRESS 7 COLLEAGUE POND ROAD			
MUNICIPALITY HENNIKER	STATE NH	ZIP CODE 03242	
(b) Actual Date of Change in Use (MM/DD/YYYY)		align="center"> 04/21/2021	
(c) Date of Land Use Change Tax Bill (MM/DD/YYYY)		align="center"> 07/20/2021	
(d) Full and True Market Value at Time of Change in Use		align="right">\$ 256.00	
(e) Land Use Change Tax Due		align="right">\$ 26.00 + \$20 Rec.Fee =	

FORM
A-5

**NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL**

(continued)

STEP 7 - CHECKS PAYABLE AND MAILED TO: (COMPLETED BY MUNICIPAL TAX COLLECTOR)

(a) MAKE CHECKS PAYABLE TO: TOWN OF HENNIKER		
(b) MAIL TO: KIMBERLY I. JOHNSON		
MAILING ADDRESS: 18 DEPOT HILL ROAD		
MUNICIPALITY HENNIKER	STATE NH	ZIP CODE 03242
(c) MUNICIPAL TAX COLLECTOR PHYSICAL OFFICE LOCATION: 18 DEPOT HILL ROAD, HENNIKER, NH 03242		
(d) MUNICIPAL TAX COLLECTOR OFFICE HOURS: MON - THU: 8-5:30, FRI 8-12 (SUMMER HOURS)		
(e) LAND USE CHANGE EXEMPT FROM RECORDING RSA 79-A:7, I (c): <input type="checkbox"/> Yes <input type="checkbox"/> No		
(f) RECORDING FEE: INCLUDE A SEPARATE CHECK IN THE AMOUNT OF \$ _____		
PAYABLE TO:		
(g) PAYMENT OF THE LAND USE CHANGE TAX IS DUE NO LATER THAN 30 DAYS AFTER MAILING OF THIS BILL. INTEREST, AT THE RATE OF 18% PER ANNUM, SHALL BE DUE IF THE TAX IS NOT PAID ON OR BEFORE: _____		

STEP 8 - ACKNOWLEDGEMENT OF PAYMENT (COMPLETED BY MUNICIPAL TAX COLLECTOR)

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE OF MUNICIPAL TAX COLLECTOR (in black or dark blue ink)	DATE OF PAYMENT



To: Selectmen, Town of Henniker
From: Monica Hurley, Assessing Agent *MH*
Subject: Land Use Change Tax

Taxpayer (s) Name: Hubbard, Lori + William

Map/Lot: 1-49-C Location: 7 Colleague Pond Road

Recommendation: Approve

Land Use Change Tax: \$26.00

Honorable Board Members,

The above referenced parcel is being assessed a land use change tax penalty. The subject property contains a single-family home that is situated on a total of 12.14 acres. The lot currently has 1.34 acres out of current use to support the home, well, septic, driveway, and outbuildings.

The taxpayers have filed a building permit to construct a new 46 x 36 barn in 2021. Additional land out of current use is required to support this new outbuilding. The calculated amount of land required is .203 acres. The value of this land is calculated as backland:

.203 acres X \$1,800 per acre = \$365.40
\$365.40 X .70 condition for topography = \$255.78
\$255.78 is rounded to \$256.00.

The market value of the .203 acres of backland is \$256.

A 10% market value of the area coming out of current use will be billed to the owners. Please feel free to reach me at mkchurley@comcast.net with any questions or concerns that you may have about this matter.

**NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
WARRANT FOR LAND USE CHANGE TAX**

STEP 1 - TAX COLLECTOR'S WARRANT FOR LAND USE CHANGE TAX IN THE MUNICIPALITY OF:

NAME OF MUNICIPALITY TOWN OF HENNIKER		
STREET ADDRESS 18 DEPOT HILL ROAD		
MAILING ADDRESS 18 DEPOT HILL ROAD		
MUNICIPALITY HENNIKER	STATE NH	ZIP CODE 03242

STEP 2 - COLLECTION OF LAND USE CHANGE TAX

(a) State of New Hampshire, County of: MERRIMACK	
(b) To: KIMBERLY I. JOHNSON	Municipal Collector of taxes
(c) for the municipality of: HENNIKER	in said County.
(d) In the name of said State you are directed to collect the LAND USE CHANGE TAX in the list herewith committed to you, amounting in all of the sum of:	\$ 8,830.00
Interest at 18% will be assessed after 30 days.	
(e) Given under our hands at HENNIKER, NH	
(f) This day of JULY 20, 2021	
(g) LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY LANS, ADAM M. & HENRY, ANNE E.	
LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY MAILING ADDRESS 468 MERRIMACK STREET, MANCHESTER, NH 03103	
(h) MUNICIPAL TAX MAP 1	LOT NUMBER 540-X9

STEP 3 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS

TYPE OR PRINT NAME (in black or dark blue ink) KRIS BLOMBACK	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) TIA HOOPER	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) PETER FLYNN	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) D. SCOTT OSGOOD	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) LEON PARKER	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021

FORM
A-5

**NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL**

STEP 1 - LAND USE CHANGE TAX TO BE BILLED TO:

PROPERTY OWNER(S) OR **RIGHT OF WAY RESPONSIBLE PARTY LISTED BELOW:**

PLEASE TYPE OR PRINT	LAST NAME/CORPORATION/TRUST NAME LANS	FIRST NAME/CORPORATION/TRUST NAME ADAM	INITIAL M
	LAST NAME/CORPORATION/TRUST NAME HENRY	FIRST NAME/CORPORATION/TRUST NAME ANNE	INITIAL E
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	MAILING ADDRESS 468 MERRIMACK STREET		
MUNICIPALITY MANCHESTER		STATE NH	ZIP CODE 03103

STEP 2 - PARCEL IDENTIFICATION OF DISQUALIFIED CURRENT USE LAND

PLEASE TYPE OR PRINT	(a) RIGHT OF WAY LAND USE CHANGE TAX - PROVIDE NAME OF LANDOWNER ON WHICH THE RIGHT OF WAY IS LOCATED			
	(b) ACCESSIBLE STREET LOCATION W/S WEARE ROAD		MUNICIPALITY HENNIKER	COUNTY MERRIMACK
	(c) TOTAL ACRES OF PARCEL 7.88	PARCEL TAX MAP AND LOT # 1 540-X9		DEED BOOK AND PAGE # 3737 1087
	(d) CHECK ONE BELOW: <input type="checkbox"/> PARTIAL RELEASE <input checked="" type="checkbox"/> FULL RELEASE <input type="checkbox"/> RIGHT OF WAY LAND USE CHANGE TAX			

NOTE: A separate land use change tax (LUCT) must be submitted for each separate parcel of land.

STEP 3 - DOCUMENTATION AND FEE FOR PROPERTY TO BE ENROLLED IN CURRENT USE (CU)

(a) Owners Name When Land Was First Recorded in Current Use: STEPHEN C. BENNETT	DEED BOOK AND PAGE # 1278 526	
(b) Total Number of Acres Originally Enrolled in Current Use	7.88	
(c) Total Number of Acres Previously Released Since The Original Recording	0	
(d) Number of Acres Subject to the LUCT Per This Assessment	7.88	
(e) Number of Acres Remaining in Current Use [3(b) minus 3(c) and 3(d)]	0	

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL
 (continued)

STEP 4 - ASSESSMENT OF LAND USE CHANGE TAX

(a) Narrative Description of the Disqualification: LAND NO LONGER QUALIFIES UNDER CU BECAUSE OF SALE ON 05/05/2021	
(b) Actual Date of Change in Use (MM/DD/YYYY)	05/05/2021
(c) Full and True Market Value at Time of Change in Use	\$ 88,100.00
(d) Land Use Change Tax [Step 4(c) multiplied by 10%]	\$ 8,810.00 + \$20.00 =

STEP 5 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS

\$8,830.00

TYPE OR PRINT NAME (in black or dark blue ink) KRIS BLOMBACK	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) TIA HOOPER	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) PETER FLYNN	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) D. SCOTT OSGOOD	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021
TYPE OR PRINT NAME (in black or dark blue ink) LEON PARKER	SIGNATURE (in black or dark blue ink)	DATE 07/20/2021

STEP 6 - BILL LAND USE CHANGE TAX TO:

(COMPLETED BY MUNICIPAL ASSESSING OFFICIALS)

LAST NAME/CORPORATION/TRUST NAME LANS/HENRY		FIRST NAME/CORPORATION/TRUST NAME ADAM M. / ANNE E.	INITIAL
MAILING ADDRESS 468 MERRIMACK STREET			
MUNICIPALITY MANCHESTER	STATE NH	ZIP CODE 03103	
(b) Actual Date of Change in Use (MM/DD/YYYY)	05/05/2021		
(c) Date of Land Use Change Tax Bill (MM/DD/YYYY)	07/20/2021		
(d) Full and True Market Value at Time of Change in Use	\$ 88,100.00		
(e) Land Use Change Tax Due	\$ 8,810.00 + \$20 Rec. Fee=		

FORM
A-5

**NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL**

(continued)

STEP 7 - CHECKS PAYABLE AND MAILED TO: (COMPLETED BY MUNICIPAL TAX COLLECTOR)

(a) MAKE CHECKS PAYABLE TO: TOWN OF HENNIKER		
(b) MAIL TO: KIMBERLY I. JOHNSON		
MAILING ADDRESS: 18 DEPOT HILL ROAD		
MUNICIPALITY HENNIKER	STATE NH	ZIP CODE 03242
(c) MUNICIPAL TAX COLLECTOR PHYSICAL OFFICE LOCATION: 18 DEPOT HILL ROAD, HENNIKER, NH 03242		
(d) MUNICIPAL TAX COLLECTOR OFFICE HOURS: MON - THU: 8-5:30, FRI 8-4 (SUMMER HOURS)		
(e) LAND USE CHANGE EXEMPT FROM RECORDING RSA 79-A:7, I (c): <input type="checkbox"/> Yes <input type="checkbox"/> No		
(f) RECORDING FEE: INCLUDE A SEPARATE CHECK IN THE AMOUNT OF \$ _____		
PAYABLE TO:		
(g) PAYMENT OF THE LAND USE CHANGE TAX IS DUE NO LATER THAN 30 DAYS AFTER MAILING OF THIS BILL. INTEREST, AT THE RATE OF 18% PER ANNUM, SHALL BE DUE IF THE TAX IS NOT PAID ON OR BEFORE: _____		

STEP 8 - ACKNOWLEDGEMENT OF PAYMENT (COMPLETED BY MUNICIPAL TAX C OLLECTOR)

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE OF MUNICIPAL TAX COLLECTOR (in black or dark blue ink)	DATE OF PAYMENT



To: Selectmen, Town of Henniker
From: Monica Hurley, Assessing Agent *MA*
Subject: Land Use Change Tax

Taxpayer (s) Name: Lans, Adam M. + Henry, Anne E.

Map/Lot: 1-540-X-9 Location: W/S Weare Road

Recommendation: Approve

Land Use Change Tax: \$8,810

Honorable Board Members,

The above referenced parcel is being assessed a land use change tax penalty. The subject property is a vacant lot of 7.88 acres enrolled into the current use program.

The property recently sold in May 2021 and no longer meets the 10-acre minimum requirement for current use and is no longer held under contiguous ownership.

The market value of the 7.88 acres is calculated to be \$88,100.

A 10% market value of the area coming out of current use will be billed to the owners. Please feel free to reach me at mkchurley@comcast.net with any questions or concerns that you may have about this matter.



TOWN OF HENNIKER, NEW HAMPSHIRE

July 20, 2021

REFUND

To the Collector of Taxes.

Sir/Madame:

By vote of the Board of Selectmen/Sewer Commissioners upon the application of:

ALBERT J. AND CARA HEINRICH

Residence: **133 SNOWSHOE ROAD, LOT #1-583-F**

We are refunding the amount of: **\$ 5533.00**

Cause of refund: **See attached email. Overpayment on account of this amount. Check payable to Merrimack County Savings Bank, PO Box 2825, Concord, NH 03302.**

Per Order:

Board of Selectmen

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

Kim Johnson

From: Contact form at Henniker, NH <cmsmailer@civicplus.com>
Sent: Monday, June 28, 2021 8:06 AM
To: Kim Johnson
Subject: [Henniker, NH] Tax refund for overpayment (Sent by Kathleen Dustin, kdustin@nhmutual.com)

Hello Town Clerk,

Kathleen Dustin (kdustin@nhmutual.com) has sent you a message via your contact form (<https://www.henniker.org/user/105/contact>) at Henniker, NH.

If you don't want to receive such e-mails, you can change your settings at <https://www.henniker.org/user/105/edit>.

Message:

Hi Kim,

It is my understanding the real estate taxes were paid by the bank and also the borrower Albert Heinrich. The property is located at 133 Snowshoe Road. The bank paid \$5,533.00 and the borrower has asked that it be returned to his escrow account here at Merrimack County Savings Bank, PO Box 2826, Concord, NH 03302. Thank you.

Kathleen Dustin

Merrimack County Savings Bank

603-355-1693



Town of Henniker
Board of Selectmen

Consent Agenda

Motion To accept a donation made to the Azalea Park Private Trust \$2500.00
(Daniel Deschesnes)

Date: _____

Kris Blomback _____

Tia Hooper _____

Peter Flynn _____

D Scott Osgood _____

Leon Parker _____



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: 7/1/2021

TITLE: Federal American Rescue Plan Act (ARPA) Funds

INITIATED BY: Joseph Devine, Town Administrator

PREPARED BY: Joseph Devine, Town Administrator

PRESENTED BY: Joseph Devine, Town Administrator

AGENDA DESCRIPTION:

Through the federal stimulus funding included in the American Rescue Plan Act (ARPA) that has been issued for the continued response to the COVID-19 pandemic, there has been approximately \$19.5 billion allocated for smaller units of government nationwide including the Town of Henniker. Henniker's total share of these funds is \$525,333, which will be received in our FY 2021 and FY 2022.

Like last year's CARES Act funding, these funds will be managed through the Governor's Office of Emergency Relief and Recovery (GOFERR) and the Town will need to enter into a U.S. Treasury Awards Terms and Conditions Agreement to access these funds.

To fully and timely participate in this process, the Board of Selectmen would need to take several steps including approving the Town entering into the U.S Treasury Award Terms and Conditions Agreement; designating signing authority for future submissions to the Town Administrator, and vote to accept and expend ARPA funds for FY 2021 under the provisions of RSA 31:95-b.

Legal Authority: RSA 31:95b and Article 33 of the 1994 Henniker Town Meeting

Financial Details: \$262,666.33

Town Administrator Comment:

Concur

Suggested Action/Recommendation:

Suggested Motion:

Motion: The Town of Henniker accepts and expends up to \$262,666.33 in American Rescue Plan Act (ARPA) grant funds in FY 2021 by acting under the provisions of RSA 31:95-b and subject to the terms and standards in the ARPA regulations and the U.S. Treasure Awards Terms and Conditions Agreement.

Motion: Approve the Town of Henniker's entering the U.S Treasury Awards Terms and Conditions Agreement for the receipt of American Rescue Plan Act Funding that is made available to the Town of Henniker.

Motion: Designate the Town Administrator as the signing authority for the Town of Henniker for reimbursement submissions and other documentation required for the ARPA Fund Grant Program.

Name	County	State	Population Est. 2019	Total Award Est.	2019 Approved Budget	Est. % of Budget	First Tranche Award Est.
Ellsworth	Grafton County	NH	88	\$9,213	\$ 134,199	7%	\$ 4,606.34
Enfield	Grafton County	NH	4531	\$474,349	\$ 6,677,736	7%	\$ 237,174.40
Epping	Rockingham County	NH	7036	\$736,596	\$ 8,416,671	9%	\$ 368,298.18
Epsom	Merrimack County	NH	4767	\$499,056	\$ 3,399,998	15%	\$ 249,527.78
Errol	Coos County	NH	265	\$27,743	\$ 462,292	6%	\$ 13,871.38
Exeter	Rockingham County	NH	15313	\$1,603,113	\$ 25,137,756	6%	\$ 801,556.29
Farmington	Strafford County	NH	6973	\$730,001	\$ 6,943,076	11%	\$ 365,000.46
Fitzwilliam	Cheshire County	NH	2371	\$248,219	\$ 1,926,057	13%	\$ 124,109.58
Francestown	Hillsborough County	NH	1583	\$165,724	\$ 1,805,012	9%	\$ 82,861.86
Franconia	Grafton County	NH	1105	\$115,682	\$ 2,141,315	5%	\$ 57,841.03
Franklin	Merrimack County	NH	8686	\$909,334	\$ 15,518,382	6%	\$ 454,667.14
Freedom	Carroll County	NH	1583	\$165,724	\$ 2,624,451	6%	\$ 82,861.86
Fremont	Rockingham County	NH	4710	\$493,088	\$ 3,103,730	16%	\$ 246,544.12
Gilford	Belknap County	NH	7233	\$757,220	\$ 13,657,901	6%	\$ 378,610.11
Gilmanton	Belknap County	NH	3773	\$394,994	\$ 4,118,181	10%	\$ 197,497.02
Gilsum	Cheshire County	NH	804	\$84,170	\$ 674,018	12%	\$ 42,085.24
Goffstown	Hillsborough County	NH	18053	\$1,889,962	\$ 21,507,049	9%	\$ 944,981.11
Gorham	Coos County	NH	2611	\$273,345	\$ 4,994,073	5%	\$ 136,672.34
Goshen	Sullivan County	NH	810	\$84,799	\$ 795,779	11%	\$ 42,399.31
Grafton	Grafton County	NH	1329	\$139,133	\$ 1,192,694	12%	\$ 69,566.27
Grantham	Sullivan County	NH	2945	\$308,311	\$ 3,550,587	9%	\$ 154,155.51
Greenfield	Hillsborough County	NH	1847	\$193,362	\$ 2,182,200	9%	\$ 96,680.89
Greenland	Rockingham County	NH	4120	\$431,321	\$ 4,782,323	9%	\$ 215,660.68
Greenville	Hillsborough County	NH	2110	\$220,895	\$ 2,167,471	10%	\$ 110,447.58
Groton	Grafton County	NH	595	\$62,290	\$ 766,652	8%	\$ 31,145.17
Hampstead	Rockingham County	NH	8632	\$903,681	\$ 6,881,778	13%	\$ 451,840.52
Hampton Falls	Rockingham County	NH	2414	\$252,721	\$ 2,684,978	9%	\$ 126,360.41
Hampton	Rockingham County	NH	15495	\$1,622,166	\$ 27,595,116	6%	\$ 811,083.05
Hancock	Hillsborough County	NH	1656	\$173,366	\$ 2,568,394	7%	\$ 86,683.03
Hanover	Grafton County	NH	11473	\$1,201,104	\$ 26,607,662	5%	\$ 600,552.17
Harrisville	Cheshire County	NH	951	\$99,560	\$ 1,296,602	8%	\$ 49,779.93
Hart's Location	Carroll County	NH	45	\$4,711	\$ 47,200	10%	\$ 2,355.52
Haverhill	Grafton County	NH	4565	\$477,908	\$ 4,039,262	12%	\$ 238,954.12
Hebron	Grafton County	NH	627	\$65,640	\$ 2,109,699	3%	\$ 32,820.20
Henniker	Merrimack County	NH	5018	\$525,333	\$ 5,655,984	9%	\$ 262,666.33
Hill	Merrimack County	NH	1108	\$115,996	\$ 1,140,453	10%	\$ 57,998.07
Hillsborough	Hillsborough County	NH	6002	\$628,347	\$ 7,609,842	8%	\$ 314,173.63
Hinsdale	Cheshire County	NH	3907	\$409,022	\$ 5,237,985	8%	\$ 204,511.23
Holderness	Grafton County	NH	2107	\$220,581	\$ 2,448,685	9%	\$ 110,290.54
Hollis	Hillsborough County	NH	8006	\$838,145	\$ 11,157,398	8%	\$ 419,072.66
Hooksett	Merrimack County	NH	14542	\$1,522,397	\$ 19,084,357	8%	\$ 761,198.43
Hopkinton	Merrimack County	NH	5761	\$603,117	\$ 7,282,386	8%	\$ 301,558.53
Hudson	Hillsborough County	NH	25619	\$2,682,044	\$ 32,566,826	8%	\$ 1,341,022.05
Jackson	Carroll County	NH	860	\$90,033	\$ 2,202,923	4%	\$ 45,016.55
Jaffrey	Cheshire County	NH	5277	\$552,447	\$ 6,688,733	8%	\$ 276,223.64
Jefferson	Coos County	NH	1047	\$109,610	\$ 688,118	16%	\$ 54,805.03
Keene	Cheshire County	NH	22786	\$2,385,458	\$ 66,136,028	4%	\$ 1,192,729.16
Kensington	Rockingham County	NH	2106	\$220,476	\$ 1,788,415	12%	\$ 110,238.20
Kingston	Rockingham County	NH	6446	\$674,829	\$ 5,824,307	12%	\$ 337,414.74
Laconia	Belknap County	NH	16581	\$1,735,859	\$ 51,226,191	3%	\$ 867,929.53
Lancaster	Coos County	NH	3255	\$340,765	\$ 6,358,404	5%	\$ 170,382.40
Landaff	Grafton County	NH	439	\$45,959	\$ 427,377	11%	\$ 22,979.38
Langdon	Sullivan County	NH	684	\$71,608	\$ 582,615	12%	\$ 35,803.86
Lebanon	Grafton County	NH	13651	\$1,429,118	\$ 71,107,374	2%	\$ 714,559.20
Lee	Strafford County	NH	4569	\$478,327	\$ 4,117,240	12%	\$ 239,163.50
Lempster	Sullivan County	NH	1168	\$122,278	\$ 1,269,758	10%	\$ 61,138.75
Lincoln	Grafton County	NH	1760	\$184,254	\$ 6,236,646	3%	\$ 92,126.89
Lisbon	Grafton County	NH	1579	\$165,305	\$ 2,530,050	7%	\$ 82,652.48
Litchfield	Hillsborough County	NH	8641	\$904,623	\$ 6,757,953	13%	\$ 452,311.63
Littleton	Grafton County	NH	5870	\$614,528	\$ 8,863,210	7%	\$ 307,264.12
Londonderry	Rockingham County	NH	26490	\$2,773,229	\$ 33,858,810	8%	\$ 1,386,614.39
Loudon	Merrimack County	NH	5634	\$589,821	\$ 4,682,978	13%	\$ 294,910.74
Lyman	Grafton County	NH	526	\$55,067	\$ 415,494	13%	\$ 27,533.38
Lyme	Grafton County	NH	1675	\$175,355	\$ 2,348,558	7%	\$ 87,677.58

OMB Approved No. 1505-0271
Expiration Date: November 30, 2021

U.S. DEPARTMENT OF THE TREASURY
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

Recipient name and address: [Recipient to provide]	DUNS Number: [Recipient to provide] Taxpayer Identification Number: [Recipient to provide] Assistance Listing Number: 21.027
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Sections 602(b) and 603(b) of the Social Security Act (the Act) as added by section 9901 of the American Rescue Plan Act, Pub. L. No. 117-2 (March 11, 2021) authorize the Department of the Treasury (Treasury) to make payments to certain recipients from the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund.

Recipient hereby agrees, as a condition to receiving such payment from Treasury, to the terms attached hereto.

Recipient:

Authorized Representative:

Title:

Date signed:

U.S. Department of the Treasury:

Authorized Representative:

Title:

Date:

PAPERWORK REDUCTION ACT NOTICE

The information collected will be used for the U.S. Government to process requests for support. The estimated burden associated with this collection of information is 15 minutes per response. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Office of Privacy, Transparency and Records, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220. DO NOT send the form to this address. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

U.S. DEPARTMENT OF THE TREASURY
CORONAVIRUS LOCAL FISCAL RECOVERY FUND
AWARD TERMS AND CONDITIONS

1. Use of Funds.
 - a. Recipient understands and agrees that the funds disbursed under this award may only be used in compliance with section 603(c) of the Social Security Act (the Act), Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
 - b. Recipient will determine prior to engaging in any project using this assistance that it has the institutional, managerial, and financial capability to ensure proper planning, management, and completion of such project.
2. Period of Performance. The period of performance for this award begins on the date hereof and ends on December 31, 2026. As set forth in Treasury's implementing regulations, Recipient may use award funds to cover eligible costs incurred during the period that begins on March 3, 2021, and ends on December 31, 2024.
3. Reporting. Recipient agrees to comply with any reporting obligations established by Treasury as they relate to this award.
4. Maintenance of and Access to Records
 - a. Recipient shall maintain records and financial documents sufficient to evidence compliance with section 603(c) of the Act, Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
 - b. The Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, shall have the right of access to records (electronic and otherwise) of Recipient in order to conduct audits or other investigations.
 - c. Records shall be maintained by Recipient for a period of five (5) years after all funds have been expended or returned to Treasury, whichever is later.
5. Pre-award Costs. Pre-award costs, as defined in 2 C.F.R. § 200.458, may not be paid with funding from this award.
6. Administrative Costs. Recipient may use funds provided under this award to cover both direct and indirect costs.
7. Cost Sharing. Cost sharing or matching funds are not required to be provided by Recipient.
8. Conflicts of Interest. Recipient understands and agrees it must maintain a conflict of interest policy consistent with 2 C.F.R. § 200.318(c) and that such conflict of interest policy is applicable to each activity funded under this award. Recipient and subrecipients must disclose in writing to Treasury or the pass-through entity, as appropriate, any potential conflict of interest affecting the awarded funds in accordance with 2 C.F.R. § 200.112.

9. Compliance with Applicable Law and Regulations.

- a. Recipient agrees to comply with the requirements of section 603 of the Act, regulations adopted by Treasury pursuant to section 603(f) of the Act, and guidance issued by Treasury regarding the foregoing. Recipient also agrees to comply with all other applicable federal statutes, regulations, and executive orders, and Recipient shall provide for such compliance by other parties in any agreements it enters into with other parties relating to this award.
- b. Federal regulations applicable to this award include, without limitation, the following:
 - i. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this Award and subject to such exceptions as may be otherwise provided by Treasury. Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this award.
 - ii. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
 - iii. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.
 - iv. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.
 - v. Recipient Integrity and Performance Matters, pursuant to which the award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.
 - vi. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
 - vii. New Restrictions on Lobbying, 31 C.F.R. Part 21.
 - viii. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655) and implementing regulations.
 - ix. Generally applicable federal environmental laws and regulations.
- c. Statutes and regulations prohibiting discrimination applicable to this award include, without limitation, the following:
 - i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;

- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
 - iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
 - iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
 - v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.
10. Remedial Actions. In the event of Recipient's noncompliance with section 603 of the Act, other applicable laws, Treasury's implementing regulations, guidance, or any reporting or other program requirements, Treasury may impose additional conditions on the receipt of a subsequent tranche of future award funds, if any, or take other available remedies as set forth in 2 C.F.R. § 200.339. In the case of a violation of section 603(c) of the Act regarding the use of funds, previous payments shall be subject to recoupment as provided in section 603(e) of the Act.
11. Hatch Act. Recipient agrees to comply, as applicable, with requirements of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328), which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by this federal assistance.
12. False Statements. Recipient understands that making false statements or claims in connection with this award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.
13. Publications. Any publications produced with funds from this award must display the following language: "This project [is being] [was] supported, in whole or in part, by federal award number [enter project FAIN] awarded to [name of Recipient] by the U.S. Department of the Treasury."
14. Debts Owed the Federal Government.
- a. Any funds paid to Recipient (1) in excess of the amount to which Recipient is finally determined to be authorized to retain under the terms of this award; (2) that are determined by the Treasury Office of Inspector General to have been misused; or (3) that are determined by Treasury to be subject to a repayment obligation pursuant to section 603(e) of the Act and have not been repaid by Recipient shall constitute a debt to the federal government.
 - b. Any debts determined to be owed the federal government must be paid promptly by

Recipient. A debt is delinquent if it has not been paid by the date specified in Treasury's initial written demand for payment, unless other satisfactory arrangements have been made or if the Recipient knowingly or improperly retains funds that are a debt as defined in paragraph 14(a). Treasury will take any actions available to it to collect such a debt.

15. Disclaimer.

- a. The United States expressly disclaims any and all responsibility or liability to Recipient or third persons for the actions of Recipient or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this award or any other losses resulting in any way from the performance of this award or any contract, or subcontract under this award.
- b. The acceptance of this award by Recipient does not in any way establish an agency relationship between the United States and Recipient.

16. Protections for Whistleblowers.

- a. In accordance with 41 U.S.C. § 4712, Recipient may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.
- b. The list of persons and entities referenced in the paragraph above includes the following:
 - i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Treasury employee responsible for contract or grant oversight or management;
 - v. An authorized official of the Department of Justice or other law enforcement agency;
 - vi. A court or grand jury; or
 - vii. A management official or other employee of Recipient, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct.
- c. Recipient shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

17. Increasing Seat Belt Use in the United States. Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), Recipient should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

18. Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), Recipient should encourage its employees, subrecipients, and contractors to adopt and enforce policies that ban text messaging while driving, and Recipient should establish workplace safety policies to decrease accidents caused by distracted drivers.



APPLICATION FOR VOLUNTEER POSITION

Committee/Board: Henniker Youth Athletics

Name (as it should appear on Appointment Form): Daniel P Butler

First Daniel M.I. P Last Butler

Phone: 774-954-2775 Email: Butler3523@yahoo.com

Physical Address: 85 Juniper Ridge

Mailing Address: _____

Why are you seeking this appointment? To volunteer and because the previous Soccer Director was looking to end his appointment

What experience would you bring to this position? I have experience with youth sports and project management

Do you have any specific goals or objectives you would seek to implement if you are appointed to this position? Just to keep youth sports alive.

Signature: [Handwritten Signature] Date: 2021-07-07



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: 7/14/2021
TITLE: Safety Committee Meeting
INITIATED BY: **Deb Aucoin**
PREPARED BY: Deb Aucoin
PRESENTED BY: Deb Aucoin

AGENDA DESCRIPTION: State Safety and Health of Employees

It has come to the Safety Committee's attention that the Town needs to add and implement the Safety statutes, rules, and regulations from the State of NH into the current Henniker Safety Policy. Please see the attached statutes, rules and regulations.

Legal Authority: N/A

Financial Details: N/A

Town Administrator Comment:

Concur

Suggested Action/Recommendation:

Suggested Motion: Authorize the Henniker Safety Committee to add the State of NH Safety statutes, rules, and regulations to the current Henniker Safety Policy.

SECTION XII

SAFETY STATUTES, RULES AND REGULATIONS

The Town of Henniker has implemented the following statutes and rules:

- Lab 1400 Rules, Administrative Rules for Safety and Health
- Lab 600 Rules, Safety Programs
- RSA 277, Safety and Health of Employees
- RSA 277-A, Employees Right to Know
- RSA 281-A:64, Safety Provisions (Workers Compensation)

CHAPTER Lab 1400 SAFETY AND HEALTH OF EMPLOYEES

Statutory Authority: RSA 281-A 60 I. (o) and RSA 277:16

PART Lab 1401 SCOPE OF RULES

Lab 1401.01 Scope. This rule is intended to carry out the intent of RSA 281-A:64 and RSA 277:16 by establishing procedures and rules for workplace safety inspections.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1401.02 Applicability. These rules shall be applicable to all public employees' workplaces including workplaces in buildings, sheds, structures, offices, sites or places owned, leased by the state of New Hampshire or by any political subdivision of the state, including all places used in connection with employee activity at a place of employment in the State. The following requirements shall not preclude compliance with RSA 155-A, the State Building Code, or other state or federal laws, rules, regulations, or codes. If a conflict should arise between these rules and any other applicable law, rule, regulation or code, these rules shall not supersede the more protective requirements.

Source. #8796, eff 1-11-07 (from Lab 1401.01); ss by #10809, eff 4-9-15

PART Lab 1402 DEFINITIONS

Lab 1402.01 "Competent person" means one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has the authority to take prompt corrective measures to eliminate them.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1402.02 "Confined space" means a space that meets the following criteria:

- (a) Large enough and so configured that an employee can bodily enter and perform assigned work;
- (b) Has limited or restricted means for entry or exit;
- (c) Is not designed for continuous employee occupancy; and
- (d) Is potentially hazardous because it:
 - (1) Contains or has a potential to contain a hazardous-atmosphere;
 - (2) Contains a material that has the potential for engulfing an entrant;

(3) Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section; or

(4) Contains any other recognized serious safety or health hazard.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1402.03 “Fixed location” means all buildings, offices, garages, or other permanent structures which serve as a regular place of employment.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07 (formerly Lab 1402.04); ss by #10809, eff 4-9-15

Lab 1402.04 “Flagger” means all personnel, including uniformed police officers, who conducts temporary traffic control (TTC) on roads where 2 lanes of vehicle traffic have been reduced to one lane.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #10809, eff 4-9-15

Lab 1402.05 “Hospitalization” means care in a hospital that includes admission as an inpatient and an overnight stay.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #12904, eff 10-23-19

Lab 1402.06 - 1402.09 - EXPIRED

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

PART Lab 1403 RULES FOR EMPLOYEE SAFETY AND HEALTH

Lab 1403.01 Safety and Health Requirements.

(a) Each employer shall furnish to each of its employees employment and a place of employment that are free from recognized hazards that are causing or are likely to cause death or serious physical harm to its employees.

(b) Each employee shall comply with all safety rules and regulations that are applicable to the employee's own actions and conduct.

(c) The employer shall instruct each employee in the recognition and avoidance of unsafe conditions and in the rules applicable to his work environment to control or eliminate any hazards or other exposure to illness or injury.

(d) The use of any machinery, tool, material, or equipment which is not in compliance with any applicable requirement of these rules shall be prohibited.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.02 Abrasive Blasting. The employer shall ensure compliance with the following requirements:

(a) Blast cleaning nozzles shall be equipped with an operating valve which shall be held open manually. A support shall be provided on which the nozzle may be mounted when not in use; and

(b) Blast cleaning enclosures shall be exhaust ventilated in such a way that a continuous inward flow of air shall be maintained at all openings in the enclosure during the blasting operation.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.03 Abrasive Grinding. The employer shall ensure compliance with the following requirements:

(a) Abrasive wheels shall be used only on machines provided with safety guards;

(b) The following shall be exempt from the safety guard requirements:

(1) Wheels used while within the material being ground; and

(2) Mounted wheels, used in portable operations, 2 inches and smaller in diameter;

(c) Abrasive wheel safety guards for bench and floor stands and for cylindrical grinders shall not expose the grinding wheel periphery for more than 65 degrees above the horizontal plane of the wheel spindle. The protecting member shall be adjustable for variations in wheel size so that the distance between the wheel periphery and adjustable tongue or end of the peripheral member at the top shall never exceed 1/4 inch;

(d) Abrasive wheel safety guards shall cover the spindle end, nut, and flange projections;

(e) An adjustable work rest of rigid construction shall be used to support the work on offhand grinding machines. Work rests shall be kept adjusted closely to the wheel with a maximum clearance of 1/8 inch;

(f) Machines designed for a fixed location shall be securely anchored to prevent movement, or designed in such a manner that in normal operation they shall not move; and

(g) All abrasive wheels shall be closely inspected and ring-tested before mounting to insure that they are free from defects.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.04 Accident Reporting Requirements for Fatality and Serious Injury.

(a) Within 8 hours after its occurrence, the employer shall report an employment accident which is fatal to one or more employees to the commissioner of labor. Notification may be given by telephone by calling (603) 271-0127 or 271-6850 or via e-mail at SafetyDiv@dol.nh.gov.

(b) The reporter shall include the following information:

- (1) Date and time of fatality;
- (2) Location of fatality;
- (3) Cause of death; and
- (4) Place where the body of the deceased person was sent.

(c) Within 24 hours after the occurrence of a workplace injury which necessitates hospitalization for a serious injury for one or more employees, the employer shall report the employment accident to the commissioner of labor. Notification may be given by telephone by calling (603) 271-0127 or 271-6850 or via email to SafetyDiv@dol.nh.gov.

(d) The reporter shall include the following information;

- (1) Date of injury;
- (2) Time of injury;
- (3) Cause of the injury;
- (4) Place where the injured person was sent for medical evaluation or treatment; and
- (5) Place where the injured person was hospitalized.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15; ss by #12904, eff 10-23-19

Lab 1403.05 Aerial Lifts.

- (a) This section shall not apply to fire fighting apparatus.
- (b) Prior to the use of an aerial-lift device, a visual inspection and operational check shall be made by a competent person in accordance with the manufacturer's and owner's instructions.
- (c) Operators of aerial-lift equipment shall be provided with some means of anchorage to which a safety belt or lanyard can be secured to the buckets, platforms, or booms.
- (d) The combined load, including workers, material, and tools, shall not exceed the rated lift capacity as stated by the manufacturer. Such rated lift capacity shall be conspicuously and permanently posted on the lift.
- (e) When operating an aerial-lift device, the operator shall look in the direction of travel of the bucket and be aware of the booms in relation to all other objects and hazards.
- (f) All hoses affecting the nonconductive characteristics of equipment shall be made of nonconductive material. Hydraulic fluids for insulated equipment shall be of the insulating type.
- (g) An aerial-lift truck shall not be moved when the boom is elevated in a working position with workers in the basket, except for equipment that is specifically designed for this type of operation. The booms of a fully articulated aerial device shall not be considered elevated in a working position when the basket is directly in front of or behind the truck with the booms held as low as feasible and low enough so that the operator's head is below the highest point of the vehicle.
- (h) During aerial-lift operations, workers not engaged in line clearance shall maintain a minimum clearance of 10 feet (3 m) from energized conductors rated 50 kV phase-to-phase or less. For lines rated over 50 kV phase-to-phase the minimum clearance shall be 10 feet plus .4 inches (3 m plus 10 mm) for each kilovolt over 50 kV phase-to-phase.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.06 Air Tools. The employer shall ensure compliance with the following requirements:

- (a) Pneumatic power tools shall be secured to the hose or whip with a locking mechanical connector to prevent accidental disconnection;
- (b) Safety clips or retainers shall be securely installed and maintained on pneumatic impact tools to prevent attachments from being accidentally expelled;
- (c) The manufacturer's safe operating pressure for all fittings shall not be exceeded; and

(d) All hoses exceeding 1/2 inch inside diameter shall have a safety device at the source of supply or branch line to reduce pressure in case of hose failure.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.07 Belt Sanding Machines. The employer shall ensure that belt sanding machines shall be provided with guards at each nip point where the sanding belt runs onto a pulley.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06 (formerly Lab 1403.08)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.08 Blood Borne Pathogens. To eliminate or minimize employee exposure to human body fluids or infectious waste, the employer shall ensure that the following safety work practices shall be followed:

(a) All human blood and body fluids shall be treated as if known to be infectious for HIV, HBV, and other blood borne pathogens;

(b) Employees responding to emergencies or other situations where blood or body fluids are present shall wear single use disposable gloves, such as surgical or examination gloves, wash hands after removal of gloves, and wear eye protection when blood or other potentially infectious materials might be splashed; and

(c) Work procedures shall include safe handling and disposal of needles and sharps, used bandages and gauze, linens, and all other items that come in contact with blood or other potentially infectious materials.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06 (formerly Lab 1403.09)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.09 Chains, Cables, Ropes, and Hooks. The employer shall ensure compliance with the following requirements:

(a) Chains, cables, ropes, and hooks shall be visually inspected daily by a competent person, for deformation, cracks, excessive wear, twists and stretch, and defective gear shall be replaced or repaired;

(b) Hoist ropes on crawler, locomotive, and truck cranes shall be free from kinks or twists and shall not be wrapped around the load; and

(c) All U-bolt wire rope clips on hoist ropes shall be installed so that the U-bolt is in contact with the short or nonload-carrying end of the rope. Clips shall be installed in accordance with the clip manufacturer's recommendation. All nuts on newly installed clips shall be retightened after the first hour of use.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.10)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.10 Chipguards. The employer shall ensure that protective shields or barriers shall be provided in operations involving cleaning with compressed air, to protect personnel against flying chips or other such hazards.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.11)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.11 Compressed Air Use. The employer shall ensure that compressed air used for cleaning purposes shall not exceed 30 psi. However, this limitation shall not apply to concrete form or mill scale, or to areas where compressed air is used in a fixed process, such as attached to a machine.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.12)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.12 Compressed Gas Cylinders. The employer shall ensure compliance with the following requirements:

(a) Valve protection caps shall be in place when compressed gas cylinders are transported, moved, or stored;

(b) Cylinder valves shall be closed when work is finished and when cylinders are empty or are moved;

(c) Compressed gas cylinders shall be secured in an upright position at all times, except if necessary for short periods of time when cylinders are actually being hoisted or carried;

(d) Cylinders shall be kept far enough away from the actual welding or cutting operation or protected by a fire resistant barrier so that sparks, hot slag, or flame will not reach them. When this is impractical, fire resistant shields shall be provided, as required by NFPA 51B and Saf-C 6008;

(e) Oxygen cylinders in storage shall be separated from fuel-gas cylinders or combustible materials a minimum distance of 20 feet or by a noncombustible barrier at least 5 feet high having a fire-resistance rating of at least 1/2 hour; and

(f) Compressed gas shall not be used for cleaning purposes.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRES: 10-09-06
(formerly Lab 1403.13)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.13 Concrete, Concrete Forms, and Shoring. The employer shall ensure compliance with the following requirements:

(a) Employees shall not work above vertically protruding reinforcing steel, unless it has been protected to eliminate the hazard of impalement;

(b) Powered and rotating-type concrete troweling machines that are manually guided shall be equipped with a deadman-type operating control; and

(c) Formwork and shoring shall safely support all loads imposed during concrete placement. Drawings or plans of jack layout, formwork, shoring, working decks, and scaffolding systems shall be available at the jobsite.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED 10-09-06
(formerly Lab 1403.14)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.14 Confined Space Entry.

(a) The employer shall evaluate the workplace to determine if any areas are confined spaces as defined under Lab 1402.02.

(b) If an area is found to be a confined space, the employer shall meet the following requirements:

(1) The employer shall inform exposed employees by posting danger signs or by any other equally effective means of the existence and location of, and the danger posed by, the confined spaces;

(2) A minimum of 2 employees shall be assigned to the work activity involving entry into a confined space. One employee shall act as an attendant/observer and remain outside of the space for the duration of the entry operation;

(3) Conditions in the confined space shall be tested before entry operations and monitored while employees are in the confined space;

(4) Testing required by (b) (3)-above shall include testing of the internal atmosphere with a calibrated direct reading instrument, for the following conditions in the order listed:

- a. Oxygen content;
- b. Flammable gases and vapors; and
- c. Potential toxic air contaminants;

(5) The employer shall establish and implement the means, procedures and practices required to eliminate or control hazards and make the confined space safe for conducting entry operations including purging, making inert, flushing or ventilating the confined space;

(6) Confined space entrants shall use appropriate personal protective and retrieval equipment. The retrieval equipment shall allow for attendant /observer non-entry rescue;

(7) The employer shall provide training so that all employees whose job duties involve confined space entry procedures acquire the understanding, knowledge, and skills necessary for the safe performance of the duties assigned to them; and

(8) A procedure shall be implemented which shall require a written permit evidencing that the above steps were taken prior to entering a confined space.

(c) The training in (b)(7) above shall include the nature of the hazards involved, the necessary precautions to be taken, and in the use of personal protective and any other equipment necessary for safe entry.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.15)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.15 Cranes and Derricks. The employer shall ensure compliance with the following requirements:

(a) The employer shall comply with the manufacturer's specifications and limitations as supplied by the manufacturer;

(b) Rated load capacities, recommended operating speeds, and special hazard warnings or instructions shall be conspicuously posted on all equipment and complied with. Instructions or warnings shall be visible from the operator's station;

(c) Equipment shall be inspected by a competent person before each use and during use, and all deficiencies corrected before further use;

(d) Accessible areas within the swing radius of the rear of the rotating superstructure shall be barricaded to prevent employees from being struck or crushed by the crane;

(e) No part of a crane or its load shall be operated:

- (1) Within 10 feet of a line rated 50 kV or below;
- (2) Within 10 feet + 0.4 inches for each 1 kV over 50 kV for lines rated over 50 kV; or
- (3) Within twice the length of the line insulator, but never less than 10 feet; and

(f) The requirements of the above shall not apply where electrical distribution and transmission lines have been de-energized and visibly grounded at point of work, or where insulating barriers have been erected to prevent physical contact with the lines.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.16)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.16 Disposal Chutes. The employer shall ensure compliance with the following requirements:

(a) Whenever materials are dropped more than 20 feet to any exterior point of a building, an enclosed chute shall be used; and

(b) When debris is dropped through holes in the floor without the use of chutes, the area where the material is dropped shall be enclosed with barricades not less than 42 inches high and not less than 6 feet back from the projected edges of the opening above. Warning signs of the hazard of falling material shall be posted at each level.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.18)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.17 Dock-boards. The employer shall ensure that, dock-boards, meaning metal plates used to bridge the gap between a loading dock and truck over which industrial trucks travel to load or unload shall meet the following requirements:

(a) Dock-boards shall be strong enough to carry the load imposed on them;

(b) Dock-boards that are portable shall be anchored or equipped with devices which shall prevent their slipping. They shall have handholds or other effective means to allow safe handling; and

(c) Wheel chocks or other devices shall be provided to prevent railroad cars from being moved while dock-boards are in position.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.19)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.18 Ergonomics.

(a) Each employer shall evaluate all incidences of ergonomically related injuries, such as repetitive motion trauma, carpal tunnel syndrome and back injuries, and make necessary workplace modifications to prevent recurrences.

(b) The employer shall develop training procedures for employees who might be subject to ergonomic exposures such as those listed above.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.22)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.19 Excavating and Trenching. The employer shall ensure compliance with the following requirements:

(a) Before excavation, underground utilities shall be identified and marked, and utility companies contacted to determine if there are underground utility installations in the area;

(b) A competent person as defined in Lab 1402.01 shall inspect and evaluate the condition of all trenches and excavations prior to permitting an employee to enter;

(c) The inspection shall be performed at the beginning of each day and at least 4 times during the workday thereafter, and include the following:

(1) Attention shall be given when adverse weather conditions might affect the condition of the excavation or trench; and

(2) If evidence of possible cave-ins or slides is apparent, all work in the excavation shall cease until the requirement of (d) below have been met to safeguard the employees;

(d) The walls and faces of trenches 5 feet or more deep, and all excavations, in which employees are exposed to danger from moving ground or cave-in shall be guarded by a trench protective system, or sloping of the ground;

(e) In excavations which employees might be required to enter, excavated or other material shall be stored and retained at least 2 feet or more from the edge of the excavation;

(f) Trenches 4 feet deep or more shall have an adequate means of exit such as ladders or steps in the protected area of the trench. The exit shall be located so as to require no more than 25 feet of lateral travel; and

(g) Excavations near retaining walls, utility poles and other objects that are supported by compacted soil shall be supported at all times to prevent their collapse or undermining.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.23)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.20 Exits.

(a) Every building designed for human occupancy shall be provided with exits sufficient to permit safe escape of occupants in case of emergency.

(b) In hazardous areas, or where employees might be endangered by the blocking of any single means of egress due to fire or smoke, there shall be at least 2 means of egress remote from each other.

(c) Exits and the way of approach and travel from exits shall be maintained so that they are unobstructed and are accessible at all times.

(d) All exits shall discharge directly to the street or other open space that provides safe access to a public way.

(e) Exit doors serving more than 50 people, or at high hazard areas, shall swing in the direction of exit travel.

(f) Exits shall be marked by clearly visible, suitably illuminated exit signs. Exit signs shall be distinctive in color and provide contrast with the surroundings. The word "EXIT" shall be of plainly legible letters, not less than 6 inches high.

(g) Any door, passage, or stairway which is neither an exit nor a way of exit access, and which is so located or arranged as to be likely mistaken for an exit, shall be identified by a sign reading "Not An Exit".

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.25)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.21 Fall Protection.

(a) This section shall not apply to stairways, ladders and scaffolds, cranes and derricks or steel erection.

(b) The employer shall ensure that each employee on a walking/working surface with an unprotected side or edge which is 4 feet or more above a lower level shall be protected from falling by the use of guardrail systems, safety net systems or personal fall arrest systems.

(c) The requirement in (a) above shall apply to the following surfaces:

- (1) Hoist areas;
- (2) Holes;
- (3) Form-work and reinforcing steel;

- (4) Ramps;
- (5) Runways and walkways;
- (6) Excavations;
- (7) Bricklaying;
- (8) Working above dangerous equipment;
- (9) Roofing work;
- (10) Pre-cast concrete erection;
- (11) Wall openings; and
- (12) Other walking/working surfaces.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.29)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.20)

Lab 1403.22 Flagger. The employer shall ensure compliance with the following requirements:

(a) At work sites on or adjacent to a highway or street, where signs, signals, and barricades do not provide protection from traffic, a flagger shall be provided;

(b) A flagger shall be provided with and shall wear a highly visible warning garment while flagging. Warning garments worn during low-light conditions or at night shall be equipped with high visibility material that is visible through the full range of the flag person's body motions; and

(c) A flagger shall be provided with and use a combination Stop/Slow paddle while flagging that is:

- (1) Highly visible;
- (2) At least 18 inches in height and width; and
- (3) With lettering at least 6 inches in height.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.32)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.21)

Lab 1403.23 Flammables and Combustible. The employer shall ensure compliance with the following requirements:

- (a) Flammable liquids shall be stored only in containers designed for that purpose;
- (b) Portable containers in excess of one gallon capacity shall have a self-closing lid and a pressure relief device;
- (c) Flammable and combustible liquids shall be drawn from or transferred into containers only through a closed piping system, by means of a device drawing through the top, or by gravity through a self-closing valve. Transferring by means of air pressure shall be prohibited;
- (d) Precautions shall be taken to prevent the ignition of flammable vapors;
- (e) Automatic overhead extinguishers or portable fire extinguishers shall be available at locations where flammable or combustible liquids are stored;
- (f) Conspicuous and legible signs prohibiting smoking shall be posted in service and refueling areas;
- (g) A portable fire extinguisher designated at least 6# BC shall be located within 75 feet of any refueling area;
- (h) Flammables such as draperies, curtains, area rugs, and other similar furnishings and decorations in educational facilities shall not be permitted unless treated with fire-retardant coatings; and
- (i) Artwork and teaching materials in educational facilities shall be permitted to be attached directly to walls. Such materials shall not exceed 20 percent of the wall area in buildings not protected throughout by an approved supervised automatic sprinkler system and 50 percent of the wall area in buildings protected throughout by an approved supervised automatic sprinkler system.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.33)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.24 Floor Openings and Open Sides. The employer shall ensure compliance with the following requirements:

- (a) Every stairway and ladder way floor opening shall be guarded by a standard railing on all exposed sides except at the entrance. The entrance to ladder way openings shall be guarded to prevent a person from walking directly into the opening;
- (b) Every hatchway and chute floor opening shall be guarded by a hinged floor opening cover equipped with standard railings to leave only one exposed side or by a removable railing with toeboard on not more than 2 sides and a fixed standard railing with toeboards on all other exposed sides; and
- (c) Every floor hole into which persons can accidentally walk shall be guarded by either a standard railing with standard toeboard on all exposed sides, or a floor hole cover capable of supporting at least twice the weight of employees, equipment, and materials that might be imposed on the cover at any one time. All covers shall be secured to prevent accidental displacement and shall be marked with the word "hole" or "cover" to provide warning of the hazard.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.34)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.22)

Lab 1403.25 Forklift Trucks and Powered Industrial Trucks. The employer shall ensure compliance with the following requirements:

(a) If at any time a powered industrial truck is in need of repair, defective, or in any way unsafe, the truck shall be taken out of service until it has been restored to safe operating condition;

(b) Forklift trucks with extended lifts shall be equipped with an overhead guard unless operating conditions do not permit;

(c) Fork trucks shall be equipped with a vertical load backrest extension when the type of load presents a hazard to the operator;

(d) The brakes of highway trucks and trailers shall be set and wheel chocks placed under the rear wheels to prevent the truck from rolling while fork trucks are entering or leaving; and

(e) Employers shall verify that the above equipment shall be operated by competent individuals as defined in Lab 1402.01.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.35)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.23)

Lab 1403.26 Guards. The employer shall ensure that guards for mechanical power transmission equipment be made of metal or other rigid material. Except that wood guards may be used in the woodworking and chemical industries, in industries where atmospheric conditions would rapidly deteriorate metal guards, or where temperature extremes make metal guards undesirable.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.37)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.24)

Lab 1403.27 Hand Tools. The employer shall ensure compliance with the following requirements:

(a) Each employer shall be responsible for the safe condition of tools and equipment used by employees, including tools and equipment furnished by employees;

(b) All hand tools shall be kept in safe condition. Handles of tools shall be kept tight in the tool, and wooden handles shall be free of splinters or cracks. Wedges, chisels, and similar tools shall be free of mushroomed heads. Wrenches shall not be used when sprung to the point that slippage occurs; and

(c) Electric power operated tools shall either be double-insulated, grounded, or used with ground fault circuit interrupters.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.38)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (Lab 1403.25)

Lab 1403.28 Hoists. The employer shall ensure compliance with the following requirements:

(a) The employer shall comply with the hoist manufacturer's specifications and limitations as to the proper use and installation of the equipment, whether at a portable or fixed location;

(b) Rated load capacities, recommended operating speeds, and special hazard warnings or instructions shall be visibly marked on cars and platforms;

(c) Hoistway entrances of material hoists shall be protected by full width gates or bars;

(d) Hoistway doors or cages of personnel hoists shall be not less than 6 feet 6 inches high and shall be protected with mechanical locks which cannot be operated from the landing side and shall be accessible only to persons on the car; and

(e) Overhead protective coverings shall be provided on the top of the hoist cage or platform.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.39)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from Lab 1403.26)

Lab 1403.29 Housekeeping. The employer shall ensure compliance with the following requirements:

(a) Form and scrap lumber with protruding nails and all other debris shall be kept clear from all work areas;

(b) Combustible scrap and debris shall be removed from work areas at least daily;

(c) Trash shall be disposed of on a regular basis, and at other times when necessary;

(d) All places of employment, passageways, storerooms, and service rooms shall be kept clean and in a sanitary condition; and

(e) All floors shall be kept clean, dry, safely maintained, and free from trip hazards.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRES: 10-09-06
(formerly Lab 1403.40)

New. #8796, eff 1-11-07 (formerly and moved by Lab
1403.28); ss by #10809, eff 4-9-15 (from Lab 1403.27)

Lab 1403.30 Hygiene and Sanitation. The employer shall ensure compliance with the following requirements:

(a) A supply of potable water shall be provided in all places of employment;

(b) Potable drinking water containers shall be capable of being tightly closed and be equipped with a tap;

(c) Every employer shall provide and maintain sanitary and hygienic toilet facilities; and

(d) The above shall not apply to mobile crews or normally unattended locations, as long as employees working at these locations have transportation immediately available to nearby locations that provide water and sanitary facilities.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.41)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.28)

Lab 1403.31 Jointers. The employer shall ensure compliance with the following requirements:

(a) Each hand-fed jointer with a horizontal cutting head shall have an automatic guard which shall cover the section of the head on the working side of the fence or cage, and a guard which shall cover the back of the cage or fence; and

(b) A jointer guard shall automatically adjust itself to cover the unused portion of the head, and shall remain in contact with the material at all times.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.42)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.29)

Lab 1403.32 Ladders. The employer shall ensure compliance with the following requirements:

(a) Fixed ladders shall comply with the following requirements:

- (1) Rungs shall have a minimum diameter of 3/4 inch, if metal, or 1-1/8 inches, if wood;
- (2) Rungs shall be a minimum of 16 inches in length and be spaced uniformly no more than 12 inches apart;
- (3) Cages, wells, or safety devices, such as fall prevention systems for ladders shall be provided on all ladders more than 20 feet in length;
- (4) Landing platforms shall be provided each 30 feet of travel, where cages are provided. Where no cage is provided, landing platforms shall be provided for every 20 feet of travel;
- (5) Tops of cages on fixed ladders shall extend at least 42 inches above top of landing. The bottom of the cage shall be not less than 7 feet or more than 8 feet above the base of the ladder; and
- (6) Side rails shall extend 3-1/2 feet above the landing.

(b) Portable ladders shall comply with the following requirements:

- (1) Stepladders shall be equipped with a metal spreader or locking device of sufficient size and strength to securely hold the front and back sections in the open position;
- (2) Ladders shall be inspected prior to use and those which have developed defects shall:
 - a. Be withdrawn from service for repair or destruction; and
 - b. Be tagged or marked as "Dangerous, Do Not Use";
- (3) Ladders that are not self-supporting shall be erected on a sound base at a 4/1 pitch and placed to prevent slipping;
- (4) The side rails of a ladder used to gain access to a roof or platform shall extend at least 3 feet above the landing;
- (5) Portable metal ladders shall not be used for electrical work or where they might contact electrical conductors; and
- (6) Portable ladders shall be safely secured when not in use.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.45)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.30)

Lab 1403.33 Lasers. The employer shall ensure compliance with the following requirements:

- (a) Only employees who have had training by the employer or equipment manufacturer shall be assigned to install, adjust, and operate laser equipment;

(b) Employees shall wear appropriate eye protection designed to safeguard against potential exposure to laser light greater than 0.005 watts (5 milliwatts);

(c) Beam shutters or caps shall be utilized, or the laser turned off, when laser transmission is not actually required. When the laser is left unattended, such as during lunch hour, overnight, or at change of shifts, the laser shall be turned off;

(d) Employees shall not be exposed to light intensities above the following:

(1) Direct staring - 1 micro-watt per square centimeter;

(2) Incidental observing - 1 milliwatt per square centimeter; and

(3) Diffused reflected light - 2-1/2 watts per square centimeter; and

(e) Employees shall not be exposed to microwave power densities in excess of 10 milliwatts per square centimeter.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.46)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.31)

Lab 1403.34 Liquefied Petroleum Gas (LPG). The employer shall ensure compliance with the following requirements:

(a) Each system shall have containers, valves, connectors, manifold valve assemblies, and regulators which are designed for use with LPG;

(b) Every container and vaporizer shall be provided with one or more safety relief valves or device;

(c) Containers shall be placed upright on firm foundations or otherwise firmly secured;

(d) Portable heaters shall be equipped with an automatic device to shut off the flow of gas in the event of flame failure;

(e) Storage of LPG within buildings shall be prohibited; and

(f) Storage locations shall have at least one portable fire extinguisher, designed 20#BC.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.47)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.35 Lockout The employer shall ensure compliance with the following requirements:

(a) All stored energy hazards including but not limited to the following shall be released, locked-out, or otherwise rendered non-hazardous prior to commencement of any work which could subject the employee to potential injury:

- (1) Hydraulic pressure;
- (2) Pneumatic pressure;
- (3) Steam pressure;
- (4) Vacuum;
- (5) Electricity;
- (6) Mechanical; and
- (7) Gravity.

(b) Padlocks shall be made available to employees for the purpose of locking-out equipment when required.

(c) Only the individual who is working on the equipment shall be allowed to remove the lockout device.

(d) Lockout devices shall indicate the identity of the employee applying the device(s).

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.48)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.32)

Lab 1403.36 Machine Guarding. The employer shall ensure compliance with the following requirements:

(a) Machine guarding shall be provided to protect employees from hazards such as those created by point of operation, nip points, rotating parts, flying chips and sparks.

(b) Machine guarding shall comply with the following requirements:

- (1) The guard shall be such that it cannot pose an accident hazard in itself; and
- (2) Point of operation guarding devices shall be so designed as to prevent the operator from having any part of his body in the danger zone during the operating cycle.

(c) Machines which require point of operation guarding shall include:

- (1) Guillotine cutters;
- (2) Shears;
- (3) Alligator shears;

- (4) Power presses;
- (5) Milling machines;
- (6) Power saws;
- (7) Jointers; and
- (8) Forming rolls and calendars.

(d) Special supplemental hand tools shall be used for placing and removing materials within the danger zone of the machine.

(e) Except as allowed by (i) below, Guards shall be required within 7 feet of the floor or working platform to protect from the following machinery:

- (1) Fan blades;
- (2) Belts;
- (3) Pulleys;
- (4) Sprockets;
- (5) Chains;
- (6) Flywheels;
- (7) Shafting;
- (8) Shaft projections;
- (9) Gears;
- (10) Couplings; and
- (11) Rotating or reciprocating parts.

(f) Flywheels protruding through a working floor shall be guarded.

(g) Where both runs of horizontal belts are 7 feet or less from the floor or working surface, the guard shall extend at least 15 inches above the belt.

(h) Safety sleeves shall be required to guard couplings with bolts, nuts, or set screws extending beyond the flange.

(i) Belts, pulleys, and shafting located in rooms used exclusively for power transmission apparatus shall not be required to be guarded when the following requirements have been met:

- (1) The basement, tower, or room occupied by transmission equipment is locked against unauthorized entrance; or
- (2) The route followed by the oiler is protected in such a manner as to prevent accidents.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.49)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.33)

Lab 1403.37 Machinery in a Fixed Location. The employer shall ensure that machines designed for a fixed location shall be securely anchored to prevent walking or moving, or designed in such a manner that they do not move in normal operation.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.50)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.34)

Lab 1403.38 Mechanical Power Presses. The employer shall ensure compliance with the following requirements:

(a) The employer shall provide and ensure the usage of point-of-operation guards or properly applied and adjusted point-of-operation devices, per the manufacturer's recommendation, to prevent entry of hands or fingers into the point-of-operation by reaching through, over, under, and around the guard on every operation performed on a mechanical power press. This requirement shall not apply when the point-of-operation opening is 1/4 inch or less;

(b) A guard shall be placed over the treadle of foot-operated presses;

(c) Pedal counterweights, if provided on foot-operated presses, shall have the path of travel of the weight enclosed; and

(d) Machines using full revolution clutches shall incorporate a single stroke mechanism except where automatically fed in continuous operation and where the points of operation are safeguarded by a fixed barrier guard.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.51)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.35)

Lab 1403.39 Medical Services. In addition to the requirement for a medical chest required in RSA 277:6, the employer shall ensure emergency telephone numbers for ambulance service, hospital, or physician shall be posted throughout the facility.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.21)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.36)

Lab 1403.40 Mechanized Equipment. The employer shall ensure compliance with the following requirements:

(a) All construction equipment in use shall be checked at the beginning of each shift to assure that all parts, equipment, and accessories that affect safe operation are in proper operating condition and free from defects. All defects shall be corrected before the vehicle is placed in service;

(b) No employer shall use any motor vehicle, earthmoving, or compacting equipment having an obstructed view to the rear unless:

(1) The vehicle has a reverse signal alarm distinguishable from the surrounding noise level; or

(2) The vehicle is backed up only when an appointed observer signals that it is safe to do so; and

(c) Heavy machinery, equipment, or parts thereof which are suspended or held aloft shall be blocked to prevent falling or shifting before employees are permitted to work under or between them.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.53)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.37)

Lab 1403.41 Noise Exposure. The employer shall ensure compliance with the following requirements:

(a) Protection against the effects of occupational noise exposure shall be provided when the sound levels exceed those shown in Table 3, Permissible Noise Exposures. Feasible engineering or administrative controls shall be utilized to keep exposure below the allowable limit.

(b) When engineering or administrative controls fail to reduce the noise level to within the levels of Table 1400.1, personal protective equipment shall be provided and used to reduce the noise to an acceptable level.

(c) Exposure to impulsive or impact noise should not exceed 140 dB peak sound pressure level.

Table1400.1 Permissible Noise Exposure

	Sound Level
	dBA Slow
Duration Per Day, Hours	Response
8	90

6	92
4	95
3	97
2	100
1-1/2	102
1	105
1/2	110
1/4 or less	115

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.54)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.38)

Lab 1403.42 Overheads and Gantry Hoists and Cranes. The employer shall ensure compliance with the following requirements:

- (a) All functional operating mechanisms, air and hydraulic systems, chains, rope slings, hooks, and other lifting equipment shall be visually inspected before each use by the operator;
- (b) Complete inspection of the crane shall be performed at least once per year;
- (c) The inspection shall include the following:
 - (1) Identifying deformed, cracked, corroded, worn, or loose members or parts; and
 - (2) Ensuring the good working order of the following:
 - a. Brake system;
 - b. Limit indicators;
 - c. Power plant; and
 - d. Electrical apparatus;
- (d) Overhead cranes shall have stops at the limit of travel of the wheels; and
- (e) The rated load of the crane shall be plainly marked on each side of the crane as follows:
 - (1) If the crane has more than one hoisting unit, each hoist shall have its rated load marked on it or its load block; and
 - (2) The marking shall be clearly legible from the ground or floor.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.55)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.39)

Lab 1403.43 Personal Protective Equipment. The employer shall ensure compliance with the following requirements:

(a) The employer shall assess the hazards and provide and require the use of appropriate personal protective equipment where indicated based upon that assessment;

(b) Where employees furnish their own personal protective equipment, the employer shall be responsible to, assure its adequacy and, to ensure that the equipment is properly maintained and in a sanitary condition;

(c) Employees working over or near water, where the danger of drowning exists, shall be provided with U.S. Coast Guard-approved life jackets or buoyant work vests; and

(d) Emergency eye wash/shower stations shall be tested periodically and testing records shall be maintained by the employer.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.56)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.40)

Lab 1403.44 Portable Abrasive Wheel Machinery. The employer shall ensure compliance with the following requirements:

(a) Abrasive wheels shall be used only on machines provided with safety guards; ;

(b) The following shall be exempt from the safety guard requirement in (a) above:

(1) Wheels used while within the work being ground; and

(2) Mounted wheels, used in portable operations, 2 inches and smaller in diameter.

(c) A safety guard shall cover the spindle end, nut, and flange projections. The safety guard shall be mounted so as to maintain proper alignment with the wheel;

(d) Safety guards used on right angle head or vertical portable grinders shall:

(1) Have a maximum exposure angle of 180 degrees; and

(2) Meet the following minimum requirements:

a. The above guard shall be so located so as to be between the operator and the wheel during use; and

b. Adjustment of the guard shall be such that pieces of an accidentally broken wheel shall be deflected away from the operator.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.58)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.41)

Lab 1403.45 Portable Pneumatic Powered Tools. The employer shall ensure compliance with the following requirements:

(a) Safety clips or retainers shall be securely installed and maintained on pneumatic impact tools to prevent attachments from being accidentally expelled; and

(b) Hose and hose connections used for delivering compressed air shall be designed for the pressure and service to which they are used.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.58)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
1403.42)

Lab 1403.46 Powder-Actuated Tools. The employer shall ensure compliance with the following requirements:

(a) Only employees trained by the employer or equipment manufacturer shall be allowed to operate powder-actuated tools;

(b) All powder-actuated tools shall be tested by the employee before each use and all defects discovered before or during use shall be corrected; and

(c) Tools shall not be loaded until immediately before use. A loaded tool shall not be left unattended.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.60)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.43)

Lab 1403.47 Radiation. The employer shall ensure compliance with the following requirements:

- (a) Employers shall provide controls to prevent any employee from being exposed to radiation, either ionizing or electromagnetic, in excess of acceptable limits as established by He-P 4001;
- (b) Each radiation area shall be conspicuously posted with visible signs and/or barriers; and
- (c) Employers shall maintain records of the radiation exposure of all employees who are required to work in these areas.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.61)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.44)

Lab 1403.48 Railings. The employer shall ensure compliance with the following requirements:

- (a) This section shall not apply to scaffolding and stairway railings;
- (b) A standard railing shall consist of top rail, intermediate rail, and posts, and shall have a vertical height of 42 inches from upper surface of top rail to floor, or platform;
- (c) A railing for open-sided floors, platforms, and runways shall have a toeboard which shall be a vertical barrier at floor level erected along exposed edges of a floor opening, wall opening, platform, runway, or ramp to prevent falls of materials whenever persons can pass beneath the open side, or where there is equipment with which falling materials could cause a hazard; and
- (d) Railings shall be of such construction that the complete structure shall be capable of withstanding a load of at least 200 pounds in the vertical or horizontal direction.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.62)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.45)

Lab 1403.49 Record Keeping. The employer shall ensure compliance with the following requirements:

- (a) An annual log of all workplace injuries and illnesses, for which an employer's first report of injury is submitted to the department of labor, shall be kept at the place of employment and made available to a safety inspector upon request;
- (b) Employers having existing records or logs of injuries and illnesses, required by other agencies, may provide them to meet this requirement; and
- (c) The log shall include, at a minimum, the following information:
 - (1) Date of injury;

- (2) Name of employee;
- (3) Occupation of employee;
- (4) Description of the injury or illness;
- (5) Whether lost time was involved; and
- (6) The date employee returned to work.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRES: 10-09-06
(formerly Lab 1403.63)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.46)

Lab 1403.50 Respiratory Protection. The employer shall ensure compliance with the following requirements:

(a) Respirators shall be selected by the employer on the basis of the hazard to which the worker is exposed and shall be provided by the employer as necessary to protect the health of the workers;

(b) Employees who are expected to use respirators shall be fit tested to ensure that an adequate face-to-facepiece seal can be maintained;

(c) Both the supervisors and the workers shall be instructed, by the employer, in the selection, use, and maintenance of respirators;

(d) Respirators shall be cleaned and disinfected, and shall be inspected during cleaning. Deteriorated parts shall be replaced;

(e) Respirators for emergency use shall be inspected at least once a month and after each use; and

(f) When not in use, respirators shall be stored in a clean and sanitary location.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.64)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.47)

Lab 1403.51 Revolving Drums. The employer shall ensure that revolving drums, barrels, or containers shall be guarded by an interlocked enclosure that shall prevent the drum from revolving unless the guard enclosure is in place.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.65)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.48)

Lab 1403.52 Rollover Protective Structures (ROPS). The employer shall ensure that, except for side boom pipe laying tractors and compactors, rollover protective structures of substantial strength be used with the following types of materials handling equipment:

- (a) All rubber-tired, self-propelled scrapers;
- (b) Rubber-tired front-end loaders;
- (c) Rubber-tired dozers;
- (d) Wheel-type agricultural and industrial tractors;
- (e) Crawler tractors;
- (f) Crawler-type loaders;
- (g) Motor graders, with or without attachments, that are used in construction work; and
- (h) Forklifts trucks and powered industrial trucks.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.66)

New. #8796, eff 1-11-07 (from Lab 1403.56); ss by
#10809, eff 4-9-15 (from Lab 1403.49)

Lab 1403.53 Safety Nets. The employer shall ensure that, where nets are used, operations shall not be undertaken until the net system is installed by a person trained by the employer or equipment manufacturer and the system complies with all industry standards.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.67)

New. #8796, eff 1-11-07 (from Lab 1403.57); ss by
#10809, eff 4-9-15 (from Lab 1403.50)

Lab 1403.54 Saws. The employer shall ensure compliance with the following requirements:

- (a) Band saws shall comply with the following requirements:
 - (1) All portions of band saw blades shall be enclosed or guarded except for the working portion of the blade between the bottom of the guide rolls and the table; and

- (2) Band saw wheels shall be fully enclosed according to the following requirements:
 - a. The outside periphery of the enclosure shall be solid; and
 - b. The front and back shall be either, solid wire mesh or perforated metal;
- (b) Portable circular saws shall comply with the following requirements:
 - (1) All portable power-driven circular saws having a blade diameter greater than 2 inches shall be equipped with guards above and below the base plate or shoe;
 - (2) The lower guards shall cover the saw to the depth of the teeth, except for the minimum area required to permit the base plate to be tilted for bevel cuts, and shall automatically return to the covering position when the blade is withdrawn from the work;
- (c) The above provision shall not apply to circular saws used in the meat industry for meat cutting purposes;
- (d) Radial saws shall comply with the following requirements:
 - (1) Radial saws shall have an upper guard which completely encloses the upper half of the saw blade;
 - (2) The sides of the lower exposed portion of the blade shall be guarded by a device that shall automatically adjust to the thickness of the material and remain in contact with the material being cut;
 - (3) Radial saws used for ripping shall be equipped with a device which will prevent material from kicking back toward the operator and shall be properly adjusted;
 - (4) An adjustable stop shall be provided to prevent the forward travel of the blade beyond the table, or the position necessary to complete the cut in repetitive operations; and
 - (5) Radial saws shall be installed so that the cutting head shall return to the starting position when released by the operator;
- (e) Swing or sliding cut-off saws shall comply with the following requirements:
 - (1) All swing or sliding cut-off saws shall be provided with a hood that shall completely enclose the upper half of the saw;
 - (2) Limit stops shall be provided to prevent swing or sliding type cut-off saws from extending beyond the front or back edges of the table;
 - (3) Each swing or sliding cut-off saw shall be provided with an effective device to return the saw automatically to the back of the table when released at any point of its travel; and
 - (4) Inverted cut-off saws shall be provided with a hood that shall cover the part of the saw that protrudes above the top of the table or material being cut; and
- (f) Table saws shall comply with the following requirements:
 - (1) Circular table saws shall have a hood over the portion of the saw above the table, with the hood mounted so that it shall automatically adjust itself to the thickness of and remain in contact with the material being cut;

(2) Circular table saws shall have a spreader aligned with the blade spaced no more than 1/2 inch behind the largest blade mounted in the saw. The provision of a spreader in connection with grooving, dadoing, or rabbeting shall not be required;

(3) Circular table saws used for ripping shall be equipped with a device which will prevent material from kicking back toward the operator and shall be properly adjusted; and

(4) Feed rolls and blades of self-feed circular saws shall be protected by a hood or guard to prevent the hand of the operator from coming in contact with the in-running rolls at any point.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06 (formerly Lab 1403.58)

New. #8796, eff 1-11-07 (from Lab 1403.58); ss by #10809, eff 4-9-15 (from Lab 1403.51)

Lab 1403.55 Scaffolds. The employer shall ensure compliance with the following requirements:

(a) Scaffolds shall be erected on sound, rigid footing capable of carrying the maximum intended load without settling or displacement;

(b) All planking shall stress-graded lumber to assure the quality of the lumber; and

(c) The maximum permissible spans for 2 x 10 or wider planks shall be as shown in Table 4 1400.2, Planking Material Thickness:

Table 1400.2 – Planking Material Thickness

	Full Thickness Undressed Lumber			Nominal Thickness Lumber	
	25	50	75	25	50
Working load (p.s.f.)					
Permissible Span (ft.)	10	8	6	8	6

(d) The maximum permissible span for 1-1/4 x 9 inch or wider plank of full thickness ~~is~~ shall be 4 feet, with medium loading of 50 p.s.f.;

(e) Scaffold planking shall be overlapped a minimum of 12 inches or secured from movement;

(f) Scaffold planks shall extend over their end supports not less than 6 inches nor more than 12 inches;

(g) Defective parts of all scaffolding and accessories shall immediately be replaced or repaired;

(h) An access ladder or equivalent safe access shall be provided;

(i) Mobile platforms shall be tightly planked for the full width of the scaffold except for necessary entrance opening, and platforms shall be secured in place;

(j) All employees working on suspension scaffolds shall be protected by a safety life belt attached to a lifeline which shall comply with the following requirements:

(1) The lifeline shall be securely attached to substantial members of the structure, not the scaffold, or to securely rigged lines, which shall safely suspend the employee in case of a fall; and

(2) In order to keep the lifeline continuously attached, with a minimum of slack, to a fixed structure, the attachment point of the lifeline shall be changed as the work progresses; and

(k) Tubular welded frame scaffolds shall be properly braced by cross bracing or diagonal braces, or both, for securing vertical members together laterally, as follows:

(1) The cross braces shall be of such length as shall automatically square and align vertical members so that the erected scaffold is always plumb, square, and rigid; and

(2) All brace connections shall be made secure.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.69)

New. #8796, eff 1-11-07 (from Lab 1403.59); ss by
#10809, eff 4-9-15 (from Lab 1403.52)

Lab 1403.56 Spray Finishing Operations. The employer shall ensure compliance with the following requirements:

(a) In conventional dry type spray booths, over-spray dry filters or filter rolls shall ensure an average air velocity over the face of the booth of not less than 100 linear feet per minute;

(b) Electrostatic spraying operations shall be conducted with an air velocity of not less than 60 linear feet per minute, or more, depending on the volume of the finishing material being applied and its flammability and explosion characteristics ;

(c) Visible gauges or an audible alarm or pressure-activated devices shall be installed to indicate or ensure that the required air velocity is maintained;

(d) Filter pads shall be inspected, and clogged filter pads discarded, and replaced. Filter rolls shall be inspected to ensure proper replacement of filter media;

(e) Spray booths shall be so installed that all portions are readily accessible for cleaning;

(f) A clear space of not less than 3 feet on all sides of a spray booth shall be kept free from storage or combustible construction;

(g) There shall be no open flame or spark producing equipment in any spraying area nor within 20 feet thereof, unless separated by a partition capable of stopping vapor travel;

(h) Electrical wiring and equipment not subject to deposits of combustible residues but located in a spraying area shall be of explosion proof type;

(i) The quantity of flammable or combustible liquids kept in the vicinity of spraying operations shall be the minimum required for operations and shall not exceed a supply for one day or one shift;

(j) Whenever flammable or combustible liquids are transferred from one container to another, both containers shall be bonded and grounded to prevent discharge sparks of static electricity;

(k) All spraying areas shall be kept as free from the accumulation of deposits of combustible residues as practical, with cleaning conducted daily if necessary. Scrapers, spuds, or other such tools used for cleaning purposes shall be of nonspark material;

(l) Residue scrapings and debris contaminated with residue shall be immediately removed from the premises; and

(m) "No Smoking" signs in large letters on contrasting color background shall be conspicuously posted at all spraying areas and paint storage rooms.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.70)

New. #8796, eff 1-11-07 (from Lab 1403.60); ss by
#10809, eff 4-9-15 (from Lab 1403.53)

Lab 1403.57 Stairs. The employer shall ensure compliance with the following requirements:

(a) Every flight of stairs having 4 or more risers shall be equipped with standard stair railings or standard handrails as specified below:

(1) On stairways less than 44 inches wide having one side open, at least one stair railing on the open side;

(2) On stairways less than 44 inches wide having both sides open, one stair railing on each side; and

(3) On stairways more than 44 inches wide but less than 88 inches wide, one handrail on each enclosed side and one stair railing on each open side.

(b) A stair railing shall be not more than 34 inches nor less than 30 inches from the upper surface of the top rail to the surface of tread in line with the face of riser at the forward edge of tread;

(c) Riser height and tread width shall be uniform throughout any flight of stairs;

(d) Hollow pan-type metal stairs shall be filled to the level of the nosing with solid material;

(e) Fixed stairs shall be provided for access from one structure level to another where operations necessitate regular travel between levels and for access to operating platforms at any equipment which requires attention routinely during operations. Fixed stairs shall also be provided where access to a raised structure or floor is traveled daily or at each shift where such work might expose employees to harmful substances, or for which purposes that carrying of tools or equipment by hand is normally required; and

(f) Spiral stairways shall be prohibited except for special limited usage and secondary access situations where it is not practical to provide a conventional stairway.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.71)

New. #8796, eff 1-11-07); ss by #10809, eff 4-9-15

Lab 1403.58 Storage. The employer shall ensure compliance with the following requirements:

(a) All stored materials stacked in tiers shall be stacked, blocked, interlocked, and limited in height so that they are secure against sliding or collapse;

(b) Storage areas shall be kept free from accumulation of materials that constitute hazards from tripping, fire, explosion or pest harborage. Vegetation control shall be exercised when necessary; and

(c) Where mechanical handling equipment is used, aisles that are not clearly defined shall be marked with reflective paint or tape, sufficient safe clearance shall be allowed for aisles, at loading docks, through doorways, and whenever turns or passage is made.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.73)

New. #8796, eff 1-11-07 (from Lab 1403.61); ss by
#10809, eff 4-9-15 (from Lab 1403.54)

Lab 1403.59 Tanks with Open Surface. The employer shall ensure compliance with the following requirements:

(a) Where ventilation is used to control potential exposure to employees, it shall reduce the concentration of the air contaminant to the degree that a hazard to employees does not exist;

(b) Whenever there is a danger of toxic substances being splashed, the employees shall wear either tight-fitting chemical goggles or an effective face shield;

(c) Near each tank containing liquid which might be harmful to the skin if splashed upon the worker's body, there shall be a supply of clean cold water. The water pipe shall be provided with a quick opening valve and at least 48 inches of hose not smaller than three-fourths inch. At no time shall water pressure for eyewashes exceed 25 p.s.i. Alternatively, deluge showers and eye flushes shall be provided; and

(d) All employees working in and around open-surface tank operations shall be trained by the employer as to the hazards of their respective jobs, and in the personal protection and first aid procedures applicable to these hazards.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.74)

New. #8796, eff 1-11-07 (from Lab 1403.62); ss by
#10809, eff 4-9-15 (from Lab 1403.55)

Lab 1403.60 Tire Cages. The employer shall ensure that a safety tire rack, cage, or equivalent protection shall be provided and used when inflating, mounting, or dismounting tires installed on split rims, or rims equipped with locking rings or similar devices.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06 (formerly Lab 1403.75)

New. #8796, eff 1-11-07 (from Lab 1403.63); ss by #10809, eff 4-9-15 (from Lab 1403.56)

Lab 1403.61 Toxic Substance

(a) The employer shall remove hazards from the workplace, and establish policies and work practices aimed at maintaining a safe work environment to protect workers from exposure to hazardous and toxic substances such as radioactive substances or other hazardous substances which are defined as a toxic substance under RSA 277-A:3 V.

(b) When engineering and administrative controls are not feasible to achieve acceptable levels, protective equipment shall be used to keep the exposure of employees below the established limits.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRES: 10-09-06 (formerly Lab 1403.77)

New. #8796, eff 1-11-07 (from Lab 1403.64); ss by #10809, eff 4-9-15 (from Lab 1403.57)

Lab 1403.62 Traffic Control

(a) The employer shall ensure that an effective means for control of pedestrian and vehicular traffic be instituted on every job site where necessary.

(b) Under the authority of RSA 277:16 and in reference to traffic control devices on job sites, the employer shall ensure compliance with Part 6 of the 2009 Edition with revisions 1 and 2 dated May 2012 of the Federal Highway Administration Manual on Uniform Traffic Control Devices MUTCD approved under 23CFR PART 630, Subpart F, 630.1106 (c), effective January 15, 2010, as specified in Appendix B.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRES: 10-09-06 (formerly Lab 1403.78)

New. #8796, eff 1-11-07 (from Lab 1403.65); ss by #10809, eff 4-9-15 (from Lab 1403.58)

Lab 1403.63 Trash. The employer shall ensure that all sweepings, solid or liquid wastes, refuse, and garbage shall be removed in such a manner as to avoid creating a menace to health and as often as necessary to maintain good sanitary conditions.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.79)

New. #8796, eff 1-11-07 (formerly Lab 1403.66); ss by
#10809, eff 4-9-15 (from Lab 1403.59)

Lab 1403.64 Tree Care Operations. The employer shall ensure compliance with the following requirements:

(a) Head protection shall be worn by workers engaged in tree operations. The head protection worn shall contain the manufacturer's certification that it complies with ANSI Z89.1-1981 with revisions. When working in proximity to electrical lines, the head protection worn shall contain the manufacturer's certification that it is a Class B hard hat which complies with ANSI Z89.1-1981 with revisions;

(b) Safety belts, tree-trimming saddle belts, or a saddle formed by a double bowline on a bight shall be worn to protect workers above ground level;

(c) Saddle belts or safety belts used for climbing operations shall have forged support rings. Snaps used in climbing ropes or in safety straps, for attachment to the forged support ring, shall be of self-closing safety type. Forged support rings shall be designed so that the snaps will not become disengaged, or roll off accidentally;

(d) Climbing ropes shall be used when working aloft in trees. Manila ropes shall have minimum diameter of 1/2 inch 12 mm and shall be 3 or 4 strand first-grade manila, with a rated breaking strength of 2385 pounds or equivalent strength and durability. Synthetic rope shall have a maximum elasticity of not more than 7 percent;

(e) Climbing ropes shall not be used to lower limbs or other parts of trees, or to raise or lower equipment;

(f) The employer shall provide, and the employee shall use, chaps specifically designed to foul a moving chain whenever chain saws are used;

(g) All employees shall be instructed in the hazards associated with working in close proximity to overhead power lines;

(h) It shall be the responsibility of a competent person, as defined by Lab 1402.01, to determine whether tree care operations can be safely performed near energized power lines;

(i) Rescue procedures for employees working above ground shall be established by the employer, and the employees trained accordingly;

(j) Brush chipper access panels for maintenance and adjustment shall be closed and secured prior to operation of brush chippers;

(k) Each rotary drum tree or brush chipper or disk-type tree or brush chipper not equipped with a mechanical in-feed system shall be equipped with an in-feed hopper not less than 85 inches 2.15 m,

measured from the blades or knives to ground level over the centerline of the hopper, and shall have sufficient height on its side members so as to prevent personnel from contacting the blades or knives of the machine during normal operations;

(l) Each disk-type tree or brush chipper equipped with a mechanical in-feed system shall have a quick stop and reversing device on the in-feed. The activating lever for the quick stop and reversing device shall be located across the top, along each side of, and as close to the feed end of the in-feed hopper as practicable and within easy reach of the operator;

(m) Equipment on which workers stand and spray while the vehicle is in motion shall be equipped with guardrails around the working area;

(n) When using portable powered brush cutting saws no one except the operator shall be within 10 feet (3m) of the cutting head of the brush saw;

(o) The power unit shall be equipped with a quick shutoff switch readily accessible to the operator;

(p) When chainsaws are operated the manufacturer's operating and safety instructions shall be followed;

(q) Chain saw used by employees shall be equipped with a properly adjusted inertia chain brake designed to stop the chain rotation in the event of a saw kickback;

(r) Chain saws weighing more than 15 pounds 6.8 kg that are used in trees shall be supported by a separate line, except when used from an aerial-lift device;

(s) The engine shall be stopped when power saws are being carried. The saw shall not need to be stopped between cuts during consecutive felling, bucking, or climbing or cutting operations on level ground. The chain shall not be turning and the operator's hand shall be off the throttle lever while operators move between work locations. One-man saws shall be carried by the worker on his/her side with the guide bar of the saw pointed to the rear. A two-man saw shall be carried by 2 workers; and

(t) The engine shall be stopped for all cleaning, refueling, adjustments, and repairs to the saw or motor where practical, except where manufacturer's procedures require otherwise.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06 (formerly Lab 1403.80)

New. #8796, eff 1-11-07 (formerly Lab 1403.67); ss by #10809, eff 4-9-15 (from Lab 1403.60)

Lab 1403.65 Wall Openings. The employer shall ensure that wall openings, from which there is a drop of more than 6 feet and the bottom of the opening is less than 3 feet above the working surface, be guarded.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06 (formerly Lab 1403.81)

New. #8796, eff 1-11-07 (formerly Lab 1403.68); ss by #10809, eff 4-9-15 (from Lab 1403.61)

Lab 1403.66 Washing Facilities. The employer shall ensure compliance with the following requirements:

(a) Washing facilities shall be maintained in a sanitary condition and be provided in every place of employment except for mobile crews or normally unattended work locations where employees have ready access to nearby sanitary facilities; and

(b) A cleaning agent and either individual hand towels, sections of cloth or paper, warm air blowers, or clean individual sections of continuous cloth toweling shall be provided at washing facilities.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06 (formerly Lab 1403.82)

New. #8796, eff 1-11-07 (formerly Lab 1403.69); ss by #10809, eff 4-9-15 (from Lab 1403.62)

Lab 1403.67 Welding and Cutting. The employer shall ensure compliance with the following requirements:

(a) Welding equipment shall be chosen for safe application to the work and shall be installed properly. Employees designated to operate welding equipment shall be properly instructed and qualified by the employer or equipment manufacturer to operate it;

(b) Mechanical ventilation shall be provided when welding or cutting in an area with less than 10,000 cubic feet per welder, or where the overhead height is less than 16 feet;

(c) Proper shielding and eye protection to prevent exposure of personnel from welding hazards shall be provided;

(d) When welding in a fixed location the welder shall be enclosed with a booth, or non-combustible screening, with a finish of low reflectivity with respect to visible and ultraviolet radiation;

(e) Proper precautions for fire protection such as isolating welding and cutting, removing fire hazards from vicinity, and providing a fire watch shall be taken in areas where welding or cutting is being done;

(f) When welding operations requiring fluxes, coverings, coatings, or alloys, or involving fluorine compounds, zinc, lead, beryllium, cadmium or mercury produce specific health hazards, a competent person shall evaluate potential exposure and ensure necessary protective measures, such as ventilation and personal protective equipment, are used;

(g) Welding and cutting operations shall be shielded by noncombustible or flameproof shields to protect employees from direct arc rays;

(h) Arc welding and cutting operations shall be shielded by non-combustible or flameproof shields to protect employees from direct arc rays;

(i) When electrode holders are left unattended, the electrodes shall be removed and the holder shall be placed or protected so that they cannot make electrical contact with employees or conducting objects;

(j) All arc welding and cutting cables shall be completely insulated and be capable of handling the maximum current requirements for the job. There shall be no repairs or splices within 10 feet of the electrode holder, except where splices are insulated equal to the insulation of the cable. Defective cable shall be repaired or replaced;

(k) Fuel gas and oxygen hose shall be easily distinguishable and shall not be interchangeable. Hoses shall be inspected at the beginning of each shift and shall be repaired or replaced if defective; and

(l) Oxygen and fuel gas regulators shall be in proper working order when in use.

[Source.](#) #10809, eff 4-9-15 (from Lab 1403.63)

Lab 1403.68 Welding in Confined Spaces. The employer shall ensure compliance with the following requirements:

(a) In addition to the requirements in Lab 1403.14, all welding and cutting operations carried on in confined spaces shall be ventilated to prevent the accumulation of toxic substances or possible oxygen deficiency;

(b) In such operations where it is impossible to provide such ventilation, air supplied respirators or hose masks, which are labeled to indicate they are approved by Mine Safety and Health Administration MSHA for this purpose, shall be used;

(c) In areas immediately hazardous to life, hose masks with blowers or self-contained breathing equipment shall be used. The breathing equipment shall be labeled to indicate it is approved by MSHA;

(d) Where welding operations are carried on in confined spaces and where welders and helpers are provided with hose masks, hose masks with blowers or self-contained breathing equipment, a worker shall be stationed on the outside of such confined spaces to ensure the safety of those working within; and

(e) Oxygen shall never be used for ventilation.

[Source.](#) #10809, eff 4-9-15 (from Lab 1403.64)

Lab 1403.69 Wire Ropes, Chains, and Rigging Equipment. The employer shall ensure compliance with the following requirements:

(a) Wire ropes, chains, ropes, and other rigging equipment shall be inspected prior to use and as necessary during use to assure their safety. Defective gear shall be removed from service;

(b) Job or shop hooks and links, or makeshift fasteners, formed from bolts and rods, or other such attachments, shall not be used;

(c) When U-bolts are used for eye splices, the U-bolt shall be applied so that the “U” section is in contact with the dead end of the rope; and

(d) When U-bolt wire rope clips are used to form eyes, Table-1400.3, number and spacing of U-Bolt Wire Rope Clips, shall be used to determine the number and spacing of clips:

Table1400.3 Number and Spacing of U-Bolt Wire Rope Clips Number of Clips

Improved Plow Steel	Drop	Other	Minimum
Rope Diameter Inches	Forged	Material	Spacing (inches)
½	3	4	3

5/8	3	4	3-3/4
3/4	4	5	4-1/2
7/8	4	5	4-1/2
1	5	6	6
1-1/8	6	6	6
1-1/4	6	7	7-1/2
1-3/8	7	7	8-1/4
1-1/2	7	8	9

[Source](#). #10809, eff 4-9-15 (from Lab 1403.65)

Lab 1403.70 Woodworking Machinery. The employer shall ensure compliance with the following requirements:

(a) All woodworking machinery such as table saws, swing saws, radial saws, band saws, jointers, tenoning machines, boring and mortising machines, shapers, planers, lathes sanders, and veneer cutters; shall be effectively guarded to protect the operator and other employees from hazards inherent to their operation;

(b) A power control device shall be provided on each machine to make it possible for the operator to cut off the power to the machine without leaving his or her position at the point of operation;

(c) Power controls and operating controls shall be located within easy reach of the operator while he or she is at his or her regular work location, making it unnecessary to reach over the cutter to make adjustments. This shall not apply to constant pressure controls used only for setup purposes;

(d) Each operating treadle shall be protected against unexpected or accidental tripping;

(e) Disconnect switches shall be capable of being locked or tagged in the off position; and

(f) On applications where injury to the operator might result if motors were to restart after a power failure, provision shall be made to prevent machines from automatically restarting upon restoration of power.

[Source](#). #10809, eff 4-9-15 (from Lab 1403.66)

APPENDIX A

Rule	Statute
Lab 1401.01 & 1401.02	RSA 281-A:64, RSA 273:9, RSA 277:13, RSA 277:15
Lab 1401.03 - Lab 1403.35	RSA 281-A:64
Lab 1402.01 & 1402.03	RSA 281-A:64, RSA 273:9, RSA 277:11, RSA 277:13, RSA 277:15
Lab 1402.04	RSA 281-A:64, RSA 273:9, RSA 277:11, RSA 277:13, RSA 277:15
Lab 1402.05	RSA 277:1-b, V
Lab 1403.04	RSA 277:15-a, RSA 277:15-b
Lab 1403.05 – 1403.29	RSA 281-A:64, RSA 273:9, RSA 277:11, RSA 277:13, RSA 277:15
Lab 1403.30	RSA 281-A:64, RSA 273:9, RSA 277:10, RSA 277:11, RSA 277:13, RSA 277:15
Lab 1403.31 - 1403.54	RSA 281-A: 64, RSA 273:9, RSA 277:11, RSA 277:13, RSA 277:15
Lab 1403.55	RSA 281-A: 64, RSA 273:9, RSA 277: 2, RSA 277:3, RSA 277: 4,

	RSA 277:11, RSA 277:13, RSA 277:15
Lab 1403.56 - 1403.65	RSA 281-A:64, RSA 273:9, RSA 277:10, RSA277:11, RSA 277:13, RSA 277:15
Lab 1403.66	RSA 281-A:64, RSA 273:9, RSA 277:10, RSA 277:11, RSA 277:13, RSA 277:15
Lab 1403.67 - 1403.70	RSA 281-A:64, RSA 273:9, RSA 277:10, RSA 277:11, RSA 277:13, RSA 277:15

APPENDIX B

Rule	Title	Obtain at:
Lab 1403.62(b)	Part 6 of the 2009 Edition of the Federal Highway Administration Manual on Uniform Traffic Control Devices (MUTCD) with Revisions 1 and 2, May 2012 approved under Rules 23CFR PART 630, Subpart F, 630.1106 (c), effective January 15, 2010	<p>The material can be obtained at no cost on the US Department of Transportation Federal Highway Administration's web site: http://mutcd.fhwa.dot.gov/pdfs/2009/part6.pdf and Links to hard copy publications can be found on their web site at http://mutcd.fhwa.dot.gov/ser-pubs.htm.</p> <p>Costs for hard a copy of publication: AASHTO Bookstore - \$60.00 for non-members; American Traffic Safety Services Assoc. - \$29.70 for non-members (\$22.50 for Flash Drive); Institute of Transportation Engineers - \$50.00; IMSA \$100.00</p>

CHAPTER Lab 600 SAFETY PROGRAMS AND JOINT LOSS MANAGEMENT COMMITTEES

REVISION NOTE:

Document #5909, effective 10-13-94, made extensive changes to the wording, format, structure, and numbering of rules in Chapter Lab 600. Document #5909 supersedes all prior filings for the sections in this chapter. The prior filings for former Chapter Lab 600 include the following documents:

#5372, eff 4-14-92

PART Lab 601 DEFINITIONS

Lab 601.01 "Employer representative" as used in RSA 281-A: 64, III means any individual who serves as the management member of the joint loss management committee and who has the authority delegated by the employer to use his/her judgment in the interest of the employer to take the following actions:

- (a) Hire;
- (b) Transfer;
- (c) Suspend;
- (d) Lay off;
- (e) Recall;
- (f) Promote;
- (g) Discharge;
- (h) Assign;
- (i) Reward;
- (j) Discipline;
- (k) Direct them; or
- (l) Adjust grievances or effectively to recommend such actions.

Source. (See Revision Note at chapter heading for Lab 600) #5909, eff 10-13-94, EXPIRED: 10-13-00

New. #8592, eff 3-24-06; ss by #10379, eff 7-18-13

PART Lab 602 SAFETY PROGRAMS

Lab 602.01 Program Requirements. As set forth in RSA 281-A: 64, II, the written safety program shall include the following:

- (a) The components required by Lab 603.03(g);
- (b) The process of warnings, job suspension, and job termination for violations of the safety rules and regulations set forth in the program;
- (c) Provision(s) for the commitment of adequate resources solely for safety;

(d) Provision(s) for medical services, emergency response, first aid, and accident reporting and investigation;

(e) Provision(s) for review of the current written safety program by all employees;

(f) Provision(s) for review and update of the written safety program by an employer representative at least every 2 years; and

(g) Provision(s) for a signature of the above employer representative which shall include the date the program was reviewed and updated.

Source. (See Revision Note at chapter heading for Lab 600) #5909, eff 10-13-94, EXPIRED: 10-13-00

New. #8592, eff 3-24-06; ss by #10379, eff 7-18-13

Lab 602.02 Filing Procedures. Under the authority of RSA 281-A: 64, II, an employer with 15 or more employees shall file a single submission of the summary of the above written safety program with the commissioner of labor by completing and submitting a Safety Summary Form WCSSF 10/07/15. See Appendix II.

Source. (See Revision Note at chapter heading for Lab 600) #5909, eff 10-13-94; ss by #6735, eff 4-23-98; ss by #8592, eff 3-24-06; ss by #10379, eff 7-18-13; ss by #11051, eff 3-10-16

PART Lab 603 JOINT LOSS MANAGEMENT COMMITTEES

Lab 603.01 Purpose. To carry out the purpose of RSA 281-A: 64, a joint loss management committee is to bring workers and management together in a non-adversarial, cooperative effort to promote safety and health in each workplace. A joint loss management committee assists the employer and makes recommendations for change.

Source. (See Revision Note at chapter heading for Lab 600) #5909, eff 10-13-94, EXPIRED: 10-13-00

New. #8592, eff 3-24-06; ss by #10379, eff 7-18-13

Lab 603.02 Establishment of Joint Loss Management Committee.

(a) Pursuant to RSA281-A: 64, III, all employers of 15 or more employees shall establish a working joint loss management committee composed of equal numbers of employer and employee representatives or more employee representatives as follows:

(1) The size of the joint loss management committee shall be determined as follows:

a. Employers with 15 to 20 employees shall have a minimum of 2 members; and

b. Employers with more than 20 employees shall have a minimum of 4 members;

(2) Employee representatives shall be selected by the employees;

(3) Where the employees are represented by a single, exclusive bargaining representative, the bargaining representative shall designate the members;

(4) Where the employees are represented by more than one labor organization or where some but not all of the employees are represented by a labor organization, each bargaining unit of represented employees and any residual group of employees not represented shall have a proportionate number of committee members based on the number of employees in each bargaining unit or group; and

(5) Committee members shall be representative of the major work activities of the employer.

(b) An employer's auxiliary, mobile or satellite location, may be combined into a single, centralized joint loss management committee when an employer owned/leased facility is physically and/or geographically separated from the employer's primary facility such as would be found in construction operations, trucking, branch or field offices, sales operations or highly mobile activities, which shall represent the safety and health concerns of all locations.

(c) A joint loss management committee shall be located at each of the employer's primary places of employment at a major economic unit at a single geographic location comprised of a building or group of buildings and all surrounding facilities. The location shall have both employer and employee representatives present, control of a portion of a budget, and the ability to take action on the majority of the recommendations made by the joint loss management committee.

(d) Committee members shall be trained in workplace hazard identification and accident/incident investigation adequate to carry out the committee's responsibilities.

Source. (See Revision Note at chapter heading for Lab 600) #5909, eff 10-13-94, EXPIRED: 10-13-00

New. #8592, eff 3-24-06; ss by #10379, eff 7-18-13

Lab 603.03 Duties and Responsibilities of Joint Loss Management Committee. To carry out the intent of RSA 281-A: 64, the joint loss management committee shall:

- (a) Meet at least quarterly to carry out their duties and responsibilities.
- (b) Keep minutes of meetings which shall be made available for review of all employees;
- (c) Elect a chairperson, alternating between employee and employer representatives;
- (d) Develop and disseminate to all employees a committee policy statement;
- (e) Maintain current and disseminate to all employees the clearly established goals and objectives of the committee;
- (f) Review workplace accident and injury data to help establish the committee's goals and objectives;
- (g) Establish specific safety programs which include, but are not be limited to, the following:
 - (1) Designation, by name and title, of a person who shall be knowledgeable of site specific safety requirements and be accountable for their implementation and adherence;
 - (2) Provisions for health and safety inspections at least annually for hazard identification purposes;
 - (3) Performance of audits at least annually regarding the inspection findings; and

- (4) Communication of identified hazards, with recommended control measures, to the person(s) most able to implement controls;
- (h) Assist with the identification of necessary safety and health training for employees; and
- (i) Assist with the identification and definition of temporary, alternate tasks.

Source. (See Revision Note at chapter heading for Lab 600) #5909, eff 10-13-94, EXPIRED: 10-13-00

New. #8592, eff 3-24-06; ss by #10379, eff 7-18-13

Lab 603.04 Duties and Responsibilities of the Employer. To carry out the intent of RSA 281-A: 64, the employer shall:

(a) Respond in writing to recommendations made by the committee, or make a verbal response that is recorded in the committee's official minutes;

(b) Pay any employee who participates in committee activities in his/her role as a committee member, including, but not limited to, attending meetings, training activities, and inspections, at his/her regular rate of pay for all time spent on such activities; and

(c) Provide for the required and necessary safety and health training for employees, at no cost and without any loss of pay so they can perform their work in a safe and healthy manner and environment.

Source. (See Revision Note at chapter heading for Lab 600) #5909, eff 10-13-94, EXPIRED: 10-13-00

New. #8592, eff 3-24-06; ss by #10379, eff 7-18-13

APPENDIX

RULE	STATUTE
Lab 601	RSA 281-A: 64
Lab 602	RSA 281-A: 64
Lab 602.02	RSA 281-A: 64, II
Lab 603	RSA 281-A: 64

CHAPTER 277

SAFETY AND HEALTH OF EMPLOYEES

277:1 Application. – This chapter shall apply to all places of employment in which one or more persons are regularly employed.

Source. 1917, 183:1. 1919, 66:1. 1921, 130:1. PL 177:1. RL 215:1. RSA 277:1. 1955, 291:1. 1963, 220:1. 1985, 243:1, eff. Jan. 1, 1986.

277:1-a Elevator Law. – The provisions of RSA 157-B also apply to all places covered by RSA 277:1.

Source. 1967, 310:2, eff. Jan. 1, 1968.

277:1-b Definitions. –

In this chapter:

I. "Employee" means any person employed to work in a place of employment. Volunteers or auxiliary members of a fire, police department, ambulance service or the state police, whether paid or not paid, shall be deemed to be in the employment of a political subdivision when performing official service or duty for a political subdivision.

II. "Employer" means the state or any of its political subdivisions operating a place of employment.

III. "Imminent danger" means a situation created by any conditions or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm either immediately or before such danger could be eliminated through the procedures provided by this chapter.

IV. "Place of employment" means all buildings, offices or other sites owned or leased by the state or by any political subdivision of the state. "Place of employment" includes all buildings, sheds, structures or places used in connection with employee activity at a place of employment.

V. "Serious injury" means an incident that results in an amputation, loss or fracture of any body part, head injury, or internal injury that necessitates immediate hospitalization.

Source. 1985, 243:2, eff. Jan. 1, 1986. 2019, 29:1, eff. July 14, 2019.

BUILDING CONSTRUCTION AND REPAIR WORK

277:2 Scaffolding and Other Devices for Use of Employees. – A person employing or directing another to perform labor of any kind in the erection, demolition, repairing, altering, painting, cleaning or pointing of a building or structure shall furnish or erect, or cause to be furnished or erected for the performance of such labor, scaffolding, hoists, stays, ladders, slings, hangers, blocks, pulleys, braces, irons, ropes, and other devices which shall be so constructed, placed and operated as to give proper protection to a person so employed or directed.

Source. 1953, 201:1 par. 39-a, eff. June 3, 1953.

277:3 Requirements. – Scaffolding or staging more than 14 feet from the ground or floor, swung or suspended from an overhead support or erected with stationary supports, except scaffolding wholly within the interior of a building and covering the entire floor space of any room therein, shall have a safety rail of suitable material properly attached, bolted, braced or otherwise secured, rising at least 34 inches above the floor or main portions of such scaffolding or staging and extending along the entire length of the outside and the ends thereof, with only such openings as may be necessary for the delivery of materials. Such scaffolding or staging shall be so fastened as to prevent it from swaying from the building or structure.

Source. 1953, 201:1 par. 39-b, eff. June 3, 1953.

277:4 Weight Requirement. – All scaffolding shall be so constructed as to bear 4 times the maximum weight required to be dependent therefrom or placed thereon when in use.

Source. 1953, 201:1 par. 39-c, eff. June 3, 1953.

277:5 Duty of Commissioner. – The labor commissioner shall immediately inspect a scaffold, ladder, or device concerning which complaint is made. He shall attach to every scaffold, ladder, or device that he inspects a certificate stating that he has made the inspection and has found the same safe or unsafe as the case may be. If unsafe, the commissioner shall at once, in writing, notify the person responsible for the scaffold, ladder, or mechanical device of the fact and shall prohibit the use of it by him or by any other person until all danger is removed by alteration, reconstruction or replacement as the commissioner may direct. Such notice may be served personally upon the person responsible or by affixing it conspicuously to the scaffold, ladder, or device declared unsafe.

Source. 1953, 201:1 par. 39-d, eff. June 3, 1953.

277:5-a Occupational Safety and Health Administration Certification. –

I. Any person signing a contract to work on a construction, reconstruction, alteration, remodeling, installation, demolition, maintenance, or repair of any public work or building by a state agency, municipality, or instrumentality thereof, and with a total project cost of \$100,000 or more, shall have an Occupational Safety and Health Administration (OSHA) 10-hour construction safety program for their on-site employees. All employees are required to complete the program prior to beginning work. The training program shall utilize an OSHA-approved curriculum. Graduates shall receive a card from OSHA certifying the successful completion of the training program. This section shall apply to the construction, reconstruction, alteration, remodeling, installation, demolition, maintenance, or repair of any public work or building paid for in whole or in part with state funds.

II. Any employee required to complete the OSHA 10-hour construction safety program under this section who has not completed the program shall be subject to removal from the worksite if the employee does not provide documentation of having completed such program by the fifteenth day after the date the employee is found to be in noncompliance. Proof of such documentation provided by the employer shall constitute compliance with this section. The labor commissioner or commissioner's designee shall enforce this section.

III. The labor commissioner shall adopt rules under RSA 541-A relative to implementation and

enforcement of this section. The commissioner may also assess a civil penalty of up to \$2,500; in addition, such an employer shall be assessed a civil penalty of \$100 per employee for each day of noncompliance. All funds collected under this section shall be deposited into the general fund.

The labor commissioner shall appoint as many individuals as necessary to carry out the department's responsibilities under this section.

IV. The following individuals are exempt from the requirements of the OSHA 10-hour construction safety program:

(a) Law enforcement officers involved with traffic control or jobsite security.

(b) Flagging personnel who have completed the training required by the department of transportation.

(c) All relevant federal, state, and municipal government employees and inspectors.

(d) All individuals who are not considered to be on the site of work under the federal Davis-Bacon Act, including, but not limited to, construction and non-construction delivery personnel and non-trade personnel.

Source. 2007, 326:1, eff. Sept. 14, 2007. 2012, 144:3, eff. Jan. 1, 2013.

277:6 Medical Chests. – Every employer shall at all times keep and maintain, free of expense to the employees, such a medical and surgical chest as shall be required by the local board of health of the city or town, containing plasters, bandages, absorbent cotton, gauze and all other necessary medicines, instruments and other appliances for the treatment of persons injured or taken ill upon the premises.

Source. 1911, 30:1. PL 177:2. RL 215:2

Maintenance of First Aid Equipment, Appliances, Etc.

277:6 Medical Chests. – Every employer shall at all times keep and maintain, free of expense to the employees, such a medical and surgical chest as shall be required by the local board of health of the city or town, containing plasters, bandages, absorbent cotton, gauze and all other necessary medicines, instruments and other appliances for the treatment of persons injured or taken ill upon the premises.

Source. 1911, 30:1. PL 177:2. RL 215:2.

277:7 Penalty. – Whoever violates RSA 277:6 shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person. Each week during which such violation continues shall constitute a separate offense.

Source. 1911, 30:2. PL 177:3. RL 215:3. RSA 277:7. 1973, 529:55, eff. Oct. 31, 1973 at 11:59 p.m.

277:8 Repealed by 1985, 243:8, eff. Jan. 1, 1986. –

277:9 Repealed by 1985, 243:8, eff. Jan. 1, 1986. –

277:10 Sanitation, Provision for. – Every employer shall provide and maintain reasonable and proper toilet facilities and reasonably sanitary and hygienic conditions for employees.

Source. 1917, 183:2. PL 177:6. RL 215:6.

277:11 Safeguards. – Whenever the nature or condition of any such place of employment, or the machinery or other appliances therein, are such as to render work therein or in proximity thereto dangerous to the safety or health of employees, it shall be the duty of the employer to provide and maintain such safeguards, safety devices, appliances and lighting facilities, and to do such other things as may be reasonably necessary and practicable to lessen the dangers of such employment.

Source. 1917, 183:2. PL 177:7. RL 215:7.

277:12 Interference With. – No person shall remove, displace, damage or carry off any safety device or safeguard furnished and provided for use in any employment or place of employment so as to interfere with the intended use thereof, or interfere in any way with the use thereof by any other person, and no person shall interfere with the use of any method or process adopted for the protection of any employee in such employment or place of employment.

Source. 1917, 183:3. PL 177:8. RL 215:8.

Inspections and Orders by Commissioner

277:13 Inspection. – The labor commissioner shall cause all places of employment subject to this law to be inspected at intervals to be determined by him, for the purpose of determining whether the provisions of this chapter have been complied with and the conditions therein with respect to the safety and health of the employees.

Source. 1917, 183:4. PL 177:9. RL 215:9. RSA 277:13. 1957, 187:15. 1963, 220:2, eff. July 1, 1963.

277:13-a Petition for Inspection. – Any employee may petition the commissioner to inspect any place of employment in which the employee is employed for the purpose of determining whether the employer has violated any of the provisions of this chapter or rules adopted under this chapter. Upon receipt of such petition, the commissioner shall cause such place of employment to be inspected within a reasonable time.

Source. 1985, 243:4, eff. Jan. 1, 1986.

277:14 Report. – A report of such inspection shall be filed in the office of the commissioner and a copy thereof given the employer.

Source. 1917, 183:4. PL 177:10. RL 215:10.

277:15 Entry. – The commissioner, factory inspectors and other assistants of the commissioner shall have the right to enter any such place of employment and to examine the same for the purposes of this chapter.

Source. 1917, 183:4. PL 177:11. RL 215:11.

277:15-a Inspections. – In the case of a workplace incident resulting in a serious injury or death involving the state, a state agency, a county, a municipality or municipal agency, a school district, or other public corporation or political subdivision, the commissioner of labor, or his or her designee, shall inspect such place of employment.

Source. 2019, 29:2, eff. July 14, 2019.

277:15-b Reports of Death or Serious Injury. –

I. Every employer shall report the death of any person in the workplace or on the workplace premises within 8 hours of such occurrence to the commissioner of the department of labor by telephone or electronically, stating as fully as possible the cause of the death and the place where the body of the deceased person was sent, and supplying any other information relative to the death that may be required by the commissioner. The commissioner shall investigate the cause of death and may notify the employer of precautions to be taken that may prevent the recurrence of similar events. A statement contained in any such report shall not be admissible in evidence in any action arising out of the death reported.

II. Every employer shall report the serious injury of any person in the workplace or on the workplace premises within 24 hours of such occurrence to the commissioner of the department of labor by telephone or electronically, stating as fully as possible the cause of the injury and the place where the injured person was sent for medical evaluation or treatment, and supplying any other information relative to the injury that may be required by the commissioner. The commissioner may investigate the cause of the injury and notify the employer of precautions to be taken that may prevent the recurrence of similar events. A statement contained in any such report shall not be admissible in evidence in any action arising out of the injury reported.

Source. 2019, 29:2, eff. July 14, 2019.

277:16 Rulemaking. –

I. The commissioner of labor shall adopt such rules, under RSA 541-A, as he deems reasonable and necessary in order to carry out properly the provisions of RSA 277:10 and 277:11.

II. Prior to January 1, 1987, the commissioner of labor shall present proposed legislation containing a specific delegation of rulemaking authority to replace this section to the chairman of the joint legislative committee on administrative rules established under RSA 541-A and to the senate president and the speaker of the house of representatives who may refer such proposed legislation to the appropriate standing committees. This proposed legislative delegation of rulemaking authority shall be drafted in as narrow a manner as possible, consistent with the need to provide the commissioner of labor with sufficient authority to fulfill the regulatory role assigned to him under RSA 277:10-11.

Source. 1917, 183:5. PL 177:12. RL 215:12. RSA 277:16. 1963, 220:3. 1985, 243:6. 1987, 140:1, eff. May 7, 1987.

277:17 Modification. – Whenever the commissioner, after any place of employment subject to this chapter shall have been inspected in accordance with RSA 277:13, shall be of the opinion that the special conditions in that place of employment render the standards inadequate or unreasonable, as applied to such place of employment, he may, by special order applicable to that place, so modify or extend the requirements of such standards as to make the same adequate and reasonable with respect to such special conditions.

Source. 1917, 183:5. PL 177:13. RL 215:13. RSA 277:17. 1963, 220:4, eff. July 1, 1963.

277:18 Added Safeguards. – Whenever, after inspection as provided in RSA 277:13, the commissioner shall be of the opinion that compliance with the standards, under the special conditions obtaining in any place of employment, necessitates the use of any safeguard, or the doing of any other act for which the standards adopted by him do not provide, he shall have power, by special order, to require the adoption in that place of employment of such particular safeguards, safety devices, appliances, lighting facilities, or other means as may be reasonable and practicable for the safety and health of the employees.

Source. 1917, 183:5. PL 177:14. RL 215:14. RSA 277:18. 1963, 220:5, eff. July 1, 1963.

277:19 Repealed by 1963, 220:6, eff. July 1, 1963. –

277:20 Compliance, Time. – Every order made by the commissioner shall fix the time when it shall take effect, and in every case a reasonable time shall be allowed to the employer affected thereby for compliance with the order.

Source. 1917, 183:6. PL 177:16. RL 215:16. RSA 277:20. 1985, 243:7, eff. Jan. 1, 1986.

277:21 Notice of Orders. – Notice shall be given by certified mail of every order to those who are required to comply with the order. Notice of any such order of general application may be given by publication in some newspaper having circulation throughout the state.

Source. 1917, 183:6. PL 177:17. RL 215:17. RSA 277:21. 1985, 243:7, eff. Jan. 1, 1986.

277:21-a Consultation. – The commissioner shall provide occupational health and safety services to public and private employers, and shall consult with the commissioner of the department of health and human services relative to the implementation of occupational health unit programs authorized by RSA 125:16-16-d.

Source. 1983, 291:1, I; 410:2. 1995, 310:182, eff. Nov. 1, 1995.

Proceedings Before the Commissioner

277:22 Powers. – For the purpose of carrying into effect the provisions of this chapter the commissioner shall have power to administer oaths, certify to official acts, issue subpoenas and compel the attendance of witnesses and the production of papers, books, accounts, documents and testimony.

Source. 1917, 183:10. PL 177:18. RL 215:18.

277:23 Depositions. – The deposition of any witness within or without the state, taken in the manner prescribed by law for depositions in civil actions, may be used in any proceeding for review or appeal.

Source. 1917, 183:11. PL 177:19. RL 215:19.

277:24 Record. – The commissioner shall keep a complete record of all orders, rules or regulations made and adopted by him.

Source. 1917, 183:10. PL 177:20. RL 215:20.

Review of Orders

277:25 Petition. – Any employer affected by such order, rule or regulation may petition the commissioner for a review of the validity or reasonableness thereof. The commissioner may join in one proceeding all petitions alleging invalidity or unreasonableness of the same or substantially similar orders, rules or regulations. The petition for review shall be filed within 30 days after notice of the adoption of the order, rule or regulation; provided, that the commissioner may, whenever in his opinion justice may require it, extend the time for filing such petition.

Source. 1917, 183:7. PL 177:21. RL 215:21.

277:26 Hearing. – Upon receipt of the petition the commissioner shall, if necessary to determine the issue raised, order a hearing. Notice of the time and place of hearing, which shall be open to the public, shall be given to the petitioner and to such other persons as the commissioner may find to be directly interested in the issues raised.

Source. 1917, 183:7. PL 177:22. RL 215:22.

277:27 Revocation of Order or Regulation. – If, upon such hearing, the commissioner finds that the order, rule or regulation complained of is invalid or unreasonable he shall revoke it, or substitute therefor a new or amended one.

Source. 1917, 183:7. PL 177:23. RL 215:23.

277:28 Effect of Commissioner's Decision. – The decision of the commissioner upon such petition shall be final unless appeal is taken in the manner herein provided.

Source. 1917, 183:7. PL 177:24. RL 215:24

Appeals From Orders

277:29 Petition. – Any employer aggrieved by any order, rule or regulation of the commissioner may file a petition in the superior court against the commissioner to determine the validity and reasonableness thereof. Such petition shall be filed within 30 days after notice of the adoption of the order, rule or regulation, or, if a petition for review is filed, within 30 days from the decision upon such petition.

Source. 1917, 183:8. PL 177:25. RL 215:25.

277:30 Notice; Procedure. – Such notice shall be given to the commissioner of the pendency of such proceedings as the superior court may order. Such petition, so far as practicable, shall have precedence over other actions in the same court, and the order appealed from shall be prima facie valid and reasonable. The proceedings upon such petition shall be as nearly as may be in accordance with proceedings in equity, and the court shall make such order or decree as justice may require.

Source. 1917, 183:8. PL 177:26. RL 215:26.

277:31 Reference. – The court may, and on the request of the parties shall, refer any issues arising in such action to one or more persons, who shall find and report the facts, together with his or their recommendations, to the court. One or more of such persons may be a layman conversant with the subject matter involved in such appeal.

Source. 1917, 183:8. PL 177:27. RL 215:27.

277:32 Effect of Appeal, Etc. – During the pendency of any petition for review, the order, rule or regulation under review shall be suspended, and during the pendency of an appeal to the superior court, it may be suspended by the superior court if justice requires. Except as herein provided, every order, rule or regulation made and adopted under the provisions of this chapter shall have the effect of law.

Source. 1917, 183:9. PL 177:28. RL 215:28.

Inspectors and Other Assistants

277:33 Inspectors. – For the purpose of inspecting establishments subject to this chapter, the commissioner may employ competent persons who shall be known as inspectors, one of whom shall be a woman, and shall fix their compensation in accordance with the state personnel regulations and within the limits of available appropriations and funds.

Source. 1917, 183:12. 1921, 130:2. PL 177:29. RL 215:29. 1950, 5, part 18:13. 1951, 168:1. RSA 277:33. 1957, 172:1. 1963, 220:7, eff. July 1, 1963.

277:34 Assistants. – The commissioner may employ such other assistants and clerical employees as may be necessary to the proper discharge of his duties.

Source. 1917, 183:12. 1921, 130:2. PL 177:30. RL 215:30. RSA 277:34. 1963, 220:8, eff. July 1, 1963.

Prosecutions, Penalties, Etc.

277:35 Preliminary Requirements. – No prosecution against any employer shall be commenced under this chapter until the commissioner shall have made an order in accordance with the provisions hereof, and the employer affected thereby shall have had a reasonable opportunity to comply therewith.

Source. 1917, 183:13. PL 177:31. RL 215:31

277:35-a Petition for Review. – If an employer retaliates or takes any action against an employee who exercises his rights under this chapter, the employee may petition the commissioner for a review of the employer's action. The commissioner shall hold a hearing pursuant to RSA 277:25. The commissioner may order reinstatement of the employee or such other action as he deems necessary pending his decision.

Source. 1985, 243:3, eff. Jan. 1, 1986.

277:36 Penalties; Stop Work Order. –

I. Any employer who does not comply with any lawful order or rule made under this chapter shall be guilty of a misdemeanor if a natural person or guilty of a felony if any other person.

II. Any person who willfully violates RSA 277:12 shall be guilty of a violation if a natural person or guilty of a misdemeanor if any other person.

III. In case of imminent danger in any place of employment, the commissioner shall direct that work in the area of endangerment cease until the danger is abated. No employee shall suffer loss of wages, salary, seniority, fringe benefit or other benefit as a result of the commissioner's order.

Source. 1917, 183:13. PL 177:32. RL 215:32. RSA 277:36. 1973, 529:56. 1985, 243:5, eff. Jan. 1, 1986.

277:37 Statements. – Every employer subject to the provisions of RSA 277 shall immediately send to the commissioner a statement setting forth his name, address, business and approximate number of employees. Any employer wilfully neglecting to comply with the provisions of this section shall be guilty of a violation.

Source. 1917, 183:14. PL 177:33. RL 215:33. RSA 277:37. 1973, 531:95, eff. Oct. 31, 1973 at 11:59 p.m.

277:38 Enforcement of Laws, Orders, and Regulations. – It shall be the duty of the commissioner to administer and enforce, so far as not otherwise provided for, all laws relating to factories, workshops, commercial and mercantile establishments, and all valid orders, rules or regulations.

Source. 1917, 183:12. 1921, 130:2. PL 177:34. RL 215:34.

CHAPTER 277-A TOXIC SUBSTANCES IN THE WORKPLACE

277-A:1 Name. – This chapter shall be known and may be cited as the "Worker's Right to Know Act."

Source. 1983, 466:1, eff. Oct. 26, 1983.

277-A:2 Purpose. – The general court hereby finds and declares that the proliferation of toxic substances in the workplace poses a growing threat to the health of employees exposed to these substances; that the number and variety of these substances makes effective monitoring of these potential health hazards by governmental agencies difficult and expensive; that employees themselves are often in the best position to detect symptoms of toxicity, provided they are aware of the nature of the substances to which they are exposed; that employees have an inherent right to know the dangers to which they are potentially exposed in their workplace so that they may make knowledgeable and reasoned decisions with respect to their continued employment under the circumstances and the need for corrective action; and that the workplace often serves as an early warning mechanism for the outside environment. The general court therefore determines that it is appropriate for employers to provide their employees with all available information concerning the nature of the toxic substances to which such employees may be exposed during the course of their employment and the suspected hazards these substances pose and to take all other practicable and feasible measures to protect their employees from the risks of toxic substances.

Source. 1983, 466:1, eff. Oct. 26, 1983.

277-A:3 Definitions. –

As used in this chapter:

- I. "Employee" means any person who currently works or formerly worked, with or without compensation, in a workplace. The term "employee" does not include domestic workers or casual laborers employed at the place of residence of the employer.
- II. "Employee representative" means an individual or organization to which an employee gives written authorization to exercise his rights under this chapter. A recognized or certified collective bargaining agent shall be considered to be an employee representative without regard to written employee authorization.
- III. "Employer" means any person, firm, corporation, partnership, association, the state, any political subdivision of the state, or any other entity which is engaged in a business or in providing services and which employs employees in connection with such business or services.
- IV. "Safety data sheet" means a written document prepared on a toxic substance containing all of

the following information except as provided by RSA 277-A:4, III(c):

- (a) Identification including product identifier; manufacturer or distributor name, address, phone number; emergency phone number; recommended use; restrictions on use.
- (b) The hazards of the substance.
- (c) Composition and information on ingredients, including information on chemical ingredients and trade secret claims.
- (d) First aid measures including important symptoms or effects, if acute or delayed, and required treatment.
- (e) Firefighting measures including suitable extinguishing techniques and equipment and any chemical hazards from fire.
- (f) Accidental release measures including emergency procedures, protective equipment, and proper methods of containment and cleanup.
- (g) Handling and storage precautions, including incompatibilities.
- (h) Exposure controls and personal protection, including Occupational Safety and Health Administration Permissible Exposure Limits, Threshold Limit Values, appropriate engineering controls, and personal protective equipment.
- (i) Physical and chemical properties and characteristics.
- (j) Stability, reactivity, and the possibility of hazardous reactions.
- (k) Toxicological information including routes of exposure, related symptoms, acute and chronic effects, and numerical measures of toxicity.
- (l) The date such information was compiled and the name and address of the manufacturer, producer, or formulator responsible for compiling it.

V. "Toxic substance" means any radioactive or other substance which is defined as a toxic substance by a rule adopted pursuant to RSA 541-A by the department of health and human services. The department shall define as a toxic substance:

- (a) Any substance which appears on any list of toxic or hazardous substances which is included in any of the following:
 - (1) The United States Department of Transportation's 1980 Emergency Response Guidebook of Hazardous Waste Materials.
 - (2) TLV's: Threshold Limit Values for Chemical Substances and Physical Agents in the Workroom Environment, published by the American Conference of Government Industrial Hygienists.
 - (3) Title 29, Code of Federal Regulations, Section 1910.1000.
 - (4) Standards issued under Section 6(b)(5) of the Occupational Safety and Health Act of 1970.
 - (5) The Director of the Department of Industrial Relations' List of Hazardous Substances, published by the State of California.
- (b) Any substance which has yielded positive evidence of acute or chronic health hazards in human, animal or other biological testing which could be applicable to human beings;
- (c) Any other substance which the department determines should be so defined consistent with the purposes of this chapter and consistent to the extent possible with the methods and criteria used in compiling the lists of toxic or hazardous substances referred to in subparagraph (a). For the purposes of this chapter, the term "toxic substance" shall not include any liquor or beverage, as those terms are defined in RSA 175:1, VIII and XLII, or any other substance which has been packaged for retail sale or which is contained in a product which has been packaged for retail sale; and
- (d) Any substance which is combustible, a compressed gas, explosive, flammable, a health

hazard, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive) or water reactive as established by the latest edition of the Fire Protection Guide on Hazardous Materials published by the National Fire Protective Association.

VI. "Trade secret" means any confidential formula, pattern, device or compilation of information which does all of the following:

(a) Is used in the employer's business.

(b) Gives the employer the opportunity to obtain an advantage over competitors who do not know or use it.

(c) Is known only to the employer and to those employees to whom it is necessary to confide.

VII. "Workplace" means any location, permanent or temporary, where an employee performs any work-related duty in the course of his employment.

VIII. "Commissioner" means the commissioner of labor.

Source. 1983, 466:1. 1990, 255:10. 1995, 310:175, 181, eff. Nov. 1, 1995. 2015, 141:1, eff. Jan. 1, 2016.

277-A:4 Safety Data Sheets. –

I. Except as provided in paragraph III, no person shall obtain, purchase, manufacture, formulate, transport or distribute any toxic substance within this state unless the substance is accompanied by a complete safety data sheet prepared by the manufacturer, producer, or formulator of such substance no more than one year prior to the obtainment, purchase, manufacture, formulation, transportation or distribution.

II. A manufacturer, producer or formulator may provide a single safety data sheet for a product mixture containing 2 or more toxic substances instead of providing a safety data sheet for each toxic substance component of such mixture if all of the following are applicable:

(a) The product mixture itself has been submitted to sufficient analysis and testing to justify a valid judgment on its hazardous properties.

(b) Each component toxic substance is identified on the product label individually, within the limits of practicability and feasibility.

(c) A safety data sheet on each component toxic substance identified pursuant to subparagraph (b) is available upon request.

III. (a) When a manufacturer, producer, formulator or employer considers the identity of or other information concerning a toxic substance to be a protectable trade secret whose disclosure would compromise his or her competitive advantage, he or she shall register this information as secret with the commissioner of labor provided that such information is already registered as a trade secret pursuant to any provision of federal law or such information is not registered as a trade secret but is related to a proprietary process the disclosure of which would compromise his or her competitive position.

(b) The commissioner of labor shall not release any data which discloses any trade secret or proprietary process unless he or she shall notify, in writing and by certified mail, the submitter of such information of the intent to release the data. The commissioner may not release the information, without the submitter's consent, until the thirtieth day after the submitter has been furnished such notice. Any subsequent release shall be pursuant to applicable provisions relating to trade secrets or the Freedom of Information Act.

(c) In the event that a toxic substance or product mixture containing 2 or more toxic substances is registered by a manufacturer, producer or formulator as a component of a trade secret or

otherwise protected as a proprietary process, such manufacturer, producer or formulator shall not be required to divulge the specific identity of the substance, but shall be required to provide a safety data sheet containing the information specified in RSA 277-A:3, IV(b)-(l).

(d) In the event that a toxic substance or product mixture containing 2 or more toxic substances is registered as a component of a trade secret or otherwise protected as a proprietary process, the employer shall not be required to divulge the specific identity of the substance but shall otherwise be subject to all of the duties imposed by RSA 277-A:5.

IV. Notwithstanding the provisions of paragraph III, full and complete information regarding any toxic substance or substances to which an employee has been exposed shall be made available to a licensed physician if the information is needed for the purpose of medical diagnosis or treatment of such person.

Source. 1983, 466:1, eff. Oct. 26, 1983. 2015, 141:2, eff. Jan. 1, 2016.

277-A:5 Employer's Duty to Provide Information. –

Subject to the limitations of RSA 277-A:4, III, every employer whose employees handle, use, or are otherwise exposed to any toxic substance during the course and scope of their employment shall:

I. Keep on file in a convenient office location and make available for examination and reproduction upon request a safety data sheet for each toxic substance or product mixture containing 2 or more toxic substances to which an employee may be exposed in carrying out his or her duties.

II. Post a notice, written in clearly understandable nontechnical language, in a conspicuous location accessible to the employees and as close to the work area as possible containing the word "Warning" in large letters and all the following information on each toxic substance to which employees may be exposed:

- (a) The name or names of the substance.
- (b) The acute and chronic hazards of exposure to the substance.
- (c) Symptoms of exposure and overexposure, including known behavioral effects.
- (d) Appropriate emergency treatment for exposure and overexposure.
- (e) Proper conditions for safe use of and exposure to the substance.
- (f) Procedures for cleanup of leaks and spills of the substance.
- (g) Procedures in case of fire or other environmental changes which would result in increasing the substance's hazardous or toxic properties.

III. Post a notice of the availability of a safety data sheet for each of the toxic substances to which the employee may be exposed and, upon request by an employee for a safety data sheet, supply such data sheet within 72 hours.

IV. Conduct an education and training program within 180 days of October 26, 1983, for all employees routinely exposed to toxic substances, and thereafter during the first month of employment of any such new employee, informing such employees of the nature of the toxic substances to which they will be exposed, prescribing proper and safe procedures for handling under all circumstances, and advising them of the potential risks involved.

V. Make every reasonable effort to obtain from manufacturers, producers, formulators, the Federal Environmental Protection Agency, or any other authoritative source, any new or updated information concerning the toxic substances in his or her workplace and to make such information available to all affected employees immediately.

VI. Notify all employees of their rights under this chapter.

VII. Send a copy of each safety data sheet with details of the specific locations of each toxic substance and available extinguishing agents to the local fire department. Such safety data sheets shall be available for public inspection at such fire departments.

VIII. Maintain on file at the workplace safety data sheets for a period of at least 30 years after discontinuation of the use of each toxic substance. In the event that the employer ceases operations or relocates, all safety data sheets shall be submitted to the department of labor to be maintained on file for the statutorily required 30 year period. All rights of access to safety data sheets provided in this chapter shall apply to the full 30 year period.

Source. 1983, 466:1, eff. Oct. 26, 1983. 2015, 141:2, eff. Jan. 1, 2016.

277-A:6 Employees' Rights if Information Not Provided. – Any employee who requests information about a toxic substance required pursuant to RSA 277-A:5, III may, if he does not receive such information within 5 working days, refuse to work with such substance until such time as the employer provides him with such information.

Source. 1983, 466:1, eff. Oct. 26, 1983.

277-A:7 Discharge or Discrimination for Exercise of Rights Forbidden. –

I. No employer shall discharge or cause to be discharged or otherwise discipline or in any manner discriminate against any employee, prospective employee or employee representative because that person has filed any complaint or has instituted or caused to be instituted any proceeding related to the provisions of this chapter, or has exercised any right provided in this chapter.

II. Any employee, prospective employee or employee representative who believes that he has been discharged, disciplined, or otherwise discriminated against by an employer pursuant to paragraph I shall, within 30 days of such violation, or 30 days after he first obtains knowledge of such violation, file a complaint with the commissioner of labor alleging such discrimination. Upon receipt of such a complaint, the commissioner shall conduct an investigation as he deems appropriate. If, upon investigation, the commissioner determines the allegation to have substance, he may refer the matter to the attorney general for appropriate action.

Source. 1983, 466:1, eff. Oct. 26, 1983.

277-A:8 Inspection by Department of Labor Permitted. –

I. If the commissioner or his designee finds, or has cause to believe, that any provision of this chapter is being violated, he may enter and inspect the premises of any employer's place of business and take samples of any unknown substance in order to ascertain compliance with this chapter. The laboratory services of the department of health and human services shall be made available to the department of labor for purposes related to enforcement of this chapter, subject to the availability of adequate laboratory support.

II. The following persons may, if they so desire, accompany such agent or employee of the department of labor:

(a) The affected employer.

(b) An employee of the affected employer or an employee representative.

III. It shall be a violation of this chapter for any person to interfere with the agent or employee of the department of labor in the discharge of his duties as prescribed by this chapter.

Source. 1983, 466:1. 1995, 310:181, eff. Nov. 1, 1995.

277-A:9 Penalty. – Any person who violates any provisions of this chapter shall be liable for a penalty of not more than \$2,500 for each such violation, to be collected in a civil action by the commissioner of labor. If the violation is of a continuing nature, each day during which it continues shall constitute an additional and separate offense.

Source. 1983, 466:1, eff. Oct. 26, 1983.

277-A:10 Construction of Chapter. – The provisions of this chapter shall be construed as being complementary to and not in lieu of any other law or of any rule adopted under authority of law relative to toxic substances or toxic waste including but not limited to RSA 147-A and RSA 147-B. However, any conflict between this chapter and an existing statute or rule shall be resolved at all times by following the stricter requirement.

Source. 1983, 466:1, eff. Oct. 26, 1983.

CHAPTER 281-A WORKERS' COMPENSATION

Section 281-A:64

281-A:64 Safety Provisions; Administrative Penalty. –

I. Every employer shall provide employees with safe employment. Safe employment includes but is not limited to furnishing personal protective equipment, safety appliances and safeguards; ensuring that such equipment, appliances, and safeguards are used regularly; and adopting work methods and procedures which will protect the life, health, and safety of the employees. For the purposes of this section, "employer" shall include railroads, even if the employees of such railroads receive compensation for work injuries under federal law rather than RSA 281-A.

II. All employers with 15 or more employees shall prepare, with the assistance of the commissioner, a current written safety program and file this program with the commissioner. After a written safety program has been filed, the program shall be reviewed and updated by the employer at least every 2 years. Employer programs shall, in addition to the specific rules and regulations regarding worker safety, include the process of warnings, job suspension, and job termination for violations of the safety rules and regulations set forth in the program. Where the employer is a public school district, administrative unit, or chartered public school, the safety program shall contain a plan for responding to violent acts committed by students against employees, volunteers, and visitors.

III. Every employer of 15 or more employees shall establish and administer a joint loss management committee composed of equal numbers of employer and employee representatives. Employee representatives shall be selected by the employees. If workers are represented by a union, the union shall select the employee representatives. The joint loss management committee shall meet regularly to develop and carry out workplace safety programs, alternative work programs that allow and encourage injured employees to return to work, and programs for continuing education of employers and employees on the subject of workplace safety. The committee shall perform all duties required in rules adopted pursuant to this section. For any public school district, administrative unit, or chartered public school, the joint loss management committee shall also address protocols for employees to follow in relation to workplace violence, including training. The department of labor shall adopt rules, pursuant to RSA 541-A, relative to safety programs, joint loss management committees, and employee safety in public schools.

IV. Employers subject to the requirements of paragraph III, other than employers participating in the safety incentive program under RSA 281-A:64-a, shall be placed on a list for early and periodic workplace inspections by the department's safety inspectors in accordance with rules adopted by the commissioner. Such employers shall comply with the directives of the department resulting from such inspections.

V. Notwithstanding paragraphs III and IV, an employer of 15 or more employees may satisfy the requirements of those paragraphs if such employer implements an equivalent loss management and safety program approved by the commissioner.

VI. The commissioner, in conjunction with the National Council of Compensation Insurance (NCCI), shall develop a list of the best and worst performers based on the experience modification factors promulgated by NCCI. The list shall include the top 10 lowest experience modification employers. The commissioner shall publicly recognize these low experience modification employers by presenting them with an award at the department's annual workers'

compensation conference. The list of the top 10 highest and lowest experience modification employers shall be provided to the advisory council. The department shall review any specific claim against any employer listed in the top 10 highest experience modification list in conjunction with the safety program on file with the commissioner.

VII. In order to assist self-insurers in developing experience modification factors, self-insurers may submit the appropriate statistical information to the National Council of Compensation Insurance for calculating experience modifications.

VIII. The commissioner may assess an administrative penalty of up to \$250 a day on any employer not in compliance with the written safety program required under paragraph II of this section, the joint loss management committee required under paragraph III of this section, or the directives of the department under paragraph IV of this section. Each violation shall be subject to a separate administrative penalty. All penalties collected under this paragraph shall be deposited in the department of labor restricted fund established pursuant to RSA 273:1-b.

IX. [Repealed.]

Source. 1990, 254:36. 1994, 3:19. 1997, 343:9, 10, eff. Jan. 1, 1998. 2010, 134:1, eff. July 14, 2010. 2012, 144:1, 2, 4, I, eff. Jan. 1, 2013. 2019, 134:20, eff. June 25, 2019; 346:142, eff. July 1, 2019. 2020, 38:11, eff. Sept. 27, 2020.



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TOWN OF HENNIKER, NEW HAMPSHIRE

STAFF REPORT

DATE: 6/21/2021

TITLE: Wastewater Treatment Plant, Belt Press Building Roof Replacement

INITIATED BY: Ken Levesque, Wastewater Superintendent

PREPARED BY: Ken Levesque, Wastewater Superintendent

PRESENTED BY: Joseph R. Devine, Jr., Town Administrator

AGENDA DESCRIPTION:

We went out to bid for the for the second time (no bids received the first time) for the replacement of the metal roof of the Belt Press Building.

We received 2 bids:

1. Griffin Construction, 3 options, \$50,888.43, \$55,381.54, and \$61,867.89 Based on the thickness/quality of the metal roofing material.
2. R&H Roofing, LLP for \$155,358.00

I recommend the low bidder, Griffin Construction, Option #2: Everlast PBR Commercial Grade 26 Gauge Metal. This was the only bidder to come see the job in person.

Legal Authority: N/A

Financial Details: \$61,867.89
To be taken from the Wastewater Treatment Unreserved Fund Balance, which has a current balance of \$467,154.84

Town Administrator Comment:
Concur

Suggested Action/Recommendation:

Suggested Motion: The Town of Henniker awards the bid to Griffin Construction to replace the metal roof on the belt press building at the Wastewater Treatment Facility. The awarded amount is for \$61,867.89, to come from the Wastewater Treatment Unreserved Fund Balance, we also authorize the Town Administrator to sign all necessary paperwork.



42 Cheshire Turnpike
Langdon, NH 03602

06.14.2021

Town of Henniker
c/o Mr. Joseph R. Devine, Jr
18 Depot Hill Road
Henniker, NH 03242

RE: Henniker Belt Press Building, 199 Ramsdell Road, Henniker, New Hampshire.

Griffin Construction submits the following options for metal roof replacement at the Henniker Belt Press Building, 199 Ramsdell Road, Henniker, New Hampshire.

Estimate for roof replacement with Everlast corrugated metal in standard color options. Job is estimated per bid request dated 05/2021 and on-site evaluation dated 05/26/2021. Options provided: Everlast II 28 Gauge Lynx metal, Everlast PBR Commercial Grade 26 Gauge Metal, Everlast PBR Commercial Grade 24 Gauge Metal.

Option #1: Everlast II 28 Gauge Lynx Metal

- Mobilization, provide temporary perimeter at work area.
- Provide temporary protection of all landscaping, sidewalks, patios and entrances.
- Remove and dispose of existing corrugated metal roofing and associated underlayment's at main building, 1 story addition and shed roof.
- Install 6' Certainteed H.T. Ice and Water 6' at eaves of 1 story addition.
- Install Diamond Deck underlayment at remainder of 1 story addition.
- Install new rake metal, ridge cap and rubber end closure strips.
- Install new roof flashing at roof penetrations and transitions.
- Install Everlast II 28 Gauge Lynx Metal in standard color options at main building, 1 story addition and shed roof.
- Install total of 120 LF of S-5 snow rails. Snow rails to be color matched.
- Proposal includes: Materials, labor, manlift for duration of project, portable toilet, staging and site protection.
- Proposal excludes: rot repair, sheathing work at other buildings on location and work outside of above listed scope.

Base Price.....\$50,888.43

Thank you for your business!
Proposal valid for 30 days.

Option #2: Everlast PBR Commercial Grade 26 Gauge Metal

- Mobilization, provide temporary perimeter at work area.
- Provide temporary protection of all landscaping, sidewalks, patios and entrances.
- Remove and dispose of existing corrugated metal roofing and associated underlayment's at main building, 1 story addition and shed roof.
- Install 6' Certainteed H.T. Ice and Water 6' at eaves of 1 story addition.
- Install Diamond Deck underlayment at remainder of 1 story addition.
- Install new rake metal, ridge cap and rubber end closure strips.
- Install new roof flashing at roof penetrations and transitions.
- Install Everlast PBR Commercial Grade 26 Gauge Metal in standard color options at main building, 1 story addition and shed roof.
- Install total of 120 LF of Snow Trax snow cleats. Cleats will be similar color – cannot be color matched. Snow rails are not compatible with the commercial grade metal.
- Proposal includes: Materials, labor, manlift for duration of project, portable toilet, staging and site protection.
- Proposal excludes: rot repair, sheathing work at other buildings on location and work outside of above listed scope.

Base Price.....\$55,381.54

Option #2: Everlast PBR Commercial Grade 24 Gauge Metal

- Mobilization, provide temporary perimeter at work area.
- Provide temporary protection of all landscaping, sidewalks, patios and entrances.
- Remove and dispose of existing corrugated metal roofing and associated underlayment's at main building, 1 story addition and shed roof.
- Install 6' Certainteed H.T. Ice and Water 6' at eaves of 1 story addition.
- Install Diamond Deck underlayment at remainder of 1 story addition.
- Install new rake metal, ridge cap and rubber end closure strips.
- Install new roof flashing at roof penetrations and transitions.
- Install Everlast PBR Commercial Grade 24 Gauge Metal in standard color options at main building, 1 story addition and shed roof.
- Install total of 120 LF of Snow Trax snow cleats. Cleats will be similar color – cannot be color matched. Snow rails are not compatible with the commercial grade metal.
- Proposal includes: Materials, labor, manlift for duration of project, portable toilet, staging and site protection.
- Proposal excludes: rot repair, sheathing work at other buildings on location and work outside of above listed scope.

Base Price.....\$61,867.89

Thank you for your business!

Proposal valid for 30 days.

Time and Material rates for rot repair / work outside of listed scopes:

Labor Rates:

- Project Manager: \$75.00 per hour
- Superintendent: \$65.00 per hour
- Foreman: \$55.00 per hour
- Laborer: \$50.00 per hour
- Travel: \$45.00 per hour

Materials: cost + 10% mark up.

*Work to be completed prior to snowfall 2021, working hours Monday -Friday 7am -3:30pm excluding major holidays.
Proposal valid for thirty days (30) due to materials market volatility. Literature enclosed in bid package for specified products.*

Thank you for your business!
Proposal valid for 30 days.

R & H ROOFING, LLP

59 South Street, Easthampton, MA 01027

(413) 527-9378 - PH

(413) 527-8244 - FX

6/11/2021

ESTIMATE

NH Belt Press Building

199 Ramsdell Road, Henniker NH

Metal Roofing

1. Remove the existing roofing down to wood decking.
2. Furnish and install High Temp Ice & Water Barrier to the entire roof.
3. Furnish and install MBCI 24" wide Ultra-Dek metal roofing system to wood decking. Metal roofing panels are to be 24GA standard color options.
4. Furnish and install all applicable trims & flashing to manufacturer's specifications.
5. Furnish and install 2 rows of snow rail system 30' long to each side of the front of the building.
6. Clean up and remove any and all related debris.
7. Applicable taxes & permit fees included.

Schedule of Values

<u>Scope</u>	<u>Cost</u>	<u>Notes</u>
MBCI Metal Roofing	\$155,358.00	Includes Manufacturer's 20-Year Watertight Warranty

Assumptions, Clarifications, And Exclusions

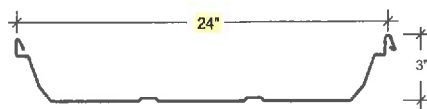
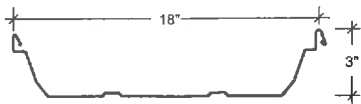
- There are no drawings or specs that have been provided. R&H Roofing LLP has assumed that there is a wood deck existing and we will be using MBCI Ultra-Dek metal roofing system. See attached PDS. If any alterations are to be made to the scope above, additional fees may apply.
- We have assumed that no insulation will be installed on this project.
- Any and all soffit panels are not included in our bid.
- Any and all handling/removal of asbestos and/or hazardous containing materials is not included in our bid.
- Delegated design, engineering, surveying, special inspections are not included in our bid.
- Furnishing and/or installation of deckings, furring strips, and all structural work is not included in our bid.
- Any and all plumbing, HVAC, HVAC curbs, electrical, fire protection, etc. is not included in our bid.
- Any and all wood products are not included in our bid.
- Any and all bonds have not been included in our bid.
- R&H Roofing is not a registered MBE/SBE/WBE business.
- Prevailing wage rates have not been included.
- Construction control is not included.
- Winter conditions including snow removal are not included.



STANDING SEAM METAL ROOFING

ULTRA-DEK®

The Ultra-Dek® roof panel is a snap-together, trapezoidal leg standing seam roof system. Ultra-Dek® panels are available in 18" and 24" widths. Ultra-Dek® requires a minimum slope of ¼:12 and is ideal for industrial, commercial and architectural applications. Ultra-Dek® can be erected on various types of construction.



Features and Benefits:

- Begins and ends in the high, reducing the risk of leakage at the rake that can occur when finishing in the low.
- Low and high clips are available to allow for various thicknesses of insulation to be installed between the panels and purlins.
- Numerous UL 580 Construction rating are available, as well as UL 790, Class A for external fire, numerous roof assemblies for UL 263 for internal fire and the UL 2218 Class 4 impact rating.
- Ultra-Dek® carries Florida approval rating.

Product Specifications

- Applications: Roof
- Coverage Widths: 18", 24"
- Minimum Slope: ¼:12
- Panel Attachment: Concealed Fastening System; Low, High, Fix and Sliding
- Gauges: 24 (standard); 22
- Finishes: Smooth (standard); Embossed (optional)
- Coatings: Galvalume Plus®, Signature® 200, Signature® 300, Signature® 300 Metallic

ULTRA-DEK®

STANDING SEAM METAL ROOFING

CATEGORY	CHARACTERISTIC	TEST METHOD	PURPOSE	RESULT
ENVIRONMENTAL	Air Leakage Through Roof Panel Joints	ASTM E1680	Determines the air leakage characteristics of metal roof panels under specified air pressure differences at ambient conditions	0.251 cfm/ft ² at 6.24 psf static pressure 0.502 cfm/ft ² at 12.00 psf static pressure
	Water Penetration Through Roof Panel Joints	ASTM E1646	Determines the resistance to water penetration of metal roof panels under uniform static air pressure difference	No uncontrolled water penetration through the panel joints at a static pressure of 12.00 psf
	Impact Resistance	UL 2218	Determines Impact Resistance of prepared Roof Covering Materials	Class 4 Rating
FIRE RESISTANCE	Room Fire Performance	UL 790	Standard for Standard Test Methods for Fire Tests of Roof Coverings	See Class A Fire Rating Data Sheet
	Room Fire Performance	UL 263	Standard for Fire Tests of Building Construction and Materials	For use in Design Nos. P225, P227, P230, P237, P265, P268, P508, P510, P512, P701, P711, P720, P722, P726, P731, P734, P801, P815, P819.
STRUCTURAL	Uplift Resistance	ASTM E 1592	Provides a standard procedure to evaluate or confirm structural performance under uniform static air pressure difference	See Load Chart Section
	Gravity Loads	AISI S100	North American Specification for the Design of Cold-Formed Steel Structural Members	See Section Properties and Allowable Load Table Section
	Roof Performance Underwriters Laboratories	UL 580	Determines the uplift resistance of roof assemblies consisting of the roof and roof coverings materials	Class 90 Rating - Construction Number 165, 180B, 205, 205A, 286, 308B, 534, 535, 536, 537 and 541.
ROOF LISTINGS	Roof Performance Florida Approval	ASTM E 1592 FM 4471 UL 790	Florida product approval is the approval of products and systems, which comprise the building envelope and structural frame, for compliance with the structural requirements of the Florida Building Code.	See FL# 11819.5

Descriptions and specifications contained herein were in effect at the time this publication was approved for printing. In a continuing effort to refine and improve products, MBCI reserves the right to discontinue products at any time or change specifications and/or designs without incurring obligation. To ensure you have the latest information available, please inquire or visit our website at www.mbc.com. Application details are for illustration purposes only and may not be appropriate for all environmental conditions, building designs or panel profiles. Projects should be designed to conform to applicable building codes, regulations and accepted industry practices. If there is a conflict between this manual and project erection drawings, the erection drawings will take precedence. MBCI's insulated metal panel product line is manufactured by Metl-Span®. © 2020 MBCI®, part of the Cornerstone Building Brands family. All rights reserved. 0706209991141/RevA/MS/0720





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: 7/20/2021
TITLE: Tree Removal
INITIATED BY: Leo Aucoin, Highway Superintendent
PREPARED BY: Joseph Devine, Town Administrator
PRESENTED BY: Joseph Devine, Town Administrator

AGENDA DESCRIPTION:

In speaking with the Highway Superintendent, we have some trees around the downtown that appear close to their end of life. The Highway Superintendent working with Jeff Dearborn from Old Yankee Tree has checked these trees to see if they can be saved or should be removed.

Community Park: There are two trees in the community park. The first one is a small but utterly dead tree. The second is along the border with NEC. This tree shows evidence of bail rot and is hollow on the inside. This tree is a significant safety issue.

Academy Hall: There is a large maple in the front of the property, becoming a safety issue. You can see the dying branches, and the tree also is recommended for removal.

Western Ave: This tree is located in front of Western Ave Pizza. We have been having branches fall, and this tree is a safety concern. The entire middle of the tree is now dead.

Leo will be coordinating the removal of these trees for the town should the Board be okay with the disposal.

Legal Authority: N/A

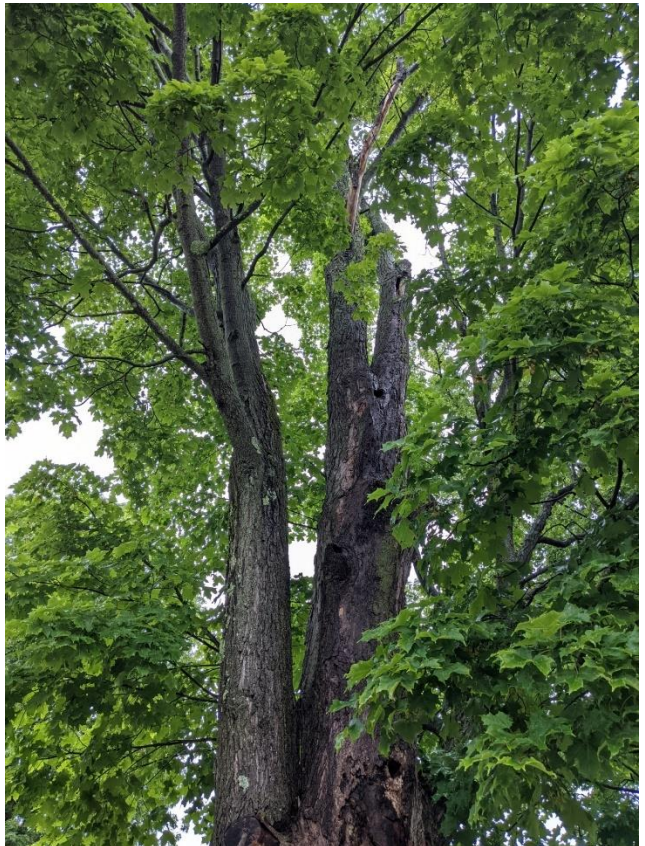
Financial Details:

Town Administrator Comment:

Concur

Suggested Action/Recommendation:

Suggested Motion: Authorize the Town Administrator to have Old Yankee Tree remove these trees due to safety concerns.







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Incorporated November 10, 1768
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TOWN OF HENNIKER, NEW HAMPSHIRE

STAFF REPORT

DATE: 7/20/2021
TITLE: Committee/Commission Openings – Seeking Volunteers
INITIATED BY: Wendy Baker, Executive Secretary
PREPARED BY: Wendy Baker, Executive Secretary
PRESENTED BY: Joseph R. Devine, Jr. Town Administrator

AGENDA DESCRIPTION:

See the 2nd page for a listing of what Committees/Commissions have for openings coming up in September.

Legal Authority: N/A

Financial Details: N/A

Town Administrator Comment:

Per Selectmen Policy II.4 (Town Committees and Boards), we have notified all committee and board members that are due to expire. If a member desires to seek reappointment, they must file a written request for reappointment no later than July 31st. We will also publicly advertise all anticipated and known committee board openings and solicit volunteer applications for these openings.

Suggested Action/Recommendation:

No formal action is required at this time.

Committee/Commission	Openings
Athletic Committee (20*)	1 full member expiring 13 full members open
Azalea Park/Riverwalk Committee (9 & 3 alt)	3 full members expiring 2 full members open 2 alternate members open
Ballot Clerks	1 full member expiring
Budget Advisory Committee (11)	1 full member expiring 7 full members open
Byway Advisory Council	1 full member expiring 1 Planning Board open 1 New England College open 1 Planner or Land Use Coordinator open 1 Conservation Commission open 1 Historic Society/Historic District open 1 Highway Safety open
Community Center Activities Committee (11*)	10 full members open
Concert Committee (7)	2 full members expiring
Conservation Commission (7* & 3 alt)	3 full members expiring 1 full member open 3 alternate members open
Economic Development Committee (7* & 3 alt)	1 Planning Board open
Energy Committee (5*)	1 full member expiring – No Chair listed
Fair Hearings Committee (3)	1 full member open – No Chair listed
Highway Safety Committee (11*)	2 full members expiring 2 full members open
Historic District Commission (7* & 5 alt)	4 full members expiring 1 full members open 5 alternate members open
OHRV Committee (11*)	5 full members open
Road Management Committee (9*)	4 full members expiring 3 full members open
SHOT (13)	9 full members open
Zoning Board of Adjustment (5 & 5alt)	2 full members expiring 4 alternate members open

Those committees with an asterisk () will include a member of the Board of Selectmen

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**Town of Henniker
Board of Selectmen Meeting
Tuesday, June 1, 2021
Henniker Community Center**

Members Present: Chairman, Kris Blomback; Vice Chair Tia Hooper; Selectman Peter Flynn; Selectman Scott Osgood; Selectman Leon Parker

Town Administrator: Joe R. Devine Jr.

Recording Secretary: Kelly McCutcheon

Guests: Rocky B., Jerry G., W. French, Bill Marko, Lori Marko, Heidi Aucoin, Joan O'Connor, Tom Dunn, Jenn McCourt, Marc McMurphy, Lynn Morse, James Morse, Johanna Hauptman, Susan Adams, Chazz Freeman, Police Chief French, Officer Cole Bannister & Fiancée Brittany, Officer Alicia Burton, Officer Mitchell & family, Lieutenant Danielle & husband, Officer Rachel & family, Debrah, Doreen Connor, Zachary Dodge, Steve Carson

Item 1: Consent Agenda for May 13, 2021
Item 2: Consent Agenda for May 19, 2021
Item 3: Consent Agenda for May 26, 2021
Item 4: Consent Agenda for June 1, 2021

Vice Chair Hooper moved to approve the consent agendas as presented. Selectman Flynn seconded. Motion carried 5-0.

Public Comment#1

Jennifer McCourt spoke regarding the nonstandard reflector post within the right of way on Davison Road at the intersection of Liberty Hill & Bacon Road. Selectman Parker stated they were removed in the fall after the Highway Supervisor spoke with the landowner. Chair Blomback stated he would get back in touch with Jennifer on the subject.

Jennifer McCourt also spoke regarding there being in public input on the noise ordinance and requested a point of order since as written the ordinance severely impacts land use and should be put on the ballot to be voted on at Town Meeting as outlined in the RSA.

Bill Marko stated the Town Hall Streams was not live. Joe Devine stated he was presently online with tech support.

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Lori Marko thanked everyone who was involved and got the Memorial Day Parade up and running again. She stated it would have been nice if there had been more notice as many residents did not know about it.

Public Hearing

Item 5: Chapter 25- Building fees

There was no Board comment or discussion, Joe Devine reviewed the charges of the old system compared to the new proposed charges. Bill Marko stated that when working the committee to determine the fees, the committee tried to make it comparable with surrounding towns and almost equal to the towns around Henniker.

Vice Chair Hooper moved to accept Chapter 25 Building fees as written. Selectman Flynn seconded. Motion carried 5-0.

New Business

Item 6: Police Department Recognition

Police Chief French stated in May 2020 Officer Dennis left to Join the Fire Office and his position was filled by Cole Bannister who completed the Academy in April and was pinned by fiancée Brittany.

Alicia Burton had previously completed the part-time academy before being sworn in but has since completed the full-time academy and was presented with a letter of commendation.

December 2020 Mike Martin retired after 20 years and Officer Michelle Danielle's was promoted to Lieutenant and Officer Mitchell was promoted to Sargent and pinned by his wife & 3 children.

Lieutenant Danielle's was pinned by her husband.

Officer Rachel Len was hired after the retirement of Mike, previously serving 6 years in Litchfield, and was pinned by her children.

Chief French thanked the entire staff for their efforts in the past year with the rules constantly changing, being short staffed, the department never stopped responding the calls and managed very well. He stated he is proud to be their Chief.

Selectman Flynn stated that police department would not have the improved benefits and pay had the Board not supported the Chief and credited the Chief for taking initiative and asking for it on their behalf. Selectman Flynn stated the police department has the best Chief in the State of New Hampshire.

Item 7: Top Dog Contest

The winner is tag 204.

DRAFT

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Item 8: Henniker Youth Theatre Camp- Tom Dunn

Tom Dunn & Debrah spoke at length about the transition period and celebrating the 21st year of Henniker Youth Theatre Camp. There was discussion with the Board regarding the rental fee of the band stand and Tom Dunn's request to waive the fee. Selectman Flynn did not the camp to have access to the Community Center or bathrooms within and stated the camp will need to rent a porta pottie.

The Board struggled with the request to waive the fee as the band stand and community center are in high demand for numerous groups, activities, & events. Henniker residents can rent the band stand or community center for \$25 for 4-hour increment. For non-residents the rate is \$100 for 4-hour increment.

Chair Blomback moved to authorize use of the band stand for 3 weeks to the Henniker Youth Theatre Camp at a charge of \$250 per week, not including use of the Community Center, and shutting down by 3pm on Thursday for the farmer's market. Selectman Flynn seconded. Motion carried 4-1 (Osgood).

Item 9: RSA 79E Application

The first application for RSA79E comes from Marc McMurphy for 19 Rush Road. Marc McMurphy stated he had purchased as a 2family and thru variances and exceptions granted through the Planning Board and Zoning Board Authority is in the process of making it a 3family. By becoming a 3family more stringent codes are enforced and a sprinkler system will be added to the property, in addition to "green up" the property as much as possible and move away from oil.

Marc McMurphy stated that he is trying to plan for what people want in downtown housing and what the modern rented expects. At this time, he is unable to estimate the exact cost but see it exceeding the \$75,000 minimum threshold.

Selectman Osgood asked about the special variances and exceptions. Marc McMurphy stated that 75% of the properties down town do not meet current zoning regulations, thus variances and exceptions were needed from the Planning Board and Zoning Board to proceed. Additionally, because Rush Road is a State-owned Road he also worked with the State. He asked if the Board required more information. Vice Chair Hooper stated the Board will schedule a public hearing for the next meeting to deliberate the application and see if it meets the criteria for public benefit. The public will be able to comment at that time.

Item 10: 1st Reading – Noise Ordinance

DRAFT

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

Attorney Connor, representing the Connor's, presented the Noise Ordinance that was drafted with the Police Chief. Attorney Connor stated the purpose was to amend and address track noise that is polluting and making homes of the residents on Temple Road unlivable.

The noise ordinance only addresses vehicle use on private property, not public ways. The ordinance will also be amended to exclude noise from lawn mowers and other landscaping or snow removal equipment. Businesses are exempt from the noise ordinances on the books. The new Noise Ordinance will impose a fine on the property owner, not the rider causing the noise.

Selectman Osgood stated that people have the right to not have noise poison their home and have a right to privacy and a comfortable place in their homes, and if not the Town owes them something.

Selectman Parker moved to advance to a second reading. Selectman Flynn seconded. Motion carried 5-0.

Item 11: Police Department MDT Purchase

Police Chief French stated he would like to purchase a new laptop for the newest cruiser from the expendable trust. The current laptop would be installed in the Chief's cruiser.

Vice Chair Hooper moved to authorize the purchase a MDT for the Police Department. Selectman Parker seconded. Motion carried 5-0.

Chief French stated he is redoing the grant from Fish & Game for ATV details and requested updated permission from the Board to pursue the grant.

Vice Chair Hooper moved to authorize Police Chief French to sign the Fish and Game grant application and the Board of Selectmen approves of the grant. Selectman Flynn seconded. Motion carried 5-0.

Chief French stated he provided the Financial Director with a check last week from evidence that had been auctioned off. Joe Devine stated the Homeland Security Grant was approved for the Communication Tower on Craney Hill.

Item 12: Transfer Station – MSW Solid Waste RFP

Joe Devine explained the difference between single stream and how the Transfer Station currently operates. With single stream the town will lose the revenue generated from cans, plastic, cardboard. Joe Devine recommended Norton for the contract.

Selectman Parker moved to award the bid to Norton for a 5-year contract and to authorize the Town Administrator to sign all the paperwork. Vice Chair Hooper seconded. Motion carried 5-0.

DRAFT

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Item 13: Wastewater Treatment Collection System Maintenance, 2021 Clean and CCTV Inspection

Selectman Flynn moved to award to Vortex Services and authorized the Town Administrator to sign all the paperwork. Selectman Parker seconded. Motion carried 5-0.

Item 14: Hiring of Zachary Dodge

Selectman Flynn moved to hire Zachary Dodge fulltime at the transfer station effective June 1, 2021 and set position as labor grade 15 step 1. Vice Chair Hooper seconded. Motion carried 5-0.

Item 15: 2nd Reading – Ethics

Selectman Flynn requested to postpone until the next meeting as he is not comfortable voting at this time. Vice Chair Hooper agrees given it was not publicly available and in the best interest at this moment to postpone until the next meeting.

Vice Chair Hooper moved to post pone until the next meeting so that the policy may be distributed to the Board to fully review as well as the public. Selectman Osgood seconded. Motion carried 5-0.

Item 16: 2nd Reading – Chapter 25 – Building Fees Completed.

Item 17: 2nd Reading – Merit System

Joe Devine reviewed the proposed merit system with the current step system. Vice Chair Hooper voiced her concerns over employees receiving a wage increase when there have been documented issues of performance. Joe Devine explained it's a scale of 0-4 and that if there are areas that need improvement, they would not receive the full merit. Vice Chair Hoper again stated step increases should not be given out just for showing up. Chair Blomback stated the Board tasked Joe with coming up with a better system and this is the first draft.

Jerry Gilbert, speaking as Chair of the Water Commission stated the Water Commission was blind sided and unaware of new increase which will impact the Water Budget. It was determined Water Commission Chair Gilbert was referring to longevity pay the Board approved at 75% proposed funding.

Vice Chair Hooper reiterated her concerns regarding quality of work and understand and compliance of town employees and that meeting the bare minimum does not qualify for a raise. Chair Blomback stated it is impossible to every single employee to excel in every single aspect and continually be firing on all 6 cylinders. Chair Blomback stated some employees maybe content with a 1% merit raise instead of 4% and the employee has the right to leave that money on the table. Chair Blomback stated this is a great first step Joe presented. Vice Chair

DRAFT

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Hooper stated her concern about Board not being directly involved in raises and approval of raises.

Selectman Osgood stated everyone is different and no one is perfect in addition to the fact it is already hard to find personnel today and this proposed merit system is a great place to start. Selectman Parker agreed with Selectman Osgood and stated it should be worked with as is since it can be amended next month, next year, but the Board needs to see how it works or if it works.

Vice Chair Hooper stated she wanted to see all the reviews done at once. Selectman Parker stated there is no reason for the Board to be involved in all the individual employee reviews because if the Board was all the staff would quit. Vice Chair Hooper stated Selectman Parker was being too emotional and that the Board needs to see why employees are given an increase. Selectman Osgood stated in agreement with Selectman Parker, that reviews and raises of every single employee is not the Board's job, it is the Town Administrator's job.

Public comment on the Ethics 2nd reading:

Jennifer McCourt agreed with Vice Chair Hooper than unless the employee has an overall satisfactory, they should not be getting the raise but cautioned about disgruntled employees when it is known who is and who is not getting raises.

Bill Marko stated he has given 100's of performance reviews and there is no employee who hits on all cylinders. He also agreed with Chair Blomback that employees can choose to leave money on the table. He stated the performance review is a tool to improve performance and threatening a perfect score or nothing system is going to be tough to implement and keep staff motivated.

Vice Chair Hooper stated it happens in every organization and in the past employees have had poor performance and still received a wage increase. Bill Marko suggested an evaluation period to see what happens.

Jerry Gilbert stated he sees merit increase as more productive and motivational than step increases and would prefer the town switch to the merit system over the step system. He also agreed with Selectman Parker regarding reviews not being the Board's job.

Marc McMurphy stated he finds it helpful to do quarterly reviews with employees to narrow down accountability. He also stated the labor market is very tight right now and that losing an employee will cost more hiring someone at a higher rate in addition to training them.

Steve Carson stated the merit system works great in construction and also advised on documented reviews quarterly

Selectman Parker moved to waive the 3rd reading and adopt the policy change as presented. Selectman Flynn seconded. Motion carried 5-0.

DRAFT

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Item 18: Acceptance of Board of Selectmen Minutes May 4, 2021

Selectman Osgood moved to approve the minutes as amended. Vice Chair Hooper seconded. Motion carried 5-0.

Item 19: April Department Reports

In packet.

Item 20: Town Administrator's Report

COVID-19 Update—As of May 27, 2021, we have ZERO active cases. We have had ZERO new cases in the past fourteen days, a total of 244 cumulative cases (4.9% of the population), and 7,006 tests have been conducted for residents of Henniker.

- Concert Committee—I have been in discussion with the Concert Committee about the 2021 season. As we continue to see increases in vaccination rates and the State continues to allow more activities. I recommend we inform the Concert Committee they do not need to place fencing around the park or mark out 6ft. squares.
- NEC Update—During my regular updates from New England College, I was asked to pass on that New England College requires COVID-19 vaccination for all students, faculty, and staff. The College has held vaccination clinics on campus and plans more in the future but made this announcement to give all community members time to get their shots before the fall semester begins in mid-August.
- Road Signs Around Town—The Highway Superintendent is in the process of updating speed limit signs around town. The signs will read:

Town of Henniker
SPEED LIMIT 25
All Dirt Roads Unless Otherwise Posted
Per Order Henniker Board of Selectman
- Credit Cards at Town Hall—The Town Clerk/Tax Collector's office now accepts credit card payments. If you would like to utilize your credit card in person, you may pay for Taxes, Vehicle Registration, Vital Records, and Dog Licenses. You can also use your credit card online from our website; you may do so for Vehicle Registration, Vital Records, and Dog Licenses. Please be advised the vendor charges a 2.79% fee and a \$1.50 minimum to use a credit card.
- Vacation/Sick Time on Checks: I have spoken with Russ about this. Russ did reach out to the Payroll company on 05/25/21. Russ states he is struggling to incorporate the vacation, sick and compensatory time and review the content for accuracy before uploading the data to the payroll service and still hit the ACH deadlines. The algebra portions of the sick policy are also a system snag right now. ($x - 520 = y/2 = \text{sicktime payout}$) X is the variable for the amount of time the employee has, 520 is the cap, and y is the overage which relieves the sick time and payout 50% of the overage. I plan on working with Russ over the next two weeks to figure the best solution.

The Selectmen meeting scheduled for June 15th has been moved to June 22nd

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Item 21: Selectmen Reports

Selectman Parker stated the road contractors have had issues sourcing material. Joe Devine stated pipe was dropped off today. Selectman Parker stated for the record he seriously objects to the Planning Board's letter to the Zoning Board telling them how to do their job as it was unacceptable and repulsive.

Selectman Flynn stated the Safety Committee sent a memo out to members to schedule a meeting and although he had a hard time attending Athletic Committee meetings, he still receives copies of the minutes.

Vice Chair Hooper stated the letter sent to the Zoning Board by the Planning Board was requesting the standards be fairly and consistently applied moving forward since there was a no documentation or rational on why the variance was granted. She stated it was seen in the live stream and recorded in the minutes that the criteria questions were not asked of the application that prompted the cordial letter. She stated the email response received back from the ZBA and Selectman's Representative Parker was over the top and did not address the request.

Selectman Parker stated he stands by the Zoning Board's Chair's response to the letter and adds to it stated if Vice Chair Hooper has something to say about how the Zoning Board works then she should volunteer for the Zoning Board and join that Board, but otherwise the Planning Board can keep their nose out of the Zoning Board and the process they use. Vice Chair Hooper stated that after the emails went back and forth, she did have a chance to speak to Chair Connor by phone and at the next ZBA meeting Chair Connor will be bring up the topic to have a discussion about the 5 questions and how they can make sure that everything is standardly put forth for each applicant, treating them all the same. Selectman Parker asked if Chairman Hooper is saying that the Zoning Board is not treating all applicants fairly? Vice Chair Hooper answered that it is documented that the Chair of the Zoning Board is on tape asking to go through the 5 criteria and the Town Planner stated the Board does not always go through the criteria when determining an application.

Chair Blomback had no report.

Selectman Osgood is meeting with the Conservation Commission tomorrow night.

Joe Devine stated the Economic Development Committee will present to the Board regarding the intersection of Route 127 and potential economic development.

Public comment #2

Jerry Gilbert, representing the Water Commission, stated the Commissioners are holding an emergency meeting tomorrow night to discuss carrying pipe further around Circle Street and trying to be proactive with NEC's discussion to expand the athletics facility. Currently there is a

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4inch pipe present and while the road is dug up the Commission will discuss upgrading to a 10inch pipe to the new pavement line for when NEC is ready to expand and will need a greater water supply. The meeting will take place at 5pm at the Water Department Office on Davison Road.

Bill Marko as the Planning Board Vice Chair, stated the Planning Board is well aware the Zoning Board does not report to the Planning Board and were not trying to tell them how to do there business, but fairly respectfully requested they follow the RSA outlined and cautioned the attitude that no Board, Committee, Commission, elected or appointed person is beyond reproach and criticism and did not understand the heavy response back.

Heidi Aucoin stated as a Planning Board Member and resident, it is the principle of procedure and transparency and making the public understand how the conclusion was reached and fear of favoritism since the applicant also is a resident and not all applicants before the Zoning Board are residents.

Steve Carson wished to speak on the noise ordinance and Chair Blomback would not hear it. Steve will return to speak at the next meeting.

Vice Chair Hooper moved to adjourn. Selectman Flynn seconded. Motion carried 5-0.

Meeting adjourned at 8:30.

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**Town of Henniker
Board of Selectmen Meeting
Tuesday, June 22, 2021
Henniker Community Center**

Members Present: Vice Chair Tia Hooper; Selectman Peter Flynn; Selectman Scott Osgood; Selectman Leon Parker

Member's Excused: Chairman Kris Blomback

Town Administrator: Joseph R. Devine Jr.

Recording Secretary: Wendy Baker

Guests: Bill Marko, Lori Marko, Heidi Aucoin, Joan O'Connor, Doreen Connor, Marc McMurphy, Arnie Huftalen, Ruth Cox, Melanie Connor, Patrick Connor, Mark Mitch, Ross Bennett, Jan Seavey, Tom Seavey

Call to order/Pledge of Allegiance

Vice-Chair Hooper called the meeting to order at 6:15pm

Consent Agenda

Item 1: Consent Agenda for June 22, 2021

Selectman Parker moved to approve the consent agenda as presented. Selectman Flynn seconded. Motion carried 4-0.

Public Comment #1

Ruth Zax representing the Henniker Concert Committee asked the Board to give them permission to have a rain date for the concerts that are cancelled due to weather. She suggested having a rain date on the day after the original concert on Wednesday.

Selectman Flynn moved to allow the Concert Committee to conduct a rain date at the park, barring any conflict on the evening after or any evening they choose. Selectman Osgood seconded. Motion carried 4-0.

Public Hearing

Item 2: 19 Rush Road – RSA 79E Application

Joe Devine explained that at Town Meeting 2020, the town passed RSA 79E, which is a tax relief program for development in the downtown. The structure must be within .6 miles of Proctor Square and the cost of the rehab must be at least 15% of the rehab, assessed value or \$75,000, whichever is greater and to qualify for the tax relief, the project must provide one of the following public benefits: 1. Enhance the economic vitality of the Town Center. 2. Enhance or improve the cultural historical importance on a local, regional, state or national level. 3. Promote

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development of a professional residential or Town Center zoning district. 4. Increase residential housing diversities and opportunities.

Joe said the applicant has given a brief description of what he is planning at a previous meeting and this is a public hearing for the public to weigh in on what they feel is in the public benefit or not for this application.

Marc McMurphy said the property on 19 Rush Road was a two-family and he went through the Zoning and Planning Boards to change it into 3 units. He said this project has taken substantial work to make this change, they have rebuilt the entire center of the house and have made 2 one bedroom apartments and 1 two bedroom apartment with enough parking for the 3 units.

Vice-Chair Hooper opened up the Public Hearing to questions from the public.

Heidi Aucoin asked if the Board has set any parameters for vetting these type of applications?

Vice-Chair Hooper said it was her understanding that the Board has 45 days from the date of application to make a decision and the Board will discuss the decision under item 8 of this meeting.

Seeing no other public comments, Vice Chair Hooper closed the Public Hearing.

New Business

Item 3: Conservation Committee – Clean Water Revolving Fund RFP

Mark Mitch spoke to the Board regarding implementing the project on Keyser Pond and thereby choosing a consulting firm. He said they initially had three firms that were interested but only ended up with one response on the Request for Qualifications. Mark said the firm that responded is Gomez and Sullivan and their response is very thorough, which leaves him with no reservations but they do have to make sure it meets the criteria for NH DES.

Selectman Osgood said in the proposal Gomez and Sullivan suggested bringing together a team to help with the studies and he asked if that meant towns people or engineers? Mark answered he thought it would be members of the Conservation Commission and different land owners involved. Selectman Osgood asked how long the project would take? Mark answered they hoped to start in July and it would take about 16 months and that he has already started the data collection. Mark said the next deadline is submitting the loan application to NH DES. He said this is a \$60,000 loan that upon completion of the project the loan is forgiven. Mark said they have been working with NH DES every step of the way for this project.

Selectman Parker moved to authorize the Town Administrator to sign the paperwork to contract with Gomez and Sullivan for the French and Keyser Ponds Project to be funded by the Clean Water State Revolving Fund. Selectman Flynn seconded. Motion carried 4-0.

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Item 4: Sale/Disposal of Surplus Equipment

Joe said he would like to reach out to St. Jean Auctioneers to have an online bidding for a 2013 sedan, police cruiser with estimated mileage of 140,000 and a John Deer riding lawn mower that has 656 hours on it. He then said the Transfer Station also has a broken utility trailer and snowblower they would like to scrap.

Selectman Flynn moved to authorize the Town Administrator to use St. Jean Auctioneers to sell the 2103 Ford Sedan and John Deer riding mower and also dispose of the utility trailer and snowblower. Selectman Parker seconded. Motion carried 4-0.

Item 5: Highway RFP

Joe said the Highway Department sent out three RFP's that they would like to award. They are:

1. 200' of guardrail for Bennett and Old Hillsboro Roads for the cost of \$45,900 with CWS Fencing being the only bidder.
2. Crushed Gravel – received bids from the following, Henniker Crushed Stone \$5.75/cubic yard, Fuzzy Brothers was \$5.00/cubic yard and Northeast Earth Mechanics \$7.17/cubic yard. Joe said the Road Agent would like to award the bid to Henniker Crushed Stone even though they came in a little high he feels because they are a local company and they make the stone readily available and it can be retrieved easily in an emergency.
3. Roadside mowing of all Class V Town roads, approximately 80 miles. Fieldworks, who did the bid last year and was the only bid this year is \$245.75 per mile.

Selectman Parker moved to award the Guardrail Bid to CWS Fencing in the amount of \$45,900.00 and to authorize the Town Administrator to sign all paperwork. Selectman Flynn seconded. Motion carried 4-0.

Selectman Parker moved to award the Crushed Gravel Bid to Henniker Crushed Stone in the amount of \$17,250.00 and to authorize the Town Administrator to sign all paperwork. Selectman Flynn seconded. Motion carried 4-0.

Selectman Parker moved to award the Roadside Mowing Bid to Fieldworks in the amount of \$19,660.00 and to authorize the Town Administrator to sign all paperwork. Selectman Flynn seconded. Motion carried 4-0.

Item 6: Old Police Cruiser

Joe said there is another police vehicle coming off line, a 2014 Ford Explorer that he would like to have the Building Inspector use and the costs associated with it would be putting a Town Seal on the door.

Selectman Parker asked what kind of expenses can we expect and which budget will it come from? Joe answered the Building Inspector's budget has a mileage line item which would be used for gas and maintenance would have to be dealt with as it comes since that was not budgeted for. Vice Chair Hooper asked about the condition of the vehicle and remembered there might have been rust issues. Joe said that was a different vehicle and the Chief has assured him this vehicle is in good condition. Vice Chair Hooper asked what the long-term plans were for having a vehicle for this position, if it would have to be an expense later and be replaced? Joe

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said he doesn't anticipate needing a new vehicle since the miles going on it would be substantially less. Joe also said in the case of inclement weather, it would be moved to a different location so the Town Hall parking lot can be plowed.

Selectman Flynn moved to authorize the Town Administrator to use 2014 Ford Explorer from the Police Department and transfer it to the Town Hall. Selectman Parker seconded. Motion carried 4-0.

New Business

Item 7: 2nd Reading – Ethics

Joe said currently the Town does not have an Ethics Policy that governs the employees and he feels it is good for the public to understand what the expectations of the employees are and that it creates an atmosphere of trust and standards of professionalism.

Selectman Parker stated Section 4 Procedure Item 6 should state “the employment should also not create a conflict with or impair without the ask of the proper discharge of their official duties”. Selectmen Parker also found under penalties the second line “Violate any of the code of ethics provisions shall face disciplinary consistent...” the word action should be inserted after the word disciplinary.

Vice Chair Hooper opened up the meeting to public comment on the Code of Ethics. There were no public comments.

Selectman Parker moved to waive the requirement for a third reading and adopt the policy as presenting and to become part of the Town of Henniker's Personnel Policy. Selectman Osgood seconded. Motion carried 4-0.

Item 8: 19 Rush Road – RSA 79E – Discussion/Decision

Vice Chair Hooper asked what happens when submission of the application happens after work has started. Joe answered the provision is that construction should commence after the application has been approved.

Marc McMurphy stated that he didn't know and some work has already been done. Joe stated an assessor should go out at time of application to get a true value prior to any new work being done and after the project was complete the assessor would go out to verify what has been done and confirm if it met the requirements.

It was discussed whether this situation should be consulted with town legal council.

Vice Chair Hooper moved to table the 19 Rush Road application until the next Selectmen's meeting to get a legal opinion and next steps. Selectman Osgood seconded. Motion tied 2-2

Selectman Parker said he feels there is enough documentation to make the determination contingent upon legal opinion. Vice Chair Hooper disagreed and feels a legal opinion is still needed first. More discussion ensued. Vice Chair Hooper suggested to get legal opinion and if

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they say the town can still accept the application with work started then Joe can have the assessor go to the property immediately to assess it and then if can be discussed at the meeting in July.

Marc McMurphy expressed his frustration with the process.

Selectman Parker moved to move ahead with consideration and make any approval contingent upon getting approval from the Town Attorney. Selectman Flynn seconded. Motion carried 3-1 (Hooper)

Joe reminded the Board they need to go through the criteria and also list the reason for approval in their motion.

The Board went over the criteria for the application which only needs one to be met. Vice Chair Hooper read the criteria and the applicant's answers to each.

1. **Enhances the economic vitality of the designated areas.** Applicant's answer is Yes, the house needs structural and aesthetic upgrades which will improve values in the neighborhood. The project will add another rental unit to the downtown area. The project will add 3 high quality rentals for downtown living. Selectman Parker, Selectman Osgood and Selectman Flynn all stated they agree with the applicant.
2. **Enhances and improves a culturally or historically significant structure.** Applicant's answer is No.
3. **Promotes preservation and reuse of existing building stock by rehabilitation of historical structures per energy efficiency guidelines established by the US Secretary of the Interior's Standards for Rehabilitation.** Applicant's answer is Yes, many updates to energy efficiency of appliances and heating will take place. Also we will be modernizing the insulation. Not sure about the interior standards for rehab, going by local codes. Selectman Parker, Selectman Osgood and Selectman Flynn all stated they agree with the applicant.
4. **Promotes development in the designated areas, providing efficiency, safety, and a greater sense of community, consistent with RSA Chapter 9-B.** Applicant's answer is Yes, this is the primary benefit of this project, bring high quality rental opportunities to downtown. This promotes local commerce and enhances the vitality of downtown. Selectman Parker, Selectman Osgood and Selectman Flynn all stated they agree with the applicant.
5. **Increases residential housing in the designated areas.** Applicant's answer is Yes, will increase quality of the existing housing stock in downtown.

There was a discussion on how many years to grant the tax break for.

Selectman Parker moved to authorize the Town Administrator to sign a covenant with the applicant for seven years of tax relief to Marc McMurphy at the property of 19 Rush Road per the terms of RSA 79E contingent upon a finding by the Town Attorney that it is legal to do so with the timing of the submission. The public benefits of this project are enhancement of the economic vitality of the designated area and promotes development of the designated area and increases residential development of the designated area. Selectman Flynn seconded. Motion carried 3-1 (Hooper)

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Item 9: Selectboard discussion Noise Ordinance Update

Joe stated at the last meeting there was a first reading of a proposed noise ordinance and after doing more research into what was being proposed, I found that Article 1 of the ordinance that was passed in July of 1990 by the Board of Selectman after having a public hearing, then in March of 1992 an amendment was made as Section 2 and put before Town Meeting and tabled. In March of 1993 town meeting it passed as Article 2. Joe said the piece of the ordinance that was proposed to be amended is Article 2. Joe said legal council has advised that because that Article went through town meeting, it cannot be acted upon by the board and should be going to town meeting instead.

Vice Chair Hooper stated the board received a letter from Atty Connor regarding this finding and also cited Chapter 133-51 whereas the Selectmen have the duty to enforce the provisions in that Chapter.

The board discussed having the Planning Board review this and conduct a site plan review or have the new Building Inspector/Enforcement Officer take a look at it and give insight of any potential zoning violation.

Vice Chair Hooper moved to have the Town Administrator engage our current Building Inspector to look at the zoning violations that have occurred on 104 Temple Road and report back to the Board of Selectmen in order to take action. Selectman Parker seconded. Motion carried 4-0.

Past Meeting Minutes

Item 10: Acceptance of Board of Selectmen Minutes June 1, 2021

Acceptance of minutes was tabled until next meeting for the following amendments to be made:

1. Page 1 the motion for the Consent Agenda, insert "Selectman Flynn seconded"
2. Page 2, 5th paragraph down, change accommodation to commendation
3. Page 4, change the title of Doreen Connor from Chair of the Zoning Board to Atty Connor
4. Page 4, listen to the recording and fix the first motion according to the correct participants that motioned and seconded
5. Page 5, listen to the recording and fix the first motion according to the correct participants that motioned and seconded
6. Page 6, 7th paragraph change "her" to "he"
7. Page 6, 8th paragraph insert the word tight between very and right, to read "very tight right now"
8. Page 8, 1st paragraph, change reprehensible to unacceptable
9. Page 8 2nd paragraph, add the words "to schedule a meeting" in between members and, to read "members to schedule a meeting and"
10. Page 8, 4th paragraph, listen to recording and add missing statements.
11. Page 9, motion to adjourn, change Vice Chait to Vice Chair.

Item 11: Acceptance of Board of Selectmen Non-Public Minutes May 11, 2021

1. Add vote to leave non-public

Selectman Parker moved to approve the minutes as amended. Selectman Flynn seconded. Motion carried 4-0.

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Item 12: Acceptance of Board of Selectmen Non-Public Minutes May 26, 2021

1. Add vote to leave non-public

Selectman Parker moved to approve the minutes as amended. Selectman Flynn seconded. Motion carried 4-0.

Communications

Item 13: May Department Reports

No questions or comments.

Item 14: Town Administrator's Report

Joe gave a COVID 19 update. Tax bills have been mailed with a due date of July 12th. The Town is involved in open enrollment for health and dental for its employees. We are having a meet and greet on Thursday to meet the new Building Inspector. Regarding the manhole raising on Route 114, this is a state road and they are planning on paving on Friday. Western Ave will have daily road closures beginning again and Patterson Hill, Bennett Road and Elm Street have gotten their final top coat.

Item 15: Selectmen Report

Selectman parking stated that Elm Street and Bennett Road have been rebuilt by a different contractor and completed the paving and are doing shoulder work as well and he would like to commend the quality of the job and he is very happy with the progress. Joe stated that the asphalt this year is different than in the past and in future years we plan to bid asking for this formulation.

Selectman Flynn let everyone know that he has given his notice in New Boston as Town Administrator and he will begin to have more time to attend the regular Athletic Committee meetings and focus more on Henniker. He also said he is pleased to hear about the inspection process for the road materials. Selectman Flynn said he knows a Safety Committee meeting is coming and the Historic District Commission does not have anything planned at the moment.

Vice Chair Hooper asked Joe to have the Chair of the Records Committee schedule a meeting in the near future. She also stated that she attended a ZBA meeting this week and has seen that there is other frustration with applicants and she asked who is responsible for reviewing the applications before they are getting to the Boards to make sure they are complete and that the applicants understand fully what is required of them. Joe answered it typically is the Town Planner that does all of that.

Selectman Osgood said he attended the most recent Conservation Commission meeting and most of the discussion was about the water sampling they are doing. He said Azalea Park Riverwalk Committee is continuing to put together the Storm Water Permit.

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Public Comment #2

Marc McMurphy publicly thanked Scott Dias for putting together the Golf Tournament for the Food Pantry.

Arnie Huftalen commended Leo Aucoin for doing a fantastic job as Road Agent.

Ross Bennett said he is happy with the work that has been done with Bennet Road as well as the drainage work Leo and his crew have done. He also said he hopes that the Town will do something about the noise ordinance to make it more enforceable because it's not just an issue with Temple Road.

Heidi Aucoin said the vetting of the application process should be looked into and fixed.

Vice Chair Hooper moved to go into Non-Public Session under RSA 91-:3, II (a) personnel. Selectman Flynn seconded. Motion carried 4-0.

Selectman Flynn moved to adjourn the meeting. Selectman Parker seconded.

Meeting adjourned at 8:45 pm

**The following are department reports for the month of
June 2021**

Assessing

Building

Fire

Police

Town Clerk/Tax Collector

Wastewater

MEMORANDUM

Helga Winn, Assessing Technician
18 Depot Hill Road
Henniker, NH 03242
Phone 603-428-3221 x 2 ≈≈ Fax 603-428-4366
helga.winn@henniker.org

TO: Joe Devine, Town Administrator
DATE: July 9, 2021
RE: Monthly Report

Assessing Report for June 2021

- Monthly maintenance of new deeds, address changes and online tax maps.
- Timber matrixes received from town forester and all remaining 2020 Reports of Cut processed for July Board of Selectmen's meeting.
- Three Intents to Cut approved for lots 570, 631, and 72.
- July 2021 tax bills reviewed and mailed.
- Four administrative abatements approved for registered campers.
- Twelve 2020 abatement applications forwarded to the Board of Selectmen for the June 1, 2021 Consent Agenda for approval/denial. (Eight denied, four approved). All applicants informed in writing of outcome.
- All approved abatements forwarded to Tax Collector.
- Some troubleshooting completed with modified AxisGIS CAMA Update tool to be compatible with Vision 8.
- Request received from George Sansoucy's office for Production of Documents from utility and cell tower entities regarding 2021 assessments by August 1, 2021.



Monthly Building Department Report
June 2021

TO: Joseph Devine, Town Administrator

FROM: Wendy Baker, Land Use Coordinator

The following is a record of permits issued for the month of May 2021:
Zoning: Single Family Home (2) Addition (2) Pool (1) Garage (1)
Basement Renovation (1)

Permits /COs/Inspections	Quantity	Revenue
Zoning Permits	7	\$1,300.00
Demolition Permits	1	\$75.00
Driveway	4	\$300.00
Assembly Permits	0	
Raffle Permits	0	
Sign Permits	0	
Tent Permits	0	
Hawk & Peddler	0	

Town building rental/use:

Town Buildings	Rented/Reserved	Revenue
Community Center (upstairs)		
Grange (Does not include Caseworker & CAP)	9 Food Pantry open 2x week	N/C for Girl Scouts, AA Food Pantry- permanent

Respectfully submitted,
Wendy Baker

Town of Henniker, NH

Permits Issued June 2021

Type of Application	Permit # Assigned	Date Permit Issued	Comm / Res	Street Number	Street	Description	Estimated cost Zoning Permits Only	Fee Collected	Owner of Record	Contractors
Driveway	DR 21-07	6/9/2021	RR	38	Snowshoe Road	New Driveway		\$75.00	Chase Brook Land LLC	
Zoning	Z 21-36	6/9/2021	RR	38	Snowshoe Road	New single family ranch with garage	\$275,000	\$400.00	Chase Brook Land LLC	
Demolition	DE 21-05	6/9/2021	RN	554	Rush Road	Demo manufactured home, shed & Chicken Coop		\$75.00	Michael & Alexis Deruisseau	
Driveway	DR 21-08	6/9/2021	RN	152	Depot Hill Rd	Access Driveway		\$75.00	David Holmes	
Zoning	Z 21-37	6/15/2021	RN	78	Chelsea Court	24' x 24' Addition	\$50,000	\$150.00	Brian & Karen Langdon	Home Designers, Builders & Remodelers
Zoning	Z 21-38	6/15/2021	RR	1812	Colby Hill Road	15' pool	\$5,000	\$75.00	Richard Chapin	
Zoning	Z 21-39	6/16/2021	RR	60	Hemlock Lane	382 sf addition	\$225,000	\$75.00	Ahlgren Family Trust	Scott Dias Custom Building
Driveway	DR 21-09	6/28/2021	RN	175	Foster Hill Road	Construct a new driveway		\$75.00	Robert French Jr	
Driveway	DR 21-10	6/25/2021	RR	175	Ruffled Road	Repaving existing driveway		\$75.00	William & Lori Real	
Zoning	Z 21-40	6/18/2021	RN	520	Gulf Road	Finish basement area, install mini split heating system, electrical as needed	\$28,726	\$75.00	David & Tina Weed	AGS Services
Zoning	Z 21-41	6/28/2021	RR	1161	Rush Road	Single Family Home and Garage	\$100,000	\$400.00	Shannon French	
Zoning	Z 21-42	6/28/2021	RR	160	Ruffled Road	Garage 32' x 40'	\$50,000	\$125.00	Eric Giovagnoli	



June of 2021 consisted of 23 calls for Henniker Fire. The calls ranged from Fire Alarm activations, shed fire, power lines down, Good Intent call, Brush fires, EMS assists, Motor Vehicle accidents, motor vehicle rollover, electrical odor, water line broken in upstairs apartment, and 2 Oil Spills.



Thank you,

Chief Morse

HENNIKER POLICE DEPARTMENT

Memo

To: Joseph Devine, Town Administrator

From: Chief Matthew French

Date: July 16, 2021

June 2021 summary

There were 14 arrests which include, DUI, drug and alcohol violations, Criminal threatening. Disobeying a police officer, suspended registration, reckless operation, violation of a protective order. One MV stop turned into a low speed pursuit ending in Bradford where the subject directly ran at the officers while they were giving him verbal commands. Thankfully there were two officers there and were able to take the man into custody.

We had 827 Calls for Service (826 in 2020, 701 in 2019) which include:

9 MV Crashes	3 Welfare Checks
5 Motorist assists	1 Suicidal Person
22 Motor vehicle complaints	5 Juvenile issue
126 MV stops.	9 Animal Complaints
4 OHRV Complaints	21 Alarm Calls
9 OHRV stops	5 Neighbor Dispute/Disturbance
69 Directed Patrols	2 Civil matter
7 Road Hazards	2 Civil standby
2 Domestic Disturbance	14 Walk and Talk
1 Serve Domestic Violence Order	232 Building checks
1 Serve Paperwork/Subpoena	73 Vacant/Vacation House Checks
18 Follow ups	3 Warrants
16 Return phone call	
12 Assist Citizen	
6 Assist Other agencies	
23 Assist Rescue/Fire	
34 Suspicious person/vehicles	

MEMORANDUM

To: Joseph Devine, Town Administrator
From: Kimberly I. Johnson – Town Clerk/Tax Collector
Date: July 9, 2021
Subject: Town Clerk/Tax Collector Report as of 06/30/2021

PROPERTY TAXES

Total Committed 2021	\$7,432,486.00
Uncollected	\$3,318,940.39

TAX LIENS

	<u>2020 LIENS</u>	<u>2019 LIENS</u>	<u>2018/PRIOR LIENS</u>
Liened Amount	\$190,769.84	\$252,332.58	
Uncollected	\$185,119.93	\$ 96,634.69	\$197,648.84

WATER & SEWER -

2021

Water Billed	\$272,471.89
Sewer Billed	\$274,119.20
Uncollected	\$46,463.05

TOWN CLERK REVENUE

	<u>2020</u>	<u>2021</u>
MV	\$519,929.00	\$421,540.83
non-MV	\$8,746.86	\$7,925.90

Wastewater Department Report June, 2021

- 06/01/21 –Working on May MOR/DMR.
Trying to find out when Rte. 114 paving will start, Jason from Pike Ind. Says week of 6/14.
- 06/02/21 –Gathering information to set up an inspection for our newly installed propane heater in Rolloff room.
- 06/03/21 –Signed up for an energy audit through NH-DES (no cost to the Town) which may help the Town in securing funds for future Treatment Plant upgrade.
Spoke with an engineer from RFS Engineering about new gym being built by NEC
- 06/04/21 –Rich came in at 9:00 am, car problems.
Cleaning day.
- 06/07/21–Gathering information for the energy audit.
- 06/08/21–Completed and submitted monthly discharge monitoring report to US-EPA and NHDES.
Continue to collect information for energy audit.
- 06/09/21- Ordered 12 drums of caustic.
Ken re-marked 20 manholes for tomorrow, contractor will be here to start the job.
- 06/10/21- Met with SUR Construction at the Fire Dept. they are starting to raise manholes frames and covers today.
Received an e-mail from our NHDES State inspector, she said she does not know why we did not receive confirmation of receipt of our May DMR but it was received and excepted by EPA.
- 06/11/21- SUR Construction here to complete manhole raising.
Cleaning Day
- 06/14/21- Searching for wet vac parts.
- 06/15/21- Received a Dig Safe for Fairview Ave.
Contacted a contractor for a copy of the tie measurers for the above house that we never received when the installation was done, he will drop them off in the morning.
- 06/16/21- Rich and Ken marked a Dig Safe on Fairview Ave.
- 06/17/21- Ken ordered parts for completing sludge holding tank aeration system.
Rich and Chazz checked the siphon chamber.
Chazz and Rich cleaned the Grit Room today, we ran the screw that we repaired last month, only had one small leak
- 06/18/21-Ken & Chazz marked 2 Dig Safes at Western Ave and Depot Hill Rd.
Cleaning Day.
- 06/21/21-Submitted Staff report to Joe for Press Building roof replacement.
Checked with Fire Dept. to see if we can fill the vac truck with water at their facility the week Of 6/28 for cleaning and televising when/if our Belt press is running.
- 06/22/21-Cleaned Blower building, vacuumed floor.
Set up 2 ladders in sludge holding tank to work on completing aeration system in that tank.
- 06/23/21-All of us working on Sludge Holding tank aeration system.
- 06/24/21-Ken met with Dave Mercier, Underwood Engineers, 2 NHDES staff and Steve Bolles from Process Energy Services to begin a NHDES (no cost) sponsored Energy Audit. Toured treatment plant and both pump stations.
- 06/25/21-Cleaned up asphalt and concrete pile from manhole raising contractor and brought it to the town sand pit.
Cleaning day.

06/28/2021-Vortex Services, formally Ted Berry Co. here this week starting on Hillside and Rush Rd. doing clean & tv.

06/29/2021-Clean and tv will finish up Hillside Drive and start Rush Rd. today.
Rush Rd. completed, working on Flanders Rd. and Pike St.

06/30/2021-Clean and tv at Pearl St. and a small run on Depot Hill Rd. Moving to Water St. north.
We replaced a broken manhole cover on Depot Hill Rd.


1 Rolloff container of sludge was sent to Merrimack, NH Composting Facility for processing in June.

"The only Henniker on Earth"



Office of the Town Administrator
Joseph R. Devine, Jr.

To: Board of Selectmen

From: Joseph Devine, Town Administrator 

Date: July 20, 2021

Ref: **Town Administrator's Report**

I am pleased to report on the following items:

- **COVID-19 Update** – As of July 15, 2021, we have 1-4 active cases. We have had 1-4 new cases in the past fourteen days, a total of 253.

Vaccine Update: As of July 13, 817,033 people in New Hampshire have received their first dose of the vaccination or 60%, and 747,865 or 55% are fully vaccinated. We are now getting information on Town specific vaccination rates. As of June 23, here is the breakdown:

Town Name	Population	1 Dose	% of 1 Dose	Fully Vaccinated	% Fully Vaccinated
Henniker	4,969	2,362	47.5%	2,164	43.6%

- **State Budget Update** – As many of you are aware the Governor signed the State budget into law. While there are many areas of debate over policy in the bill, I wanted to report on the impact on Henniker.

All of the municipal funding in the Senate-adopted version of HB 1 and HB 2 remained including:

- \$188 million over the biennium in meals and rooms tax distribution through the creation of a new treasury “dedicated fund” to which 30 percent of total meals and rooms tax revenue would be deposited for distribution to towns and cities (a \$50.5 million increase over the current biennium)

Currently, Henniker receives \$249,067 in meals and rooms tax. In FY22, we would now anticipate \$323,787 or an increase of \$74,720.

- \$1 million for matching grants to local law enforcement agencies to assist with the purchase, maintenance, and replacement of body-worn and dashboard cameras.
- In addition, the \$100 million reduction to the state education property tax (SWEPT) remained intact in the budget, to be funded by education trust fund reserves. This will reduce all property taxpayers' "state education" tax amount by 27.5 percent for fiscal year 2023 only.

Ongoing Projects

- Goal Setting with Select Board – September/October
- Vacation time vs. PTO Time
- Citizen's Academy

Upcoming Dates

July 21, 2021 – Zoning Board Meeting

August 4, 2021 – Conservation Commission Meeting

August 17, 2021 – Board of Selectmen Meeting