

TOWN WARRANT 2024

Town of Henniker
State of New Hampshire

The polls will be open for voting
at the Henniker Community School Gymnasium
51 Western Avenue
from 7:00 AM to 7:00 PM
Tuesday, March 12, 2024

To the inhabitants of the Town of Henniker
in the County of Merrimack in said State
qualified to vote in Town Affairs:

You are hereby notified to meet at the
Henniker Community School Gymnasium in Henniker
on Tuesday the Twelfth (12th) day of March 2024,
beginning at seven o'clock in the morning
(7:00 a.m.) and ending at seven o'clock in the
evening (7:00 p.m.) to act upon the following:

1. Town Officers were voted as follows for the ensuring year:

Selectmen - 3-year term

Kris Blomback *383

Michael Barnard 89

Peter Flynn *342

Gabriel Reynolds 119

Town Treasurer - 1-year term

Cheryl Damour *499

Cemetery Trustee – 3-year term

Sue Fetzer *475

Cogswell Spring Water

Works Commissioner - 3-year term

Jerry Gilbert *500

Planning Board

Ryan Haley *389

Scott Dias *451

Trustees of the Trust Funds – 3-year term

Sue Fetzer *260

Stuart Bernstein 155

Trustees of the Tucker Free Library

Frances Tain *417

Edward J. Petrick *431

Moderator

Cordell Johnston *511

Supervisor of the Checklist

Karen Landes *494

Planning Board Approved Zoning Changes 2024

Zoning Ballot

2. **Are you in favor of amending Chapter 133, Zoning Regulations, as proposed by the Planning Board as follows?** Amend Article VIII, Commercial District Regulations by deleting paragraph E, Section 133-28 Regulations for all Districts, in its entirety. ~~Multi-unit dwellings of three or more, up to 40 units, shall be permitted in the CR, CR-1, and CM Commercial Districts by special exception only, provided that the ratio of area of unimproved land to the total combined area of living area, including all habitable floor area, driveways and roadway stated in Article X, is maintained. Multi-unit dwellings greater than 40 units are not permitted in any commercial district. No multi-unit dwellings are permitted in the CH District.~~

YES 337 NO 173

3. **Are you in favor of amending Chapter 133, Zoning Regulations, as proposed by the Planning Board as follows?** Amend Article IV General Provisions, by deleting Section 133-17 in its entirety. ~~One principle building per lot There shall be only one principal building on a lot, except for Multi-unit dwelling(s) developments that are located in the RV Village Proper & CV Village Commerce Districts, Commercial Uses located in the CH, CM, CR, and CV Districts and condominium developments. This restriction shall not be applicable to those educational uses permitted exclusively in the Educational Overlay District (EOD).~~

YES 327 NO 180

4. **Are you in favor of amending Chapter 133, Zoning Regulations, as proposed by the Planning Board as follows?** Amend Article II Definition by amending the definition of Campground as follows; An area used for overnight seasonal occupation *(closed November 1 – April 30)* in temporary facilities (such as tents, campers and trailers).

YES 432 NO 113

5. **Are you in favor of amending Chapter 133, Zoning Regulations, as proposed by the Planning Board as follows?** Amend Article VIII Commercial District Regulation, Section 133-31 Commercial Uses in CR Commercial Recreation District by deleting multi-family dwelling use by Special Exception and allowing the use as Permitted, in addition allow excavation uses as Permitted uses. Add House of Worship and Excavations as Permitted Uses. Also delete Section 133-31 Permitted Commercial uses as well as uses allowed by Special Exception in Commercial Recreation District CR-1 regulations in its entirety. Also amend Article III Establishment of Districts, Section 133-4 Zoning District to delete reference to CR-1 Commercial Recreation District with the noted lots to be considered as part the CR District. In addition, delete Section 133-4 paragraph A. reference to the CR-1 District and amend the Official Zoning Map to rezone all property presently zoned CR-1 to CR. In addition, amend Article X Lot Size Regulations Section 133-40 Lot Size Table(s) removing reference to CR-1 and amend the minimum lot area for the CR District, with or without sewer/water from 2 acres to 1.5 acres.

YES 325 NO 185

6. **Are you in favor of amending Chapter 133, Zoning Regulations, as proposed by the Planning Board as follows?** Amend Article XXII Wetland Conservation Section 133-116 Special Provisions B to read as follows: Wetland areas excluding surface waters may be used to satisfy minimum lot area requirements provided that seventy five (75) percent of the minimum lot area is contiguous non-wetland. ~~No part of a wetland may be considered as part of the minimum size requirement of any lot.~~

YES 349 NO 192

7. **Are you in favor of amending Chapter 133, Zoning Regulations, as proposed by the Planning Board as follows?** Amend Article XXI Floodplain Development as necessary to comply with required amendments required by the National Flood Insurance Program. These amendments are necessary to remain compliant with the FEMA floodplain development insurance program available for residents.

YES 484 NO 59

8. **Are you in favor of amending Chapter 133, Zoning Regulations, as proposed by the Planning Board as follows?** Amend Article XIII Administration by adding a new section 133-54a as follows: During the construction of a single-family home, the proposed owner may temporarily reside within a camping trailer for a period up to two years upon issuance of a building permit. Such units may be parked and occupied as temporary housing on the same lot where a dwelling is being constructed provided: (1) The unit will only be occupied a maximum of twenty-four (24) months from issuance of a building permit unless extended by the Board of Selectmen, regardless of (2)(a) below. (2) Sanitary (domestic) sewage will be disposed of by using one of the following methods: (a) The unit will be connected to the Town sewer system. (b) The unit will be connected to a State-approved septic system. (c) The unit will be served by a State-approved portable toilet facility. (d) The unit will have its own self-contained sanitary system and formal provisions will be made to have the sewage disposed at the Henniker Treatment Plant or a like facility.

YES 464 NO 97

(592 voters of the 3207 registered voters in Henniker voted – 19%)

TOWN WARRANT

Addendum

2024

Town of Henniker
State of New Hampshire

Town Meeting begins at 1:00 PM
at the Henniker Community School Gymnasium
51 Western Avenue
Saturday, March 16, 2024

To the inhabitants of the Town of Henniker
in the County of Merrimack in the said State
qualified to vote in Town Affairs:

You are hereby notified to meet at the
Henniker Community School Gymnasium in Henniker
on Saturday the Sixteenth (16th) day of March 2024,
at one o'clock (1:00 p.m.) in the afternoon
to act upon the following:

MOTION made to move article #10 up made by Tia and seconded by David Woolpert.
-Motion was voted in the affirmative by a show of voter cards.

10. Shall the Town of Henniker vote to raise and appropriate the sum of \$100,000 (One Hundred Thousand Dollars) to hire a Lake Management Consulting Firm to study conditions and provide design solutions to reduce external and internal phosphate loading in French and Keyser Ponds -- to mitigate recurring Cyanobacteria algae blooms in these ponds. And to authorize the issuance of \$100,000 of bonds or notes in compliance with the Municipal Finance Act, RSA 33:1 et seq., as amended, with the amount of such bonds or notes to be reduced by any grant funding received for the project; to authorize the Selectmen to apply for, obtain and accept federal, state or other aid, if any, which may be available for said project and to comply with all laws applicable to said project; to authorize the Selectmen to issue, negotiate, sell and deliver said bonds and notes and to determine the rate of interest thereon and the maturity and other terms thereof; and to authorize the Selectmen to take any other action or to pass any other vote relative thereto. It is anticipated that there will be \$100,000 in principal loan forgiveness under the New Hampshire Department of Environmental Services Clean Water State Revolving Fund (NH CWSRF). Fiscal Impact Note: The tax impact associated with this will be \$0.00 per \$1,000 valuation. The principal loan amount of \$100,000 will be forgiven per the terms of the NH CWSRF agreement. No Tax Impact
3/5 Ballot Vote Required **Selectmen Recommend 4-0-1**

MOTION made by Tia Hooper and seconded by Scott Osgood to move the article.

MOTION TO AMEND (#1) Article 10:

The One Hundred Thousand Dollars is not to be spent until the funds have been received. No funds will be spent from taxes.

MOTION made by Tia Hooper and seconded by Scott Osgood.
-The amendment to Article 10 failed by a show of voter cards.

This Article passed by a ballot vote YES 87 NO 5
Article 10 received the 3/5 ballot vote required.

9. To see if the Town will vote to raise and appropriate the sum of \$1,500,000 for the purpose of supplemental upgrades to the wastewater treatment facility, that will qualify the Town for federal and state funds, such sum to be raised by the issuance of serial bonds and notes not to exceed \$1,500,000 under, and in compliance with, the provisions of the Municipal Finance Act (NH RSA 33:1 et seq., as amended) and to authorize the Town officials to issue and negotiate such bonds or notes and determine the rate of interest thereon, and to take such actions as may be necessary to affect the issuance, negotiation, sale and delivery of such bonds or notes as shall be in the best interest of the Town. Additionally, to authorize the Town to apply for and accept grants or other funds that may reduce the amount to be repaid and participate in the State Revolving Fund (SRF) RSA 486.14 established for this purpose, and to allow the Town to expend such monies as become available from the federal and state governments and pass any vote relating thereto. It is anticipated that the Town will receive up to \$425,000 in principal forgiveness from the State Revolving Fund loan program. The remaining bond for this project will be funded by general taxation.
3/5 Ballot Vote Required **Selectmen / Sewer Commissioners Recommend 4-0-1**

MOTION made by Tia Hooper and seconded by Bill Marko to move this article.
 Ballot voting will be open for (1) hour. (from 2:04 p.m.-3:04 p.m.)

BALLOT VOTING ON ARTICLE 9 CLOSED AT 3:04 p.m.
BALLOT VOTING RESULTS ON ARTICLE #9
YES 87 NO 5
ARTICLE 9 PASSED WITH THE REQUIRED 3/5 VOTE

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11. To see if the Town will vote to raise and appropriate the sum of Six Million Six Hundred Sixty Thousand Six Hundred Forty-Two Dollars (\$6,660,642) for general municipal operations.

Majority Vote Required

Selectmen Recommend 3-1-1

| | 2024 Requested | 2023 Approved | Difference |
|--------------------|-----------------------|----------------------|-------------------|
| EXECUTIVE | 355,201 | 31,686 | 323,515 |
| TOWN CLERK | 107,782 | 94,275 | 13,507 |
| ELECTIONS | 29,986 | 6,620 | 23,366 |
| TAX MAP | 4,950 | 4,950 | - |
| FINANCE | 245,518 | 790,173 | (544,655) |
| TAX COLLECTOR | 114,689 | 94,525 | 20,164 |
| ASSESSING | 55,400 | - | 55,400 |
| LEGAL | 40,000 | 20,000 | 20,000 |
| PLANNING | 31,726 | 30,679 | 1,047 |
| ZONING | 5,271 | 5,271 | - |
| GENERAL GOV'T BLDG | 107,758 | - | 107,758 |
| CEMETERIES | 35,030 | 21,330 | 13,700 |
| INSURANCE | 169,674 | 156,615 | 13,059 |
| MUNICIPAL DUES | 4,043 | 4,157 | (114) |
| POLICE | 1,487,263 | 1,435,378 | 51,885 |
| FIRE & RESCUE | 793,503 | 732,465 | 61,038 |
| RESCUE | 128,997 | 124,159 | 4,838 |
| FIRE | 175,455 | 166,347 | 9,108 |
| CODE | 32,388 | 29,993 | 2,395 |
| EMERGENCY MGT | 5,493 | 1,292 | 4,201 |
| HIGHWAY | 902,646 | 861,750 | 40,896 |
| HIGHWAY & STREETS | 874,000 | 697,500 | 176,500 |
| STREET LIGHTS | 13,500 | 13,500 | - |
| SOLID WASTE | 478,739 | 584,000 | (105,261) |
| HEALTH | 5,883 | - | 5,883 |

| | | | |
|-----------------------------|------------------|------------------|----------------|
| ANIMAL CONTROL | 5,340 | 9,408 | (4,068) |
| WELFARE | 91,702 | 80,000 | 11,702 |
| ATHLETIC | 32,645 | 32,645 | - |
| PARKS & PROPERTY | 59,249 | - | 59,249 |
| PATRIOTIC PURPOSES | 3,210 | 3,173 | 37 |
| CONCERTS | 21,726 | 7,195 | 14,531 |
| CONSERVATION | 2,946 | 2,890 | 56 |
| COMMUNITY - CAP PROGRAM | 14,000 | 14,000 | - |
| COMMUNITY - WHITE BIRCH | 65,000 | 65,000 | - |
| DEBT SERVICE - PRINCIPAL | 92,596 | 130,163 | (37,567) |
| DEBT SERVICE - INTEREST | 16,265 | 19,039 | (2,774) |
| DEBT SERVICE - LEASE | 37,568 | - | 37,568 |
| DEBT SERVICE - TAN INTEREST | 13,500 | 13,500 | - |
| Totals | 6,660,642 | 6,283,678 | 376,964 |

MOTION made by Kris Blomback and seconded by Mark Mitch to move this article.

MOTION TO AMEND (#1) Article 11: *to reduce the municipal operating budget by \$18,000 to a total of \$6,642,642.*

MOTION made by Tia Hooper and seconded by Jennifer McCourt.

-The amendment to Article 11 failed by a show of voter cards.

-Article 11 was voted in the affirmative by a show of voter cards.

12. Appropriation to Capital Reserve Funds To see if the Town will vote to raise and appropriate the sum of Four Hundred Seventy Thousand Dollars (\$470,000) to be added to previously established Capital Reserve Funds as follows:

| | |
|----------------------|----------------|
| Highway Equipment | 200,000 |
| Wastewater | 100,000 |
| Fire Equipment | 100,000 |
| Bridge Repair | 25,000 |
| Transfer Station | 30,000 |
| Property Revaluation | 15,000 |
| TOTAL | 470,000 |

Majority Vote Required

Selectmen Recommend 4-0-1

MOTION made by Jeff Morse and seconded by Tia Hooper.

-Article 12 was voted in the affirmative by a show of voter cards.

13. To see if the Town will vote to raise and appropriate the sum of Eighty Thousand Dollars (\$80,000) to be added to the Ambulance Capital Reserve Fund established in 1988 under the provisions of RSA 35:1 for the purchase of an ambulance for the Rescue Squad, of which the amount of \$10,000 (Ten Thousand dollars) to come from the Town of Bradford. If these funds are not received, the appropriation will be reduced to \$70,000 which will be raised through general taxation.

Majority Vote Required

Selectmen Recommend 4-0-1

MOTION made by Tia Hooper and seconded by Neal Martin.

- Article 13 was voted in the affirmative by a show of voter cards.

14. To see if the Town will vote to raise and appropriate the sum of One Hundred Forty-One Thousand Two Hundred-Two Dollars (\$141,202) for the purchase of a New Rescue Ambulance Chassis and Re-boxing of the 2016 ambulance body and authorize the withdrawal of One Hundred Forty-One Thousand Two Hundred-Two Dollars (\$141,202) from the Ambulance Capital Reserve Fund.

Majority Vote Required

Selectmen Recommend 4-0-1

MOTION made by Neal Martin and seconded by Millie Knudson.

-Article 14 was voted in the affirmative by a show of voter cards.

MOTION made by Kris Blomback and seconded by David Woolpert to restrict reconsideration of Articles 10-14, in accordance with RSA 40:14, paragraphs 1 and 5.

MOTION PASSED

15. Appropriation to Expendable Trust Funds to see if the Town will vote to raise and appropriate the sum of Eight Hundred Fifty-Five Thousand Dollars (\$855,000) to be added to previously established Expendable Trust Funds as follows:

| | |
|--|----------------|
| Road Maintenance | 700,000 |
| Police Department Site Purchase, Building Engineering, Design and Construction | 100,000 |
| Fire & Rescue Building Maintenance | 25,000 |
| Police Department Equipment | 10,000 |
| Town Owned Building | 10,000 |
| Highway Building Maintenance | 5,000 |
| Parks | 2,500 |
| Town Technology | 2,500 |
| TOTAL | 855,000 |

Majority Vote Required

Selectmen Recommend 4-0-1

MOTION made by Tia Hooper and seconded by Bill Marko.

Article 15 was voted in the affirmative by a show of voter cards.

16. To see if the Town will vote to raise and appropriate the sum of Three Hundred Five Thousand Dollars (\$305,000) for the purchase of a New Highway Dump/Plow Truck and authorize the withdrawal of Three Hundred Five Thousand Dollars (\$305,000) from the Highway Equipment Capital Reserve Fund established at the 2007 Town Meeting under the provision of RSA 35:1 for the purpose of purchasing highway equipment.

Majority Vote Required

Selectmen Recommend 4-0-1

MOTION made by Jeff Morse and seconded by Bill Marko.

Article 16 was voted in the affirmative by a show of voter cards.

17. To see if the Town will vote to raise and appropriate the sum of Twenty thousand dollars (\$20,000) for the purpose of continued restoration of granite and mortar on the exterior of the Tucker Free Library. Furthermore, this appropriation is 100% reimbursable to the Town from a Conservation License Plate Grant Program offered through the State of New Hampshire. If the grant is not received, this article will be null and void.

Majority Vote Required

Selectmen Recommend 4-0-1

Tucker Free Library Trustees Recommend

MOTION made by Scott Osgood and seconded by Mark Mitch.

Article 17 was voted in the affirmative by a show of voter cards.

MOTION made by Kris Blomback and seconded by Millie Knudson to restrict reconsideration of Articles 9-18, in accordance with RSA 40:14, paragraphs 1 and 5.

MOTION PASSED

18. To see if the Town will vote to raise and appropriate the sum of Two Hundred Sixty-Six Thousand Two Hundred Forty-Four Dollars (\$266,244) for the Tucker Free Library with said amount to be funded by general taxation.

Majority Vote Required

Selectmen Recommend 4-0-1

Tucker Free Library Trustees Recommend

MOTION made by Fran Tain and seconded by Kris Blomback.

Article 18 was voted in the affirmative by a show of voter cards.

19. To see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) to be added to the Library Accessibility and Safety Project Expendable Trust Fund established at the 2022 Town Meeting under the provisions of RSA 31:19-a, with said amount to be funded by general taxation.

Majority Vote Required

Selectmen Recommend 4-0-1

Tucker Free Library Trustees Recommend

MOTION made by Fran Tain and seconded by David Woolpert.

Article 19 was voted in the affirmative by a show of voter cards.

20. To see if the Town will vote to raise and appropriate the sum of Seven Hundred Eighty Thousand Seven Hundred and Ninety-Two Dollars (\$780,792) for the operating expenses for the Wastewater Treatment Plant with Six Thousand Five Hundred Twenty-Five Dollars (\$6,525) to offset this appropriation by an anticipated water pollution grant and the remainder to be raised by Sewer assessments. No amount to come from general taxation.

Majority Vote Required

Selectmen/Sewer Commissioners Recommend 4-0-1

MOTION made by Bill Marko and seconded by Mark Mitch.

Article 20 was voted in the affirmative by a show of voter cards.

21. To see if the Town will vote to raise and appropriate the sum of Five Hundred Fourteen Thousand Six Hundred Sixteen (\$514,616) for the operating expenses of Cogswell Spring

Water Works with said funds to come from Water assessments. No amount to come from general taxation.

Majority Vote Required

**Water Commissioners Recommend 3-0
Selectmen Recommend 3-0-2**

MOTION made by Jerry Gilbert and seconded by Jeff Connor.
Article 21 was voted in the affirmative by a show of voter cards.

22. Shall we modify the income and asset limit qualifications for the elderly exemptions from property tax in the Town of Henniker, based on assessed value, for qualified taxpayers. To qualify, the person must have been a New Hampshire residence for at least 3 years, own real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married for at least 5 years. In addition, the taxpayer must have a net income of not more than \$70,000 (currently \$48,800), or, if married, a combined net income of less than \$85,000 (currently \$61,000); and own net assets not to exceed \$400,000 (currently \$84,000).

Note: The persons residence equals actual residence and land upon which it is located up to the greater of 2 acres of the minimum single family residential lot size specified in the local zoning ordinances.

Submitted by Petition

MOTION to amend (#1) Article 22: Shall we modify the income and asset limit qualifications for the elderly exemptions from property tax in the Town of Henniker, based on assessed value, for qualified taxpayers. To qualify, the person must have been a New Hampshire residence for at least 3 years, own real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married for at least 5 years. In addition, the taxpayer must have a net income of not more than \$70,000 (currently \$48,800), or, if married, a combined net income of less than \$85,000 (currently \$61,000); and own net assets not to exceed **\$125,000** (currently \$84,000).

Note: The persons residence equals actual residence and land upon which it is located up to the greater of 2 acres of the minimum single family residential lot size specified in the local zoning ordinances.

MOTION made by Doug Strott and seconded by David Woolpert to move this article as amended.

The amendment to Article 22 failed by a standing vote of 34 to 41.

Shall we modify the income and asset limit qualifications for the elderly exemptions from property tax in the Town of Henniker, based on assessed value, for qualified taxpayers. To qualify, the person must have been a New Hampshire residence for at least 3 years, own real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married for at least 5 years. In addition, the taxpayer must have a net income of not more than \$70,000 (currently \$48,800), or, if married, a combined net income of less than \$85,000 (currently \$61,000); and own net assets not to exceed \$400,000 (currently \$84,000).

Note: The persons residence equals actual residence and land upon which it is located up to the greater of 2 acres of the minimum single family residential lot size specified in the local zoning ordinances.

MOTION made by Millie Knudson and seconded by Mark Mitch.
Article 22 failed by a show of voter cards.

23. To see if the Town will vote to eliminate monthly meeting space rental fees paid by an organization whose efforts benefit residents of Henniker.

An organization that raises or contributes cash, items, or public service work hours of \$2,000 per year or more (in value) for the benefit of the Town of Henniker or its residents will not be charged to pay rental fees to the Town for regularly scheduled meeting space (special event space rentals are not covered by this article). This authorization to remain in effect until rescinded by a vote of the Town Meeting. (Majority vote required)

Submitted by Petition

MOTION made by Scott Osgood and seconded by Gwen Airgood.
This article was voted in the affirmative by a show of voter cards.

To transact any other business that may legally come before this meeting. (This article is meant to allocate time that public acknowledgments may be voiced and is not meant to add additional articles to the meeting. The final decision is the responsibility of the Town Moderator - per Henniker Town Counsel).

The meeting was adjourned at 3:40 p.m.

A True copy Attest:



Deborah C. Aucoin, Town Clerk

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