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STATE OF NEW HAMPSHIRE
DEPARTMENT of NATURAL and CULTURAL RESOURCES
STATE COUNCIL on the ARTS

19 Pillsbury Street CONCORD, NEW HAMPSHIRE 03301
Telephone (603) 271-2789 FAX (603) 271-3584

March 15, 2021

His Excellency, Governor Christopher T. Sununu
and the Honorable Executive Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 261:97-c, Use of Funds, authorize the Department of Natural and Cultural Resources, State Arts Council, to award a Conservation Number Plate (Moose Plate) Grant to the Town of Swanzey, NH (VC #177485), in the amount of $10,012 for the conservation of hand-painted theater curtains effective upon Governor and Executive Council approval through December 31, 2021. 100% Other Funds (Agency Income)

Funding is available in account, Conservation Plate Fund, as follows:

	FY 2021
03-035-035-350010-34050000-073-509074 – Grants Non-Federal	$10,012

EXPLANATION

The Conservation Number Plate Fund is used to promote the use and conservation of cultural resources in New Hampshire and to preserve the cultural heritage that belongs to all New Hampshire citizens by providing for the preservation of publicly owned historic properties.

The goal of this project is to conserve two former Grange Hall curtains found in Whitcomb Hall's attic. Whitcomb Hall was one of several gifts given to the Town of Swanzey by some of its wealthiest residents in the latter part of the 19th century. In 1916, the Hall was built and turned over to the town, the painted curtains were from the Lincoln Grange No. 159 the first tenant of the new town hall. Whitcomb Hall became the social hub of the village from the beginning and closed in 1987. The Town of Swanzey had looked into restoring the Hall but the Whitcomb Hall Committee that formed in the mid 2000's actively started to put the building back on track to becoming the center of the village once again.

The Committee renovated and opened the first floor in 2016 to help bring interest to the old building. Since then the first floor has been open for meetings and rentals. During the first exploration of the hall, the Committee came across a pair of curtains crumpled up in the attic. They were painted around 1935 by Robert Naves (1916-1944) of Exeter. The front curtain shows the Thompson Covered Bridge, a local landmark, and the back advertising curtain has ads from many businesses remembered by the residents. He painted numerous pairs of curtains, for Grange Halls and town halls, all of which feature a local scene for the front and an advertising curtain at the back.

The Attorney General's office has approved the agreement as to form, substance and execution.

Respectfully submitted,

Sarah L. Stewart
Commissioner

177485
FY2021CC # 10324
Acct Code: 3405000-073

NEW HAMPSHIRE STATE COUNCIL ON THE ARTS GRANT AGREEMENT

This agreement between the **State of New Hampshire, New Hampshire State Council on the Arts** (hereinafter "Council") and **Town of Swanzey** (hereinafter "Grantee") is to witness receipt of funds subject to the following conditions:

1. **GRANT PERIOD: FY2021**
2. **OBLIGATIONS OF THE GRANTEE:**
   - The Grantee agrees to accept **$10,012.00** and apply it to the program(s) described in the grant application and approved budget for **To support the conservation of hand-painted theater curtains from the Grange Hall.** In the performance of this grant agreement, the Grantee is in all respects an independent contractor and is neither an agent nor employee of the State.
   - Funding credit including Council logo must appear in all programs, publicity, and promotional materials. The following wording and Council logo should be used:

     Town of Swanzey is supported in part by a grant from the New Hampshire State Council on the Arts & the Mooseplate License Plate program.

     New Hampshire State Council on the Arts
   - The Grantee acknowledges that the NHSCA Program Coordinator may schedule a site visit to the organization and may request a site visit from the NHSCA.
   - The Grantee agrees to abide by the limitations, conditions and procedure outlined herein and in the attached appendices. If appropriated funds for this grants program are reduced or terminated, all payments under this grant may cease. That determination rests within the sole discretion of the Council.
3. **PAYMENT** will be made following the receipt and execution of all required documents and approval of the Governor and Executive Council
4. **FINAL REPORT:** The Grantee agrees to submit a final financial and narrative report on a form provided by the Council no more than 30 days after the end of the grant period. **Failure to submit the final report will render the Grantee ineligible for Council funding for two years.**
5. **SOVEREIGN IMMUNITY:** No provision of this contract is to be deemed a waiver of sovereign immunity by the State of New Hampshire.

COUNCIL APPROVAL

Contracting Officer for State Agency

1/30/21
Signature Date

Name, Title: Virginia Lupi, Director

Sarah Stewart 3/16/21
Signature Date

Name, Title: Sarah Stewart, Commissioner

APPROVED BY ATTORNEY GENERAL
as to form, substance and execution:

3/17/2021
Office of Attorney General Date
Michael Haley, Attorney

GRANTEE SIGNATURE
Org/ Name: Town of Swanzey
Address: 620 Old Homestead Hwy Swanzey

Michael T Branley
Printed Name of Authorized Official for Grantee

1/25/2021
Authorized Official's Signature & Title Date

NOTARIZATION REQUIRED:
STATE OF NEW HAMPSHIRE, COUNTY OF Cheshire

On the 25 day of January 2021 before the undersigned officer, personally appeared
Michael T Branley
(Print name of person whose signature is being notarized)
or satisfactorily proven to be the person whose name appears above, and acknowledged that s/he executed this document in the capacity indicated

Notary Public/ Justice of the Peace
Printed Name: Jennifer Frauenfelder
My Commission expires: June 29, 2021

CERTIFICATE FOR MUNICIPALITIES

I *(insert name)* Ronald F Fontaine, **of** *(insert Municipality name)*, Town of Swanzey, **do hereby certify to the following assertions:**

1. I am a duly elected and acting Clerk/Secretary for the Municipality documented above, which is in the State of New Hampshire
2. I maintain and have custody of, and am familiar with, the minute books of the Municipality:
3. I am duly authorized to issue certificates with respect to the contents of such books:
4. The following are true, accurate and complete copies of the resolutions adopted during an official meeting of the Municipality. Said meeting was held in accordance with the laws and by-laws of the State, upon the following date (*insert meeting date*) 1/6/2021.

   RESOLVED: That this municipality shall enter into a contract with the State of New Hampshire, acting by and through the Department of Natural and Cultural Resources providing for the performance by this Municipality of certain services as documented within the foregoing grant application, and that the official listed, (*document the title of the official authorizing the grant, and document the name of the individual filling that position*) Michael T Branley, on behalf of this Municipality, is authorized and directed to enter into the said grant agreement with the State of New Hampshire, and that they are to take any and all such actions that may be deemed necessary, desirable of appropriate in order to execute, seal, acknowledge and deliver any and all documents, agreements and other instruments on behalf of this Municipality in order to accomplish the same.

   RESOLVED: That the signature of the above authorized party or parties of this Municipality, when affixed to any instrument of document described in, or contemplated by, these resolution, shall be conclusive evidence of the authority of said parties to bind this Municipality, thereby:
5. The foregoing resolutions have not been revoked, annulled, or amended in any manner what so ever, and remain in full force and effect as of the date hereof;
6. The following person or persons have been duly elected to, and now occupy, the Office or Offices indicated:

   Municipality Mayor: Kenneth P. Colby Jr. Board of Selectmen Chair
   Municipality Clerk: Ronald F Fontaine
   Municipality Treasurer: Sue Ellis

IN WITNESS WHEREOF: As the Clerk/Secretary of this municipality, I sign below upon this date (*insert date of signing*) Jan 26, 2021
Clerk/Secretary (*signature*) Ronald F Fontaine
In the State and County of: (*State and County names*) Cheshire
NOTARY STATEMENT: As Notary Public and/or Justice of the Peace, REGISTERED IN THE STATE OF: New Hampshire, County of: Cheshire
UPON THIS DATE (*insert full date*) 1/26/2021, appeared before me (*print full name of notary*) Jennifer Fraunfelder, the undersigned officer personally appeared (*Insert officers name*) Ronald F Fontaine who acknowledged him/herself to be (*Insert the name of municipality*) Swanzey and that being authorized to do so, he/she executed the foregoing instrument for the purposes therein contained. by signing by him/herself in the name of the Municipality
In witness whereof I hereunto set my hand and official seal. (*provide signature, seal and expiration of commission*) Jennifer Fraunfelder

JENNIFER M. FRAUNFELDER, Notary Public
My Commission Expires June 29, 2021

Bachler spoke about duration limit of 4 hours for events. Hutwelker said he is aware of a cap at 10:00 pm and he wants to maintain that but he isn't as concerned about the start time. He said the Event could start at 6:30 pm instead of 7:00 pm if they need extra time.

Steve Bittel said for the Cheshire Fair Association this is a for-profit use for a non-profit property and asked if there would be an impact on property taxes. Branley said the property is partially tax-exempt and partially taxed now. Branley said the appropriate tax would be applied for events.

> Hutwelker **moved** to approve the revisions to the Special Events Policy as drafted by the staff and with changes as discussed. There was a second to the motion by Karasinski and no further discussion. All were in favor. ***Motion passed.***

Michael Chadinha was also present, and he and McNally thanked the Board and left the meeting.

PUBLIC HEARINGS

Pursuant to RSA 31:95-b, acceptance and expenditure of unanticipated funds in the amount of $41,550 from the Monadnock Alliance for Sustainable Transportation for sidewalk improvements along Rt. 32 and Sawyers Crossing Road

Branley noted this grant is to supplement the sidewalk that was done with the roundabout project last year needs to be complement with additional sidewalks. These funds will permit the completion and most of the Town's match will be in kind labor by the Public Works Department. Karasinski said he recommends the new sidewalk be higher than the surrounding ground due to needs for snow plowing.

> Hutwelker **moved** to accept and expend $41,550 from the Monadnock Alliance for Sustainable Transportation for sidewalk improvements along Rt. 32 and Sawyers Crossing Road and authorize the Town Administrator to enter into contract documents with the Southwest Regional Planning Commission. There was a second to the motion by Karasinski and no further discussion. All were in favor. ***Motion passed.***

Pursuant to RSA 31:95-b, acceptance and expenditure of unanticipated funds in the amount of $65,000 from the Federal Emergency Management Association (FEMA) for design and permitting of measures to eliminate deficiencies identified in Upper Wilson Pond Dam through the High Hazard Potential Dam (HHPD) Program

Branley said this is for engineering and design work. Branley noted there were no public requests to speak.

> Hutwelker **moved** to accept and expend $65,000 from the Federal Emergency Management Association (FEMA) for design and permitting of measures to eliminate deficiencies identified in Upper Wilson Pond Dam through the High Hazard Potential Dam (HHPD) Program and to authorize the Town Administrator to enter into contract documents with FEMA. There was a second to the motion by Karasinski and no further discussion. All were in favor. ***Motion passed.***

Pursuant to RSA 31:95-b, acceptance and expenditure of unanticipated funds in the amount of $10,012 from the New Hampshire State Council on the Arts to support the conservation of hand-painted theater curtains

Lee Dunham said curtains were found in Whitcomb Hall that were from 1916. He said the curtains were reviewed by Curtains Without Borders and they determined the curtains were made by a New Hampshire artist and are worth conserving. He noted that the curtains need to be hung to keep them in good condition so they could not be hung until upstairs renovation at Whitcomb Hall was completed. Dunham said Chris Hadsel who is Director of Curtains without Borders determined the amount. Dunham

said Hadsel is respected by the Arts Council. August or September should be the time period for installment. Dunham said Covid-19 pandemic hampered what they did this year but needs to be done within fiscal year when approved. If it goes to next fiscal year, the Town will need to communicate with the Arts Council about the change, but there will be no problem.

> Hutwelker **moved** to accept and expend $10,012 from the New Hampshire State Council on the Arts to support the conservation of hand-painted theater curtains and authorize the Town Administrator to sign the grant agreement. There was a second to the motion by Karasinski and no further discussion. All were in favor. ***Motion passed.***

Pursuant to RSA 31:95-b, acceptance and expenditure of unanticipated funds in the amount of $10,644 from the New Hampshire Department of Safety for police highway safety enforcement
Branley said this is a combination of texting and driving enforcement.

> Hutwelker **moved** to accept and expend $10,644 from the New Hampshire Department of Safety for police highway safety enforcement and authorize the Town Administrator and Chief of Police to enter into the grant agreement. There was a second to the motion by Karasinski and no further discussion. All were in favor. ***Motion passed.***

OLD BUSINESS

Capital Improvement Program Committee (CIPC) Final Report

Discussion was held about the report from the CIPC. Branley said the CIPC suggested reducing the road improvement fund in order to initiate a new fund for large vehicle repairs. Branley said he entered the information from the CIPC report into his spreadsheets, and he got a 15.7% property tax increase. Therefore, he said he has put together some suggested reductions and handed a list of the suggested reductions to the Board for their review. Karasinski spoke about delaying the final overlay for Talbot Hill to the following year for the reduction in road improvement funding from one year to the next. Branley said he reduced some items but wanted to try to keep capital reserve funds on the list. He noted about $165,000 in total reductions.

AMOUNT	FUND
$100,000	Road Rehab
$25,000	Fire Ponds
$5,000	Winter Maintenance
$5,000	Cemetery Maintenance
$10,000	Recycling Center
$20,000	Town Bridges
$165,000	**Total**
$0.26	Tax Rate Impact

Karasinski asked for end-of-year statistics with regard to what has been spent and Branley said is expected in a few weeks.

Branley said with the fire station it will be an increase closer to 10% (assuming the reductions are approved by the Board) and without the fire station will be about 5% increase.

Primex³
NH Public Risk Management Exchange

CERTIFICATE OF COVERAGE

The New Hampshire Public Risk Management Exchange (Primex³) is organized under the New Hampshire Revised Statutes Annotated, Chapter 5-B, Pooled Risk Management Programs. In accordance with those statutes, its Trust Agreement and bylaws, Primex³ is authorized to provide pooled risk management programs established for the benefit of political subdivisions in the State of New Hampshire.

Each member of Primex³ is entitled to the categories of coverage set forth below. In addition, Primex³ may extend the same coverage to non-members. However, any coverage extended to a non-member is subject to all of the terms, conditions, exclusions, amendments, rules, policies and procedures that are applicable to the members of Primex³, including but not limited to the final and binding resolution of all claims and coverage disputes before the Primex³ Board of Trustees. The Additional Covered Party's per occurrence limit shall be deemed included in the Member's per occurrence limit, and therefore shall reduce the Member's limit of liability as set forth by the Coverage Documents and Declarations. The limit shown may have been reduced by claims paid on behalf of the member. General Liability coverage is limited to Coverage A (Personal Injury Liability) and Coverage B (Property Damage Liability) only. Coverage's C (Public Officials Errors and Omissions), D (Unfair Employment Practices), E (Employee Benefit Liability) and F (Educator's Legal Liability Claims-Made Coverage) are excluded from this provision of coverage.

The below named entity is a member in good standing of the New Hampshire Public Risk Management Exchange. The coverage provi ded may, however, be revised at any time by the actions of Primex³. As of the date this certificate is issued, the information set out below accurately reflects the categories of coverage established for the current coverage year.

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend, or alter the coverage afforded by the coverage categories listed below.

Participating Member:	*Member Number:*	*Company Affording Coverage:*
Town of Swanzey 620 Old Homestead Highway PO Box 10009 Swanzey, NH 03446	307	NH Public Risk Management Exchange - Primex³ Bow Brook Place 46 Donovan Street Concord, NH 03301-2624

Type of Coverage	*Effective Date (mm/dd/yyyy)*	*Expiration Date (mm/dd/yyyy)*	*Limits* - NH Statutory Limits May Apply, If Not:	
X **General Liability (Occurrence Form)** ☐ **Professional Liability (describe)** ☐ Claims Made ☐ Occurrence	1/1/2021	1/1/2022	Each Occurrence	$ 5,000,000
			General Aggregate	$ 5,000,000
			Fire Damage (Any one fire)	
			Med Exp (Any one person)	
X **Automobile Liability** Deductible Comp and Coll: ☐ Any auto	1/1/2021	1/1/2022	Combined Single Limit (Each Accident)	$ 5,000,000
			Aggregate	$ 5,000,000
X **Workers' Compensation & Employers' Liability**	1/1/2021	1/1/2022	X Statutory	
			Each Accident	$ 2,000,000
			Disease – Each Employee	$ 2,000,00
			Disease – Policy Limit	
X **Property (Special Risk includes Fire and Theft)**	1/1/2021	1/1/2022	Blanket Limit, Replacement Cost (unless otherwise stated)	Deductible: $ 1,000

Description: Proof of Primex Member coverage only.

CERTIFICATE HOLDER:	☐ Additional Covered Party	☐ Loss Payee	Primex³ – NH Public Risk Management Exchange
			By: *Mary Beth Purcell*
State of New Hampshire Department of Natural & Cultural Resources 172 Pembroke Rd Concord, NH 03301			Date: 10/13/2020 mpurcell@nhprimex.org Please direct inquires to: **Primex³ Claims/Coverage Services** **603-225-2841 phone** **603-228-3833 fax**