



MEETING AGENDA
TOWN OF PITTSFIELD
BOARD OF SELECTMEN
TOWN OFFICE, 85 MAIN STREET
PITTSFIELD, NEW HAMPSHIRE 03263

TUESDAY, DECEMBER 27, 2016

6:00 p.m. – Call to order

PUBLIC INPUT – regarding agenda items only

AGENDA REVIEW

NEW BUSINESS

ACTION ITEMS

1. Timber yield tax warrant - \$6,091.51 – Map R13, Lot 6
2. Encumbrances from 2016 budget
3. Transfer of funds to Trustees – \$3,000.00 perpetual care of 2016 cemetery lot sales
4. Quitclaim deeds to Town for 37 Main Street
5. 37 Main Street economic revitalization project – response from Suncook Valley R.D.C.
6. Letter requesting support from Town of Pittsburg regarding municipal roads

COMMITTEE REPORTS

INFORMATION ITEMS

1. Master Roads Scholar II achievement – Asst. Supt. Brian Eldredge
2. Sale of town owned tax-deeded property
3. Update of Josiah Carpenter Library sewer issue

OLD BUSINESS

1. Town hall basement code issues (4/5/16)
2. Sale of town owned tax-deeded property (7/26/16)
 - a. 81 Main Street – (under agreement 8/23/16)
 - b. 31 Berry Avenue – (under agreement 8/10/16)
3. Joy Street Pump Station concern (8/16/16, building/health to follow up)
4. Town equipment policy changes (tabled 9/20/16)
5. Consulting Services Contract for Municipalization of Pittsfield Aqueduct Co. (tabled 9/27/16)
6. Reconsideration of mower purchase from 2016 town budget (tabled 12/13/16)
7. Memorandum of Understanding with School District (tabled 12/13/16)

CHECK MANIFESTS

1. Accounts Payable
2. Payroll

MINUTES

1. December 13, 2016 – Public Meeting Minutes
2. December 13, 2016 – Non-Public Meeting Minutes
(no meeting was held December 20, 2016)

PUBLIC INPUT

Board of Selectmen Meeting Agenda – 12/27/2016

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ORIGINAL WARRANT

TIMBER TAX LEVY

TAX YEAR: April 1, 2016 to March 31, 2017

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS

TO: ERICA B. ANTHONY, Collector of Taxes for Town of PITTSFIELD, 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 Timber Yield Taxes set against their name(s), amounting in all to the sum of : **\$6,091.51** with interest at eighteen (18%) percent per annum from the due date and on all sums not paid on or before that day.

Given under our hands and seal at Pittsfield

(seal)

Board of Selectmen

DATE WARRANT SIGNED: December 27, 2016

NAME & ADDRESS	MAP & LOT	OPERATION #	TIMBER TAX DUE
Daniel J. Mullen, Trustee P O Box 292 Pittsfield, NH 030263 Mullen Revocable Trust R13-0006-0000	R13-0006-0000	16-371-03-T	\$6,091.51

TOTAL TAX: \$6,091.51



TOWN OF PITTSFIELD

85 MAIN STREET
P.O. BOX 98
PITTSFIELD NH, 03263
(603) 435-6773

Daniel J. Mullen, Trustee
P O Box 292
Pittsfield, NH 030263
Mullen Revocable Trust
R13-0006-0000

TIMBER YIELD TAX

TAX MAP & LOT NUMBER: R13-0006-0000

TIMBER OPERATION NUMBER: 16-371-03-T

DATE OF YIELD TAX BILL: _____

AMOUNT COMMITTED TO ME
FOR COLLECTION PER RSA 79: \$6,091.51

*** 18% APR INTEREST WILL BE CHARGED AFTER _____ 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 11am-7pm ~ TUESDAY - FRIDAY 8am-4pm

Sincerely,

ERICA B. ANTHONY
Tax Collector

FORM
PA-8

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
REPORT OF WOOD OR TIMBER CUT
RSA 79:11

See instructions on back of form

Rec'd
12/16/16
BET



OPERATION # 16-371-03- T

For Tax Year April 1, 2016 to March 31, 2017

Mailing Address:

MATTHEW K MAGOON
863 ROUTE 129
LOUDON NH 03307-

8. Description of Wood or Timber Cut

SPECIES	EXACT SCALE CUT USE INTERNATIONAL 1/4 RULE LOG SCALE	
	TONS	OR CORDS
White Pine	301.795	MBF
Hemlock	110.690	MBF
Red Pine	13.185	MBF
Spruce & Fir		MBF
Hard Maple		MBF
White Birch		MBF
Yellow Birch	3.060	MBF
Oak	510	MBF
Ash	160	MBF
Beech & Soft Maple	4.935	MBF
Pallet or Tie Logs	104.480	MBF
Others (Specify)		MBF
PULPWOOD	TONS	OR CORDS
Spruce & Fir		
Hardwood & Aspen	1070.05	
Pine	16.82	
Hemlock		
Whole Tree Chips	2812.23	
MISCELLANEOUS:		
High Grade Spruce/Fir		Tons
Cordwood & Fuelwood		Cords

- City/Town of: PITTSFIELD
- Tax Map/Lot # or USFS sale name/unit #: MAP R 13 L6
- Exact Acreage of Cut: 57
- Is the cutting complete? Yes No
- If yes, date cutting was completed? _____
- Name of sawmill or pulpmill logs or pulpwood was sold to: _____

NAME _____

NAME _____

NAME _____

NAME _____

7. I hereby report the wood or timber cut under penalty of perjury.
(If a corporation, an officer must sign)

Daniel J. Mullen 12-11-16
SIGNATURE (IN INK) OF OWNER(S) OR CORPORATE OFFICER DATE

SIGNATURE (IN INK) OF OWNER(S) OR CORPORATE OFFICER DATE

CORPORATE OFFICER NAME AND TITLE DATE

Daniel J. Mullen
PRINT OWNER(S) NAME

P.O. Box 292
MAILING ADDRESS

Pittsfield N.H. 03763
CITY/TOWN STATE ZIP CODE

TELE NO.: 603 [REDACTED]

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

Species:	Amount

10. Under penalty of perjury, I (the logger/forester or person responsible for cutting) declare that I have verified that the above figures are true and correct.

Matthew K Magoon
SIGNATURE (IN INK) OF LOGGER/FORESTER RESPONSIBLE FOR CUTTING

DATE: 12/11/16

PENALTY: Any person who reports a Timber Cut with the proper assessing officials or fails to send copies to the Department of Revenue administration in accordance with RSA 79:11, shall be guilty of a misdemeanor.

DOOMAGE: If an owner neglects to file a report or willfully falsifies a report, the assessing officials shall assess doamage which is two times what the tax would have been if the report has been properly filed. Refer to RSA 79:12 for the complete statute on doamage.

**Town of Plittsfield, NH
Encumbrances & Non-Lapsing Appropriations**

2016 Encumbrances

#	expense account	budget year	explanation	12/31/2015 balance	2016 expended	2016 lapse	2016 voted to encumber	12/23/2016 balance
1	01-4990-1-002	2015	2015 warrant article #18, utility estimate cost services	25,000.00	(13,262.50)			11,737.50
2	01-4990-1-001	2015	remainder of 2015 Highway Block Grant	87,255.77	(87,255.77)			-
3	01-4990-1-001	2015	remainder of 2015 Highway Block Grant	87,255.77	(87,255.77)			-
4	01-4150-2-301	2016	remainder of 2016 Auditing Services				8,309.00	8,309.00
5	01-4312-1-731	2016	remainder of 2016 Highway Paving & Reconstruction				88,149.93	88,149.93
5	01-4312-4-730	2016	remainder of 2016 Highway Sidewalk (for 2017 SRTS project)				30,000.00	30,000.00
6	01-4909-1-006	2016	remainder of 2016 Highway Garage Paving				21,000.00	21,000.00
Total of General Fund Encumbrances				\$ 199,511.54	\$ (187,774.04)	\$ -	\$ 147,458.93	\$ 159,196.43

Non-Lapsing Appropriations

expense account	budget year	explanation	town meeting approved	expended	lapse	additions	balance
7	03-4909-1-715	2016	Safe Routes to School project -2016 town meeting warrant article #9	386,541.00	(42,295.00)		344,246.00
8	01-4909-1-005	2016	Shaw Road Bridge project -2016 town meeting warrant article #10	325,000.00	(4,958.07)		320,041.93
Total Non-Lapsing Appropriations			\$ 711,541.00	\$ (47,253.07)	\$ -	\$ -	\$ 664,287.93
Grand Total of Encumbrances & Non-Lapsing			\$ 911,052.54	\$ (235,027.11)	\$ -	\$ 147,458.93	\$ 823,484.36

ACTUAL & BUDGETED EXPENSES & ENCUMBRANCE

Report Sequence = Fund or Acct Group

Account = First thru Last; Mask = 01-4150-#-###

Level of Detail = Object; Level = 9

Fund: GENERAL FUND

Period: January 2016 to December 2016

Account Number	Account Name	Current Year Budgeted	Period Expenditures	Current Year Expenditures	Encumbrances	Balance Remaining	Percent Left
GENERAL FUND							
OPERATING BUDGET							
FINANCIAL ADMINISTRATION							
01-4150-1-110	ADMINISTRATIVE ASSISTANT	34578.00	35911.27	35911.27	0.00	(1333.27)	(3.86)
01-4150-1-210	HEALTH INSURANCE	17198.00	18941.58	18941.58	0.00	(1743.58)	(10.14)
01-4150-1-215	LIFE INSURANCE	18.00	22.50	22.50	0.00	(4.50)	(25.00)
01-4150-1-220	FICA	2144.00	2235.18	2235.18	0.00	(91.18)	(4.25)
01-4150-1-225	MEDICARE	501.00	522.95	522.95	0.00	(21.95)	(4.38)
01-4150-1-230	RETIREMENT	3862.00	4399.64	4399.64	0.00	(537.64)	(13.92)
01-4150-1-245	TRAINING	100.00	0.00	0.00	0.00	100.00	100.00
01-4150-1-250	UNEMPLOYMENT COMPENSATION	160.00	112.00	112.00	0.00	48.00	30.00
01-4150-1-260	WORKERS COMPENSATION	2000.00	1812.53	1812.53	0.00	187.47	9.37
01-4150-1-280	HEALTH REIMBURSEMENT ACCOUNT	770.00	716.63	716.63	0.00	53.37	6.93
01-4150-1-340	BANK SERVICE CHARGES	6500.00	5494.91	5494.91	0.00	1005.09	15.46
01-4150-1-341	ELECTRONIC COMMUNICATIONS	689.00	785.20	785.20	0.00	(96.20)	(13.96)
01-4150-1-370	COMPUTER MAINTENANCE SERVICES	1280.00	1143.50	1143.50	0.00	136.50	10.66
01-4150-1-371	SOFTWARE SUPPORT SERVICES	4320.00	3935.00	3935.00	0.00	385.00	8.91
01-4150-1-480	INSURANCE PROPERTY/LIABILITY	360.00	398.06	398.06	0.00	(38.06)	(10.57)
01-4150-1-550	TOWN REPORT	2500.00	3137.00	3137.00	0.00	(637.00)	(25.48)
01-4150-1-560	DUES & SUBSCRIPTIONS	40.00	75.00	75.00	0.00	(35.00)	(87.50)
01-4150-1-620	FA ACCTG OFFICE SUPPLIES	800.00	894.12	894.12	0.00	(94.12)	(11.77)
01-4150-1-625	FA ACCTG POSTAGE	1500.00	1500.00	1500.00	0.00	0.00	0.00
01-4150-2-301	AUDITING SERVICES	20000.00	10831.00	10831.00	0.00	9169.00	45.85
01-4150-4-130	TAX COLLECTOR	21553.00	20300.08	20300.08	0.00	1252.92	5.81
01-4150-4-210	HEALTH INSURANCE	4300.00	4217.19	4217.19	0.00	82.81	1.93
01-4150-4-215	LIFE INSURANCE	14.00	13.44	13.44	0.00	0.56	4.00
01-4150-4-220	FICA	1603.00	1491.93	1491.93	0.00	111.07	6.93
01-4150-4-225	MEDICARE	375.00	348.94	348.94	0.00	26.06	6.95
01-4150-4-230	RETIREMENT	2408.00	2176.00	2176.00	0.00	232.00	9.63
01-4150-4-245	TRAINING	0.00	0.00	0.00	0.00	0.00	0.00
01-4150-4-250	UNEMPLOYMENT COMPENSATION	0.00	112.00	112.00	0.00	(112.00)	0.00
01-4150-4-260	WORKERS COMPENSATION	690.00	616.65	616.65	0.00	73.35	10.63
01-4150-4-280	HEALTH REIMBURSEMENT ACCOUNT	50.00	0.00	0.00	0.00	50.00	100.00
01-4150-4-341	ELECTRONIC COMMUNICATIONS	593.00	539.37	539.37	0.00	53.63	9.04
01-4150-4-370	COMPUTER MAINTENANCE SERVICES	1280.00	1151.95	1151.95	0.00	128.05	10.00
01-4150-4-371	SOFTWARE SUPPORT SERVICES	2750.00	2792.00	2792.00	0.00	(42.00)	(1.53)
01-4150-4-480	INSURANCE PROPERTY/LIABILITY	250.00	185.24	185.24	0.00	64.76	25.90
01-4150-4-540	ADVERTISING	125.00	64.50	64.50	0.00	60.50	48.40

A C T U A L & B U D G E T E D E X P E N S E S & E N C U M B R A N C E

Report Sequence = Fund or Acct Group

Account = First thru Last; Mask = 01-4150-#-###

Level of Detail = Object; Level = 9

Fund: GENERAL FUND

Period: January 2016 to December 2016

Account Number	Account Name	Current Year Budgeted	Period Expenditures	Current Year Expenditures	Encumbrances	Balance Remaining	Percent Left
01-4150-4-550	PRINTING	0.00	124.00	124.00	0.00	(124.00)	0.00
01-4150-4-560	DUES & SUBSCRIPTIONS	50.00	20.00	20.00	0.00	30.00	60.00
01-4150-4-570	REGISTRY OF DEEDS RECORDG FEES	1000.00	709.21	709.21	0.00	290.79	29.08
01-4150-4-571	LIEN TITLE SEARCH	2150.00	1304.04	1304.04	0.00	845.96	39.35
01-4150-4-620	FA TAX OFFICE SUPPLIES	1500.00	1092.92	1092.92	0.00	407.08	27.14
01-4150-4-625	FA TAX POSTAGE	4800.00	4800.00	4800.00	0.00	0.00	0.00
01-4150-4-690	CONFERENCES	425.00	324.00	324.00	0.00	101.00	23.76
01-4150-5-130	TOWN TREASURER	2300.00	2300.00	2300.00	0.00	0.00	0.00
01-4150-5-220	FICA	143.00	142.62	142.62	0.00	0.38	0.27
01-4150-5-225	MEDICARE	34.00	33.36	33.36	0.00	0.64	1.88
01-4150-5-480	INSURANCE PROPERTY/LIABILITY	20.00	21.53	21.53	0.00	(1.53)	(7.65)
01-4150-7-130	TRUSTEES OF TRUST FUNDS TREASR	1700.00	1700.00	1700.00	0.00	0.00	0.00
01-4150-7-220	FICA	106.00	105.38	105.38	0.00	0.62	0.58
01-4150-7-225	MEDICARE	25.00	24.65	24.65	0.00	0.35	1.40
01-4150-7-480	INSURANCE PROPERTY/LIABILITY	15.00	16.15	16.15	0.00	(1.15)	(7.67)
TOTAL FINANCIAL ADMINISTRATION		149579.00	139595.22	139595.22	0.00	9983.78	6.67
TOTAL OPERATING BUDGET		149579.00	139595.22	139595.22	0.00	9983.78	6.67
TOTAL GENERAL FUND		149579.00	139595.22	139595.22	0.00	9983.78	6.67
TOTAL GENERAL FUND		149579.00	139595.22	139595.22	0.00	9983.78	6.67

A C T U A L & B U D G E T E D E X P E N S E S & E N C U M B R A N C E

Report Sequence = Fund or Acct Group

Account = First thru Last; Mask = 01-4312-#-###

Level of Detail = Object; Level = 9

Fund: GENERAL FUND

Period: January 2016 to December 2016

Account Number	Account Name	Current Year Budgeted	Period Expenditures	Current Year Expenditures	Encumbrances	Balance Remaining	Percent Left
GENERAL FUND							
OPERATING BUDGET							
HIGHWAYS AND STREETS							
HIGHWAYS, STREETS, & BRIDGES							
01-4312-1-730	HIGHWAY BLOCK GRANT	107251.00	0.00	0.00	0.00	107251.00	100.00
01-4312-1-731	PAVING & RECONSTRUCTION	196208.00	108058.07	108058.07	0.00	88149.93	44.93
01-4312-1-732	ASPHALT ROAD SEALING	10800.00	10800.00	10800.00	0.00	0.00	0.00
01-4312-2-110	ASST SUPT PUBLIC WORKS	50880.00	46225.00	46225.00	0.00	4655.00	9.15
01-4312-2-111	LIGHT EQUIPMENT OPERATOR	44327.00	43074.14	43074.14	0.00	1252.86	2.83
01-4312-2-112	LIGHT EQUIPMENT OPERATOR	40355.00	39719.28	39719.28	0.00	635.72	1.58
01-4312-2-113	LIGHT EQUIPMENT OPERATOR	24435.00	25365.49	25365.49	0.00	(930.49)	(3.81)
01-4312-2-120	SEASONAL LABOR	3000.00	0.00	0.00	0.00	3000.00	100.00
01-4312-2-140	OVERTIME	25000.00	12091.95	12091.95	0.00	12908.05	51.63
01-4312-2-195	STIPEND FOR VEHICLE USE	0.00	0.00	0.00	0.00	0.00	0.00
01-4312-2-210	HEALTH INSURANCE	72116.00	61103.07	61103.07	0.00	11012.93	15.27
01-4312-2-211	RETIREE MEDICOMP	3251.00	1083.44	1083.44	0.00	2167.56	66.67
01-4312-2-215	LIFE INSURANCE	102.00	101.81	101.81	0.00	0.19	0.19
01-4312-2-220	FICA	11955.00	10441.61	10441.61	0.00	1513.39	12.66
01-4312-2-225	MEDICARE	2798.00	2463.40	2463.40	0.00	334.60	11.96
01-4312-2-230	RETIREMENT	20667.00	15418.57	15418.57	0.00	5248.43	25.40
01-4312-2-250	UNEMPLOYMENT COMPENSATION	810.00	511.00	511.00	0.00	299.00	36.91
01-4312-2-260	WORKERS COMPENSATION	6100.00	5519.15	5519.15	0.00	580.85	9.52
01-4312-2-280	HEALTH REIMBURSEMENT ACCOUNT	3375.00	4472.66	4472.66	0.00	(1097.66)	(32.52)
01-4312-2-350	DRUG & ALCOHOL TESTING	180.00	0.00	0.00	0.00	180.00	100.00
01-4312-2-360	OUTSIDE SERVICES	3000.00	6296.25	6296.25	0.00	(3296.25)	(109.88)
01-4312-2-390	LINE STRIPING	12000.00	12132.39	12132.39	0.00	(132.39)	(1.10)
01-4312-2-391	EMERGENCY LANES	750.00	0.00	0.00	0.00	750.00	100.00
01-4312-2-480	INSURANCE PROPERTY/LIABILITY	4603.00	4580.25	4580.25	0.00	22.75	0.49
01-4312-2-635	GASOLINE	3000.00	1591.86	1591.86	0.00	1408.14	46.94
01-4312-2-636	DIESEL FUEL	29000.00	13042.28	13042.28	0.00	15957.72	55.03
01-4312-2-637	KEROSENE/LUBRICANTS	2000.00	1043.70	1043.70	0.00	956.30	47.82
01-4312-2-659	2014 INTERNATIONAL 7400	1000.00	598.59	598.59	0.00	401.41	40.14
01-4312-2-660	ONE-TON TRUCK	0.00	0.00	0.00	0.00	0.00	0.00
01-4312-2-661	2011 INTERNATIONAL 4400	1500.00	2454.13	2454.13	0.00	(954.13)	(63.61)
01-4312-2-662	1999 STERLING L7501	0.00	0.00	0.00	0.00	0.00	0.00
01-4312-2-663	2006 INTERNATIONAL 7400	2000.00	5432.60	5432.60	0.00	(3432.60)	(171.63)

ACTUAL & BUDGETED EXPENSES & ENCUMBRANCE

Report Sequence = Fund or Acct Group

Account = First thru Last; Mask = 01-4312-#-###

Level of Detail = Object; Level = 9

Fund: GENERAL FUND

Period: January 2016 to December 2016

Account Number	Account Name	Current Year Budgeted	Period Expenditures	Current Year Expenditures	Encumbrances	Balance Remaining	Percent Left
01-4312-2-664	2008 INTERNATIONAL 7400	2000.00	6430.70	6430.70	0.00	(4430.70)	(221.54)
01-4312-2-665	2002 LOADER	3000.00	1727.77	1727.77	0.00	1272.23	42.41
01-4312-2-666	2007 GRADER	1500.00	1522.70	1522.70	0.00	(22.70)	(1.51)
01-4312-2-667	2003 BACKHOE	1500.00	199.62	199.62	0.00	1300.38	86.69
01-4312-2-668	2006 SIDEWALK PLOW	1000.00	1219.49	1219.49	0.00	(219.49)	(21.95)
01-4312-2-669	ROADSIDE MOWER	1500.00	1539.94	1539.94	0.00	(39.94)	(2.66)
01-4312-2-670	SANDERS	1000.00	130.50	130.50	0.00	869.50	86.95
01-4312-2-671	SNOW PLOWS	7000.00	7064.53	7064.53	0.00	(64.53)	(0.92)
01-4312-2-672	CHIPPER	250.00	439.16	439.16	0.00	(189.16)	(75.66)
01-4312-2-673	POWER SAWS	250.00	99.00	99.00	0.00	151.00	60.40
01-4312-2-674	YORK RAKE	1.00	0.00	0.00	0.00	1.00	100.00
01-4312-2-676	FLEET PARTS & SUPPLIES	2500.00	2993.34	2993.34	0.00	(493.34)	(19.73)
01-4312-2-680	DEPARTMENT SUPPLIES	4000.00	4410.86	4410.86	0.00	(410.86)	(10.27)
01-4312-2-681	SAND & GRAVEL	40000.00	37479.87	37479.87	0.00	2520.13	6.30
01-4312-2-682	COLD/HOT TOP	4000.00	11040.65	11040.65	0.00	(7040.65)	(176.02)
01-4312-2-683	CULVERTS	1500.00	1474.94	1474.94	0.00	25.06	1.67
01-4312-2-684	STREET/TRAFFIC CONTROL SIGNS	1000.00	925.57	925.57	0.00	74.43	7.44
01-4312-2-685	MAGNESIUM CHLORIDE	20000.00	18968.50	18968.50	0.00	1031.50	5.16
01-4312-3-430	STORM SEWER MAINTENANCE	2000.00	1170.00	1170.00	0.00	830.00	41.50
01-4312-4-430	SIDEWALK MAINTENANCE	0.00	200.00	200.00	0.00	(200.00)	0.00
01-4312-4-730	SIDEWALK RECONSTRUCTION	30000.00	0.00	0.00	0.00	30000.00	100.00
01-4312-5-390	SNOW REMOVAL	9000.00	765.00	765.00	0.00	8235.00	91.50
01-4312-5-391	MUNICIPAL LOT PLOWING	2500.00	0.00	0.00	0.00	2500.00	100.00
01-4312-5-686	SALT	48983.00	30587.89	30587.89	0.00	18395.11	37.55
01-4312-7-390	CARE OF TREES	1500.00	1675.00	1675.00	0.00	(175.00)	(11.67)
TOTAL	HIGHWAYS, STREETS, & BRIDGES	868447.00	565685.72	565685.72	0.00	302761.28	34.86
TOTAL	HIGHWAYS AND STREETS	868447.00	565685.72	565685.72	0.00	302761.28	34.86
TOTAL	OPERATING BUDGET	868447.00	565685.72	565685.72	0.00	302761.28	34.86
TOTAL	GENERAL FUND	868447.00	565685.72	565685.72	0.00	302761.28	34.86
TOTAL	GENERAL FUND	868447.00	565685.72	565685.72	0.00	302761.28	34.86

ACTUAL & BUDGETED EXPENSES & ENCUMBRANCE

Report Sequence = Fund or Acct Group

Account = First thru Last; Mask = 01-4909-#-###

Level of Detail = Object; Level = 9

Fund: GENERAL FUND

Period: January 2016 to December 2016

Account Number	Account Name	Current Year Budgeted	Period Expenditures	Current Year Expenditures	Encumbrances	Balance Remaining	Percent Left
GENERAL FUND							
CAPITAL OUTLAY							
IMPROVEMENTS OTHER THAN BUILDINGS							
01-4909-1-001	TEAMSTERS UNION WARRANT ARTCL	0.00	0.00	0.00	0.00	0.00	0.00
01-4909-1-002	NHFT UNION WARRANT ARTICLE	0.00	0.00	0.00	0.00	0.00	0.00
01-4909-1-003	TAX DEEDED PROPERTY EXP	0.00	0.00	0.00	0.00	0.00	0.00
01-4909-1-004	DEMOLITION OF 42 CHESTNUT ST	26800.00	28616.95	28616.95	0.00	(1816.95)	(6.78)
01-4909-1-005	SHAW ROAD BRIDGE REPLACEMENT	325000.00	4958.07	4958.07	0.00	320041.93	98.47
01-4909-1-006	PAVING AT HIGHWAY GARAGE	21000.00	0.00	0.00	0.00	21000.00	100.00
01-4909-1-715	SIDEWALKS REPAIR SRTS GRANT	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL	IMPROVEMENTS OTHER THAN BUILDINGS	372800.00	33575.02	33575.02	0.00	339224.98	90.99
TOTAL	CAPITAL OUTLAY	372800.00	33575.02	33575.02	0.00	339224.98	90.99
TOTAL	GENERAL FUND	372800.00	33575.02	33575.02	0.00	339224.98	90.99
TOTAL	GENERAL FUND	372800.00	33575.02	33575.02	0.00	339224.98	90.99

Town of Pittsfield
Floral Park Cemetery

lot sales - perpetual care funds transfer - to trust fund for cemetery lot

Town / Trustees Transfer Activity

Lot Name	Sale \$	General Fund	Perpetual Care (Trust Fund)
Konopka	4,000.00	2,400.00	1,600.00
Maxfield	1,500.00	900.00	600.00
Gerlack Sr	1,000.00	600.00	400.00
Price	1,000.00	600.00	400.00
	<u>7,500.00</u>	<u>4,500.00</u>	<u>3,000.00</u>

Transfer FROM \$ 3,000.00

Town Citizens General Fund # 3300027782

Transfer TO \$ 3,000.00

Town Trustees Citizens Checking # 3300027774

Purpose:

lot sales - perpetual care funds transfer - to trust fund

Board of Selectmen

Date:

For the Town:

For the Trustees:

Cindy M. Houle, Town Treasurer

Cara M. Marston, Trustees Treasurer

ACTUAL & ANTICIPATED REVENUES

Report Sequence =

Account = 01-3401-8-001 thru 01-3401-8-001; Mask = ##-####-##-###

Level of Detail = Transaction Detail; Level = 9

Fund: GENERAL FUND

Period: January 2016 to December 2016

Account Number	Account Name	Prior Year Ptd Revenues	Current Year Ptd Revenues	Current Year Budgeted	Current Year Ytd Revenues	Balance Uncollected	Percent Left
INCOME FROM DEPARTMENTS							
01-3401-8-001	SALE OF CEMETERY LOT	0.00	7500.00	3000.00	7500.00	(4500.00)	(150.00)
GL Register	Jrn#	Posting Period	Transaction Description	Document	Transaction Type	Amount	
009409-000028	GENJRN 03	2016 03/18/16	KONOPKA E-J10 & E-I10		RI Revenue Increase	3000.00	
009514-000093	GENJRN 08	2016 08/16/16	KONOPKA B-E 5J/6J & 5I/6I		RI Revenue Increase	1000.00	
009514-000094	GENJRN 08	2016 08/17/16	MAXFIELD BLK - E H10		RI Revenue Increase	1500.00	
009584-000010	GENJRN 11	2016 11/01/16	gerlack floral park D lot F27		RI Revenue Increase	1000.00	
009630-000029	GENJRN 12	2016 12/15/16	CEMETERY SALE LOT D-F-26 PRICE		RI Revenue Increase	1000.00	
						Actual Revenue Total	7500.00
TOTAL	INCOME FROM DEPARTMENTS	0.00	7500.00	3000.00	7500.00	(4500.00)	(150.00)
TOTAL	GENERAL FUND	0.00	7500.00	3000.00	7500.00	(4500.00)	(150.00)

Please Record & Return to:
Upton & Hatfield, LLP
PO Box 1090
Concord, NH 03302-1090
Attention: Jeanne S. Saffan, Esq.

Recording Fee: \$ 20.00
Transfer Tax/Stamp 0
LCHIP Surcharge Fee: \$25.00

QUITCLAIM DEED

FOR CONSIDERATION PAID, I, John William Miskoe, Trustee of the J. William Miskoe Revocable Trust, u/d/t dated February 23, 2015, having an address of 61 Thompson Road, Pittsfield, New Hampshire 03263, grant to the Town of Pittsfield by and through the trustees of the Josiah Carpenter Library, with a mailing address of 85 Main Street, Pittsfield, New Hampshire 03263 **WITHOUT COVENANTS**, the following:

A certain tract of land with any improvements thereon, situated on the southwest side of Main Street, in Pittsfield, County of Merrimack, New Hampshire and described as follows:

Beginning at a point on the southwest side of said Main Street, said point being the north corner of land of the Town of Pittsfield, Carpenter Library, as shown on a plan hereafter described;

thence South 61 Degrees, 43 Minutes, 55 Seconds, West, 179.56 feet to a rered with cap;

thence North 27 Degrees, 24 Minutes, 3 Seconds, West, 168.42 feet, to a notch set in an irregular 8" by 8" by 30" stone post;

thence North 63 Degrees, 51 Minutes, 56 Seconds, East, 63.80 feet to a point;

thence South 21 Degrees, 59 Minutes, 17 Seconds, East, 53.70 feet to an iron pipe found flush with the ground;

thence North 62 Degrees, 24 Minutes, 58 Seconds East, 53.15 feet to a point;

thence South 27 Degrees, 4 Minutes, 40 Seconds, East, 70.00 feet to a point;

thence North 62 Degrees, 24 Minutes, 58 Seconds East, 58.50 feet to a point;

thence North 19 Degrees, 53 Minutes, 58 Seconds, East, 13.40 feet to a point on the southwest side of said Main Street;

thence South 27 Degrees, 4 Minutes, 40 Seconds, East, 50.00 feet along the southwest side of Main Street to the point of beginning.

Containing, .43 Acre, more or less, or 18,730 square feet, more or less, as shown on a plan entitled "Land of J. WILLIAM MISKOE REVOCABLE TRUST, 33 Main St. (U-3- 45), 37 Main St. (U-3-44), Pittsfield, New Hampshire, Book 3533, Page 1649, Tract I, II, Merrimack County Deeds, Concord, NH, LOT LINE ADJUSTMENT, Dwg. No. 2347" (the "Plan"), prepared by H.H. AMSDEN & SONS, Concord, NH, latest revision dated November 15, 2016, said plan attached hereto and to be recorded in the Merrimack County Registry of Deeds.

Meaning and intending to describe and convey the remaining portion of Tract II on said Plan after annexation of a portion of Tract II to Tract I described in Quitclaim Deed of the Town of Pittsfield to J.S. Miskoe, Trustee of the J.W. Miskoe Revocable Trust, dated October 11, 2016 and recorded in the Merrimack County Registry of Deeds at Book 3533, Page 1649.

This transfer is exempt from State of New Hampshire Real Estate Transfer Tax pursuant to RSA 78-B:2 (I) Exception to Real Estate Transfer Tax: Transfer of title to a town.

This is not homestead property.

This deed was prepared from information provided by the Grantor herein and the Plan and no independent title examination has been conducted.

Executed this 20th day of December, 2016.

John William Miskoe, Trustee of the
J. William Miskoe Revocable Trust

**STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK, SS.:**

This instrument was acknowledged before me by John William Miskoe, Trustee of the J. William Miskoe Revocable Trust.

Evan Blunthorn
Notary Public/ Justice of the Peace
My Commission Expires: June 6, 2017



TRUSTEE'S CERTIFICATE

The undersigned trustee as trustee under the J. William Miskoe Revocable Trust, dated February 23, 2015, and thereto have full and absolute power in said trust agreement to convey any interest in real estate and improvements thereon held in said trust agreement and no purchaser or third party shall be bound to inquire whether the trustee has said power or is properly exercising said power or to see to the application of any trust asset paid to the trustee for a conveyance thereof.



John William Miskoe, Trustee

Please Record & Return to:
Upton & Hatfield, LLP
PO Box 1090
Concord, NH 03302-1090
Attention: Jeanne S. Saffan, Esq.

Recording Fee: \$20.00
Transfer Tax/Stamp 0
LCHIP Surcharge Fee: \$25.00

QUITCLAIM DEED

FOR CONSIDERATION PAID, I, John William Miskoe, Trustee of the J. William Miskoe Revocable Trust, u/d/t dated February 23, 2015, having an address of 61 Thompson Road, Pittsfield, New Hampshire 03263, grant to the Town of Pittsfield, with a mailing address of 85 Main Street, Pittsfield, New Hampshire 03263 **WITHOUT COVENANTS**, the following:

A certain tract of land with any improvements thereon, situated on the southwest side of Main Street, in Pittsfield, County of Merrimack, New Hampshire and described as follows:

Beginning at a point on the southwest side of said Main Street, said point being;

North 27 Degrees, 4 Minutes, 40 Seconds, West, 175.84 feet, more or less, from the north corner of land of the Town of Pittsfield, Carpenter Library, as shown on a plan hereafter described;

thence South 62 Degrees, 47 Minutes, 23 Seconds, West, 103.28 feet to a an iron pipe found flush with the ground; thence South 62 Degrees, 47 Minutes, 23 Seconds, West, 19.42 feet, to a point;

thence South 53 Degrees, 20 Minutes, 46 Seconds, East, 13.61 feet to a point;

thence South 21 Degrees, 59 Minutes, 17 Seconds, East, 53.70 feet to an iron pipe found flush with the ground;

thence North 62 Degrees, 24 Minutes, 58 Seconds East, 53.15 feet to a point;

thence South 27 Degrees, 4 Minutes, 40 Seconds, East, 70.00 feet to a point;

thence North 62 Degrees, 24 Minutes, 58 Seconds East, 58.50 feet to a point;

thence North 19 Degrees, 53 Minutes, 58 Seconds, East, 13.40 feet to a point on the southwest side of said Main Street;

thence North 27 Degrees, 4 Minutes, 40 Seconds, West, 125.84 feet along the southwest side of Main Street to the point of beginning.

Containing, .29 Acre, more or less, or 12,515 square feet, more or less, as shown on a plan entitled "Land of J. WILLIAM MISKOE REVOCABLE TRUST, 33 Main St. (U-3-45), 37 Main St. (U-3-44), Pittsfield, New Hampshire, Book 3533, Page 1649, Tract I, II, Merrimack County Deeds, Concord, NH, LOT LINE ADJUSTMENT, Dwg. No. 2347" (the "Plan"), prepared by H.H. AMSDEN & SONS, Concord, NH, latest revision dated November 15, 2016, said plan attached hereto and to be recorded in the Merrimack County Registry of Deeds.

Meaning and intending to describe and convey Tract I and a portion of Tract II on said Plan after annexation of a portion of Tract II to Tract I described in Quitclaim Deed of the Town of Pittsfield to J.W. Miskoe, Trustee of the J.W. Miskoe Revocable Trust, dated October 11, 2016 and recorded in the Merrimack County Registry of Deeds at Book 3533, Page 1649.

This transfer is exempt from State of New Hampshire Real Estate Transfer Tax pursuant to RSA 78-B:2 (I) Exception to Real Estate Transfer Tax: Transfer of title to a town.

This is not homestead property.

This deed was prepared from information provided by the Grantor herein and the Plan and no independent title examination has been conducted.

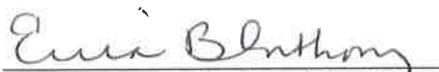
Executed this 20th day of December, 2016.



John William Miskoe, Trustee of the
J. William Miskoe Revocable Trust

**STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK, SS.:**

This instrument was acknowledged before me by John William Miskoe, Trustee of the J. William Miskoe Revocable Trust.

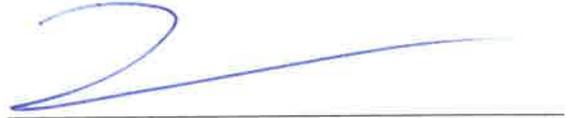


Notary Public/ Justice of the Peace
My Commission Expires: June 6, 2017



TRUSTEE'S CERTIFICATE

The undersigned trustee as trustee under the J. William Miskoe Revocable Trust, dated February 23, 2015, and thereto have full and absolute power in said trust agreement to convey any interest in real estate and improvements thereon held in said trust agreement and no purchaser or third party shall be bound to inquire whether the trustee has said power or is properly exercising said power or to see to the application of any trust asset paid to the trustee for a conveyance thereof.



John William Miskoe, Trustee

Suncook Valley

Regional Development Corporation

PO Box 183
Pittsfield, NH 03263



December 19, 2016

Board of Selectmen
Town of Pittsfield
85 Main Street
Pittsfield, NH 03263

Re: 37 Main Street Economic Revitalization / Ref. ltr. Dated 22 Nov. 2016, L. Konopka to SVRDC,
same sub.

Dear Members:

Thank you for including the SVRDC in your solicitation for plans for the subject project. We agree that this is a visible and important property, but it also offers an opportunity to establish a process for other revitalization projects.

During the Board of Selectman meeting of August 30th we submitted a plan which was discussed in detail. The Board voted to take a different approach resulting in the remaining property being transferred back to the Town. Attached is a copy of that plan dated August 26th. The SVRDC believes this plan is still viable and resubmits it as our input to the solicitation.

If the Board chooses the SVRDC's plan, our participation is contingent upon a walk through and evaluation of the financial viability of the project. This is necessary since we have not been involve in the demolition portion of the project. Once that is completed, we would collaborate with the Board of Selectmen to develop a detailed business plan. A project as important as this one can only be successful if all involved have a shared vision and a resolve to see the project to completion.

Sincerely,

A handwritten signature in cursive script that reads "Edward LaGraize".

Edward LaGraize, President
SVRDC

Suncook Valley

Regional Development Corporation

PO Box 183

Pittsfield, NH 03263



August 26, 2016

Town of Pittsfield
Board of Selectmen
85 Main Street
Pittsfield, NH 03263

Re: 33 & 37 Main Street

Dear Board Members:

Thank you so much for inviting the SVRDC to your Board meeting on August 23rd in regard to the above referenced property(s). While we believe there is sustainable economic development potential in this proposal by Bill Miskoe and are excited to be included in the process, we also understand how important it is for clear communication by and between all parties if this is to be a community success. Below is a summary of the original plan the SVRDC has agreed to, as proposed by Bill Miskoe at our July 21st meeting.

- Sub-divide 37 to give additional property for the Library.
- Remove the barn and add on building of 37 Main leaving the Mansur type house. (the SVRDC has no concern if the barn stays).
- Tear down the house on 33 Main Street.
- Add the property of 33 Main to the remainder of 37 Main making it one parcel lot.

Now to address the concerns / questions in your e-mail(s):

1. Yes, the SVRDC will depend upon the Town for a low simple interest loan from the expendable trust fund that was set up for economic development purposes in order to rehab the property(s). While we cannot guarantee we will not seek financing and / or contributions from outside sources in order to complete the project, we will not seek any future money from the taxpayers for this endeavor.
2. It is the SVRDC's intention to allow a mixed use in the building with residential units being restricted to the second and third floors.
3. Yes, the SVRDC will follow all town ordinances and regulations throughout the duration of the project.
4. Yes, it is the intention of the SVRDC to place the property on the market and make it available to the private sector once the project is complete.

5. Yes, the SVRDC will accept the building with the understanding the back opening will need to be secured immediately. Bill has assured us this can be easily taken care of.

6. No, the SVRDC will not be seeking property tax-exemption due to our non-profit status.

7. Yes, the SVRDC understands we are responsible for all applicable building permits. We would ask to maintain the right to seek a waiver from the BCEP for necessary disposal.

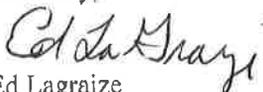
8. The SVRDC will not sell the property until it is in a habitable condition according to Town regulations and codes.

9. The SVRDC is not in agreement that all proceeds from the project should be returned to the expendable trust fund upon final sale of the property(s). The SVRDC agrees to return to the expendable trust fund the initial loan, all accumulated interest and any costs that the town may incur on behalf of the project upon final sale of the property(s). In the event of a profit, it is the intention of the SVRDC to use any additional proceeds for administrative costs as well as seed money for future economic development projects.

10. While it is the intention of the SVRDC to complete this project and turn it back to the private sector as quickly and efficiently as possible, we believe a two-year time frame for project completion and final sale is a bit over zealous. That said, we would ask the time period be increased to four years.

11. The SVRDC agrees to pay all property taxes throughout the time that we own the property(s).

Sincerely,


Ed Lagraize
Vice President, SVRDC



Pittsburg

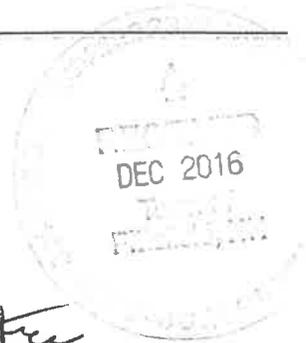
NEW HAMPSHIRE

New Hampshire's Northernmost Town

December 20, 2016

TO: New Hampshire Boards of Selectmen
New Hampshire City Mayors and Governing Boards
New Hampshire Town Councils

FROM: Steve Ellis, Chair, Town of Pittsburg, Board of Selectmen



SUBJECT: Local Control of Municipal Roads

I write on behalf of the Boards of Selectmen in Pittsburg, Clarksville and Stewartstown, to share with you a concern we have about the legal control of municipal roads and how the established principle of home rule applies to the continued ability of municipalities to retain control over municipal roads. I also write to ask you to consider writing a letter to defend the principle of home rule as it relates to municipal roads.

Our concern arises over a claim by the region's largest electric utility (Eversource) that they have the right to appropriate municipal transportation rights of way without any consultation or approval from the municipal governing authority to build a high voltage electric transmission line within the right of way. In fact, RSA 231:161 (copy enclosed) clearly provides that municipal governing bodies have the exclusive authority to permit and license such uses of municipally owned rights of way. Eversource, the developer of the Northern Pass project, claims that the New Hampshire Site Evaluation Committee has the power to preempt this statute. Nothing in the statute authorizing the Site Evaluation Committee (RSA 162-H) sets aside the statutory provisions in RSA 231:161. Eversource lamely argues that a prior Supreme Court case with an entirely different set of facts supports their claim. An excerpt from the Northern Pass application to the SEC making this claim is enclosed. Follow this link to the Supreme Court decision cited by Northern Pass: <https://www.courtlistener.com/opinion/2111618/public-serv-co-v-town-of-hampton/>.

Our three towns have joined with a number of other intervenors in the Northern Pass docket at the SEC to ask the SEC to initiate a new docket to specifically address this dispute. Under SEC rules, any party can file a request for a declaratory ruling for the purpose of addressing matters within the SEC's jurisdiction. A copy of our filing made December 19 is enclosed for your review.

Whether one is for, against or agnostic on the issue of Northern Pass, it is the height of arrogance (not to mention against the law) for a large domestic utility partnering with a large foreign utility to commandeer for their exclusive financial benefit a municipal transportation corridor without the acquiescence of the municipality. In the six years since Northern Pass was first announced,

Town of Pittsburg | 1526 Main St | Pittsburg, NH 03592 | 603-538-6697 voice & fax

TownOffice@Pittsburg-NH.com www.Pittsburg-NH.com

Our Town is an Equal Opportunity Provider

project developers have never formally or informally asked our towns' permission to use town roads for their project. Their application to the SEC has a single blank license form for the locations within our three towns where they propose to bury their facility along more than 8 miles of municipally maintained roads. The Legislature has precluded Northern Pass from having access to eminent domain for the purpose of condemning private property for their project. However, RSA 231:167 provides that if a landowner has suffered damage as a result of the installation, the landowner may *apply to the Selectmen* to assess damages in the same manner as laying out a new road. In other words, the Town would be liable for the taking and responsible for paying the damages assessed, not Northern Pass. Northern Pass is thus shifting the burden of eminent domain – a power it does not possess - to the Towns, while arguing that the towns have no say in the matter.

This back-door condemnation of municipal roads must not be allowed to stand. I ask you to consider writing a letter to the SEC in support of our petition, opposing the Eversource attempt to secure through the back door what they cannot achieve through the front door. Please direct your comments to: Ms. Pamela Monroe, Administrator, NH Site Evaluation Committee, 21 Fruit Street, Concord, NH 03301. Or e-mail your comments to Pamela.Monroe@sec.nh.gov.

Thank you for your consideration of this request.

TITLE XX

TRANSPORTATION

CHAPTER 231

CITIES, TOWNS AND VILLAGE DISTRICT HIGHWAYS

Lines of Telegraph and Other Companies in Highways

Section 231:161

231:161 Procedure. – Any such person, copartnership or corporation desiring to erect or install any such poles, structures, conduits, cables or wires in, under or across any such highway, shall secure a permit or license therefor in accordance with the following procedure:

I. Jurisdiction.

(a) Town Maintained Highways. Petitions for such permits or licenses concerning town maintained highways shall be addressed to the selectmen of the town in which such highway is located; and they are hereby authorized to delegate all or any part of the powers conferred upon them by the provisions of this section to such agents as they may duly appoint.

(b) City Maintained Highways. Petitions for such permits or licenses concerning city maintained highways shall be addressed to the board of mayor and aldermen or board of mayor and council of the city in which such highway is located and they shall exercise the powers and duties prescribed in this subdivision for selectmen; and they are hereby authorized to delegate all or any part of the powers conferred upon them by the provisions of this section to such agents as they may duly appoint.

(c) State Maintained Highways. Petitions for such permits or licenses concerning all class I and class III highways and state maintained portions of class II highways shall be addressed to the commissioner of transportation who shall have exclusive jurisdiction of the disposition of such petitions to the same effect as is provided for selectmen in other cases, and also shall have like jurisdiction for changing the terms of any such license or for assessing damages as provided herein. The commissioner shall also have the same authority as conferred upon the selectmen by RSA 231:163 to revoke or change the terms and conditions of any such license. The commissioner is hereby authorized to delegate all or any part of the powers conferred upon him by the provisions of this section to such agent or agents as he may duly appoint in writing; he shall cause such appointments to be recorded in the office of the secretary of state, who shall keep a record thereof.

(d) The word "selectmen" as used in the following paragraphs of this section shall be construed to include all those having jurisdiction over the issuance of permits or licenses under paragraph I hereof.

II. Permits. The petitioner may petition such selectmen to grant a permit for such poles, structures, conduits, cables or wires. If the public good requires, the selectmen shall grant a permit for erecting or installing and maintaining such poles, structures, conduits, cables or wires. Such permit shall designate and define in a general way the location of the poles, structures, conduits, cables or wires described in the petition therefor. Such permit shall be effective for such term as they may determine, but not exceeding one year from the date thereof, and may, upon petition, be extended for a further term not exceeding one year. A permit shall not be granted to replace an existing utility pole on any public highway unless such replacement pole is erected at least 20 feet from the surfaced edge or the edge of public easement therein, provided, however, that for good cause shown the selectmen may waive the 20-foot requirement.

III. Effect of Permit. Except as otherwise provided herein, the holder of such permit shall during the term thereof be entitled to have and exercise all the rights, privileges and immunities and shall be subject to all the duties and liabilities granted or imposed hereby upon the holder of a license hereunder.

IV. Licenses. The petitioner may petition such selectmen to grant a license for such poles, structures, conduits, cables or wires. If the public good requires, the selectmen shall grant a license for erecting and installing or maintaining the poles, structures, conduits, cables or wires described in the petition.

V. Provision of Licenses. The selectmen in such license shall designate and define the maximum and minimum length of poles, the maximum and minimum height of structures, the approximate location of such poles and structures and the minimum distance of wires above and of conduits and cables below the surface of the highway, and in their discretion the approximate distance of such poles from the edge of the traveled roadway or of the sidewalk, and may include reasonable requirements concerning the placement of reflectors thereon. Such designation and definition of location may be by reference to a map or plan filed with or attached to the petition or license.

VI. Effect of License. All licenses granted under the provisions hereof shall be retroactive to the date the petition therefor is filed. The word "license" as hereinafter used herein, except in RSA 231:164 shall be construed to include the word "permit". The holder of such a license, hereinafter referred to as licensee, shall thereupon and thereafter be entitled to exercise the same and to erect or install and maintain any such poles, structures, conduits, cables, and wires in approximately the location designated by such license and to place upon such poles and structures the necessary and proper guys, cross-arms, fixtures, transformers and other attachments and appurtenances which are required in the reasonable and proper operation of the business carried on by such licensee, together with as many wires and cables of proper size and description as such poles and structures are reasonably capable of supporting during their continuance in service; and to place in such underground conduits such number of ducts, wires and cables as they are designed to accommodate, and to supply and install in connection with such underground conduits and cables the necessary and proper manholes, drains, transformers and other accessories which may reasonably be required.

Source. 1881, 54:3, 4. PS 81:2. 1903, 81:1. PL 97:2. 1935, 100:1. 1937, 102:1. RL 113:2. 1943, 126:1. 1945, 188:1, part 24:2. RSA 254:3. 1959, 223:1, 2. 1981, 87:1. 1985, 402:6, I(b)(3).

FROM PAGE 82-83 of NORTHERN PASS SEC APPLICATION,
Submitted October 19, 2015

(D) Crossing Local Highways

NPT seeks permission to install the Project, including conduit, cable, wires, poles, structures and devices across, over, under and along certain locally-maintained highways, including 71 aerial crossings and four underground roadway installation sections. The underground sections are identified by town and roadway. The SEC has exclusive authority to grant permission to an energy facility to utilize locally-maintained highways. In *Public Service Company of New Hampshire v. Town of Hampton*, 120 N.H. 68 (Jan. 31, 1980), the Court pointed out that the “declared purpose of RSA ch. 162-F [forerunner to RSA ch. 162-H] is to provide a resolution, in an ‘integrated fashion,’ of all issues involving the routing of transmission lines.” The Court found that the Town of Hampton could not regulate transmission lines associated with the Seabrook Nuclear Station, noting that the SEC protects the public health and safety of towns with respect to transmission lines covered by the siting statute. NPT has filed a request with the NHDOT to cross state-maintained highways and has included that request with the Application as required by RSA 162-H:7 and Site 301.03 (d). See Appendix 9.

RSA 162-H:16, IV provides that the SEC must find, among other things, that issuance of a certificate of site and facility will not have an unreasonable adverse effect on public health and safety. Utilities of all varieties, including power lines, have long been recognized as appropriate users of public highways, so long as the facilities do not conflict with the general public’s superior use. E.g., *McCaffrey v. Concord Electric Co.*, 80 N.H. 45, 46-47 (1921). In *King v. Town of Lyme*, 126 N.H. 279, 284 (1985), the Court affirmed that a utility’s use of a highway easement is appropriate since New Hampshire has never considered highway purposes to be limited to the transportation of movable vehicles, persons or property. The authority to erect electric transmission lines and underground cables in state and local highways is codified at RSA 231:160. The standard for locating poles, lines, and underground cables is set forth at RSA 231:168, which states that the lines “will not interfere with the safe, free and convenient use for public travel of the highway.” To further that process, the NHDOT has adopted certain standards, which are set forth in its *Utility Accommodation Manual* (“UAM”), dated February 24, 2010. This filing constitutes notice of these proposed crossings, associated pole placements and locations in accordance with the procedures set forth in the UAM Appendix G-3.1-2.

The New Hampshire Supreme Court has made it clear that the authority to license placement of power lines, poles and underground conduit within highways is regulatory in character and must be exercised in a non-exclusionary and reasonable manner. In *Rye v. Public Service Company of New Hampshire*, 130 N.H. 365 (1988), the Court found that a crossing application may be denied only for a public safety-based reason.

NPT seeks approval from the SEC to install its Project within, along, over, under and across locally-maintained highways. This request mirrors the approach followed, and the standards applied, in the request made to NHDOT for state-maintained highways. With respect to the underground highway installation sections in the towns of Clarksville and Stewartstown, NPT proposes that the SEC apply the NHDOT *Standard Specifications for Road and Bridge Construction* and the provisions, instructions, and regulations set forth in the NHDOT’s standard Excavation Permit. Furthermore, NPT proposes that the SEC condition approval of a certificate, to the extent necessary, on compliance with such standards. Accordingly, Project plans for aerial crossings and underground sections within highways are provided at the 30% design level, which is the commonly accepted level of detail for initial permit applications and consistent with NHDOT practice. See Appendix 9 and 10.

STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

Docket No. _____

PETITION FOR DECLARATORY RULING

The Town of Bethlehem, Town of Bridgewater, Town of Bristol, Town of Clarksville, City of Concord, Town of Deerfield, Town of Easton, Town of Franconia, Town of Littleton, Town of New Hampton, Town of Northumberland, Town of Pembroke, Town of Pittsburg, Town of Plymouth, Town of Stewartstown, Town of Sugar Hill and Town of Whitefield, Town of Woodstock, the Ashland Water and Sewer Department, the Society for the Protection of New Hampshire Forests, and the Appalachian Mountain Club (the "Petitioners"), pursuant to New Hampshire Administrative Rule Site 203.01, respectfully petition the New Hampshire Site Evaluation Committee (the "SEC" or "Committee") to issue a declaratory ruling stating that, pursuant to RSA 231:160 *et seq.*, only municipalities have the authority to authorize or not authorize the erection, installation, or maintenance of electric power poles or structures or underground conduits or cable, or their respective attachments or appurtenances, on, across, or under locally maintained highways, regardless of whether the New Hampshire Department of Transportation (the "NHDOT"), the SEC, or other agencies have authority to permit or license other portions of any proposed facility. In support of this Petition, the Petitioners offer the following:

JURISDICTION AND STANDARDS

1. Pursuant to RSA 541-A:16, I(d), New Hampshire Administrative Rule Site 203.01 authorizes "[a]ny person [to] submit a petition for declaratory ruling from the committee

on matters within its jurisdiction.” A declaratory ruling is a ruling as to the “specific applicability of any statutory provision or any rule or order of the agency.” RSA 541-A:1, V. The SEC has 90 days from the time of submission to rule on the petition. N.H. Admin. Rule Site 203.02(b).

2. The Petitioners, especially the Petitioning Towns, have an interest in the management and regulation of activities along, and under, municipally maintained highways and rights of way, and in seeing that municipal authority is recognized. Further, the Forest Society holds conservation easements on land abutting and under municipally maintained highways, and has an interest in assuring that existing encumbrances are managed lawfully and not exceeded.

3. The following standards govern declaratory petitions. The SEC may not dismiss a petition that: (1) sets forth factual allegations that are definite and concrete; (2) does not involve a hypothetical situation or otherwise seek advice as to how the committee would decide a future case; (3) implicates the legal rights or responsibilities of the petitioner; and (4) is within the committee’s jurisdiction. *Id.* 203.03(c). The jurisdiction of the SEC is to evaluate and issue or deny a certificate of site and facility approval for certain energy generation and transmission projects. RSA 162-H.

BACKGROUND

4. The Petitioners request this ruling because resolution of this issue would impact their interests generally, and more particularly in Docket No. 2015-06 involving the Northern Pass project. While the Northern Pass project provides the impetus for this petition, the interpretation of the statute, issues raised, and relief sought are broader than a single project.

5. On October 19, 2015, Northern Pass Transmission LLC and Public Service Company of New Hampshire d/b/a Eversource Energy (collectively “Applicants”) submitted an Application to the SEC for a Certificate of Site and Facility (“Application”) to construct a 192-

mile transmission line (“Project”). As proposed, the Project would run through New Hampshire from the Canadian border in Pittsburg to Deerfield.

6. As part of the Project, Applicants propose to install conduit, cable, wires, poles, structures, and devices across, over, alongside, and under highways maintained by the following municipalities:¹ *Town of Pittsburg; Town of Clarksville; Town of Stewartstown; Town of Dummer; Town of Stark; Town of Northumberland; Town of Lancaster; Town of Dalton; Town of Bristol; City of Franklin; Town of Northfield; Town of Canterbury; City of Concord; Town of Pembroke; Town of Allenstown; and the Town of Deerfield*, including at least 71 aerial crossing and four underground roadway installation sections. Joint Appl. of N. Pass Transmission, LLC and Pub. Serv. Co. of N. H. d/b/a Eversource Energy for a Certificate of Site for the Construction of a 1,090 MW Electric Transmission Line 82 [hereinafter “Appl.”]; Appl. App. 10, at 3-5.

APPLICANTS’ POSITION

7. Applicants maintain that the “SEC has exclusive authority to grant permission to an energy facility to utilize locally-maintained highways.” Appl. 82.

8. Accordingly, Applicants seek “approval from the SEC to install its Project within, along, over, under and across locally-maintained highways.” *Id.* 83. Applicants claim this “request mirrors the approach followed, and the standards applied, in the request made to NHDOT for state-maintained highways.” Applicants propose that the SEC has authority to permit this portion of the installation and should do so by applying “the NHDOT *Standard Specifications for Road and Bridge Construction* and the provisions, instructions, and regulations set forth in the NHDOT’s standard Excavation Permit.” *Id.*

¹ Towns in italicized font are Petitioners here.

9. Applicants have not sought, obtained, or applied for a permit or license, in accordance with RSA 231:161, I(a), and (b), from any of the municipalities that maintain highways whose highways the Applicants would be use.

10. In subsection (d) of the Application, "OTHER REQUIRED APPLICATIONS AND PERMITS," Applicants do not reference any permits or licenses obtained from municipalities for the installation across, over, under and alongside locally maintained highways. *Id.* 17-21. Applicants have, however, submitted a blank NHDOT excavation permits within of the section of the Appendix 10 of the Application concerning underground plans of locally maintained highways. Appl. App. #10, Part B.

11. Applicants' apparent position is that municipalities do not have any permitting or licensing role regarding the utilization of municipally maintained highways, and that submitting 13 blank applications for NHDOT excavation permits to the SEC in an appendix satisfies a statutory requirement to seek licenses or permits from municipalities.

12. Applicants also state a "separate request for permits for the municipally maintained highways has been filed with the Site Evaluation Committee." Appl. App. #9, at 5. Upon careful review of the Application, it is unclear what this "separate request" is. The Application does not appear to include any document that constitutes a "separate request."

13. In their Application, Applicants cite *Public Service Company of New Hampshire v. Hampton*, 120 N.H. 68 (1980) as the primary authority for this position. Appl. 82. As discussed in the subsequent analysis section, this case does not apply because that *per curiam* decision was narrow when it was made and its holding has been eroded over time, and the facts of the case were completely different, namely that Hampton and other municipalities changed

their laws five years *after* a certificate of site and facility had been granted, and the applicant agreed with municipal requests to redesign the project.

14. Of note, in its November 13, 2015, letter notifying the SEC that its review of the Application was complete, the NHDOT stated that it “anticipates executing a Use and Occupancy Agreement for the entire project *within state-maintained* rights-of-way (ROW).” Letter from Victoria F. Sheehan, Commissioner, NHDOT, to Pamela G. Monroe, Administrator, NH SEC (Nov. 13, 2015) (emphasis added). Commissioner Sheehan did not opine on or issue any permits in regards to municipally maintained highways, and her letter indicated NHDOT’s anticipated permit would not include the portions of the project impacting municipally maintained rights of way. *Id.* Thus, NHDOT has impliedly acknowledged that it does not have the authority to issue any permits or licenses in regards to municipally maintained highways.

15. Similarly, the Applicants’ own conduct begs the question whether the Applicants are required to obtain municipal permits or licenses to use municipally maintained highways. In connection with performing borings to further the design of underground portions of the proposed Project, the Applicants obtained boring permits from the state to bore in state-maintained highways. However, Applicants did not obtain such permits from municipalities to bore in municipally maintained highways. Instead, Applicants paid thousands of dollars to abutting property owners for permission to bore into land near municipally maintained highways. *See* Affidavits of James Nuttall and Robert Brooks, attached as Exhibits 1 and 2.

ANALYSIS

16. Petitioners seek a declaratory ruling stating that the SEC does not have authority to grant the permits and licenses specified in RSA 231:161 for the installation of portions of utility infrastructure projects located across, over, under, and alongside locally maintained

highways. Therefore, the ruling should further state that applicants must obtain from municipal officers the permits and licenses required by RSA 231:160 *et seq.*

A. RSA 231:160 *et seq* Provides a Clear Statutory Scheme that Empowers Only Towns and Cities to Permit or License the Utilization of Town- or City-Maintained Highways

17. Applicants' position that the SEC has exclusive authority is based on a reading of RSA 231:160 *et seq* that is at best inaccurate and that would result in the violation of clear statutory procedures. In its application, Applicants omit the portions of the statute that are directly on point, and then propose an ostensibly novel approach for the SEC to follow for approving the Applicants' utilization of locally maintained highways—as if the Legislature had not already specified a clear procedure in that same statutory section cited.

18. RSA 231:160 states:

Telegraph, television, telephone, electric light and electric power poles and structures and underground conduits and cables, with their respective attachments and appurtenances may be erected, installed and maintained in any public highways and the necessary and proper wires and cables may be supported on such poles and structures or carried across or placed under any such highway by any person, copartnership or corporation *as provided in this subdivision and not otherwise.*

(emphasis added).

19. This statute demonstrates that the Legislature intended that the specific procedures for installing and maintaining electric transmission lines and their supporting structures on any public highway contained in RSA 231:160 *et seq* shall govern because the term “not otherwise” means that this authority shall not be subordinate to any other state statute or rule governing the same subject matter. *Id.*

20. RSA 231:160 *et seq* provides *different*—not *mirrored* as the Applicants claim—procedures that any person, co-partnership, or corporation desiring to erect or install any poles, structures, conduits, cables or wires across, over, under, and alongside any such highways that

are state-maintained, as opposed to highways that are town- or city-maintained, must follow.

RSA 231:161, I.

21. For state-maintained highways:

Petitions for such permits or licenses concerning all class I and class III highways and state maintained portions of class II highways shall be addressed to the commissioner of transportation who shall have exclusive jurisdiction of the disposition of such petitions to the same effect as is provided for selectmen in other cases, and also shall have like jurisdiction for changing the terms of any such license or for assessing damages as provided herein.

RSA 231:161, I(c).

22. For town-maintained highways:

Petitions for such permits or licenses concerning town maintained highways shall be addressed to the selectmen of the town in which such highway is located; and they are hereby authorized to delegate all or any part of the powers conferred upon them by the provisions of this section to such agents as they may duly appoint.

RSA 231:161, I(a).

23. For city-maintained highways:

Petitions for such permits or licenses concerning city maintained highways shall be addressed to the board of mayor and aldermen or board of mayor and council of the city in which such highway is located and they shall exercise the powers and duties prescribed in this subdivision for selectmen; and they are hereby authorized to delegate all or any part of the powers conferred upon them by the provisions of this section to such agents as they may duly appoint.

RSA 231:161, I(b).

24. The remaining subsections of RSA 231:161 govern the specifics of the permits and licenses, including their effect, effective life, required specifications, and the conditions for granting them. RSA 231:161, II-VII.

25. Most pertinently, all those entities having jurisdiction over the issuance of permits or licenses in this statutory section shall grant a permit or license if the “public good requires.” *Id.*²

26. Therefore, the SEC’s authority to issue or not issue a Certificate of Site and Facility for this Project does not extend so far as to supplant the authority of a municipality to issue or not issue a permit or license for the utilization of municipally maintained highways in accordance with RSA 231:160 *et seq.*³

27. This is unlike the roles that state agencies play regarding this Project, because RSA 162-H:7-a explicitly limits and defines those roles. RSA 162-H places no such limit on the authority RSA 231:160 *et seq* give to municipalities. Indeed, RSA 162-H is silent on this issue.

28. In practice, when an entity proposes to install utility infrastructure in accordance with RSA 231:160 *et seq*, a municipality generally issues two types of permits pursuant to RSA 231:161, most commonly in the form of letters of approval presented on official town or city letterhead. First, a municipality may issue such a permit for any installation that involves excavation of the locally maintained right-of-way. Second, municipalities may issue such a permit for installation that involves placing poles or supporting structures on, across, or alongside the right-of-way, i.e. no excavation. Furthermore, per the general authority granted in

² The evaluation of the “public good” has been adjudicated to be limited to determining whether the proposed utility use would impair other public uses. *Parker-Young Co. v. State of New Hampshire*, 83 N.H. 551, 555-57 (1929).

³ Municipal authority and the scope of highway easements are limited. With respect to municipal authority, RSA 231:168 provides, in part:

The location of poles and structures and of underground conduits and cables by the selectmen shall be made *so far as reasonably possible* so that the same and attachments and appurtenances thereto will not interfere with the safe, free and convenient use for public travel of the highway or of any private way leading therefrom to adjoining premises or with the use of such premises or any other similar property of another licensee.

(emphasis added). With respect to the scope of highways easements, RSA 231:167, which provides for the payment of damages when installation of a facility would harm a landowner, clearly implies that highway easements have limits.

the statute, some municipalities have more detailed and stringent permitting and licensing requirements for such projects. No matter the exact municipal protocol, all of these are designed to assure that the use of municipally maintained highways preserves public safety.

29. As a matter of law, however, the distinction between permits or licenses for installation involving excavation and installation not involving excavation is not relevant. The narrow issue presented in this petition concerns the authority of municipalities to issue or not issue permits or licenses per RSA 231:161 *et seq.*, which clearly encompasses both excavation and non-excavation installations. *See* RSA 231:160.

30. This reading of the law is consistent with the NHDOT's statement that it anticipates issuing a Use and Occupancy Agreement for the entire project *only* within state-maintained rights-of-way. Letter from Victoria F. Sheehan, Commissioner, NHDOT, to Pamela G. Monroe, Administrator, NH SEC (Nov. 13, 2015) (emphasis added).

B. New Hampshire Public Policy Favors Municipal Authority for Municipal Concerns

31. Although Applicants may view this statutory scheme as burdensome because it empowers many individual municipalities to exercise control over a state-wide project, this is precisely what the Legislature intended.

32. The law empowering municipalities to evaluate the public safety concerns in these circumstances is appropriate considering the severe and significant impacts that the Project would cause in connection to municipally maintained highways.

33. The installation of utility infrastructure across, over, under, or alongside municipally maintained highways could cause highway closures, traffic delays, engineering conflicts with respect to municipal infrastructure, damage to roadbeds, and many other issues.

34. Additionally, Applicants have admitted that construction of this project would require extended highway closures on at least Bear Rock Road, North Hill Road, and Old County Road in Clarksville and Stewartstown.

35. Moreover, this scheme is consistent with New Hampshire's strong public policy that municipalities have the authority to protect the health, safety, and financial sustainability of their own citizens. See RSA 31:39; RSA 41:9, 11; RSA 47:17, VII-VIII & XVIII. To deprive municipalities of their express statutory authority to evaluate the impacts of this Project would fly in the face of New Hampshire's well-regarded tradition of local governance.

36. After all, municipalities are in the best position to evaluate the impacts of the Project on the "safe, free and convenient use for public travel of the highway or of any private way leading therefrom" RSA 231:168; *Rye v. Pub. Serv. Co.*, 130 N.H. 365, 369 (1988) (quoting RSA 231:168).

C. *Public Service Company of New Hampshire v. Town of Hampton* Does Not Support Applicant's Position that SEC has Exclusive Authority to Permit Applicants to Utilize Locally Maintained Highways

37. Aside from omitting the unfavorable portions of a legislatively mandated procedure in an attempt to create their own procedure that is more amenable to their goals, Applicants also cite to the New Hampshire Supreme Court's decision in *Public Service Company of N.H. v. Hampton*, 120 N.H. 68 (1980) to support their position. In doing so, Applicants argue that *Hampton* supports their position that the SEC has exclusive authority to grant permission to an energy facility to utilize locally maintained highways for an electric transmission project.

38. It does not. The outdated, narrow, and *per curiam* holding of *Hampton* does not apply here because *Hampton* concerned the authority of municipalities pursuant to local regulations enacted years after the state actions at issue, and where the applicant had previously

agreed to modify its design as a result of consulting the municipalities. This issue, by contrast, involves municipalities empowered by a state statute that predates the proposed Project by decades, where the petitioning towns have reached no such agreement with the Applicants, where the certificate of site and facility has not yet been issued or denied, and in a legal context where *Hampton* cannot be read so broadly as to apply under these circumstances.

39. In *Hampton*, the plaintiff energy company sought an order declaring void, as applied to it, the votes of towns taken *five years after* the SEC approved the energy project at issue to adopt certain ordinances requiring all electric transmission lines over 69,000 volts to be buried underground. *Id.* at 69-70.

40. The trial court submitted two questions on interlocutory appeal:

1. Do the votes purportedly adopted by the defendant towns endowing them with any legal authority to interfere with the construction of overhead transmission lines associated with the Seabrook Project, in light of RSA 162-F F [the forerunner to RSA 162-H], the Certificate and the other permits held by the plaintiff?

2. Do the votes purportedly adopted by the defendant towns endowing them with any legal authority to interfere with the construction of overhead transmission lines by the plaintiff in connection with the Seabrook Project, in light of the requirements of the Zoning Enabling Act (RSA 31:60 et seq.) or other provisions of law relating to actions taken by Town Meetings?

Id.

41. The Court concluded the purpose of RSA 162-F *et seq.* was to “provide a resolution, in an ‘integrated fashion,’ of all issues involving the selection of sites and routing of associated transmission lines.” *Id.* at 70. It held that “[b]y enacting RSA ch. 162-F, the legislature has preempted any power that the defendant towns might have had with respect to transmission lines embraced by the statute, and the actions by the defendant towns with regard to transmission lines are of no effect.” *Id.* at 71.

42. This narrow holding is inapposite to the issue before the SEC on this petition. The issue in *Hampton* was whether municipal ordinances enacted *five* years after a state had approved a project were preempted by the state statute that provided for the project's prior approval. Here, the relevant law empowering municipalities is well-established state law, not a retroactive municipal ordinance. Neither the narrow holding nor the dicta of *Hampton* alters or amends the provisions of RSA 231:160 *et seq.*

43. Moreover, the if the *Hampton* case was as dispositive as the Applicants suggest, the SEC would not have had to entertain as much adjudication as it did in Docket No. 2012-01 (Antrim Wind Energy, LLC) focused on the question of whether the SEC preempted municipal subdivision authority. While the SEC did not reach that issue in its decision-making, the volume of pleadings and the SEC's deliberations suggest that the extent of SEC preemption of municipal authority is anything but well-settled.

D. RSA 162-H Does Not Override RSA 231:160 *et seq.*

44. RSA 162-H does not override RSA 231:160 *et seq.* or preempt the authority of a Board of Selectmen pursuant to it.

45. "Where reasonably possible, statutes should be construed as consistent with each other. When interpreting two statutes which deal with a similar subject matter, we will construe them so that they do not contradict each other, and so that they will lead to reasonable results and effectuate the legislative purpose of the statute. To the extent two statutes conflict, the more specific statute controls over the general statute." *State v. Cheney*, 165 N.H. 677, 682-83 (2013) (quotation marks and internal citations omitted).

46. The statutory schemes do not conflict. RSA Chapter 162-H does not contain an explicit statement to override the authority given to municipalities in RSA 231:160 *et seq.* Unlike

the roles of states agencies, which are explicitly limited by RSA 162-H:7-a, RSA Chapter 162-H does not restrict the permitting and licensing role of municipalities as it pertains to the utilization of locally maintained highways for electric transmission projects.

47. Applicants appear to take this same position because they follow the procedures of RSA 231:160 *et seq* when it comes to seeking licenses and permits from the DOT. Appl. at 82-84.

E. SEC Rules Anticipate the Interplay Between RSA 162-H and RSA 231:160 *et seq*.

48. The SEC rules anticipate the interplay between RSA 162-H and RSA 231:160 *et seq*.

49. New Hampshire Administrative. Rule Site 301.03(c)(6) requires an application for site certification to contain:

Evidence that the applicant has a *current* right, an option, or other legal basis to acquire the right, to construct, operate, and maintain the facility on, over, or under the site, in the form of:

- a. Ownership, ground lease, easement, or other contractual right or interest;
- b. A license, permit, easement, or other permission from a federal, state, or *local government* agency, or an application for such a license, permit, easement, or other permission from a state governmental agency that is included with the application; or ...

(emphasis added). This rule explicitly mentions licenses or permits issued by local government agencies.

50. Applicants have not submitted to the SEC any permits or licenses issued by any of the municipalities that operate locally maintained highways that the Project would utilize, as is required by RSA 231:161.

CONCLUSION

This Petition sets forth factual allegations that are definite and concrete, does not involve a hypothetical situation or otherwise seek advice as to how the Committee would decide a future case, implicates the legal rights and responsibilities of the Petitioners, and is within the Committee's jurisdiction.

Reading RSA 162-H, RSA 231:160 *et seq.*, and SEC Rule 301.03 together, there is a clear legislative intent that entities wishing to construct an electric transmission line (and its supporting structures) across, over, under, or alongside locally maintained highways must obtain the required licenses and permits from the Selectboard of the municipalities. The SEC does not have authority to grant said licenses and permits.

WHEREFORE, the Town of Bethlehem, Town of Bridgewater, Town of Bristol, Town of Clarksville, City of Concord, Town of Deerfield, Town of Easton, Town of Franconia, Town of Littleton, Town of New Hampton, Town of Northumberland, Town of Pembroke, Town of Pittsburg, Town of Plymouth, Town of Stewartstown, Town of Sugar Hill and Town of Whitefield, Town of Woodstock, the Ashland Water and Sewer Department, the Society for the Protection of New Hampshire Forests, and the Appalachian Mountain Club, respectfully request that the Committee issue a ruling declaring that pursuant to RSA 231:160 *et seq.*, only municipalities have the authority to authorize or not authorize the erection, installation, or maintenance of electric power poles or structures or underground conduits or cable, or their respective attachments or appurtenances, on, across, or under locally maintained highways, regardless of whether the New Hampshire Department of Transportation (the "NHDOT"), the SEC, or other agencies have authority to permit or license other portions of any proposed facility.

Respectfully Submitted,

**TOWN OF BETHLEHEM, TOWN OF
BRISTOL, TOWN OF EASTON, TOWN OF
FRANCONIA, TOWN OF
NORTHUMBERLAND, TOWN OF
PLYMOUTH, TOWN OF SUGAR HILL AND
TOWN OF WHITEFIELD**

By their Attorneys,

Gardner, Fulton & Waugh, PLLC

Date: December 19, 2016

By:

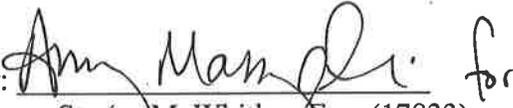
 for

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**TOWN OF BRIDGEWATER, TOWN OF NEW
HAMPTON, TOWN OF WOODSTOCK,
TOWN OF LITTLETON, TOWN OF
PEMBROKE, TOWN OF DEERFIELD, AND
ASHLAND WATER AND SEWER
DEPARTMENT**

By their Attorneys
Mitchell Municipal Group, P.A.

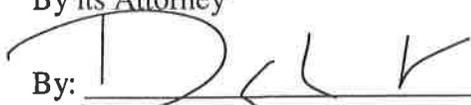
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By:  for
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CITY OF CONCORD

By its Attorney

Date: December 19, 2016

By: 

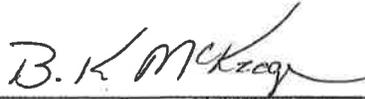
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TOWN OF PITTSBURG

By its Selectboard



Stephen Ellis, Selectboard



Brendon McKeage, Selectboard



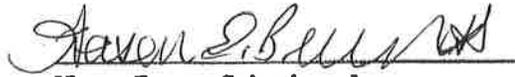
Richard Lapoint, Selectboard

TOWN OF STEWARTSTOWN

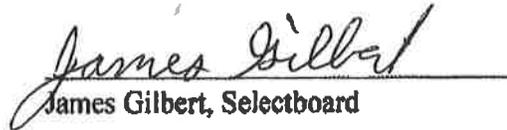
By its Selectboard

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Allen Coats, Selectboard

A handwritten signature in cursive script, appearing to read "Hasen Burns", written over a horizontal line.

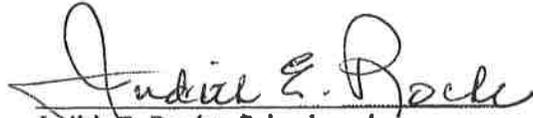
Hasen Burns, Selectboard

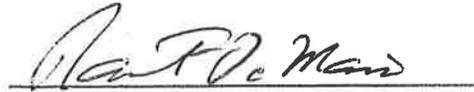
A handwritten signature in cursive script, appearing to read "James Gilbert", written over a horizontal line.

James Gilbert, Selectboard

TOWN OF CLARKSVILLE

By its Selectboard


Judith E. Roche, Selectboard


Ramon F. DeMaio, Selectboard


Melvin C. Purrington, Selectboard

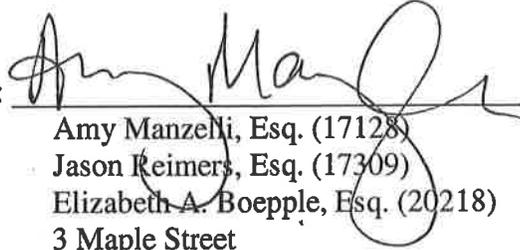
**SOCIETY FOR THE PROTECTION OF
NEW HAMPSHIRE FORESTS**

By its Attorneys,

BCM Environmental & Land Law, PLLC

Date: December 19, 2016

By:



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APPALACHIAN MOUNTAIN CLUB

By its Attorneys,

Drummond Woodsum & MacMahon

Date: December 19, 2016

By:

A handwritten signature in black ink, appearing to read "Wm Plouffe for". The signature is written over a horizontal line that serves as a separator between the signature and the printed name below.

William L. Plouffe, Esq. (ME 2480)

84 Marginal Way, Suite 600

Portland, ME 04101-2480

Tel. (207) 772-1941

Fax: (207) 772-3627

wplouffe@dwmlaw.com

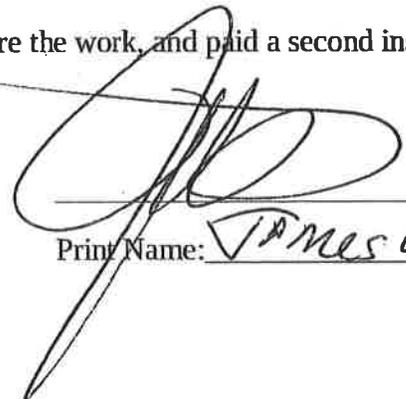
EXHIBIT 1

AFFIDAVIT OF JAMES NUTTALL

I, James Nuttall, being over the age of eighteen years and competent to testify to the matters contained herein, do state under oath that I do believe the following to be true and accurate to the best of my personal knowledge:

1. I reside at North Hill Road in Stewartstown, New Hampshire. My mailing address is Post Office Box 235, Colebrook, NH, 03576.
2. I have personal knowledge that in 2013 a representative of Northern Pass asked me if I would consent to allowing Northern Pass to conduct a geotechnical excavation on my land fronting North Hill Road. As I understand, my land goes to the centerline of North Hill Road. It is not clear to me whether the boring that was actually done on my land was within or outside of the Town's right of way over my land.
3. Mr. James Wagner, the representative of Northern Pass, offered me \$3,000 for permission to conduct one boring on my land. I was paid \$500 before the work, and paid a second installment of \$2,500 once the work was completed.

Dated: December 13, 2016



Print Name: JAMES W. NUTTALL

STATE OF NEW HAMPSHIRE

December 13, 2016

COOS, ss.

Personally appeared the above named James W Nuttall and gave oath that the foregoing affidavit is true and accurate to the best of his/her knowledge, information, and belief.

Before me,



Notary Public, State of New Hampshire

My Commission Expires:



EXHIBIT 2

AFFIDAVIT OF ROBERT BROOKS

I, Robert Brooks, being over the age of eighteen years and competent to testify to the matters contained herein, do state under oath that I do believe the following to be true and accurate to the best of my personal knowledge:

1. I reside at 66 North Hill Road, Stewartstown, New Hampshire, 03576.
2. I have personal knowledge that in 2013 a representative of Northern Pass approached me about using my land on North Hill Road for the purpose of doing a geotechnical boring near North Hill Road on my land outside of the municipal road right of way.
3. Mr. Scott Mason, representing Northern Pass, offered me \$3,000 in exchange for doing one test boring excavation on my land. I told Mr. Mason that I would agree to allow Northern Pass to do the boring if Northern Pass would donate the \$3,000 to the North Hill Church, which is adjacent to my land. Mr. Mason initially said that Northern Pass could not make such an accommodation. I then indicated to Mr. Mason that I would not consent to Northern Pass doing the work on my land.
4. Mr. Mason later called back, and indicated that Northern Pass would consent to making a \$3,000 donation to the Church. NP made the contribution, and then did the excavation project on my land.

Dated: December 13, 2016


Print Name: Robert Brooks

STATE OF NEW HAMPSHIRE
COOS, ss.

December 13, 2016

Personally appeared the above named Robert Brooks and gave oath that the foregoing affidavit is true and accurate to the best of his/her knowledge, information, and belief.

Before me,



Notary Public, State of New Hampshire

My Commission Expires:





**University of
New Hampshire**

Technology Transfer Center

Kingsbury Hall #W220
33 Academic Way
Durham, NH 03824

V: 603.862.2826 / 800-423-0060 (NH only)

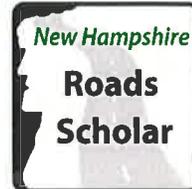
F: 603.862.0620

TTY: 7.7.7 (Relay NH)

www.t2.unh.edu

December 16, 2016

Select Board
Town of Pittsfield
85 Main Street
Pittsfield, NH 03263



Re: Roads Scholar Program

Dear Sirs and Madams:

It is our pleasure to inform you that Brian Eldredge has achieved the status of **Master Roads Scholar II**. The T² Center has created the Roads Scholar Program to recognize various achievement levels in our educational program for people who work in public works.

Master Roads Scholar II is the **fifth achievement level** in the Roads Scholar Program. It is distinguished from the other levels by requiring the completion of 150 contact hours, including the requirements for Roads Scholar Two, which are: 25 hours in technical areas, 5 hours in supervision, 5 hours in environmental, and 5 hours in safety. The individual also must be a **Safety Champion**. The typical training session yields five hours of contact, therefore an individual must typically attend **30** one-day workshops to reach the level Brian has completed.

Safety Champion is a side award given once a recipient achieves 20 Safety hours, regardless of what Level he has reached in the Program.

On behalf of the Technology Transfer Center, I am pleased to notify you of the extra effort and commitment that Brian has demonstrated in order to achieve this status. He deserves to be congratulated for his persistence and drive to maintain a leading edge in the field of local road maintenance and construction.

Sincerely,

Amy Begnoche
LTAP Director

/acb

cc: Brian Eldredge

The UNH Technology Transfer Center is sponsored by the Federal Highway Administration and the New Hampshire Department of Transportation. One of the missions of the Technology Transfer Center is to provide educational support for the people who build and maintain the nation's infrastructure.



New Hampshire
Technology Transfer Center

Town of Pittsfield
2015-2016 town property sales

Map	Lot	Location ~ Description	Notes	Consideration	Buyer
R11	8	Clough Road (Tax Deed)	Jones 1982	6,500.00	Jeffrey S. Manning
R11	13	28 Shingle Mill Brook Road (Tax Deed)	Blackey 2011, rundown homesite	3,000.00	Alton Rollinsford, LLC
R11	15	Shingle Mill Brook Road (Tax Deed)	Mackie 2011	4,000.00	Jeffrey S. Manning
R12	10	Clough Road (Tax Deed)	Brooks 2015, was address #95	1,500.00	Kenneth & Sheila Farmer
R15	21	Tilton Hill Road (Tax Deed)	Gilman 2011, was address #79	10,000.00	George & Andrea Robbins
R30	1	Catamount Road (Tax Deed)	Vincent 1970	2,250.00	Tim Mahood & Elaine Mahood & Mary H. Pritchard
R35	19	231 Leavitt Road (Tax Deed)	Holton 2011, rundown homesite	16,500.00	Stacie Revitsky
R35	48	Loudon Road (Tax Deed)	Griggs 2014, was address #105	16,500.00	JJP & Son LLC
R37	6-2	Chichester Town Line (Tax Deed)	Ohlund 1997	500.00	Daniel J. Conlin
R43	4	Governors Road (Tax Deed)	Stanton 1996	2,000.00	Timothy Mahood & Elaine Mahood
R43	11	Governors Road (Tax Deed)	Riley 2014	5,000.00	Henry Demers
R44	7 & 8	Tan Road ~ Pest House Lot	1900	15,000.00	Mary H. Pritchard Trust
R47	5	Tan Road (Tax Deed)	Solliday 1997	13,000.00	Angelo Grasso
R48	6	Tan Road ~ Pest House Lot	1900	4,500.00	Mary H. Pritchard Trust
R49	4	Dowboro Road (Tax Deed)	Gilman 2011	2,000.00	Catamount Land & Cattle Co.
U1	73	31 Berry Avenue (Tax Deed)	Worthen 2015	20,000.00	PENDING (P&S with Ray Webber)
U2	15	114 Main Street (Tax Deed)	Dukette 2015	20,000.00	Jim Gamble
U2	36	85 Catamount Road (Tax Deed)	Gilman 2015	38,000.00	Michael Smith
U3	32	81 Main Street (Tax Deed)	Home Opportunity LLC 2015	20,000.00	PENDING (P&S with Jim Gamble)
U3	44	37 Main Street (Tax Deeds)	5 condos 2013-2015	72,000.00	Bill Miskoe (2-lot sale)
U3	45	Main Street (Tax Deed)	33 Main LLC 2014, was address #33	-	Bill Miskoe (2-lot sale)
U3	118	Depot/Franklin Street (Tax Deed)	Aubertin 2014	109,800.00	No Worry LLC (5-lot sale)
U3	127	Fayette Street (Tax Deed)	Dudek 2015	-	No Worry LLC (5-lot sale)
U3	128	Bridge Street (Tax Deed)	Dudek 2015	-	No Worry LLC (5-lot sale)
U4	25	1 Fayette Street (Tax Deed)	Dudek 2015	-	No Worry LLC (5-lot sale)
U4	26	Depot Street (Tax Deed)	Dudek 2015	-	No Worry LLC (5-lot sale)
U5	41	11 Watson Street (Tax Deed)	Supry 2015	56,000.00	John Pacheco & Yadiika Reyes
				\$ 438,050.00	

TOWN OWNED PROPERTY - 2015 auction list

Town of Pittsfield
 Town Owned Property Auction
 Saturday, November 7, 2015

Sale #	Map	Lot	Location ~ Description	Notes	Winning Bid	Buyer
1	R35	19	231 Leavitt Road (Tax Deed)	Holton 2011, rundown homesite	16,500.00	Stacie Revitsky
2	R15	21	Tilton Hill Road (Tax Deed)	Gilman 2011, was address #79	10,000.00	George & Andrea Robbins
3	R11	13	28 Shingle Mill Brook Road (Tax Deed)	Blackey 2011, rundown homesite	3,000.00	Alton Rollinsford, LLC
4	R11	8	Clough Road (Tax Deed)	Jones 1982	6,500.00	Jeffrey S. Manning
5	R44	7 & 8	Tan Road ~ Pest House Lot	1900	15,000.00	Mary H. Pritchard Trust
7	R48	6	Tan Road ~ Pest House Lot	1900	4,500.00	Mary H. Pritchard Trust
8	R47	5	Tan Road (Tax Deed)	Solliday 1997	13,000.00	Angelo Grasso
9	R43	11	Governors Road (Tax Deed)	Riley 2014	5,000.00	Henry Demers
10	R43	4	Governors Road (Tax Deed)	Stanton 1996	2,000.00	Timothy Mahood & Elaine Mahood
11	R30	1	Catamount Road (Tax Deed)	Vincent 1970	2,250.00	Tim Mahood & Elaine Mahood & Mary H. Pritchard
12	R11	15	Shingle Mill Brook Road (Tax Deed)	Mackie 2011	4,000.00	Jeffrey S. Manning
13	R49	4	Dowboro Road (Tax Deed)	Gilman 2011	2,000.00	Catamount Land & Cattle Co.
14	R37	6-2	Chichester Town Line (Tax Deed)	Ohlund 1997	500.00	Daniel J. Conlin
15	R35	48	Loudon Road (Tax Deed)	Griggs 2014, was address #105	16,500.00	JJP & Son LLC
					\$ 100,750.00	

* note there was no actual sale #6, sale #5 was combined for the advertised sales #5 & #6, for the lots as displayed as R44-7 & R44-8

Cara Marston

From: J.C Allard <jcallard@metrocast.net>
Sent: Wednesday, December 21, 2016 12:51 PM
To: 'Larry Konopka'
Cc: Cara Marston
Subject: Library sewer progress

Larry, Cara,

We seem to be making good progress on the sewer issue. I was with the crew this morning and it looks like the clog has been broken now. We're running a large amount of fresh water through to see if it continues to flow correctly.

George B. thinks we need to dig it all up in the spring and replace the old composite pipe which is failing. But, the present repairs should get us through this winter.

I'm going to have the library trustees discuss replacing the toilet for one that flushes more vigorously. The present one conserves water, but doesn't have enough power to empty the pipe of solids. Not knowing what kids may put down, we may be better served by installing a more "industrial" toilet.

Merry Christmas, one and all.

Jim