



TOWN COUNCIL – AGENDA REQUEST FORM

THIS FORM WILL BECOME PART OF THE BACKGROUND INFORMATION USED BY THE COUNCIL AND PUBLIC

Please submit Agenda Request Form, **including back up information**, 8 days prior to the requested meeting date. **Public Hearing requests must be submitted 20 days prior to requested meeting date to meet publication deadlines** (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

MEETING INFORMATION

Date Submitted: January 31, 2022	Date of Meeting: February 24, 2022
Submitted by: Chris & Lynn Christensen	Time Required: 10 minutes
Department:	Background Info. Supplied: Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
Speakers: Chris & Lynn Christensen	

CATEGORY OF BUSINESS (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Appointment:	<input type="checkbox"/>	Recognition/Resignation/Retirement:	<input type="checkbox"/>
Public Hearing:	<input checked="" type="checkbox"/>	Old Business:	<input type="checkbox"/>
New Business:	<input type="checkbox"/>	Consent Agenda:	<input type="checkbox"/>
Nonpublic:	<input type="checkbox"/>	Other:	<input type="checkbox"/>

TITLE OF ITEM

Public Hearing - Bear Christensen Fund

DESCRIPTION OF ITEM

The Town Council will hold a public hearing to authorize the acceptance of the amount of but not to exceed \$12,000 for the Bear Christensen Fund, pursuant to 31:95-b and Charter Article 8-15.

REFERENCE (IF KNOWN)

RSA:	31:95-b	Warrant Article:	_____
Charter Article:	8-15	Town Meeting:	_____
Other:		N/A	

EQUIPMENT REQUIRED (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Projector:	<input type="checkbox"/>	Grant Requirements:	<input type="checkbox"/>
Easel:	<input type="checkbox"/>	Joint Meeting:	<input type="checkbox"/>
Special Seating:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Laptop:	<input type="checkbox"/>	None:	<input type="checkbox"/>

CONTACT INFORMATION

Name:	<u>Chris Christensen</u>	Address	_____
Phone Number	<u>603-424-2542</u>	Email Address	<u>trustfunds@merrimacknh.gov</u>

APPROVAL

Town Manager:	Yes <input checked="" type="checkbox"/> No: <input type="checkbox"/>	Chair/Vice Chair:	Yes <input checked="" type="checkbox"/> No: <input type="checkbox"/>
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Hold for Meeting Date: _____

LEGAL NOTICE
Town of Merrimack
Public Hearing

Residents of Merrimack are hereby advised that the Town Council will hold a public hearing to authorize the acceptance of the amount of but not to exceed \$12,000 for the Bear Christensen Fund, pursuant to RSA 31:95-b and Charter Article 8-15. The public hearing will be held on **Thursday, February 24, 2022, at 7:00 PM** in the Matthew Thornton Room located at 8 Baboosic Lake Road in Merrimack.

For Town of Merrimack Use:

Posted: February 15, 2022

To Be Published: February 15, 2022 (*Union Leader*)

To Be Published: February 18, 2022 (*Sunday Select Merrimack Edition*)

Approved: November 18, 2021

Posted: November 19, 2021

Charter Article 8-18, effective November 1, 2021, and will review the appointment each time there is a new Deputy Finance Director.

MOTION CARRIES 6-0-0

2. **Bear Christensen Charitable Trust**

Submitted by Chris and Lynn Christensen

The Town Council to consider the request to turn over the Bear Christensen Charitable Trust funds to the Town of Merrimack / Trustees of Trust Funds, pursuant to RSA 31:19.

Chris Christensen was present to share that the Trust was formed in 1990, shortly after the death of their son, Bear. Over the years, they have taken the profits and distributed some to scholarships for Camp Naticook. The funds are currently around \$27,000 and they would like to turn it over to the Town Trustees of Trust Funds rather than going through the process of appointing successor trustees, as the original language when the Trust was created stated that they must turn the funds over when they are done being trustees. Mr. Christensen then said that they have to present this to the Council for a Public Hearing as this is part of the process of turning the money over to the town. Town Manager Paul Micali shared that he has been in touch with the town's attorney, who said that the Council can accept the money and they do not have to have a public hearing, but rather need to hold a public meeting for the Council to take a vote, in public, accepting the funds. He then shared that whatever amount of money they end up receiving from the Trust will go into principle, and Mr. Christensen would like \$3,000 to be set aside the first year to be used for day camp and camp activities for the following year. After this first year, the interest that is earned would be used for the camp scholarships and programs.

MOTION made by Councilor Hunter and seconded by Councilor Healey to consider to accept the Bear Christensen Charitable Trust funds into the Town of Merrimack / Trustees of Trust Funds with a December 31st value of \$25,737.26 and understanding that \$3,000 of the amount that comes in will be considered as profit to be used as distributions for this year and follow on the principle will be held and only the profits will be used.

Mr. Christensen wanted to clarify that the Trustees of Trust Funds maintain two funds: principle and accumulated income. The accumulated income does not necessarily get spent in any given year, but it is available to be withdrawn depending on requests. Additionally, it is the Trustees of Trust Funds who will decide how much gets spent in any one year, and that it can only come from the surplus funds beyond the principle. Chairman Koenig stated that seeing as Mr. Christensen is a member of the Trustees of Trust Funds Committee, he will be able to assist in the spending and determination of how the funds should be distributed on an annual basis.

Town Manager amended the motion as follows:

MOTION made by Councilor Hunter and seconded by Councilor Healey to consider to accept the Bear Christensen Charitable Trust funds into the Town of Merrimack / Trustees of Trust Funds pursuant to RSA 31:19, with the principle amount as of December 31, 2020, of \$25,737.26. Of that amount of principle that is transferred to the Trustee of Trust Funds, \$3,000 to be set aside into the income portion of the fund, and any remainder going towards the principle portion, and that the Town Manager or his designee can sign any documents as needed.

MOTION CARRIES 6-0-0

TITLE III

TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 31

POWERS AND DUTIES OF TOWNS

Trust Funds

Section 31:19

31:19 In General. –

- I. Towns may take and hold in trust gifts, legacies, and devises made to them for the establishment, maintenance, and care of libraries, reading-rooms, schools, and other educational facilities, parks, cemeteries, and burial lots, the planting and care of shade and ornamental trees upon their highways and other public places, and for any other public purpose that is not foreign to their institution or incompatible with the objects of their organization.
- II. Towns may authorize the board of selectmen, or town council if there is one, to accept such trusts without further action by the town.
- III. Such authority to accept shall continue in effect for one year from the date of town meeting or action by the town council. The authority to accept trusts may be granted for an indefinite period, in which case the warrant article or vote granting such authority shall use the words, "indefinitely" or "until rescinded" or similar language.

Source. GL 49:7; 50:3. PS 40:5. 1901, 83:1. 1907, 70:1. PL 42:18. 1941, 43:1. RL 51:19. RSA 31:19. 1995, 137:1, eff. May 24, 1995.