



# The Senate of the State of New Hampshire

107 North Main Street, Concord, N.H. 03301-4951

Mr. James Gerry  
Director, Municipal Finance Division  
NH Department of Revenue Administration

Dear Mr. Gerry,

It has come to my attention that two articles in annual town meeting warrant for the Town of Haverhill were put forward by Woodsville Commissioners. The intention of these articles was to have the Town fund the District's Fire Department and its Highway Department. I believe that these two articles passed with very narrow margins and that due to the storm and local COVID exposures the turnout at the Haverhill Town Meeting was sparse at 198 residents.

The logistics of Town Meeting aside, I also understand that Woodsville Commissioners believed they could legally present these Warrant Articles because of language I used in SB26/HB2 in 2021 that states "any appropriations to the Woodsville Fire District shall be as directed by warrant articles duly voted by the voters present and voting at each annual Haverhill Town Meeting."

As the prime sponsor of SB26 and its incorporation into HB2, I want to clarify that this clause was in no way intended to circumvent existing RSA 52 and RSA 32 or any other statutes or rules relating to the funding of one municipal entity's operations, services, or departments by another municipal entity. The clause was intended to support the practice of one municipal entity having the ability to pay for services they cannot provide for themselves, such as the case in Haverhill between the Woodsville District and the Town by way of an Intergovernmental Agreement for ambulance services.

The Woodsville Fire District, like the other precincts, is a separate and distinct political subdivision from the Town. The entire purpose of forming a precinct or village district is to allow a smaller group of residents to manage their own needs by removing some power from the existing municipality (i.e., the Town). Woodsville has a separate legislative body and a separate governing body, through which it exercises this power.

However, with that power comes responsibility. Specifically, precincts are responsible for funding their own activities. Woodsville has the authority to raise and appropriate its own funds from its own residents. It is free to raise, appropriate, and expend as much, or as little, money as its voters and governing body feel is appropriate. The Town has no control over that.

The Woodsville Fire District should not have its cake and eat it, too. Woodsville wants the independent power to operate its own Highway Department, without accountability to Town voters, yet it wants the Town taxpayers, the majority of whom are not Woodsville residents, to fund it, even though the Town's Highway and Fire Departments are equipped and capable of providing those services within the Woodsville District of the Town of Haverhill.

Having the Town fund Woodsville's Highway Department and/or Fire Service operations, places the burden of funding the municipal operation of one political subdivision (Woodsville) on the taxpayers of a different political subdivision (the Town), but denies the Town authority or accountability for the expenditure of those funds. This is contrary to the legislative intent of SB23/HB2, and is wholly inappropriate and counter to the basic principles of municipal governance and expenditures.

I urge the Department to respect the intent of the legislation I sponsored, and which was passed by both the NH House and Senate in 2020 and 2021. The underlying intent of that legislation was to end the requirement for Haverhill residents to fund the operations of the Woodsville Fire Precinct. It did not grant authority for the Woodsville precinct to place articles on the warrant for the Town of Haverhill.

Thank you for your consideration in this important matter. Please feel free to contact me with any questions.

Respectfully,

A handwritten signature in black ink, appearing to read 'Bob Giuda', with a long horizontal flourish extending to the right.

Bob Giuda  
State Senator  
NH District 2