



TOWN OF DURHAM
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RESOLUTION 2011-22 OF DURHAM, NEW HAMPSHIRE

AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF \$10,000.00 IN UNANTICIPATED REVENUE IN THE FORM OF A GRANT FROM THE NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES TO ASSIST IN FUNDING THE COST OF ONGOING REPAIRS TO THE SMITH CHAPEL

WHEREAS, the Smith Chapel, located on Mill Pond Road, was built ca. 1900 by Alice Jennings Congreve Smith in memory of her late husband Hamilton Smith, Jr. who died on July 4, 1900; and

WHEREAS, the Smith Chapel, family cemetery, and adjacent park were given to the Town of Durham in 1963; and

WHEREAS, the Smith Chapel has become an important local historic landmark and serves as a reminder of the Hamilton Smith family and their philanthropic role in the turn-of-the-century development of the Town of Durham and the University of New Hampshire; and

WHEREAS, the Town is endeavoring to preserve the Smith Chapel by making a number of necessary repairs, including replacement of the slate roof and repair/replacement of the stained glass windows; and

WHEREAS, at the request of the Durham Historic District/Heritage Commission the Town Council adopted Resolution #2011-04 , dated February 21, 2011, endorsing the listing of the Smith Chapel on the National Parks Service's National Register of Historic Places; the official list of the Nation's historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources; and

WHEREAS, in an effort to acquire funding to assist in the process of listing the Smith Chapel on the National Register of Historic Places the Town submitted an application to the New Hampshire Division of Historical Resources Conservation License Plate Grant Program and was awarded an unanticipated revenue amount in the form of a grant totaling \$6,681.00; and

WHEREAS, the Town has received an additional unanticipated revenue amount of \$10,000.00 in the form of a grant from the New Hampshire Division of Historical Resources; and

WHEREAS, New Hampshire Revised Statutes Annotated (RSA) 31:95-b authorizes the Town Council to apply for, accept and expend, without further action by the town or village district meeting, unanticipated money from the state, federal or other governmental unit or a private source which becomes available during the fiscal year if they first adopt an article authorizing this authority indefinitely until specific rescission of such authority; and

WHEREAS, on July 12, 1999, the Durham Town Council adopted Resolution #99-19 which grants this specific authority to the Town Council; and

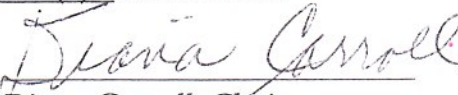
WHEREAS, New Hampshire Revised Statutes Annotated (RSA) 31:95-b III (a) states that for unanticipated moneys in the amount of \$5,000 or more, the selectmen or board of commissioners shall hold a prior public hearing on the action to be taken. Notice of the time, place, and subject of such hearing shall be published in a newspaper of general circulation in the relevant municipality at least 7 days before the hearing is held; and

WHEREAS, in accordance with Section 3.8 "Ordinances" of the Durham Town Charter a public hearing notice was published in *Foster's Daily Democrat* on Thursday, November 10, 2011 and was posted on the public bulletin board located outside the Town Hall, at the Durham Public Library, and at the Department of Public Works; and

WHEREAS, on Monday, November 21, 2011, a Public Hearing was held on Resolution #2011-22 by the Durham Town Council;

NOW, THEREFORE BE IT RESOLVED that the Durham Town Council, the governing body of the Town of Durham, New Hampshire does hereby adopt Resolution #2011-22 authorizing the acceptance and expenditure of \$10,000.00 in unanticipated revenue in the form of a grant from the New Hampshire Division of Historical Resources to assist in funding the cost of ongoing repairs to the Smith Chapel.

PASSED AND ADOPTED by the Town Council of the Town of Durham, New Hampshire this 21st day of November, 2011 by Nine (9) affirmative votes, Zero (0) negative votes, and Zero (0) abstentions.


Diana Carroll, Chair
Durham Town Council

ATTEST:



Lorrie L. Pitt, Town Clerk