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

19 Pillsbury Street CONCORD, NEW HAMPSHIRE 03301

November 18, 2019

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

**REQUESTED ACTION**

Pursuant to RSA 261:97-c, Use of Funds, authorize the Department of Natural and Cultural Resources, State Council on the Arts, to award a Conservation Number Plate (Moose Plate) Grant to the Claremont Opera House (VC #167132), Claremont, NH in the amount of \$20,000 for the restoration of historic theater seats effective upon Governor and Executive Council approval through June 30, 2020. 100% Other Funds (Agency Income)

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

	<u>FY 2020</u>
03-035-035-350010-34050000-073-509074 – Grants Non-Federal	\$20,000

**EXPLANATION**

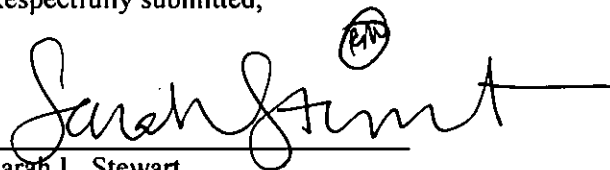
The Conservation Number Plate Fund is used to promote the use and conservation of cultural resources in New Hampshire and to preserve the cultural heritage that belongs to all New Hampshire citizens by providing for the preservation of publicly owned historic properties.

The Claremont Opera House is located in the Claremont City Hall Building. The style of the building is Italian Renaissance Revival. The dedication of the building occurred on June 22, 1897. The building was used for community functions such as high school graduations, vaudeville and other entertainment, and city offices. The Claremont Opera House closed due to lack of use in 1963. In 1972, a restoration committee was spearheaded by the editor of the local newspaper, civic groups, political leaders, arts professionals, and business leaders to restore the Claremont Opera House for future generations. Through its efforts, the Claremont Opera House was placed on the National Register of Historic places in April 1973.

Since the grand re-opening of the Claremont Opera House on May 26, 1979, the Friends and Board of Directors have raised funds both publically and privately, to re-equip and restore the House. The goal of this proposed project grant is to restore 200 theater seats in order to preserve the historic and artistic integrity of the seating and the theater. Seats will be restored while maintaining the original period structure using historically appropriate materials. The historical beauty of the metal, wood, and the metal hat racks will be restored and maintained.

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

Respectfully submitted,

  
Sarah L. Stewart  
Commissioner

1167132  
FY2020CC # 9930  
Acct Code: 34000 054



NEW HAMPSHIRE STATE COUNCIL ON THE ARTS GRANT AGREEMENT

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

1. GRANT PERIOD: FY2020

2. OBLIGATIONS OF THE GRANTEE:

- The Grantee agrees to accept \$20,000.00 and apply it to the program(s) described in the grant application and approved budget for To support the restoration of seats in an historic theater. In the performance of this grant agreement, the Grantee is in all respects an independent contractor and is neither an agent nor employee of the State.
- Funding credit including Council logo must appear in all programs, publicity, and promotional materials. The following wording and Council logo should be used:



Claremont Opera House is supported in part by a grant from the New Hampshire State Council on the Arts & the Mooseplate License Plate Program.

- The Grantee acknowledges that the NHSCA Program Coordinator may schedule a site visit to the organization and may request a site visit from the NHSCA.
- The Grantee agrees to abide by the limitations, conditions and procedure outlined herein and in the attached appendices. If appropriated funds for this grants program are reduced or terminated, all payments under this grant may cease. That determination rests within the sole discretion of the Council.

3. PAYMENT will be made following the receipt and execution of all required documents and approval of the Governor and Executive Council

4. FINAL REPORT: The Grantee agrees to submit a final financial and narrative report on a form provided by the Council no more than 30 days after the end of the grant period. Failure to submit the final report will render the Grantee ineligible for Council funding for two years.

5. SOVEREIGN IMMUNITY: No provision of this contract is to be deemed a waiver of sovereign immunity by the State of New Hampshire.

COUNCIL APPROVAL

Contracting Officer for State Agency  
*[Signature]* 11/22/19  
Signature Date

Name, Title: Sarah L. Stewart  
Commissioner

APPROVED BY ATTORNEY GENERAL  
as to form, substance and execution:  
*[Signature]* 12/4/2019  
Office of Attorney General Date

GRANTEE SIGNATURE

Org/ Name: Claremont Opera House  
Address: 58 Opera House Square  
Claremont NH 03743  
*[Signature]*  
Printed Name of Authorized Official for Grantee: Rebecca Vinduska  
Authorized Official's Signature & Title: Rebecca Vinduska, President of Board  
Date: 10/17/19

NOTARIZATION REQUIRED:

STATE OF NEW HAMPSHIRE, COUNTY OF Sullivan  
On the 17th day of Oct 2019 before the undersigned officer, personally appeared Rebecca Vinduska (Print name of person whose signature is being notarized) or satisfactorily proven to be the person whose name appears above, and acknowledged that s/he executed this document in the capacity indicated. Theresa Cargill  
Notary Public/ Justice of the Peace  
Printed Name: Theresa Cargill  
My Commission expires: Theresa A. Cargill, Notary Public, State of New Hampshire, My Commission Expires December 6, 2022

# State of New Hampshire

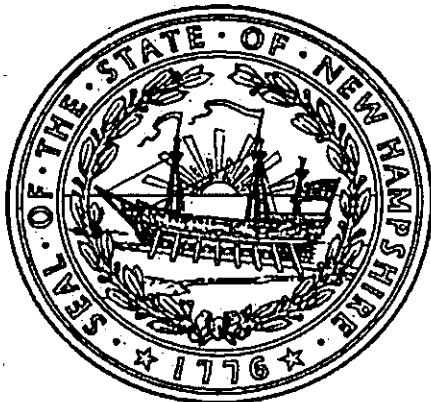
## Department of State

### CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that CLAREMONT OPERA HOUSE, INC. is a New Hampshire Nonprofit Corporation registered to transact business in New Hampshire on October 06, 1977. I further certify that all fees and documents required by the Secretary of State's office have been received and is in good standing as far as this office is concerned.

Business ID: 62699

Certificate Number: 0004519739



IN TESTIMONY WHEREOF,

I hereto set my hand and cause to be affixed  
the Seal of the State of New Hampshire,  
this 23rd day of May A.D. 2019.

A handwritten signature in black ink, appearing to read "Wm Gardner".

William M. Gardner  
Secretary of State

Board Resolution

I, Felicja Brych Dalke, hereby certify that I am duly elected Clerk/Secretary of  
(Name)

Claremont Opera House. I hereby certify the following is a true copy of a vote taken at  
(Name of Organization)

a meeting of the Board of Directors/shareholders, duly called and held on Oct 16, 2019  
at which a quorum of the Directors/shareholders were present and voting.

VOTED: That Rebecca Vinduska is duly authorized to enter a  
(Name and Title) person signing grant

Contract on behalf of Claremont Opera House with the  
(Name of Organization)

NH State Council on the Arts State of New Hampshire and further is  
(Name of State Agency)

Authorized to execute any documents which may in his/her judgment be  
desirable or necessary to effect the purpose of this vote.

I hereby certify that said vote has not been amended or repealed and remains in full  
force and effect as of the 16<sup>th</sup> October 2019. I further certify that it is understood that the  
State of New Hampshire will rely on this certificate as evidence that the person listed above currently  
occupies the position indicated and that they have full authority to bind the corporation to the specific  
contract indicated.

DATED: 17/10/19

ATTEST: F Brych Dalke  
F Brych Dalke  
Secretary, COH Board.  
(Name and Title) Clerk/Secretary



## CERTIFICATE OF COVERAGE

The New Hampshire Public Risk Management Exchange (Primex<sup>3</sup>) is organized under the New Hampshire Revised Statutes Annotated, Chapter 5-B, Pooled Risk Management Programs. In accordance with those statutes, its Trust Agreement and bylaws, Primex<sup>3</sup> is authorized to provide pooled risk management programs established for the benefit of political subdivisions in the State of New Hampshire.

Each member of Primex<sup>3</sup> is entitled to the categories of coverage set forth below. In addition, Primex<sup>3</sup> may extend the same coverage to non-members. However, any coverage extended to a non-member is subject to all of the terms, conditions, exclusions, amendments, rules, policies and procedures that are applicable to the members of Primex<sup>3</sup>, including but not limited to the final and binding resolution of all claims and coverage disputes before the Primex<sup>3</sup> Board of Trustees. The Additional Covered Party's per occurrence limit shall be deemed included in the Member's per occurrence limit, and therefore shall reduce the Member's limit of liability as set forth by the Coverage Documents and Declarations. The limit shown may have been reduced by claims paid on behalf of the member. General Liability coverage is limited to Coverage A (Personal Injury Liability) and Coverage B (Property Damage Liability) only. Coverage's C (Public Officials Errors and Omissions), D (Unfair Employment Practices), E (Employee Benefit Liability) and F (Educator's Legal Liability Claims-Made Coverage) are excluded from this provision of coverage.

The below named entity is a member in good standing of the New Hampshire Public Risk Management Exchange. The coverage provided may, however, be revised at any time by the actions of Primex<sup>3</sup>. As of the date this certificate is issued, the information set out below accurately reflects the categories of coverage established for the current coverage year.

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

<b>Participating Member:</b> City of Claremont 58 Opera House Square Claremont, NH 03743		<b>Member Number:</b> 141	<b>Company Affording Coverage:</b> NH Public Risk Management Exchange - Primex <sup>3</sup> Bow Brook Place 46 Donovan Street Concord, NH 03301-2624	
Type of Coverage	Effective Date (mm/dd/yyyy)	Expiration Date (mm/dd/yyyy)	Limits - NH Statutory Limits May Apply, If Not:	
<input checked="" type="checkbox"/> <b>General Liability (Occurrence Form)</b> <b>Professional Liability (describe)</b> <input type="checkbox"/> Claims Made <input type="checkbox"/> Occurrence	1/1/2019	1/1/2020	Each Occurrence	\$ 5,000,000
			General Aggregate	\$ 5,000,000
			Fire Damage (Any one fire)	
			Med Exp (Any one person)	
<input type="checkbox"/> <b>Automobile Liability</b> Deductible    Comp and Coll: \$1,000 <input type="checkbox"/> Any auto			Combined Single Limit (Each Accident)	
			Aggregate	
<input checked="" type="checkbox"/> <b>Workers' Compensation &amp; Employers' Liability</b>	1/1/2019	1/1/2020	<input checked="" type="checkbox"/> Statutory	
			Each Accident	\$2,000,000
			Disease - Each Employee	\$2,000,000
			Disease - Policy Limit	
<input type="checkbox"/> <b>Property (Special Risk includes Fire and Theft)</b>			Blanket Limit, Replacement Cost (unless otherwise stated)	
<b>Description:</b> Proof of Primex Member coverage only.				

<b>CERTIFICATE HOLDER:</b>	<b>Additional Covered Party</b>	<b>Loss Payee</b>	<b>Primex<sup>3</sup> - NH Public Risk Management Exchange</b>
NH Department of Natural and Cultural Resources 172 Pembroke Road Concord, NH 03301			By: <i>Mary Beth Purcell</i>
			Date: 10/24/2019    mpurcell@nhprimex.org
			Please direct inquires to: <b>Primex<sup>3</sup> Claims/Coverage Services</b> 603-225-2841 phone 603-228-3833 fax

**NH State Council on the Arts Information Form**

**Claremont Opera House, Inc.**

1. Statement of Purpose: To sponsor a wide variety of events in music, theatre, dance and the visual arts; to develop community understanding of the arts; and to educate as well as entertain.
2. Salary: 0
3. Duns: 796293124
4. Resume attached separately
5. Financial statement attached separately
6. Board of directors:
  - ◆ President, Rebecca Vinduska
  - ◆ Vice President, Stacy Bathrick
  - ◆ Vice President, Brenda Saunders
  - ◆ Treasurer, Clay Hawkins
  - ◆ Secretary, Felicia Brych Dalke
  - ◆ Director, John Bennett
  - ◆ Director, Christine Hawkins
  - ◆ Director, Phaedra Laushance
  - ◆ Director, Charlene Lovett
  - ◆ Director, Andrew Palmer
  - ◆ Director, Becky Vittum
  - ◆ Director, Dale Vittum
7. Geographical areas served: COH presents live theater performances for an audience that is largely rural and has limited access to live performance venues. COH serves from Keene to Rutland to Lyme to New London and all of the communities in between.

While we have had patrons from other New England states and beyond, COH typically serves Claremont as well as the surrounding areas and parts of Vermont. Patrons come from most of the Upper Connecticut River Valley, South from the Brattleboro, VT region and SE from Monadnock region as far east as Manchester / Concord area and West to Rutland.

8. Certificate of Liability: attached separately
9. Certificate of Good Standing: With application

Claremont Opera House  
**Balance Sheet**  
 As of June 30, 2019

	Jun 30, 19
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
1011 · CSB CHECK #23005322	25,763.64
1021 · Art Assoc Checking#23706375	436.17
1033 · Centennial Fund CSB#355304061MM	3,963.65
1034 · CSB Art Assoc#9104409 Midas	6,829.28
1035 · CSB Midas #35102242	32,740.90
1036 · Kane Funds-CSB Midas#35303994	10,269.76
1043 · Centennial Fund CD#8215014	29,458.56
1045 · CD Endowment-2 1YR CSB#8154376	21,291.88
1046 · CD Kane Fund #8021223	25,829.86
1048 · Repertory Theatre Co. at COH	2,697.60
1050 · Mascoma 1897 Venue Fund	2,759.13
<b>Total Checking/Savings</b>	162,040.43
<b>Accounts Receivable</b>	
1100 · Accounts Receivable	-232.00
<b>Total Accounts Receivable</b>	-232.00
<b>Other Current Assets</b>	
1800 · Prepaid Expenses	4,625.50
<b>Total Other Current Assets</b>	4,625.50
<b>Total Current Assets</b>	166,433.93
<b>Fixed Assets</b>	
1610 · Fixed Assets	531,403.02
1690 · Reserve for Depreciation	-272,008.44
<b>Total Fixed Assets</b>	259,394.58
<b>Other Assets</b>	
1500 · Investments stock	1,381.44
<b>Total Other Assets</b>	1,381.44
<b>TOTAL ASSETS</b>	427,209.95
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Other Current Liabilities</b>	
2300 · Accrued Liabilities	
School Student Fund	190.00
Ticket Funds Next Season	5,587.50
2305 · Deferred Preservation Fee Rev	20,150.50
<b>Total 2300 · Accrued Liabilities</b>	25,928.00
<b>Total Other Current Liabilities</b>	25,928.00
<b>Total Current Liabilities</b>	25,928.00
<b>Total Liabilities</b>	25,928.00
<b>Equity</b>	
3000 · Opening Bal Equity	426,371.53
3110 · Retained Earnings	-72,199.68
3210 · Specific Purpose Fund	
3215 · Tech Account	3,187.04
3210 · Specific Purpose Fund - Other	8,283.00
<b>Total 3210 · Specific Purpose Fund</b>	11,470.04
<b>Net Income</b>	35,640.06

2:28 PM  
10/24/19  
Accrual Basis

Claremont Opera House  
**Balance Sheet**  
As of June 30, 2019

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	Jun 30, 19
Total Equity	401,281.95
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>427,209.95</b>



## Resumé of project director

John Bennett

President, Claremont Opera House, Inc.

603-542-0064

### Residence:



Claremont, NH 03743

### Education

1967: Bachelor's degree in education  
Keene State College, Keene, NH

1968-present: extensive graduate work  
Keene State College, Dartmouth College

### Employment

1980-present: teacher  
Stevens High School, Claremont, NH  
subjects: Studio Art, Humanities, American Studies

1996-present teacher  
College of Lifelong Learning  
subjects: Art History, Drawing, Watercolor painting

1988-1989: Shakespeare, Dickens and Scott Lecturer  
National Gallery, London, England and  
National Gallery, Edinburgh, Scotland

2008-2009 Harvard Fellowship

2013 Retired from teaching

2015 Granite State College

### Boards and committees

1972-present: NH State Department of Education  
Art Education Certification Board, Standards for Art Committee,  
Art Curriculum Planning Committee, Art Curriculum Committee

### Community Service

1972-1987 President, Claremont Opera House, Inc.

1994-2014

2014-2019 Vice President, Claremont Opera House, Inc.

1980-present: Historic District Commission, Claremont, NH (chair, 1993-present)

1980-2000: Conservation Commission, Claremont, NH (chair, 1980-1990)

1980-1990: City Council, Claremont, NH

1981-1984: Community Arts Director, Claremont, NH