

Chapter 58

**INSURANCE**

[HISTORY: Adopted by the Town of Henniker as indicated in article histories. Amendments noted where applicable.]

**ARTICLE I**  
**Contractors and Vendors Serving Town**  
[Adopted 6-11-1991]

**~ 58-1. Purpose.**

- A. The purpose of this policy is to limit the amount of known liability and therefore insurance costs to the town. It should be recognized that the well-prepared professional provider to the town will have, as a matter of good business practices, adequate insurance protection at a noticeable (to him) insurance expense.
- B. In a small town such as ours, we are often offered the services of part-time service providers that do not protect themselves with adequate insurance coverage or other forms of protection. It shall be for the Selectmen to determine whether to engage the services of individuals or businesses with inadequate or no insurance.

**~ 58-2. Evidence of insurance coverage.**

- A. Each vendor/provider/service person, company, corporation, etc., shall provide an acceptable evidence of insurance protection for not less than the period of any contract, agreement, replacement, repair unit of work, etc. Such evidence shall be not less than a certificate of insurance provided by an insurance agent stating levels of required coverage and shall carry requirements for the agent or insurance company to notify the Town of Henniker, in writing, of termination or cancellation not less than 30 days prior to the cancellation date. Such certificates shall also state the period of coverage date, to establish the end date of coverage.
  - 1. Required documentation: Federal Tax number.
  - 2. Insurance certificate: See Exhibits A and B.<sup>1</sup>
- B. The Town of Henniker may be named as an additionally insured party, but only as respects to the agreement, contract or permit between the insured and the town, if required by the Board of Selectmen. The contractor/server/vendor, etc., is to be considered as the primary insured.

**~ 58-3. Independent contractors.**

Independent contractors who perform work for the municipality, such as construction companies, pavers, snowplowers, tree pruners, mowers, shall be subject to the following:

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<sup>1</sup> Editor's Note: Exhibits A and B are on file in the Selectmen's office.

- A. Before work begins, a written contract shall be established that includes an agreement by the contractor to indemnify the Town of Henniker for claims arising out of the contractor's activities.
- B. A certificate of insurance coverage shall be required evidencing the types and minimum preferred amounts of coverage.
- C. The town does not need to be named as an additional insured under liability coverage.

**~ 58-4. Municipal vendors.**

Vendors who provide services to the residents of the Town of Henniker on behalf of that municipality, such as trash removal, event organizers, ambulance services, outside recreational organizations, shall be subject to the following:

- A. A written contract shall be established which includes an agreement by the vendor to indemnify the municipality for claims arising out of the vendors' activities.
- B. A certificate of insurance shall be required evidencing the types and minimum amounts of coverage.
- C. The vendor shall be named an additional insured.

**~ 58-5. Lessees of municipal premises.**

Lessees of municipal premises shall be subject to the following:

- A. A written lease or permission to use the premises shall be established that includes an agreement by the lessee to indemnify the municipality for claims arising out of the lessee's occupancy and use of the premises.
- B. Certificates of insurance shall be required evidencing the types and minimum amounts of coverage.
- C. The lessee shall be named as an additional insured.

**~ 58-6. Additional resources.**

Refer to Property Liability Insurance Trust "Managing Liability" chapter to assist in determining specific coverage requirements by activities.