

SELECT BOARD MEETING AGENDA

DATE: 6:00pm Monday, June 23, 2014

HELD: Public Safety Complex (2nd Floor Meeting Room) 20 George Bennett Rd, Lee

The Select Board reserves the right to make changes as deemed necessary during the meeting. Public Comment speaking time limited to 3 minutes.

1. **Call to Order - 6:00 pm**
2. **Public Comment**
3. **William Stone, Eagle Scout Candidate – Maud Jones Forest Trail Signage & Markings as Eagle Scout Service Project**
Request permission to mark trails and put up signage for his Eagle Scout Service Project in the Maud Jones Forest.
4. **Library Building Committee Application**
Present the Board with a member application for the Library Building Committee for review and action.
5. **Ad Hoc Race Track Committee Applications**
Present the Board with member applications for the Ad Hoc Race Track Committee for review and action.
6. **Chief Dronsfield, New Hire - Donald Laliberte**
Introduce the most recent new hire to the Lee Police Department, Donald Laliberte and present an Oath of Office document to the Board for signatures.
7. **Brian Fischer, Sound Engineer – Race Track Noise Ordinance Enforcement**
Present the information necessary to understand the entire scope of work and equipment necessary to test for noise ordinance violations and provide the Town with a few options on how to prepare a case against violators.
8. **Scott Marsh, MRI Assessor – Information and Data regarding MRI's Services**
Present to the Board a factual depiction of what they do, don't do and why. Answer questions and provide a professional opinion on what the Town of Lee needs for assessing services.
9. **Larry Kindberg, Recreation Commission Chair – LRP Handicap Playground Equipment and Access**
Present the Board with quotes and work estimates to purchase and install handicap playground equipment for LRP and access to said equipment.
10. **Julie Glover, Town Administrator Report**
 - *Investment Policy*
 - *FY14 Encumbrances*
 - *Transfer of Funds including Legal Expenses*
 - *Application for Discretionary Preservation Easement for the Kennard Farm Barns*
 - *Application for Religious Exemption for 101 Steppingstones Road*
 - *Miscellaneous*
11. **Consent Agenda Items - (Individual items may be removed by any Selectman for separate discussion and vote)**

SIGNATURES REQUIRED

Abatements (7)
Vacation Request
Cemetery Plot Certificate

INFORMATION ONLY

Maud Jones Memorial Tree Farm Timber Sale Update
Thank you Ltr from Executive Councilor Chris Pappas
Police Dept Highway Safety Project Approval Letter
Lee Traffic Circle Construction Update Memo
Unanticipated Revenue \$600 - LCHIP

12. **Acceptance of the BOS and Library Building Committee Workshop Minutes from May 8, 2014.**
13. **Acceptance of the Public and Non-Public Meeting Minutes from May 27, 2014.**
14. **Acceptance of the Public Meeting Minutes from June 9, 2014.**
15. **Acceptance of Manifest #25 and Weeks Payroll Ending June 22, 2014**
16. **Miscellaneous/Unfinished Business**

17. Non-Public

- a. **RSA 91-A:3 II (a) – Personnel Issues – requested by C. Dennis**

18. Adjournment

Posted: Town Hall, Public Safety Complex, Public Library and on leenh.org on June 20, 2014

Individuals needing assistance or auxiliary communication equipment due to sensory impairment or other disabilities should contact the Town Office at 659-5414. Please notify the town six days prior to any meeting so we are able to meet your needs.



TOWN of LEE
7 MAST RD, LEE, NH 03861
(603) 659-5414

Office Use Only

Meeting Date: June 23, 2014

Agenda Item No. 3

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
6/23/2014

Agenda Item Title: Maud Jones Forest Trail Signage and Markings as Eagle Scout Service Project

Requested By: William Stone, Eagle Scout Candidate **6/19/2014**

Contact Information:

Presented By: William Stone

Description: Request permission to mark trails and put up signage for his Eagle Scout Service Project in the Maud Jones Forest. The Conservation Commission is in support of this project.

Financial Details: N/A

Legal Authority NH RSA 41:11-a

Legal Opinion: Enter a summary; attach copy of the actual opinion

REQUESTED ACTION OR RECOMMENDATIONS:

Motion: Move to approve Mr. Stone's request to mark trails and erect signs in the Maud Jones Forest in accordance with his Eagle Scout Service Project.



Eagle Scout Service Project Proposal



BOY SCOUTS OF AMERICA

Eagle Scout candidate's full legal name William H. Stone

Eagle Scout Service Project Name Maud Jones Forest Trail Signage and Markings

Eagle Scout Requirement 5

While a Life Scout, plan, develop, and give leadership to others in a service project helpful to any religious institution, any school, or your community. (The project must benefit an organization other than Boy Scouting.) A project proposal must be approved by the organization benefiting from the effort, your unit leader and unit committee, and the council or district before you start. You must use the *Eagle Scout Service Project Workbook*, No. 512-927, in meeting this requirement.

Instructions for Completing Your Proposal

Meeting the Five Tests of an Acceptable Eagle Scout Service Project

Your proposal must be completed first. It is an overview, but also the beginnings of planning. It must show your unit leader, unit committee, and council or district that your project can meet the following tests.

1. **It provides sufficient opportunity to meet the Eagle Scout service project requirement.** You must show that planning, development, and leadership will take place; and how the three factors will benefit a religious institution, a school, or your community.
2. **It appears to be feasible.** You must show the project is realistic for you to complete.
3. **Safety issues will be addressed.** You must show you have an understanding of what must be done to guard against injury, and what will be done if someone gets hurt.
4. **Action steps for further detailed planning are included.** You must make a list of the key steps you will take to make sure your final plan will have enough details so it can be carried out successfully.
5. **You are on the right track with a reasonable chance for a positive experience.**

When completing your proposal you only need enough detail to show a reviewer that you can meet the tests above. If showing that you meet the tests requires a lengthy and complicated proposal, your project might be more complex than necessary. Remember, the proposal is only the *beginnings* of planning. Most of your planning will come with the next step, completion of your final plan.

If your project does not require materials or supplies, etc., simply mark those spaces "not applicable." As a reminder, do not begin any work, or raise any money, or obtain any materials, until your project proposal has been approved.

Consider also, that if you submit your proposal too close to your 18th birthday, it may not be approved in time to finish planning and executing the project.

Working with Your Project Beneficiary

On the last two pages of this workbook there is an information sheet called, "Navigating the Eagle Scout Service Project." This is for you to print and give to the religious institution, school, or community that will benefit from your efforts. You should do this as part of your first meeting with your beneficiary and use the sheet to help explain how the Eagle Scout service project works. Be sure to read it carefully so you can explain what it says.

"Navigating the Eagle Scout Service Project" will help you communicate a number of things to your beneficiary. For example, it provides thanks and congratulations for accepting the project; and it gives some background, discusses the requirements, and points out the responsibilities connected with approving your project proposal. It also explains that the beneficiary has the right to review, and also to require changes in your final plan.

Again, be sure to read carefully "Navigating the Eagle Scout Service Project" so you will have a full understanding of the role of your beneficiary.

Next Step: Your Final Plan

Once your proposal is approved, you are **strongly encouraged** to complete the final plan form in this workbook. Doing so increases the likelihood your project will be approved at your Eagle Scout board of review. As you prepare to complete it, you should meet with a project coach. Check with the person who handled the approval of your project proposal to learn how coaches are designated in your community.

Your designated coach can help you avoid the common pitfalls associated with Eagle Scout service projects and be a big part of your success. You may also want to talk to your unit leader. There may be adults in your troop who are experts in conducting the kind of project you are planning. It's ok for you to work with them as well. The more coaching you get, the better your results will be.

Beginning Work on Your Project

Once your proposal has been fully approved and you have finished your final planning, only then, may you begin work on your project.

Contact Information

Eagle Scout candidates should know who is involved, but contact information may be more important to unit leaders, unit committees, project beneficiaries, and council or district approval representatives in case they want to talk to one another. While it is recognized that not all the information will be needed for every project, Scouts are expected to provide as much as reasonably possible. Approval representatives must understand, however, that doing so is not part of the service project requirement.

Eagle Scout Candidate

Name: William H. Stone Birth date: March 4, 1997
Email address: stonedlwbk@yahoo.com BSA PID number*: 126181946
Address: 15 Wadleigh Falls Rd. City: Lee State: NH Zip: 03861
Preferred telephone(s): 603-292-5908 Life board of review date: 03/15/2013
** BSA PID No., found on the BSA membership card*

Current Unit Information

Check one: Troop Team Crew Ship Unit Number: 154
Name of District: Abnaki Name of Council: Daniel Webster
Unit Leader Check one: Scoutmaster Varsity Coach Crew Advisor Skipper

Name: Mark Newton Preferred telephone(s):
Address: 16 Stonewall Way City: Durham State: NH Zip: 03824
Email address: newt.inbox@gmail.com

Unit Committee Chair

Name: Steve Fry Preferred telephone(s):
Address: City: Lee State: NH Zip: 03821
Email address: sfrye@mvalleycorp.com

Unit Advancement Coordinator *(If your unit has one)*

Name: Preferred telephone(s):
Address: City: State: Zip:
Email address:

Project Beneficiary *(Name of religious institution, school, or community)*

Name: Town of Lee, NH (Lee Conservation Commissi) Preferred telephone(s): 603-659-5414
Address: 7 Mast Rd. City: Lee State: NH Zip: 03821
Email address:

Project Beneficiary Representative *(Name of contact person for the project beneficiary)*

Name: Richard Weyrick Preferred telephone(s): 603-868-2862
Address: City: Lee State: NH Zip: 03821
Email address:

Your Council Service Center

Council name: Ms. Valerie Whatmough Preferred telephone(s):
Address: City: State: Zip:

Council or District Project Approval Representative

(Your unit leader, unit advancement coordinator, or council or district advancement chair may help you learn who this will be.)

Name: Fred Hochgraf Preferred telephone(s): 603-867-5058
Address: 9 old Landing Rd. City: Durham State: NH Zip: 03824
Email address: fgshsav@comcast.net

Project Coach *(Your council or district project approval representative may help you learn who this will be.)*

Name: Preferred telephone(s):
Address: City: State: Zip:
Email address:

Project Description and Benefit

Briefly describe your project.

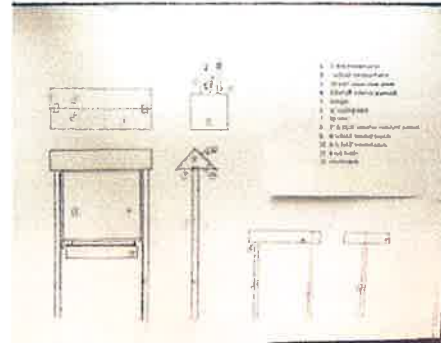
My plan is to make the signage and markings for the new Maud Jones Forest Trail in Lee, NH. This trail was cut by UNH Forestry students recently and is unmarked. I plan to make a wooden trail head sign with the trail's name and "0.8 mile circuit" on it. I will also make a main information sign that includes a map of the trail, a brief history of the Maud Jones Memorial Forest and the trail's creation, which will be behind Plexiglas encased in a wooden frame for easy updating. I will mark the trail itself by painting 2" x 6" blue rectangles on trees spaced at intervals. Finally, I will highlight some natural features such as types of trees along the trail with smaller wooden signs. These signs will all be wooden with the lettering cut into the wood using a pantograph router. The wood will be stained and the etched letters will be painted black.

Attach sketches or "before" photographs if these will help others visualize the project.

Please click below to add Images (JPEG, JPG, BMP, GIF, TIF, PNG, etc.)



This is the new trail as it is now without signs or markings.



Sketches of the wooden signs I plan to make.

Tell how your project will be helpful to the beneficiary. Why is it needed?

The beneficiary of this project is the Town of Lee. The signs are needed to show the public that the newly cut trail is there and to provide useful information to facilitate its use by the public for recreation.

When do you plan to begin carrying out your project? Physical work on the project will begin the last week of June 2014.

When do you think your project will be completed? Project should be complete by the 3rd week in August 2014.

Giving Leadership

Approximately how many people will be needed to help on your project? 5-10

Where will you recruit them (unit members, friends, neighbors, family, others)? Explain:

My grandfather, mother, brother (and fellow scout) will help me. I also plan to recruit some members of my troop to help with phases 4 and 5 of my project.

What do you think will be most difficult about leading them?

I anticipate the most difficult part about leading my project will be supervising the younger scout volunteers to make sure they are following instructions and staying on task.

Materials

Materials are things that become part of the finished project, such as lumber, nails, and paint.

What types of materials, if any, will you need? You do not yet need a detailed list of exact quantities, but you must show you have a reasonable idea of what is required. For example, for lumber, include basic dimensions such as 2" x 4" or 4" x 4".

2 4'x4'x8' treated posts, 1'x2'x10' treated frame, 28"x30" Lexan clear sheet, 3/8x4'x8' exterior plywood, shingles, 3/4" roofing nails, 8 penny nails, 2" weather resistant screws, 1 1/4" weather resistant screws, 4 1'x6'x12' treated boards, 9 2'x2'x12' treated posts, 4 eye hooks, silicon caulk, wood stain, black paint, blue paint

Supplies

Supplies are things you use up, such as food and refreshments, gasoline, masking tape, tarps, safety supplies, and garbage bags.

What kinds of supplies, if any, will you need? You do not yet need a detailed list or exact quantities, but you must show you have a reasonable idea of what is required.

tarps, tape, cardboard (to make rectangle stencil for blazes), garbage bags, rags, cement, paper towels, gloves for staining

Tools

Include tools, and also equipment, that will be borrowed, rented, or purchased.

What tools or equipment, if any, will you need? You do not need a detailed list yet, but you must show you have a reasonable idea of what is required.

router, pantograph, screwdrivers, hammers, circular saw, saw horses, post hole digger, mallet, drill, brushes
My family owns these tools and I plan to use them at no cost.

Other Needs

Items that don't fit the above categories; for example, parking or postage, or services such as printing or pouring concrete, etc.

What other kinds of expenses do you think you might encounter?

none

Permits and Permissions

Note that property owners should obtain and pay for permits.

Will permissions or permits (such as building permits) be required for your project? Who will obtain them? How long will it take? According to Mr. Weyrick and Mr. Humm of the Lee Conservation Commission, I only need a letter of permission from the Lee Conservation Commission and Selectmen to begin. They will provide it once they have my detailed plan. I have already presented my ideas to the LCC at their meeting.

Preliminary Cost Estimate

You do not need exact costs yet. Reviewers will just want to see if you can reasonably expect to raise enough money to cover an initial estimate of expenses. Include the value of donated material, supplies, tools, and other items. It is not necessary to include the value of tools or other items that will be loaned at no cost. Note that if your project requires a fundraising application, you do not need to submit it with your proposal.

Enter estimated expenses below:
(Include sales tax if applicable)

Fundraising: Explain how you will raise the money to pay for the total costs. If you intend to seek donations of actual materials, supplies, etc., then explain how you plan to do that, too.

Materials:	\$0.00	I estimate the cost of the wood to be about \$200. My family already owns all of the necessary tools and supplies needed for this project. I do not plan to do any fundraising for my project. I wrote the estimated cost in this space because the form wouldn't allow me to add numbers to the left column where they belong.
Supplies:	\$0.00	
Tools:	\$0.00	
Other:	\$0.00	
Total costs:	\$0.00	

Project Phases

Think of your project in terms of phases, and list what they might be. The first may be to complete your final plan. Other phases might include fundraising, preparation, execution, and reporting. You may have as many phases as you want, but it is not necessary to become overly complicated; brief, one line descriptions are sufficient.

1. Figuring out which natural features to highlight with signs. Put temporary label on it with number and string.
2. Figure out which trees to paint to mark the trail. Put temporary label with colored string.
3. Cut all pieces of all wooden signs. Router to cut words into wood. Preassemble wood to be ready to be joined.
4. Map, history printed with extras and ready to insert behind Lexan front of information sign.
5. At the site with troop volunteers: digging post holes, assembling all signs, planting signs, staining all the wood
6. At the site with troop volunteers: blue blazes painted using stencil, etched words painted with black
- 7.
- 8.

Candidate's Promise* *Sign below before you seek the other approvals for your proposal.*

On my honor as a Scout, I have read this entire workbook, including the "Message to Scouts and Parents or Guardians" on page 5. I promise to be the leader of this project, and to do my best to carry it out for the maximum benefit to the religious institution, school, or community I have chosen as beneficiary.

Signed

Date

** Remember: Do not begin any work on your project, or raise any money, or obtain any materials, until your project proposal has been approved.*

Unit Leader Approval*

I have reviewed this proposal and discussed it with the candidate. I believe it provides impact worthy of an Eagle Scout service project, and will involve planning, development, and leadership. I am comfortable the Scout understands what to do, and how to lead the effort. I will see that the project is monitored, and that adults or others present will not overshadow him.

Signed

Date

Name (Printed)

Unit Committee Approval*

This Eagle Scout candidate is a Life Scout, and registered in our unit. I have reviewed this proposal, I am comfortable the project is feasible, and I will do everything I can to see that our unit measures up to the level of support we have agreed to provide (if any). I certify that I have been authorized by our unit committee to provide its approval for this proposal.

Signed

Date

Name (Printed)

Beneficiary Approval*

This service project will provide significant benefit, and we will do all we can to see it through. We realize funding on our part is not required, but we have informed the Scout of the financial support (if any) that we have agreed to. We understand any fund raising he conducts will be in our name and that funds left over will come to us if we are allowed to accept them. We will provide receipts to donors as required.

Our Eagle candidate has provided us a copy of "Navigating the Eagle Scout Service Project, Information for Project Beneficiaries."

Yes No

Council or District Approval

I have read topics 9.0.2.0 through 9.0.2.15, regarding the Eagle Scout service project, in the *Guide to Advancement*, No. 33088. I agree on my honor to apply the procedures as written, and in compliance with the policy on "Unauthorized Changes to Advancement." Accordingly, I approve this proposal. I will encourage the candidate to complete a final plan and further encourage him to share it with a project coach who has been designated for him.

Signed

Date

Name (Printed)

Signed

Date

Name (Printed)

**While it makes sense to obtain approvals in the order they appear, there shall be no required sequence for the order of obtaining those approvals marked with an asterisk (*). Council or district approval, however, must come after the others.*

Logistics

Check with your council service center to determine if a Tour and Activity Plan is required.

How will you handle transportation of materials, supplies, tools, and helpers? Will you need a Tour and Activity Plan?

I plan to transport my materials, tools, and supplies to the site using my grandfather's truck and my mom's van. I will ask that other volunteers meet us at the job site in Lee.

Safety Issues

The Guide to Safe Scouting is an important resource in considering safety issues.

Describe the hazards and safety concerns you and your helpers should be aware of.

The circular saw and router will be used under an experienced user's supervision. Safety goggles will be worn at all times when cutting the wood. The volunteers will be using hammers, mallets, which need to be used with care and awareness of the people near you so as not to accidentally hit someone. Gloves will be worn when staining the wood to prevent contact with the skin. Bug spray and sunscreen should be worn at the work site as ticks and insects are a problem there and to protect skin from the sun. Water should be plentiful as temperatures outdoors in July can be high. We will have a First Aid kit and cell phone with us at all times to use in case of an accident.

Final Planning

You do not have to list every step, but it must be enough to show you have a reasonable idea of how to complete a final plan.

List some action steps you will take to complete a final plan. For example "Complete a more detailed set of drawings."

In order to complete the final plan, I need to walk through the trail with someone from the LCC and have them point out specific natural items to highlight with small signs to ensure that the items are marked correctly. That way I know exactly how many small signs I'll need and will know what to put on them later. I will provide more detailed sketches of all the signs and their dimensions.

LEE CONSERVATION COMMISSION
Town Hall, 7 Mast Road
Lee, NH 03861

June 19, 2014

William Stone
15 Wadleigh Falls Road
Lee, NH 03861

Dear Will:

This is confirmation that the Lee Conservation Commission is fully supportive of your project, The Maud Jones Forest Trail Signage and Markings, as presented by you at our meeting of May 5, 2014, and as elaborated in your discussions with Mr. Weyrick. Your signs, once constructed and installed, will be of significant benefit to users of the newly-created trail.

I understand that you will be presenting your plan to the Lee Select Board on June 23 for their consideration and approval. Please explain to them that your project has the full support of the Conservation Commission.

Please let us know when you intend to begin construction so that we may be available to help in whatever way would be most useful to the Town and to you. We very much look forward to your completion of the project.

Sincerely,

A handwritten signature in black ink that reads "William R. Humm". The signature is written in a cursive style with a long, sweeping tail that extends to the right.

William R. Humm
Chair



TOWN of LEE
7 MAST RD, LEE, NH 03861
(603) 659-5414

Office Use Only

Meeting Date: June 23, 2014

Agenda Item No. 4

**BOARD OF SELECTMEN
MEETING AGENDA REQUEST**

6/23/2014

Agenda Item Title: Applications for Committees, Commissions and Boards

Requested By: Board of Selectmen 6/19/2014

Contact Information: 603-659-5414

Presented By: Julie Glover, Town Administrator

Description: Present the Board with a new member application (Barbara McNamee) for the Library Building Committee for review and action, and renew the appointments for existing members Tom Dolan, Paul Gasowski, Chuck Cox, Zachary Smith, Lou Ann Griswold, Katrinka Pellecchia (Trustee Rep) and Sharon Taylor (ex-officio).

Financial Details: N/A

Legal Authority NH RSA 41:8

Legal Opinion: Enter a summary; attach copy of the actual opinion

REQUESTED ACTION OR RECOMMENDATIONS:

Motion: To approve the following appointments to a 1 year term position to the Lee Library Community Center Building Committee:

Barbara McNamee, Tom Dolan, Paul Gasowski, Chuck Cox, Zachary Smith, Lou Ann Griswold, Katrinka Pellecchia (Trustee Rep) and Sharon Taylor (ex-officio)



TOWN of LEE, NEW HAMPSHIRE
7 Mast Road, Lee, New Hampshire 03861

**APPLICATION FOR APPOINTMENT TO A BOARD, COMMISSION OR
COMMITTEE POSITION WITHIN THE TOWN OF LEE.**

Applicant's Name: Barbara McNamee

Address: 55 Mast Rd Phone/Cell: 659-5648

of Years as a Resident: 37

Email address: brascadden@comcast.net

Full Membership (3 year term) position applying for: Library Building Committee

Term Expires on the following date: _____

Alternate Position (3 year term) position applying for: _____

Term Expires on the following date: _____

I feel the following experience and background qualifies me for this position: I was

a library trustee for 12 years, including the
time when the last addition was built.

I have just retired from being a school psychologist
and am looking for volunteer work. I have
landscaping and gardening experience.

Barbara McNamee
Signature

6/16/14
Date

You are welcome to submit a letter or resume with this form. Applicants are requested to attend the Board of Selectmen's Meeting to express their interest. Applicants will be notified of the meeting date in advance. Thank you for your application and interest in the Town of Lee.



TOWN of LEE
7 MAST RD, LEE, NH 03861
(603) 659-5414

Office Use Only

Meeting Date: June 23, 2014

Agenda Item No. 5

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
6/23/2014

Agenda Item Title: Applications for Committees, Commissions and Boards

Requested By: Board of Selectmen 6/19/2014

Contact Information: 603-659-5414

Presented By: Julie Glover, Town Administrator

Description: Present the Board with member applications for the Ad Hoc Race Track Committee for review and action (Cary Brown, Andy Lelio, Wayne Lehman). In 2010, the original charge for this committee was to modify the current ordinance, propose directives for enforcement and methods of sound measurement, and terms for a mutually beneficial relationship. The committee was to be comprised of a representative of ART, Racetrack Management, Police Chief, Fire Chief, and a member of the Selectboard.

Financial Details: N/A

Legal Authority NH RSA 41:8

Legal Opinion: Enter a summary; attach copy of the actual opinion

REQUESTED ACTION OR RECOMMENDATIONS:

Motion: To approve the following appointments to the Ad Hoc Race Track Committee for a 1 year term:



TOWN of LEE, NEW HAMPSHIRE
7 Mast Road, Lee, New Hampshire 03861

**APPLICATION FOR APPOINTMENT TO A BOARD, COMMISSION OR
COMMITTEE POSITION WITHIN THE TOWN OF LEE.**

Applicant's Name: Cary Brown

Address: 11 Thornton Lane, Lee Phone/Cell: 603 292 6230 P

of Years as a Resident: 6

Email address: Caryandam@aol.com

Full Membership (3 year term) position applying for: Race Track Comm

Term Expires on the following date: _____

Alternate Position (3 year term) position applying for: _____

Term Expires on the following date: _____

I feel the following experience and background qualifies me for this position: _____

Race Car enthusiast, acoustical testing
Knowledge & experience (aviation), live
close to raceway

Cary Brown
Signature

June 10 2014
Date

You are welcome to submit a letter or resume with this form. Applicants are requested to attend the Board of Selectmen's Meeting to express their interest. Applicants will be notified of the meeting date in advance. Thank you for your application and interest in the Town of Lee.



TOWN of LEE, NEW HAMPSHIRE
7 Mast Road, Lee, New Hampshire 03861

**APPLICATION FOR APPOINTMENT TO A BOARD, COMMISSION OR
COMMITTEE POSITION WITHIN THE TOWN OF LEE.**

Applicant's Name: Andrew Lelio

Address: 31 Hobbs Road Phone/Cell: 781-7321

of Years as a Resident: 15

Email address: andy.lelio@gossinternational.com

Full Membership (3 year term) position applying for: Ad Hoc Committee - Racetrack

Term Expires on the following date: _____

Alternate Position (3 year term) position applying for: _____

Term Expires on the following date: _____

I feel the following experience and background qualifies me for this position: _____

please see next page

[Signature]
Signature

6/11/14
Date

You are welcome to submit a letter or resume with this form. Applicants are requested to attend the Board of Selectmen's Meeting to express their interest. Applicants will be notified of the meeting date in advance. Thank you for your application and interest in the Town of Lee.

**Andy Lelio Ad Hoc Racetrack Committee Application
June 11, 2014**

Qualifications:

1. I served on the Ad Hoc Racetrack Committee (2010 to 2012).
2. My committee tasks included researching exhaust noise measurement procedures, establishing and staffing 4 noise monitoring stations in the vicinity of Lee USA Speedway, and gathering one full racing season's worth of sound data (723 measurements in spring and summer of 2011). I also recorded and published the committee's meeting minutes.
3. I helped write the Section 21A measurement language which the Racetrack Committee presented to the Select Board in January 2012. The resulting measurement language warrant article passed 73.8% to 26.2% in March 2012.



TOWN of LEE, NEW HAMPSHIRE
7 Mast Road, Lee, New Hampshire 03861

**APPLICATION FOR APPOINTMENT TO A BOARD, COMMISSION OR
COMMITTEE POSITION WITHIN THE TOWN OF LEE.**

Applicant's Name: Wayne Lehman

Address: 8 Durgin Dr, Lee, NH 03861 Phone/Cell: Home: 603-397-5171

of Years as a Resident: 11+

Cell: 603-817-4609

Email address: wacast@comcast.net

Full Membership (3 year term) position applying for: Ad Hoc Racetrack Committee

Term Expires on the following date: _____

Alternate Position (3 year term) position applying for: Ad Hoc Racetrack Committee

Term Expires on the following date: _____

I feel the following experience and background qualifies me for this position: I have lived in Lee for over eleven years, moving here from the San Francisco, CA, Bay Area. I served on three different municipal committees and one county board in CA. I feel it is important to service and give back to my community when able.

(Please see attached resume for details)

Wayne Lehman
Signature

06-16-14
Date

You are welcome to submit a letter or resume with this form. Applicants are requested to attend the Board of Selectmen's Meeting to express their interest. Applicants will be notified of the meeting date in advance. Thank you for your application and interest in the Town of Lee.

Wayne L. Lehman

8 DURGIN LN
LEE, NH, 03861

PHONE: 603-397-5171
E-MAIL: wacast_services@comcast.net

Summary of qualifications

I have developed, managed, and directed programs and assigned personnel in both the public and private sector. I have provided instruction and training to both US and foreign law enforcement personnel and other students in numerous advanced homeland security and law enforcement subjects both at home and abroad. I have interfaced with various law enforcement, government, and business organizations, working closely with varied responsibility levels of these groups. I have been directly responsible for and involved in many complex and sensitive investigations.

Education

February, 1969 to June, 1975

Chabot College, 25555 Hesperian Blvd, Hayward, CA 94545
Associate of Arts Degree – Justice Administration

September, 1975 to September, 1978

Golden Gate University, 536 Mission St, San Francisco, CA 94105
Bachelor of Arts Degree – Justice Administration

September, 1978 to June, 1980

Golden Gate University, 536 Mission St, San Francisco, CA 94105
Master of Public Administration Degree – Administrative Organization and Management

Professional experience

July, 2013 to June 2, 2014

Daniel Webster College, 20 University Dr, Nashua, NH 03063
Dr. Deborah Jameson, Interim Dean, School of Business Management, and Profession Studies
603-577-6161, djameson@dwc.edu
Assistant Professor, Homeland Security Program Chair

- Manage Homeland Security Program and provides instruction and training to students, advises assigned students on educational matters, develops course materials, and performs other assigned tasks.

January, 2010 to June, 2013

Daniel Webster College, 20 University Dr, Nashua, NH 03063
Christopher Hickey, Assistant Professor, School of Business,
Management, and Professional Studies
603-577-6084, chickey@dwc.edu

Adjunct Faculty

- Developed college level course material and provided instruction and training to assigned students in various subjects, including Crisis Management, Vulnerability and Threat Assessment, Risk Management, Ideology Conflicts and Terror, Continuity and Recovery, Criminal Law, Interview and Interrogation, among others.

January, 2005 to March, 2009

McIntosh College, 23 Cataract Ave, Dover, NH, 03820
Thomas Diskin, Criminal Justice Program Chair (Retired), 207-522-0617,
Tomdiskin@aol.com

Adjunct Faculty

- Developed college level course material and provided instruction and training to assigned students in various criminal justice subjects, including Crisis Intervention, Criminal Profiling, Cyber Crimes, Criminal Law, Evidence And The Law, Criminalistics, Criminal Investigations, and Management of Security.

January, 2005 to February, 2005

Trauma Reduction Inc., 18802 Avenue Biarritz, Lutz, FL 33558
Dr. Roger Solomon, Director, 716-565-1857, RogermSolomon@aol.com

Lecturer

- Provided instruction and training in risk and threat assessment, critical incident command and response, crisis negotiations, and related subjects to law enforcement and related civilian personnel.

November, 2004 to February, 2008

State of New Hampshire, Judicial Branch, Administrative Office of the
Courts, 2 Charles Doe Dr, Concord, NH, 03301
Jason Jordonhazy, Security Manager, 603- 271-2521,
JJordanhazy@courts.state.nh.us

Court Security Officer

- As a Court Security Officer with the State of New Hampshire's Administrative Office of the Courts, provided security and protection for the judges, court staff, and public. Also Firearms Instructor and Use of Force Instructor, training court personnel.

May, 2004 to November, 2004

SAIC, 10260 Campus Point Dr, San Diego, CA 92121, 858-826-6000
Ron Dervish, Bureau Chief, Professional Development Programs,
rdervish@hotmail.com

Advanced Training Supervisor

- Working in Baghdad, Iraq, as a contractor for the US Department of Justice through SAIC, training senior Iraqi Police personnel. Supervised and directed assigned personnel. Prepared lesson plans and instructional documents for the various classes and programs. Taught classes in Criminal Investigations, Hostage Negotiations, Terrorism, Use of Force, Crisis Management, Election Security, Incident Command, Internal Control, First Line Supervision, and Executive Management, among others. *Secret* security clearance.

February, 2003 to May, 2004

State of New Hampshire, Judicial Branch, Administrative Office of the Courts, 2 Charles Doe Dr, Concord, NH, 03301, 603-271-2521
Kevin Sheehan, Security Manager (Retired), ksheehan@metrocast.net

Court Security Officer

- As a Court Security Officer with the State of New Hampshire's Administrative Office of the Courts, provided security and protection for the judges, court staff, and public. Also actively involved as Firearms Instructor and in Use of Force training as a member of training staff for court personnel.

July, 2003 to May, 2004

Town of Barrington, 41 Province Lane, Barrington, NH, 03825
Carol Reilly, Town Administrator (Retired), 603- 664-9007,
townhall@metrocast.net

Zoning Compliance/Health Officer

- On a part time basis, functioned as the Zoning Compliance / Health Officer for the Town of Barrington, New Hampshire.

May, 2001 to July, 2002

Pinkerton Consulting and Investigations, 145 Town and Country Dr, Suite – 105, Danville, CA 94526
Albert Valencia, Investigations Supervisor (Retired), 925-837-2223

Risk and Security Consultant/Investigator

- On a contract basis, consulted with Pinkerton Consulting and Investigations in California. Investigated theft, fraud, and misuse of resources as well as workplace violence and harassment

incidents. Performed security and threat assessments. Reviewed existing policies and procedures and recommended processes designed to decrease exposure and prevent potential injuries and losses. Conducted executive and asset protection assignments.

June, 2001 to July, 2002

Zymax Envirotechnology, 71 Zaca Lane, San Luis Obispo, CA 93401
Roxanne Middleton, Service Manager (Retired), 805-544-4696

Courier

- On a part time basis, picked up and delivered environmental testing supplies and samples to and from customer and laboratory.

September, 1999 to May, 2001

Barton Security at Hewlett Packard, 3000 Hanover St,
MS 20DAB, Palo Alto, CA 94304

Robert Hedgpeth, Security Manager (Retired), bob.glock@yahoo.com

Regional Investigator

- On a contract basis, the Regional Investigator with Hewlett Packard, Palo Alto, CA. Conducted discreet inquiries into sensitive security matters for major multinational high-tech corporation. Investigated misuse of resources as well as workplace violence and harassment incidents. Conducted process reviews and made recommendations on preventative measures to reduce severity of potential losses. Conducted risk and security assessments that aided in identifying possible exposures and adverse impacts to strategic organization objectives and customer base. Developed and had ownership of current Regional Investigation Process, Incident Tracking Database, and Workplace Audit Program for the Hewlett Packard San Francisco Bay Area Security Group.

November, 1998 to April, 1999

Humane Society of Silicon Valley, 901 Ames Ave,
Milpitas, CA 95035

Christine Benninger, President, 408-262-2133, pr@hssv.org

Kennel Manager

- Kennel Manager for Humane Society of Santa Clara Valley. The Shelter handles nearly 45,000 animals per year and employs approximately one hundred people. Responsible for kennel operations, budget, hiring and training kennel personnel, procurement of supplies and services, and welfare of animals at the shelter.

February, 1976 to January, 1998

City of Alameda Police Department, 1555 Oak St, Alameda, CA, 94501
Michael Noonan, Chief Of Police, 510-337-8323,
mnoonan@ci.alameda.ca.us

Sergeant (December, 1978 to January, 1998)

Police Officer (February, 1967 to January, 1975 and January, 1976 to December, 1978)

- Retired in 1998, with thirty-one years of progressive experience in municipal law enforcement. Thoroughly experienced in providing leadership and in managing all aspects of a police agency, including personnel administration, planning, recruitment, training, community relations, budgeting, contract negotiations, and conducting complete investigations.

February, 1975 to January, 1976

City of Half Moon Bay Police Department, c/o 501 Main Street
Half Moon Bay, CA 94019, 650-726-8270 (Disbanded June, 2011)

Detective

- Served as first Detective of the Department. Responsible for developing policies and standards for the position, as well as for investigating all criminal events and bringing to prosecution all responsible parties.

February, 1967 to January, 1975

City of Alameda Police Department, 1555 Oak St, Alameda, CA, 94501
Michael Noonan, Chief Of Police, 510-337-8323,
mnoonan@ci.alameda.ca.us

Police Officer

- Served in Patrol, Traffic, Investigations, and Administration Divisions. Served as Assistant Firearms Instructor, training department personnel.

Additional professional activities

Established and managed departmental Hostage Negotiations Unit. Trained team members and other law enforcement personnel in critical incident response, negotiations, intelligence gathering and analysis, and crisis management.

Established and managed Police Service Dog Unit. Trained, evaluated, and certified handlers and animals for protection and drug detection work for Unit for over fifteen years. Certified handlers and animals for numerous other California law enforcement agencies for over ten years.

Instrumental in design and implementation of departmental Field Training

Program and actively involved in training personnel.

Community activities

Past member of the Public Safety Committee for the City of San Ramon. Served six years as Parks and Recreation Commissioner for the City of San Ramon. Served four years as member of the Contra Costa County's San Ramon Valley Regional Planning Commission and as a member of the county's R-7B Parks Advisory Board. Served as a member of the City of San Ramon General Plan Review Committee. Past President of Country View Home Owners Association. Past member of the St. Joan of Arc Catholic Church's Building Committee. Past President of several breed specific and all breed dog clubs.

Accreditations

Secret Security Clearance, California Community College Instructor Credential, California P.O.S.T. Advanced Certificate, Supervisory Certificate, Canine Team Certification Certificate, FBI Firearms and Chemical Agents Instructor Certificate, Glock Armorer's Certificate, State Of NH Police Standards and Training Firearms Instructor, among others.

OATH OF OFFICE

To Donald J. Laliberte of Candia, New Hampshire in the County of Rockingham,

WHEREAS, there is a vacancy in the office of the Lee Police Department in said town, and whereas we, the subscribers, have confidence in your ability and integrity to perform the duties of said office, we do hereby appoint you, the said Donald J. Laliberte, a Police Officer of said town; and upon your taking the oath of office, and having this appointment and a certificate of said oath of office recorded by the town clerk, you shall have the powers, perform the duties, and be subject to the liabilities of such office, until another person shall be chosen and qualified in your stead.

Given under our hands this 23rd day of June 2014

Selectmen of
Lee

I, Donald J. Laliberte, do solemnly swear (affirm) that I will faithfully and impartially discharge and perform all the duties incumbent on me as a Full-time Police Officer according to the best of my abilities, agreeably to the rules and regulations of the Constitution, the laws of the State of New Hampshire, and the ordinances of the Town of Lee, SO HELP ME GOD.

STATE OF NEW HAMPSHIRE
STRAFFORD SS,

Personally appeared the above named Donald J. Laliberte who took and subscribed the foregoing oath.

Before me,

_____, Date _____, 2014
Justice of the Peace

Received and recorded.

Town Clerk



TOWN of LEE
7 MAST RD, LEE, NH 03861
(603) 659-5414

Office Use Only

Meeting Date: June 23, 2014

Agenda Item No. 7

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
6/23/2014

Agenda Item Title: Race Track Noise Ordinance Enforcement

Requested By: Brian Fischer, Sound Engineer **6/19/2014**

Contact Information: 603-659-6180

Presented By: Brian Fischer

Description: Present information to the Board and the general public necessary to understand the entire scope of work and equipment necessary to test for noise ordinance violations and to provide the Town with a few options on how to prepare a case against violators.

Financial Details: N/A

Legal Authority NH RSA 41:8, 31:41-a, Town of Lee Racetrack Ordinance

Legal Opinion: Enter a summary; attach copy of the actual opinion

REQUESTED ACTION OR RECOMMENDATIONS:

Motion:

	Lee	Greenland	Sandwich	Holderness	Hampstead	Fremont	New Durham	Auburn	Franklin	Atkinson
No. Parcels	2225	1720	1747	2200	2200	2300	2508	2566	2887	2926
FT, PT, Contract	MRI	Granite Hill 2 days/month	CNP	Corcoran	MRI	MRI Sansoucy utilities	Indiv Contract	Avatar	Corcoran ; Wood & Assoc	
Annual Cost	28,800	17,000	25,000	40,000 plus 30,000 for cyclical	\$46,800	\$22,000/\$4,000	14,000	27,000	\$60-70K	33,384
Quarterly's	Yes 25%	Yes	Yes, 20%	Yes, 33%	Yes	No	No	Yes 20%	Yes 20%	Yes 20%
Assistant	Secy assists	TA	No	1 PT	PT	TA and Secy	3 PT's	1 PT	Admin Asst	1 PT
Revaluation	2011 Partial					2005 Full measure/ list \$125K	Full 2004 update 2010			
	2 yr sales meas- ure & list					2010 Statistical \$64K				

	Northwood	Bristol	Stratham	Newmarket	Barrington	Ossipee	Gilford	Moultonborough
No. Parcels	2952	3000	3265	3295	4814	4992	6844	7350
FT, PT, Contract	Brett Purvis	CNP	1 FT	MRI	Corcoran	Granite Hill	Will Corcoran	1 FT staff +
Annual Cost	42,000	\$25,000 Hourly, \$57/hr pick-ups Court \$107/hr	\$60K salary	21,000	79,500 \$135K reval yr 2014	42,286	120,000	\$67K/yr sales/permits cyclical
Quarterly's	Yes	Yes	Yes	Yes	Yes	Yes 25%	25%	Yes
Assistant	FT	1 FT	1 FT	w/Separate Contract	3	FT	1.5	1.5 FTE
Revaluation		5 yr statistical 10 yr measure/list	\$32,500		\$135,000			5 yr reval 04 full measure/list



TOWN of LEE
7 MAST RD, LEE, NH 03861
(603) 659-5414

Office Use Only

Meeting Date: June 23, 2014

Agenda Item No. 9

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
6/23/2014

Agenda Item Title: LRP Handicap Accessible Playground Equipment and Access

Requested By: Larry Kindberg, Recreation Commission Chair 6/19/2014

Contact Information: Larry Kindberg (larry@accutechmarine.com)

Presented By: Larry Kindberg

Description: Present the Board with quotes and work estimates to purchase and install handicap playground equipment for LRP and access to said equipment.

Financial Details: \$8,613.03 for playground equipment and materials, WA18 – FY13 (encumbered funds) balance \$12,673.76.

Legal Authority NH RSA 41:11-a, 35-B

Legal Opinion: Enter a summary; attach copy of the actual opinion

REQUESTED ACTION OR RECOMMENDATIONS:

Motion: Move to approve giving the Recreation Commission Chair authority to purchase the approved handicap accessible playground equipment and materials for LRP, assign volunteers to complete the work necessary to install the equipment at LRP, and to authorize the Highway Department to purchase materials to construct handicap accessible paths.

A & B LUMBER COMPANY, L.L.C.
129 SHEEP DAVIS ROAD
PEMBROKE, NH 03275
FAX 603-225-7585
PHONE: (603) 224-7483
 ALL RETURNS MUST BE WITHIN 30 DAYS OF
 INVOICE DATE

CUST NO: 205 JOB NO: 000 PURCHASE ORDER: REFERENCE: SLIDE TERMS: NET 10TH CLERK: BA DATE / TIME: 6/11/14 4:11

TERMINAL: 567

SOLD TO:
 DELIVERED CASH ORDERS
 BOB AUSTIN
 ***** 05 *****

SHIP TO:
 TOBIN FARWELL

EXP. DATE: 7/11/14

SALESPERSON: 05 BOB AUSTIN
 TAX: 001 NEW HAMPSHIRE

ESTIMATE: 108574/1

LINE	SHIPPED	ORDERED	UM	SKU	DESCRIPTION	LOCATION	UNITS	PRICE/ PER	EXTENSION
1		4	EA	6616PT	6X6X16 #2 SYP PT (STRUC)	12F3	4	53.39 /EA	213.56 N
2					IN GROUND TREATMENT	12F3			
3		2	EA	2814PT	2X8X14 #1 SYP PRESSURE TREATED	12B3	2	16.95 /EA	33.90 N
4					ABOVE GROUND TREATMENT	12B3			
5		1	EA	2608PT	2X6X8 #1 PRIME PRESSURE TREATED	12E1	1	7.39 /PC	7.39 N
6					ABOVE GROUND TREATMENT	12E1			
7		3	EA	2614PT	2X6X14 #1 PRIME PRESSURE TREATED	12B1	3	13.99 /PC	41.97 N
8					ABOVE GROUND TREATMENT	12B1			
9		3	EA	54620GLB	5/4X6X20 GOOD LIFE BROWN GROOVED	17B6	3	57.00 /EA	171.00 N
10					"CABIN"	17B6			
11		2	EA	54616GLB	5/4X6X16 GOOD LIFE BROWN GROOVED	17B6	2	45.60 /EA	91.20 N
12					"CABIN"	17B6			
13		2	EA	4410PT	4X4X10 #1 SYP PRESSURE TREATED	12M1	2	14.85 /PC	29.70 N
14					GROUND CONTACT TREATMENT	12M1			
15		2	EA	2814PT	2X8X14 #1 SYP PRESSURE TREATED	12B3	2	16.95 /EA	33.90 N
16					ABOVE GROUND TREATMENT	12B3			
17		2	EA	2814PT	2X8X14 #1 SYP PRESSURE TREATED	12B3	2	16.95 /EA	33.90 N
18					ABOVE GROUND TREATMENT	12B3			
19		4	EA	2812PT	2X8X12 #1 SYP PRESSURE TREATED	12C3	4	14.39 /EA	57.56 N
20					ABOVE GROUND TREATMENT	12C3			
21		4	SH	58CD	19/32" CDX FIR (5/8")	11O1	4	28.25 /SH	113.00 N
22		4	PC	8ALUMDRIP	8"ALUM DRIP EDGE 10'(PREM) D	15J1	4	6.99 /PC	27.96 N
23		1	BD	IKOSS	IKO LEADING EDGE PLUS 118 LF/BD	14P2	1	47.10 /BD	47.10 N
24		1	BD	IKODBLM	IKO MARATHON ULTRA DUAL BLACK	14S2	1	34.99 /BD	34.99 N
25					3 TAB FIBERGLASS 30 YEAR	14S2			
26					ALGAE RESISTANT	14S2			
27		4	BD	IKODBLCA	IKO CAMBRIDGE AR DUAL BLACK	14S1	4	34.95 /BD	139.80 N
28					THESE ARE ALGAE RESISTANT (AR)	14S1			
29		2	EA	2416PT	2X4X16 #1 PRIME PRESSURE TREATED	12F1	2	12.10 /PC	24.20 N
30					ABOVE GROUND TREATMENT	12F1			
31		2	PK	12235	GRK 5/16X6" RSS SCREW 50/PKG	HILRM	2	55.62 /PK	111.24 N
32		1	EA	Q	ACCESS STAIR		1	325.00 /EA	325.00 N
33									

Continued...



A & B LUMBER COMPANY, L.L.C.
129 SHEEP DAVIS ROAD
PEMBROKE, NH 03275
FAX 603-225-7585
PHONE: (603) 224-7483

ALL RETURNS MUST BE WITHIN 30 DAYS OF
 INVOICE DATE

CUST NO: 205 JOB NO: 000 PURCHASE ORDER: REFERENCE: SLIDE TERMS: NET 10TH CLERK: BA DATE / TIME: 6/11/14 4:11
 SOLD TO: DELIVERED CASH ORDERS SHIP TO: TOBIN FARWELL EXP. DATE: 7/11/14 TERMINAL: 567
 BOB AUSTIN
 ***** 05 *****
 SALESPERSON: 05 BOB AUSTIN
 TAX: 001 NEW HAMPSHIRE

ESTIMATE: 108574/1

LINE	SHIPPED	ORDERED	UM	SKU	DESCRIPTION	LOCATION	UNITS	PRICE/ PER	EXTENSION
34		2	EA	1616PT	1X6X16 D& BTR PRESSURE TREATED	12E4	2	16.66 /EA	33.32 N
35					ABOVE GROUND TREATMENT	12E4			
36		46	EA	2242PT	2X2X42" CLEAR PT BALUSTER 12/BDL	12G1	46	1.79 /EA	82.34 N
37		1	EA	Q	FASTENERS		1	60.00 /EA	60.00 N
38									

TAXABLE 0.00
 NON-TAXABLE 1713.03
 SUBTOTAL 1713.03

TAX AMOUNT 0.00

TOTAL 1713.03



TOT WT: 2454.60

X
 Received By _____



Tobin Farwell, P.E.
Principal

265 Wadleigh Falls Road, Lee, NH 03861
Phone: 603-292-5787
t_farwell@farwellengineering.com
www.farwellengineering.com

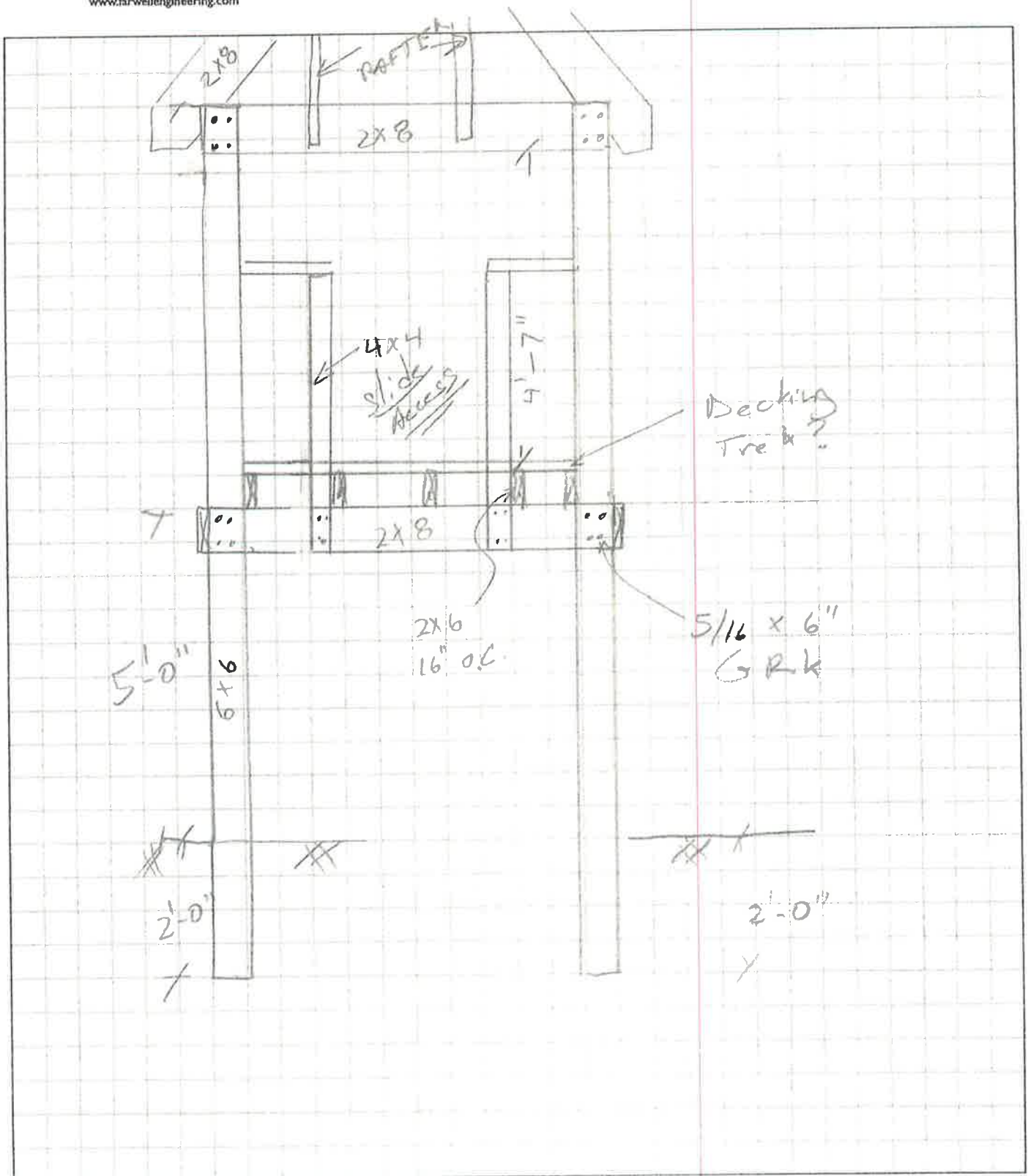
JOB LEE Slide Structure

SHEET NO. _____ OF _____

CALCULATED BY _____ DATE 6/6/14

CHECKED BY _____ DATE _____

SCALE _____





93 West Street
P.O. Box 650
Medfield, MA 02052
SDO CERTIFIED WBE

Corporate Office: 800-835-0056 • Telephone: 508-359-4200 • Fax: 508-359-2817
Web: www.obrienandsons.com • Email: mail@obrienandsons.com

Date: June 16, 2014
Job: Superscoop
Location: Lee, New Hampshire
Salesperson: Joel St. Pierre, CPRP, CPSI
E-mail: Joel_StPierre@obrienandsons.com
Attn: Larry Kinburg
Tel.:
E-mail: larry@accutechmarine.com

QUOTATION

We are pleased to offer our quotation on the following for the above subject job:

<u>QTY.</u>	<u>MODEL #</u>	<u>DESCRIPTION</u>	<u>TOTAL</u>
1	123832B	Direct Bury Accessible Superscop with shipping included	\$837.00

CUSTOMER IS RESPONSIBLE FOR READING ALL NOTES LISTED BELOW

- ❖ Customer is responsible for quantity confirmation.
- ❖ **Pricing on this product is valid for 30 days only, due to the erratic cost of steel at the present time.** Prices are subject to review thereafter.
- ❖ Prices based on quantities listed. Any change to quantities may impact prices quoted. The above prices are f.o.b. your specified destination and are for materials only unless otherwise noted.
- ❖ **Prices do not include off-loading, sales tax, resilient surfacing, lift gate, assembly or installation, unless specifically listed in item description.**
- ❖ **If ordered, upon receipt of equipment, please inspect the entire delivery carefully making note on the delivery receipt of ANY damage so that a freight claim can be filed if damage is found after opening the packages.**
- ❖ Prices are not using prevailing wages unless otherwise specified.
- ❖ Standard manufacturer's colors, design, specifications, and construction apply, unless specifically noted in description.
- ❖ Our terms are: **To Be Determined** - First order requires 50% deposit & execution of credit application.
- ❖ Retainage does not apply as we are a material supplier only.
- ❖ Please allow **4 to 6 weeks** for delivery after receipt of order and architectural approval should it be required.
- ❖ No back charges will be honored unless express written approval has been issued by O'Brien & Sons and price has been agreed on before execution of remedy. Failure to do so will void any obligation of payment toward said remedy on the part of O'Brien & Sons and could result in termination / suspension of your credit / account.
- ❖ Restocking fees will apply on returned items.

If we can be of further assistance, please feel free to contact us. *Thank you!*





Prepared By	Brandon LaVergne	Quote Number	00003792
E-mail	brandon@americanparkscompany.com	Quote Name	Town of Lee
Phone	(800) 381-4491	Created Date	6/9/2014
Fax	(888) 934-6441	Expiration Date	6/30/2014

Comments or Special Instructions:

Shipping in 3-4 weeks. Price quoted for material cost and delivery. Price Excludes: lift gates, off-loading and assembly. Customer is responsible for any taxes that may apply. Specific insurance requirements may require additional fees. If order is cancelled a 25% restocking fee may be assessed.

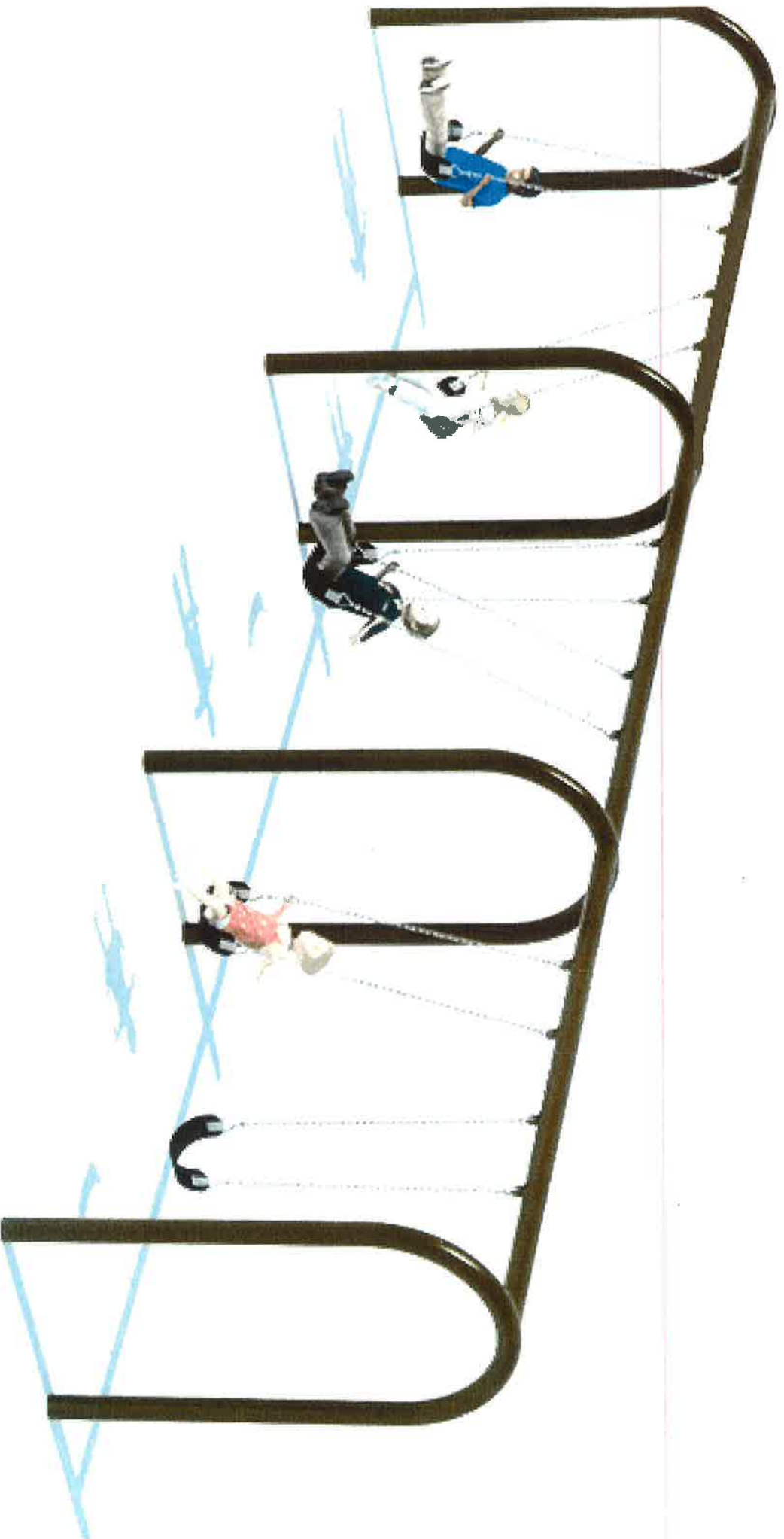
Contact Name	Joe Hannon	Phone	(603) 418-5531
Email	dochannon@hotmail.com		
Bill To Name	Town of Lee	Ship To Name	Town of Lee
Bill To	Lee, NH 03861	Ship To	Lee, NH 03861

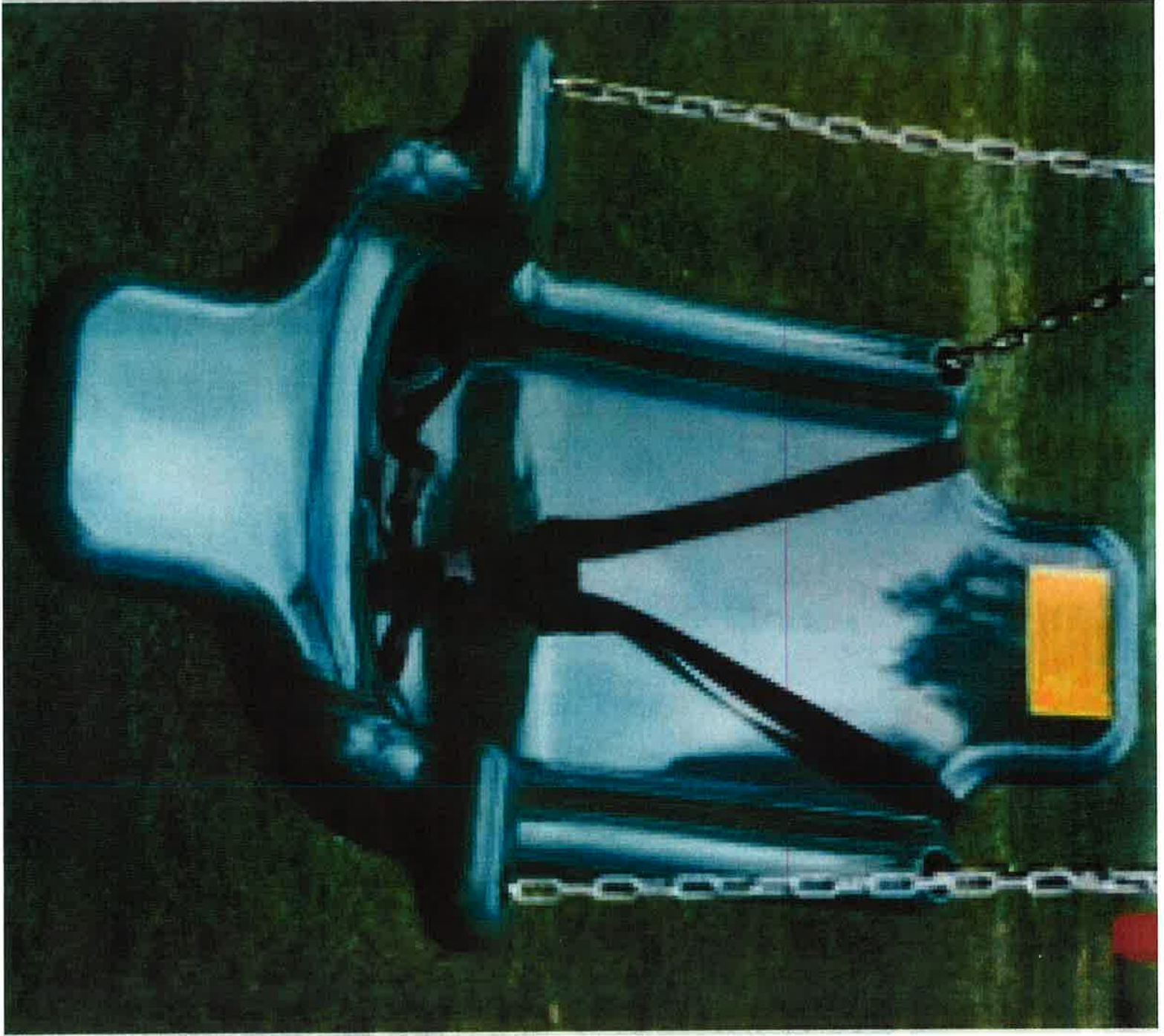
Product	Line Item Description	Product Code	Quantity	List Price	Sales Price	Total Price
5" ARCHED SWING FRAME - 3 BAY	Includes galvanized chain, belt seats, and hardware; Safety Use Zone: 48' x 32'; Priced modified to include only 3 belt seats	90015503	1.00	\$5,507.00	\$4,695.00	\$4,695.00
ADAPTIVE SWING SEAT COMPLETE WITH CHAIN AND HARNESS	Adaptive seat for ages 5-12; Color Options: Blue, Green, Yellow, Tan, Black, or Red	ADP-05	1.00	\$491.00	\$455.00	\$455.00
High Back Full Bucket Swing Seat	Color Options: Blue, Green, Yellow, Red, and Black	S-25	1.00	\$65.00	\$64.00	\$64.00
High Back Half Bucket Swing Seat	Color Options: Blue, Green, Yellow, Red, and Black	S-24	1.00	\$59.00	\$59.00	\$59.00
Subtotal				\$5,273.00		\$790.00
Total Price				\$5,273.00		\$6,063.00
		Shipping and Handling				
		Grand Total				\$6,063.00

I Accept This Proposal - Please Process My Order

Approval and acceptance of this proposal may be executed by signing below and faxing or emailing back to the contact information listed above. Unless prior arrangements are approved, payment is due in full upon receipt of invoice.

Company:	Date:
Authorized Purchaser:	Title:











TOWN of LEE
7 MAST RD, LEE, NH 03861
(603) 659-5414

Office Use Only

Meeting Date: June 23, 2014

Agenda Item No. 10a

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
6/23/2014

Agenda Item Title: Investment Policy

Requested By: Julie Glover, Town Administrator 6/19/2014

Contact Information: 659-5414

Presented By: Julie Glover

Description: Review and approve the Town's Investment Policy

Financial Details: n/a

Legal Authority RSA 41:9 VII

Legal Opinion: Enter a summary; attach copy of the actual opinion

REQUESTED ACTION OR RECOMMENDATIONS:

Motion: Move to approve the Investment Policy as presented for FY 2015, or

Table for further review.

TOWN OF LEE INVESTMENT POLICY

PURPOSE

The purpose of this Policy is to comply with RSA 41:9 VII, which requires the Board of Selectmen to annually review and adopt an investment policy for the investment of public funds, and to provide a framework for the Town Treasurer to carry out those policy objectives.

AUTHORITY

This Policy has been enacted pursuant to the statutory authority granted to the Board of Selectmen by RSA 41:9 VII and to the Town Treasurer by RSA 41:29 IV. These RSA's are incorporated by reference and made part of this Policy as Appendix A.

POLICY STATEMENT

The primary objective of the Town of Lee's investment policy is to set forth appropriate investment activities that provide for, first and foremost, the safety of principle, as well as sufficient liquidity to support operations while generating a reasonable investment yield.

The specific investment policy objectives are stated below:

1. To ensure the preservation of capital and the protection of investment principle by investing in instruments authorized by State Law, as outlined in Section VIII of this policy;
2. To maintain sufficient liquidity to meet operating requirements for both the town and school district;
3. To satisfy all legal requirements;
4. To attain market-average rate of return on investments taking into account risk and legal constraints and cash flow considerations.

DEFINITIONS

- A) "Board": Means the Board of Selectmen for the Town of Lee
- B) "Collateral": Underlying securities that are pledged to secure deposits of public funds.
- C) "Market-average Rate of Return": The amount of income received from an investment, expressed as a percentage (also referred to as investment yield), that an investor can expect to receive in the current interest-rate environment.
- D) "Repurchase Agreement": A transaction in which a holder of securities sells those securities to an investor with an agreement to repurchase those securities for a fixed price at an agreed-upon date.
- E) "Safekeeping": A procedure where securities are held by a third party acting as custodian.
- F) "School District": Oyster River Cooperative School District SAU #5
- G) "State Law": Refers to various Revised Statutes Annotated (RSA's) of the State of New Hampshire, as amended, as referenced throughout the policy.

TOWN OF LEE INVESTMENT POLICY

H) "Town": Town of Lee, New Hampshire

SCOPE

The investment policy applies to all public funds held in the custody of the Town Treasurer. This does not include funds held by the School District, Library Trustees or Trustees of the Trust Funds. The funds held by the Treasurer are accounted for in the Town's annual audited financial reports and include the following:

- General Fund
- Special Revenue Funds – which include funds overseen by the Agricultural Commission, Conservation Commission, Heritage Commission
- Agency Funds – which include impact fee funds
- Capital Projects Funds
- Any new funds created by the Town, unless specifically exempted by the governing body, in accordance with law.

Furthermore, the investment policy applies to all transactions involving the financial assets and related activity of all the foregoing funds.

This policy does not apply to funds held in escrow for performance bonds, which are held in an interest-bearing deposit account at an approved banking institution.

DELEGATION OF AUTHORITY:

The investment policy delegation of authority is stated below:

1. In accordance with RSA 41:29 VI, the responsibility for conducting investment transactions resides with the Town Treasurer, with the approval of the Board. However, the Treasurer may delegate investment functions to other town officials or employees provided such delegation is in writing and includes written procedures acceptable to the Board, and is agreeable to all parties involved. Any such delegation shall only be made to a town official or employee bonded in accordance with RSA 41:6 and rules adopted by the commissioner of revenue administration under RSA 541-A. Such delegation shall not eliminate the responsibility of the Treasurer to comply with all statutory duties required by law.
2. No person may engage in an investment transaction except as provided under the terms of this policy and the internal procedures and controls hereby established.

PRUDENCE AND ETHICAL STANDARDS:

The investment policy will be conducted in accordance with the "prudent man" or "prudent person" standard based upon RSA 31:25-b which requires that:

TOWN OF LEE INVESTMENT POLICY

“...a prudent investment is one which a prudent man would purchase for his own investment having in view the preservation of the principal and the amount and regularity of the income to be derived therefrom.”

Elected officials and employees involved in the investment process shall refrain from personal business activity that could conflict (or appear to conflict) with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Such individuals shall disclose to the Board any material financial interest in financial institutions that conduct business with the Town, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the Town's portfolio.

INVESTMENT ACTIVITIES

INTERNAL CONTROLS

The internal controls for the Town of Lee shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, imprudent actions by elected officials and employees of the Town.

1. Indemnification: In accordance with RSA 41:6 (Surety Bond Required) (Appendix A), "Town Treasurers... Shall be bonded by position under a blanket bond from a surety company authorized to do business in this state. The bond shall indemnify against losses through:
 - (a) The failure of officers covered to faithfully perform their duties or to account properly for all moneys or property received by virtue of their positions, or
 - (b) Fraudulent or dishonest acts committed by the covered officers."
2. The Treasurer conducts investment transactions via written instructions and reviews the bank statements regularly to ensure that the appropriate transactions were made per the instructions. The Bookkeeper, on a monthly basis, reviews and reconciles all bank account activity and records the investment transactions in the general ledger.

INVESTMENT OBJECTIVES

The investment objective for these accounts is "Income only" and "capital preservation." This objective is consistent with our emphasis on current income and our desire for modest growth of the principal from appreciation while maintaining the working capital of the citizens. The objective dictates an asset allocation utilizing a combination of cash equivalents and fixed income securities.

TOWN OF LEE INVESTMENT POLICY

INVESTMENT INSTRUMENTS

All depository accounts of the Town of Lee must be in the name of the Town of Lee and bear an address of the Town Hall. The depository (ies) shall forward all income payable to the Town of Lee and all revenue received by the Town of Lee to the Treasurer at the address of the Town Hall. In accordance with RSA 41:29 II and IV, funds of the Town of Lee may be invested in any of the following:

- a) Deposits, including money market accounts or certificates of deposit, of federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state; or funds may be deposited in federally insured banks outside the state if such banks pledge and deliver to a third party custodial bank or the federal reserve bank collateral security for such deposits of the following types:
 - (i) United States government obligations;
 - (ii) United States government agency obligations; or
 - (iii) Obligations of the state of New Hampshire in value at least equal to the amount of the deposit in each case.
- b) New Hampshire Public Deposit Investment Pool (NHPDIP) established pursuant to RSA 383:22.
- c) Obligations fully guaranteed as to principal and interest by the United States government. The obligations may be held directly or in the form of securities of or other interests in any open-end or closed-end management-type investment company or investment trust registered under 15 U. S.C. section 80a-1 et seq., if the portfolio of the investment company or investment trust is limited to such obligations.
- d) Other instruments as may be specifically authorized by amendments to the State Law.

It is the policy of the Board of Selectmen to diversify its investment portfolio. To the largest extent possible, the Treasurer shall diversify the investment of assets held in a common cash fund and any other investments to eliminate risk resulting from excessive credit risk or over-concentration of assets in a specific maturity. The Treasurer shall determine and periodically revise diversification strategies. Portfolio diversification is desirable in order to control risk. The expectation is that the Treasurer shall display prudence in the selection of investments in order to minimize risk

Whenever possible, maturities of investments purchased shall be scheduled to coincide with projected cash flow needs, taking into account large routine expenditures (school

TOWN OF LEE INVESTMENT POLICY

district remittances, payroll and accounts payable) as well as anticipated revenue inflows.

At all times, the liquidity of investments should not impair the normal, routine and prudent operations of the Town. The term of any investment should not exceed 18 months.

QUALIFIED INSTITUTIONS

The Town Treasurer shall determine the primary banking institution to be used by the Town, in conjunction with the Board, who is responsible for establishing the budgetary parameters under which the Town Treasurer may operate.

Any entity utilized by the Town must be chartered by the State of NH or the federal government, be federally insured and from which the town purchases investment instruments, must have an investment grade rating issued by Moody's and S&P at a minimum of Aa2 and AA, respectively. Refer to Appendix B for the Moody's and S&P ratings definitions.

The Board, in conjunction with the Town Treasurer, shall periodically review the banking relationship and determine if there is a need to undertake a competitive bidding process for the selection of banking, investment and/or cash management provider(s). If a competitive bid is sought, the investment of Town funds, in accordance with this policy, will be a key consideration in assessing and awarding such bid. Once awarded, it is the responsibility of the provider, with oversight of the Treasurer, to maintain investments within the parameters of this policy, with the understanding that each individual investment will not necessarily be competitively bid by the provider, but will meet the investment criteria as proposed and agreed.

SAFEKEEPING AND COLLATERALIZATION

In accordance with RSA 41:29 V, the Treasurer shall ensure that prior to acceptance of any moneys for deposit or investment, including repurchase agreements, the federally insured bank shall have such funds, at the time of deposit or investment, secured by collateral having a market value at least equal to 102% of the amount deposited or invested, less any portion thereof covered by federal deposit insurance. Such collateral shall be held by a third party custodian and segregated for the exclusive benefit of the town. Only securities defined by the bank commissioner as provided by rules adopted pursuant to RSA 386:57 shall be eligible to be pledged as collateral. Refer to BAN 1450 (adopted 10-02-2009) for the relevant section of the New Hampshire Administrative Rules.

TOWN OF LEE INVESTMENT POLICY

The banking institution shall provide the Town Treasurer with at least monthly reports of the Town's collateral position. In addition, collateral agreements shall comply with provisions set forth in the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA), which require that the collateral agreement be:

- (1) in writing;
- (2) approved by the Board of Directors of the depository or its loan committee;
- (3) lists no specific pledged securities; and
- (4) has been, continuously, from the time of its execution, an official record of the depository institution.

Collateralization must remain in effect so long as Town assets remain on deposit. Further, the institution must agree to notify the Treasurer ninety (90) days in advance by written notice before electing to cancel collateralization or refusal to accept additional or future Town deposits.

REPORTING

At least annually, and in periods of significant investment activity, on a monthly basis, the Town Treasurer shall include a summary of investment activity in the Treasurer's Report submitted to the Board. The report shall summarize the investment strategies employed, and describe the portfolio in terms of investment securities, maturities, risk characteristics and other features. The report shall explain the transaction detail, expected total investment return and actual results.

PERFORMANCE EVALUATION

The Town shall require, from any institution in which investing activity is conducted, sufficient routine reports/documentation to enable an accurate evaluation to be made as to the results of the Town's investment program as it relates to the Town's stated objectives, guidelines and policies, and to assist in revealing areas for potential improvement.

RECONCILIATION

Upon the request of the Board of Selectmen, the Board of Selectmen or its designee may perform periodic surprise audits of evidence of ownership and of the safekeeping and custodial systems.

AMENDMENTS

This Policy may, from time to time, be amended by a majority vote of the Board, at a regularly scheduled Board meeting. It will, at a minimum, be reviewed and adopted annually by the Board.

**TOWN OF LEE
INVESTMENT POLICY**

This policy, and any amendments made thereto shall take effect immediately following a majority vote of the Board at a regularly scheduled Board meeting and being recorded with the Town Clerk.

Adopted By Board of Selectmen on June 23, 2014

David Cedarholm, Chairman

Carole Dennis

Scott Bugbee

Accepted by:

Benjamin Genes, Treasurer

TOWN OF LEE INVESTMENT POLICY

APPENDIX A CHAPTER 41 CHOICE AND DUTIES OF TOWN OFFICERS

Selectmen

Section 41:9

41:9 Financial Duties. –

I. The selectmen shall pay all sums of money received by them in behalf of the town to the town treasurer immediately after receipt, and state to him from whom and for what received.

II. They shall draw orders upon the treasurer for the payment of all accounts and claims against the town allowed by them, and take proper vouchers therefore.

III. They shall keep a fair and correct account of all moneys received, all accounts and claims settled and all orders drawn by them, and of all their other financial transactions in behalf of the town.

IV. They shall publish in the next annual report, or post at the annual meeting, the general fund balance sheet from the most recently completed audited financial statements or from the financial report filed pursuant to RSA 21-J:34, V.

V. In the case of an accumulated general fund deficit, the selectmen shall insert an article in the warrant recommending such action as they deem appropriate, which may include, but is not limited to, raising a sum of money for the purpose of reducing that deficit.

VI. The selectmen shall be responsible for establishing and maintaining appropriate internal control procedures to ensure the safeguarding of all town assets and properties.

VII. The selectmen shall annually review and adopt an investment policy for the investment of public funds in conformance with applicable statutes and shall advise the treasurer of such policies.

VIII. The selectmen shall be responsible for establishing procedures to ensure that all funds paid to the town from any department shall be remitted to the treasurer at least on a weekly basis or daily whenever such funds total \$500 or more. Remittances to the treasurer from the tax collector shall be in accordance with RSA 41:35 and remittances from the town clerk shall be in accordance with RSA 261:165.

Source. 1869, 26:3. 1874, 85:1. GL 40:9. PS 43:7. PL 47:14. RL 59:13. RSA 41:9. 1993, 181:1. 1994, 147:2, eff. July 22, 1994. 2007, 246:2, eff. Aug. 27, 2007.

TOWN OF LEE INVESTMENT POLICY

APPENDIX A, continued

CHAPTER 41 CHOICE AND DUTIES OF TOWN OFFICERS

Town Treasurer

Section 41:29

41:29 Duties of Elected and Appointed Town Treasurers. –

I. The town treasurer shall have custody of all moneys belonging to the town, and shall pay out the same only as follows:

(a) Upon orders of the selectmen in a public meeting or by a noncontemporaneously signed manifest signed by a majority of the board; or,

(b) In the case of a conservation fund established pursuant to RSA 36-A:5, upon the order of the conservation commission; or

(c) In the case of a heritage fund established pursuant to RSA 674:44-d upon the order of the heritage commission; or

(d) In the case of fees held pursuant to RSA 673:16, II, upon the order of the local land use board or its designated agent; or

(e) In the case of a recreation revolving fund established pursuant to RSA 35-B:2, upon the order of the recreation or park commission; or

(f) In the case of fees deposited by the town clerk pursuant to RSA 41:25, upon the invoice of the town clerk, or other board or body designated by the town to expend such a fund.

II. The treasurer shall deposit all such moneys in participation units in the public deposit investment pool established pursuant to RSA 383:22 or in federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state, except that funds may be deposited in federally insured banks outside the state if such banks pledge and deliver to a third party custodial bank or the federal reserve bank collateral security for such deposits of the following types:

(a) United States government obligations;

(b) United States government agency obligations; or

(c) Obligations of the state of New Hampshire in value at least equal to the amount of the deposit in each case.

III. The town treasurer shall keep in suitable books provided for the purpose a fair and correct account of all sums received into and paid from town treasury, and of all notes given by the town, with the particulars thereof. At the close of each fiscal year, the treasurer shall make a report to the town and to the department of revenue administration, giving a particular account of all his or her financial transactions during the year and account balances at year end. The treasurer shall furnish to the selectmen statements from the treasurer's books, and submit the books and vouchers to them and to the town auditors for examination, whenever so requested.

IV. Whenever the town treasurer has in custody an excess of funds which are not immediately needed for the purpose of expenditure, the town treasurer shall invest the same in accordance with the investment policy adopted by the selectmen under RSA 41:9, VII. The treasurer may invest in the public deposit investment pool established pursuant to RSA 383:22, or in deposits, including money market accounts, or certificates of deposit, or repurchase agreements, and all other types of interest bearing accounts, of federally insured banks chartered under the laws of

TOWN OF LEE INVESTMENT POLICY

New Hampshire or the federal government with a branch within the state, or in obligations fully guaranteed as to principal and interest by the United States government. The obligations may be held directly or in the form of securities of or other interests in any open-end or closed-end management-type investment company or investment trust registered under 15 U.S.C. section 80a-1 et seq., if the portfolio of the investment company or investment trust is limited to such obligations and repurchase agreements fully collateralized by such obligations.

V. (a) The treasurer shall insure that prior to acceptance of any moneys for deposit or investment, including repurchase agreements, the federally insured bank shall make available at the time of such deposit or investment an option to have such funds secured by collateral having a value at least equal to the amount of such funds. Such collateral shall be segregated for the exclusive benefit of the town. Only securities defined by the bank commissioner as provided by rules adopted pursuant to RSA 386:57 shall be eligible to be pledged as collateral.

(b) As an alternative to the option of collateralization for excess funds provided in subparagraph (a), the town treasurer may also invest public funds in interest-bearing deposits which meet all of the following conditions:

(1) The funds are initially invested through a federally insured bank chartered under the laws of New Hampshire or the federal government with a branch within the state, selected by the treasurer.

(2) The selected bank arranges for the redeposit of funds which exceed the federal deposit insurance limitation of the selected bank in deposits in one or more federally insured financial institutions located in the United States, for the account of the treasurer.

(3) The full amount of principal and any accrued interest of each such deposit is covered by federal deposit insurance.

(4) The selected bank acts as custodian with respect to each such deposit for the account of the treasurer.

(5) On the same date that the funds are redeposited by the selected bank, the selected bank receives an amount of deposits from customers of other federally insured financial institutions equal to or greater than the amount of the funds initially invested through the selected bank by the treasurer.

VI. The treasurer may delegate deposit, investment, recordkeeping, or reconciliation functions to other town officials or employees provided such delegation is in writing and includes written procedures acceptable to the selectmen, or in the case of a town operating under RSA 37, to the town manager, and is agreeable to all parties involved. However any such delegation shall only be made to a town official or employee bonded in accordance with RSA 41:6 and rules adopted by the commissioner of revenue administration under RSA 541-A. Such delegation shall not eliminate the responsibility of the treasurer to comply with all statutory duties required by law.

VII. The treasurer shall ensure that all moneys remitted shall be deposited at least on a weekly basis, or daily whenever funds remitted from all departments collectively totals \$1,500 or more. Such deposit function may be delegated pursuant to paragraph VI. However, failure to ensure that funds are being deposited on a timely basis as required by this paragraph shall be cause for immediate removal from office pursuant to RSA 41:26-d. In any municipality where there is either no bank or other depository institution within the municipality the treasurer shall make deposits consisting of funds remitted from all departments and collectively totaling \$1,500 or

TOWN OF LEE INVESTMENT POLICY

more on a weekly basis or more frequently as directed by the board of selectpersons in the investment policy adopted pursuant to RSA 41:9, VII.

Source. 1869, 26:2-4. GL 40:8. 1883, 111:1. PS 43:20. PL 47:24. 1931, 177:3. 1939, 170:2. RL 59:24. RSA 41:29. 1959, 197:3. 1971, 158:1. 1973, 490:1. 1977, 139:1. 1987, 318:3. 1991, 268:8; 377:6; 383:9. 1992, 64:3. 1993, 161:2. 1996, 209:10. 1997, 208:8. 1998, 40:2. 2003, 100:2. 2007, 35:6; 246:3, 4. 2008, 120:25; 174:5. 2009, 14:1. 2010, 7:3, eff. July 3, 2010. 2013, 97:3, eff. Aug. 19, 2013; 124:1, eff. Aug. 24, 2013.

TOWN OF LEE INVESTMENT POLICY

APPENDIX A, continued

CHAPTER 41 CHOICE AND DUTIES OF TOWN OFFICERS

Bonds

Section 41:6

41:6 Surety Bond Required. –

I. Town treasurers, trustees as provided in RSA 31:22 and 23, trustees as provided in RSA 53 B:8-a, I, library trustees including alternate library trustees, if any, town clerks, tax collectors and their deputies, agents authorized to collect the boat fee, and persons delegated treasury functions under RSA 41:29, VI shall be bonded by position under a blanket bond from a surety company authorized to do business in this state. The bond shall indemnify against losses through:

(a) The failure of the officers covered to faithfully perform their duties or to account properly for all moneys or property received by virtue of their positions; or

(b) Fraudulent or dishonest acts committed by the covered officers.

II. A blanket bond may exclude the town treasurer if a separate fidelity bond for the faithful performance of his duties is furnished by the surety writing the blanket bond.

III. Premiums shall be paid by the town.

IV. The required bonds shall provide for at least a 2-year discovery period from the date their coverage terminates.

V. The commissioner of revenue administration shall adopt rules under RSA 541-A, concerning the amount and form of the surety bonds required under this section.

Source. 1931, 111:1. RL 59:42. 1945, 7:1. RSA 41:6. 1969, 135:1. 1973, 544:8. 1975, 68:1. 1979, 376:7. 1981, 323:8. 1983, 264:6. 1988, 198:9. 1994, 367:16. 2000, 9:1, eff. April 16, 2000. 2007, 246:1, eff. Aug. 27, 2007.

TOWN OF LEE INVESTMENT POLICY

APPENDIX B

Moody's Long-Term Debt Rating Symbols: Aaa – Best quality Aa – High quality A – Possess many favorable investment attributes Baa – Medium grade obligations Ba – Possess speculative elements B – Generally lack characteristics of desirable investments Caa – Poor standing Ca – Speculative in a high degree C – Lowest rated class of bonds

Modifiers:

- 1 – Higher end of letter rating category
- 2 – Mid-range of letter rating category
- 3 – Lower end of letter rating category

S&P Long-Term Debt Rating Symbols: AAA – Highest rating, extremely strong AA – Differs slightly from highest rating, very strong A – Somewhat more susceptible to adverse effects of change in economic condition, strong BBB – Exhibits adequate protection parameters BB, B, CCC, CC, C – Have significant speculative characteristics. BB least speculative, C highest degree. D – Payment default

Modifiers:

- + or – show relative standing within the category

TOWN OF LEE INVESTMENT POLICY

APPENDIX C Treasurer's Delegation Form

I, _____ as Treasurer of the Town of Lee, New Hampshire and in accordance with my duties as Treasurer as granted under the laws of the State of New Hampshire do hereby delegate the below indicated duties to

_____, who is a qualified and bonded individual. I, as Treasurer delegate to the above named individual the authority commencing on _____ (date) to:
(the Treasurer should initial each delegation)

_____ deposit funds of the Town Of Lee into Town Accounts;
Initial here

_____ investment of funds of the Town Of Lee;
Initial here

_____ recordkeeping of funds of the Town Of Lee;
Initial here

_____ reconciliation of funds of the Town Of Lee;
Initial here

This delegation will cease to be effective on _____ or upon the completion of my term whichever shall occur first.

Delegate's Signature: _____

Treasurer's Signature: _____

Signature of the Board of Selectmen:

Signature: _____ Print Name: _____

Signature: _____ Print Name: _____

Signature: _____ Print Name: _____

Signature: _____ Print Name: _____

Signature: _____ Print Name: _____

Copies of this form to be filed with the Treasurer, BOS office and original to the Town Clerk's Office



TOWN of LEE
7 MAST RD, LEE, NH 03861
(603) 659-5414

Office Use Only

Meeting Date: June 23, 2014

Agenda Item No. 10b

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
6/20/2014

Agenda Item Title: Encumbrance of Funds for Municipal Software & Training

Requested By: Joanne Clancy, Finance Officer

Date: 6/20/2014

Contact Information: 659-5414, jclancy@leenh.org

Presented By: Julie Glover, Town Administrator

Description: Request encumbrance of funds from IT and Other General Government for purchase of municipal software, transition and training expenses.

Financial Details: \$30,000.00

Legal Authority NH RSA 32:7, I

Legal Opinion:

REQUESTED ACTION OR RECOMMENDATIONS:

Request the Board of Selectmen approve encumbrance of the following amounts from FY 2014 budget items for purchase, set up, training and implementation of municipal software, a long needed upgrade:

4199 – Other General Government	10,000.00
4151 – Information Technology	<u>20,000.00</u>
Total	30,000.00

The approved FY 2014 budget included funds for transitioning from QuickBooks, our current financial software, to a program designed specifically for municipalities. This encumbrance would support that original intention.



TOWN of LEE
7 MAST RD, LEE, NH 03861
(603) 659-5414

Office Use Only
Meeting Date: 6/23/14 Click here to enter a date.
Agenda Item No. 106 Click here to enter number.

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
6/23/2014

Agenda Item Title: Encumbering Funds for Paving and Dept. Update

Requested By: Randy Stevens

Date: 6/19/2014

Contact Information: Randy Stevens rstevens@leenh.org

Presented By: Randy Stevens, Highway Supervisor

Description: Encumber 35,000 dollars minus any funds spent before the end of the fiscal year for hot top shimming and use said funds towards the completing the summer paving program. These funds will be necessary to complete the roads on the schedule.- Also update Board on a few Highway Department items.

Financial Details:

Legal Authority Enter underlying legal authority, usually NH RSA and/or Town Policy or Ordinance

Legal Opinion: Enter a summary; attach copy of the actual opinion

REQUESTED ACTION OR RECOMMENDATIONS:

Motion: To encumber 35,000 dollars (minus possible funds spent for shimming before the end of the fiscal year) from Fiscal Year 2013-14 and put towards the summer paving contract.



TOWN OF LEE
SELECTMEN'S OFFICE
7 MAST RD, LEE, NEW HAMPSHIRE 03861
(603) 659-5414

June 23, 2014

To: Board of Selectmen

Re: Budget Line Reassignments – FY 2014

From: Joanne Clancy, Finance Officer

Unanticipated legal and building expenses plus some personnel matters during FY 2014 have made it necessary to request the following budget lines be reassigned. Adequate funds remain in the accounts being utilized for these expenses.

Moving funds from these lines:

4152 - Assessing	15,000.00
4155 – Personnel Admin.	6,000.00
4540 – Code Enforcement	5,000.00

Moving funds into these lines:

4153 – Legal Expense	15,000.00
4194 – Gov. Buildings	6,000.00
4194 – Planning & Zoning	5,000.00

David Cedarholm, Chairman

Carole Dennis, Selectwoman

Scott Bugbee, Selectman



TOWN of LEE
7 MAST RD, LEE, NH 03861
(603) 659-5414

Office Use Only

Meeting Date: June 23, 2014

Agenda Item No. 10 ☺

**BOARD OF SELECTMEN
MEETING AGENDA REQUEST**

5/27/2014

Agenda Item Title: Application for a Discretionary Preservation Easement for Kennard

Requested By: Ronald Kennard 4/14/2014

Contact Information: 164 Stepping Stones Road

Presented By: Ronald Kennard

Description: Application for Discretionary Preservation Easement for barns located at 164 Stepping Stones Road (Map 7 lot 5.) The Heritage Commission supports this request. Nine other such applications were approved in 2006 and 2008 with a ten year term and 75% reduction.

Financial Details: The 2013 assessed value of the two barns is \$4,959 and \$4,617, with tax revenues of \$142.57 and \$132.83. Granting the application as presented and in accordance with past practice would reduce the taxes to \$35.65 and \$33.06, respectively. There will be legal costs associated with executing the easement.

Legal Authority NH RSA 79-D

Legal Opinion: As with a Conservation Easement, each party should have an attorney review the easement and be responsible for paying his own legal fees. The governing statute requires the property owner to pay the recording fees. The Town Administrator has provided DTC with examples of other similar Town easements and can prepare a document for review by the property owner.

REQUESTED ACTION OR RECOMMENDATIONS:

MOTION: Move to approve Mr. Kennard's application for a Discretionary Preservation Easement on the two barns for a ten year terms and a 75% reduction in assessed value and to authorize the Town Administrator to work with Town Counsel and the property owner on drafting the easement document.

Memo

TO: Julie Glover
Town Administrator
Town of Lee

FROM: Scott P. Marsh, CNHA
Municipal Resources
Contracted Assessor's Agents

DATE: April 21, 2014

RE: Discretionary Preservation Easement Application
164 Stepping Stone Road - Tax Map 7 Lot 5

Attached is an original application for two attached structures on the above reference property. There is a letter provided by the Lee Heritage Commission regarding the structures as well as information from the Commission regarding this program.

Based upon a review of assessing record card information barn 1 is currently assessed at \$4,959 while barn 2 is assessed at \$4,617.

The Town has 60 days to act on the application and a public hearing required. If the Select Board determines it is in the public interest to grant the exemption, the term (length of time – 10 year minimum) as well as the amount of the assessment reduction (25 to 75%) needs to be decided.

There are currently 9 other properties which were previously granted this easement in 2006 and 2008. They had terms of 10 years with a 75% reduction.

If any additional information is needed or desired, please let me know.

FORM
PA-36-A

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
DISCRETIONARY PRESERVATION EASEMENT APPLICATION

RECEIVED
APR 14 2014

STEP 1 PROPERTY OWNER (S)

PLEASE TYPE OR PRINT	LAST NAME	Kennard	FIRST NAME	Ronald	
	LAST NAME		FIRST NAME		
	STREET ADDRESS				
	164 Stepping Stone Road				
	STREET (continued)				
TOWN/CITY	Lee	STATE	N.H.	ZIP CODE	03861-6611

TOWN OF LEE, NH
SELECTMAN'S OFFICE

STEP 2 PROPERTY LOCATION OF LAND AND HISTORIC AGRICULTURAL STRUCTURE BEING CLASSIFIED

PLEASE TYPE OR PRINT	STREET				
	164 Stepping Stone Road				
	TOWN/CITY			COUNTY	
	Lee			Stratford	
	NUMBER OF ACRES	MAP#	LOT#	BOOK#	PAGE#
NA	7	5			
CHECK ONE:			Tax Year		
Original Application <input checked="" type="checkbox"/>			Renewal <input type="checkbox"/>		
			2014		

STEP 3 REASON FOR DISCRETIONARY PRESERVATION EASEMENT APPLICATION

Describe how the Historic Agricultural Structure meets one of the tests of public benefit per RSA 79-D:3. Submit additional sheets, if necessary.

see attached sheets

1038 square feet (Barn 1 = 19' x 30', Barn 2 = 18' x 26')

How many square feet will be subject to the easement?

STEP 4 SIGNATURES OF ALL PROPERTY OWNERS OF RECORD

TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE
Ronald W. Kennard	Ronald W. Kennard	4/13/14
TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE
TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE
TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
DISCRETIONARY PRESERVATION EASEMENT APPLICATION
 (CONTINUED)

STEP 5 TO BE COMPLETED BY THE LOCAL ASSESSORS

<input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	Pending approval of Discretionary Preservation Easement Agreement by landowner and assessing officials.
Comments:	

STEP 6 APPROVAL OF A MAJORITY OF SELECTMEN/ASSESSORS

TYPE OR PRINT NAME (ink black ink)	SIGNATURE (in black ink)	DATE

STEP 7 DOCUMENTATION

Is a map of the entire parcel showing the property location, orientation, overall boundaries and acreages clearly showing easement area requested submitted?	Yes <input type="checkbox"/> No <input type="checkbox"/>
--	--

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
DISCRETIONARY PRESERVATION EASEMENT APPLICATION

GENERAL INSTRUCTIONS

WHO MUST FILE	Form PA-36-A, Discretionary Preservation Easement Application, shall be used by owners of historic agricultural structures applying for a discretionary preservation easement in accordance with RSA 79-D:3.
WHAT TO FILE	Land owners submitting a completed application, Form PA-36-A, shall also: Submit a map showing: (a) The location of the historic agricultural structure; and (b) The number of square feet to be included in the discretionary preservation easement.
WHEN TO FILE	A completed Form PA-36-A, and a map of the land to be subject to the discretionary preservation easement must be filed on or before April 15 of the tax year the easement is to be granted.
WHERE TO FILE	Once completed and signed in black ink, this form and attachments shall be filed as follows: Original: Register of Deeds Copy: Local Assessing Officials Copy: Land Owner
APPEALS	If an application for a discretionary preservation easement is denied, an applicant may appeal within six months of any such action by the assessing officials in writing to the New Hampshire Board of Tax & Land Appeals or the County Superior Court in accordance with RSA 79-A:9 or RSA 79-A:11. Forms for appealing to the Board of Tax and Land Appeals may be obtained from the NH Board of Tax and Land Appeals, 107 Pleasant Street, Concord, NH 03301 or by calling (603) 271-2578 or by visiting their web site at www.state.nh.us/btla . Be sure to specify that you are appealing a Discretionary Preservation Easement Application denial.
ADA	Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the NH Department of Revenue Administration.
NEED HELP	Contact your local municipality or the Community Services Division at (603) 271-2687

LINE-BY-LINE INSTRUCTIONS

STEP 1	Enter the complete name(s), address, municipality, state and zip code of the property owner(s) requesting a discretionary preservation easement under RSA 79-D:3.
STEP 2	Enter the location information of the land and Historic Agricultural Structure being classified in the spaces provided. Check whether original application or renewal and enter the tax year the easement is to be granted.
STEP 3	Describe how the Historic Agricultural Structure meets the requirements of RSA 79-D:3 and how many square feet will be subject to the easement. Submit additional sheets, if necessary.
STEP 4	All owners of record must type or print their full name, sign and date in black ink on the lines provided. If there are more than four owners, submit a supplemental list of all additional owners names and signatures.
STEP 5	To be completed by the local assessing officials, indicating approval or denial pending final approval of selectmen or assessors.
STEP 6	Signatures of a majority of the local selectmen or tax assessors on the lines provided indicates final approval.
STEP 7	Indicate whether a map has been included as described. If the map is missing or this application is incomplete, this application shall be denied in accordance with RSA 79-D:4,II.



Discretionary Preservation Easement for the Kennard Farm Barns TOWN OF LEE, NH
SELECTMAN'S OFFICE

Date

The Kennard barns provide scenic enjoyment of the structure from the public way of Steppingstones Road. They represent a historic family farm in the town of Lee.

The Kennard barns are historically important on a local and regional level. The Kennard property has been owned by only two families throughout its history:

It was owned the Langelly ^(le) family from 17~~2~~⁸⁰ until 1940, and by the Kennard family from 1940 until the present time. There is a historic Langelly family cemetery on the Kennard property that surrounds these barns.

These forty acres are being purchased by the town of Lee for the following purposes:
historical value,
conservation values, particularly the shoreline of the Oyster River,
recreation values of hiking and fishing,
agricultural value, with 20 acres of prime agricultural soils.

The maintenance plan to keep the Kennard barns in good repair and weathertight is as follows:

- 1- stabilize foundation
- 2- repair roofs as needed
- 3- repaint (& remove old electrical wiring)

Ronald Kennard 5/1/14

Ronald Kennard, owner
Kennard Farm
164 Steppingstones Road
Lee, New Hampshire 03861

Kennard Barn LHC Inspection Visit Date March 26,2014

Map 7 Lot 5

164 Steppingstones Road

Lee, NH

The Ronald Kennard property is located at 164 Stepping Stones Road West. There is no doubt in my mind that these barns qualify as historic barns by date. There are two distinct attached structures. The earliest one being the one furthest away from the house, this structure will be the first one I describe. The structure is of post and beam construction. The dimensions are 19 feet wide by 30 feet deep. The heavy beams are 8 x 8 hand hewn, the exterior boarding on this building is vertically sawn boards that are edged. The interior of the barn, I'm sure has been altered many times over the years and its purpose has probably changed significantly during that time, I'm going to roughly estimate its construction to the mid-1700s. I believe it may be the oldest structure on the property. I'll go into more detail about the structure later in this document . The second structure is actually a connecting structure between the house and the first or earlier structure. Its dimensions are 18 x 26. The elevation of this building is pretty much the same as the first. However, it is approximately 4 feet lower than the house and is accessed from the porch of the house on the east side. Both barns have second-floor loft areas and can be accessed via separate stairways in each structure. I believe the significance of these structures is that they show a progressive change in the property. While the old one isn't an English style, it does show construction of the mid-1700s. It would be my guess that the house that went with that structure no longer exists and that that structure was connected to the house in the early 1800s, perhaps that date is relative to the 1840 date mentioned in the paperwork. Both these structures are significantly different from others that we've looked at in town over the last several years.

While these structures are in relatively sound condition, both structures need significant sill work done to them to help them into the future. The first floor on both the structures has been modified to be used to house automobiles. I'm sure that at one time, at least the older building had a floor. The foundation under these structures is small stone while the house is built of much more stable granite block. This of course has led to some of the sill damage. But above the sill, both buildings are sound. The ridgelines are relatively true, some of the windows have original glass in them, door hardware appears to be original and much of the interior of the second building appears to be as originally constructed. On what would be the north wall of the second building, there is an attached outhouse that appears to be in very good shape, An excellent example of the progress of the 1800s of having it attached directly to the house for access.

Let's go into some detail on Building One, entering from the road side of the building and facing the building. The doors to the extreme right is an interior sliding door . The structure of this door matches that of the slider in the other building, indicating it is newer, probably of the 1800s. Directly above and centered on the gable end is a six over six double hung window. This would be located high in the loft. There is also a window located over the top of the sliding door at a

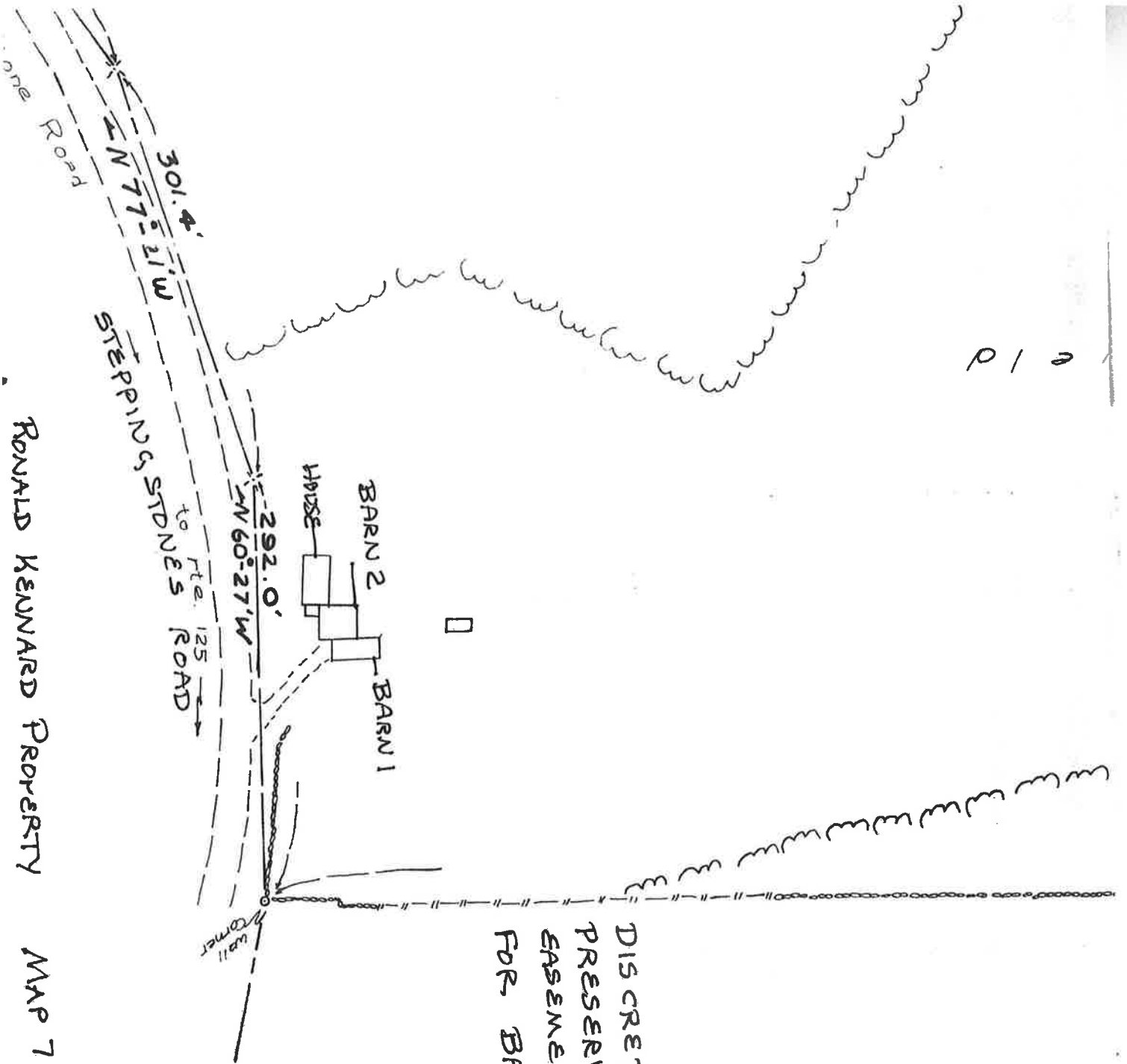
normal height to the floor. This building is overlapped by a little more than a doors width with the second building, and goes back 30 feet to a stairway located in the right rear corner. The stairway goes approximately halfway up, and turns to the left to gain access to the loft. The stairway appears to be much more finished than it would have been in the original configuration of the barn. At the top of the stairway is located grain bins and a small access door to the outside of the barn on what would be the left side of the barn, which would allow for the storage of hay. Further down that wall is access that would drop hay to horse stalls below for feeding. The stairway area appears to be finished off much more than expected. Although I did not measure it, the pitch of the roof is approximately an 8/12 pitch with 8 x 8 rafters and hewn, mortis and tenoned, with purlins and vertical boarding. All are in excellent shape. Wind braces and knee braces are all in place. Returning downstairs on the left side of the barn, against the wall are remains of horse stalls. It would appear that there were stalls for three animals. While what remains of the stalls is relatively intact, the divider walls and I believe the flooring is not there. What remains indicates to me that it was built in the 1800s, not as part of the original structure. The exterior of the barn is clapboard. It has a shingled roof on it, and other than damage to the back wall from an attached structure that no longer is sound. The back wall is wooden shingles, while the others are clapboard. This was common practice for the nonvisible, or back facing walls to be treated this way.

Now, more detail for the second structure. Looking at the second structure, from the roadside, there is an interior sliding door to the extreme right corner of the wall. As I said before, the structure is approximately 4 feet lower than the floor of the house and access is gained on this south facing wall from a door onto the porch. Entering through that door you have an option of going to the right and accessing the loft or going straight ahead down the stairs along the left wall and entering the attached outhouse. On that north wall there are three doors, first, the outhouse second and access to the back yard and third a door that leads directly into the first or older building. This building structure is typical 1800 2 x 4 framing. This framing is light construction in comparison to the post and beam structure. The floor: the joists and roof structure are also a similar framing, dating this building to the mid-1840s or later. All framing and boards that are part of the original structure were sawn by a circular sawmill. The roof of this building has a complex framing for the gable end on the roadside, which faces East and 90° from the other barn or parallel to the house, while a second gable faces to the north, forming a double valley. This structure has a corrugated steel roof. Both the back or north wall and west wall are shingled. The outhouse wall is clapboard, with a small window and the shed roof. It is vented up the north wall.

It would be very interesting to know more of the history of this property and how it relates to the land-use attached to it. These two structures that are attached to the house don't indicate a large agricultural operation. There was a separate large barn that burned and no longer exists. There were plans to replace it, but it was never built.

Dave Miner for the Lee Heritage Commission

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DISCRETIONARY BARN
PRESERVATION
EASEMENTS
FOR BARN 1 & 2

RONALD KENNARD PROPERTY MAP 7 LOT 5

Warrant Article 7: Kennard Property Purchase

A Rare Land Protection Opportunity: Many Values are Part of Kennard Property

The town is putting before voters an exciting prospect for land protection: the Kennard land at 164 Stepping Stones Road. This 42.5 acre parcel has frontage on both shores of the Oyster River; its soils include a large portion of prime agricultural soils; the parcel would enhance an existing enclave of open space habitat with abutting and nearby land; and there is a rich historical legacy with the families that farmed the land. There is a Langley family cemetery on the property. Mr. Kennard will retain ownership of his house, sheds, and the approximately 2 acres on which they sit. The remaining 40.5 acres, more or less, of agricultural fields, forest, and wetland along the Oyster River will be purchased by the town for the purposes of conservation of open spaces. The wildlife habitats, forest, agricultural lands, and riverside wetlands of the property will be protected long-term for open space, active agriculture and forestry, water quality, and the scenic enjoyment by members of the public.



Photo Credit: Dick Weyrick

Ronald Kennard has expressed the desire to insure the permanent protection of the land. During a walk on the land with Conservation Commission members in November, Ron described in detail his memories of the many features of the landscape, and the love for the land that he inherited from his parents. Other family-owned land in Nottingham has already been transferred and permanently protected; he is now ready for this step for his Lee property.

The parcel contains two features that have carried especially high priority in the town's continuing program of land protection: river frontage and prime agricultural soils (approximately 20 acres). Other portions of the lot include a fine stand of eastern white pine. Much of the previously farmed portion now supports dense shrubs, considered to be good habitat for New England cottontail rabbits, endangered in N.H., as well as other species requiring early successional habitat.



Photo Credit: Dick Weyrick

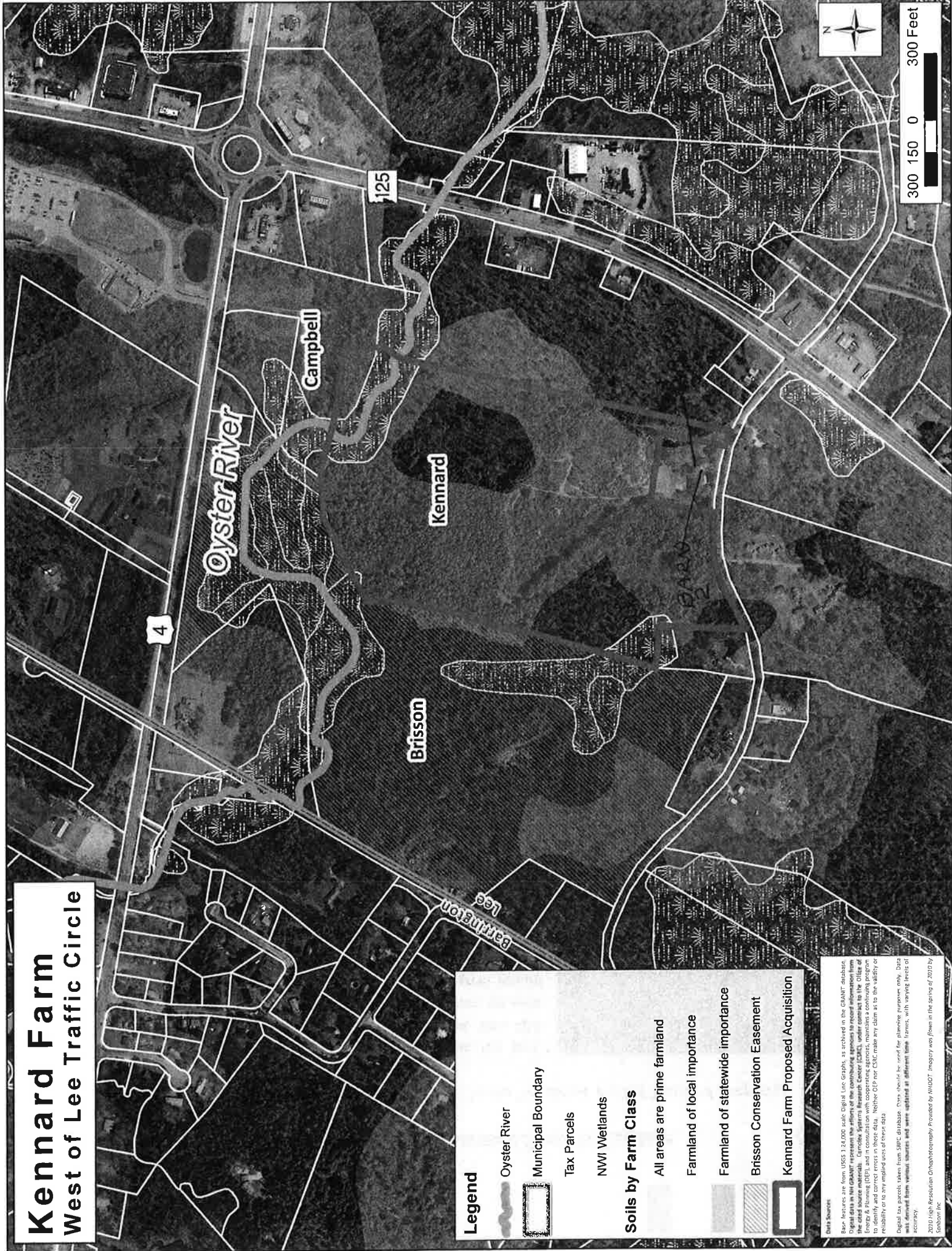
The abutting property to the west (Brisson) contains 42 acres protected by a conservation easement, which is held by the Natural Resources Conservation Service. This land also has frontage on both sides of the Oyster River.

Protection of the Oyster River has been a high priority for both the Lee Conservation Commission and the Oyster River Watershed Association. The Oyster River supplies water to the town of Durham and the University of New Hampshire. Other committees interested in this property are the Lee Agricultural Commission for its prime agricultural soils and the Lee Heritage Commission for the rich local history of both the Kennard and Langley families.

The cost of the acquisition is \$180,000, which includes transaction costs up to \$8,000. The funds are to come from the Land Use Change Tax Fund. **No new tax monies will be required.**

Kennard Farm

West of Lee Traffic Circle



Legend

- Oyster River
 - Municipal Boundary
 - Tax Parcels
 - NWI Wetlands
- ### Soils by Farm Class
- All areas are prime farmland
 - Farmland of local importance
 - Farmland of statewide importance
 - Brisson Conservation Easement
 - Kennard Farm Proposed Acquisition

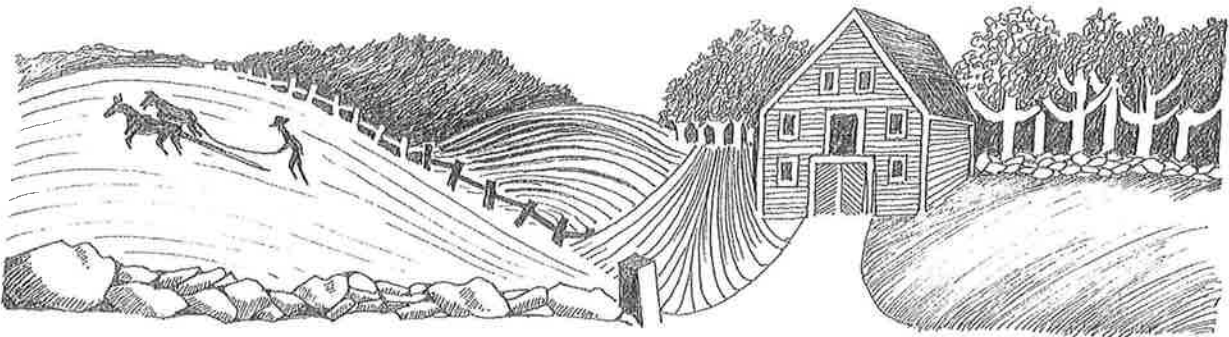
Data Sources:
Base features are from USGS 1:24,000 scale Digital Line Graphs as archived in the GRANIT database. Digital data in NW GRANIT represent the efforts of the contributing agencies to record information from the stated source materials. Complex Systems Research Center (CSRC), under contract to the Office of Energy & Planning (OEP), and in consultation with cooperating agencies, maintains a continuing program of data collection and processing. Neither OEP nor CSRC make any claim as to the validity or reliability of any implied uses of these data.
Digital tax parcels taken from GIS/CAD database. Users should be used for planning purposes only. Data was derived from various sources and were updated at different times/frames, with varying levels of accuracy.
2010 High Resolution Orthophotography Provided by M1007. Imagery was flown in the spring of 2012 by Sanborn Inc.

Do you have an historic barn or other agricultural structure in Lee?

The Lee Heritage Commission has been working with the Board of Selectmen to implement a discretionary easement program which encourages the preservation of old New Hampshire barns and other historic agricultural buildings. The following packet contains details of the program as well as application forms; all applications must be submitted by April 15 of the new tax year.

Please feel free to contact the Lee Heritage Commission, through the Town Hall, with any questions.

Lee Heritage Commission
Town of Lee
7 Mast Road
Lee, New Hampshire 03824
Telephone: 603-659-5414
Fax: 603-650-7202



LEE HERITAGE COMMISSION

Town of Lee
DISCRETIONARY PRESERVATION EASEMENT

- The Discretionary Preservation Easement (RSA 79-D) was created by the State of New Hampshire in 2002 to encourage the preservation of historic agricultural structures through tax abatements.
- The program encourages preservation partnerships between the Town and owners of historic agricultural structures: the owner commits to defined repair and maintenance of their structure and, in exchange, is offered a defined amount of tax relief over the term of the easement. Applicants should submit repair and maintenance plans with their applications.
- The program is strictly voluntary on the part of the property owner and combines statewide eligibility criteria and guidelines with decision-making and implementation at the local level.
- On or before April 15 of the new tax year, any owner of an historic agricultural structure (at least 75 years old and meeting set guidelines) may apply to the Board of Selectmen to grant a discretionary preservation easement to the municipality in exchange for a commitment to maintain the structure in keeping with its historic integrity and character during the term of the easement.
- Towns have 60 days in which to act on applications. A public hearing is required. If it is determined that the proposed preservation of the structure is consistent with the purpose of the law, it may acquire an easement on the structure for a minimum of ten years and grant tax relief within a range of a 25-75% reduction of the structure's full assessed value. The Board of Selectmen of Lee has agreed to a 75% reduction for qualified applicants and 10 year easement terms.
- Maintaining and repairing the building will not result in an increase in its assessed value for property tax purposes during the term of the easement.
- The owner may reapply for an additional discretionary preservation easement upon the expiration of the first term. The structure will be reassessed for the second application based on the current full assessed value.
- The cost of recording the easement is to be paid by the applicant; the cost of legal fees is to be paid by the Town.



Tax Incentive Mechanism to Help Save Old New Hampshire Barns

A new State law (RSA 79-D) creates a mechanism to encourage preservation of old New Hampshire barns and other historic agricultural buildings.

RSA 79-D authorizes towns and other municipalities to grant property tax relief to barn owners who (a) can demonstrate the public benefit of preserving their barns or other old farm buildings, and (b) agree to maintain their structures throughout a minimum 10-year preservation easement.

The Purpose

The new law is based on widespread recognition that many of New Hampshire's old barns and other farm buildings are important local scenic landmarks and help tell the story of agriculture in the state's history. Yet many of these historic structures are being demolished or not repaired because of the adverse impact of property taxes. RSA 79-D is intended to encourage barn owners to maintain and repair their buildings by granting them specific tax relief and assuring them that assessments will not be increased as a result of new repair and maintenance work.

The Mechanism

The program represents a uniquely New Hampshire approach, which is strictly voluntary on the part of the property owner, and combines statewide eligibility criteria and guidelines with decision-making and implementation at the local level. It is closely modeled after New Hampshire's discretionary easement program (RSA 79-C), which authorizes local governments to grant property tax relief to encourage preservation of open land.

On or before April 15 of the new tax year, any owner of an historic barn or other farm building may seek relief by applying to their local governing body (Board of Selectmen or city government) to grant a discretionary preservation easement to the municipality and agreeing to maintain the structure in keeping with its historic integrity and character during the term of the easement. The application, executed on a form provided by the N.H. Department of Revenue Administration, is to include a map showing the location of the structure(s) and a description of how the property meets the prescribed test of public benefit.

The town selectboard or appropriate city government department will then have 60 days in which to act on the application. A public hearing is required, which may provide an opportunity for local historical societies or other advisory groups to express support for barn preservation efforts. If the municipality determines, in exercising its discretion, that the proposed preservation of the structure is consistent with the purpose of the law, it may acquire an easement on the structure for a minimum of ten years and grant tax relief within a range of a 25 to 75% reduction of the structure's full assessed value. Maintaining and repairing the building will not result in an increase in its assessed value for property tax purposes.

Effective Date

The new law (RSA 79-D) went into effect on July 2, 2002. Property tax reductions for barns and other buildings placed under discretionary preservation easements in accordance with the new mechanism first became effective in tax year 2003. Applications for new easements, to go into effect in tax year 2005, must be submitted on or before April 15, 2005.

Eligibility

For this program, "historic agricultural structure" is defined as a barn or other structure, including the land on which it is built, which currently or formerly was used for agricultural purposes, and is at least 75 years old. The test of demonstrated public benefit shall be considered to have been met if the structure complies with one or more of the following: (1) provides scenic enjoyment to the general public from a public road or waterway; (2) is historically important on a local, regional, state or national level; (3) contributes to the historic or cultural integrity of a property listed on or eligible for the New Hampshire State or National Registers of Historic Places, or is in a locally designated historic district.

In determining eligibility, the Selectboard or appropriate city department shall refer to statewide guidelines adopted by the New Hampshire Historic Agricultural Structures Advisory Committee, and may weigh the public benefit to be gained by the preservation of the structure versus the tax revenue to be lost if the easement is accepted. The statewide guidelines include consideration of whether there is local interest and support for the structure's preservation, its historic and agricultural significance, and the degree to which tax relief will encourage its preservation.

Whom do I contact?

The N.H. Department of Revenue Administration has provided application form PA-36-A to all town and city governments. Application forms and eligibility guidelines should be available from your town clerk, Board of Selectmen, or appropriate city department. Ask them to contact the N.H. Division of Revenue Administration's Community Services Division, (603) 271-2191, if they need more information about the application.

For more background information, including a copy of the statute, a sample discretionary preservation easement and a guide to assist applicants and selectmen work through the application and approval process, contact the New Hampshire Preservation Alliance at (603) 224-2281, admin@nhpreservation.org or visit www.nhpreservation.org.

The full text of the statute is also available on the state website, <http://www.gencourt.state.nh.us/rsa/html/indexes/79-D.html>.

The Preservation Alliance is the state's non-profit preservation education and advocacy organization.

July 2004

IMPLEMENTING RSA 79-D: Discretionary preservation easement for historic agricultural structures.

This summary was prepared by Carolyn W. Baldwin, Esq., of counsel to the law firm of Baldwin, Callen & Hogan of Concord, in collaboration with the chair of the NH Historic Agricultural Structures Advisory Committee, Carl Schmidt. It is a guide only, designed to assist applicants and selectmen to work through the process established by the legislature in RSA 79-D.

SELECTMEN

The Board of Selectmen in a Town (or the appropriate decision-making body in a City or Town with town council form of government) has the ultimate discretion to grant tax relief to the owner of an historic agricultural structure under the Statute. But the decision is not to be made in an arbitrary manner.

The Statute includes standards for determining eligibility, which have been elaborated by the guidelines adopted by the Advisory Committee under the guidance of the New Hampshire Division of Historical Resources.

Assume you, as a board of selectmen, have received an inquiry from a taxpayer about the possibility of accepting a discretionary preservation easement under RSA 79-D. Where do you begin?

1. First you provide the applicant with a copy of the application (Department of Revenue Administration Form A-36-A) and guidelines. Then assuming that the property owner completes the application:

2. Study §1 of the statute: the declaration of public purpose. You have no authority to grant any special tax consideration through a discretionary preservation easement if the structure concerned does not meet this general purpose. Refer to the guidelines adopted by the NH Historic Agricultural Structures Advisory Committee to assist you in this initial review decision.

3. Schedule a public hearing. Notify the applicant and post and publish the notice of hearing. The general rule is 10-days notice published in a paper of general distribution and posting in two or three public places. Notify the Historic District Commission, Historical Society or Heritage Commission if one exists in your community.

4. Decide whether the structure is a "qualifying structure." Does it provide one or more of the "public benefits" contemplated in §3. Refer to the guidelines adopted by the NH Historic Agricultural Structures Advisory Committee.

(a) Is it visible from a road or lake or river? or

(b) Is it historically important either independently or in

an historic district? or

(c) Do the structure's physical or aesthetic features contribute to the historical or cultural integrity of a property listed on or determined eligible for listing on the National Register of Historic Places, State Register of Historic Places, or locally designated district?

5. Consider the applicant's proposal.

Does the proposal preserve the structural and aesthetic integrity and character of the structure including the required commitment to maintain the structure in keeping with its historic integrity and character during the term of the easement? Input from the Historic District Commission, Heritage Commission or Historical Society, together with the State guidelines, should be considered.

The issue of a change of use may arise. The purpose of the statute is to encourage an owner to maintain and preserve the structure. §8 II. **This is important.** The cost of converting a barn to another use is NOT repair and maintenance. I.e. the costs of conversion for use as a dwelling, restaurant, theater, or other non-agricultural use is NOT "maintenance and repair." A structure that is converted to a non-agricultural use MAY be eligible if the adaptation retains the historic integrity of the building, but only for the level of maintenance and repair, not for the value added by the conversion.

6. Decision. Within 60 days after the Board accepts a completed application it must grant or deny it. Document the factual bases for your decision.

A. If the Board decides to deny the application, you should make findings: that it does not meet the qualifying criteria and or the loss of tax revenue outweighs the public benefit. BE SPECIFIC.

B. If you decide to approve the application, that is to acquire a discretionary preservation easement on the structure, you should find that the application is consistent with the purposes of the statute and that the public benefit to be gained by preservation of the structure outweighs any loss of revenue.

8. Determine the details.

Percentage (between 25% and 75% of assessment value) that will apply.

Length of time of the easement--minimum of 10 years.

Amount of land to be included as "necessary for the function of the building."

9. Finalize and record the easement document. We can

provide a sample easement document. Use it as a guide to help finalize the agreement. The applicant pays the costs of recording, but the Town should take responsibility for seeing that the document is recorded.

10. Follow up. Be sure your building inspector/code enforcement officer/assessor are aware of the easement and its terms. File a copy with the assessment card, along with a summary of your findings. (Remember, future boards, administrators etc. will not have first-hand knowledge, so leave a clear paper trail.) Any application for building permit should be checked for compliance with the easement. Monitor compliance from time to time. A Heritage Commission might be tasked to provide an annual report on compliance.

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THE APPLICANT

1. Before you apply, study the statute and guidelines. Does your structure fit the criteria? How exactly? Refer to the procedural suggestions for Selectmen so you will know how the process may proceed.

2. What is your proposal? The purpose is to preserve the integrity of an historic agricultural structure. It is NOT the purpose to subsidize grandiose improvements or conversions of the structure to a new use such as a dwelling, restaurant, theater or whatever.

3. Talk to the selectmen informally, and explain what you intend to do. They may not be familiar with discretionary easements so help them to understand what you have in mind and how it meets the interest of the community to encourage the preservation of an historic agricultural structure, and how the public benefit outweighs any loss of tax revenue. (Selectmen have to be very sensitive to this issue. They will not be comfortable granting any kind of property tax break to a landowner if they perceive an unwarranted or unjustified burden on other taxpayers from doing so.)

If your structure is in an historic district, you may want to consult with the Historic District Commission for input. (The selectmen may also consult the HDC in such a case.) If your Town has a Heritage Commission or a Historical Society, their input may be helpful. For further assistance consult the State Division of Historic Resources and/or the New Hampshire Preservation Alliance.

4. Complete the application. Attach a map showing the location of the structure and any supporting land to be included in the easement. Photographs of the building and its environs and a sketch of any planned renovations may be helpful. Tell the Board how your application meets the statutory purposes and guidelines.

5. Attend the public hearing scheduled by the Selectmen. Bring along neighbors, representatives of the local historical society, historic district commission or heritage commission, or others who may offer useful input to the selectmen.

6. If the Board decides to grant your application, work with them or their representative to complete the easement document. You are accepting an obligation to maintain the structure consistent with the purposes of the chapter. Remember this is a legal and enforceable interest in property that you are granting to the Town. It will be recorded and is a lien on the property. If you should market the property, it may affect the title. So be sure you are comfortable with that outcome.

How long a term (10 years is the minimum)?

What are the provisions for renewal?

What is a fair level of taxation (25%-75% of assessed value) that will compensate you for granting the Town an interest in your property?¹

Revised, November 2003

¹ Note that should the municipality undergo a general re-evaluation, your assessed value may rise in accordance with the general rise in values throughout the community. The percentage of assessed value agreed upon in the easement will NOT change during the term of the easement.

THE NH BARN TAX INCENTIVE: **TEN TIPS** FOR APPLICANTS

Here are some ideas from successful applicants for the NH Tax Incentive to Preserve Historic Agricultural Structures

- 1. Carefully study the law (RSA 79-D),** the accompanying definitions and eligibility guidelines, and the instructions on the back of the application form. (Packets that include this information are available from the NH Preservation Alliance, 224-2281.) In addition to barns, the application may apply to other historic agricultural structures including those in-town.
- 2. Talk informally with your Selectmen:** Explain that you intend to apply, how preservation of an historic structure meets the community's interest, and how the public benefit will outweigh any loss of tax revenue.
- 3. Get support from neighbors,** other townspeople, your local historical society and Heritage or Historic District Commission. They may also be able to help you with researching the history of your barn (see Tip 4).
- 4. Do your homework:** Do all the research you can about the building(s), including their age, how they were used and about the families who lived and worked there. Is the building historically important in the community because of the type of structure, the owners and history of the site, or because only a few of its kind remain? In addition, review any RSA 79-D easements that have already been accepted by your town or city.
- 5. Work out your proposal:** In addition to the main barn(s), should your application also include outbuildings? Which one (or more) of the three tests of public benefit do your structures meet? What is the current assessment and tax bill on the building(s)?
- 6. Photographs:** A picture is worth a thousand words, if not dollars. Don't assume the Selectmen are familiar with the building, even if your building is a prominent landmark in town. Include with your application a good set of photos, including close-ups and views of what can be seen from public roads and bodies of water. Old photos can be very helpful in telling the story; check with local historic organizations and/or publications to help locate old photos.
- 7. More is better:** Include with your application as much historical and context information as possible; if you have a lot of supporting documentation, submit it with a clear one-page summary. Attach letters of support and similar materials. At the same time, don't overwhelm the decision-makers with more material than they will have time to read.
- 8. Repair and Maintenance: Have a plan!** Describe, with cost figures, any recent or planned repair work. Particularly if the structure is in bad repair, be prepared to present a repair plan for the 10-year easement period, and possibly to include it as part of the easement agreement. Describe how an easement would help make the repairs financially possible. You want to show your commitment to maintaining the structure in keeping with its historic character and integrity for at least the next ten years and how this will benefit the public.
- 9. Public Hearing:** This is required as part of the application process, so use it to your advantage by taking part and encourage supporters to attend and speak, as well. Encourage Selectmen to visit the structure before making their decision.
- 10. The Easement:** Keep in mind that the discretionary easement agreement you are to enter into with your town is a legal contract between two parties. Work with the Selectmen or their representative on its content and ensure you are comfortable with the outcome.

If you have questions, or need more information, contact: New Hampshire Preservation Alliance
(603) 224-2281 admin@nhpreservation.org www.nhpreservation.org


These tips were compiled by the Historic Agricultural Structures Advisory Committee.



10 Steps to Add Life to Your Barn

By John Porter
Professor and Dairy Specialist
UNH Cooperative Extension
and co-author of "Preserving Old Barns"

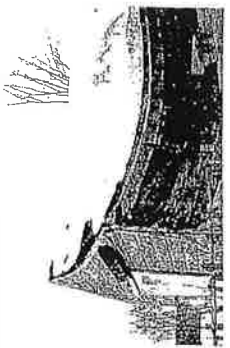
1.) Remove trees and brush around the barn. These hold moisture which rot the sills and can cause abrasion on the sidewalls and roof. Use contour drainage and pea stone around the barn to divert water.




2.) Keep bases of support posts free of soil contact as it will rot them. Build new rock or concrete piers if necessary.



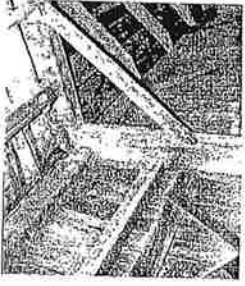
3.) Repair roof and side wall problems when they first occur or they will lead to more serious structural problems.




4.) Fix crumbling foundations, as they are the key to maintaining a square and plumb building.



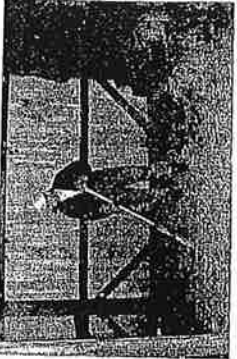
5.) Don't remove existing braces that might be in the way, as they are part of the total support system that maintain the integrity of the barn.



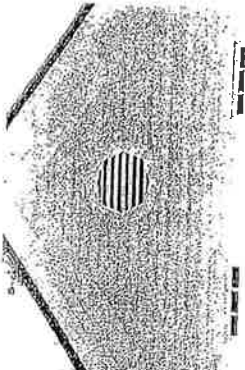
6.) Add cables or internal bracing as a stop-gap method to keep a barn from falling down.



7.) Keep the floors clean of debris to prevent the accumulation of moisture and insect infestation.



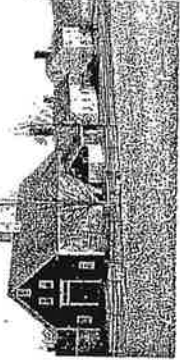
8.) Open windows or louvers to ventilate the barn and prevent the build-up of moisture.



9.) Shovel off snow as necessary, especially lean-tos that can cause snow accumulation and structural failure.



10.) Keep up with painting, roofing and routine maintenance so your barn will look like this one.



NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
DISCRETIONARY PRESERVATION EASEMENT APPLICATION

Original

Renewel

Tax Year _____

ME

NUMBER & STREET ADDRESS

ADDRESS (continued)

CITY/TOWN, STATE & ZIP CODE

Local tax map and lot number(s) of land and historic agricultural structure being classified: _____

Book, page, and recording at County Registry of Deeds: _____

Describe how the historic Agricultural Structure meets one of the tests of public benefit per RSA 79-D:3. Attach additional sheets if necessary.

Preservation of Historic Agricultural Structure

****Attach a map showing the location of the historic agricultural structure and the number of square feet to be included in the discretionary preservation easement.

SIGNATURE (IN INK) OF LANDOWNER: _____ DATE: _____

SIGNATURE (IN INK) OF LANDOWNER: _____ DATE: _____

SIGNATURE (IN INK) OF LANDOWNER: _____ DATE: _____

SIGNATURE (IN INK) OF LANDOWNER: _____ DATE: _____

FOR ASSESSING OFFICIALS USE ONLY

GRANTED Pending approval of Discretionary Preservation Easement Agreement by the landowner and assessing officials.

DENIED

COMMENTS _____

SIGNATURE (IN INK) OF ASSESSING OFFICIALS _____ DATE _____

SIGNATURE (IN INK) OF ASSESSING OFFICIALS _____ DATE _____

SIGNATURE (IN INK) OF ASSESSING OFFICIALS _____ DATE _____

SIGNATURE (IN INK) OF ASSESSING OFFICIALS _____ DATE _____

SIGNATURE (IN INK) OF ASSESSING OFFICIALS _____ DATE _____

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
DISCRETIONARY PRESERVATION EASEMENT APPLICATION
INSTRUCTIONS

<p>STATUTE & ADMINISTRATIVE RULE</p>	<p>RSA 79-D Discretionary Preservation Easements Rev 605.15 Form PA-36A, Discretionary Preservation Easement Application</p>
<p>WHO MUST FILE</p>	<p>Any owner of a historic agricultural structure, currently or formerly used for agricultural purposes, which meets one of the tests of public benefit in RSA 79-D:3, II.</p>
<p>WHEN TO FILE</p>	<p>The owner of the property must file this form with the municipality on or before April 15 of the tax year.</p>
<p>WHAT TO FILE</p>	<ul style="list-style-type: none"> ☆ Form PA-36A, Discretionary Preservation Easement Application ☆ Map showing location of structure and land to be subject to the discretionary preservation easement ☆ Description of how property meets one of the tests of public benefit in RSA 79-D:3
<p>TEST OF PUBLIC BENEFIT</p>	<p>The historic agricultural structure must provide at least one of the following benefits:</p> <ul style="list-style-type: none"> ☆ Scenic enjoyment of the structure by the general public from a public way or from public waters; ☆ Is historically important on a local, regional, state or national level, either independently or within an historic district; or ☆ The structure's physical or aesthetic features contribute to the historic or cultural integrity of a property listed on or determined eligible for listing on the National Register of Historic Places, State Register of Historic Places, or locally designated historic district.
<p>HISTORIC AGRICULTURAL STRUCTURES</p>	<p>The advisory committee established under RSA 227-C:29 has established the following definitions for "historic agricultural structures."</p> <p>Historic: Agricultural structures must be at least 75 years of age. Exceptions may be made for newer structures if they are considered to be of exceptional significance or importance.</p> <p>Agricultural structures: Examples include, but are not limited to, barn (separate or attached), blacksmith shop, carriage house, cider mill, corn crib, creamery, Delco house, equipment or machine shed, farm stand, farrier or harness shop, granary, greenhouse, grist mill, hop house, ice house, milk house, piggery, poultry barn or coop, sawmill, silo, stable, sugar house, roof shed, wagon shed, well or spring house, windmill house, or woodshed.</p> <p>barn: shall mean a building constructed to shelter livestock, equipment, feed or other farm products. It may be free-standing or connected to one or more structures.</p> <p>Land necessary for the function of the building: shall consist of the footprint of the building and of any ramps or banks which are or were needed to support the structure and its operations.</p>
<p>APPROVAL/ DENIAL</p>	<p>If, after a duly noticed public hearing, the local governing body finds that the acquisition of the proposed easement is consistent with the purposes of 79-D, it may take steps to acquire the easement.</p> <p>The local governing body may weigh the public benefit to be obtained versus the tax revenue to be lost if such an easement is granted.</p> <p>The governing body shall have no more than 60 days to act upon the application.</p>
<p>EASEMENT TERMS</p>	<p>Any discretionary preservation easement acquired by a municipality shall be for a minimum of ten years and shall include the:</p> <ul style="list-style-type: none"> ☆ Method of assessment; ☆ Terms of expiration; and ☆ Terms of renewal.
<p>ASSESSMENT DISCRETIONARY PRESERVATION EASEMENTS</p>	<p>The assessment of discretionary easement structures and land shall be within the following range:</p> <ul style="list-style-type: none"> ☆ One end of the range shall be 25 percent of the full value assessment. ☆ The other end of the range shall be 75 percent of the full value assessment.
<p>RECORDING</p>	<p>The local governing body shall provide for the recording of any discretionary preservation easement with the register of deeds. Any costs of recording shall be the responsibility of the applicant.</p>
<p>APPEAL PROCEDURE</p>	<p>The local governing body's decision to deny the application to grant a discretionary preservation easement may be appealed in accordance with RSA 79-A:9 and 79-A:11 to either the N.H. Board of Tax and Land Appeals or the Superior Court of the county in which the property is located within six months of notice of denial. A denial by the governing body shall be deemed discretionary and shall not be set aside by the N.H. Board of Tax and Land Appeals or the Superior Court except for bad faith, discrimination, or the application of criteria other than those set forth in statute.</p>

N.H. RSA 79-D
DISCRETIONARY PRESERVATION EASEMENTS
FOR PRESERVING HISTORIC AGRICULTURAL STRUCTURES

79-D:1 Declaration of Public Interest. – It is hereby declared to be in the public interest to encourage the preservation of historic agricultural structures which are potentially subject to decay or demolition, thus maintaining the historic rural character of the state's landscape, sustaining agricultural traditions, and providing an attractive scenic environment for work and recreation of the state's citizens and visitors. It is further declared to be in the public interest to prevent the loss of historic agricultural structures due to property taxation at values incompatible with their preservation. The means for encouraging preservation of historic agricultural structures authorized by this chapter is the acquisition of discretionary preservation easements by town or city governments to assure preservation of such structures which provide a demonstrated public benefit.

79-D:2 Definitions. – In this chapter:

- I. "Discretionary preservation easement" means a preservation easement of an historic agricultural structure, including the land necessary for the function of the building, granted to a city or town for a term of 10 or more years.
- II. "Public benefit" shall have the meaning described in RSA 79-D:3, II.
- III. "Historic agricultural structure" means a barn or other structure, including the land necessary for the function of the building, currently or formerly used for agricultural purposes and as further defined by the advisory committee established under RSA 227-C:29.

79-D:3 Qualifying Structures. –

- I. Any owner of an historic agricultural structure who wishes to maintain the structure in a use consistent with the purposes of this chapter may apply to the governing body of the municipality in which the property is located to convey a discretionary preservation easement to the municipality.
- II. A discretionary preservation easement shall be considered to provide a demonstrated public benefit if it provides at least one of the following public benefits:
 - (a) There is scenic enjoyment of the structure by the general public from a public way or from public waters.
 - (b) The structure is historically important on a local, regional, state, or national level, either independently or within an historic district.
 - (c) The structure's physical or aesthetic features contribute to the historic or cultural integrity of a property listed on or determined eligible for listing on the National Register of Historic Places, state register of historic places, or locally designated historic district.
- III. In determining whether an historic agricultural structure demonstrates the necessary public benefit to qualify for a discretionary preservation easement, the governing body shall have reference to guidelines adopted by the advisory committee established under RSA 227-C:29.

79-D:4 Application Procedure. –

- I. Any owner of an historic agricultural structure which meets the tests of public benefit in RSA 79-D:3, II may apply to the governing body to grant a discretionary preservation easement to the municipality, agreeing to maintain the structure in keeping with its historic integrity and character during the term of the easement.
- II. No owner of an historic agricultural structure shall be entitled to have a particular structure classified for any tax year under the provisions of this chapter unless the owner has applied to the governing body on or before **April 15 of the tax year on a form provided** by the commissioner of the department of revenue administration. Such application shall include a **map showing the location of the structure** to be subject to the discretionary preservation easement, and a description of how the property meets the **tests of public benefit in RSA 79-D:3.**

79-D:5 Approval, Denial. –

- I. If, after a duly noticed public hearing, the governing body finds that the proposed preservation of such historic agricultural structure is consistent with the purposes of this chapter, it may take steps to acquire a discretionary preservation easement as provided in this chapter. In exercising its discretion, the local governing body may weigh the public benefit to be obtained versus the tax revenue to be lost if such an easement is granted. The governing body shall have no more than 60 days to act upon the application.
- II. If the governing body denies the application to grant a discretionary preservation easement to the municipality, such denial shall be accompanied by a written explanation. The local governing body's decision may be appealed by using the procedures of either RSA 79-A:9 or 79-A:11 provided, however, that such denial shall be deemed discretionary and shall not be set aside by the board of tax and land appeals or the superior court except for bad faith, discrimination, or the application of criteria other than those set forth in RSA 79-D:3 and paragraph I of this section.
- III. The easement shall be a burden upon the property and shall bind all transferees and assignees of such property. An easement granted pursuant to this subdivision shall not be assigned, transferred, or released by the municipality without the consent of the owner, except as provided in RSA 79-D:8.

79-D:6 Terms; Recording. – Any preservation easement acquired by the municipality pursuant to this chapter shall be for a minimum of 10 years. The easement terms shall include the method of assessment pursuant to RSA 79-D:7, the terms of expiration pursuant to RSA 79-D:8, II, and the terms of renewal pursuant to RSA 79-D:8, III. The local governing body shall provide for the recording of such easements with the register of deeds. Any costs of recording shall be the responsibility of the applicant.

79-D:7 Assessment of Property Subject to Discretionary Preservation Easement. –

- I. The method of assessment of discretionary preservation easement structures shall be included as a term of the agreement in any discretionary preservation easement acquired by a municipality. Assessment shall fall within a range, one end of which shall be 75 percent of the full value assessment; the other end of the range shall be 25 percent of said full value assessment.
The local governing body shall have the discretion to set the value of the discretionary preservation easement at a level within this range which it believes reflects the public benefit conferred by the property under the criteria set forth in RSA 79-D:3, II. The assessment shall not be increased because the owner undertakes maintenance and repairs designed to preserve the structure.

79-D:8 Release of Easement, Expiration, Renewal, Consideration. –

I. Any property owner who has granted a discretionary preservation easement to a municipality pursuant to the terms of this chapter, after the effective date of this chapter, may apply to the local governing body of the municipality in which the property subject to a discretionary preservation easement is located for a release from such easement upon a demonstration of extreme personal hardship. Upon release from such easement, a property owner shall pay the following consideration to the tax collector of the municipality:

(a) For a release within the first half of the duration of the easement, 20 percent of the full value assessment of such structure and land under RSA 75:1.

(b) For a release within the second half of the duration of the easement, 15 percent of the full value assessment of such structure and land under RSA 75:1.

II. The terms of agreement may include specification of an amount, if any, up to 10 percent of fair market value, to be paid upon final expiration of the terms of the discretionary preservation easement or renewed discretionary preservation easement.

III. Upon the expiration of the terms of the discretionary easement, the owner may apply for a renewal, and the owner and local governing body shall have the same rights and duties with respect to the **renewal application as they did with respect to the original application**; provided, however, that at the time of the original granting of the discretionary **preservation easement**, the parties may include, **as a term of the agreement**, a provision for automatic renewal for the same term as the original. **Such a provision may include the specification of the manner in which the tax assessment on the property for the next term is to be determined at the time of renewal.**

IV. The tax collector shall issue a receipt to the owner of such property and a copy to the local governing body for the sums paid. The local governing body shall, upon receiving a copy of the above-mentioned consideration, execute a release or renewal of the easement to the owner who shall record such a release or renewal. A copy of such release or renewal shall also be sent to the local assessing officials if they are not the same parties executing the release or renewal.

V. In the event that the structure is destroyed by fire, storm, or other unforeseen circumstance not within the control of the property owner, the preservation easement shall be released without penalty.

VI. If, during the term of the preservation easement, the owner shall fail to maintain the structure in conformity with the agreement, or shall cause the structure(s) to significantly deteriorate or be demolished or removed, the preservation easement shall be terminated and a penalty assessed in accordance with RSA 79-D:8, I(a) and (b).

79-D:9 Payment; Collection. –

I. If a consideration is due under RSA 79-D:8, I or II, the assessed value shall be determined as of the actual date of the release or expiration. Any consideration is in addition to the annual real estate tax imposed upon the property, and shall be due and payable upon the release or expiration.

II. Any consideration shall be due and payable by the owner at the time of release or expiration to the municipality in which the property is located. If the property is located in an unincorporated town or unorganized place, the tax shall be due and payable by the owner at the time of release or expiration to the county in which the property is located. Moneys paid to a county under this chapter shall be used to pay for the cost of services provided in RSA 28:7-a and RSA 28:7-b. Any consideration shall be due and payable according to the following procedure:

(a) The commissioner shall prescribe and issue forms to the local assessing officials for the consideration due, which shall provide a description of the property, the discretionary preservation easement, the full value assessment under RSA 75:1, and the amount payable.

(b) The prescribed form shall be prepared in quadruplicate. The original, duplicate, and triplicate copy of the form shall be given to the collector of taxes for collection of the consideration along with a special tax warrant authorizing the collector to collect the consideration under the warrant. The quadruplicate copy of the form shall be retained by the local assessing officials for their records.

(c) Upon receipt of the special tax warrant and prescribed forms, the tax collector shall mail the duplicate copy of the tax bill to the owner responsible for the tax as the notice of tax. Such bill shall be mailed within 12 months of the release or expiration.

(d) Payment of the consideration shall be due not later than 30 days after the mailing of the bill. Interest at the rate of 18 percent per annum shall be due thereafter on any consideration not paid within the 30-day period.

79-D:10 Exemption for Eminent Domain. – If any of the property which is subject to a discretionary preservation easement is condemned by any governmental agency or is acquired through eminent domain proceedings, the local governing body shall execute a release of the easement to the owner. None of the liquidated consideration provisions of RSA 79-D:8, I and II shall be applicable to releases granted pursuant to this section.

79-D:11 Local Preservation Easement Programs. – This chapter shall not be construed to limit the development of any other state, county, town, or city easement program for preservation, conservation, or other purposes.

79-D:12 Lien for Unpaid Taxes. – The real estate of every person shall be held for the taxes levied pursuant to RSA 79-D:8.

79-D:13 Enforcement. – All taxes levied pursuant to RSA 79-D:8 which are not paid when due shall be collected in the same manner as provided in RSA 80:1-80:42.

79-D:14 Rulemaking. –

I. The commissioner of the department of revenue administration shall adopt rules, pursuant to RSA 541-A, relative to:

(a) The application procedures under RSA 79-D:4.

(b) The payment and collection procedures under RSA 79-D:9.

II. The commissioner of the department of cultural resources shall adopt such rules as may be applicable under the authority of RSA 227-C:5.

Source. 2002, 86:1, eff. July 2, 2002.

<http://www.gencourt.state.nh.us/rsa/html/indexes/79-D.html>

**N.H. RSA 79-D -DISCRETIONARY PRESERVATION EASEMENTS
FOR PRESERVING HISTORIC AGRICULTURAL STRUCTURES**

APPLICATION SUPPLEMENT: REPAIR AND MAINTENANCE PLAN
(Please be specific. Describe, with cost figures, any recent and/or planned repair work.)

New Hampshire Historic Agricultural Structures Advisory Committee
c/o New Hampshire Division of Historical Resources
19 Pillsbury Street
Concord, New Hampshire 03302-2043

Determining Eligibility for RSA 79-D Discretionary Preservation Easements For Preserving Historic Agricultural Structures

RSA 79-D:2 III: "Historic agricultural structure" means a barn or other structure, including the land necessary for the function of the building, currently or formerly used for agricultural purposes and as further defined by the advisory committee established under RSA 227-C:29.

As further defined by the Advisory Committee:

"Historic" shall mean agricultural structures which are at least 75 years of age. Exceptions may be made for newer structures if they are considered to be of exceptional significance or importance.

An illustrative list of "agricultural structures" which might qualify for a discretionary preservation easement is provided in Attachment 1. Local governing bodies may decide to include other related agricultural structures in accordance with local circumstances.

"Barn" shall mean a building constructed to shelter livestock, equipment, feed, or other farm products. It may be free-standing, or connected to one or more other structures.

"Land necessary for the function of the building" shall consist of the footprint of the building and of any ramps or banks which are or were needed to support the structure and its operations.

Guidelines:

In deciding whether to accept a discretionary preservation easement, RSA 79-D:3 establishes that the local governing body of the municipality shall determine whether the structure provides at least one of the following public benefits:

- (1) there is scenic enjoyment of the structure by the general public from a public way or from public waters;
- (2) it is historically important on a local, regional, state or national level, either independently or within an historic district; or
- (3) the structure's physical or aesthetic features contribute to the historic or cultural integrity of a property listed on or determined eligible for listing on the National Register of Historic Places, State Register of Historic Places, or locally designed historic district.

In addition, the law states that, in determining whether an historic agricultural structure demonstrates the necessary public benefit, the local governing body shall have reference to guidelines adopted by the Advisory Committee. The guidelines are outlined in Attachment 2.

Attachment 1: Illustrative List of Agricultural Structures

Attachment 2: Guidelines to Assist in Determining "Necessary Public Benefit"

*Determining Eligibility for RSA 79-D Discretionary Preservation Easements
For Preserving Historic Agricultural Structures*

Illustrative List of Agricultural Structures

The following are examples of buildings and structures which might qualify for a discretionary preservation easement. It is not intended to be a complete list. Local governing bodies may decide to include other related agricultural structures in accordance with local circumstances.

barn, separate or attached

silo

milk house

sugar house

carriage house

wagon shed

ice house

stable

corn crib

poultry barn or coop

well or spring house

blacksmith shop

piggery

granary

saw mill

cider mill

creamery

farrier or harness shop

hop house

equipment or machine shed

Delco house

grist mill

woodshed

farm stand

greenhouse

tool shed

windmill house

*Determining Eligibility for RSA 79-D Discretionary Preservation Easements
For Preserving Historic Agricultural Structures*

**Guidelines to Assist in Determining "Necessary Public Benefit"
To Qualify for a Discretionary Preservation Easement**

Public Interest and Benefit

Consider questions such as:

- Is it a familiar local landmark?
- Is it visible from a public road or from public waters? To what extent does it contribute to the scenic qualities of the community and region, thus benefiting local residents, visitors, and tourism?
- Is there interest or support for the structure's preservation?
Examples: owner/family maintenance efforts or commitment to preservation; structure surveyed by historical society; included in town preservation plan or historic district; offers of volunteer help with physical repairs, letter of support from local heritage commission or historical society?

Historic and Agricultural Significance

Consider the age of the structure and such questions as:

- Does it help tell the story of agriculture in the community or region?
- Is it a good representative of a type of barn?
- Is it now an unusual or rare surviving type of barn or outbuilding?
- Is it a good example of historic construction methods or materials?
- Does it retain its historic character?
Is it part of a landscape or setting that retains its historic character?

Degree to Which Tax Relief will Help Preserve the Structure

Consider questions such as:

- Use and condition of structure; owner's investment over time.
- Plans for repair or renovation.
- Owner's use of, plans for, preservation tools such as conservation easements, investment tax credits, or local, state or national historic register listing.

Use of the Structure

Consider questions such as:

- Is the barn or other structure on a working farm or otherwise being used for agricultural purposes?
- If the structure has been adapted for other use, has the historic character of the structure been maintained?

Degree to which Building's Preservation reinforces other Local and State Goals and Policies, such as:

- Agricultural designations, e.g., Bicentennial, Farm of Distinction, Tree Farm, New England Green Pastures.
- Current Use (e.g., goals of maintaining the character of the state's landscape and conserving its resources).
- Scenic and Cultural Byways; Country Roads.
- Regional Plans and local Master Plans.

Town of Lee

EVALUATION FORM FOR DISCRETIONARY PRESERVATION EASEMENT PROGRAM (RSA 79-D)

Qualification Questions:

1. Is the structure at least 75 years old? Yes ___ No ___

See application for verification of age. Examples of supporting evidence are tax records and historic photographs.

- If "no" to the above, is the structure of exceptional significance or importance? Yes ___ No ___

See application for showing of significance by citing references to structure in published materials or by other means to support conclusion.

If "no" to both of the above, the structure does not qualify for a discretionary preservation easement.

2. Is the structure an "agricultural structure"? Yes ___ No ___

See NH Historic Agricultural Structures Advisory Committee guidelines attachment for examples.

If "no" to the above, the structure does not qualify for a discretionary preservation easement.

Evaluation:

1. Historic importance on a local, regional or national level:

___ Structure is listed or is eligible for listing in the National Register of Historic Places; or the structure's physical or aesthetic features contribute to the historic or cultural integrity of a property listed or eligible for listing in the National Register of Historic Places; or the structure is a "contributing" structure in the National Register of Historic Districts.

For properties eligible for listing, the applicant should submit documentation supporting such a determination.

____ Structure is listed or is eligible for listing in the New Hampshire Register of Historic Places or the structure's physical or aesthetic features contribute to the historic or cultural integrity of a property listed or eligible for listing in the New Hampshire Register of Historic Places.

For properties eligible for listing, the applicant should submit documentation supporting such a determination.

____ Structure is not listed, nor eligible for listing, in the National nor New Hampshire Registers, but is of state, regional or local importance.

Applicant should submit documentation supporting such a determination, such as a reference to the structure in a published work or inclusion in the Regional or Town Plans.

____ Structure is neither listed nor eligible for listing in the National nor New Hampshire Register, nor is it of state, regional or local importance, but in the opinion of the Board of Selectmen significantly reinforces local or state preservation goals due to it being an unusual or rare surviving type, good example of historic construction or materials, telling the story of agriculture in the community or being part of a landscape or setting that retains its historic character.

____ Structure is in the opinion of the Board of Selectmen not significant in the cultural history of the community.

Notes on historic/structural importance: _____

2. Condition of the structure (to be completed on a site visit):

____ In the opinion of the Board of Selectmen, structure is maintained in sound condition and retains its historic exterior appearance.

____ In the opinion of the Board of Selectmen, structure is able to be restored to sound condition and retain its historic exterior appearance.

____ In the opinion of the Board of Selectmen, structure is able to be restored to sound condition and may be restored to its historic exterior appearance.

____ In the opinion of the Board of Selectmen, structure can be restored to sound condition but may not be restored to its historic exterior appearance.

___ In the opinion of the Board of Selectmen, structure may not be able to be restored to sound condition nor to its historic exterior appearance.

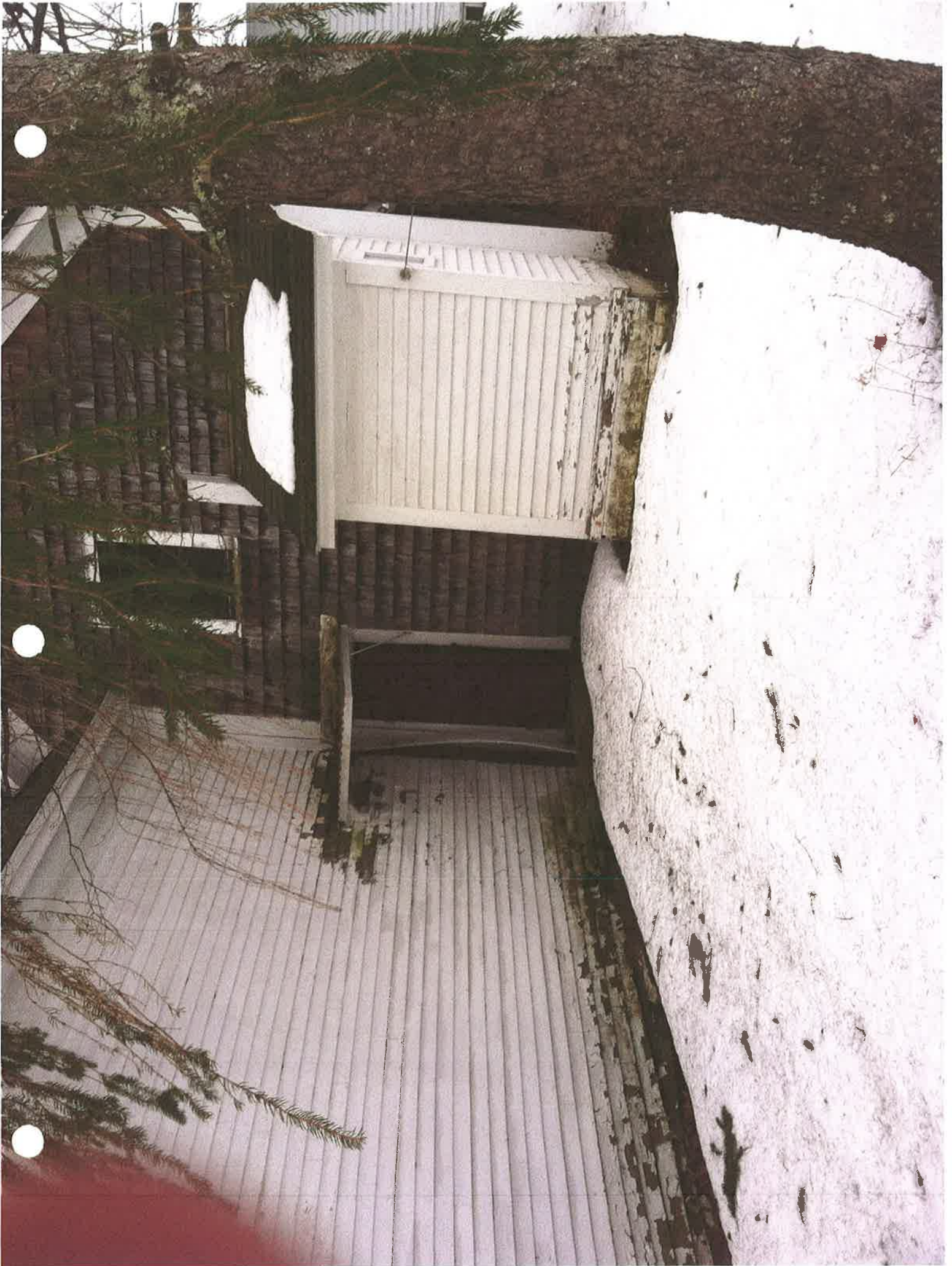
See application for repair and maintenance plan. Review and evaluate for appropriateness and viability.

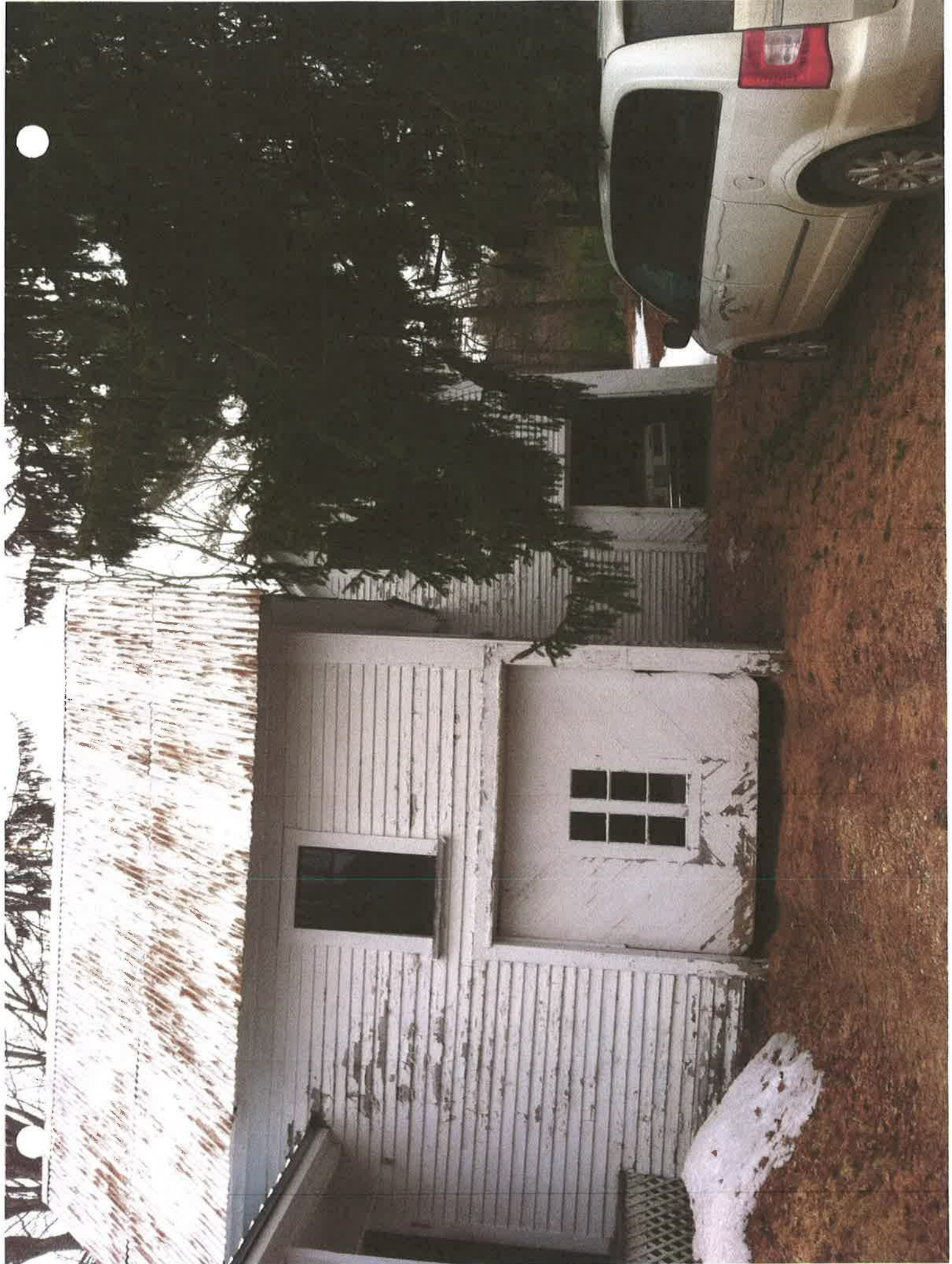
Notes on condition of structure (attach page if necessary):

3. Board of Selectmen's assessment of the public benefit to be gained if a discretionary easement were to be granted:

Approximate assessed valuation of the structure including the land necessary for the function of the structure:

Building	\$ _____
Land (___ square ft @ \$ _____ /square ft) (assuming structure is ___ ft by ___ ft, adding 5 ft on all sides gives ___ square ft)	\$ _____
Total	\$ _____
Abatement of ___%	\$ _____







OWNER INFORMATION

KENNARD, RONALD WILLIAM
 164 STEPPING STONES ROAD
 LEE, NH 03861-6611

SALES HISTORY

Date	Book	Page	Type	Price	Grantor
08/30/1995	1820	177	U138		KENNARD, W.M. & ESTHER

LISTING HISTORY

Date	Description
07/19/11	JQ I/4 = INT
10/22/07	CRCL
07/09/07	CRDM
01/14/03	LTRL
08/19/02	JDRM
08/04/87	IH

NOTES

WHI: BARNS ATT TO HSE; 26X20 BARN & 8X8 SHED & 8X8 EQP SHED ATT;
 BARN 30X16&6X4 SHED ATT; SCHRNHSE-VP; IN BACK LOT=LT FALLING
 DOWN & SHED W/ROOF COLLAPSED=DNPUNV; 8X6 SHED HAS TARP FOR
 SIDES & ROOF-DNPU. BMU=LEDGE & DIRT; ROOF LEAKS; NEEDS EXT
 PAINT 07-11 ADJ OUTBLDGS, SKETCH

EXTRA FEATURES VALUATION

Feature Type	Units	Length x Width	Size Adj	Rate	Cond	Market Value	Notes
BARN-2STY	600	30 x 20	87	19.00	50	4,959	
LEAN-TO	160	16 x 10	160	4.00	0	0	
FIREPLACE 1-STAND	1		100	3,000.00	100	3,000	
SHED-WOOD	252	12 x 21	123	7.00	40	868	
SHED-EQUIPMENT	64	8 x 8	310	8.00	10	159	
BARN-2STY	540	27 x 20	90	19.00	50	4,617	
SHED-WOOD	24	6 x 4	400	7.00	0	0	
SHED-WOOD	56	8 x 7	346	7.00	25	339	
						13,900	

MUNICIPAL SOFTWARE BY AVITAR

LEE ASSESSING OFFICE

Year	Building	Features	Land
2012	\$ 89,100	\$ 13,900	\$ 105,318
		Parcel Total:	\$ 208,318
2013	\$ 89,100	\$ 13,900	\$ 105,594
		Parcel Total:	\$ 208,594
2014	\$ 89,100	\$ 13,900	\$ 105,594
		Parcel Total:	\$ 208,594

LAND VALUATION

Zone	RES	Minimum Acreage	1.95	Minimum Frontage	250	Site:	Driveway:	Road:						
Land Type	Units	Base Rate	NC	Adj	Site	Road	DWay	Topography	Cond	Ad Valorem	SPI	R	Tax Value	Notes
IF RES	1,000 ac	70,000	H	130	100	100	100	100	100	91,000	0	N	91,000	
FARM LAND	500,000 ft	x 105	H	130					95	0	N		0	TOPO
FARM LAND	32,500 ac	x 4,000	X	88					100	100	N		14,495	
WETLANDS	9,000 ac	x 4,000	X	88					10	100	N		99	WET
													105,594	



PICTURE

KENNARD, RONALD WILLIAM
 164 STEPPING STONES ROAD
 LEE, NH 03861-6611

OWNER

TAXABLE DISTRICTS

District	Percentage

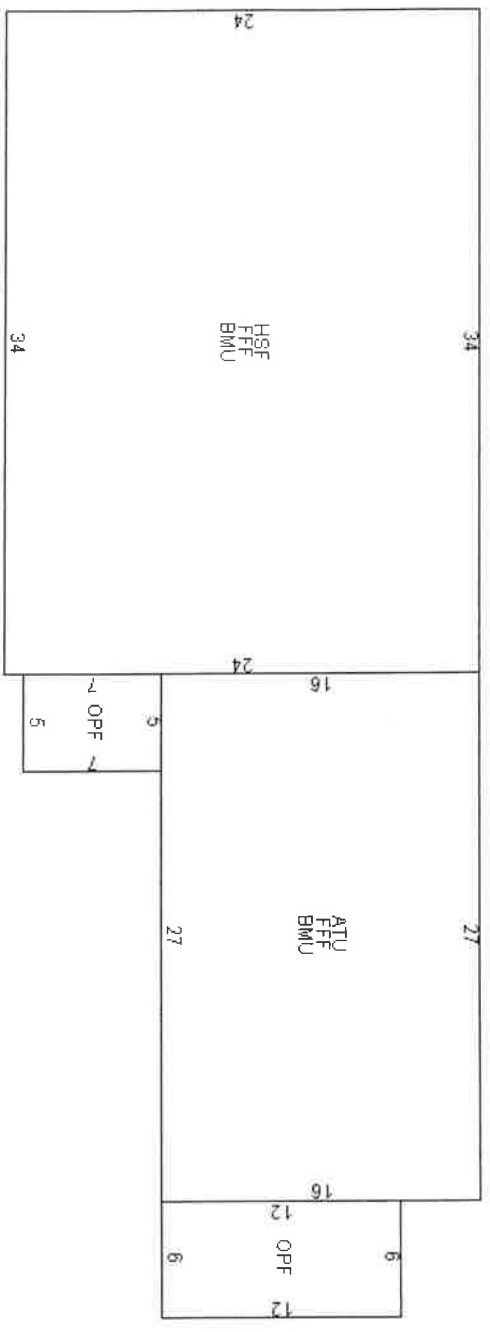
BUILDING DETAILS

Date	Project ID	Permit Type	Notes

Model: 1.5 STORY FRAME CONVENTIOL
 Roof: GABLE OR HIP/METAL/TIN
 Ext: CLAP BOARD
 Int: PLASTERED
 Floor: LINOLEUM OR SIM/PINE/SOFT WD
 Heat: OIL/FA DUCTED
 Bedrooms: 4 Baths: 1.0 Fixtures:
 Extra Kitchens: Fireplaces:
 A/C: No Generators:
 Quality: A2 AVG+20
 Com. Wall:
 Size Adj: 1.0524 Base Rate: RSA 75.00
 Bldg. Rate: 1.1502
 Sq. Foot Cost: \$ 86.27

BUILDING SUB AREA DETAILS

ID	Description	Area	Adj.	Effect.
HSF	1/2 STRY FIN	816	0.50	408
FPF	FST FLR FIN	1248	1.00	1248
BMU	BSMNT	1248	0.15	187
OPF	OPEN PORCH FIN	107	0.25	27
ATU	ATTIC	432	0.10	43
		3,851		1,913



2011 BASE YEAR BUILDING VALUATION

Market Cost New: \$ 165,035
 Year Built: 1780
 Condition For Age: FAIR 46 %
 Physical:
 Functional:
 Economic:
 Temporary:
 Total Depreciation: 46 %
 Building Value: \$ 89,100

TITLE V TAXATION

CHAPTER 79-D DISCRETIONARY PRESERVATION EASEMENTS

Section 79-D:1

79-D:1 Declaration of Public Interest. – It is hereby declared to be in the public interest to encourage the preservation of historic agricultural structures which are potentially subject to decay or demolition, thus maintaining the historic rural character of the state's landscape, sustaining agricultural traditions, and providing an attractive scenic environment for work and recreation of the state's citizens and visitors. It is further declared to be in the public interest to prevent the loss of historic agricultural structures due to property taxation at values incompatible with their preservation. The means for encouraging preservation of historic agricultural structures authorized by this chapter is the acquisition of discretionary preservation easements by town or city governments to assure preservation of such structures which provide a demonstrated public benefit.

Source. 2002, 86:1, eff. July 2, 2002.

Section 79-D:2

79-D:2 Definitions. – In this chapter:

I. "Discretionary preservation easement" means a preservation easement of an historic agricultural structure, including the land necessary for the function of the building, granted to a city or town for a term of 10 or more years.

II. "Public benefit" shall have the meaning described in RSA 79-D:3, II.

III. "Historic agricultural structure" means a barn or other structure, including the land necessary for the function of the building, currently or formerly used for agricultural purposes and as further defined by the advisory committee established under RSA 227-C:29.

Source. 2002, 86:1, eff. July 2, 2002.

Section 79-D:3

79-D:3 Qualifying Structures. –

I. Any owner of an historic agricultural structure who wishes to maintain the structure in a use consistent with the purposes of this chapter may apply to the governing body of the municipality in which the property is located to convey a discretionary preservation easement to the municipality.

II. A discretionary preservation easement shall be considered to provide a demonstrated public benefit if it provides at least one of the following public benefits:

(a) There is scenic enjoyment of the structure by the general public from a public way or from public waters.

(b) The structure is historically important on a local, regional, state, or national level, either independently or within an historic district.

(c) The structure's physical or aesthetic features contribute to the historic or cultural integrity of a property listed on or determined eligible for listing on the National Register of Historic Places, state register of historic places, or locally designated historic district.

III. In determining whether an historic agricultural structure demonstrates the necessary public benefit to qualify for a discretionary preservation easement, the governing body shall have reference to guidelines adopted by the advisory committee established under RSA 227-C:29.

Source. 2002, 86:1, eff. July 2, 2002.

Section 79-D:4

79-D:4 Application Procedure. –

I. Any owner of an historic agricultural structure which meets the tests of public benefit in RSA 79-D:3, II may apply to the governing body to grant a discretionary preservation easement to the municipality, agreeing to maintain the structure in keeping with its historic integrity and character during the term of the easement.

II. No owner of an historic agricultural structure shall be entitled to have a particular structure classified for any tax year under the provisions of this chapter unless the owner has applied to the governing body on or before April 15 of the tax year on a form provided by the commissioner of the department of revenue administration. Such application shall include a map showing the location of the structure to be subject to the discretionary preservation easement, and a description of how the property meets the tests of public benefit in RSA 79-D:3.

Source. 2002, 86:1, eff. July 2, 2002.

Section 79-D:5

79-D:5 Approval, Denial. –

I. If, after a duly noticed public hearing, the governing body finds that the proposed preservation of such historic agricultural structure is consistent with the purposes of this chapter, it may take steps to acquire a discretionary preservation easement as provided in this chapter. In exercising its discretion, the local governing body may weigh the public benefit to be obtained versus the tax revenue to be lost if such an easement is granted. The governing body shall have no more than 60 days to act upon the application.

II. If the governing body denies the application to grant a discretionary preservation easement to the municipality, such denial shall be accompanied by a written explanation. The local governing body's decision may be appealed by using the procedures of either RSA 79-A:9 or 79-A:11 provided, however, that such denial shall be deemed discretionary and shall not be set aside by the board of tax and land appeals or the superior court except for bad faith, discrimination, or the application of criteria other than those set forth in RSA 79-D:3 and paragraph I of this section.

III. The easement shall be a burden upon the property and shall bind all transferees and assignees of such property. An easement granted pursuant to this subdivision shall not be assigned, transferred, or released by the municipality without the consent of the owner, except as provided in RSA 79-D:8.

Source. 2002, 86:1, eff. July 2, 2002.

Section 79-D:6

79-D:6 Terms; Recording. – Any preservation easement acquired by the municipality pursuant to this chapter shall be for a minimum of 10 years. The easement terms shall include the method of assessment pursuant to RSA 79-D:7 and the terms of renewal pursuant to RSA 79-D:8, III. The local governing body shall provide for the recording of such easements with the register of deeds. Any costs of recording shall be the responsibility of the applicant.

Source. 2002, 86:1. 2007, 27:2, eff. Jan. 1, 2008.

Section 79-D:7

79-D:7 Assessment of Property Subject to Discretionary Preservation Easement. –

I. The method of assessment of discretionary preservation easement structures shall be included as a term of the agreement in any discretionary preservation easement acquired by a municipality. Assessment shall fall within a range, one end of which shall be 75 percent of the full value assessment; the other end of the range shall be 25 percent of said full value assessment.

II. The local governing body shall have the discretion to set the value of the discretionary preservation easement at a level within this range which it believes reflects the public benefit conferred by the property under the criteria set forth in RSA 79-D:3, II. The assessment shall not be increased because the owner undertakes maintenance and repairs designed to preserve the structure.

Source. 2002, 86:1, eff. July 2, 2002.

Section 79-D:8

79-D:8 Release of Easement, Expiration, Renewal, Consideration. –

I. Any property owner who has granted a discretionary preservation easement to a municipality pursuant to the terms of this chapter, after the effective date of this chapter, may apply to the local governing body of the municipality in which the property subject to a discretionary preservation easement is located for a release from such easement upon a demonstration of extreme personal hardship. Upon release from such easement, a property owner shall pay the following consideration to the tax collector of the municipality:

(a) For a release within the first half of the duration of the easement, 20 percent of the full value assessment of such structure and land under RSA 75:1.

(b) For a release within the second half of the duration of the easement, 15 percent of the full value assessment of such structure and land under RSA 75:1.

II. [Repealed.]

III. Upon the expiration of the terms of the discretionary easement, the owner may apply for a renewal, and the owner and local governing body shall have the same rights and duties with respect to the renewal application as they did with respect to the original application; provided, however, that at the time of the original granting of the discretionary preservation easement, the parties may include, as a term of the agreement, a provision for automatic renewal for the same term as the original. Such a provision may include the specification of the manner in which the tax assessment on the property for the next term is to be determined at the time of renewal.

IV. The tax collector shall issue a receipt to the owner of such property and a copy to the local governing body for the sums paid. The local governing body shall, upon receiving a copy of the above-mentioned consideration, execute a release or renewal of the easement to the owner who shall record such a release or renewal. A copy of such release or renewal shall also be sent to the local assessing officials if they are not the same parties executing the release or renewal.

V. In the event that the structure is destroyed by fire, storm, or other unforeseen circumstance not

within the control of the property owner, the preservation easement shall be released without penalty.

VI. If, during the term of the preservation easement, the owner shall fail to maintain the structure in conformity with the agreement, or shall cause the structure(s) to significantly deteriorate or be demolished or removed, the preservation easement shall be terminated and a penalty assessed in accordance with RSA 79-D:8, I(a) and (b).

Source. 2002, 86:1. 2007, 27:1, eff. Jan. 1, 2008.

Section 79-D:9

79-D:9 Payment; Collection. –

I. If a consideration is due under RSA 79-D:8, I, the assessed value shall be determined as of the actual date of the release or expiration. Any consideration is in addition to the annual real estate tax imposed upon the property, and shall be due and payable upon the release or expiration.

II. Any consideration shall be due and payable by the owner at the time of release or expiration to the municipality in which the property is located. If the property is located in an unincorporated town or unorganized place, the tax shall be due and payable by the owner at the time of release or expiration to the county in which the property is located. Moneys paid to a county under this chapter shall be used to pay for the cost of services provided in RSA 28:7-a and RSA 28:7-b. Any consideration shall be due and payable according to the following procedure:

(a) The commissioner shall prescribe and issue forms to the local assessing officials for the consideration due, which shall provide a description of the property, the discretionary preservation easement, the full value assessment under RSA 75:1, and the amount payable.

(b) The prescribed form shall be prepared in quadruplicate. The original, duplicate, and triplicate copy of the form shall be given to the collector of taxes for collection of the consideration along with a special tax warrant authorizing the collector to collect the consideration under the warrant. The quadruplicate copy of the form shall be retained by the local assessing officials for their records.

(c) Upon receipt of the special tax warrant and prescribed forms, the tax collector shall mail the duplicate copy of the tax bill to the owner responsible for the tax as the notice of tax. Such bill shall be mailed within 12 months of the release or expiration.

(d) Payment of the consideration shall be due not later than 30 days after the mailing of the bill. Interest at the rate of 18 percent per annum shall be due thereafter on any consideration not paid within the 30-day period.

Source. 2002, 86:1. 2007, 27:3, eff. Jan. 1, 2008.

Section 79-D:10

79-D:10 Exemption for Eminent Domain. – If any of the property which is subject to a discretionary preservation easement is condemned by any governmental agency or is acquired through eminent domain proceedings, the local governing body shall execute a release of the easement to the owner. None of the liquidated consideration provisions of RSA 79-D:8, I shall be applicable to releases granted pursuant to this section.

Source. 2002, 86:1. 2007, 27:4, eff. Jan. 1, 2008.

Section 79-D:11

79-D:11 Local Preservation Easement Programs. – This chapter shall not be construed to limit the development of any other state, county, town, or city easement program for preservation, conservation, or other purposes.

Source. 2002, 86:1, eff. July 2, 2002.

Section 79-D:12

79-D:12 Lien for Unpaid Taxes. – The real estate of every person shall be held for the taxes levied pursuant to RSA 79-D:8.

Source. 2002, 86:1, eff. July 2, 2002.

Section 79-D:13

79-D:13 Enforcement. – All taxes levied pursuant to RSA 79-D:8 which are not paid when due shall be collected in the same manner as provided in RSA 80.

Source. 2002, 86:1. 2004, 203:14, eff. June 11, 2004.

Section 79-D:14

79-D:14 Rulemaking. –

I. The commissioner of the department of revenue administration shall adopt rules, pursuant to RSA 541-A, relative to:

(a) The application procedures under RSA 79-D:4.

(b) The payment and collection procedures under RSA 79-D:9.

II. The commissioner of the department of cultural resources shall adopt such rules as may be applicable under the authority of RSA 227-C:5.

Source. 2002, 86:1, eff. July 2, 2002.

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

FROM: Scott P. Marsh, CNHA
Municipal Resources Inc.
Contracted Assessor's Agents

DATE: June 9, 2014

RE: Joan Lonergan
631 Cambridge St #30
Brighton, MA 02135

Property Tax Map 12 Lot 1-H8
Address: H08 Forest Glen Campground

Tax Year: 2014
Assessment: \$4,500

The subject was a camper on rented land. Information was recently submitted regarding the camper being removed and it is recommended that an abatement of the first issue tax bill in the amount of \$65 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

FROM: Scott P. Marsh, CNHA
Municipal Resources Inc.
Contracted Assessor's Agents

DATE: June 16, 2014

RE: Pattie and William Bourque
59 Jackson Street
Sanford, MA 04073

Property Tax Map 26 Lot 2-H13
Address: C08 Wadleigh Campground

Tax Year: 2014
Assessment: \$7,400

The subject is a camper on rented land. Information was recently submitted regarding the camper being registered and it is recommended that an abatement of the first issue tax bill in the amount of \$106 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

FROM: Scott P. Marsh, CNHA
Municipal Resources Inc.
Contracted Assessor's Agents

DATE: June 16, 2014

RE: John Martin
19243 Congretaional Crt Lot 16A
No Fort Myers, FL 33903

Property Tax Map 26 Lot 2-A17
Address: A17 Wadleigh Campground

Tax Year: 2014
Assessment: \$5,600

The subject is a camper on rented land. Information was recently submitted and it was discovered that the above property listing is a duplicate account. It is recommended that an abatement of the first issue tax bill in the amount of \$81 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

FROM: Scott P. Marsh, CNHA
Municipal Resources
Contracted Assessor's Agents

DATE: June 16, 2014

RE: James and Pamela Arsenault
15 Wonderland Ave
Saugus, MA 01906

Property Tax Map 12 Lot 1-WF3
Address: WF03 Forest Glen

Tax Year: 2013
Assessment: \$5,100

The subject is a camper on a rented site. Information was recently submitted that show that property was registered. As this is the case, it is recommended that an abatement in the amount of \$147 plus any applicable interest/penalty be granted.

Abatement Granted

Abatement Denied

Dated _____

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

FROM: Scott P. Marsh, CNHA
Municipal Resources
Contracted Assessor's Agents

DATE: June 16, 2014

RE: James and Pamela Arsenault
15 Wonderland Ave
Saugus, MA 01906

Property Tax Map 12 Lot 1-WF3
Address: WF03 Forest Glen

Tax Year: 2014
Assessment: \$5,100

The subject is a camper on a rented site. Information was recently submitted that shows that property is registered. As this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$73 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

FROM: Scott P. Marsh, CNHA
Municipal Resources
Contracted Assessor's Agents

DATE: June 16, 2014

RE: Wayne and Kathleen Milward
63 Waldemar Ave
Winthrop, MA 02152

Property Tax Map 12 Lot 1-G10
Address: G10 Forest Glen

Tax Year: 2013
Assessment: \$5,100

The subject is an older camper on a rented site. Upon review it was noted that the condition and assessment were over stated. After corrections, assessment is reduced \$2,500 from \$5,100 to \$2,600 and it is recommended that an abatement in the amount of \$72 plus any applicable interest be granted.

NOTE: Camper has been removed for the 2014 tax year.

Abatement Granted

Abatement Denied

Dated _____

**ABATEMENT
RECOMMENDATION**

TO: Select Board
Town of Lee

FROM: Scott P. Marsh, CNHA
Municipal Resources
Contracted Assessor's Agents

DATE: June 16, 2014

RE: Wayne and Kathleen Milward
63 Waldemar Ave
Winthrop, MA 02152

Property Tax Map 12 Lot 1-G10
Address: G10 Forest Glen

Tax Year: 2014
Assessment: \$2,600

The subject was an older camper on a rented site. Information was recently provided that the camper has been removed from the site and it is recommended that an abatement of the first issue tax bill in the amount of \$37 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____



TOWN OF LEE

EMPLOYEE LEAVE REQUEST

This form is to be completed and approved prior to any leave being taken by an employee. In the case of sick leave taken because of unexpected illness, this form is to be completed upon the employee's return to work.

DATE OF REQUEST: June 23, 2014

DATE(S) OF LEAVE: June 30 - July 3, 2014 TOTAL HOURS REQUESTED: 32

235.14 HRS ACCRUED AS OF May 30, 2014

TYPE OF LEAVE REQUESTED (check one):

Vacation

Sick

Floating Holiday

Bereavement

Other _____

Explanation (if necessary): Moving and unpacking!

Julie Glover

Print Name

Signature

Approval: _____

Dave Cedarholm

Date: _____

Denied: _____ Reason: _____

Vacation Request and Approval Form for Department Heads

Date: June 17, 2014

From: Thomas C. Dronsfield Jr
Department Head Name

To: Board of Selectmen, Town of Lee, NH

Please indicate below the dates you are requesting for your vacation period.

From	To
June 30 th -July 3rd	/ /
/ /	/ /
/ /	/ /

Please indicate below your available vacation time.

Vacation Time Available In Hours/Days	Vacation Time Taken in Last 12 Months in Hours/Days
189.5	55

Vacation is approved/disapproved.

David Cedarholm
Chairman

Carole Dennis

Scott Bugbee

Board of Selectmen

Vacation Request and Approval Form for Department Heads

Date: 6/19/2014

From: RANDY STEVENSON
Department Head Name

To: **Board of Selectmen, Town of Lee, NH**

Please indicate below the dates you are requesting for your vacation period.

From	To
<u>AUG 1 2014</u>	<u>AUG 9 2014</u>
<u>AS SCHEDULE PERMID</u>	<u>5 RANDOM DAYS</u>

2 DAYS
5 DAYS
7 DAYS TOTAL

Please indicate below your available vacation time.

Vacation Time Available In Hours/Days	Vacation Time Taken in Last 12 Months in Hours/Days
<u>336 MAX ALLOWED</u>	<u>76</u>

Vacation is approved/disapproved.

David Cedarholm
Chairman

Carole Dennis

Scott Bugbee

Board of Selectmen

KNOW ALL MEN BY THESE PRESENTS

That the Town of Lee in consideration of Three hundred Fifty Dollars paid by Louise Anne and Brian Burke, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey to the said parties, their heirs and assigns (1) Grave in the Public Burial Ground, known as the **LEE HILL CEMETERY** situated on Lot I-11 and numbered Grave 9 on the plan, and bounded as follows, to wit:

- On the North by Grave 8 of Lot I-11;
- On the South by Grave 10 of Lot I-11;
- On the East by Grave 4 of Lot I-11;
- And on the West by cemetery access road.

Recorded on a plan entitled Lee Hill Cemetery dated March, 1960, drawn by G. L. Davis Associates, the original of which is on file in the Town office. To have and to hold the said grave(s) to the said Grantee, their heirs and assigns forever, subject, however, to the following Conditions and Limitations:

First. That the said grave(s) shall not be used for any other purpose than as a place of burial for the dead and no tomb shall be erected or constructed on said grave(s) and no trees within the grave(s) or border shall be cut down or destroyed without the consent of the Superintendent of Cemeteries.

Second. That said grave(s) shall be graded, sodded, suitable landmarks of stone erected and the number permanently and legibly marked on the premises by the Superintendent of Cemeteries and that no work shall at any time be done upon or around the said grave(s) by other persons than the proper officers or employees of the Town of Lee except by consent of the Superintendent of Cemeteries.

Third. That no fence, curbing, hedge or other landmark, other than corner posts set by the Superintendent of Cemeteries, shall be placed upon or around said grave(s); no marker shall be set either above or below the level of the turf; no grave shall have more than one marker and no lot more than one monument, such marker or monument to be approved by the Superintendent of Cemeteries before it is contracted for; no grave or lot shall be mounded.

Fourth. That the Superintendent of Cemeteries has the right to forbid or remove any marker, monument or structure deemed objectionable by him.

Fifth. That there shall be no planting of trees\shrubs except by consent of the Cemetery Trustees & Superintendent of Cemeteries. Also, said Town of Lee, in consideration of the above sum paid to them by the Grantee, does further covenant to and with said Grantee and\or their heirs and assigns, that they will forever keep said grave(s) in suitable and good condition, including such monuments which may occupy the site, and further keep in good repair the roads, fences and grounds of the cemetery itself. Except that in no case will the Town of Lee obligate itself to expend a sum in excess of the income from the perpetual care fund.

In Witness Whereof the said Town, by its Selectmen duly authorized, has affixed its seal, and the said Selectmen have subscribed their names this _____ day of _____ in the year _____.

TOWN OF LEE

Mail deed to:
Brian and Louise Anne Burke
8 Northside Road
Lee, New Hampshire 03861

By: _____

Selectmen

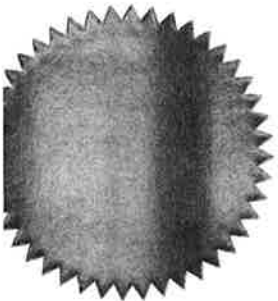
Signed and Sealed in the presence of:

Witness

Witness

State of New Hampshire, Strafford County, personally appeared the above-named Lee Board of Selectmen who in their capacity acknowledged the foregoing instrument to be their voluntary act and deed.

Before me, this _____ day of _____ in the year 20__ by _____
Notary Public



LOUISE ANNE BURKE
PH. 603-659-7050
84 NORTHSIDE ROAD #2
LEE, NH 03861

1028

Pay to the Order of Town of Lee June 8, 2014 \$ 350.00

51-7218/2211
439
Date

Three Hundred & fifty Dollars



For Single grave lot

Louise Anne Burke MP

⑆221172186⑆ 0390419279⑈ 1028

GUARDIAN SAFETY YELLOW

Town Of Lee, NH

Maud Jones Memorial Tree
Farm

Timber Sale 2014
Unit # 1, North Unit

Maud Jones Memorial Tree Farm Timber Sale 2014
Final Report

By Don Quigley, NH Licensed Forester No. 147

Harvest Plan:

A Timber Harvest Plan for the Maud Jones Tree Farm (North Unit #1) was approved by the Lee Select board and the Lee Conservation Commission in September of 2013. The operation was outlined in a document prepared for the Selectmen called "Timber Harvest Plan Proposal" (attached). This harvest operation was recommended in the Management Plan for this property which was adopted in 2010 by the Town Of Lee. The Management Plan designates Unit #1 of the property for more intensive timber management activities. Subsequent to the adoption of the plan, the harvest was successfully completed in March of 2014. Following is an outline of activities and results of the operation.

Timber Sale Preparations:

A cruise was conducted of the stand to identify potential timber volumes, trees were marked and trails were located in preparation for the harvest. The original plan called for four modest sized group selections of about ¼ acre each and this was the guiding principle for the tree selection. (map attached).

Driveway permits from the NH D.O.T. were secured for truck entrance onto NH Rt 155. Letters to abutting land owners and signs at the entrance of the operation served to inform the public of the pending activities.

A contract document including a timber prospectus and articles of agreement was prepared by Don Quigley and presented to the Select Board in early February 2014 (final version attached). Upon general approval by the select board Quigley invited three local logging contractors to tour the area and offer their suggestions and potential stumpage prices. It was determined that only one of these contractors could work within the time and silvicultural constraints set forth in the plan.

The Contractor:

The selected contractor was Jeff Eames, owner of J.C. Eames Timber Harvesting and Fort Mountain Companies of Epsom, NH. This large company has the capability to take on a wide variety of timber harvesting operations and conditions due to a broadly diverse suite of machinery and crew configurations. On the Maud Jones lot the cutting was done by a one-man crew using a Bell Harvester (3 wheeled saw head machine) and chainsaw for felling and a grapple skidder for yarding. The cutting was done very efficiently and professionally aided by good snow cover for the duration of the job. The cutting began on February 13th and completed in mid March.

Product Volumes Harvested:

White Pine saw timber	shipped to Madison Lumber (Madison, NH)	23,500 b.f.
Pine pulpwood	Shipped to Verso Paper (Jay, ME)	42 tons
Oak saw timber (red, black white)	Shipped to Fort Mountain (Hooksett, NH)	1600 b.f.
Hardwood fire wood (tree length)	Delivered locally (Lee and Durham)	84 tons

Revenues:

Stumpage payment for the volumes listed above totaled a very modest \$3,410 to the town.

In addition to the Stumpage payment Timber Tax was collected by the town from the logging contractor in the estimated amount of \$330.

Significantly more important to the town than the payment received for stumpage harvested or Timber Tax revenue is the progress made toward objectives set forth for this land as a designated Tree Farm. This operation serves as a critical first step in satisfying commitments made by the town when the property was originally acquired. Also, the operation served invaluablely as an educational opportunity for the people of the Town of Lee.

Other Outcomes:

All silvicultural and wildlife habitat objectives for the operation were met. Time will tell how successfully the new growth will develop to establish desired conditions. The residual trees, soils and water systems were protected adequately during the operation.

Throughout the planning and execution of the harvesting operation many members of the Lee community were engaged in discussions, site tours and informational exchange around timber harvesting issues. Those participating in the educational opportunities helped forge consensus for appropriate forest management activities for our community lands. Our town master plan calls for upholding traditional values and use of natural resources to include harvesting wood products where appropriate and following a sound planning process.

Throughout the process it was clear that some members of the community opposed harvesting of timber on town lands summarily. Conflicting views of the operation were shared during one of the scheduled field tours by members of the community yielding a healthy debate among all attendees regarding objectives of this and future operations on town land. This important dialog helped to clear the air and set priorities for broader inclusion and education for future management activities on this property.

Images From the Operation:



Firewood ready for delivery



High-grade white pine saw logs



Truck loads of white pine saw logs



Field tour of harvesting operation



A big tree for 70 years old



Anne Tappan talks about wildlife habitat



Horse Logging Demo by Chuck Cox



Joel Miller demos a single horse twitch

Timber Harvest Plan Proposal
Town Of Lee, NH
Maud Jones Memorial Forest
Unit #1 (North Unit)
9-16-13

Don Quigley
NH Licensed Forester #147

Preface:

The management plan for the Maud Jones Memorial Forest was approved by the Select Board and the Conservation Commission of the Town Of Lee in August of 2010. The plan divides the lot into three separate management units defined by the areas between two brooks which cross the property. (See attached map) Seventeen acre Unit 1 is the North-most unit. The plans outlines 4 management activities as priorities for this unit as follows:

1. Forest Products Management demonstration area
2. Establish entrance and trail access along Rt 155
3. Create openings broadly beneficial to wildlife and regeneration
4. Maintain and mark trail system and boundary lines

Objectives:

Whereas the Town of Lee has made a commitment to maintain the Tree Farm Status of the Maud Jones Property and has adopted a management plan the logical next step is action. As described in the plan, Unit #1 is scheduled to become a Forest Products Management demonstration area with entries for harvest at 10 year intervals. This plan proposes the first stage and first harvest entry for the winter of 2013-2014. The harvest will be described as a group selection where 4 small areas of 1/4 acre each will be cleared of mature trees. This method is expected to :

1. Maximize efficiency of felling and yarding of timber
2. Minimize soil impacts and damage to residual trees by concentrating machine travel
3. Optimize sunlight in cleared areas for regeneration of early successional species and ultimately enhance white pine regeneration success
4. Group selection methods mimic natural disturbance in a forest setting
5. Group selections alter stand structure from even-aged to uneven-aged which will enhance habitat diversity and stand integrity (wind, insect and disease resistance)

Timber Prospectus:

The area of proposed harvest will cover a total of 3 acres of the 17 acres in the management unit. This will include the 4 group selections, a road system between the sections and a landing area along RT 155. The trees are of average quality and accessibility. The estimated board footage of timber and approximate stumpage values are as follows:

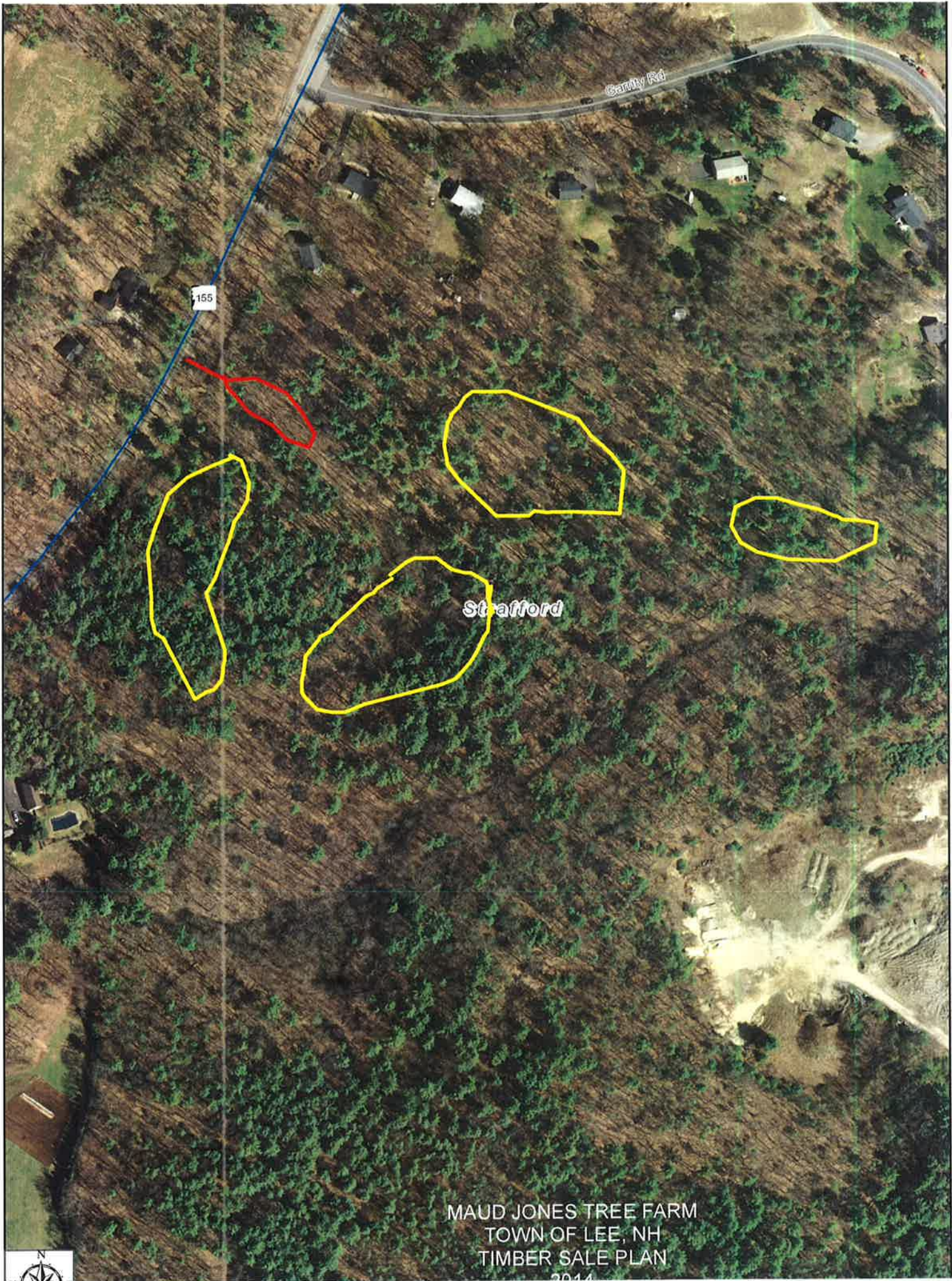
White pine sawlogs	25,000 to 30,000 board feet @ \$150 per M bf = \$4000
Hardwood/fuelwood	17 cords @15 per cord = \$255
Softwood pulp	10 tons @ \$2.50 per ton = \$22.50

Permits Required:

1. Driveway permit from NH DOT for access onto NH RT 155
2. Notice of Intent to Cut , Town of Lee and NH Div of Forests and Lands

Contracting Options:

1. The most convenient method for the Town would be to engage a logging contractor to purchase the stumpage and work under the supervision of a trained forester to see that objectives are met. This would require a written contract which would spell out objectives, harvesting parameters, responsibilities and liabilities. This contractor would be selected by negotiation among suitable local vendors with the right equipment, insurance and work history
2. Another option is for the town to contract work done on the lot while retaining the timber and marketing the logs at the landing to log buyers. In essence the town would pay a contractor an hourly rate to work on the land and cut and haul logs to the landing. Under this scenario we could have some of the job done by alternative operators such as residents with horses and oxen or farm tractors. This method would maximize the educational opportunity by allowing residents to see several alternative harvesting systems in public demonstration format.



Sandy Rd

155

Strafford

MAUD JONES TREE FARM
TOWN OF LEE, NH
TIMBER SALE PLAN
2014



Timber Sale Agreement
Town Of Lee, NH
Maud Jones Tree Farm
Management Unit 1 (North Unit)
Winter season 2013-2014

Objectives: The Town of Lee plans to conduct a harvest of designated trees on Unit 1 of the Maud Jones Tree Farm during the winter season 2013-2014. The harvest is consistent with actions called for in the Forest Management Plan adopted in 2010. The objectives for the harvest are summarized:

1. Shift the current stand toward a more diverse structure to improve wildlife habitat and regeneration of desired species.
2. Provide educational opportunities in forest management for the benefit of the community.
3. Generate a small income for the Town to offset the cost of other forest management activities.

Supervision/Oversight:

This harvest will be planned, administered and supervised by Don Quigley, N.H. Licensed Forester number 147, acting as an agent of the Town. The Town of Lee authorizes Quigley to arrange for all required permits and enter negotiation with harvesting contractors in the fulfillment of this agreement and supervise the operation through its completion. Quigley will work under the guidance and direction of the Town Select Board, The Conservation Commission and the adopted Management Plan for the property. His services are donated to the Town.

Description of the Harvest Area:

Location: The sale area includes approximately 3 acres of the Northern-most portion of the Maud Jones Tree Farm referred to as Unit 1 in the Management Plan.

Access: An entrance into the lot will be permitted by the NH DOT from NH Rt. 155 (Turtle Pond Road) at the road's height of land at the current location of the Tree Farm Sign

Summary Timber Description:

Markings: The trees will be designated for harvest by a blue paint slash at chest height

Volumes of marked species:

White Pine saw logs	35,000 bf est.
White pine pulpwood	30 tons est.
Misc. Hardwood saw logs	1500 bf est.
Hardwood pulp/fuel wood	30 tons est.

Harvesting Contractor Agreement:

The Harvesting Contractor, _____ of the Town of _____ hereby agrees to the following conditions of the timber sale:

1. To pay the Town of Lee, NH the following amounts for stumpage removed from the sale area:

\$ _____ per mbf for White pine sawlogs

\$ _____ per ton for White pine pulp

\$ _____ per mbf for any misc. hardwood sawlogs

\$ _____ per cord for hardwood pulp/fuelwood

The sum of _____ for other species or products removed _____

2. Other conditions of the harvest agreed to by the contractor:

- a. To waive all claims to the above described trees unless they are cut and removed from the property by _____ (date)
- b. To make bi-weekly payments to the Town for the full value of all products removed from the sale area in the preceding weeks. All payments should be accompanied by a legible copy of a scale slip from a mill or trip ticket. All saw logs should be scaled using the International ¼ inch rule or similar locally known scale rule.
- c. To file a "Notice of Intent to Cut Wood and Timber" and pay the N.H. Timber tax as required under state of N.H. RSA 79:1 II (a) 4. "Persons Purchasing Timber on Public Lands".

- d. To construct an entrance off of NH Rt. 155 to the standards prescribed by the N.H. DOT in the currently permitted location. This will require adding materials as prescribed.
- e. To operate the sale in accordance with all state or local laws which pertain to timber harvesting or transportation of forest products.
- f. To protect from unnecessary injury or damage all trees not designated for harvest as described above. Also to protect soils and water resources by applying the procedures outlined in the document published by N.H. Division of Forests and Lands, "Best Management Practices for Protecting Water Quality."
- g. Prior to commencing work the Contractor shall demonstrate that it carries a general liability policy with limits of at least \$1,000,000 per occurrence and general aggregate, applicable to the work performed under this contract. The Contractor shall provide proof of automobile insurance coverage in an amount deemed satisfactory to the Town of Lee. The Contractor will furnish to the Town prior to commencing work a Certificate of Insurance with an endorsement demonstrating that the Town of Lee and its officials, agents, volunteers and employees are named as an additional insured. The Contractor shall provide proof of Workers Compensation insurance meeting the State of New Hampshire required limits. The Contractor's Workers Compensation coverage must waive subrogation against the Town and its officials, agents, volunteers and employees.
- h. To repair damage caused by logging or transport of products to any roads, landings, fences, utilities or adjacent properties as requested by the Town or its agent, DOT or adjacent land owner.
- i. To cease the operation and vacate the property immediately if requested by the Town or its agent in the case of changes in the natural conditions of the sale area which would result in damage to land, trees or soils. This also pertains to cases of violation or misinterpretation of this contract.
- j. Not to assign this agreement in whole or in part to another party without the consent of the Town or its agent.
- k. To lop all slash and reduce logging residue to within 3 feet of the ground and to remove all slash and waste from the trail and landing area by the completion of the job.
- l. To require that all workers or subcontractors in the contractor's charge perform their duties in compliance with safety standards set forth by OSHA, ANSI and trainings of the NH Timber Harvesting Council.

m. As a high-profile operation on public land there may be times when visitors or groups come onto the job site for their own interest or educational purposes. It is requested that the contractor stop his machinery or operation at the first sight of visitors and address the visitors to outline the safest possible way to observe the operation. If it is determined that there is no safe vantage point for the visitor the contractor may instruct the visitor to leave the site and return with the proper safety equipment or under the supervision of the Town's agent.

3. The Town agrees to the following:

- a. To guarantee title to the forest products covered by this agreement.
- b. To grant freedom of entry and right-of-way to the contractor and his employees on and across the property for the purpose of harvesting the forest products provided his activities do not conflict with the special provisions of this agreement.
- c. To publicly notify all abutting land owners of the operation and field all inquiries from public persons and coordinate any known visits by public persons or groups to the site. There will be an informational sign posted at the entrance to the operation regarding visitors and information about the operation.

4. The Contractor is solely responsible for any liability in the case of theft of wood or damage to the contractor's property left on the land during the operation of this agreement.

5. Other conditions of this agreement or amendments:

Signed in duplicate on the date of: _____

Town of Lee authorized official _____ date _____

Town's agent (Forester) _____ date _____

Contractor _____ date _____

Name/Company/Address/Telephone: _____

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION NOTICE OF INTENT TO CUT WOOD OR TIMBER

RSA 79:10 See instructions on back.

YR TOWN OP# [] - [] - [] - T

For Tax Year April 1, 20 13 to March 31, 20 14

PLEASE TYPE OR PRINT

- 1 City/Town of Lee
2 Tax Map No./Lot or USFS sale name & unit #: Map 9 Lot 1
3 Is this intent an: Original [X] Supplemental [] Orig. Oper. #
4 Name of road from which accessible: Turtle Pond Road (RT# 155)
5 a Acreage of lot: 70 Acreage of cut: 3
b Anticipated start date: February
6 Type of ownership (check only one):
a Owner of Land and Stumpage []
b Previous owner retaining deeded timber rights []
c Owner/Purchaser of stumpage & timber rights on public lands [X]

Report of Cut Form/Certificate to be sent to:

OWNER [] LOGGER/FORESTER [X]

7 I/We hereby accept responsibility for reporting all timber cut within 60 days after the completion of the operation or by May 15, whichever comes first.

Timber Tax Information is Available at www.revenue.nh.gov Questions? Call (603)230-5950

A [Signature] 305 DATE 2/18/14
B [Signature] 43114 DATE 2/18/14
c Jeffrey C. Eames president chly authorized.
PORT MOUNTAIN TRUCKING
168 GRANITE ST.
ALLENSTOWN N.H. 03275
CITY/TOWN STATE ZIP CODE
Tele. No.: 603-485-4459

8 Description Of Wood Or Timber To Be Cut

Table with columns: Species, Estimated Amount To Be Cut, MBF. Rows include White Pine (25-35), Hemlock, Red Pine, Spruce & Fir, Hard Maple, White Birch, Yellow Birch, Oak (1-3), Ash, Beech & Soft Maple, Pallet or Tie Logs (1-3), Others (Specify), Pulpwood (Tons or Cords), Spruce & Fir, Hardwood & Aspen (30), Pine (30), Hemlock, Whole Tree Chips.

Miscellaneous: High Grade Spruce (Tons), Cordwood & Fuelwood (Cords)

9 Species and Amount of Wood or Timber For Personal Use or Exempt. See exemptions on back of form.

Species: Amount:

10 By signing below, the Logger/Forester or person responsible for cutting hereby accepts responsibility for verifying the volumes of wood and timber to be reported by the owner. I have become familiar with RSA 227-J the timber harvest laws.

[Signature] Jeffrey C. Eames pres. 485-4459
PORT MOUNTAIN TRUCKING
168 GRANITE ST.
ALLENSTOWN, N.H. 03275
CITY/TOWN STATE ZIP CODE

The selectmen/assessing officials hereby certify that:
1 All owners of record have signed intent;
2 The land is not under the Current Use-unproductive category;
3 The form is complete and accurate; and
4 Any timber tax bond required has been received.
Enter Amount of Timber Tax Bond Required and Date Posted:
\$ Date
5 The tax collector will be notified within 30 days of receipt per RSA 79:10;
6 This form to be forwarded to DRA within 30 days.

Signature (In Ink) of Assessing Official 2/18/14 Date
Signature (In Ink) of Assessing Official Date
Signature (In Ink) of Assessing Official Date

STATE OF NEW HAMPSHIRE
Executive Council

CHRISTOPHER C. PAPPAS
EXECUTIVE COUNCILOR
DISTRICT FOUR



TOWN OF LEE, NH
SELECTMAN'S OFFICE

STATE HOUSE ROOM 207
107 NORTH MAIN STREET
CONCORD, NH 03301
WWW.NH.GOV/COUNCIL
(603) 271-3632

June 12, 2014

Lee Board of Selectmen
7 Mast Road
Lee, NH 03861

Dear Members of the Board,

I want to express my appreciation for allowing me the opportunity to speak at your Board of Selectmen's meeting this spring.

I enjoy the opportunity to meet with individuals from towns I represent on the Executive Council, to hear their concerns and receive constituent input. This term, I have attended a board meeting in every town in the district and heard important concerns about roads, economic development, the environment, and the downshifting of state costs to local communities.

If I can be helpful to the town on these or any other matters in the future, please don't hesitate to let me know. You may contact me at cpappas@nh.gov or on my cell phone at (603) 867-8438.

Sincerely yours,

Christopher C. Pappas
Executive Councilor

CCP/



STATE OF NEW HAMPSHIRE
 OFFICE OF THE GOVERNOR
 HIGHWAY SAFETY AGENCY
 78 REGIONAL DRIVE, BUILDING 2
 CONCORD, N.H. 03301-8530

Margaret Wood Hassan
 GOVERNOR

RECEIVED
 JUN 17 2014

DD Access: Relay NH 1-800-735-2964
 603-271-2131
 FAX 603-271-3790

Peter M. Thomson
 COORDINATOR

**TOWN OF LEE, NH
 SELECTMAN'S OFFICE**

June 13, 2014

Chief Thomas C. Dronsfield, Jr.
 Lee Police Department
 20 George Bennett Road
 Lee, NH 03861

Dear Chief Dronsfield:

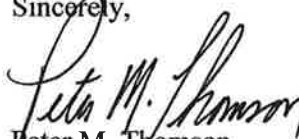
Please be advised that your contract for federal funds for Highway Safety Project #315-14A-146 entitled "Lee Mobile Data Terminal" has been officially approved by this Office, and will be reimbursed to the extent described in the approved project application. You will note the effective date is **June 13, 2014**.

Reimbursement will be made after payment in full has been made and copies of invoices which have been paid are forwarded to this Office. Reimbursement procedures issued by the US Office of Management and Budget require that **billing for reimbursement for this contract must be received by the NH Highway Safety Agency within 20 days of the end of the contract period, or the purchase of equipment, whichever occurs first**. A copy of the "Procedure for Reimbursement of Federal Highway Safety Funds for Municipal Projects" is enclosed along with the questionnaire entitled "Project and Audit Information" which is to be completed and returned to this Agency.

Also find enclosed quarterly report forms for your use in reporting the progress being made as the result of this contract. The information is required for our reports to the National Highway Traffic Safety Administration to demonstrate the overall effectiveness of the State's Highway Safety Program. Please return the report to us as soon as possible after the end of each quarterly period.

We ask that you pay special attention to the audit report requirement appearing on the enclosed project addendum – HS-4(a).

Your cooperation will expedite the processing of reimbursements. If you have any questions concerning any aspects of this contract, please let me know at once so that we may complete the contract in an orderly fashion.

Sincerely,

 Peter M. Thomson
 Coordinator

/djf

Enclosures

cc: David Cedarholm, Chairman, Board of Selectmen ✓

STATE OF NEW HAMPSHIRE
INTER-DEPARTMENT COMMUNICATION

DATE: June 16, 2014
AT: Construction Bureau

FROM: James C. Bowles, P.E.
District Construction Engineer

SUBJECT: Lee X-A000(885), 15692
Replace the Lee Traffic Circle with a 2-Lane Roundabout

TO: Construction Files
Via
Theodore Kitsis, P.E.
Administrator

MEMORANDUM

Be advised that work on the subject project was started by SUR Construction, Inc. on June 16, 2014. This notice does not mean that the Contractor has started major work, only that they are on site. Major work will not be allowed until the requirements as noted in 108.03 Pre-construction Activities have been satisfied and any other permits or approvals are received.

JCB/ceh

cc:

Bureau of Environment
Bureau of Highway Design
Bureau of Highway Maintenance
Bureau of Materials & Research
Bureau of Right-of-Way
Bureau of Traffic
Contractor, SUR Construction, Inc.
Contract Administrator, Ashok Kakadia
Utility Section, Lennart Suther & Steve Swana
Director of Project Development
District 6 Maintenance

Transportation Management Center
Environmental Coordinator, D. Elliott, R. Crickard
Bureau of Environment, Dale O'Connell
Labor Compliance Section
The Town of Lee
Project Lead Person, William Oldenburg
Gino Infascelli, Wetlands Bureau, DES
Wetlands Permit #2013-03311
Golder Associates, Logan Johnson

LCHIP

Investing in New Hampshire's Heritage



LAND & COMMUNITY HERITAGE INVESTMENT PROGRAM

Land and Community Heritage Investment Program
13 West Street, Suite 3
Concord, NH 03301

(603) 224-4113
fax (603) 224-5112
www.lchip.org

June 11, 2014

Laura Gund
Lee Conservation Commission
7 Mast Road
Lee, NH 03824

Dear Laura,

We are pleased to send you the enclosed incentive payment to recognize that you have submitted an acceptable 2013 monitoring report for your LCHIP-protected property.

The Monitoring Endowment fund was created to encourage grant recipients to continue good stewardship of the resources protected with Land and Community Heritage Investment Program assistance. Payments are based on income available from the endowment, the number of projects receiving funds and a variety of resource-based factors.

Because the return on the investment that supports these payments has continued to be good this year, we are able to provide payments of a similar size as last year. However, since the amount available varies from year to year, we advise that you not include a specific payment from this source as part of your organization's annual budget.

This check represents stewardship monitoring for the following project:

North Lee Conservation Project (land)

Remember that you will need to submit a completed 2014 monitoring report to fulfill your agreement with LCHIP and to receive an incentive payment next year. Many recipients find that summer is a good time to complete the required monitoring. The current monitoring report form is available on the LCHIP website, www.lchip.org.

If you have any questions please feel free to call us at 224-4113.

Sincerely,

Dorothy T. Taylor
Executive Director

State of New Hampshire
Office of State Treasurer
25 Capitol Street - Rm. 121
Concord, NH 03301

State of New Hampshire

Vendor Payments

Bank of America
Concord, NH
51-44 / 119

05/21/14

2057895

PAY EXACTLY *Six Hundred and 00/100 Dollars*

\$ *****600.00

VOID AFTER 180 DAYS

PAY TO THE ORDER OF
LEE CONSERVATION COMMISSION
7 MAST ROAD
LEE NH 03824

William E. Dyer
Authorized Signature

⑈02057895⑈ ⑆011900445⑆ 000000011123⑈