

# SELECT BOARD MEETING AGENDA

**DATE:** 6:00pm Monday, July 7, 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. **Randy Stevens, Highway Supervisor - As-Built and Detention Pond at Little River Park**  
*Request permission to move forward with Tobin Farwell as the Engineer to update the as-built plan and redesign the detention pond at LRP.*
4. **Roger Rice, Transfer Station Manager**
  - a. **Lamprey Regional Co-op** - *Inform the Board about issues facing the Lamprey Regional Co-op and get direction on how to proceed.*
  - b. **Food Composting Pilot Program** – *Inform the Board of a pilot program that the Transfer Station will be starting with regards to food waste composting.*
  - c. **Clothing Allowance** – *Request that the allowance for steel toed boots be increased to \$120.*
5. **Scott Nemet, Fire Chief - Fire Department Progress Report**  
*Update the Board on the changes and updates in the department since August 2013.*
6. **Chairman Cedarholm, Ad Hoc Racetrack Committee member – Committee Charge**  
*Present a new Ad Hoc Racetrack Committee Charge.*
7. **Annie Gasowski, Library Board of Trustees Chair – Non-conforming Driveway on Bricker Property**  
*Ask the Board to meet with Daniel Bricker, Michelle Momenee and the Library Trustees in a non-public session to try to reach a mutually agreeable resolution to the driveway issue.*
8. **Katrinka Pellechia, Library Building Committee Chair – Committee Charge**  
*Present the Board with the committee's draft of a new LBC Charge and ask the Board to vote on its acceptance.*
9. **Selectwoman Carole Dennis, Public Announcement regarding the Conservation Commission Walks**  
*The Board would like to make the public aware of the weekly walks sponsored by the Conservation Commission taking place on Lee conserved lands, meeting every Wednesday morning at 8:45am in Town Hall parking lot.*
10. **Julie Glover, Town Administrator Report**
  - NHMA Floor Policies
  - Miscellaneous
11. **Consent Agenda Items** - (Individual items may be removed by any Selectman for separate discussion and vote)

<b><u>SIGNATURES REQUIRED</u></b> Abatements (13) Excavate Applications for LBC (5) Application for Ad Hoc Racetrack Committee Cemetery Plot Certificate Transfer of Funds	<b><u>INFORMATION ONLY</u></b> Legal Fees Summary Wetland Permits Memo re: Financial Software
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12. **Acceptance of the BOS and Recreation Commission Workshop Minutes from May 6, 2014.**
13. **Acceptance of Manifest #26 and Weeks Payroll Ending July 6, 2014**
14. **Miscellaneous/Unfinished Business**
15. **Non-Public**
  - a. **RSA 91-A:3 II (c) – Property Tax Issue**
16. **Adjournment**

**Posted: Town Hall, Public Safety Complex, Public Library and on [leenh.org](http://leenh.org) on July 3, 2014**

Individuals needing assistance or auxiliary communication equipment due to sensory impairment or other disabilities should contact the Town Office at 659-5414.



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

Office Use Only  
Meeting Date: July 4, 2014  
Agenda Item No. 3

**BOARD OF SELECTMEN**  
**MEETING AGENDA REQUEST**  
**7/7/2014**

**Agenda Item Title: Update As-Built Plan and Redesign of Detention Pond at LRP**

**Requested By: Randy Stevens, Highway Supervisor** **7/2/2014**

**Contact Information: 603-659-6515**

**Presented By: Randy Stevens**

**Description: Request permission to move forward with Tobin Farwell as the Engineer to update the as-built plan and redesign the detention pond both at LRP.**

**Financial Details: WA #8 FY14**

**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 grant the Highway Supervisor permission to enter into a contract agreement with Tobin Farwell, PE, with regards to updating the as-built plan and redesigning the detention pond at Little River Park.**



**265 Wadleigh Falls Road Lee, NH 03861 Ph(603)292-5787**  
**WWW.FARWELLENGINEERING.COM**

May 12, 2014

Lee Selectmen  
7 Mast Road  
Lee, NH 03861

**Re: Little River Park**  
**As-Built & Detention pond**  
**#1423**

Dear Selectmen:

Thank you for the opportunity to provide you with this proposal. I met with Randy Stevens at Little River Park on Friday May 9, 2014 to review the project. After Speaking with Randy, the following is my understanding of what is required. There has been a couple of changes to the park, including the new athletic field, pump house and a couple of pieces of play ground equipment and underground utilities that need to be located and put on the existing plan. The second item is the need to provide a detention pond design. The existing pond has filled in with sediment and has no outlet control structure. There is scouring on the steep slopes entering the pond. There is a conservation easement in the area of the detention basin that cannot be disturbed.

This proposal will set forth the Scope of Services, Schedule of Work, and Fees for this project.

## **SCOPE OF SERVICES**

### **Task 1 – As-built**

Randy Stevens will mark out with paint, where the underground waterline and electric lines and any other underground utilities on site for FES to locate. FES will locate the utilities and changes to the park and add them to the existing plan for Little River Park. FES will also survey the area of the detention basin and stakeout the conservation easement on site.

### **Task 2 – Pond and Swale Design**

There is an existing swale along the newly constructed athletic field that directs water to the detention pond. The pond does not meet the intent of the Alteration of Terrain Permit. FES has assumed that the town can provide a copy of the approved alteration of terrain plan that provides detail of the needed volume of the detention pond and outlet flow rate. Based on this information FES will provide a grading plan and provide an outlet control structure that is compliance with the approved permit. FES will work with Randy and stakeout the proposed grading changes and will adjust the plan one time after reviewing the grading in the field for constructability reasons. FES has assumed 4 hrs to design and 4 hrs to stakeout the project and 8 hrs. for review with Randy and a final design and 2 hrs for revised stakeout of the design. If the town requires additional changes or work it shall be invoiced on an hourly basis at the rate noted below.

## **COMPENSATION**

Farwell Engineering Services, LLC will provide the three tasks as specified on an hourly basis. If additional plans or studies are required FES will provide you with a cost estimate prior to performing additional work. I will work to provide the best outcome for you while letting you know where we stand on the budget. The cost per task is broken down below.

• Task 1 As-Built	\$1170
• Task 2 Pond and swale design	\$2010
• <b>Total</b>	<b>\$3,170</b>

Engineering services will be billed at the following hourly rates:

- Principal/Project Engineer \$105/hr
- Surveyor with Robotic total station \$125/hr

## **EXPENSES**

The following is a list of typical expenses.

Plan copies	\$3.50/ sheet
Mileage –	\$0.60/mile
Mailing	Mailing of plans \$5 up to 12 oz.
Mylar	\$25/sheet

**AUTHORIZATION**

This Proposal, consisting of three (3) pages, shall represent the entire understanding between **Town of Lee** and Farwell Engineering Services, LLC in respect to the project. If satisfactory to you, please sign both copies of the proposal, return one copy to this office, and retain one copy for your files. This proposal shall remain valid for a period of Thirty (30) days. This proposal may only be modified in writing, signed by both parties. Verbal authorization shall be obtained prior to proceeding with work.

**SCHEDULE**

FES will initiate work within 2 weeks from the authorization to proceed.

Please give me a call if you want to discuss your project in anyway. We appreciate the opportunity to provide you with this proposal and look forward to working with you. Please contact me directly if you have any questions or require any additional information.

Sincerely,

**FARWELL ENGINEERING SERVICES, LLC**



Tobin Farwell, P.E.  
Principal

1423.pro.doc

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**TOWN OF LEE**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_



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

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Meeting Date: July 7, 2014

Agenda Item No. 4c

**BOARD OF SELECTMEN**  
**MEETING AGENDA REQUEST**  
**7/7/2014**

**Agenda Item Title: Transfer Station Clothing Allowance**

**Requested By: Roger Rice, Transfer Station Manager**

**7/2/2014**

**Contact Information: 603-659-2239**

**Presented By: Roger Rice**

**Description: Request that the allowance for Transfer Station work boots or shoes be \$120 once per year.**

**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 allowance for Transfer Station work boots or shoes from \$100 once per year to \$120 once per year.**



# Lee Fire & Rescue Department

*"Protecting Yours Like It's Ours"*

## Update on the Lee Fire & Rescue Department

<b>2013 Roster</b>	<b>2014 Roster</b>
1 Call Chief 1 Call Deputy Chief 1 Full Time Captain 1 Part Time Lieutenant 1 Call Lieutenant 16 Call Firefighters, FF/EMT's, EMT's	1 Full Time Chief 1 Call Assistant Chief 1 Full Time Lieutenant 2 Call Lieutenants 1 Part Time Firefighter/EMT 19 Call Firefighters, FF/EMT's, EMT's
2 members completed Firefighter Level I 1 member completed Firefighter Level II 3 members became EMT's	2 new members came to us as EMT's 2 members have completed Firefighter Level I 2 members have completed Firefighter Level II 3 members have become EMT's 1 member is completing EMT class  1 member graduated/moved 1 member joined the military
<b>Certifications</b> 16 Certified Firefighters 11 Emergency Medical Technicians 9 Certified as both FF/EMT	<b>Certifications</b> 19 Certified Firefighters 16 Emergency Medical Technicians 12 Certified as both FF/EMT

### TOPICS

#### EQUIPMENT:

- We have developed a list of equipment that needs annual testing per the National Fire Protection Association (NFPA); Hose, Ladders, Apparatus pumps, Extrication pumps and tools, Self Contained Breathing Apparatus (SCBA) and Air Compressors. All of the above has been tested in FY2014. The department's FY2015 provides for required testing.
- We also budgeted for SCBA mask fit test to be conducted in FY2105 to meet the NFPA Standard.

#### STANDARD OPERATING GUIDELINES:

- We have updated and reformatted all Standard Operating Guidelines (SOG's). A group of 6 members reviewed and suggested changes to them. A notable addition is SOG 7.2; Apparatus Driver Operator Training Requirements. Members must spend 5 hours driving the Utility (Ford F-550) and 10 hours on the rest of the apparatus (Rescue 1, Engine 1, Engine 2, Tanker 1). These members must demonstrate the skills necessary to operate this equipment safely. They must also complete a test on apparatus knowledge and equipment.
- All members received a copy of the SOG's and the originals are held in the Communications Room. All members are held accountable for following these standards.

#### RETENTION AND STAFFING:

- We have seen a 29% increase of the membership in double digit percentages for incident participation. This equates to 71% in double digits.

*Professionalism • Integrity • Teamwork • Courtesy • Dedication • Compassion*





## Lee Fire & Rescue Department

*"Protecting Yours Like It's Ours"*

- We are averaging 13 members on our training nights with 5 members in classes (FF Level I, FF Level II, and EMT) on those nights. This can be attributed to improved training, an enjoyable atmosphere, and a team environment. We also take the time to announce personal achievements for members including years on the department, completing a class, or winning an award at their full time job.
- We have started a quarterly pot luck dinner with great attendance and we be holding one on July 31<sup>st</sup> with the Police Department. These have provided the members with a family and team environment that has brought everyone closer together.
- July 1, 2014 we added 6pm to 12am to our Night Time Coverage program, which was previously set for 12am until 6am Monday through Friday. Currently we have 13 members who sign up for coverage. This provides us with, at a minimum, 1 Firefighter and 1 EMT, to respond to calls from 6pm through 6am. This is a good start to having effective staffing at night, but can still be dangerous depending on the assistance other members provide for incidents. In all we have a minimum of 2 member coverage for 22 hours a day Monday through Friday. There are some instances where we could have 1 Firefighter and 1 EMT on a medical emergency or the same at a fire emergency.
- Daytime coverage consists of 3 members now. A Part Time Firefighter/EMT works 6am until 1pm. The Fire Chief works 8am until 4-6pm and the Full Time Lieutenant works 10am until 6pm. Daytime coverage is still an area of concern due to the unknown number of call members able to respond due to their full time jobs or other commitments. The daytime staff can be placed in situations where they have to make a decisive choice on the scene of an emergency where the outcome can be catastrophic. National standards state at a minimum you should have 4 firefighters at a structure fire. This allows 2 members to be inside the fire and 2 members to back them up. This does not include a pump operator and Incident Commander. Depending on the time of day we can have 1, 2, or 3 members working and could have to have 1 or 2 members go into a structure fire with back up 10-15 minutes away. This is also an unsafe practice for most other emergencies we handle. This is a safety issue that still needs to be address.
- To assist us with daytime coverage (because 2 members are inadequate per national best practices and one member responding is dangerous), we have updated our Mutual Aid Run Cards. We have added more departments to respond for a 1<sup>st</sup> Alarm. This brings in more apparatus and more personnel 10 to 15 minutes after the tone.
- We have made an agreement with Epping Fire Department for Automatic Mutual Aid from 6am until 6pm. Epping will dispatch an Engine from the Epping town line to George Bennett Road and east and west of Calef Highway. This is for any structure fire, motor vehicle accident, water rescue, or brush fire. We also do the same for them from the Lee town line to Route 87 and east and west of Calef Highway.
- We have also made an agreement with Durham Fire Department for Automatic Mutual Aid for their Rescue to be dispatched for any motor vehicle accidents with entrapment.

### **RECRUITMENT:**

- Recruiting efforts will take place in the Fall. Our goal is to address areas of concern. Now that the SOG's have been completed, a good interview process along with a probationary process has been developed and used for the past 6 months, we can move forward with recruiting. We currently run an advertisement in the E-Crier and Channel 13 but we are finding the members that have joined lately did not come in due to the ad. Each had their own reasoning for joining including a possible future career change or experience in the medical field.

*Professionalism • Integrity • Teamwork • Courtesy • Dedication • Compassion*





## Lee Fire & Rescue Department

*"Protecting Yours Like It's Ours"*

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### **COMMUNICATIONS:**

- To help with communications we have changed our Officers Meeting to a Business Meeting and encourage all members to attend. This meeting takes place once a month. We discuss all topics and issues that are going on within the department and members can voice their opinions.
- If we have any pressing issues or directives a memo is emailed to all members and posted for all members who are not able to attend a meeting.
- The leadership stays in constant contact with each other through email, phone calls, and text messages to make sure we are all working together as a team.
- If there is an issue that needs to be addressed by the Officers then we hold an Officers Meeting before a scheduled meeting.

### **SUMMARY:**

We have addressed many items outlined in the study conducted in 2013. While there are still a number of issues to tackle I feel we are on the right track to improving the efficiency of our department. More importantly, we are continually looking at methods to enhance the safety of our members while providing the high standard of service our residents expect.

Respectfully submitted,

Scott Nemet  
Chief, Lee Fire and Rescue Department



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

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Meeting Date: 7/7/2014

Agenda Item No. 6

**BOARD OF SELECTMEN**  
**MEETING AGENDA REQUEST**  
**7/7/2014**

**Agenda Item Title: Ad Hoc Racetrack Committee Charge**

**Requested By: Ad Hoc Racetrack Committee**

**Date: 7/2/2014**

**Contact Information: 603-659-5414**

**Presented By: Chairman Cedarholm**

**Description: Present a new Ad Hoc Racetrack Committee Charge.**

**Financial Details:** Enter Estimated Cost, if any, funding source, etc.

**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: Move to approve the new Ad Hoc Racetrack Committee Charge as presented.**



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Meeting Date: July 7, 2014

Agenda Item No. 7

**BOARD OF SELECTMEN  
MEETING AGENDA REQUEST  
7/8/2014**

**Agenda Item Title: Non-Conforming Driveway on Bricker Property**

**Requested By: Library Board of Trustees 7/2/2014**

**Contact Information: [anniegasowski@gmail.com](mailto:anniegasowski@gmail.com)**

**Presented By: Annie Gasowski, Library Board of Trustees Chair**

**Description: Request the Board meet with Daniel Bricker, Michelle Momenee and the Library Trustees in a non-public session to try to reach a mutually agreeable resolution to the driveway issue.**

**Financial Details: N/A**

**Legal Authority NH RSA 236:13 Driveways and Other Accesses to the Public Way, 41:8**

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

**REQUESTED ACTION OR RECOMMENDATIONS:**

**Motion: Move to approve the Library Board of Trustees request to hold a non-public meeting with the Library Board of Trustees, Daniel Bricker and Michelle Momenee to discuss the non-conforming driveway issue on the Bricker property.**

To: Board of Selectmen  
cc.: Julie Glover, Denise Duvall  
From: Lee Public Library Board of Trustees  
Date: June 19, 2014  
Re: Non-conforming driveway on the Bricker property

In an effort to move both the Town Center and the Lee Public Library Community Center projects forward, we are following up on the letter we sent on May 2 requesting your assistance in addressing the NHDOT request for resolution on the nonconforming driveway issue on the Bricker property. The Lee Public Library Trustees believe that resolving this concern in a mutually beneficial manner is in the best interests of the LPLCC project, the property owners and any potential future consideration of the Bricker property by the town.

When the preliminary driveway application was made in January, it was discovered that one of the driveways on the Bricker property is non-conforming: the entrance off George Bennett Road, which is an unnumbered state road, does not meet the NHDOT sight line requirements. Before the property was subdivided, three driveway entrances were allowed based on the lot as it existed in 1971. However, additional driveways can only be granted if all existing driveways meet state requirements.

Before the NHDOT will consider granting approval to the LPLCC driveway which would require an exception to the NHDOT rules, the NHDOT is asking that the town provide the following:

- Approach the current property owner and request that the existing driveway on George Bennett Road be permanently closed or restricted to an 'enter only' driveway.
- Should the current owner not be willing to do this, the existing driveway and surrounding area will need to be surveyed to determine the available existing sight distance of that driveway. If the NHDOT 400' sight distance criteria cannot be achieved for the existing driveway, then the driveway sight distance should be compared to AASHTO sight distance criteria for determination of compliance with AASHTO standards

As a first step to seeking a mutually agreeable resolution to this matter, the trustees are asking the Select Board to meet with Daniel Bricker, Michelle Momenee and the library trustees. Due to the sensitive nature of the issue we are suggesting this meeting take place in a non-public session [RSA 91-A:3(d)].

Thank you for your assistance.

Margaret Dolan  
Annamarie Gasowski  
Cynthia Giguere-Unrein

Bruce Larson  
Katrinka Pellecchia



**TOWN of LEE**  
7 MAST RD, LEE, NH 03861  
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Meeting Date: July 7, 2014

Agenda Item No. 8

**BOARD OF SELECTMEN**  
**MEETING AGENDA REQUEST**  
**7/7/2014**

**Agenda Item Title: Library Building Committee Charge**

**Requested By: Katrinka Pellecchia, LPLCC Building Committee Chair** 7/2/2014

**Contact Information: 603-659-3447**

**Presented By: Katrinka Pellecchia**

**Description: Present the Board of Selectmen with the committee's draft of a new LBC Charge and ask the Board to vote on its acceptance.**

**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: Move to approve the Library Building Committee's Charge as presented.**

**or Table for further consideration.**

DRAFT

## **Lee Public Library Community Center Building Committee Composition and Charge**

### **Purpose:**

To continue the building committee for the purpose of overseeing and recommending the final plans for the new Lee Public Library Community Center to be built on the bluff overlooking Little River Park. These plans will meet the needs of the Town of Lee, be sustainable and energy-efficient and fiscally responsible.

### **Charge:**

- To provide the Select Board, Library Trustees and Town with a clear understanding of the need for a Library Community Center through past studies and new supporting information;
- To process information from the town to adequately understand the town's needs for a new community center;
  - To refine the conceptual plans already developed in order to make recommendations for improvement, if needed, working with the community, specifically groups and organizations that may use this space to ensure new designs will meet town needs as closely as possible;
- To work with and provide periodic summations to the Select Board and Library Trustees, either in writing or by meeting;
- To work with the architect to have plans ready for public information sessions Dec 2014 – Jan 2015 and a final presentation to the Town at the Deliberative Session in February 2015;
- Once that is complete and the Town has approved project funds, it is expected that the Committee will remain in place through the construction phase and completion of the project.

### **Committee Composition:**

- Minimum of seven members, maximum of eleven;
- Community members will be selected from the applications received;
- Other members will include a representative from the Board of Selectmen, a representative from the Lee Public Library Board of Trustees and the Library Director (ex officio);
- The initial term of the Building Committee shall be for one year;
- Meetings will be open to the public and comply with the current Right to Know Law.

kp:5/1/2014





## Memorandum

**TO:** All NHMA Members

**FROM:** Judy Silva, Executive Director  
Cordell A. Johnston, Government Affairs Counsel

**DATE:** June 17, 2014

**RE:** 2015-2016 Legislative Policy Process *Important Dates!*

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**FLOOR POLICIES DUE: August 15** ♦ **POLICY CONFERENCE: September 26**

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The NHMA legislative policy process is moving forward! Enclosed with this memo is a copy of the policy recommendations made by NHMA's three policy committees. This document will also be posted on NHMA's website, [www.nhmunicipal.org](http://www.nhmunicipal.org).

The policy recommendations are listed by committee: (1) General Administration and Governance; (2) Finance and Revenue; and (3) Infrastructure, Development and Land Use. Each committee's recommendations are listed in order of priority, as "action," "priority," or "standing" policy recommendations. You will see that some of the policy recommendations have a statement of the municipal interest to be served and a further explanation of the proposal, while others do not. The policy recommendations that include this additional information are new recommendations this year; the ones without the additional information are existing policies that are recommended for re-adoption. Also enclosed is a list of NHMA's Legislative Principles, which will be considered for re-adoption.

*We urge each municipality's governing body, prior to the Legislative Policy Conference, to vote a position on the recommendations and floor proposals (see below) to provide direction to your voting delegate at the Conference. Otherwise, your delegate is free to cast your municipality's vote as he/she*

chooses. For more information about the legislative policy process and the Policy Conference, please see the enclosed Questions and Answers document.

### **Floor Proposals**

Please note that the deadline for submitting floor proposals is **Friday, August 15**. A floor proposal will be accepted only if it is *approved by a majority vote of the governing body* (Board of Selectmen, Aldermen, or Council) of the town or city submitting the proposal, is submitted in writing, and is received **no later than August 15**. We will mail all floor proposals to each municipality so there will be an opportunity to take a position on them before the Policy Conference. Floor proposals should be in the same format as proposals submitted to the policy committees.

A Floor Policy Proposal form has been included for your convenience, or you may find it on the NHMA website. (Go to [www.nhmunicipal.org](http://www.nhmunicipal.org), click on "Advocacy," then "Policy-Setting Process," then "Floor Policy Proposals.") To submit a floor proposal, please send it to NHMA, Government Affairs Department, 25 Triangle Park Drive, Concord, NH 03301, or fax it to 224-5406, or e-mail it to [governmentaffairs@nhmunicipal.org](mailto:governmentaffairs@nhmunicipal.org).

### **Legislative Policy Conference**

The 2015-2016 Legislative Policy Conference is scheduled for **Friday, September 26, 2014, at 9:00 a.m. at NHMA's office, 25 Triangle Park Drive in Concord**. We will include with the floor proposal mailing a card for each town or city to return indicating who has been appointed as the municipality's voting delegate.

Please call the Government Affairs Department at 800-852-3358, ext. 3408, if you have any questions.

# 2015-2016 Legislative Policy Recommendations

## General Administration and Governance

### Action Policy Recommendations

#### 1. Right to Know Costs and Specificity Required

To see if NHMA will SUPPORT amendments to RSA 91-A allowing municipalities to recover the actual costs of retrieving, reviewing and reproducing documents, and clarifying the level of specificity required when requesting public records.

#### 2. Regulation of Weapons in the Workplace

To see if NHMA will SUPPORT legislation to provide immunity to local and county governments against acts committed by employees with firearms (except for those employees authorized by that governmental entity to carry a firearm in the course of their official responsibilities).

**Municipal interest to be accomplished by proposal:** To limit the exposure of municipalities in circumstances where an employee brings a firearm into the workplace, which the municipality cannot prohibit, and injures a citizen or co-worker by discharging the firearm. Example: a firefighter takes a weapon to the workplace and while training on a ladder, someone below is accidentally shot by the holstered gun above. Example: a town office employee brings a weapon to the town office, as it is town property, but accidently or intentionally shoots a co-worker or citizen.

**Explanation:** In ordinary non-municipal circumstances, employers can easily and lawfully prohibit weapons in the workplace for safety reasons and more (unless the employee has a special permit to do so). In municipal government the law provides that individuals can carry on town property; some employees translate that law into allowing them to carry guns while they are at their municipal workplace. The present wording of RSA 159:26 appears to prohibit local and county governments from prohibiting the possession of firearms in the workplace. This statute leaves local and county governments exposed to significant liability from acts committed by employees with firearms against citizens and other employees. These employees have not been authorized by the municipality to possess or use a firearm in the workplace, nor have they been trained by the municipality in the use of firearms, nor have the firearms been issued or approved by the municipality. This policy recommendation is not intended to affect workers compensation. **Submitted by: Joel Bourassa, Selectman, Woodstock**

#### 3. Welfare Lien Priority

To see if NHMA will SUPPORT legislation to give liens for local welfare payments arising under RSA 165:28 a higher priority position, so that those liens fall immediately after the lien for the first mortgage.

## Priority Policy Recommendations

### 4. Cross-Border Liability.

To see if NHMA will SUPPORT legislation to encourage cooperation between emergency response entities from New Hampshire and bordering states by affording municipalities from bordering states the same limitations on monetary damages in civil actions that are afforded to New Hampshire municipalities.

**Municipal interest to be accomplished by proposal:** Remove a disincentive for cooperation between emergency responders in New Hampshire and neighboring states.

**Explanation:** New Hampshire law limits the liability of “governmental units” for bodily injury, personal injury or property damage in civil actions, but the definition of “governmental unit” is limited to political subdivisions “within the state.” In one case, the New Hampshire Superior Court ruled that a town in a neighboring state, which had cooperated with a New Hampshire town in responding to an emergency, was not protected by the liability cap. A similar issue could arise in many situations in which New Hampshire municipalities work with neighboring municipalities in Maine, Massachusetts, or Vermont in responding to emergencies. For example, New Hampshire police officers were called upon to assist after the Boston Marathon bombings in 2013, and Maine police officers have responded to recent shooting incidents in New Hampshire. Municipalities are less likely to provide cross-border assistance if they do not have the benefit of liability protection under the neighboring state’s laws. Any legislation providing liability protection to municipalities in neighboring states should require reciprocity from the neighboring states. **Submitted by: NHMA staff, based on request from other state municipal leagues.**

### 5. Consultation with Counsel Expansion Under RSA 91-A

To see if NHMA will SUPPORT legislation to amend RSA 91-A so that exempt consultation with legal counsel would also include discussions about written legal correspondence provided by legal counsel, without requiring the presence of counsel at the meeting.

### 6. Petition Signature Requirements

To see if NHMA will SUPPORT legislation amending RSA 39:3 to require that in towns with an official ballot referendum town meeting (SB2/RSA 40:13), petitioned warrant articles must be signed by not less than 2% of registered voters, but in no case fewer than 10 voters or more than 150 voters.

### 7. Clarifying What Information Is to be Included in Town Reports in SB2 Towns

To see if NHMA will SUPPORT legislation to clarify which version of the budget and warrant articles is to be included in town reports in SB2 towns.

## 8. Public Notice Requirements

To see if NHMA will SUPPORT legislation to amend all public notice requirements to allow the choice of electronic notification and/or newspaper print, as well as posting in public places, for official public legal notification.

## 9. Amended Warrants in SB 2 Towns

To see if NHMA will SUPPORT statutory changes allowing SB 2 communities to post changes to the warrant to reflect amendments to warrant articles by action of the voters at deliberative session. Further to allow the governing body and the budget committee to change their recommendation due to amendments made at deliberative session.

**Municipal interest to be accomplished by proposal:** These changes would allow the amended language and dollar amounts to be correctly warned prior to the second session of town meeting. The recommendations of the governing body and the budget committee are there to provide guidance to the voters. Changes made at deliberative session in some cases would cause the governing body and/or the budget committee to change their recommendation. The statutes presently do not allow this change. Therefore the recommendation of those boards may be erroneous. A system that relies on direct democracy is based upon an informed/educated citizenry. If the voters are relying on a warrant that is posted and is no longer correct due to changes made, then citizens cannot properly educate themselves. Additionally, those citizens who value the recommendation of the governing body and/or the budget committee may have an incorrect recommendation before them when they decide which way to vote.

**Explanation:** During the 2014 deliberative session the voters made changes to the language of several of the warrant articles. The voters present also made amendments to the town and school budgets. Money was added to the town budget and substantial cuts were made to the school budget. After consultation with DRA, NHMA legal staff, and town counsel, it was clear that we could not post an “amended” warrant after the deliberative session that would indicate the changes made. In the case of the school budget the amended budget number was significantly different than what the school board recommended. The warrant still showed the old budget and the previous recommendation. The ballot showed the new budget numbers and language changes; however, the ballot still showed that the school board recommended the budget article, which was no longer the case due to the drastic changes made. **Submitted by: Shaun Mulholland, Town Administrator, Allenstown**

## 10. Long-Term Storage of Records

To see if NHMA will SUPPORT legislation modifying the requirement that municipal records retained for longer than ten years be transferred to paper, microfilm, or both.

**Municipal interest to be accomplished by proposal:** Save space and cost, and allow a more practical way to store records.

**Explanation:** RSA 33-A governs the retention of municipal records, establishing retention periods for many classes of records. Section 5-a states that electronic records must be transferred to either paper or microfilm or both if they are required to be retained longer than ten years. Permanent

storage of paper records creates serious space problems. Storing records on microfilm has been a practical alternative, but microfilm is becoming harder to find and may soon be unavailable entirely. Some within the document storage business have indicated that microfilm may be impossible to obtain within a year. If microfilm is not available, paper storage becomes the only legally permitted method. **Submitted by: NHMA staff, based on inquiry from Linda Smith, Board Administrator, Northwood**

### **11. Building Plans Under 91-A**

**To see if NHMA will SUPPORT** an amendment to RSA 91-A:5, IV to specifically add “building plans/construction drawings contained within a building permit file and/or building plans/construction drawings submitted as part of a building permit application” as an exempt record under this chapter.

**Municipal interest to be accomplished by proposal:** There is uncertainty within RSA 91-A:5 as to the status of building plans and/or construction drawings in the possession of municipalities and their code enforcement officials or building inspectors. Since “...personnel practices; confidential commercial, or financial information; test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examinations; and personnel, medical, welfare, library user, videotape sale or rental...” files are specifically exempted from the statute, one would think building plans on file with building permits would fall under the remaining exemption of “...other files whose disclosure would constitute invasion of privacy.” We were ordered by a district court to release such plans when an unrelated party requested them.

**Explanation:** The district court rationale was that the legislature had constructed the statute with specific records stated as being exempt. Conversely, building plans were not expressly exempt so their disclosure had to be subject to a balancing test of the full disclosure vs. the privacy rights of the building owner. The court sided with full disclosure due to the absence of a specific exemption. Building plans can contain a wealth of information considered private. Alarms systems, communication access points, physical access points, safe rooms, structural components like vaults, built-in safes, and secure storage areas are only some of the features that could be exploited if plans showing these features were readily available to the public. Many commercial sites like banks, medical facilities, and defense and Homeland Security contractors would be appalled to know the building plans for their facilities were open to public access. Access to building permit applications would still be available. It is only the plans that are being exempted. The additional benefit would be solving in part the problems of copy right infringement. Many designers (engineers, architects, and the like) have expressed concern about the wide distribution of their work and possible copy right infringement by having publicly accessible building plans on file with municipalities. There is no way for them to enforce their copy right without knowing what unrelated parties are accessing and copying their work product. **Submitted by: Paul Deschaine, Town Administrator, Stratham**

### **12. Municipal Departments and MV Information**

**To see if NHMA will SUPPORT** legislation to make it clear that municipalities may obtain information about motor vehicles registered to an individual for the purposes of verifying asset levels when the individual is applying for general assistance or asset-based tax relief and in order to determine the ownership of vehicles for official purposes.

**Municipal interest to be accomplished by proposal:** Allow access to motor vehicle registration and licensing information by municipal departments to verify asset levels when administering public assistance and tax relief programs and when needed for other proper governmental purposes.

**Explanation:** As RSA260:14 is administered and interpreted departments which administer public assistance programs are denied access to motor vehicle registration records and the opportunity to verify statements made by the applicant(s). It has become problematic as folks game the system and lie about the cars parked or the ownership of the cars parked in their yards. **Submitted by: Susan Snide, Pelham Assessing, Pelham**

### **13. Blue Lights on Fire Department Vehicles**

**To see if NHMA will SUPPORT** amending RSA ch. 265 and RSA 266:78-b, “Blue Lights Restricted to Law Enforcement,” to allow for the inclusion and use of a single rear-facing blue colored light panel on emergency response vehicles owned or leased by municipal, village district or federal fire departments.

**Municipal interest to be accomplished by proposal:** To enhance the visibility and safety of public emergency responders and the public they are serving by allowing fire and emergency medical vehicles to include a single rear-facing blue colored light panel among the red or amber lights on municipally-owned emergency vehicles to provide clearer and more distinct warnings to the motoring public at various emergency response scenes in all types of lighting and weather conditions. There is significant data documenting the mix of colors utilized in various light and weather conditions (i.e. – dusk, dawn, fog, cloudy, rain, etc.) provides for enhanced safety for emergency responders and the motoring public.

**Explanation:** This proposal is the result of some experiences the Auburn Fire Department has had at some emergency & motor vehicle accident scenes, particularly on NH Route 101 (from the intersection of I-93 through to Exit 3 / Candia town line. Our firefighters have experienced that the visual of all red flashing emergency lights do not always seem to encourage the motoring public to maintain a safe distance from the emergency responders as they are driving past. The Auburn Fire Chief has indicated other states allow fire and emergency medical vehicles to include a blue light/lens in their light bars and it provides a stronger safety presence for both the emergency responders and the motoring public. This would be similar to the provisions of RSA 266:78-c, where red lights are allowed for police, fire and rescue vehicles. **Submitted by: William Herman, Town Administrator, Auburn**

## **Standing Policy Recommendations**

### **14. Counting Absentee Ballots**

**(Legislation pending—SB 271)** **To see if NHMA will SUPPORT** legislation to eliminate the requirement that absentee ballots cannot be counted prior to 1:00 P.M., and instead allow them to be counted throughout the time when polls are open.



**15. Swearing in Town Officers**

To see if NHMA will SUPPORT legislation to reconcile RSA 669 with RSA 42:3 regarding when certain town officers may be sworn in.

**16. Human Resources Record Retention**

To see if NHMA will SUPPORT legislation that amends the record retention requirements for successful job applications and personnel records from 50 years after termination or retirement to 20 years after termination or retirement.

**17. Modifying the Adoption, Revision, and Amendment of Municipal Charters**

(Legislation pending—HB 422) To see if NHMA will SUPPORT legislation similar to HB 379 in 2008 that modifies the adoption, revision, and amendment of municipal charters.

**18. Consolidated Policy on Collective Bargaining Items**

**Evergreen Clause:** To see if NHMA will OPPOSE legislation to enact a mandatory so-called "evergreen clause" for public employee collective bargaining agreements.

**Binding Arbitration:** To see if NHMA will OPPOSE mandatory binding arbitration as a mechanism to resolve impasses in municipal employee collective bargaining.

**Right to Strike:** To see if NHMA will OPPOSE a right to strike for public employees.

**Mandated Employee Benefits:** To see if NHMA will OPPOSE any proposals to mandate employee benefits, including any proposal to enhance retirement system benefits which may increase employer costs in future years, for current or future employees.

**19. Contracted Services and Bargaining**

To see if NHMA will SUPPORT legislation to give public employers greater flexibility to privatize or use contracted services.

**20. Maintenance and Policing of State-Owned Property**

To see if NHMA will SUPPORT legislation to enable municipalities to recover the expenses of policing publicly-owned land against all illegal activity (including public consumption of alcohol and littering), including the ability to receive reimbursement/compensation from individuals engaged in the illegal activity.

**21. Supervisor of the Checklist Sessions**

To see if NHMA will SUPPORT legislation to reduce to one the number of required sessions that the supervisors of the checklist must hold prior to town elections.

**22. Municipal Recreation Programs**

To see if NHMA will SUPPORT the continued exemption from state child care licensing for municipal recreation department programs and also supports the exemption from state camp licensing for municipal recreation department summer programs.

**23. Requirement to Hold Elected Office**

To see if NHMA will SUPPORT legislation clarifying that to run for and hold a local elected office, one must be a registered voter.

**24. Appointment of Town Clerks and Town Clerks/Tax Collectors**

To see if NHMA will SUPPORT legislation to allow the legislative body to authorize the governing body to appoint or elect town clerks and town clerk/tax collectors.

**25. Warrant Article Language; Adoption by Reference**

To see if NHMA will SUPPORT legislation to amend RSA 48-A, Housing Standards, to allow a town to adopt a proposed housing standards ordinance on the ballot by reference, as opposed to printing the entire ordinance on the warrant.

**26. Perambulation**

To see if NHMA will SUPPORT legislation to eliminate the RSA 51:2 requirement to perambulate town boundaries every 7 years when the abutting municipalities have identified the boundaries and markers by survey quality GPS coordinates or by a certified survey and have filed a return including the survey or GPS coordinates as required by RSA 51:4.

**Municipal interest to be accomplished by proposal:** Saving of dollars (for repeated surveys) and the saving of substantial time to coordinate with others. Also to determine boundaries by easily reproducible means.

**Explanation:** This procedure has become increasingly archaic over time with a declining number of communities faithfully following the requirement. There is no longer a need to continue to physically walk boundaries given “modern” technology. It is time, at best, to abolish it as Maine has or, at worst, provide an opportunity to be relieved of the obligation upon the filing of a mutual report accompanied by GPS documentation. **Submitted by: Carter Terenzini, Town Administrator, Moultonborough**

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# Finance and Revenue

## Action Policy Recommendations

### 1. Tax Rate Setting

**TO SEE IF NHMA WILL SUPPORT** legislation that expedites the receipt of information, including utility values as determined by the Department of Revenue Administration, necessary for the Department to set tax rates beginning October 1<sup>st</sup> and to improve the overall efficiency and timeliness of the tax rate setting process.

### 2. Use of RSA 83-F Utility Values

**TO SEE IF NHMA WILL SUPPORT** changing RSA 83-F to prevent any determination of utility value by the Department of Revenue Administration from being used in any way by either the utility taxpayer or the municipality in any application for abatement of tax under RSA 76:16 or any appeal thereof under RSA 76:16-a or RSA 76:17.

**Municipal interest to be accomplished by proposal:** To see that any opinion of value generated by the State's Department of Revenue Administration for imposition of the State's Utility Tax under RSA 83-F is not used against another subdivision of the State in a legal proceeding. By eliminating that use, the state and municipalities avoid the expense of all necessary discovery associated with the DRA's 83-F process and the trial testimony of the DRA's representatives concerning the same.

**Explanation:** The Berlin City Council passed a motion in support of the above amendment to RSA 83-F at their April 21, 2014 City Council Meeting. **Submitted by: James A. Wheeler, City Manager, City of Berlin**

### 3. Real Estate Income and Expense Statements on Appeal

**TO SEE IF NHMA WILL SUPPORT** legislation that prohibits the use of real estate income and real estate expense information by a taxpayer in any appeal of value if the taxpayer, after request by the municipality, has not submitted the requested information.

## Priority Policy Recommendations

### 4. Clarification of Elderly Exemption.

**TO SEE IF NHMA WILL SUPPORT** changes in language for RSA 72:39-a, 72:29, and 72:39-b that define and recognize a household as occupying a property and increasing tenancy requirements for elderly exemption tax relief.

**Municipal interest to be accomplished by the proposal:** Equitable distribution of property taxes, consistency between statutes offering relief from property taxes.

**Explanation:** Elderly exemptions are granted for elderly home owners who qualify per income and asset criteria established by the town. Often an extended family will move in and occupy the home and also enjoy the benefit of reduced taxes. The law as currently interpreted does not allow for income or assets from all members of the home to be considered as part of the income or asset test.  
**Submitted by: Susan Snide, Assessing Assistant, Pelham**

## **5. Separate Ballot Boxes for Bond Votes.**

**TO SEE IF NHMA WILL SUPPORT** legislation clarifying that separate ballot boxes are not required for bond articles in SB 2 towns.

### **Municipal interest to be accomplished by proposal:**

Avoid confusion and impracticality.

### **Explanation:**

RSA 33:8-a, which governs the procedure for authorizing a bond or note in excess of \$100,000, states that articles proposing a bond or note shall appear in consecutive order on the warrant and shall be acted upon before most other business (with exceptions), that polls shall remain open for each article for at least one hour, and that “a separate ballot box shall be provided for each bond article to be voted on pursuant to this section.” This statute was enacted before the SB 2 form of town meeting existed and obviously did not contemplate such a system. It makes no sense to require separate ballot boxes when all votes are made on a single ballot. Presumably no SB 2 town actually follows this requirement. **Submitted by: NHMA staff, based on inquiry from Lynne Bonitatibus, Administrative Assistant, Kensington**

## **6. Expanding 10% Limitation**

**TO SEE IF NHMA WILL SUPPORT** amending RSA 32:18 to expand the 10 percent limitation on increasing the budget committee’s appropriation recommendation to include both increasing and decreasing the total amount to be appropriated.

**Municipal interest to be accomplished by the proposal:** With fewer voters and taxpayers actually participating in the local deliberative forms of municipal government – both traditional town meetings and SB2 communities’ Deliberative Sessions – the 10% rule should be expanded to limit both any increase or decrease in proposed appropriations to ensure that a small minority not be able to dramatically alter what the silent majority likely supports.

**Explanation:** An Auburn resident spoke with me about some sort of protection such as this following the 2014 Allentown School District Deliberative Session, where a very small number of voters approved by a one-vote margin a near \$1 million reduction to the proposed school district budget of approximately \$9 million. The Deliberative Session action left the School Board and the Budget Committee with a budget proposal going forward to the voters that neither board supported. As I understand part of the historic logic of the 10% Rule is that voters not present at the meeting had been forewarned of proposed spending levels and their absences could be viewed as a form of support. The limitation protected them. I believe the same could be said in reverse with respect to drastic cuts. **Submitted by: Bill Herman, Town Administrator, Town of Auburn**

**7. All Public Real Estate Taxable if Used by Private Occupants**

**TO SEE IF NHMA WILL SUPPORT** legislation to clarify that taxation of a private occupant on public land is required by statute, even if an agreement or lease does not include a tax provision or the specific wording of RSA 72:23, I(b).

**Municipal interest to be accomplished by proposal:** The amendment would make it clear that taxation of a private occupant on public land is required by statute, even if an agreement or lease does not include a tax provision or specific wording of RSA 72:23, I(b). This amendment should even the playing field for all municipalities and all tenants occupying public land, so that all are treated similarly under the same set of laws. It would also help to ensure that municipalities receive tax revenue from private tenants that would pay taxes anyway to the municipality if they owned the real estate.

**Explanation:** The proposed amendment is intended to make legislative intent clear that all public real estate is taxable if used by private occupants, unless the occupant qualifies for a tax exemption. The use of public land by a private occupant should be deemed to be its consent to the tax by operation of law. It does not make sense for a private company to be tax-free just because it occupies public real estate and does not agree to pay taxes, but the same or similar company on private land has to pay taxes, regardless whether it agrees or not. The current situation is not fair to taxpayers who do have to pay taxes. This amendment also addresses inequity between tenants, if one tenant gets a tax exemption while using public land while a similar tenant of public land must pay taxes. The proposed amendment is patterned after the policy statement made by the Supreme Court in Rochester I. Recent confusion about legislative intent makes this amendment necessary.

**Submitted by: Adele Fulton, Attorney, on behalf of City of Lebanon**

**8. Pollution Control Exemption**

**TO SEE IF NHMA WILL SUPPORT** repeal of the so-called "pollution control exemption" (RSA 72:12-a) or amendment of the statute to impose a term limitation on any exemption granted.

**9. Prorating Disabled Exemption**

**TO SEE IF NHMA WILL SUPPORT** legislation prorating the disabled exemption under RSA 72:37-b when a person entitled to the exemption owns a fractional interest in the residence, in the same manner as is allowed for the elderly exemption under RSA 72:41.

**10. Penalty for Failure to Submit Current Use Information**

**TO SEE IF NHMA WILL SUPPORT** legislation imposing a penalty for failure to submit current use information as needed to update municipal records—*i.e.*, Marlow matrix.

**11. Recording Fees for Elderly Deferrals**

**TO SEE IF NHMA WILL SUPPORT** legislation to reimburse municipalities for recording fees related to the establishment and release of elderly and disabled deferrals under RSA 72:38-a.

**12. Flood Control Payments**

**TO SEE IF NHMA WILL SUPPORT** legislation to fully fund flood control payments in lieu of taxes to municipalities, including retroactive payments from the state for Fiscal Years 2012 and 2013.

**Standing Policy Recommendations**

**13. Downshifting of State Costs and State Revenue Structure**

**TO SEE IF NHMA WILL OPPOSE** legislation which will downshift state costs or state program responsibilities, either directly or indirectly, to municipalities and/or counties, resulting in increased municipal and/or county expenditures, whether in violation of Article 28-a or not, and **OPPOSE** any reductions, deferrals and/or suspensions of state revenue to political subdivisions, such as revenue sharing, meals and rooms tax distribution, highway block grants, environmental state aid grant programs, adequate education grants, catastrophic aid, or any other state revenues.

**14. State Revenue Structure and State Education Funding**

**TO SEE IF NHMA WILL SUPPORT** asking the state to use the following principles when addressing the state's revenue structure in response to its responsibility to fund an adequate education:

- a) That revenues are sufficient to meet the state's responsibilities as defined by constitution, statute, and common law;
- b) That revenue sources are predictable, stable and sustainable and will grow with the long term needs and financial realities of the state;
- c) That changes to the revenue structure are least disruptive to the long-term economic health of the state;
- d) That the revenue structure is efficient in its administration;
- e) That changes in the revenue structure are fair to people with lower to moderate incomes.

**TO SEE IF NHMA WILL SUPPORT** legislation prohibiting retroactive changes to the distribution formula for adequate education grants after the notice of grant amounts has been given.

**15. New Hampshire Retirement System (NHRS)**

**TO SEE IF NHMA WILL SUPPORT** the continuing existence of a retirement system for state and local government employees that is strong, secure, solvent, fiscally healthy and sustainable, that both employees and employers can rely on to provide retirement benefits for the foreseeable future. Further, **TO SEE IF NHMA WILL SUPPORT** continuing to work with legislators, employees, and the NHRS to accomplish these goals.

To that end, **TO SEE IF NHMA WILL:**

- a) **SUPPORT** legislation that will strengthen the health and solvency of the NHRS and ensure the long term financial sustainability of the retirement system for public employers;
- b) **OPPOSE** any legislation that: 1) expands benefits that would result in increases to municipal employer costs; 2) assesses additional charges beyond NHRS board approved rate changes on employers; or 3) expands the eligibility of NHRS membership to positions not currently covered.
- c) **SUPPORT** the restoration of the state's 35% share of employer costs for police, teachers, and firefighters in the current defined benefit plan and any successor plan; and
- d) **SUPPORT** the inclusion of municipal participation on any legislative study committee or commission formed to research alternative retirement system designs (such as a defined contribution or a hybrid plan) and the performance of a complete financial analysis of any alternative plan proposal in order to determine the full impact on employers and employees.

#### **16. Utility Appraisal Method**

**TO SEE IF NHMA WILL OPPOSE** mandating the exclusive use of the unit method of valuation in the appraisal of utility property, by either administrative or legislative action, and **SUPPORT** the continuing right of municipalities to use any method of appraisal upheld by the courts.

#### **17. Modifying Post-Municipal Appeal Deadline Date**

**TO SEE IF NHMA WILL SUPPORT** legislation to modify the post-municipal appeal deadline date as called for under RSA 72:34-a- "Appeal from Refusal to Grant Exemption, Tax Deferral, or Tax Credit".

**Municipal interest to be accomplished by proposal:** The current appeal date of a municipal denial of a property tax exemption/credit/deferral is September 1 of the following tax year. For example, municipality A denies a vet credit in March of 2014, the applicant has until September 1, 2015 to appeal that, that is 18 months of appeal window, that sort of timeframe is not found within the property tax appeal RSA's, nor current use appeal RSA's etc. There is no rational basis to have that long a window leaves the municipality at risk on such a long view that it makes it difficult to plan for with legal costs, overlay cost and the like.

**Explanation:** The appeal window under this RSA for tax exemptions/credits/deferrals should mirror the property tax window. The communities by law have until July 1<sup>st</sup> to issue a decision, taxpayers have until September 1<sup>st</sup> to perfect their appeal, the same should be true under RSA 72:34-a as it is under RSA 76:16-a & RSA 76:17. **Submitted by: Jim Michaud, Assistant Assessor, Town of Hudson**

#### **18. Charitable Definition and Mandated Property Tax Exemptions**

**TO SEE IF NHMA WILL OPPOSE** legislation that expands the definition of "charitable" in RSA 72:23-I, unless the state reimburses municipalities for the loss of revenue, and **SUPPORT** creating a method of reimbursement to municipalities for state-owned property.



**19. Telecom Company Property Tax Exemption**

**TO SEE IF NHMA WILL OPPOSE** any exemption from the property tax for poles, wires, and conduits owned by telecom companies.

**20. Collection of Statewide Education Property Tax**

**TO SEE IF NHMA WILL TAKE NO POSITION** on the collection of the statewide property tax by the state or by municipalities, but will continue to work to ensure that any system based on the property tax coordinates and synchronizes as seamlessly as possible with existing local property tax assessment and collection procedures.

**21. Negotiated PILOTs for Water System Property**

**TO SEE IF NHMA WILL OPPOSE** legislation that eliminates the current obligation of the public water entity to make a PILOT equal to what the property taxes would be for the property in the absence of a negotiated PILOT.

**22. State Budget Cap**

**TO SEE IF NHMA WILL OPPOSE** the adoption of any variation of a state budget cap which will impose on the Legislature pre-established limitations on state spending.

**23. Budget Year Conversion**

**TO SEE IF NHMA WILL SUPPORT** legislation to simplify the process of a municipality's converting from a calendar year budget cycle to a fiscal year budget cycle.

**24. Management of Trust Funds**

**TO SEE IF NHMA WILL SUPPORT** amendments to RSA 292-B:2 to include funds held by a town or other municipality under RSA 31:19, RSA 202-A:23, or a fund created by a town or other municipality under RSA 31:19-a to be included in those institutional funds subject to the Uniform Prudent Management of Institutional Funds Act.

**25. Minimum Vote Required for Bond Issues**

**TO SEE IF NHMA WILL OPPOSE** legislation to increase the 60% bond vote requirement for official ballot communities.

**26. Mandatory Tax Liens**

**TO SEE IF NHMA WILL SUPPORT** legislation to change RSA 80:59 to read: "The real estate of every person or corporation shall be subject to the tax lien procedure by the collector, in case all taxes against the owner shall not be paid in full on or before December 1 next after its assessment, provided that the municipality has adopted the provisions of RSA 80:58-86 in accordance with RSA

80:87. A real estate tax lien imposed in accordance with the provisions of RSA 80:58-86 shall have priority over all other liens.”

## **27. Tax Bill Information**

**TO SEE IF NHMA WILL SUPPORT** legislation to amend RSA 76:11-a to allow those municipalities which have adopted the deaf exemption to include the word “deaf” following the word “blind” in the information contained on tax bills.

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# **Infrastructure, Development, and Land Use**

## **Action Policy Recommendations**

### **1. Restoration of Full General Revenue Funding for Municipal State Aid Grant (SAG) Programs**

**TO SEE IF NHMA WILL SUPPORT** legislation to restore full general revenue funding of municipal wastewater, public drinking water and landfill closure grants administered by the NH Department of Environmental Services.

### **2. Municipal Use of Structures in the Right-of-Way**

**TO SEE IF NHMA WILL SUPPORT** legislation to authorize municipalities to use, for any municipal purpose, the space designated for municipal good upon all poles, conduit and other structures within their rights-of-way without paying unreasonable make-ready costs. This includes the right to use that space for data and voice transmission to, from, and by the municipal government, schools, library, and other governmental institutions. This includes a requirement that the owners of utility poles and conduit do the necessary work for that space to be available.

### **3. Regional Water Quality**

**TO SEE IF NHMA WILL SUPPORT** legislation to encourage the State of New Hampshire and its political subdivisions to work cooperatively on a watershed or regional basis in addition to dealing with all water quality issues as individual communities.

**Municipal interest to be accomplished by proposal:** More efficient use of limited taxpayer resources to deal with achieving compliance under Clean Water Act requirements and state regulations.

**Explanation:** Many of the impaired water bodies in the state have numerous contributors to the impairments and no individual community can deal with all of the water quality issues within a water body. Also, limited resources should be targeted to the largest water quality improvements to provide the cleanest water resources to our citizens. Around the country various models have been

established, and New Hampshire should assess these various alternatives to see if one or a combination of several models would work for the state. **Submitted by: Carl Quiram, Director of Public Works, Goffstown.**

### Priority Policy Recommendations

#### **4. Diversion of Highway Funds.**

**TO SEE IF NHMA WILL SUPPORT** legislation and administrative action to limit or eliminate the diversion of highway funds for non-highway purposes.

#### **5. Site Evaluation Committee and Local Input**

**TO SEE IF NHMA WILL SUPPORT** legislation establishing a procedure similar to RSA 674:54 requiring applicants to the state's Site Evaluation Committee (SEC) to notify and appear before the local planning board prior to the issuance by the SEC of certificates for the construction of energy facilities under RSA 162-H.

#### **6. RSA 162-K: Authority for Inter-municipal Cooperation**

**TO SEE IF NHMA WILL SUPPORT** legislation to provide more explicit authority for inter-municipal cooperation in economic development and revitalization districts (*see* RSA 162-K).

#### **7. Solid Waste Revolving Funds**

**TO SEE IF NHMA WILL SUPPORT** legislation to allow municipalities to establish, by vote of the legislative body, revolving funds for their solid waste programs, including solid waste collection, disposal, and the operation of any municipally operated transfer station, in addition to recycling.

#### **8. Clarify Establishing Highways**

**TO SEE IF NHMA WILL SUPPORT** legislation clarifying that the dedication and acceptance method of highway creation requires express acceptance by vote of the legislative body, or the board of selectmen if so delegated.

#### **9. Water Fund**

**TO SEE IF NHMA WILL SUPPORT** legislation to implement the recommendations of the Commission on Water Infrastructure Sustainability Funding (the "SB 60 Commission"), including (1) the establishment of a water trust fund to ensure adequate annual investment in water infrastructure, and (2) a sustainable revenue source for the water trust fund.

**Municipal interest to be accomplished by proposal:** Long-term investment in the infrastructure that cleans and carries water is essential to the health and economy of New Hampshire. Water is a resource that cannot be neglected, and a water trust is essential to ensure that large and small

communities can maintain the infrastructure to meet the regulatory limits, and the social and economic goals of communities.

**Explanation:** The SB 60 Commission worked for three years to develop findings and recommendations for the establishment of a sustainable trust for water infrastructure. NHMA should support this initiative as it affects all New Hampshire municipalities. **Submitted by:** Shelagh Connelly, Chair, New Hampshire Water Pollution Control Association.

## Standing Policy Recommendations

### **10. Adequate Highway Funding**

**TO SEE IF NHMA WILL SUPPORT** legislation to ensure adequate state revenue dedicated to highway improvements, which may include the road toll (gas tax) under RSA 260:32, increased motor vehicle registration fees, or any other source, so long as all additional revenues are used for highway purposes, and provided that the proportionate share of such additional revenues is distributed to cities and towns as required by existing law.

### **11. Alternative Funding for Transportation**

**TO SEE IF NHMA WILL SUPPORT** the establishment of alternative funding sources to ensure the maintenance and improvement of existing and future state and local transportation infrastructure and to provide greater focus and financial support for all modes of transportation.

### **12. Conservation Investment**

**TO SEE IF NHMA WILL SUPPORT** permanent funding for the Land and Community Heritage Investment Program and **OPPOSES** any diversion of such funds to other uses.

### **13. Environmental Regulation and Preemption**

**TO SEE IF NHMA WILL SUPPORT** legislation that (a) recognizes municipal authority over land use and environmental matters, (b) limits state preemption of local environmental regulation, and (c) recognizes that even when local environmental regulation is preempted, compliance with other local laws, such as zoning and public health ordinances and regulations, is still required.

### **14. Underground Utilities**

**TO SEE IF NHMA WILL SUPPORT** legislation clarifying that municipalities may incur debt for the purpose of removing overhead utilities and replacing them with underground utilities.

### **15. Energy, Renewable Energy and Energy Conservation**

**TO SEE IF NHMA WILL SUPPORT** legislation encouraging state and federal programs that provide incentives and assistance to municipalities to adopt energy use and conservation techniques that will manage energy costs and environmental impacts, promote the use of renewable energy

sources, and promote energy conservation, and opposes any legislation that overrides local regulation.

**16. Open Space Retention and Sprawl Prevention**

**TO SEE IF NHMA WILL SUPPORT** legislation encouraging statewide programs that provide incentives and assistance to municipalities to adopt land use planning and regulatory techniques that will better prevent sprawl, retain existing tracts of open space, and preserve community character.

**17. Sludge/Biosolids**

**TO SEE IF NHMA WILL SUPPORT** reliable enforcement of scientifically based health and environmental standards for the management of sludge, septage, and biosolids; and **OPPOSE** any state legislation that would curtail the ability of municipalities to dispose of municipally-generated biosolids through land spreading, when done in accord with such scientifically based health and environmental standards.

**18. Current Use**

**TO SEE IF NHMA WILL OPPOSE** any legislative attempt to undermine the basic goals of the current use program and **OPPOSE** any reduction in the 10-acre minimum size requirement for qualification for current use, beyond those exceptions now allowed by the rules of the Current Use Board.

**19. Complete Streets**

**TO SEE IF NHMA WILL SUPPORT** legislation providing for consideration and possible implementation of a Complete Streets Policy at the state level, to include accommodating the input and needs of, and the financial impact on, political subdivisions.

**Municipal interest to be accomplished by proposal:** There is a growing awareness that conventional design, operation and maintenance of transportation facilities have been biased toward accommodating speed and capacity for motor vehicles, and that a more comprehensive approach is needed to adequately support mobility and quality of life for all members of the community. The Complete Streets concept is a response to this concern, which focuses on ensuring that streets are safe, comfortable and convenient for travel for everyone, including motorists, pedestrians, bicyclists and public transportation users, and for all ages and abilities.

In recent years, the City of Portsmouth has been designing its street improvement projects with an increased attention to pedestrian and bicycle safety and convenience, and in 2013 the City adopted a formal Complete Streets policy to formalize this approach. However, it is important that local initiatives such as Portsmouth's be supported by a statewide Complete Streets policy.

**Explanation:** A statewide Complete Streets policy would require transportation agencies to approach every transportation improvement and project phase as an opportunity to create safer, more accessible streets for all users. These phases include planning, programming, design, right-of-way acquisition, construction engineering, construction, reconstruction, operation and maintenance.

Complete Streets principles can be applied on new projects, but also can be applied incrementally on existing streets through a series of improvements and activities over time.

An effective Complete Streets policy is sensitive to community context. A strong statement about context can help align transportation and land use planning goals, creating livable and resilient villages, towns and neighborhoods.

To date, 27 states have adopted statewide Complete Streets policies, including the New England states of Vermont, Massachusetts, Connecticut and Rhode Island. **Submitted by: Rick Taintor, Planning Director, Portsmouth; Christopher Parker, Director of Planning and Community Development, Dover; Thomas J. Aspell, Jr., City Manager, Concord.**



## Legislative Principles

In addition to the established Legislative Policy positions adopted by the New Hampshire Municipal Association membership, the following principles should guide staff in setting priorities during any legislative biennium:

1. Consider unfunded mandate issues that violate Part 1, Article 28-a of the New Hampshire Constitution to be paramount. Identify them and oppose them.
2. Work to maintain existing revenue streams to municipalities, (i.e. revenue sharing, meals and rooms tax, highway, and other state aid). Be especially watchful of proposals to reduce local aid in order to meet other funding commitments.
3. Advocate to maintain existing local authority.
4. Support issues which provide greater authority to govern more effectively, efficiently and flexibly at the local level, including local option legislation. If the legislature is considering adopting a program that is particularly controversial at the local level, support a requirement that a local legislative body vote is necessary before full implementation of the measure.
5. Support bills proposed by individual municipal members, except when they conflict with these principles or other NHMA policies. Staff should prioritize time and resources when there are competing demands in order to focus on NHMA's broad agenda first.
6. Encourage exemptions from state taxes rather than local property taxes when legislative intent is to preserve statewide resources.
7. Advocate for municipal representation on all state boards, commissions, and study committees which affect municipal government and have non-legislative members.
8. Work cooperatively with other groups and associations to support efforts to improve the delivery of services at the local level.
9. Support municipal efforts toward effective regional cooperation and delivery of municipal services.
10. Support efforts to develop a statewide technology network that fosters increased communication and greater compatibility among levels of government and within and between agencies in all levels of government.





New Hampshire Municipal Association  
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by (name) \_\_\_\_\_ Date \_\_\_\_\_

City or Town \_\_\_\_\_ Title of Person Submitting Policy \_\_\_\_\_

Floor Policy Proposal approved by vote of the governing body on (date) \_\_\_\_\_

To see if NHMA will SUPPORT/OPPOSE:

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Municipal interest to be accomplished by proposal:

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Explanation:

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A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to [governmentalaffairs@nhmunicipal.org](mailto:governmentalaffairs@nhmunicipal.org). **Must be received by August 15, 2014.**

## 2015-2016 NHMA Legislative Policy Process Questions & Answers

**1. What is the purpose of establishing NHMA legislative policy?** The New Hampshire Municipal Association (NHMA) is the voice of New Hampshire's cities and towns before the state legislature and state agencies. Adoption of legislative policy allows your municipal voice to be heard through the actions of your organization – NHMA. By adopting legislative policy, local officials can tell elected representatives what they feel are the major concerns of cities and towns.

The NHMA Board of Directors oversees NHMA's advocacy activities. Legislative policy positions direct the board and NHMA staff in representing municipalities before the legislature and state agencies.

**2. How are legislative policy recommendations prepared?** In the spring of each even-numbered year, NHMA forms legislative policy committees addressing different aspects of municipal government. The three committees this year are:

1. Finance and Revenue;
2. General Administration and Governance; and
3. Infrastructure, Development and Land Use.

These three policy committees consider issues and problems derived from their own experience as local officials, issues sent in by other members or brought to them by staff, past policy positions, and issues resulting from the most recent legislative session. Each committee holds several meetings during the spring and develops policy recommendations to be voted on by member municipalities at the Legislative Policy Conference.

**3. Who votes on adoption, amendment, or rejection of these recommendations, and when?** On Friday, September 26, 2014, at 9:00 a.m., the 2015-2016 NHMA Legislative Policy Conference will be held at NHMA offices (25 Triangle Park Drive) in Concord. ***Each member municipality will be asked to appoint a voting delegate to cast its vote at this conference.*** Each member municipality, regardless of size, has one vote on all policy matters.

In the absence of any other designation by the Board of Selectmen, Aldermen, or Council, a voting delegate card will be issued at the door (in order of priority determined by the NHMA Municipal Officials Directory) to:

Mayor/Chair of Board of Selectmen/Council Chair

**OR**

Mayor Pro Tem/Vice or Assistant Mayor/Council Vice Chair

**OR**

Selectman/Alderman/Councilor

**OR**

City or Town Manager/Administrative Assistant

**4. Will other policy proposals be voted on at the conference?** Yes, municipalities will have the opportunity to submit floor policy proposals for consideration at the conference. Each floor policy proposal must be approved by the governing body of the municipality submitting it, but the

proposals will not be reviewed or recommended by NHMA's legislative policy committees. Floor policy proposals will be voted on separately at the conference.

**5. How does our voting delegate determine a position on these recommendations?** We urge each municipality's governing body to discuss the recommendations in advance of the Legislative Policy Conference and vote to take a position on each one, in order to give direction to the voting delegate. Otherwise, your voting delegate is free to cast your municipality's vote as he or she desires.

**6. How are the policy recommendations presented and voted on at the Legislative Policy Conference?** The chair of the board of directors, as the presiding officer of the Legislative Policy Conference, introduces the entire set of recommendations of each policy committee, one committee at a time, as a slate. The co-chairs of each committee will be available to address questions. Any voting delegate may ask that a recommendation be set aside to be debated and voted on separately. The remaining recommendations are voted upon as a slate. When the slate from each policy committee has been voted, the voting delegates will then return to those items set aside for separate debate and vote. It is at this time that individual items can be killed, amended, passed over, laid on the table, etc. Votes are by a display of special voting delegate cards.

**7. Are policies adopted by a simple majority vote?** No. NHMA's by-laws require a two-thirds affirmative vote of all members present and voting for approval of any NHMA legislative policy.

**8. Why is the Legislative Policy Conference separate from the November annual meeting?** The Legislative Policy Conference must be held before the annual conference in order to meet the legislative deadlines for the filing of new bills. The staff needs time after adoption of policies to draft bills and secure sponsors.

**9. How will I know what policies are adopted if I don't go to the Legislative Policy Conference?** The final 2015-2016 NHMA Legislative Policies will be printed as a supplement in the November/December, 2014 issue of *Town & City* magazine. We will also post them on the NHMA's web site at [www.nhmunicipal.org](http://www.nhmunicipal.org).

**10. What happens if an issue that is not covered by any of these policies comes before the legislature?** The NHMA Board determines the position that the staff will advocate on issues not covered by specific NHMA Legislative Policy. The policy conference also endorses a set of 10 Legislative Principles, which augment the specific legislative policy positions by setting forth general principles that guide staff in their advocacy efforts.

# ABATEMENT RECOMMENDATION

**TO:** Select Board  
Town of Lee

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

**DATE:** June 30, 2014

**RE:** Nancy Dodge  
3018 59<sup>TH</sup> Street – Apt 202  
Gulfport, FL 33707

**Property Tax Map 28 Lot 1-46**  
**Address: L46 Ferndale Acres**

**Tax Year: 2013**  
**Assessment: \$4,600**

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The subject is a camper on rented land. The property was transferred in August 2013 and moved. As this is the case, it is recommended that an abatement in the amount of \$103 plus any interest be granted.

Abatement Granted

Abatement Denied

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Dated \_\_\_\_\_

# ABATEMENT RECOMMENDATION

**TO:** Select Board  
Town of Lee

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

**DATE:** June 30, 2014

**RE:** Alfred and Tara Porter  
33 Sydney Lane  
Lynn, MA 01902

**Property Tax Map 12 Lot 001-A10**  
**Address: A10 Forest Glen**

**Tax Year: 2013**  
**Assessment: \$6,700**

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The subject is a camper on a rented site in Forest Glen Campground. Campground owner did not provide owner information as requested nor did they forward the tax bills. Subject's owner was not aware of tax bill and is requesting that any accrued interest/penalty be abated. With consideration for the above it is my recommendation that the request be granted.

Abatement Granted

Abatement Denied

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Dated \_\_\_\_\_

# ABATEMENT RECOMMENDATION

**TO:** Select Board  
Town of Lee

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

**DATE:** June 30, 2014

**RE:** Tom Butler  
6 Sunset Ave  
Woburn, MA 01801

**Property Tax Map 12 Lot 001-B3**  
**Address: B3 Forest Glen**

**Tax Year: 2013**  
**Assessment: \$5,200**

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The subject was a camper on a rented site in Forest Glen Campground. The assessor's office was only recently informed that owner passed away and camper was removed. As this is the case, it is recommended that an abatement in the amount of \$150 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

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Dated \_\_\_\_\_

# ABATEMENT RECOMMENDATION

**TO:** Select Board  
Town of Lee

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

**DATE:** June 30, 2014

**RE:** Dan Hickey  
133 8<sup>th</sup> Avenue  
Haverhill, MA 01830

**Property Tax Map 12 Lot 001-D03**  
**Address: D03 Forest Glen**

**Tax Year: 2013**  
**Assessment: \$5,800**

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The subject is a camper on a rented site in Forest Glen Campground. Campground owner did not provide owner information as requested nor did they forward the tax bills. Subject owner was not aware of tax bill and is requesting that any accrued interest/penalty be abated. With consideration for the above it is my recommendation that the request be granted.

Abatement Granted

Abatement Denied

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Dated \_\_\_\_\_

# ABATEMENT RECOMMENDATION

**TO:** Select Board  
Town of Lee

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

**DATE:** June 30, 2014

**RE:** Andy Paraski  
103 Silver Street  
Dover, NH 03820

**Property Tax Map 12 Lot 001-G13**  
**Address: G13 Forest Glen**

**Tax Year: 2013**  
**Assessment: \$5,200**

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The subject is a camper on a rented site in Forest Glen Campground. Campground owner did not provide owner information as requested nor did they forward the tax bills. Subject's owner was not aware of tax bill and is requesting that any accrued interest/penalty be abated. With consideration for the above it is my recommendation that the request be granted.

Abatement Granted

Abatement Denied

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Dated \_\_\_\_\_



# ABATEMENT RECOMMENDATION

**TO:** Select Board  
Town of Lee

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

**DATE:** June 30, 2014

**RE:** Laurie Victor  
29 Kenoza Street  
Haverhill, MA 01830

**Property Tax Map 12 Lot 001-H1**  
**Address:** H1 Forest Glen

**Tax Year:** 2013  
**Assessment:** \$5,300

---

The subject was a camper on a rented site in Forest Glen Campground. The assessor's office was only recently informed of ownership and during review it was noted that this camper was removed. As this is the case, it is recommended that an abatement in the amount of \$152 plus any interest be granted.

Abatement Granted

Abatement Denied

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Dated \_\_\_\_\_

**ABATEMENT  
RECOMMENDATION**

**TO:** Select Board  
Town of Lee

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

**DATE:** June 30, 2014

**RE:** April and Louis Serio  
63R Main Street  
Saugus, MA 01906

**Property Tax Map 12 Lot 1-H2**  
**Address: H02 Forest Glen**

**Tax Year: 2013**  
**Assessment: \$6,000**

---

The subject is a camper on a rented site in Forest Glen Campground. Campground owner did not provide owner information as requested, nor did they forward the tax bill. The applicant's were not aware of the tax bill. They have requested the entire amount be abated, however as the camper is and has remained on the site, in my opinion no abatement on that aspect is applicable. They are also requesting that any interest/penalty that occurred be abated. With consideration for all of the above it is my recommendation that this request be granted.

Abatement Granted

Abatement Denied

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Dated \_\_\_\_\_

# ABATEMENT RECOMMENDATION

**TO:** Select Board  
Town of Lee

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

**DATE:** June 30, 2014

**RE:** William Ouellette  
48 Bacheller St  
Lynn, MA 01901

**Property Tax Map** 12 Lot 1-WF4  
**Address:** WF04 Forest Glen

**Tax Year:** 2013  
**Assessment:** \$6,000

---

The subject is a camper on a rented site. Campground owner did not provide owner information as requested nor did they forward the tax bills. Subject owner was not aware of tax bill. Information was recently submitted that shows that property was registered. As this is the case, it is recommended that assessment be deleted and that an abatement in the amount of \$173 plus any interest be granted.

Abatement Granted

Abatement Denied

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Dated \_\_\_\_\_

# ABATEMENT RECOMMENDATION

**TO:** Select Board  
Town of Lee

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

**DATE:** June 30, 2014

**RE:** Dorothea Burke  
141 Pierce Street #46  
Malden, MA 02148

**Property Tax Map 12 Lot 001-WV1**  
**Address: WV1 Forest Glen**

**Tax Year: 2013**  
**Assessment: \$4,600**

---

The subject is a camper on a rented site in Forest Glen Campground. Campground owner did not provide owner information as requested nor did they forward the tax bills. Subject owner contacted assessing office regarding assessment and it was found that condition was overstated. After adjustment assessment is reduced \$2,100 and it is recommended that an abatement in the amount of \$60 plus applicable interest along with any prior interest be granted.

Abatement Granted

Abatement Denied

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Dated \_\_\_\_\_

# ABATEMENT RECOMMENDATION

**TO:** Select Board  
Town of Lee

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

**DATE:** June 30, 2014

**RE:** Dianne Sherwood  
47 Hartt Ave  
Manchester, NH 03109

**Property Tax Map 28 Lot 001-93**  
**Address:** L93 Fernald Acres

**Tax Year:** 2013  
**Assessment:** \$5,400

---

The subject is a camper on a rented site in Ferndale Acres Campground. Campground owner did not provide owner information as requested nor did they forward the tax bill. Subject's owner was not aware of tax bill and is requesting that any accrued interest/penalty be abated. With consideration for the above it is my recommendation that the request be granted.

Abatement Granted

Abatement Denied

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Dated \_\_\_\_\_

**ABATEMENT  
RECOMMENDATION**

**TO:** Select Board  
Town of Lee

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

**DATE:** June 30, 2014

**RE:** Kathy O'Leary  
Brien Murphy  
38 Dickinson St  
Somerville, MA 02143

**Property Tax Map** 12 Lot 1-J05  
**Address:** J05 Forest Glen

**Tax Year:** 2014  
**Assessment:** \$6,500

---

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 \$93 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

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Dated \_\_\_\_\_

# ABATEMENT RECOMMENDATION

**TO:** Select Board  
Town of Lee

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

**DATE:** June 30, 2014

**RE:** William Ouellette  
48 Bacheller St  
Lynn, MA 01901

**Property Tax Map 12 Lot 1-WF4**  
**Address: WF04 Forest Glen**

**Tax Year: 2014**  
**Assessment: \$6,000**

---

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 \$86 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

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\_\_\_\_\_

Dated \_\_\_\_\_

# ABATEMENT RECOMMENDATION

**TO:** Select Board  
Town of Lee

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

**DATE:** June 23, 2014

**RE:** Kevin and Jane Crawford  
100 Steppingstones Road  
Lee, NH 03861

**Property Tax Map 7 Lot 10**  
**Address:** 100 Steppingstones Road

**Tax Year:** 2013  
**Assessment:** \$320,591

---

The subject is a contemporary style ranch situated on a 36.24 acre parcel, of which the majority of the acreage is enrolled in the State's current use program. The reason for the request is the applicant's concern with the property across the street and their opinion that it is having a negative impact on the property's value. Exterior was inspected and minor sketch items have been corrected. I have spoken with the applicant's and explained the assessment process. As of April 1, 2013 the property across the street had not had any permits issued and nothing had been started. In addition, although the applicant's feel its proposed usage will reduce the value to around \$290,000, no evidence has been provided. Until the property across the street is complete and surrounding properties are sold, there is no way of knowing what, if any, effect on value it may have. With consideration for all of the above, it is recommended that the abatement request be denied.

Abatement Granted

Abatement Denied

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Dated \_\_\_\_\_



★ SCOTT WANTS TO INSPECT HIMSELF ★

MRI COPY  
ORIG. E DOC.'S IN MRI CABINET  
LEFT OF W.A. DESK

RECEIVED

**TAXPAYER'S RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY**

TAX YEAR APPEALED 2014

TOWN OF LEE, NH  
SELECTMAN'S OFFICE

**INSTRUCTIONS**

1. Complete the application by typing or printing legibly in ink. **This application does not stay the collection of taxes; taxes should be paid as assessed. If an abatement is granted, a refund with interest will be made.**
2. File this application with the municipality by the deadline (see below). Date of filing is the date this form is either hand delivered to the municipality, postmarked by the post office, or received by an overnight delivery service.

**DEADLINES:** The "notice of tax" means the date the board of tax and land appeals (BTLA) determines the last tax bill was sent by the municipality. (If your municipality bills twice annually, you must apply after the bill that establishes your final tax liability and not before.)

**Step One:** Taxpayer must file the abatement application with the municipality by March 1 following the notice of tax.

**Step Two:** Municipality has until July 1 following the notice of tax to grant or deny the abatement application.

**Step Three:** Taxpayer may file an appeal either at the BTLA (RSA 76:16-a) or in the superior court (RSA 76:17), but not both. An appeal must be filed:

- 1) no earlier than: a) after receiving the municipality's decision on the abatement application; or b) July 1 following the notice of tax if the municipality has not responded to the abatement application; and
- 2) no later than September 1 following the notice of tax.

**EXCEPTION:** If your municipality's final tax bill was sent out after December 31 (as determined by the BTLA), the above deadlines are modified as follows (RSA 76:1-a; RSA 76:16-d, II):

- Step One:** 2 months after notice of tax;
- Step Two:** 6 months after notice of tax; and
- Step Three:** 8 months after notice of tax.

- Always buy & sell properties  
 - Have Appeal 2 this yr  
 - Attorney. \$130,000 - 50,000 lost.  
 Janice  
 Eppeng  
 Real Estate Agent  
 Appraiser.

**FORM COMPLETION GUIDELINES:**

1. **SECTION E.** Municipalities may abate taxes "for good cause shown." RSA 76:16. Good cause is generally established by showing an error in the assessment calculation or a disproportionate assessment. Good cause can also be established by showing poverty and inability to pay the tax.
2. **SECTION G.** If the abatement application is based on disproportionate assessment, the taxpayer has the burden to show how the assessment was disproportionate. To carry this burden the taxpayer must show: a) what the property was worth (market value) on the assessment date; and b) the property's "equalized assessment" exceeded the property's market value. To calculate the equalized assessment, simply divide the assessment by the municipality's equalization ratio (assessment ÷ ratio). Because a property's market value is a crucial issue, taxpayers must have an opinion of the market value estimate. This value estimate can be shown by obtaining an appraisal or presenting sales of comparable properties.
3. **SECTION H.** The applicant(s) must sign the application even if a representative (e.g., Tax Representative, Attorney, or other Advocate) completes Section I.
4. Make a copy of this document for your own records.

INSPE. ABTMENT:  
MON MARCH 24, 9:30

FOR MUNICIPALITY USE ONLY:

Town File No.: \_\_\_\_\_

Taxpayer Name: \_\_\_\_\_

**RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY**

**SECTION A. Party(ies) Applying (Owner(s)/Taxpayer(s))**

Name(s): JANE & KEVIN CRAWFORD

Mailing Address(es) 100 STEPPINGSTONES RD

Telephone Number(s): (Work) 603-365-1025 (Home) 603-300-6368

**Note:** If an abatement is granted and taxes have been paid, interest on the abatement shall be paid in accordance with RSA 76:17-a. Any interest paid to the applicant must be reported by the municipality to the United States Internal Revenue Service, in accordance with federal law. Prior to the payment of an abatement with interest, the taxpayer shall provide the municipality with the applicant's social security number or federal tax identification number. Municipalities shall treat the social security or federal tax identification information as confidential and exempt from a public information request under RSA 91-A.

**SECTION B. Party's(ies)' Representative if other than Person(s) Applying (Also complete Section A)**

Name(s): \_\_\_\_\_

Mailing Address(es): \_\_\_\_\_

Telephone Number(s): (Work) \_\_\_\_\_ (Home) \_\_\_\_\_

**SECTION C. Property(ies) for which Abatement is Sought**

List the tax map and lot number, the actual street address and town of each property for which abatement is sought, a brief description of the parcel, and the assessment.

<u>Town Parcel ID#</u>	<u>Street Address/Town</u>	<u>Description</u>	<u>Assessment</u>
<u>7-10-0</u>	<u>100 STEPPINGSTONES RD</u>	<u>RESIDENTIAL</u>	

WAS AN INVENTORY BLANK TIMELY FILED FOR THIS PROPERTY FOR TAX YEAR 20 14 ?

YES  NO  N/A

MOND. March 24 10:30<sup>1</sup> - Game  
 1:30 - Game  
 ↳ 9:30

**SECTION D. Other Property(ies)**

List other property(ies) in the municipality owned in the same name(s), even if abatements for the other property(ies) have not been sought. The taxpayer's entire real property estate must be considered in determining whether the appealed property(ies) is (are) disproportionately assessed.

<u>Town Parcel ID#</u>	<u>Street Address/Town</u>	<u>Description</u>	<u>Assessment</u>

**SECTION E. Reasons for Abatement Application**

RSA 76:16 provides that an abatement may be granted for "good cause shown." "Good cause" generally means: 1) establishing an assessment is disproportionate to market value and the municipality's level of assessment; or 2) establishing poverty and inability to pay the tax. This form can be utilized for either basis of requesting an abatement. The taxpayer has the burden to prove good cause for an abatement.

- 1) If claiming disproportionality, state with specificity all the reasons supporting your application. Statements such as "taxes too high," "disproportionately assessed" or "assessment exceeds market value" are insufficient. Generally, specificity requires the taxpayer to present material on the following (all may not apply):
  1. physical data - incorrect description or measurement of property;
  2. market data - the property's market value on the April 1 assessment date, supported by comparable sales or a professional opinion of value; and/or
  3. level of assessment - the property's assessment is disproportionate by comparing the property's market value and the town-wide level of assessment.

**Note:** If you have an appraisal or other documentation, please submit it with this application.

- 2) If claiming poverty or inability to pay, state in detail why abatement of taxes is appropriate as opposed to some other relief such as relocating, refinancing or obtaining some alternative public assistance. Ansara v. City of Nashua, 118 N.H. 879 (1978).

(Attach additional sheets if needed.)

MARKET DATA BASED ON WHAT HAS BEEN BUILT ACROSS THE STREET, REAL ESTATE BROKER WILL HAVE TO DISCLOSE PETER Mc DONALD'S TOWN APPROVED "VETERANS RESORT CHAPEL FOR HOMELESS RESIDENT." IN ADDITION ADVERTISING ON WMUR TV HAS CLEARLY SHOWN ITS INTENTION.

**SECTION F. Taxpayer's(s)' Opinion of Market Value**

State your opinion of the market value of the property(ies) appealed as of April 1 of the year under appeal.

Town Parcel ID # 7-10-0 Appeal Year Market Value \$ ~~290,000~~ 290,000

Town Parcel ID # \_\_\_\_\_ Appeal Year Market Value \$ \_\_\_\_\_

Explain the basis for your value opinion(s). (Attach additional sheets if necessary.)

BASED ON "VETERANS RESORT CHAPEL"  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION G. Sales, Rental and/or Assessment Comparisons**

List the properties you are relying upon to show overassessment of your property(ies). If you are appealing an income producing property, list the comparable rental properties and their rents. (Attach additional sheets if needed.)

<u>Town Parcel ID#</u>	<u>Street Address</u>	<u>Sale Price/Date of Sale</u>	<u>Rents</u>	<u>Assessment</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

**SECTION H. Certification by Party(ies) Applying**

Pursuant to BTLA TAX 203.02(d), the applicant(s) **MUST** sign the application. By signing below, the Party(ies) applying certifies (certify) and swear(s) under the penalties of RSA ch. 641 the application has a good faith basis, and the facts stated are true to the best of my/our knowledge.

Date: 2/22/14

[Signature]  
(Signature)

[Signature]  
(Signature)

**SECTION I. Certification and Appearance by Representative (If Other Than Party(ies) Applying)**

By signing below, the representative of the Party(ies) applying certifies and swears under penalties of RSA ch. 641:

1. all certifications in Section H are true;
2. the Party(ies) applying has (have) authorized this representation and has (have) signed this application; and
3. a copy of this form was sent to the Party(ies) applying.

Date: \_\_\_\_\_  
\_\_\_\_\_  
(Representative's Signature)

**SECTION J. Disposition of Application\* (For Use by Selectmen/Assessor)**

\*RSA 76:16, II states: the municipality "shall review the application and shall grant or deny the application in writing by July 1 after notice of tax date . . . ."

Abatement Request: GRANTED \_\_\_\_\_ Revised Assessment: \$ \_\_\_\_\_ DENIED \_\_\_\_\_

Remarks:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
(Selectman/Assessor Signature)

\_\_\_\_\_  
(Selectman/Assessor Signature)

\_\_\_\_\_  
(Selectman/Assessor Signature)

\_\_\_\_\_  
(Selectman/Assessor Signature)

# Memo

**TO:** Select Board  
Town of Lee

**FROM:** Scott P. Marsh, CNHA  
Municipal Resources Inc.  
Contracted Assessors' Agents

**DATE:** June 23, 2014

**RE:** Notice of Intent To Excavate  
Tax Map 7

---

The attached form was received. Property being excavated is public land at the traffic circle and as the form appears to be complete, it is recommended that it be approved.

If there are any questions or additional information desired, please let me know.

PA-38

NOTICE OF INTENT TO EXCAVATE

139

RSA 72-B

YR

TOWN

OP#

Grid for YR, TOWN, OP# with handwritten 'E' in the last cell.

For Tax Year April 1, 20 14 to March 31, 20 15

GENERAL INSTRUCTIONS FOR FILING THIS FORM ON REVERSE

PLEASE TYPE OR PRINT

- 1 Town/City of: Lee NH
2 Tax Map/Block/Lot #: FEDERAL AID PROJECT X-A000(885) NH# 15692
3 Name of road from which accessible: US R+4 & NH R+125
4 Total Acreage of Lot:
5 Date of permit per RSA 155-E:2:
6 Date of report, if required, per RSA 155-E:2,1,(d):
7 Permit number per RSA 485-A:17, if any:
8 Incidental Construction/155-E Exception: Yes No
9 Total permitted area (acres):
10 Excavation area (acres) as of April 1:
11 Reclaimed area (acres) as of April 1:
12 Remaining Cubic Yards of Earth to excavate: 6400.00
13 Type of ownership (check only one):
14 DESCRIPTION OF EARTH TO BE EXCAVATED DURING TAX YEAR

15 CHECK ONLY THE BOX THAT DESCRIBES THIS INTENT

- ORIGINAL WITH \$100.00 FEE (paid by check payable to State of New Hampshire)
ORIGINAL WITH NO FEE (excavation of 1000 CY or less)
SUPPLEMENTAL WITH \$100.00 FEE (exceeding original estimate of 1000 CY or less)
SUPPLEMENTAL WITH NO FEE (fee previously paid with original intent)

16 We hereby assume responsibility for reporting all earth excavated within 30 days of completion or by the end of the tax year, whichever comes first. (If a Corporation, an Officer must sign.)

Signature of Wilfred B. Bretteau pro. SUR Construction, Inc. dated 8/23/14.

PRINT OWNER (S) NAME CLEARLY

MAILING ADDRESS

TOWN OR CITY, STATE AND ZIP CODE

Telephone No. Home: (603) 832 4354
Work: (603) 812 8581

DATE INTENT SENT TO TOWN: 8/23/14

TO BE COMPLETED BY ASSESSING OFFICIALS

Amount of Security Required & Posted \$

Security Posted (Bond, Certified Check, etc.) \$

SIGNATURES OF ASSESSING OFFICIALS & DATE

The selectmen/assessing officials hereby acknowledge receipt of the Notice of Intent to Excavate and certify that:

- 1 All owners of record have signed Intent;
2 If the land is in Current Use, the land use change tax shall be assessed;
3 The form is complete and;
4 Any bond required under RSA 72-B:5 has been received.

Table with 2 columns: SIGNATURE (IN INK) and DATE. Multiple rows for signatures.

FOR DRA USE ONLY



**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: JAMES B LEITZ

Address: 3 BEANBER DRIVE Phone/Cell: 603-659-2072

# of Years as a Resident: 41

Email address: JKLEITZ@COMCAST.NET

Full Membership (3 year term) position applying for: Town Library Community Center Building 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: 1

- OYSTER RIVER SCHOOL BOARD / ORVA /
- 40 YEARS MANUFACTURING MANAGEMENT IN NH AND MASS.
- DOVER CHAMBER OF COMMERCE
- PRESIDENT PLASTICS ASSOCIATION

James B Leitz  
Signature

6/27/14  
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.



To: **JAMES LEITZ** of Lee, New Hampshire in the **County of Strafford:**

Whereas, there is a vacancy in the office of the LIBRARY COMMUNITY CENTER BUILDING COMMITTEE 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 named above, upon your taking the oath of office, and having this appointment and the 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 June 2015.

Given under our hands, this 7th day of July, 2014

.....>  
.....> **BOARD of SELECTMEN**  
.....>

I, \_\_\_\_\_, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as a member of the LIBRARY COMMUNITY CENTER BUILDING COMMITTEE according to the best of my abilities, agreeably to the rules and regulations of the constitution and laws of the **State of New Hampshire - So help me God.**

**STATE OF NEW HAMPSHIRE  
STRAFFORD COUNTY**

Personally appeared the above named **JAMES LEITZ** took and subscribed the foregoing oath. Before me,

.....  
Linda R. Reinhold, **Town Clerk**

Date: \_\_\_\_\_, 2014

Received and Recorded:

\_\_\_\_\_

To: **LOU ANN GRISWOLD** of Lee, New Hampshire in the **County of Strafford**:

Whereas, there is a vacancy in the office of the **LIBRARY COMMUNITY CENTER BUILDING COMMITTEE** 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 named above, upon your taking the oath of office, and having this appointment and the 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 June 2015.

Given under our hands, this 7<sup>th</sup> of July, 2014

.....>

.....> **BOARD of SELECTMEN**

.....>

I, \_\_\_\_\_, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as a member of the **LIBRARY COMMUNITY CENTER BUILDING COMMITTEE** according to the best of my abilities, agreeably to the rules and regulations of the constitution and laws of the **State of New Hampshire - So help me God.**

**STATE OF NEW HAMPSHIRE  
STRAFFORD COUNTY**

Personally appeared the above named **LOU ANN GRISWOLD** took and subscribed the foregoing oath. Before me,

.....  
Linda R. Reinhold, **Town Clerk**

Date: \_\_\_\_\_, 2014

Received and Recorded:

\_\_\_\_\_

To: **ZACHARY SMITH** of Lee, New Hampshire in the **County of Strafford**:

Whereas, there is a vacancy in the office of the **LIBRARY COMMUNITY CENTER BUILDING COMMITTEE** 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 named above, upon your taking the oath of office, and having this appointment and the 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 June 2015.

Given under our hands, this 7<sup>th</sup> of July, 2014

.....>

.....> **BOARD of SELECTMEN**

.....>

I, \_\_\_\_\_, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as a member of the LIBRARY COMMUNITY CENTER BUILDING COMMITTEE according to the best of my abilities, agreeably to the rules and regulations of the constitution and laws of the **State of New Hampshire - So help me God.**

**STATE OF NEW HAMPSHIRE  
STRAFFORD COUNTY**

Personally appeared the above named **ZACHARY SMITH** took and subscribed the foregoing oath. Before me,

.....  
Linda R. Reinhold, **Town Clerk**

Date: \_\_\_\_\_, 2014

Received and Recorded:

\_\_\_\_\_

To: **PAUL GASOWSKI** of Lee, New Hampshire in the **County of Strafford**:

Whereas, there is a vacancy in the office of the **LIBRARY COMMUNITY CENTER BUILDING COMMITTEE** 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 named above, upon your taking the oath of office, and having this appointment and the 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 June 2015.

Given under our hands, this 7<sup>th</sup> of July, 2014

.....>

.....> **BOARD of SELECTMEN**

.....>

I, \_\_\_\_\_, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as a member of the LIBRARY COMMUNITY CENTER BUILDING COMMITTEE according to the best of my abilities, agreeably to the rules and regulations of the constitution and laws of the **State of New Hampshire - So help me God.**

**STATE OF NEW HAMPSHIRE  
STRAFFORD COUNTY**

Personally appeared the above named **PAUL GASOWSKI** took and subscribed the foregoing oath. Before me,

.....  
Linda R. Reinhold, **Town Clerk**

Date: \_\_\_\_\_, 2014

Received and Recorded:

\_\_\_\_\_

To: **TOM DOLAN** of Lee, New Hampshire in the **County of Strafford**:

Whereas, there is a vacancy in the office of the **LIBRARY COMMUNITY CENTER BUILDING COMMITTEE** 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 named above, upon your taking the oath of office, and having this appointment and the 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 June 2015.

Given under our hands, this 7<sup>th</sup> of July, 2014

.....>  
.....> **BOARD of SELECTMEN**  
.....>

I, \_\_\_\_\_, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as a member of the **LIBRARY COMMUNITY CENTER BUILDING COMMITTEE** according to the best of my abilities, agreeably to the rules and regulations of the constitution and laws of the **State of New Hampshire - So help me God.**

**STATE OF NEW HAMPSHIRE  
STRAFFORD COUNTY**

Personally appeared the above named **TOM DOLAN** took and subscribed the foregoing oath. Before me,

.....  
Linda R. Reinhold, **Town Clerk**

Date: \_\_\_\_\_, 2014

Received and Recorded:

\_\_\_\_\_

To: **BILL CALLEN** of Merrimack, New Hampshire in the **County of Hillsborough**:

Whereas, there is a vacancy in the office of the **AD HOC RACE TRACK COMMITTEE** 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 named above, upon your taking the oath of office, and having this appointment and the 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 June 2015.

Given under our hands, this 7<sup>th</sup> day of July, 2014

.....>

.....> **BOARD of SELECTMEN**

.....>

I, \_\_\_\_\_, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as a member of the **AD HOC RACE TRACK COMMITTEE** according to the best of my abilities, agreeably to the rules and regulations of the constitution and laws of the **State of New Hampshire - So help me God.**

**STATE OF NEW HAMPSHIRE  
STRAFFORD COUNTY**

Personally appeared the above named **BILL CALLEN** took and subscribed the foregoing oath. Before me,

.....  
Linda R. Reinhold, **Town Clerk**

Date: \_\_\_\_\_, 2014

Received and Recorded:

\_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS

That the Town of Lee in consideration of Seven hundred Dollars paid by Alana J. W. Patterson and Peter Hay Patterson, M.D., heirs and assigns (2) Graves in the Public Burial Ground, known as the **LEE HILL CEMETERY** situated on Lot I-11 and numbered Graves 3 and 4 on the plan, and bounded as follows, to

- On the North by Grave 2 of Lot I-11;
- On the South by Grave 5 of Lot I-11;
- On the East by Graves 9 & 10 of Lot J-11;
- And on the West by Graves 8 & 9 of Lot I-11

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.

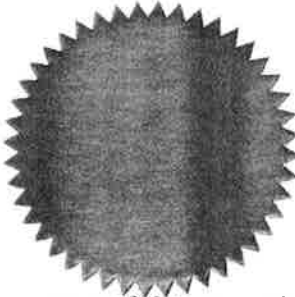
**Fifth.** That there shall be no planting of trees/shrubs except by consent of the Cemetery Trustees & Superintendent of Cemeteries. Also, said Town of Lee, in consideration of the above sum paid to them by the Grantee, does further covenant to and with said Grantee and/or their heirs and assigns, that 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:  
A.J.W Patterson  
P.H. Patterson  
28 Jenkins 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



**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
<del>4194</del> - Planning & Zoning	5,000.00
4191	

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David Cedarholm, Chairman

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Carole Dennis, Selectwoman

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Scott Bugbee, Selectman



**Town of Lee**  
**Legal Fees - Budget to Actual**  
 July 1, 2013 through June 16, 2014

	6/1/13 - 6/16/14	Budget	Over/Under	% of Budget
<b>4000 · Operating Budget</b>				
<b>4153 · Legal Expenses</b>				
Fairpoint	6,104.20	0.00	6,104.20	100.0%
P & Z	23,665.40	0.00	23,665.40	100.0%
<b>4153 · Legal Expenses - Other</b>	8,619.55	35,000.00	-26,380.45	24.63%
<b>Total 4153 · Legal Expenses</b>	<u>38,389.15</u>	<u>35,000.00</u>	<u>3,389.15</u>	<u>109.68%</u>
 <b>Total 4000 · Legal Fees</b>	 38,389.15	 35,000.00	 3,389.15	 109.68%

Original FY 2014 Budget Line 4153	15,000.00
*Additional Voted by BOS 1/21/14	<u>20,000.00</u>
	35,000.00

\*Multiple changes in personnel left funds in health insurance line 4155. This \$20,000.00 was taken from there.

**1310 - Legal Fees due from Conservation**

Ford Easement	2,188.64 to be returned to General Fund in FY 2014
Kennard Easement	1,512.50 to be returned to General Fund in FY 2015
Other	<u>130.00 to be returned to General Fund in FY 2014</u>
	3,831.14

**Town of Lee  
Legal Costs  
July 2013 through May 2014**

Date	Planning & Zoning						Conservation			Town Administrator							Total
	MacDonald	Winona	Solar Fm.	Dog Care	Cheney	Other	Kennard	Ford	Other	Fairpoint	Personnel	Meet Rm.	Tax Deeds	Speedway	Noble Fm.	Other	
08/30/2013	1,533.75							247.00					662.50	227.50		96.25	2,767.00
08/30/2013										417.41							417.41
09/27/2013	885.00	332.50						914.50					102.50				2,234.50
09/27/2013										417.41							417.41
10/25/2013										991.46							991.46
11/08/2013										280.06							280.06
11/08/2013	4,525.00							357.50		110.00	35.00				87.50	157.50	5,272.50
11/08/2013															2,164.25		2,164.25
11/22/2013	1,705.50					52.50		245.00		163.00	1,295.00				105.00	458.02	4,024.02
12/20/2013	4,373.70	297.50						374.64	130.00	281.00	70.00				202.50	72.11	5,801.45
12/20/2013										487.98							487.98
01/31/2014										485.13							485.13
02/28/2014										361.93							361.93
02/28/2014	938.60	52.50				490.00	1,355.00	50.00		1,135.00	1,133.92					192.50	5,347.52
03/28/2014	527.88	647.50		105.00	315.00	14.56	87.50				682.50						2,379.94
03/28/2014										449.68							449.68
04/25/2014										252.37							252.37
04/25/2014	35.00	968.33		610.99	215.83	14.56	70.00			16.50		227.50					2,158.71
05/23/2014	2,956.01	50.00	435.00	1,565.00		18.19					280.00	367.50					5,671.70
05/23/2014										255.27							255.27
	<b>17,480.44</b>	<b>2,348.33</b>	<b>435.00</b>	<b>2,280.99</b>	<b>530.83</b>	<b>589.81</b>	<b>1,512.50</b>	<b>2,188.64</b>	<b>130.00</b>	<b>6,104.20</b>	<b>3,496.42</b>	<b>595.00</b>	<b>765.00</b>	<b>227.50</b>	<b>2,559.25</b>	<b>976.38</b>	<b>42,220.29</b>

P & Z                    23,665.40  
 Conservation            3,831.14  
 Town Admin.            14,723.75  
                                   42,220.29

sexed man



Marc E. Jacobs, CSS, CWS, PWS, CPESC  
Professional Wetland / Soil Scientist  
[jacobs2wetsoil2004@yahoo.com](mailto:jacobs2wetsoil2004@yahoo.com)

Via First Class Mail Certified

June 19, 2014

Mr. David Price  
NH Dept. of Environmental Services  
Wetlands Bureau  
Pease Tradeport  
222 International Drive, Suite 175  
Portsmouth, N.H. 03801

Re: Lee Highway Department  
Town of Lee  
Wednesday Hill Road  
Lee, NH

Dear Mr. Price:

Enclosed please find a completed wetlands permit application and supporting materials for the above-referenced location which is proposed for culvert replacement.

Your expeditious review of this application would be most appreciated as the Lee Highway Department would ideally like to conduct the work during the normal low flow period later this summer or fall if possible. Upon your review of these materials please feel free to contact me directly with any questions.

Best regards,

Marc Jacobs, CWS, CSS, PWS, CPESC

application? supporting documents available at Town Hall.



Marc E. Jacobs, CSS, CWS, PWS, CPESC  
Professional Wetland / Soil Scientist  
[jacobs2wetsoil2004@yahoo.com](mailto:jacobs2wetsoil2004@yahoo.com)

Via First Class Mail Certified

June 19, 2014

Mr. David Price  
NH Dept. of Environmental Services  
Wetlands Bureau  
Pease Tradeport  
222 International Drive, Suite 175  
Portsmouth, N.H. 03801

Re: Lee Highway Department  
Town of Lee  
Thompson Mill Road  
Lee, NH

Dear Mr. Price:

Enclosed please find a completed wetlands permit application and supporting materials for the above-referenced location which is proposed for culvert replacement. Regarding abutter notification, you will note that we originally notified the abutters for Env-Wt 304.04 and as property owners since we were proposing minor work on both properties. Their signature on the letters was in lieu of their signature on the application as landowners as discussed in our pre-application telephone conversation. (We had to renotify abutter Mann because the original address was incorrect.) We have also followed up with a telephone call in one instance and left a voice message. In the absence of a response from either abutter verbally or in writing we have taken a closer look at the right-of-way and redesigned the project slightly to remove any work from abutting properties as originally proposed on the site plans submitted for your pre-application review; the site plans which are attached reflect this change. Therefore, the abutters for this application have been properly notified pursuant to Env-Wt 304.04 and RSA 482-A:3.

Your expeditious review of this application would be most appreciated as the Lee Highway Department would ideally like to conduct the work during the normal low flow period later this summer or fall if possible. Upon your review of these materials please feel free to contact me directly with any questions.

Best regards,

Marc Jacobs, CWS, CSS, PWS, CPESC



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

**TO:** Board of Selectman  
**DATE:** July 7, 2014  
**FROM:** Joanne T. Clancy, Finance Officer  
**RE:** Financial Software

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We received a number of responses to the RFP for new financial software sent out last April by Town Administrator, Julie Glover. Among them, BMSI, Accu-Fund and Tyler Technologies were invited to give detailed presentations of their services.

A concern was to choose a product which fully supported our current needs while allowing for flexibility and expansion into the future. Tyler Technologies offers a solid product with both software, accounting and payroll tax support. They have a portal option, which could be purchased later as a cost effective means to provide access for additional users such as department heads. For these reasons and more, Tyler Technologies has been chosen as our new financial software provider.

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