

SELECT BOARD MEETING AGENDA

DATE: 6:00pm Monday, August 4, 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. Julie Glover, Town Administrator & Joanne Clancy, Finance Officer – Budget Process Review
4. Bill Callen, Lee USA Speedway Manager – Driver and Control Training at the Speedway
Ask the Board's permission to provide training on car control skills for on and off road vehicles through a third party (Absolute Vehicle Control) to military special forces, police and civilian personnel.
5. Annie Gasowski, Library Board of Trustees Chair – Driveway Access for Proposed Library
Request that the Board authorize a representative to meet with the property owners of 1 Lee Hill Road to try to reach a mutually agreeable resolution to the driveway issue.
6. Caren Rossi, Planning & Zoning Administrator – Planning and Zoning Update
Update the Board on Planning and Zoning activities for FY2013-2014.
7. David Cedarholm, Board of Selectmen Chairman – Southeast Watershed Alliance
Request appointment as the Representative for Lee to the Southeast Watershed Alliance.
8. Julie Glover, Town Administrator Report
 - Draft Needs Assessment RFP
 - NHMA Floor Policies
 - Fund Balance
 - Miscellaneous
9. Consent Agenda Items - (Individual items may be removed by any Selectman for separate discussion and vote)

SIGNATURES REQUIRED

Abatements (2)
Letter to DOS DMV re: Lee Inspection Station #487
PD Equitable Sharing Agreement and Certification
Vacation Request Form

INFORMATION ONLY

Salt Quotations from Morton Salt and Granite State Minerals
Unanticipated Funds Check from State of NH to Heritage Commission
July 30, 2014 Correspondence from Veteran's Resort Chapel
Letter from DOT re: Lee Highway Block Grant Aid for FY15

10. Acceptance of the BOS Public and Non-Public Meeting Minutes from July 21, 2014.
11. Acceptance of Manifest #28 and Weeks Payroll Ending August 3, 2014
12. Miscellaneous/Unfinished Business
13. Non-Public
 - a. RSA 91-A:3 II (c) –Tax Deeding Update
14. Adjournment

Posted: Town Hall, Public Safety Complex, Public Library and on leenh.org on August 1, 2014

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



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

Office Use Only
Meeting Date: 8-4-14
Agenda Item No. 4

BOARD OF SELECTMEN

August 4, 2014 MEETING AGENDA REQUEST

(Meeting Date Requested)

Agenda Item Title: Operation of "Absolute Vehicle Control Training School" on property of Lee USA Speedway

Requested By: Bill Callen **Date:** 7/17/2014

Contact Information: Bill Callen – 603-494-3706

Presented By: Bill Callen / Greg Sweeney

Description: **Presentation of Absolute Vehicle Control Training School**
Goal is to save lives and reduce accident rates, within our armed services, law enforcement and security communities.
Working with military special forces, police, and civilian personnel, training car control skills for operational environments, on and off road.

Financial Details: No Cost to the Town of Lee

Legal Authority Sec. 17 - Lee Racetrack Ordinance
(usually NH RSA and/or Town Ordinance/Policy):

Legal Opinion: _____

REQUESTED ACTION OR RECOMMENDATIONS:

As stated in the description above this is a school with a goal to save lives and reduce accident rates. The requested action is awareness and approval of operation of this school utilizing the Lee USA Speedway property.

***Motion:* Move to approve the Lee USA Speedway request to conduct training on car control skills at the Race Track for on and off road vehicles through a third party vendor (Absolute Vehicle Control) to military special forces, police and civilian personnel.**

or Table for further consideration.

absolute vehicle control

absolute vehicle control

absolute vehicle control, 603.630.3669, greg@absolutevehiclecontrol.com
© 2013 absolute vehicle control, llc—business confidential

We work with military special forces, police, and civilian personnel,
training car control skills for operational environments, on and off road.



Killed non-combat
MVA Iraq.



We would like to train military, law enforcement, first responders, and other security personnel at Lee USA Speedway ...

- Our classes are small, typically 6-12 students, and run 2-5 days
- We use normal civilian, unmodified, street vehicles.
- Our training saves lives.
- We are happy to provide training to local police and first responders at cost.
- Our training standards far exceed industry standards, including most military and all law enforcement training at any level.

In the long term, far more military and police are killed by vehicles than by bullets and bombs.

Killed non-combat
MVA Iraq.



The Lethality of Motor Vehicles ...

U.S. Impact:

- most likely cause of death ages 3 - 34
- total societal cost per year NHTSA, \$300-500B
- 35,000 dead/year, equivalent to airline crash every day
- 1980 - 2005 ... 6550 soldiers lost to MVAs, 2070 lost to combat

World Impact:

- WHO: by 2020, MVAs 3rd leading cause of death worldwide
- U.N. Road Safety Collaboration: 1.2 Million killed worldwide MVAs
- 40% of these victims are aged 0-25 years.
- Road Safety critical impediment to social/economic development



Killed *non-combat*
MVA Iraq.



Why it should be done, part 1 ...

In countries where car control training is required for licensure, training does reduce accident rates across all age groups given the following ...

- curriculum is geared toward safety margins, gauging hazardous conditions, *and* car control.
 - allows sufficient time behind the wheel (in addition to skills training)
 - is of sufficient thoroughness and allows time for attitudinal changes
- Sweden's car control and licensing program achieves an overall accident rate reduction of 19%.



Killed MVA Iraq.

Why it should be done, part 2 ...



Motor Vehicle Accident Fatalities (MVA) vs. Hostile Action Fatalities
2001-2005, all services, from Defense Manpower Data Center, August 2006

	MVA Deaths	Hostile Deaths
2001	245	3
2002	345	18
2003	337	344
2004	377	737
2005	356	739
2006	328	761
Total	1988	2602

1980-2005, 6,550 soldiers died in motor vehicle accidents; 2070 were lost to combat!



Killed MVA Iraq.

Why it should be done, part 3 ...



From the U.S. Army Combat Readiness Center, 13 July 2006, the most prevalent driver mistakes contributing to accidents correspond exactly to driver skills enhanced with training.

- Abrupt Control/Steering Response (Except While Turning)
- Excessive Speed
- Failed To Stay Alert Or Attentive To What Was Happening
- Improper Turning
- Failed To Take Precautions For Adverse Environmental Conditions
- Following Too Close For Conditions Or Vehicle Speed/Design
- Failed To Ensure Adequate Clearance/Space For Operation



*Killed non-combat
MVA Iraq.*



Core Competencies/Description

We are not a racing school. We teach people to drive real cars in the real world, effectively and safely under high-stress at speed. These vehicles range from front wheel drive, rear wheel drive, and all wheel drive sedans to SUVs, and light trucks.

absolute vehicle control



*Killed non-combat
MVA Iraq.*



The Benefits ...

We save lives and reduce accident rates, within our armed services, law enforcement and security communities.

absolute vehicle control, 603.630.3669, greg@absolutevehiclecontrol.com
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*Survives 911
dies in MVA*



Our approach is simple ...

First, learn fundamental car control skills. They save lives and enable extraordinary capability. These skills are applicable regardless of vehicle type.



Killed non-combat
MVA Iraq.



Second, execute car control skills ...

There is no such thing as “tactical” driving ... only driving well at all times.

This observation is based on an instructor corps combined 75+ years experience working with U.S. Special Operations.

absolute vehicle control



*Killed non-combat
MVA Iraq.*



Finally ...

Learn specific techniques for specific vehicles and events.

absolute vehicle control, 603.630.3669, greg@absolutevehiclecontrol.com
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*Killed non-combat
MVA Iraq.*



Greg McKinney

Principle/Lead Instructor and Curriculum Designer

- Special Operations Instructor/Trainer (civilian)
- Rally America/SCCA National License Holder
- Ford Motor Company, Tier 3+ Test Driver
- MRAP University, Train the Trainer MRAP, all variants
- Various Road Course and Rally Training Since 1979

*Killed non-combat
MVA Iraq.*



Management and Training Team
U.S. Army Special Operations Instructors and Trainers (retired military)
Lead Instructors and Curriculum Designers (active clearances)

- Multiple deployments worldwide
- Experienced experts in driving, shooting, and long range mobility
- All have continuously trained in racing/high-performance driving for more than 10 years.
- They all have unmatched and incredible experience driving indigenous vehicles in wartime and high-risk environments.

Killed MVA Iraq.



Our work also contributes to the community by engaging and bringing in ...

- Government agencies, both Federal and State
- Major Universities, including MIT, Georgia Tech, and others
- First Responder and Law Enforcement Communities on a National Scale
- Ford Motor Company and other manufacturers
- International Customers

Our work contributes to future technologies and global works ...

- Synthetic Driver Skills Training
- Autonomous Vehicles/Robotics
- Active Safety Systems
- Un-improved Road Design/Materials
- Post-Conflict Reconstruction
- Increased Effectiveness of U.S. Presence



Training provided by:
(Prime)

Absolute Vehicle Control, LLC
66 Landing Lane—309
Laconia, NH 03246
www.absolutevehiclecontrol.com
603.630.3669

RACETRACK ORDINANCE

In accordance with the provisions of the New Hampshire Revised Statutes Annotated, Chapter 31, Section 41-a, as originally adopted at the Town Meeting assembled on March 10, 1977 and, as amended at the Town Meeting assembled on March 15, 1989, as amended at the Town Meeting assembled on March 11, 1992, as amended at the Town Meeting assembled on March 11, 1998 and as amended at the Town Meeting assembled on March 15, 2006, and as amended by Warrant Article 7 of the March 13, 2012 Election the following regulations are adopted with respect to regulation of motor vehicle racetracks within the Town of Lee.

Section 1: Definitions:

Motor Vehicle: For the purpose of these regulations, a motor vehicle shall be defined as any self-propelled vehicle, except tractors, activated by an internal combustion engine and not operated exclusively on stationary tracks.

Event: A racing contest to be contained within a calendar day, to include, but not limited to practice, heat races and feature races.

Rain Date: An event shall be considered complete, when five (5) heat races or feature races have been completed, whichever comes first.

Section 2: Motor vehicle racetracks may be open and may operate from April 1 through October 31 each year for automobile, go-cart and motorcycle racing only. Vehicular racing shall be limited in total operating hours per race date, including warm-up, to eight (8) hours inclusive. At no time shall said operating and warm-up time begin before 12:00 PM. No racing may be started after 11:30 PM and all racing is to stop by 12:00 midnight.

Section 3: Not later than sixty (60) days prior to opening of the racetrack each year, said racetrack owners and/or operators shall submit to the Selectmen, in writing, an application for a license on a form prescribed by the Selectmen, together with a proposed operation schedule for the ensuing year. Said schedule shall list the form of the vehicular racing to be scheduled on each date listed. The Selectmen may, consistent with the provisions of these regulations and the interest of public safety, health and welfare, alter the racing schedule in connection with the issuance of any license.

Section 4: Upon receipt of the license application, the Selectmen shall schedule a Public Hearing on the request for a license. In so doing, the Selectmen shall give notice to abutters and to the public, at the applicants expense, in the same manner as provided for a hearing conducted by the Zoning Board of Adjustment. At said hearing, which shall be conducted where practicable no more than thirty (30) days after receipt of the license application, the applicant shall have the burden of establishing that operation of the racetrack for the ensuing year will be in conformance with all provisions of any other Federal, State or local statute, ordinance or regulations applicable to the racetrack. Abutters and other interested parties shall be afforded an opportunity to address the Selectmen during this hearing on the subject of license issuance. A license shall

be issued to the applicant if he or she satisfies, by a preponderance of the evidence, the burden of proof as specified in this section. Said license shall be valid for not more than one (1) year and shall set forth the scheduled events, not to exceed twenty three (23), plus twenty three (23) rain dates per license period, stating the date, time and a brief description of each event. A notation on the license shall indicate that such rain dates are subject to change upon written approval of the Selectmen for good cause shown.

Section 5: A license fee in the amount of one hundred dollars (\$100.00) per annum shall be assessed for each racetrack operation in the Town. This fee is to be paid upon application for license.

Section 6: No vehicular racetrack shall be operated within the Town of Lee unless the owner and/or operators shall have, upon written application to the Board of Selectmen, obtained a license to operate such vehicular racetrack contingent upon proof that said owners and/or operators can and will comply with the provisions of the Town of Lee Racetrack Ordinance.

Section 7: Only malt beverages, and no other alcoholic beverages, may be sold and consumed in restricted areas on racetrack property while the racetrack is open to the public for the purpose of viewing vehicular racing. No other alcoholic beverages shall be sold, consumed or allowed during such period of public viewing of vehicular racing. No malt beverages shall be sold to anyone under the age of twenty-one years, and proper age identification shall be required prior to sale. The racetrack owner and/or operator, whoever is in direct charge of the race, shall post signs advising the public of this section at visible locations within the seating areas and at each entrance gate; said signs shall also state the penalty for violation of this section. Failure of the racetrack owner and/or operator to comply with this section shall be grounds for the revocation of the license. Any person in possession of alcoholic beverages outside the restricted area in violation of this section shall be guilty of a violation. The alcoholic beverage shall be seized and disposed of in compliance with State statutes, local law or regulations. Prior to each racing season, the Board of Selectmen or their designee shall inspect to insure signs are properly posted.

Section 8: Authorized agents or representatives of the Town may enter, with or without notice or consent, the premises of any racetrack which holds or has applied for a license at any reasonable time and inspect and report on the conditions found as to compliance with the provisions of the regulations. It shall be the duty of the owner and/or operator of the racetrack to cooperate with such agents or representatives and permit access to any portions of said premises at their request. Failure to comply with these provisions shall be grounds for revocation or suspension of the license.

Section 9: The racetrack owners and/or operators shall provide, at their own expense, such Police and Fire protection as is deemed necessary by the Police Chief and Fire Chief of the Town of Lee, New Hampshire pursuant to written standards promulgated by the said Police Chief and Fire Chief to insure public safety. Said written standards shall be made available upon request and satisfactory compliance with all safety standards referred to hereinafter shall be made in writing to the respective Police Chief and Fire Chief prior to any and all scheduled racing events. A copy of these standards shall be attached to the operating license when issued.

Section 10: Racetrack owners and/or operators shall provide, at their expense, suitable and sufficient sanitary facilities including toilets with adequate lavatories. Restroom facilities shall be available for use by patrons at all times the racetrack is open to the public. All sanitary and washing facilities shall at all times be maintained in good working order and be in compliance with New Hampshire Health, Water Supply and Pollution Control laws and regulations and with all applicable State laws, local ordinances, regulations and/or by-laws.

Section 11: Racetrack owners and/or operators shall provide, during all times they are open to the public and/or operating, at their own expense, an adequate ambulance service properly licensed under the laws of the State of New Hampshire sufficient to provide for whatever emergency their activities might cause. At no time shall the racetrack be open to the public without one (1) properly manned ambulance at the racetrack.

Section 12: All litter shall be cleaned up within thirty six (36) hours from the end of each racing event. This section shall be monitored by the local Health Officer during the racing season.

Section 13: Overnight camping shall be permitted on site in accordance with the following standards:

- A. Overnight camping shall be permitted in recreational vehicles with self-contained sanitary facilities.
- B. Such vehicles shall reside at the site only twenty four (24) hours prior to a scheduled event and no longer than twenty four (24) hours following completion of that event.
- C. A specific section of the back parking area shall be designated for this use and shall be posted on site accordingly.
- D. Camping vehicles shall not be permitted within the Shoreline Conservation District.
- E. "Gray Water" may only be discharged into approved septic facilities.

Section 14: Owners and/or operators of racetracks shall be responsible for any and all violations of these regulations and their license to operate such vehicular racetrack shall be contingent upon full compliance with these regulations with total cooperation and good faith. The violation of any section of these regulations shall be grounds for revocation or suspension of said license at the discretion of the Board of Selectmen.

Section 15: Prior to the opening of any racing season, the owners and/or operators shall post a cash bond with sufficient sureties in the amount specified by the Board of Selectmen of the Town of Lee; said bond shall be applied in the event expenses are incurred by the Town of Lee as a result of any authorized event under these regulations.

Section 16: No license shall be issued, and any license issued, shall be revoked or suspended at the determination of the Selectmen, unless the license shall take out and maintain in effect at the expense of the licensee a policy or policies of liability insurance in a company or companies approved by the Selectmen with limits not less than two million dollars (2,000,000.00) protecting and insuring the licensee and Town and all agents, servants and representatives of each as named insured from liability for personal injuries and property damage resulting from the ownership, use or operation of the racetrack and/or track premises. The licensee, by application for and/or acceptance of any license, shall be conclusively deemed to have agreed to indemnify the Town and its agents, servants and representatives from all liability including personal injuries and property damage coming out of the existence, use, ownership or operation of the racetrack and/or track premises and such indemnity agreement shall be expressly covered in said policy or policies.

Section 17:

A. No use other than vehicular racing, race car education/safety testing and automotive-related flea markets shall be scheduled or sponsored at any vehicular racetrack within the Town of Lee without written approval of the Board of Selectmen of the Town of Lee, New Hampshire.

B. The racetrack shall be kept secure from unauthorized entry when not in use.

C. Automotive related flea markets may be scheduled on the third Sunday of May, June, July and August in addition to the traditional year-end Flea Market scheduled for the first weekend in November. It is understood that no race engines will be permitted to start during these Flea Markets; all activities will take place within the confines of the track/pit areas and only automotive-related vendors will be allowed to participate.

Section 18: No motorcycle event of any nature or kind will be permitted on any vehicular racetrack within the Town of Lee when said date conflicts or falls upon the same weekend as a National or regional motorcycle race of any nature or kind.

Section 19: The invalidity of any other section of these regulations does not affect the validity of any other section of these regulations.

Section 20: The Selectmen may waive or alter the provisions of these regulations for due cause shown.

Section 21:

A. No vehicle, as defined in Section 1 of this ordinance, shall be operated on the racetrack unless equipped with a muffler that meets or exceeds manufacturers specifications to reduce noise below the 97 db level. Sound levels resulting from any activities at the racetrack operation shall not exceed the established level using the A scale (dBA) and Fast Response setting. Sound levels shall be measured at any racetrack property line. Measurements shall be taken using a properly calibrated sound meter which is mounted 36 inches above the ground on a tripod and pointed directly towards the racing track surface. Any sound measurement that exceeds the established level, regardless of the duration, shall be a violation.

- B. Any person operating a motor vehicle racetrack shall allow Town officials, or their designated representatives, to conduct from time to time, at said persons expense, such noise level test or readings that may be deemed appropriate and necessary by the Town of Lee Board of Selectmen or their authorized agents.

Section 22: Any violation of this ordinance shall be punishable as set forth in New Hampshire Revised Statutes Annotated 651 and as amended. Upon the Selectmen of the Town of Lee, or their designated representative, shall rest the responsibilities of enforcement of the regulations.

Dated: _____

John R. LaCourse, Chairman

W. James Griswold

David Cedarholm

**Town of Lee
Board of Selectmen**



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

Office Use Only

Meeting Date: August 4, 2014

Agenda Item No. 5

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
8/4/2014

Agenda Item Title: Driveway - Map 20-01-0, 1 Lee Hill Rd.

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

Contact Information: anniegasowski@gmail.com

Presented By: Annie Gasowski, Library Board of Trustees Chair

Description: The LLCCBC has learned from NHDOT that there are issues with the proposed driveway entrance on Lee Hook Rd. Before the subdivision of the Bricker property, the parcel was large enough to have 3 curb cuts. The issue is that Lee Hook Rd along the eastern side of Bricker parcel is an un-numbered State road. Therefore that existing curb needs to conform to current regulations (400' site distance in each direction), which cannot be achieved for that eastern driveway. The westerly one on Lee Hook Rd is not on a State road. The Trustees would like to meet with the property owners and the Board of Selectmen to discuss possible solutions.

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 authorize _____ to meet with the property owners of 1 Lee Hill Rd. to discuss the driveway issue as it relates to the new Library/Community Center project.

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

Julie Glover

From: Zachary Smith <smithze@gmail.com>
Sent: Friday, February 21, 2014 10:43 AM
To: Katrinka Pellecchia
Cc: Paul Gasowski; Lou Ann Griswold; Leslie Martin,; Sharon Taylor; Tom Dolan; Laurel Cox; Carole Dennis; Annie Gasowski; Julie Glover
Subject: Re: Lee Town Library

Hi Katrinka-

I looked through this a bit and I can clear this up (I think, haha).

It looks like the issue is not with our driveway but the current driveways on the Bricker property (Lot #1) that the town doesn't own. It looks like this existing drive, when adding a new drive for the library wouldn't conform to the NHDOT guidelines. Due to this existing condition that we will be affecting with the addition of our drive we would have two options:

- 1) We'd have to ask the property owners to close off the drive so that our new drive doesn't create the conflict.
- 2) Apply for a exception based on the Bricker property being a historic property. This will require additional traffic studies (specifically speeds) to get approved if they meet this exception.

Does this help at all or did I make it worse?

Z

On Feb 21, 2014, at 10:22 AM, Katrinka Pellecchia <kbpellecchia@comcast.net> wrote:

Good morning, Dennis,

I'm a little confused -- as I thought the survey we had done showed that we did have the 400' clearance in either direction on 155.

And for clarification purposes, the road on the other side of our site is Lee Hill Road, which is not a state road. The map is labeled incorrectly.

Katrinka

From: "Dennis Mires" <dennis@thearchitects.net>
To: "Katrinka Pellecchia" <kbpellecchia@comcast.net>
Sent: Friday, February 21, 2014 10:02:49 AM
Subject: Fwd: Lee Town Library

Katrinka,

As you know we have been back and forth with the State on the driveway permit. They don't see any issue with our curb cut but there is a technicality given the history. Before the subdivision of the Bricker the parcel was large enough to have 3 curb cuts. The issue is that Lee Hook Rd along eastern side of Bricker parcel is an un-numbered State road. Therefore that existing curb needs to conform to current regs which is 400' site distance in each direction which we cannot achieve for that eastern driveway. The westerly one on Lee Hook Rd is not on a State road. One option is to have the current Owner of the residential property agree to close that easterly drive or make it in only. Should they agree we would need a letter from the Selectmen that has been agreed.

Should that option fail we would need to survey the intersection and demonstrate that we can meet the sight distances for ASHTO standards for the speed limit. That would be another expense like we have already done along 155. Questions, call.

Dennis

Dennis Mires
Dennis Mires P.A. The Architects
697 Union Street
Manchester, NH 03104
(603) 625-4548
dennis@thearchitects.net

Begin forwarded message:

From: Jeffrey Merritt <jmerritt@keachnordstrom.com>
Date: February 21, 2014 8:42:13 AM EST
To: dennis@thearchitects.net
Subject: FW: Lee Town Library

Dennis,

See the e-mail chain below from Jim Hewitt and my attachment/diagram.

Jeffrey Merritt, P.E.
Project Manager
Keach-Nordstrom Assoc., Inc.
10 Commerce Park North, Suite 3B
Bedford, NH 03110
(P) 603-627-2881
(F) 603-627-2915
e-mail: jmerritt@keachnordstrom.com

From: James Hewitt [mailto:JHewitt@dot.state.nh.us]
Sent: Friday, February 21, 2014 8:27 AM
To: 'Jeffrey Merritt'
Subject: RE: Lee Town Library

Jeff:

There are a couple ways to try to work this out.

1) NHDOT understands the original owners of the undivided lot in 2006 (Bricker ad Momenee) still own Lot #1. They will need to be approached and asked if they are willing to permanently close off their driveway for reasonable compensation. You can explain the Town of Lee accepted this subdivision with out confirming with NHDOT that the created lot would be allowed to have a driveway.

2) The northeast driveway on Lot #1 is located at an unusual intersection. An ASSHTO safe sight distance for intersections and standard sight distance analysis for the posted speed limit should be performed to see if this driveway would be allowed under these design standards.

After these tasks are competed we can further evaluate options for the new drive at the proposed library.

Please call and we can discuss further

James A. Hewitt, P.E.
System Engineer
NHDOT
7 Hazen Drive
Concord, NH 03301
603-868-1133

-----Original Message-----[James Hewitt]

From: Jeffrey Merritt [mailto:jmerritt@keachnordstrom.com]
Sent: Thursday, February 20, 2014 4:17 PM
To: James Hewitt
Subject: RE: Lee Town Library

Jim,

The problem is that we don't control the property on the corner. That is under separate ownership. The Town only owns the parcel to the south. I suspect getting cooperation from the abutter to close off a driveway would be difficult and likely impossible.

So if I understand correctly, sight distance for the northwest driveway is not regulated by DOT because the driveway is on a Town road. The northeast driveway is regulated by DOT because its on a DOT road. For the northeast driveway, I think we can get sight distance to the stop control on Lee Hook Road (looking south east) and quite possibly 400 feet of sight distance looking northwest on George Bennett Road. However, if we are trying to get sight distance looking back to 155, then the house is in the way.

If we need sight distance looking back to 155, then would the department consider granting an exception in accordance with Section 8(d), given that we have a historic house in the way and if accident data proved that the existing driveway was safe?

Jeffrey Merritt, P.E.
Project Manager

Keach-Nordstrom Assoc., Inc.
10 Commerce Park North, Suite 3B
Bedford, NH 03110
(P) 603-627-2881
(F) 603-627-2915
e-mail: jmerritt@keachnordstrom.com

From: James Hewitt [mailto:JHewitt@dot.state.nh.us]
Sent: Thursday, February 20, 2014 3:49 PM
To: 'Jeffrey Merritt'
Subject: RE: Lee Town Library

Jeff:

Since both the green and red lines are on NHDOT right-of-ways, we would be looking to have sight lines that meet the 400 ft. requirement for both. But there are some unusual circumstances here including the stop sign on Lee Hook Road and Route 155.

Would it be possible to permanently gate off the drive on the NE corner of the property and only use the NW drive on town right of way ?

Jim Hewitt

-----Original Message-----

From: Jeffrey Merritt [mailto:jmerritt@keachnordstrom.com]
Sent: Thursday, February 20, 2014 3:19 PM
To: James Hewitt
Subject: RE: Lee Town Library

Hi Jim,

I have a quick question regarding the additional sight distance profiles you we looking for. I have tried to illustrate my question on the attached plan. Are you looking for the sight distance lines shown in red? For the east driveway looking south, do you want the sight line in red or the one in green? I.e. looking down Lee Hook Rd to the stop sign on the other side of rte 155, or looking all the way down Rte 155.

Jeffrey Merritt, P.E.
Project Manager
Keach-Nordstrom Assoc., Inc.
10 Commerce Park North, Suite 3B
Bedford, NH 03110
(P) 603-627-2881
(F) 603-627-2915
e-mail: jmerritt@keachnordstrom.com

From: James Hewitt [mailto:JHewitt@dot.state.nh.us]
Sent: Thursday, February 06, 2014 12:30 PM
To: 'Jeffrey Merritt'
Subject: RE: Lee Town Library

Jeff:

I can understand the confusion because George Bennett Road and Lee Hook Road are "un-numbered" NHDOT owned and maintained roads. Obviously, not something that is

readily known. In any case, the entire portion of Map 20N, Lot 1 is fronting on NHDOT right-of-way. The northwest section of the lot on Lee Hook Road is not.

James A. Hewitt, P.E.
System Engineer
NHDOT
7 Hazen Drive
Concord, NH 03301
603-271-0383

-----Original Message-----

From: Jeffrey Merritt [<mailto:jmerritt@keachnordstrom.com>]
Sent: Thursday, February 06, 2014 11:08 AM
To: James Hewitt
Subject: RE: Lee Town Library

Jim,

I was looking into the sight distance of the other driveway as we discussed. Correct me if I'm wrong, but the house that you are talking about is the old house and barn on the corner (see below), correct? It looks like that property has access off of George Bennett Rd, not Rte 155. Maybe back in the day it had a driveway on 155? DOT wouldn't be concerned with driveways off of local roads, would they?

[image/jpeg:image001.jpg]

Jeffrey Merritt, P.E.
Project Manager
Keach-Nordstrom Assoc., Inc.
10 Commerce Park North, Suite 3B
Bedford, NH 03110
(P) 603-627-2881
(F) 603-627-2915
e-mail: jmerritt@keachnordstrom.com

-----Original Message-----

From: James Hewitt [<mailto:JHewitt@dot.state.nh.us>]
Sent: Tuesday, February 04, 2014 12:04 PM
To: 'Jeffrey Merritt'
Subject: RE: Lee Town Library

In NHDOT parlance, the "Lot of Record" is the lot that existed in 1971. Since this lot has more than 500 feet of frontage, the lot (as it existed in 1971) can have up to 3 driveways so long as all 3 meet sight distance requirements. The potential problem now is that since the existing driveway may not meet sight distance, this fact jeopardizes adding any more drives to this lot. That fact a new lot was created in 2006 does not matter.

The next step is to determine the sight line status of the existing drive, and then see what our options are.

Jim Hewitt

-----Original Message-----

From: Jeffrey Merritt [mailto:jmerritt@keachnordstrom.com]

Sent: Tuesday, February 04, 2014 9:14 AM

To: James Hewitt

Subject: RE: Lee Town Library

Jim,

Thanks. I'll have to take a look at the existing driveway and see if it has the sight distance requirements. Last question...if the lot and existing driveway pre date the creation of the driveway regs, then is the situation looked as differently? I thought that section that you reference is for new driveways created on lots after 71 with less than 500 ft of frontage?

Jeffrey Merritt, P.E.

Project Manager

Keach-Nordstrom Assoc., Inc.

10 Commerce Park North, Suite 3B

Bedford, NH 03110

(P) 603-627-2881

(F) 603-627-2915

e-mail: jmerritt@keachnordstrom.com

-----Original Message-----

From: James Hewitt [mailto:JHewitt@dot.state.nh.us]

Sent: Tuesday, February 04, 2014 9:04 AM

To: 'Jeffrey Merritt'

Subject: RE: Lee Town Library

Attached is the rule from March 2000 NHDOT Driveway Manual. The Proposed Lee Library Driveway appears to meet the driveway requirements. Now it is matter to see that existing and new driveways meet the rules.

James A. Hewitt, P.E.

System Engineer

NHDOT

7 Hazen Drive

Concord, NH 03301

603-271-0383

-----Original Message-----

From: Jeffrey Merritt [mailto:jmerritt@keachnordstrom.com]

Sent: Tuesday, February 04, 2014 8:51 AM
To: James Hewitt
Subject: RE: Lee Town Library

Jim,

I have not looked at the sight distance for the existing driveway that you speak of. I was not aware that that was a requirement. We can take a look at it though. Other than that, would a new driveway be permissible for the Library?

Jeffrey Merritt, P.E.
Project Manager
Keach-Nordstrom Assoc., Inc.
10 Commerce Park North, Suite 3B
Bedford, NH 03110
(P) 603-627-2881
(F) 603-627-2915
e-mail: jmerritt@keachnordstrom.com

-----Original Message-----

From: James Hewitt [mailto:JHewitt@dot.state.nh.us]
Sent: Tuesday, February 04, 2014 8:48 AM
To: 'Jeffrey Merritt'
Subject: RE: Lee Town Library

Thanks, Jeff. This deed describes a parcel that had a driveway for the existing house and barn near the 5 corners intersection in Lee. In order to get the second driveway for the new library, the existing driveway needs to meet the 400 ft sight distance in both directions. Have you taken a look to see if that condition has been satisfied ?

James A. Hewitt, P.E.
System Engineer
NHDOT
7 Hazen Drive
Concord, NH 03301
603-271-0383

-----Original Message-----

From: Jeffrey Merritt [mailto:jmerritt@keachnordstrom.com]
Sent: Monday, February 03, 2014 3:24 PM
To: James Hewitt
Subject: Lee Town Library

Hi Jim,

Thanks for the call today. I have attached the missing deed for your records. This deed dates to 1964 and is for Tract I. Let me know if you need anything else.

Jeffrey Merritt, P.E.
Project Manager
Keach-Nordstrom Assoc., Inc.
10 Commerce Park North, Suite 3B
Bedford, NH 03110
(P) 603-627-2881
(F) 603-627-2915
e-mail: jmerritt@keachnordstrom.com

-----Original Message-----

From: rphillips@keachnordstrom.com [mailto:rphillips@keachnordstrom.com]
Sent: Monday, February 03, 2014 3:26 PM
To: jdm
Subject: Message from "RNP2BBBAD"

This E-mail was sent from "RNP2BBBAD" (Aficio MP 6001).

Scan Date: 02.03.2014 15:26:23 (-0500)
Queries to: rphillips@keachnordstrom.com

<20140220150345446.pdf>



LOCATION MAP
1 inch = 1 mile

LEGEND

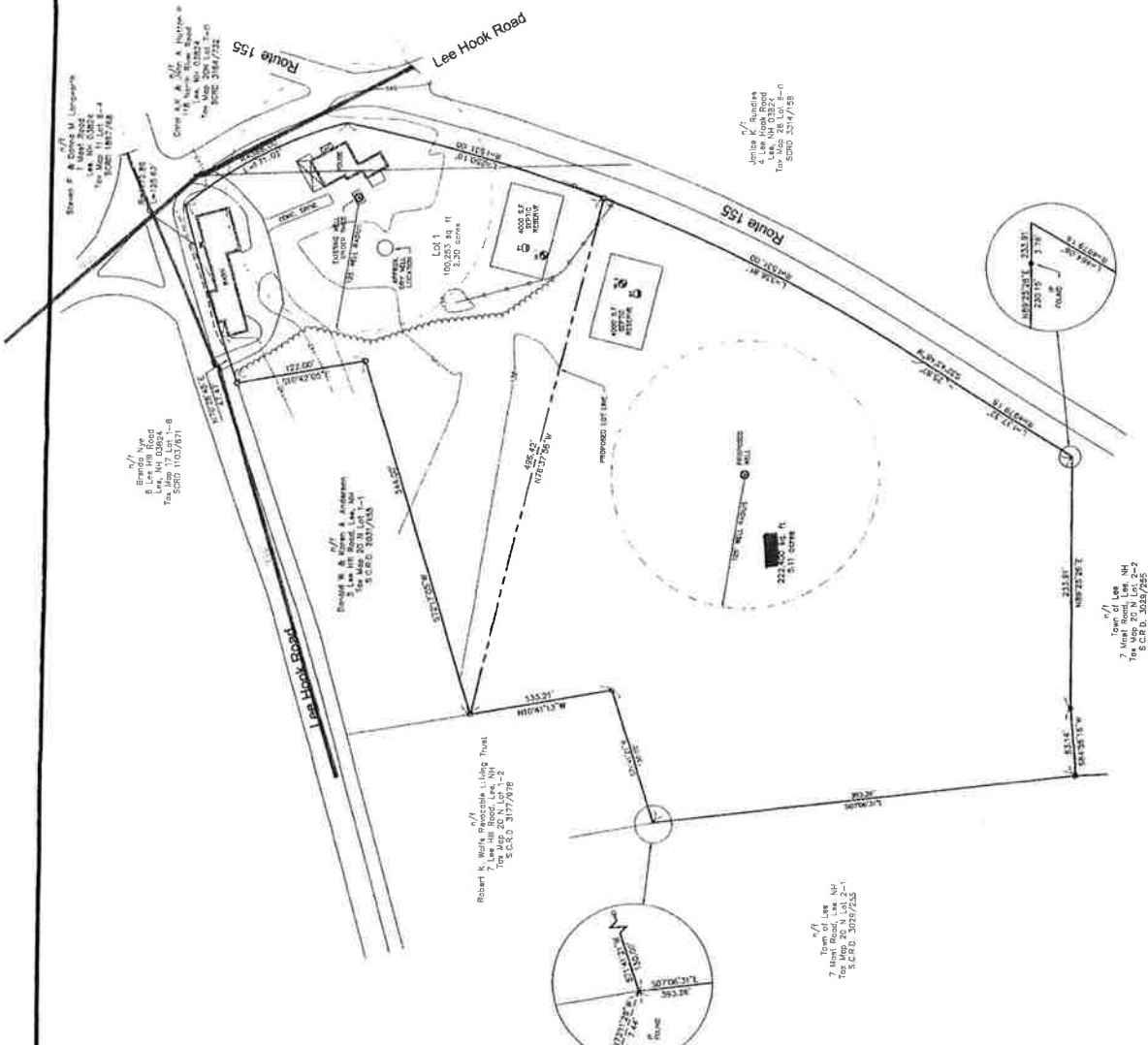
- SET 5/4" IRON ROD 4/2" CAP
- FOUND IRON PIPE
- ⊖ FOUND STONE BOUND
- ⊕ UTILITY POLE
- ⊘ NOW ON PAPER
- SEED STRAFFORD COUNTY REGISTRY OF DEEDS
- STONE WALL
- BARBED WIRE FENCE
- BRICKING FENCE
- 2' CONTOUR LINE
- BUILDING SETBACK LINE

NOTES

1. MINIMUM TRAVELWAY WIDTH OF ALIGNMENT IS LESS THAN 5 FEET IN 10,000
2. OWNER OF RECORD
DANIEL W. BRUCKER & MICHELLE MOUNTE
102 JAY DR., LOT 1-0
LEE HOOK ROAD
PO BOX 2074, PAGE, VA 22950
3. ZONING DIMENSIONAL AND DENSITY REQUIREMENTS ARE AS FOLLOWS:
S. 1. MINIMUM LOT AREA: 10,000 SQ. FT.
S. 2. MINIMUM LOT FRONTAGE: 100 FT. DEVELOPABLE LAND
S. 3. MINIMUM LOT DEPTH: 100 FT.
S. 4. BUILDING SETBACKS: FRONT 50'
REAR 25'
SIDE 25'
4. THE SUBDIVISION REGULATIONS ARE A PART OF THE PLAN AND APPROVAL OF THIS PLAN IS SUBJECT TO THE SUBDIVISION REGULATIONS, EXCEPTING ONLY THOSE REGULATIONS WHICH ARE SPECIFICALLY EXCEPTED BY THE BOARD AND A ATTACHED HERETO.
5. VIRGINIA STATE SUBDIVISION APPROVAL NO. SA0006001325

SUBDIVISION OF LAND

PREPARED FOR



DATE: May, 2005
PREPARED BY: [Signature]



GRAPHIC SCALE

ATLANTIC SURVEYORS

PLANNING BOARD APPROVAL

PLANNING BOARD APPROVAL
[Signature]

DATE	BY	FOR
8/17/05	APPROVAL	APPROVAL
8/17/05	APPROVAL	APPROVAL



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

Office Use Only

Meeting Date: August 4, 2014

Agenda Item No. 6

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
8/4/2014

Agenda Item Title: Planning & Zoning Update

Requested By: Caren Rossi 7/16/2014

Contact Information: 603-659-6783

Presented By: Caren Rossi, Planning and Zoning Administrator

Description: Update the Board of Selectmen on the Planning and Zoning activities for FY 2013-2014.

Financial Details: N/A

Legal Authority n/a

Legal Opinion: n/a

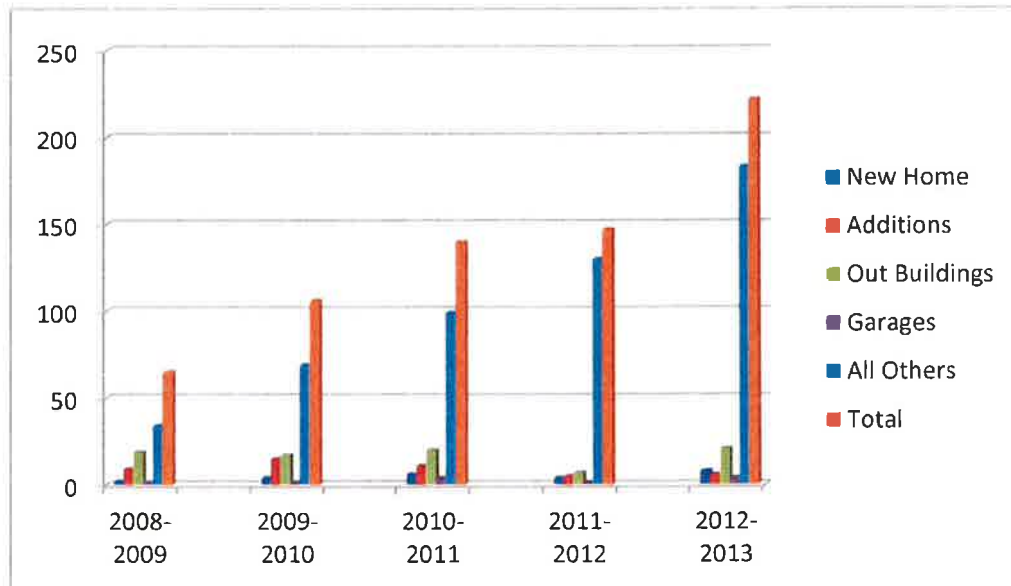
REQUESTED ACTION OR RECOMMENDATIONS:

Date: July 1, 2014

Five (5) Year Fiscal Year Comparison of Building Permit Activity

For Fiscal Years 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013

Fiscal Year	Type of Permit					Total
	New Home	Additions	Out Buildings	Garages	All Others	
2008-2009	2	9	19	1	34	65
2009-2010	4	15	17	1	69	106
2010-2011	6	11	20	4	99	140
2011-2012	4	5	7	1	130	147
2012-2013	8	6	21	4	183	222



*The above listed permits are typed as have been indicated throughout past Town Reports and new homes are newly built structures, additions are structures in addition to existing structures, out buildings are sheds, shops etc., garages are structures for vehicles either stand alone or attached to existing structures and all others cover every other type of permit such as but not limited to; electrical, generators, plumbing, propane tanks and/or piping, heating, air conditioning, commercial, water wells, remodeling of all types, etc..

(see sheet number two (2) for construction cost estimates)

Estimated Cost of Construction for the Same 5 Year (fiscal years) as listed on the first sheet.

Fiscal Year	Estimated Cost of Construction
2008-2009	\$3,533,668.00
2009-2010	\$2,161,125.00
2010-2011	\$3,382,175.00
2011-2012	\$2,149,998.00
2012-2013	\$4,687,835.00



The above cost of construction figures are the cost associated with permit request for the job in question. These estimates do not include land cost, only project cost estimates given by the applicant requesting the permit.

Date: July 1, 2014

Passed fiscal year compared to the last five (5) fiscal years.

2008-2009 ZBA PB	16 2	*These numbers are the applications and not the request within the applications.
2009-2010 ZBA PB	9 5	
2010-2011 ZBA PB	16 6	
2011-2012 ZBA PB	15 8	
2012-2013 ZBA PB	14 9	
2013-2014 ZBA PB	26 16	



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

Office Use Only

Meeting Date: August 4, 2014

Agenda Item No. 7

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
8/4/2014

Agenda Item Title: Southeast Watershed Alliance

Requested By: David Cedarholm, Select Board Chair

7/21/2014

Contact Information: 603-659-5414

Presented By: Chairman Cedarholm

Description: The Southeast Watershed Alliance was created by the NH Legislature in 2009 for the purpose of:

- (a) Create better municipal, intermunicipal, and regional planning and coordination relative to wastewater and stormwater management, water quality and water supply planning, and land use;
- (b) Establish a regional framework for coastal watershed communities, regional planning commissions, the state, and other stakeholders to collaborate on planning and implementation measures to improve and protect water quality and more effectively address the challenges of meeting clean water standards, particularly with respect to nutrients pollution;
- (c) Encourage coastal watershed municipalities, the state, and other stakeholders, individually and in collaboration with one another, to plan, implement, and invest in wastewater, stormwater, and land use planning and management approaches that protect the water quality, natural hydrology, and habitats of the state's coastal resources and associated waters and that advance the state's economic growth, resource protection, and planning policy, established in RSA 9-B; and
- (d) Seek innovative solutions to reducing pollution and enhancing water quality.

(Robin Collins is the current representative. Representatives can be regular citizens or town officials.)

Financial Details: N/A

Legal Authority NH RSA 485-E

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

REQUESTED ACTION OR RECOMMENDATIONS:

MOTION: Move to designate Chairman Cedarholm as the Town of Lee's representative to the Southeast Watershed Alliance.

Town of Lee, NH



REQUEST FOR PROPOSALS
FOR MUNICIPAL FACILITY NEEDS AND
SITE ALTERNATIVES ANALYSIS

July 2014

Town of Lee, New Hampshire

REQUEST FOR PROPOSALS FOR MUNICIPAL FACILITY NEEDS AND SITE ALTERNATIVES ANALYSIS

I. INTRODUCTION

The Town of Lee, New Hampshire is soliciting proposals from architectural, planning, and/or engineering firms to provide professional services to the Town. Lee is a municipal corporation serving a residential population of 4,330 located in Strafford County, New Hampshire. The community has a total land area of 20.2 square miles, of which approximately 22% is under some form of conservation and/or restrictive easement, thus, Lee remains a largely rural community. The Town provides a wide range of municipal services to its residents, businesses and visitors through a number of municipally-owned facilities.

This solicitation involves the facilities housing the existing administrative, town clerk/tax collector, and planning/code enforcement services of the community, presently accommodated in Town Hall and the nearby Annex. It has been determined by the Town's ~~Board of Selectmen~~Select Board, Town staff, and previous site assessments that these facilities are structurally and/or functionally inadequate for the existing and future delivery of municipal services.

At this time the Town seeks the services of a qualified and experienced consultant to:

- Review the existing services provided by the Administrative, Town Clerk/Tax Collector and Planning/Code Enforcement Departments
- Determine programmatic space needs for each department to provide the intended services for the foreseeable future.
- Examine the facilities in which these departments are housed to determine adequacy to provide ~~these~~efficient services.
- Examine whether the existing or alternative locations or configurations for each of these municipal functions would allow for better provision and efficiency of service to the community with minimum impact to environmental and historic resources while giving consideration to alternative energy, Smart Growth and Low Impact Development (LID) design practices.
- Provide an estimate of cost for each alternative scenario.
- Recommend the best course of action for the Town to pursue based on a ranking of alternatives.

All such work shall be done under the direction of the ~~Board of Selectmen~~Select Board, with staff and public input. The scope of services does not include design of any municipal structures, however, the Town may elect to continue from the planning services stage to design development and eventual construction. Therefore, the Town reserves the right to continue to contract with the selected firm to provide all services necessary to complete design and construction of the facilities.

Town Hall

Town Hall, located at 7 Mast Road (Rte. 155), is a structure built in 1846 and once served as a school in what has historically been called Lee Town Center. It is home to the administrative offices and functions of the Town, and presently accommodates 8 employees and/or contract employees, with 4 serving on a full-time basis, as well as providing office and meeting space for three Commissions, Cemetery Trustees, Treasurer, and the Supervisor of the Checklist. Offices operating out of Town Hall include Administration (Selectmen, Tax Collections/Town Clerk, Finance, Welfare, IT, and Assessing.) The Town's ~~Board of Selectmen~~Select Board meetings, annual Deliberative Session and elections are held at other locations due to the lack of sufficient space and accommodations at Town Hall.

The building is handicap accessible for the most part on the first floor (but not the second) and has on-site parking that is shared with the Public Library, Annex, and Historical Society.

Annex

The Annex, 13 Mast Rd., was built in 1950 and first served as the Town's firehouse, then Police Station, and now houses the Planning/Code Enforcement/Building Inspection offices, a small meeting space and storage.

Town Hall has no private offices, neither building has adequate storage space, and there are numerous structural, electrical, insulation, etc. deficiencies.

Library

The Library, although built in 1897 as a school, was moved to its current site in 1962 and expanded by additions in 1972, 1984, and 1996. The building is handicap accessible and does have a handicapped accessible toilet and is in generally good condition, but without room to expand collections or provide a large, accessible meeting space.

II. PROCEDURES

A. PRE-PROPOSAL CONFERENCE

There will be a mandatory pre-submission meeting, to which attendance is required of all potential respondents that will start at the Lee Town Hall, 7 Mast Road, on XX/XX/2014 at 10:00 A.M. This meeting will constitute a walk-through of the Town Hall, followed by similar tours of the other subject Town facilities.

B. SUBMISSION PERIOD

Respondents must submit their Proposals on or before 4:00 p.m. XXXXXXXX. The Town's governing body, the ~~Board of Selectmen~~Select Board, expects to select the Awardee from among the respondents within XX days of the submission deadline.

C. PREPARATION OF PROPOSAL

Each Proposal must be prepared concisely, avoiding the use of elaborate promotional materials. For ease of review, the Proposal must follow the outline in Section III of this RFP, entitled **Requirements**. Each Proposal must fulfill the stipulations outlined in Section III, be clearly numbered, and completely answer all questions listed.

D. NUMBER OF COPIES OF PROPOSAL

A minimum of five (5) copies of the Proposal must be submitted to the Town.

E. INQUIRIES AND SUBMISSION OF PROPOSALS

Questions about the RFP and the submission of Proposals shall be directed to:

Julie E. Glover
Town Administrator
7 Mast Rd., Lee, NH 03861
603-659-5414
townadministrator@leenh.org

All Proposals must be received at the above address before the end of the submission period, either by hand delivery, courier or by mail in a sealed envelope, to the above office. The Town is under no obligation to return Proposals. It is requested that any and all contact with the authorized contact person be made by e-mail. No contact with any other Town personnel other than the authorized contact person is allowed until such time as an award has, or awards have, been made. Violation of this provision may be grounds for immediate disqualification. Questions about the RFP, and the submission and content of the Proposal must be directed to the authorized contact person.

Selected Proposers may be contacted by the Town's authorized contact person with questions aimed at clarifying their submission.

F. LONGEVITY OF PROPOSALS

A Proposal may be withdrawn at any time prior to the date specified as the closing date for acceptance. However, no Proposer may withdraw or cancel a Proposal for a period of forty-five (45) days following the closing date for acceptance, nor shall the successful Proposer withdraw or cancel or modify the Proposal, after having been notified that the Proposal has been accepted by the Town, except at the request of the Town, or with the Town's written consent.

G. METHOD OF SELECTION OF AWARDEE

Town staff will evaluate each Proposal with emphasis on the following factors and make a recommendation to the ~~Board of Selectmen~~**Select Board**:

- Demonstrated relevant experience and past history in completing projects of comparable value and scope to the type contemplated by this RFP
- Reasonableness of fees and costs
- Expertise and technical approach of the Proposal, explaining the degree to which the Proposer's interpretation of the work meets the needs and goals of the Town
- Demonstration of experience with similar projects incorporating alternative energy, Smart Growth and LID design practices and sensitivities to environmental historic resources.
- Quality of project team's overall organizational strength
- References, reputation, and strength of current team financials
- Quality of the Proposal – adherence to Section III – **Requirements** (following), to include conciseness, clarity and readability

H. RIGHT OF REJECTION BY THE TOWN

Notwithstanding any other provisions of this RFP, the Town reserves the right to select the respondent that best meets the requirements of the RFP, and not necessarily to the lowest proposer. Further, the Town reserves the right, for any or no reason and in its sole and absolute discretion, to (1) amend, in whole or part this RFP, (2) withdraw or cancel this RFP, and (3) accept or reject any or all Proposals prior to execution of the contract for the Project for any or no reason and with no penalty to the Town.

I. NOTICE OF AWARD

The Town shall inform the Awardee that they have been selected by means of a Notice of Award issued by the Town. Neither the selection of a Proposer as the Awardee nor the issuance of a Notice of Award shall constitute a binding commitment on behalf of the Town to enter into any contract with the Awardee, as any binding arrangement must be set forth in definitive documentation negotiated between and signed by the Awardee and the Town.

J. CONTRACT NEGOTIATIONS

The Town intends to enter into contract negotiations with the firm or firms selected, who shall be required to enter into a written contract or contracts (hereinafter, the “Contract”) with the Town in a form satisfactory to the ~~Board of Selectmen~~Select Board.

The Town reserves the right to negotiate the terms and conditions of the Contract(s) with the selected Proposer(s), if any. These negotiations could include all aspects of Services and fees. Neither the selection of a Proposer nor the negotiation of the Contract with such Proposer(s) shall constitute a binding commitment on behalf of the Town to enter into a Contract with such Proposer(s), as any binding arrangement must be set forth in the Contract signed by both parties and is subject to all requisite approvals.

The selected firm will be required to provide proof of liability, workers compensation and errors & omissions insurance to limits acceptable to the Town, with the Town listed as an Additional Insured on the liability coverages. Contracts will require that the firm indemnify and hold harmless the Town.

III. REQUIREMENTS

The awarding of the Contract shall go to the Proposer that best satisfies the requirements set forth in Subsections A and B herein below.

A. SCOPE OF SERVICES

Generally, the Scope of Services shall consist of providing the Town with alternatives for facilities in which the Administration, Tax Collector/Town Clerk, and Planning/Code Enforcement/Building Inspection Departments can most effectively and efficiently conduct the business of the Town. It is expected that the Awardee will work within the defined budget.

The Scope of Work shall include, but is not limited to, the following phases of work and tasks:

1. Conduct an organizational meeting with the ~~Board of Selectmen~~Select Board.
2. ~~Develop and Implement Data Collection Plan,~~Conduct a Preliminary Fact Finding Phase including a review of background information provided by the Town including site plans, existing building floor plans, and the various studies performed over the past several years: the 1989 Town Hall Energy Study (James L. Garvin, NHDHR), the 2007 Town Offices Needs Assessment (Sumner Davis Architects) and the 2009 Lee Town Center Study (Dennis Mires PA) which can be found at the following link: [XXXXXXXXXXXXXXXXXXXX](#). Also review the energy audit and associated documents developed by the Lee Energy Committee.
3. Meet with Departmental representatives to determine and catalogue existing services, personnel and equipment of the relevant Departments, and meet with various Boards, Committees, Commissions as directed by the Select Board to develop a set of project objectives.
4. Determine programmatic space needs for each department to provide the intended services for the foreseeable future.
5. Examine the facilities in which these departments are presently housed to determine adequacy to provide intended services. Highlight existing deficiencies at each facility, such as structural and utility condition, health/environmental concerns, available interior space, parking sufficiency, locational appropriateness. This analysis does not include a comprehensive examination of all building structural and utility components.
6. Examine whether each of the existing facilities can reasonably be altered to accommodate existing and future needs.
7. Examine whether alternative locations or configurations for each of these municipal functions would allow for better provision and efficiency of service to the community. This task should include service area analysis and examination of the potential for combined service facilities.
- 7.8. Information gleaned from the above tasks shall be incorporated into a Preliminary Fact Finding Phase Report for the purpose of developing and refining the project objectives and basis for alternatives ranking.
- 8.9. For recommended alternate locations, evaluate the existing conditions of the Existing Town Hall/Library site, Public Safety Complex and Stevens Field property to determine the opportunities and constraints that the sites presents (slopes, infrastructure, drainage, etc.) to future development or redevelopment while minimizing impact to environmental and historic resources and incorporating alternative energy, Smart Growth and LID design practices.
- 9.10. Provide an estimate/range of total project cost for each alternative scenario examined, to include hard and soft costs, financing, site preparation, demolition, etc.

10.11. Recommend the best course of action for the Town to pursue based on a ranking of each alternative to meet a set of project objectives developed as part the preliminary fact finding phase.

11.12. Based on input from the Town, provide additional examination, recommendations and detail work on site development alternatives.

12.13. Present ten (10) copies of a written report (and one electronic copy in PDF format) outlining all information, including addenda, and recommendations developed as part of this effort.

13.14. Meetings

- a) Attend no less than four meetings with Town staff and other interested parties. These shall include: i) a kick-off meeting, ii) at least two progress meetings, and iii) a final presentation meeting.
- b) Attend Select **b**Board meetings as required by the Board to inform the members of Work progress and the status of the budget.
- c) Make a presentation of the final alternatives analysis to the Town Board using presentation boards and PowerPoint presentation.
- d) Provide minutes of all meetings to Town staff.

B. WRITTEN PROPOSAL SUBMISSION ELEMENTS

Satisfactory Proposals shall be comprised of the following:

- 1) Narrative Response (to be included in the Proposal document near the beginning) shall include:
 - a) Service Summary: This should provide a description of the key points of your Proposal, specifically addressing why your firm is qualified to provide the services in connection with the Scope of Services of the Project. The email address, telephone number, and facsimile number of your Proposal's contact person(s) must be included in your cover letter.
 - b) Qualifications: Provide background information on your firm, including but not limited to:
 - i) business overview
 - ii) the age of the business
 - iii) names, addresses and position of all persons having a financial interest in the company
 - iv) state of formation (as applicable)
 - v) the number of employees
 - vi) summary of relevant accomplishments, particularly those

- vii) involving services similar to those required for the Project
any other information that will permit the Town to determine capability of respondent to meet all contractual requirements
 - c) Fees/Costs: Provide information pertaining to fees or costs, including the fully burdened billable hourly rates charged for the services of employees of the firm. In addition to being organized pursuant to an employee roster, fees and costs should be listed for out-of-pocket expenses. Provide a proposed cost to deliver the Scope of Services required to complete the Work.
 - d) Resumes: Please provide resumes of the individuals who would comprise your operational team, the principal-in-charge, and the project manager. Describe only the people who would actually work on the Town's account. Specify the role each would play, as well as what backup coverage would be available in time of conflicting engagements.
 - e) A list of any sub-contractors who may be used to perform the Work.
 - f) Additional information that you believe pertinent to the Town's requirements. (Please include your company/team internet links to websites.)
- 2) References: Names, titles, addresses and phone numbers of key contacts for five (5) customers, particularly those for whom the respondent has undertaken projects similar to the Work. If possible, please supply at least two (2) contacts for references within New Hampshire.
- 3) Identify all adverse determinations against your firm, or its employees or persons acting on its behalf, with respect to actions, proceedings, claims or complaints concerning violations of federal, state or municipal equal opportunity laws or regulations.
- 4) Organizational Chart: Please illustrate the relationship(s) of the individuals and firms to each other that would comprise your operational team, principal-in-charge, project manager, and sub-consultants on an organizational chart.
- 5) Conflicts of Interest:
- a) Please disclose:
 - i) Any material financial relationships that your firm or any firm employee has that may create a conflict of interest or the appearance of a conflict of interest in contracting with or

- representing the Town.
- ii) Any family relationship that any employee of your firm has with a member, employee, or official of the Town that may create a conflict of interest or the appearance of a conflict of interest in contracting with or representing the Town.
- iii) Any other matter that your firm believes may create a conflict of interest or the appearance of a conflict of interest in contracting with or representing the Town.

IV. ADDITIONAL CONDITIONS AND INFORMATION

- 1) All materials submitted in response to this RFP will become the property of the Town.
- 2) The Town reserves the right to conduct discussions with, and to request additional information from, one or more respondents. No respondent shall have any rights against the Town as a result of such discussions.
- 3) The Town reserves the right to negotiate separately with any source whatsoever.
- 4) The Town reserves the right to waive any irregularity in any Proposal received or any other aspect of this solicitation.
- 5) Respondents are advised that with respect to this RFP, no contact with the Town personnel in any way related to this solicitation is permitted, except as shall be authorized by the employee designated herein as the Town's contact person as identified in Section II.E hereof.
- 6) Each Proposal prepared in response to this RFP will be prepared solely at the cost and expense of the respondent with the express understanding that there will be no claim whatsoever for reimbursement from the Town.
- 7) Submission of a Proposal in response to this RFP shall constitute an offer on the part of the successful respondent to become the Awardee, and to enter into a contract to undertake or complete the Project.
- 8) News releases or other public announcements relating to this RFP shall not be made by any party receiving this RFP without the prior written approval of the Town.
- 9) The Town and its respective officials and employees make no representation or warranty and assume no responsibility for the accuracy of the information set forth in this RFP provided by others. Further, the Town does not warrant nor make any representations as to the quality, content, accuracy or completeness of the information, text, graphics, links or other facet of this RFP once it has been downloaded or printed from this or any server, and hereby disclaims any liability for technical errors or difficulties of

any nature that may arise in connection with the Webpage on which this RFP is posted, or in connection with any other electronic medium utilized by respondents or potential respondents in connection with or otherwise related to the RFP.

- 10) Proposals submitted to the Town in response to this RFP may be disclosed in accordance with RSA 91-A. A respondent submitting a Proposal may provide in writing, at the time of its submission, a detailed description of the specific information contained in its submission which it has determined is a trade secret and which, if disclosed, would substantially harm such respondent's competitive position. This characterization shall not be determinative, but will be considered by the Town when evaluating the applicability of any exemptions in response to a request made per RSA 91-A.

(END OF DOCUMENT)

**Proposed Warrant Article:
Town Land Use Options Study**

"To see if the town will vote to raise and appropriate up to \$30,000 to be used to study land use options for future facilities, including town hall, library, historic and recreational facilities, as well as office and meeting space. The lands to be studied include a focus on town owned properties within a half mile radius of town hall. The data to be collected and analyzed includes soil types, septic and water options, drainage, traffic patterns, parking options, utilities needs, planning and space needs."

Addressing Your Questions

What is this warrant article about?

The town wants to obtain the input of professionals who can advise us on town land characteristics and the optimum use of our resources in considering the placement of future town facilities.

Who is proposing this warrant article?

The Select Board is proposing this study, after having collaborated with representatives from town departments, boards and groups. These include the Library Trustees, Planning Board, Planning Office, Recreation Commission, Conservation Commission, Heritage Commission and Agriculture Committee.

What is a "planning options study"?

The town will require several facility improvements over the next ten years, including the town hall, library and recreational and historical facilities. At present, we have too little information about the options for placement and the range of costs. Some buildings might be put to new use, such as utilizing the current library for a town hall. We need to screen and prioritize these options.

Why do we need this study?

Rather than having different facilities compete for town dollars and land resources, we wish to collaborate to determine realistic priorities, opportunities, constraints and the wisest use of our dollars so that we do not duplicate effort or divide the community.

What would be the result of the study?

With the professional advice of soil and water experts, surveyors and others we can make preliminary decisions about facility priorities, such as the best placement of buildings on properties, constraints dictated by the land and optimal use of resources.

What will it cost?

We calculate that the necessary data can be obtained for preliminary decision making with \$30,000. A portion of this could come from the existing Town Building Fund.

When will the study begin and how long will it take?

If approved, the study would take place in FY 2007-8. We would then vote on further warrant articles at the 2008 Town Meeting.

Why are town groups collaborating on all the facilities at once, instead of doing one at a time?

Collaboration allows for complex decision making and prioritizing with the best use of tax dollars in mind. It reduces the competition for dollars, land and space.

How did this process begin?

The Town Planning Board updated the Master Plan last year and is now generating a process to move ahead with a capital improvement plan (CIP). Discussions among the Library Trustees, Select Board, and Recreation Commission led to several joint meetings.

If the voters approve the use of a CIP, all town departments and initiatives will provide details and costs for capital improvements for the next decade. Projects would then be prioritized, based on criteria. A spreadsheet would be created showing costs and stages of projects over the decade.

A CIP provides voters the confidence of knowing that key Town boards and groups are working together toward town goals. We have also received training in collaborative town planning and development and have become convinced of the value of such an approach.



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!*

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

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.

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, 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.

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 accidentally 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: Thus 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**

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 1st 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 Allenstown 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 1st to issue a decision, taxpayers have until September 1st 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 72:23-1, 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.

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:

Municipal interest to be accomplished by proposal:

Explanation:

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. **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.

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: July 21, 2014

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

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

Tax Year: 2013
Assessment: \$4,500

The subject was a camper on rented land. Information was recently submitted regarding the camper being removed and it is recommended that an abatement in the amount of \$129 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

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

DATE: July 28, 2014, 2014

RE: Joe and Valerie Coviello
12 Puritan Road
Somerville, MA 02145

Property Tax Map 12 Lot 1-H04
Address: H04 Forest Glen

Tax Year: 2014
Assessment: \$7,200

The subject is a camper on a rented site in Forest Glen Campground. The assessing office was recently informed by the applicant that the camper was registered as of April 1, 2014. This information was confirmed by the Lee Tax Collector, Linda Reinhold. It is recommended that an abatement of the 2014 first issue tax bill in the amount of \$104 (plus any applicable interest) be granted and the assessment removed for the 2014 tax year.

Please note that the applicant may submit information regarding the camper's registration status as of April 1st 2013. If such information is received and clarifies the camper was registered at that time, a separate 2013 abatement may be recommended to abate the 2013 total amount (with applicable interest).

Abatement Granted

Abatement Denied

Dated _____



TOWN OF LEE
Selectmen's Office
7 Mast Road
Lee, New Hampshire 03861
(603) 659-5414

August 4, 2014

Department of Safety
Division of Motor Vehicles
Inspection Desk
Stephen E. Merrill Building
23 Hazen Drive, Concord, NH 03305

To Whom It May Concern,

The Board of Selectmen respectfully requests to discontinue the NH Inspection Station appointment and/or license for station #487 for the Town of Lee, effective immediately. Enclosed please find the one sticker book that the Town has remaining in its possession.

Please confirm receipt of this letter. If you have any questions or concerns please call the Highway Supervisor Randy Stevens at 659-3027 or the Town Administrator Julie Glover at 659-5414.

Thank you for your attention to this matter.

Lee Board of Selectmen

Chairman Cedarholm


Selectwoman Dennis

Selectman Bugbee

MINUTES OF THE SELECT BOARD MEETING

December 9, 2013

PAGE 4

 Randy wants to know if the Town wants to keep its Inspection Station License. After a recent inspection it was discovered that a headlight aimer needs to be purchased before the Town can inspect any more vehicles. The question now is whether or not it is worth it for the Town to have the inspection station for 6 trucks and 1 trailer. It is difficult to get a license back once it is taken away for non-compliance. Chairman LaCourse thinks it may be better to forfeit the license at this time and moves to let the inspection station license go and outsource inspections. Selectman Cedarholm seconds. All in favor. **Motion Carries.**

A few months ago the Highway Department had requested a quote from a local Wetlands scientist in reference to wetland permits for the replacement of 2 culverts, 1 on Thompson Mill Road and 1 on Birch Hill Road. The quote came back at \$9300.00 not including unexpected circumstances and permit fees. According to Dave Price from the DES this work is necessary. DES says these culverts are class II. Randy needs to get names of firms from Selectman Cedarholm and send out a RFP.

Randy asks if he is supposed to be plowing LRP this winter. The Board says yes, at least half of it.

7. Larry Kindberg requests reimbursement to Mark Kustra for a larger ice skating rink liner in the amount of \$410.01 as opposed to the previous request of \$325.00. Chairman LaCourse moves to approve the revised expense for the skating rink from \$325.00 to \$410.01. Selectman Cedarholm seconds. All in favor. **Motion Carries.**

Larry asks the Board to approve the repair of the light pole at the tennis courts. TA Glover informs the Board that the Town owns the pole. According to Mr. Stevens the damage is extensive and could cost between \$500 - \$1000. Chairman LaCourse moves to spend up to \$1000 to repair the light pole at the town tennis courts. TA Glover to find appropriate place to expend those funds. Selectwoman Dennis seconds. All in favor. **Motion Carries.**

The Recreation Commission requests to host a hot chocolate and skating evening on January 12, 2014 to include a wood fired barrel with approval from the Fire Department through Mark Kustra. Chairman LaCourse moves to approve Community Skating on 1/12/14. Selectman Cedarholm seconds. All in favor. **Motion Carries.** Selectman Cedarholm asks about whether there is an outlet on the pole or not. There is an outlet. Chairman LaCourse adds that while they are fixing the light they may add a plug as long as it is within the \$1000 maximum.

The Recreation Commission would also like to put up a temporary banner on sticks in the ground saying open to the public. No expense to the Town. The Board agrees that would be fine.

8. TA Glover will be on vacation from December 25th until January 2nd.

TA Glover requests that the Board approve closing the Town Offices to include the Planning Office on December 26th. The employees would use a floating

State of New Hampshire



JOHN J. BARTHELMES
COMMISSIONER OF SAFETY

DEPARTMENT OF SAFETY
DIVISION OF MOTOR VEHICLES
STEPHEN E. MERRILL BUILDING
23 HAZEN DRIVE, CONCORD, N.H. 03305
603-227-4000 TDD Access: Relay NH 1-800-735-2964

RICHARD C. BAILEY, JR.
DIRECTOR OF MOTOR VEHICLES

Dear New Hampshire Inspection Station:

Your current Inspection Station appointment will expire on September 30, 2014. A 2014 renewal application form is enclosed for your convenience. All renewal applications **must:**

- be submitted to the Concord office, **preferably by mail**
- be completed in its entirety
- have a good standing from Secretary of State with the application per RSA 349:1
- be submitted with the appropriate fee. Please make checks payable to State of NH-DMV. Mail to the address above attention Inspection Desk.

Please mail the application and the appropriate fee no later than September 1, 2014, to ensure that it will be processed by the September 30th expiration date. Renewals may be submitted as early as today's date but not after September 30, 2014.

Please be advised that inspection stations that have not renewed by September 30, 2014 may not continue to operate as they will be in violation of Saf-C 3205.06 and risk administrative actions.

Inspection stations that have both an auto and motorcycle authorization may renew both on one renewal application. Simply mark both on the application and include the fee for both renewals.

Please remember that **no changes** to the type of station or the legal address may be made on the renewal form. You may only add or remove mechanics, authorized individuals and the mailing address.

Inspection stations that do not wish to continue must mail in all of their supplies and a letter of closure signed by the owner and they will be closed.

If you have any questions please visit www.nh.gov/safety/divisions/dmv or call the Bureau of Registration Inspection Desk at 227-4120. You may also fill out and print the renewal form from the website. Sign it and mail it in with the fee and good standing.

Sincerely,
Dealer/Inspection Desk

RECEIVED JUL 24 2014

Summary of Shared Funds Spent		Justice Funds	Treasury Funds
a	Total spent on salaries under permitted salary exceptions		
b	Total spent on overtime		
c	Total spent on informants, "buy money", and rewards		
d	Total spent on travel and training		
e	Total spent on communications and computers		
f	Total spent on weapons and protective gear	\$4,497.84	
g	Total spent on electronic surveillance equipment		
h	Total spent on buildings and improvements		
i	Total transfers to other participating state and local law enforcement agencies (To populate, complete Table C)	\$1,000.00	
j	Total spent on other law enforcement expenses (To populate, complete Table D)		
k	Total Expenditures in Support of Community-Based Programs (To populate, complete Table E)		
l	Total Windfall Transfers (To populate, complete Table F)		
m	Total spent on matching grants (To populate, complete Table G)		
n	Total	\$5,497.84	\$0.00
o	Did your agency receive non-cash assets? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, complete Table H.		

Please fill out the following tables, if applicable.

Table A: Members of Task Force

Agency Name	NCIC/ORI/Tracking Number

Table B: Equitable Sharing Funds Received from other Agencies

Transferring Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: <input type="text"/>		
NCIC/ORI/Tracking Number: <input type="text"/>		

Table C: Equitable Sharing Funds Transferred to Other Agencies

Receiving Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: <input type="text" value="Strafford County Drug Task Force, Dover, NH"/>	\$1,000.00	
NCIC/ORI/Tracking Number: <input type="text" value="NH00900000"/>		

Table D: Other Law Enforcement Expenses

Description of Expense	Justice Funds	Treasury Funds

Table E: Expenditures in Support of Community-Based Programs

Recipient	Justice Funds	

Table F: Windfall Transfers

Recipient	Justice Funds	Treasury Funds

Table G: Matching Grants

Matching Grant Name	Justice Funds	Treasury Funds

Table H: Other Non-Cash Assets Received

Source	Description of Asset
Justice <input type="radio"/>	
Treasury <input type="radio"/>	

Table I: Civil Rights Cases

Name of Case	Type of Discrimination Alleged			
		<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin
	<input type="checkbox"/> Disability	<input type="checkbox"/> Age	<input type="checkbox"/> Other _____	

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section, 1400 New York Avenue, N.W., Washington, DC 20005.

Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the above-stated law enforcement agency ("Agency"), and (3) the governing body, sets forth the requirements for participation in the federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably shared with participating law enforcement agencies.

By its signatures, the Agency agrees that it will be bound by the statutes and guidelines that regulate shared assets and the following requirements for participation in the federal Equitable Sharing Program. Receipt of the signed Equitable Sharing Agreement and Certification (this "Document") is a prerequisite to receiving any equitably shared cash, property, or proceeds.

1. Submission. This Document must be submitted to aca.submit@usdoj.gov within 60 days of the end of the Agency's fiscal year. This Document must be submitted electronically with the Affidavit/Signature submitted by fax. This will constitute submission to the Department of Justice and the Department of the Treasury.

2. Signatories. This agreement must be signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, chairperson, secretary, city attorney, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body's head is the person who allocates funds or approves the budget for the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, director, secretary, administrator, commissioner, and governor.

3. Uses. Any shared asset shall be used for law enforcement purposes in accordance with the statutes and guidelines that govern the federal Equitable Sharing Program as set forth in the current edition of the Department of Justice's *Guide to Equitable Sharing for State and Local Law Enforcement (Justice Guide)*, and the Department of the Treasury's *Guide to Equitable Sharing for Foreign Countries and Federal, State, and Local Law Enforcement Agencies (Treasury Guide)*.

4. Transfers. Before the Agency transfers cash, property, or proceeds to other state or local law enforcement agencies, it must first verify with the Department of Justice or the Department of the Treasury, depending on the source of the funds, that the receiving agency is a current and compliant Equitable Sharing Program participant.

5. Internal Controls. The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury. Funds from state and local forfeitures and other sources must not be commingled with federal equitable sharing funds. The Agency shall establish a separate revenue account or accounting code for state, local, Department of Justice, and Department of the Treasury forfeiture funds. Interest income generated must be accounted for in the appropriate federal equitable sharing account.

The Agency agrees that such accounting will be subject to the standard accounting requirements and practices employed for other public funds as supplemented by requirements set forth in the current edition of the *Justice Guide* and the *Treasury Guide*, including the requirement in the *Justice Guide* to maintain relevant documents and records for five years.

The misuse or misapplication of shared resources or the supplantation of existing resources with shared assets is prohibited. Failure to comply with any provision of this agreement shall subject the recipient agency to the sanctions stipulated in the current edition of the *Justice or Treasury Guides*, depending on the source of the funds/property.

6. Audit Report. Audits will be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Circular A-133. The Department of Justice and Department of the Treasury reserve the right to conduct periodic random audits.

Affidavit - Existing Participant

Under penalty of perjury, the undersigned officials certify that **they have read and understand their obligations under the Equitable Sharing Agreement** and that the information submitted in conjunction with this Document is an accurate accounting of funds received and spent by the Agency under the *Justice* and/or *Treasury Guides* during the reporting period and that the recipient Agency is in compliance with the National Code of Professional Conduct for Asset Forfeiture.

The undersigned certify that the recipient Agency is in compliance with the nondiscrimination requirements of the following laws and their Department of Justice implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 *et seq.*), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators access to records and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

During the past fiscal year: (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above? Yes No

If you answered yes to the above question, complete Table I

Agency Head

Signature: _____
 Name: Thomas C. Dronsfield, Jr.
 Title: Chief of Police
 Date: _____
 E-mail: tdronsfield@leenhpolice.org

Governing Body Head

Signature: _____
 Name: David Cedarholm
 Title: Chairman of the Board
 Date: _____
 E-mail: dcedarholm@leenh.org

Subscribe to Equitable Sharing Wire:

The Equitable Sharing Wire is an electronic newsletter that gives you important, substantive, information regarding Equitable Sharing policies, practices, and procedures.

Final Instructions:

- Step 1: Click to save for your records
- Step 2: Click to save in XML format

- Step 3: Email the XML file to aca.submit@usdoj.gov
- Step 4: Scan & email this Affidavit to aca.affidavit@usdoj.gov
 (Email subject line must include Agency NCIC/ORI Code)

FOR AGENCY USE ONLY

Entered by _____

Entered on _____

FY End: 06/30/2014 Date Printed: July 21, 2014 14:29

NCIC: NH0091000 Agency: Lee Police Department Phone: 603-659-5866

State: NH Preparer: Robin Estee E-mail: restee@leenhpolice.org





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

Office Use Only

Meeting Date: August 4, 2014

Agenda Item No. 9

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
8/4/2014

Agenda Item Title: Winter Salt Contracts

Requested By: Randy Stevens, Highway Supervisor

7/29/2014

Contact Information: 603-659-3027

Presented By: Julie Glover, Town Administrator

Description: Request authorization from the Board to sign the winter salt agreements for both Granite State Minerals and Morton Salt for the upcoming winter season. The Highway Budget allows for 500 tons to be purchased at the average proposed price/ton (250 tons per company). Morton Salt's price is \$52.65/ton and Granite State's price is \$48.43/ton (state bid price). It has been the practice to split the salt order between two companies as sometimes one or both companies will run out of salt during a busy winter. .

Financial Details: +/- \$25,270.00

Legal Authority: NH RSA 41:8

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

REQUESTED ACTION OR RECOMMENDATIONS:

MOTION:



**Granite
State
Minerals**

**2014-15 ICE CONTROL SALT QUOTATION
CITIES/TOWNS OF NEW HAMPSHIRE IN DISTRICT 6**

Based on the awarded NH Department of Transportation contract pricing, Granite State Minerals is pleased to extend the delivered price of \$48.43 per ton of bulk road salt for the 2014-15 season. This price will remain firm until June 30, 2015. For inventory planning purposes, we would appreciate if you return a completed and signed copy of this form via mail, fax 800-797-3796 or email jharrington@gsmsalt.com by August 31, 2014.

Orders may be placed 24 hours a day by calling 800-582-7907, via email, or by fax 800-797-3796. The contact person for ordering and delivery questions is Janet Harrington at 603-436-8505. Our physical mailing address is 227 Market St., Portsmouth, NH 03801.

Payment terms are Net 30 days from invoice date.

Please call with any questions. We look forward to working with you this season and greatly appreciate your business!

Kind regards,

Janet

Janet Harrington
Granite State Minerals, Inc.
jharrington@gsmsalt.com

Customer Info:

Town: _____

Ship To Address: _____

Contact/Phone/Fax: _____

_____ **Signature** _____ **Estimated Usage**



MORTON SALT

Revised
Quote

LEE TOWN
Attn: , PUBLIC WORKS DIRECTOR
7 MAST RD
LEE NH 03824

Return by August 6, 2014

JULY 22, 2014

Dear Sir/Madam

Morton Salt, Inc. is pleased to offer you the following bulk deicing salt pricing for the season 14/15.

Description	Valid From	Valid To			Min Order
Bulk Ice Control	JULY 22, 2014	JUN 30, 2015	Delivered	MS STANDARD DUMP TRUCK	20 TON
					52.65 USD per TON
Description	Valid From	Valid To			Min Order
Ice B Gone	JULY 22, 2014	JUN 30, 2015	Delivered	MS STANDARD DUMP TRUCK	20 TON
					70.65 USD per TON

Delivered prices are based upon full truckload quantities specific to the delivery address shown below.

Any applicable taxes are extra.

Terms are net 90 days.

Pricing is in effect through JUN 30, 2015 for the tonnage shown. This tonnage is an estimate of your winter season salt needs.

Do you wish to change the tonnage commitment? Yes ___ No ___

New commitment is: _____ TON

Reason for tonnage change: _____

Please review your account information and advise if any changes are required.

Delivery Address:
LEE TOWN
7 MAST RD
LEE NH 03824

Purchases must begin by December 31st.

To an place order, please contact our Customer Service Department:

Phone: 855-665-4540

Fax: 630-861-2735

Email: buyroadsalt@mortonsalt.com

Our offices are open from 7:30am to 4:30pm

For your convenience, MasterCard, VISA and American Express are accepted.

To confirm and accept this quotation, please sign the acceptance and return via mail (address below), email, or fax within 30 days of the date shown above.

Morton Salt Customer Service

Return by mail

123 N Wacker Dr

Chicago IL 60606

Fax: 312-807-2669

Email: bids@mortonsalt.com

Acceptance:

I accept the Morton Salt, Inc. price for the 14/15 period.

Approved by: _____ Date: _____

This is your confirmation; No further acknowledgement will be sent.

We trust this quotation meets your approval and that we will have the privilege of supplying your bulk deicing salt needs this coming winter season.

Sincerely,

Morton Salt, Inc.

Terms and Conditions

1. All orders are subject to the conditions set forth hereon, and no agreement or other understanding in any way modifying or supplementing these conditions shall be binding upon Seller unless made in writing and signed by an authorized executive of Seller.
2. This price quotation does not include sales, use, or any other taxes, which will be added to the price, if applicable.
3. Terms of payment are net thirty (30) days (subject to Credit Department approval). The Seller reserves the right to charge a one and a half percent (1 ½%) per month service charge on amounts outstanding more than thirty (30) days from the date of the invoice, effective as of the thirty-first day from the date of invoice.
4. Effort will be made to effect shipment as soon as possible after an order is received but Seller shall not be responsible for any delay or failure to deliver caused wholly or in part by any cause not resulting from negligence on the part of Seller, including without limitation, fire, flood, accident, strike, labor trouble, civil commotion, acts of terrorism, war, demands, requests or requirements of governmental authority, failure in production equipment, product availability, inability to obtain fuel, power, raw materials or shipping capacity or acts of God, including snow, ice or other weather related problems. Transportation surcharges may be applied in the event of significant cost increases in transportation beyond the reasonable control of the Seller.
5. All claims of shortages in quantities delivered, quality or delivery of material other than ordered must be made in writing by Buyer within seven (7) days of receipt of shipment and supported by satisfactory evidence. Buyer, by acceptance of the material covered by this transaction, assumes all risk and responsibility incident to the handling and use of said material and for the results obtained through use of said material, and shall indemnify and hold Seller harmless of and from any and all claims with respect thereto.
6. Seller warrants the material sold hereunder is suitable for ice control only. Seller's liability is limited to providing additional material to the extent any material is shown to be otherwise than as warranted, and Seller shall be in no event liable otherwise or for indirect or consequential damages. THIS WARRANTY IS EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES, INCLUDING BUT NOT LIMITED TO, ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.
7. The SELLER reserves the right upon notice to BUYER to condition any future shipments (including those previously ordered or in transit) upon SELLER'S receipt of cash, certified or cashier's check in the amount of the invoice prices of such shipments and inclusive of all freight.
8. Delivered prices are based upon full truckload. Shipments are made in dump trucks carrying 20-25 tons and normally delivered within 5 days. Exceptions to truck minimums; in Michigan-50 ton minimum (or single trailer 25 ton minimum); Utah-40 ton minimum (or single trailer 25 ton minimum or tri-axle truck 18 ton minimum); Ohio pile delivery-200 ton minimum; 10 ton minimum per truck pick-up where offered and available. Please give at least 24 hour notice prior to pick-up.
9. Estimated tonnage for existing customers is a weighted average calculation of purchases from Morton Salt in the last five (5) years. Customer requests above the estimated tonnage are subject to product availability and pricing changes. Increases in any of Seller's transportation and warehousing costs, and extraordinary increases in Seller's costs of production, including without limitation, in its costs of energy or package materials, may be passed along to Buyer upon advance notice to cover the increased costs to Seller.
10. Should fuel costs rise to a level requiring carriers to implement a fuel surcharge, the surcharge amount will be additional, and will be shown as a separate line item on the invoice. If implemented, fuel surcharge amounts may vary weekly, and are based on the fuel cost averages published at www.eia.doe.gov.

(Rev. 07/2014)



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

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

June 11, 2014

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

Dear Laura,

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

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

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

This check represents stewardship monitoring for the following projects:

Flag Hill, North Lee Conservation Project (buildings)

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

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

Sincerely,

Dorothy T. Taylor

Dorothy T. Taylor

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

State of New Hampshire

Vendor Payments

Bank of America
Concord, NH
51-44 / 119

05/21/14

2057928

PAY EXACTLY *Eight Hundred and 00/100 Dollars*

\$ *****800.00

VOID AFTER 180 DAYS

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

William E. Dyer
Authorized Signature

RECEIVED
JUL 30 2014

TOWN OF LEE, NH
SELECTMAN'S OFFICE

Veteran Resort-Chapel
101 Stepping Stone Rd
Lee NH 03861 603-781-3839

To Lee Selectmen and Planning/zoning/code enforcement/health
7 Mast Rd Lee NH

The continued harassment by the town is getting to be much. We the US Military Combat Veterans want the town of Lee to stop harassing the Veterans Resort-Chapel.

First of all we are a church. The church owns the property and legally has a chapel in the basement of the house on the property. The town of Lee still illegally by using discrimination taxes the church property and refuses to recognize us as a place where Men and Women that have served in our US Military can go to talk to God or any one they want. At this time we ask you the town of Lee Selectmen to recognize us as a church and pay us back the money that you required us to pay in property taxes. If you check article V section C. Accessory uses home occupations are allowed if they are smoke, dust and odor free occupations, provided that there is no indication of such occupation visible on the exterior of the building or of the lot, except for a permitted sign, and that no such use requires any more additional parking space than would be required for a normal residency and would cause no diminution in value of surrounding properties. We meet the requirements and for the town of Lee to allow others and not the Veteran Resort-Chapel would be discrimination.

Article VII cannot regulate personal property. The Sign that states Home Veteran Chapel is not attached to anything other than a zip tie that was put on it to stop the wind during the big storm from blowing it and possibly hitting some one walking down the street. For the town to allow Kevin Crawford to have a sign parked in his yard daily and nightly on the side of his van makes the actions of the town of Lee discrimination to allow others to do exactly what you are stopping us from doing.

Also the Frivolous Acton of the town last week to start court action for a camper trailer on the property parked behind the Chapel that has a church member sleeping in it to help the homeless US Military Veteran living there have a safe adjustment. There is no sewerage hooked up to the trailer she uses her own bathroom at her residents in Epping or uses the one located in the building where the homeless US Military Veteran lives. The town of Lee's actions are discriminating and harassment and must stop.

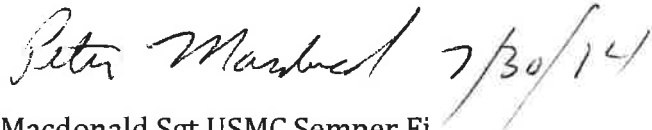
Also the portable toilet that the town required if I wanted a building permit is on the property legally for we have not received a Certificate of Occupancy yet. The toilet has not been used since Dec 22 2013 since we got the state approval for the inside bathroom. There is eleven-acres of land on this lot and one 4'x4' toilet can stay there as long as we want. Does the town restrict all other property from having a 4'x4' box on their property? No so for you to do it to the VRC it can be described as discrimination and it is against the law.

In the eyes of any reasonable person the town attorney is leading the Town of Lee down the wrong path. The town has threatened the VRC with RSA 676:15 and 17 as a means to scare us into giving up. We have asked the court for 5 million in damages for these harassing town of lee actions against the VRC and we will ask the court for that same amount this time. We are a church and the Religious Land Use Institutionalized Persons Act was passed in 2000 to stop just such harassment and discrimination as the Town of Lee is doing to the VRC.

The selectmen are just as much to blame as the administrator, planning department and building inspector. If this case for this last notice goes to court we are asking the court for 5 Million dollars in the hopes that it tells all other towns not to discriminate against homeless US Military Veterans or a church that has the mission from God to help the Homeless US Military Veterans.

I thank you for your time, if you want to speak with me let me know and I will be happy to do so. We the Homeless US Military Veterans pray to God that you see the light and let us come home without your harassment.

Respectfully submitted

A handwritten signature in cursive script that reads "Peter Macdonald" followed by the date "7/30/14".

Peter Macdonald Sgt USMC Semper Fi

President/CEO VRC 101 Stepping Stone Rd Lee NH 03824 603-781-3839



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



July 18, 2014

CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

David Cedarholm, Chairman of Selectmen
Town of Lee
7 Mast Road
Lee, NH 03861

Re: Lee Highway Block Grant Aid - in Accordance with RSA 235:23
Payment for Maintenance, Construction and Reconstruction of Class IV and V Highways

Dear Mr. Cedarholm:

The following is notification of State Highway Block Grant Aid available to your town in State Fiscal Year 2015 (July 1, 2014 thru June 30, 2015) based on estimated revenues through June 30, 2014. The total could possibly change based on final audited State FY 2014 revenues. The resulting adjustment will be reflected in the April payment.

State Highway Block Grant Aid available to the Town of Lee during Fiscal Year 2015 (July 1, 2014 to June 30, 2015) is as follows:

July 2014 Actual Payment: \$28,893.06
October 2014 Actual Payment: \$28,893.06
January 2015 Actual Payment: \$19,262.04
April 2015 Estimated Payment: \$19,262.05

TOTAL FOR FY 2015:

\$96,310.21

MSL FY15 Est
\$95,636

In generalized terms and in accordance with statutory provisions for distribution of Apportionment "A" funds, a disbursement is made of approximately \$1,258.00 for each mile of Class IV and Class V highway inventoried by each municipality and approximately \$11.00 for each person residing in a municipality based on the state planning estimate of population. Apportionment "B" is distributed this year to 20 small towns under a somewhat more complicated formula as specified in RSA 235:23, which recognizes the economics of maintaining their Class V highway mileage when considered in relationship to their equalized valuation tax base.

Please contact us at 271-2107 if you have any questions.

Sincerely,

[Handwritten signature of Nancy J. Mayville]

Nancy J. Mayville, PE
Municipal Highways Engineer
Bureau of Planning and Community Assistance

NJM/dmp