

SELECT BOARD MEETING AGENDA

DATE: 6:00pm Monday, June 22, 2015

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 limited to 3 minutes.

1. Call to Order - 6:00 pm
2. Public Comment
3. **Carla Wilson, – Raffle Permit Request**
Request a Raffle Permit for ticket sales to take place at the Lee Library July – August and ticket sales and drawing to take place at the Lee Fair on Sept 12, 2015.
4. **Bill Callen, Lee USA Speedway Manager – Racetrack Event Request**
Request permission to host foot race related events at the Racetrack during the 2015 season (not race car related.)
5. **Julie Glover, Town Administrator – Town Center Committee**
Present the Board with the Town Center Committee applications for review.
6. **Larry Kindberg, Recreation Commission Chair – Little River Park Slide Structure**
Discuss the completion of the slide structure at LRP; Update the Board on the Pavilion plans; continue the walking path discussion.
7. **Annie Gasowski, Library Trustee Chair – Alternate Trustees**
Present the Board with Alternate Trustees for approval.
8. **Julie Glover, Town Administrator**
 - a. **Fair Vendor Waiver Criteria** – *Present the Board with a draft list of Criteria that a Fair Vendor must meet in order to be considered for a Liability Insurance Waiver by the Select Board.*
 - b. **Encumber Funds for purchase of Kennard Property** – *Voters appropriated \$180,000 in March 2014 to purchase the Kennard Property, but the Conservation Commission is still negotiating terms of the P&S; therefore, the appropriation needs to be encumbered.*
9. **Julie Glover, Town Administrator Report**
 - a. *Pavilion Bid*
 - b. *FY15 Budget Transfers*
 - c. *FY 15 Encumbrances*
 - d. *Vacation Request*
 - e. *Miscellaneous*
10. **Motion to accept the Consent Agenda as presented:**

SIGNATURES REQUIRED

Excavation Tax Assessment
Abatements (17)
PA-28 Inventory of Taxable Property Form for 2016
Investment Policy

INFORMATION ONLY

Letter from Ronald Kennard re: wood burning stoves
DES Administrative Order re: Sunny's Restaurant Water System

Individual items may be removed by any Selectman for separate discussion and vote.

11. **Motion to accept the Select Board Public and Non Public Meeting Minutes from June 8th.**
12. **Motion to accept Manifest #25 and Weeks Payroll Ending June 21, 2015.**
13. **Miscellaneous/Unfinished Business**
14. **Adjournment**

Posted: Town Hall, Public Safety Complex, Public Library and on leenh.org on June 19, 2015

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: 6/22/2015

Agenda Item No. 3

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
6/22/2015

Agenda Item Title: Raffle Permit Request

Requested By: Carla Wilson, Library Community Center Foundation **Date: 6/4/2015**

Contact Information: 603-397-5516

Presented By: Carla Wilson

Description: Request a Raffle Permit for ticket sales to take place at the Lee Library July – August and ticket sales and drawing to take place at the Lee Fair on September 12, 2015.

Financial Details: n/a

Legal Authority RSA 287-A, RSA 31:91 and/or RSA 286

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

REQUESTED ACTION OR RECOMMENDATIONS:

Motion: Move to approval the Raffle Permit for the Lee Public Library Community Center Foundation to hold raffle ticket sales at the Lee Library from July – August and ticket sales and final drawing at the Lee Fair on September 12, 2015.



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

RAFFLE & TAG SALE PERMIT

PLEASE Complete and Return to Selectmen's Office -- NO LATER THAN 30 DAYS PRIOR TO EVENT

Organization Name: Lee Public Library Community Center Foundation

Federal Tax ID number for Organization: 36-4697604
 Charitable nonprofits that have been in existence for at least 2 years are permitted to conduct fundraising raffles in New Hampshire; this includes any person or entity that is determined by the Internal Revenue Service to be a tax exempt organization pursuant to section 501(c)(3) of the Internal Revenue Code; however, "Charitable organization" is not limited to those organizations to which contributions are tax deductible under section 170 of the Internal Revenue Code.

Check (✓) Nature of Organization:

Religious ___ Educational ___ Charitable ___ Civic Sports ___ Veterans ___ Fraternal or Political ___

Other (Describe) _____

Contact Person: Carla Wilson Day Time Telephone: 603-397-5516

Address: 30 Swan Drive, Lee Email Carla.w@comcast.net

Type of Permit: Raffle Tag Sale

Date of Event: July, August Sale Specific Time: Final Sales and Drawing at Lee Fair 9/12/15

Location of Event: Lee Public Library (ticket sales)
Lee Town Fair (final sale / drawing)

Please be advised the Town will verify that your organization is in compliance with the regulations of N.H. Charitable Trusts Unit of the Attorney General's Office prior to the acceptance of your application. The Town Administrator may contact you to obtain additional information. You must provide a way for us to contact you during the day so that your request can expedited. Information on these requirements may be found at: <http://www.doi.nh.gov/charitable-trusts/faq.htm>

For Raffle Permits Only:

Prize (s) To Be Awarded: Bicycle - Fuji Crosstown 1.0 Silver

Cost of Ticket: \$1.00 each 6/\$5.00 Date of Drawing: September 12, 2015

Place of Drawing: Lee Town Fair

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT. I UNDERSTAND THAT THIS PERMIT IS ISSUED BY THE Select Board PER the provisions of RSA 287-A, RSA 31:91 and/or RSA 286 and I agree to abide by the same.

SIGNATURE OF APPLICANT: Carla T. Wilson DATE: June 4, 2015

Select Board Approval _____ Date: _____
 (Chairman's Signature)



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

Office Use Only

Meeting Date: June 22, 2015

Agenda Item No. 4

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
6/22/2015

Agenda Item Title: Racetrack Event Request

Requested By: Bill Callen, Racetrack Manager

Date: 6/8/2015

Contact Information: billcallen@myfairpoint.net

Presented By: Bill Callen, Racetrack Manager

Description: Request permission for the Lee USA Speedway to host foot race related events at the Racetrack during the 2015 season (not race car related).

Financial Details: N/A

Legal Authority Lee Racetrack Ordinance, Sec. 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.

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

REQUESTED ACTION OR RECOMMENDATIONS:

Motion: Move to grant Lee USA Speedway permission to host foot race related events at the Racetrack during the 2015 season and which are not race car related.



Proudly Benefits

JUST CARE⁺MORE

A foundation that inspires confidence and hope for at-risk youth through adventure sports, teaching kids to overcome life obstacles by strengthening mind and body helping develop leadership skills and life lessons, that will last a lifetime.



- 5 Kilometer course (3.1 miles)
- 4 color stations along the run with thousands of pounds of color to shower runners
- High energy music along the course to keep participants pumped up



- 5 Kilometer course (3.1 miles)
- 4 color stations with thousands of pounds of color & high energy music
- Industrial strength blacklights and visual effects



- Massive post-run celebration
- Music throughout the festival
- Monumental post-run color throw with thousands of your fellow runners



- All ages event and everybody is welcome!
- Kids 12 and Under are FREE (if registered online)!
- Whether you are an avid runner, or first time 5K'er, you set your own pace for the run.
- Costumes are encouraged, so come wearing your most outrageous getup!

COLORFUNFEST SPONSORSHIP



Color Funfest 5K is the child within that most people like to keep. It is the joy is feeling inside when you let go and really have fun. It's seizing the moment, making a memory, and smiling uncontrollably.

Color Funfest 5K takes the concept of Holi, A traditional color festival held mostly in India, and transforms it into an unforgettable 5K run. What makes our event unique? We not only offer a day when you were vibrant colors will paint the sky, but we throw a one-of-a-kind night waves were participants will enjoy the same experience only enhanced! Lasers beaming, DJs lining the course, popping out electronic beads and the most powerful back lights in the industry. All of this topped off with an epic EDM dance party at the finish line! With all the illuminated color powder, glow sticks, and costumes, it's promised to be candy to your eyes.

At **Color Funfest 5K**, we go the extra mile to help our sponsors get the most out of each race. We implement creative and innovative ideas to promote your business and our event. From customizing marketing plans that fit your budget to working with in-kind donations. Our sponsors always have a memorable experience to bring back to the company on Monday morning. Why? Because they get to be a part of the most at the color run in the country! We are taking this party on tour throughout 25+ cities while raising funds for just care more, an organization providing hope and support to at risk kids by using adventure Sports to introduce the lessons of life and leadership.

This is a very exciting year for us as we grow within the running community don't miss out on the chance to be a part of it!



PARTICIPANT DEMOGRAPHICS

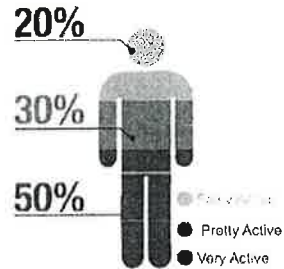
Color Fun Fest 5K events typically cater to an average of 5,000 participants, with a majority bidding "pretty active" females between the ages of 18-44



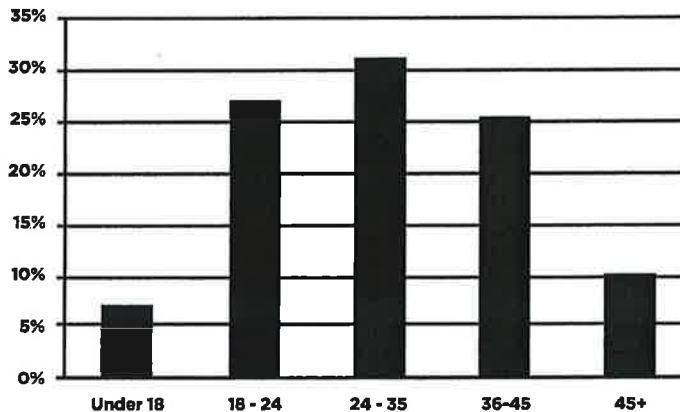
Male
30



Female
70



Participant Age



CONTACT CRAIG@COLORFUNFEST.COM

COLORFUNFEST SPONSORSHIP LEVELS

TITLE/PRESENTING: \$7,500

- Customized entertainment for after-party highlighting sponsor
- Exclusive naming rights (Color Fun Fest 5K presented by _____)
- Category Exclusivity
- Title placement on all event t-shirts
- Logo on race bibs
- Logo banner in staging area
- Logo banner on start line barricades
- Logo banner on finish line barricades
- Opportunity to speak at opening of event
- Special announcement 5 times by Emcee
- Promotion on e-mail blasts to all participants
- Pre-event social media giveaway of your product/service
- Logo banner at color stations
- 10 X 20 Booth (includes tent, lighting, tables, & chairs)
- Logo on all of our fliers, typically 10,000-20,000 per location
- Packet inserts
- Logo on website
- 50 complimentary race entries

PLATINUM: \$5000

- Category Exclusivity
- Logo on all race t-shirts
- Logo on race bibs
- Logo banner in staging area
- Logo banner on start line barricades
- Logo banner on Finish line barricades
- Special announcement prior to run by Emcee
- Promotion on e-mail blasts to all participants
- Pre-event social media giveaway of your product
- Logo on fliers, typically 10K-20k per location
- Packet Inserts
- 10 X 20 Booth (includes tent, lighting, tables & chairs)
- Logo on website
- 30 complimentary race entries

GOLD: \$3500

- Category Exclusivity
- Special announcement prior to the run by Emcee
- Logo on race bibs
- Logo on Finish line Barricades
- Logo on start line barricades
- Pre-event social media shout out
- 10 X 10 Booth (includes tent, lighting, tables, & chairs)
- Packet inserts
- Logo on website
- 15 complimentary race entries

SILVER: \$2000

- Special announcement prior to the run by Emcee
- Logo on LED panels (near start/finish line)
- Packet inserts
- 10 X 10 Booth (includes tent, lighting, tables, & chairs)
- Logo on Race bibs
- Logo on websites
- 10 complimentary race entries

BRONZE: \$2000

- Special announcement prior to the run by Emcee
- 10 X 10 Booth (includes tent, lighting, tables & chairs)
- Logo on website
- 5 Complimentary race entries

INDIVIDUAL PRICING

- Logo banner in staging area \$2000
- Logo banner on Start line barricades \$1500
- Logo banner on finish line barricades \$1500
- Logo banner at color stations \$1000
- 3 mile markers with company logo \$800
- Logo on website - \$750
- Logo on Race bibs - \$750
- Booth set up (includes tent, lighting, table, & chairs) - \$750
- Booth Space (You provide your setup) - \$650
- Logo and shout out on our social media outlets - \$750
- Logo on our eblasts (typically 2-3 per city) - \$700
- Logo on fliers (typically 10,000-20,000 per city) - \$500

- Booth set up (includes tent, lighting, table, & chairs) - \$750
- Booth Space (You provide your setup) - \$650
- Logo and shout out on our social media outlets - \$750
- Logo on our eblasts (typically 2-3 per city) - \$700
- Logo on fliers (typically 10,000-20,000 per city) - \$500
- Packet Inserts (provided by sponsor) - \$400
- Special announcement before the race by Emcee - \$300
- * (banners To BE provided by sponsor)



Proudly Benefits

JUST CARE⁺MORE

A foundation that inspires confidence and hope for at-risk youth through adventure sports, teaching kids to overcome life obstacles by strengthening mind and body helping develop leadership skills and life lessons, that will last a lifetime

CONTACT CRAIG@COLORFUNFEST.COM



JAMIE LEIBERT

**COLOR
FUN
FEST**

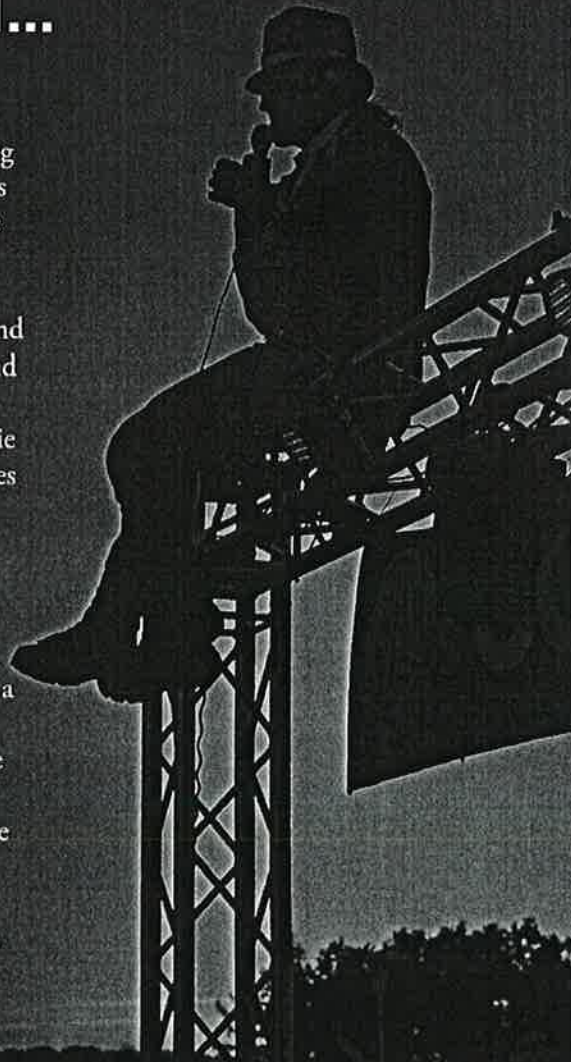
JUST **CARE** ⁺ MORE

**MORAL
FREE**

THE SHORT OF IT...

Jamie Leibert is no stranger to adversity, but he's also experienced the triumph of rising from the dirt, dusting himself off, and starting anew, which is what makes him such a compassionate and inspiring person. Despite having struggled through years of broken homes, drugs, alcohol, homelessness and prison, Jamie turned his life around and has built a multi-million dollar company. Not forgetting his past, Jamie is an advocate for at-risk youth and uses his expertise in sports as an avenue to build character and strength in young minds and hearts.

Jamie's passion for under served kids inspired him to found Just Care More a non-profit organization focused on taking time to show young people love and empathy while supporting their dreams, to change lives and instill hope within these kids who feel lost and desperate. Using extreme sports centered activities and sharing sessions with counselors, Just Care More is making a difference one life at a time.



"From living in his car and going to prison, to now running a Multi-Million dollar company, Jamie Leibert is a success story for the ages and I'm proud to know him"

- Craig Crossley

THE FULL STORY

Raised in California in a loving home, Jamie Leibert didn't expect his life to turn upside down when his parents moved the family. But it did. Nine years old, Jamie moved from the place he called home, separating from his nurturing grandparents, and was thrust into a downward spiral that created a void in him he desperately tried to fill. Lacking true parental support, he turned to drugs, alcohol, fighting, and finally landing himself in a group home in Long Beach. There he was surrounded by other kids from broken homes who had prostitute mothers and imprisoned fathers. Every single one of these kids lacked a vital component to a healthy life. They lacked the love and support every child needs to flourish in this world.

Jamie, unfortunately, lacked this kind of support as well and ended up serving four years in prison where he had a moment of clarity. He wanted to turn his life around and decided to stop blaming others for his trials. It was time to take control of his life and the way he reacted to adversities. And he was determined to do just that.

Once released from his cold cell, Jamie began professional training with a mixed martial arts master who taught him the discipline to accompany his accountability. From that point on, his life began to change.

Today Jamie is an incredibly selfless and loving person, a motivational force who has reconciled his past, forgiven his parents, and asked for forgiveness as well. He is traveling a path of hope and seeks righteousness with each step, aiming to be a positive and upbeat soul in the midst of life's dark corners.

An action sports competitor, he is knowledgeable in downhill biking, dirt biking, skydiving, snow boarding, rock climbing, para motoring, and mixed martial arts.

He may not be a stranger to adversity, but he's also experienced the triumph of rising from the dirt, dusting himself off, and starting anew, which is what makes him such a compassionate and inspiring person today. Having struggled through years of broken homes, drugs, alcohol, and prison, Jamie is on the others side where he motivates and encourages at risk children to embrace forgiveness and lasting change. Using his background and passion for sports as an avenue to build character and strength in young minds and hearts, Jamie created Just Care More, a non-profit organization focused on taking time to show kids love and empathy while supporting their dreams.

This is a place that harnesses high levels of compassion, support, and motivation from dedicated staff and volunteers. Each team member aims to foster character and leadership training through extreme sports activities in youth camping experiences for children in need.

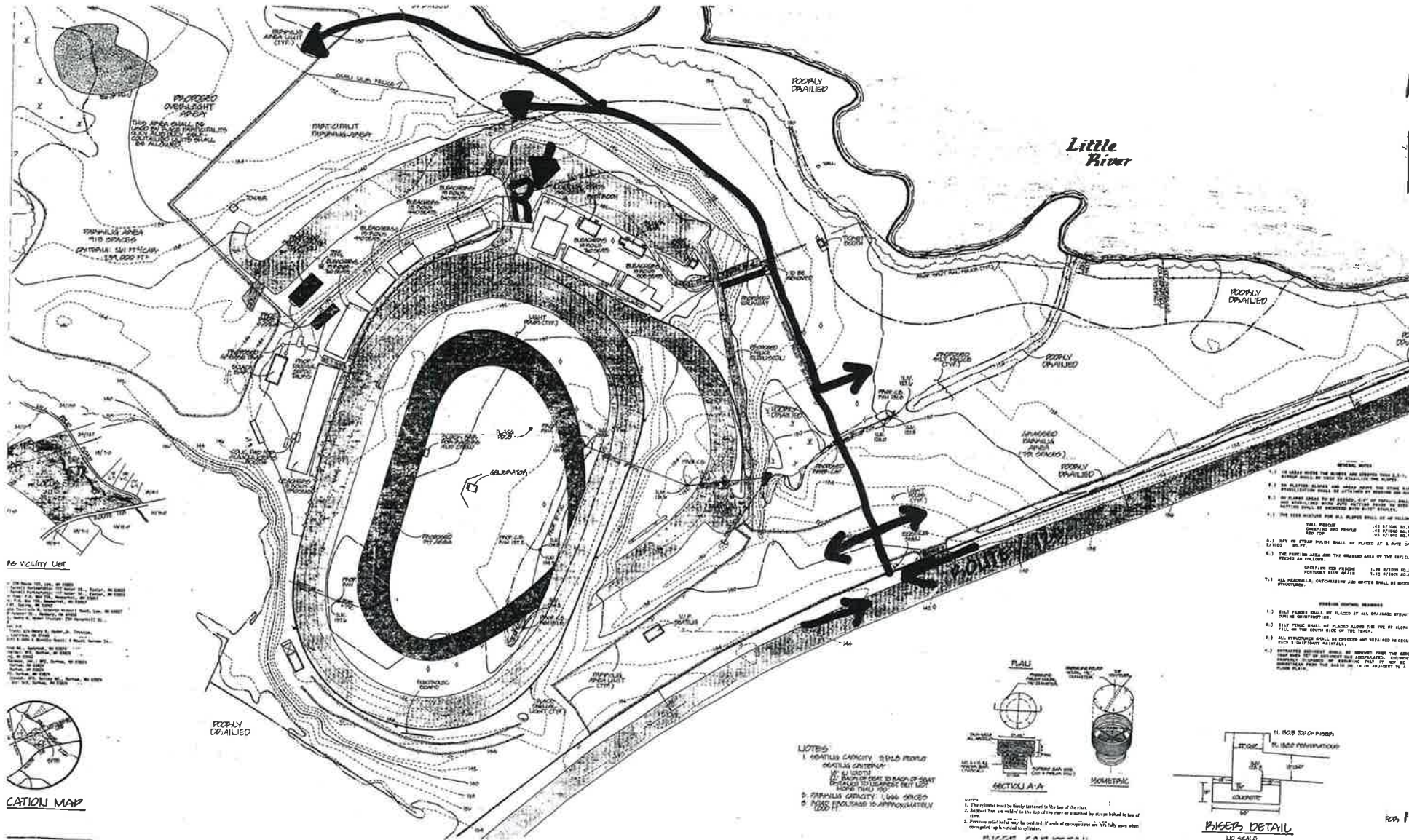


With a mission to provide kids a looking glass into their future and give them hope and effective tools to make their life what they want it to be—instead of what everyone around them wants it to be—Just Care More is here to provide a new outlook on life and the ability to live responsibly. Motivational speaking, Kids Club activities, and Camp Care More are some of the defining features that make Just Care More a shining opportunity for young people to discover a way to enjoy the lives they're given, no matter how much pain they've experienced.

Jamie's current goal is to give back what he's been given, to help others through the lessons he's learned the hard way. He loves speaking to young minds that are entrenched in hopeless lives—runaways, homeless, and career criminals—with a desire to bring a dose of positivity to their lives.

Passionate about living life to the fullest and seeing beauty in every storm, Jamie is committed to helping transform lives and instilling hope within children who feel lost and despondent. One life at a time, one day at a time, Just Care More is making a difference in the lives of those who need it most. And, with a smile on his face, Jamie is right there every step of the way.





IMPROVED OVERSIGHT AREA
THIS AREA SHALL BE USED TO OBTAIN QUALITY CONTROL OF ALL MATERIALS TO BE ALLOWED

STADIUM AREA
1700 SEATING
CENTRAL 500 FT. DIA.
1,500,000 SQ. FT.

NO VICINITY USE

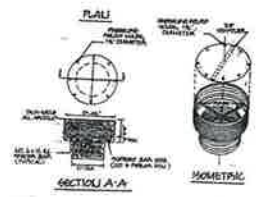
1. ALL UTILITIES SHALL BE DEEPER THAN 2 FT. BELOW FINISHED GRADE.
2. ALL UTILITIES SHALL BE DEEPER THAN 2 FT. BELOW FINISHED GRADE.
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LOCATION MAP

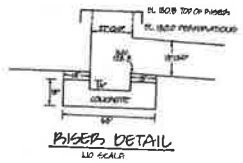
- GENERAL NOTES
1. IN ORDER TO BEAT THE MARKET AND OTHERS THIS STADIUM SHALL BE BUILT BY THE YEAR 2010.
 2. THE STADIUM SHALL BE BUILT BY THE YEAR 2010.
 3. THE STADIUM SHALL BE BUILT BY THE YEAR 2010.
 4. THE STADIUM SHALL BE BUILT BY THE YEAR 2010.
 5. THE STADIUM SHALL BE BUILT BY THE YEAR 2010.
 6. THE STADIUM SHALL BE BUILT BY THE YEAR 2010.
 7. THE STADIUM SHALL BE BUILT BY THE YEAR 2010.
 8. THE STADIUM SHALL BE BUILT BY THE YEAR 2010.
 9. THE STADIUM SHALL BE BUILT BY THE YEAR 2010.
 10. THE STADIUM SHALL BE BUILT BY THE YEAR 2010.

- SEATING NOTES
1. SEATING SHALL BE PLACED AT ALL DRAINAGE STREETS DURING CONSTRUCTION.
 2. SEATING SHALL BE PLACED ALONG THE TIE OF CLAMP PILE ON THE SEVERE SIDE OF THE TIE.
 3. ALL STRUCTURES SHALL BE CONCRETE AND REINFORCED AS SHOWN ON THIS DRAWING AS NOTED.
 4. SEATING SHALL BE PLACED ON THE SEVERE SIDE OF THE TIE.



SECTION A-A

1. The stadium shall be built by the year 2010.
2. The stadium shall be built by the year 2010.
3. The stadium shall be built by the year 2010.



BLEACHER DETAIL
1/2" SCALE

- NOTES
1. SEATING CAPACITY: 1700 PEOPLE
 2. SEATING CENTERLINE: 500 FT. DIA.
 3. SEATING AREA: 1,500,000 SQ. FT.
 4. SEATING AREA: 1,500,000 SQ. FT.
 5. SEATING AREA: 1,500,000 SQ. FT.



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

Office Use Only

Meeting Date: June 22, 2015

Agenda Item No. 5

**BOARD OF SELECTMEN
MEETING AGENDA REQUEST**

6/22/2015

Agenda Item Title: Town Center Committee Applications

Requested By: Select Board 6/8/2015

Contact Information: 603-659-5414

Presented By: Julie Glover, Town Administrator

Description: Present the Board with applications for appointments to the Town Center Committee.

Financial Details: N/A

Legal Authority NH RSA 41:8

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

REQUESTED ACTION OR RECOMMENDATIONS:

Motion: Move to approve the following appointments to the Town Center Committee:



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

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

Applicant's Name: Janet (Jan) Allen
Address: 85 Tuttle Road Phone/Cell: 603-292-6143
of Years as a Resident: 5
Email address: jimpa@aol.com

Full Membership (3 year term) position applying for: Town Center Committee
Term Expires on the following date: _____
Alternate Position (3 year term) position applying for: _____
Term Expires on the following date: _____

I feel the following experience and background qualifies me for this position: _____
President Lee Historical Society

Janet P. Allen
Signature

March 27, 2015
Date

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



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

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

Applicant's Name: Cary Brown

Address: 11 Thornton Ln Phone/Cell: 603 828 9616

of Years as a Resident: 8

Email address: Caryandann@aol.com

Full Membership (3 year term) position applying for: Town Center Comm

Term Expires on the following date: _____

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

Term Expires on the following date: _____

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

Budget Comm member, Facility
PLANNING EXPERIENCE, organized.

Cary Brown
Signature

April 1 2015
Date

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



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

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

Applicant's Name: Chuck Cox
Address: 36 Capt. Smith Emerson Rd Phone/Cell: 868 1822
of Years as a Resident: 32
Email address: tuckawayfarm@comcast.net

Full Membership (3 year term) position applying for: Town Center Committee

Term Expires on the following date: _____

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

Term Expires on the following date: _____

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

Have Served on the library building committee - 2+ years
have experience in building + construction, operate
a diversified farm. Know many citizens of
Lee, Served on the Lee Town Fair - committee 3 years -

Chuck Cox
Signature

4/9/2015
Date

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



RECEIVED
APR 07 2015

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

TOWN OF LEE, NH
SELECTMEN'S OFFICE

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

Applicant's Name: PAUL L. GASOWSKI

Address: 46 LAMPREY LANE Phone/Cell: 659-5273

of Years as a Resident: 29

Email address: plgasowskilee@gmail.com

Full Membership (3 year term) position applying for: TOWN CENTER COMMITTEE

Term Expires on the following date: _____

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

Term Expires on the following date: _____

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

- SERVED ON TOWN CENTER COMMITTEE 2009-10 ^{2011-PRESENT}
- SERVED ON OYSTER RIVER SUSTAINABILITY COMMITTEE
- SERVED ON LEE AGRICULTURAL COMMISSION 2006(?) - PRESENT
- EDUCATIONAL/TEACHING- BACKGROUND AND SKILL SET

Paul L. Gasowski
Signature

7 APRIL 2015
Date

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



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

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

Applicant's Name: LARRY KINDBERG

Address: 12 LEE Hill Rd Lee Phone/Cell: 603-292-5790 603-475-3207(x)

of Years as a Resident: 9

Email address: LARRYKINDBERG@COMCAST.NET

Full Membership (3 year term) position applying for: FULL MEMBERSHIP TOWN CENTER COMMITTEE

Term Expires on the following date: _____

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

Term Expires on the following date: _____

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

RECREATION COMMISSION CHAIRMAN & RESIDENT THAT LIVES WITHIN
2,000' OF PROPOSED TOWN CENTER.

Larry A. Kindberg
Signature

4/6/15
Date

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



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

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

Applicant's Name: David Meeker
Address: 203 Wadleigh Falls Rd Phone/Cell: 603-659-5441
of Years as a Resident: 38
Email address: david-meeker@comcast.net

Full Membership (3 year term) position applying for: Town Center Comm.

Term Expires on the following date: _____

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

Term Expires on the following date: _____

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

I am a member of Conservation Commission and
Heritage Commission and I can represent the interests
of those two bodies.

David Meeker
Signature

June 5, 2015
Date

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



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

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

Applicant's Name: Ron Pitkin

Address: 252 Wadleigh Falls Rd. Lee NH Phone/Cell: 659-7386 / 988-1989

of Years as a Resident: 15

Email address: RcJPITKIN@COMCAST.NET

Full Membership (~~3 year~~ term) position applying for: Town Center Committee

Term Expires on the following date: _____

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

Term Expires on the following date: _____

I feel the following experience and background qualifies me for this position: Construction and building of 2 homes we have owned. Worked in Carpenters union for 10 years serving 4 years of apprenticeship. Currently mechanical worker at Seabrook Station for 30 years.

Ron Pitkin
Signature

6-10-15
Date

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



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

Applicant's Name: Deborah Schanda

Address: 18 Hale Farm Road Phone/Cell: 603-969-4774

of Years as a Resident: 25

Email address: deborahschanda@gmail.com

Full Membership (3 year term) position applying for: Town Center Committee

Term Expires on the following date: _____

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

Term Expires on the following date: _____

I feel the following experience and background qualifies me for this position: I am a certified Project Management Professional working in this capacity for over 15 years. I've lived in the Town of Lee for 25 years working with the children as Odyssey of the Mind coach for ~ 8 years and for the town as Treasurer of the Friends of the Lee Library for ~ 5 years. I would very much like to work towards beautifying the town center and insuring it's history is preserved.

Deborah Schanda
Signature

March 29, 2015
Date

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



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

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

Applicant's Name: BRIAN C. STEELEY

Address: 21 JAMES FARM ROAD Phone/Cell: 787-242-3555

of Years as a Resident: 28 (18 yr break) + 2 1/2 603-292-5648

Email address: cuatroseels@gmail.com

Full Membership (3 year term) position applying for: TOWN CENTER COMMITTEE

Term Expires on the following date: _____

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

Term Expires on the following date: _____

I feel the following experience and background qualifies me for this position: Lived/raised in Lee for 28 years, moved away for work for 18+ years, have returned and plan on staying in Lee. (Parents lived in Lee until death).

Brian Steeley
Signature

6/8/15
Date

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



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

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

Applicant's Name: Lori Wright

Address: 13 Furber Drive, Lee, NH 03861 Phone/Cell: 659-9688

of Years as a Resident: 13

Email address: lgwright@comcast.net

Full Membership (3 year term) position applying for: Member of Lee Town Center Committee

Term Expires on the following date:

Alternate Position (3 year term) position applying for:

Term Expires on the following date:

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

I live within the Town Center area. I have worked successfully worked with other town residents to enfranchise voters as part of the SB2 effort and to educate residents about the artificial turf proposal at Litter River Park.

In addition, I have extensive leadership and public relations experience, having worked in a public relations capacity at UNH for more than a decade. Currently I am the communications coordinator for the NH Agricultural Experiment Station, which is part of the UNH College of Life Sciences and Agriculture.

Signature *Lori Wright* (electronic signature)

Date April 5, 2015

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

LORI G. WRIGHT

13 Furber Drive, Lee, NH 03861

603-659-9688

lgwright@comcast.net

SUMMARY

- Comprehensive view of the interdependency of strategy, communications, and engagement.
- Twenty years of experience in communications and marketing, with an emphasis on media relations and stakeholder engagement.
- Ability to envision, design, and implement effective communications strategies aligned with comprehensive short-term and long-term goals.
- Proven track record of assuming additional responsibility and performing above expectations.

EDUCATION

PhD in Education (Higher Education Leadership and Policy), University of New Hampshire (pursuing)
MBA, Plymouth State University, 2011

MA in Political Science, University of New Hampshire, 2006

BA in Journalism, Louisiana State University, 1991

EXPERIENCE

Communications and Stakeholder Engagement Coordinator, April 2014 to present

NH Agricultural Experiment Station, University of New Hampshire College of Life Sciences and Agriculture, Durham, NH

- **Strategic Communications:** Initiated and direct first comprehensive communications effort for the NH Agricultural Experiment Station, the university's original research organization founded in 1887. Effort includes media and public relations; stakeholder, government, and industry relations; web communications; social media engagement; and event planning and outreach.
- **Media Relations:** Oversee media relations efforts of experiment station, writing and summarizing highly technical scientific research projects, outcomes, and impacts for a broad, nontechnical audience. Serve as spokesperson for experiment station and interact with reporters on a regular basis. Efforts are primarily target statewide and niche media and have resulted in extensive media coverage in all statewide news outlets as well as numerous regional outlets and some national outlets, including NPR's All Things Considered and the Wall Street Journal. Experiment station news also is regularly featured in key niche agricultural media.
- **Stakeholder Engagement:** Serve as experiment station's stakeholder interface through directed email communications, web, social media and other formats to field suggestions, address questions, and disseminate appropriate information concerning the experiment station and its activities. Key audiences across the state include farmers, producers, and growers; NHAES external advisory members and development representatives; legislators and policy makers; representatives of agricultural departments and organizations; UNH faculty and staff; and the public via the news media.
- **Event Planning:** Manage high-profile outreach events, including the experiment station's 2015 NH Farm and Forest Exhibition booth, which received first place for the best representation of the

expo theme.

- **Marketing Publications:** Oversee marketing publications for experiment station, including brochures, annual report, and other materials designed to educate legislators, policy makers and the general public about the experiment station's research impact.

Media Relations Officer, June 2004 to April 2014

Office of Media Relations, University of New Hampshire, Durham, NH

- **Communications:** Developed and implemented strategic communications plans and messaging with specific outcomes regarding targeted, key audiences. Required a high level of coordination, project management, and interpersonal communication with hundreds of faculty, researchers, administrators, and external stakeholders.
- **Media Relations:** Managed national, regional, and statewide publicity efforts for the College of Liberal Arts and the Peter T. Paul College of Business and Economics, and their associated research centers. Efforts resulted in extensive coverage in top-level media outlets such as the New York Times, USA Today, Washington Post, Wall Street Journal, Financial Times, CNN, ABC, NBC, CBS, NPR, BBC, Associated Press, and all major New England and state news outlets.
- **Social Media:** Integrated social media into communications strategies. As administrator for several UNH Facebook pages and UNH Twitter accounts, engaged diverse audiences using the most effective social media standards.
- **Event Planning:** Managed high-profile events such as press conferences with commencement speakers, media events for national presidential debates, and publicity for events with corporate and governmental partners.
- **Marketing Publications:** Served as principal writer for top-level university marketing pieces such as annual reports, college newsletters, donor relations materials, alumni outreach products, and high-visibility web pages.

Campus Journal Editor, December 2001 to June 2004

Office of Media Relations, University of New Hampshire, Durham, NH

- **Internal Communications:** As editor of UNH's primary internal communications vehicle, managed print and online versions Campus Journal from conception to production. Oversaw all multimedia content creation, layout, and distribution. Advised UNH president's office and senior administrators regarding messaging of sensitive university information on policy changes from human resources and finance departments, implementation of new systems, and organizational efficiency efforts.
- **Project Management:** Oversaw transition of primary internal communications vehicle, Campus Journal from weekly print publication to an online publication, expanding access and saving the university \$100,000 a year in printing costs. Project manager for a database-driven content management system that leveraged UNH news and information to internal and external audiences, enhancing the reputation of UNH with donors and alumni. Web-based system now is used to communicate with more than 100,000 members of internal and external audiences.
- **Online Communications:** Oversaw online communications for UNH Media Relations, including design, structure, content, and maintenance of website and distribution of weekly e-newsletter reaching 45,000 subscribers.

PREVIOUS EXPERIENCE

- Corporate Communications Specialist, NPO Solutions, 2001
- Chief Copy Editor, LocalBusiness.com, 2000-2001
- Editor, The Union Leader (NH), 1999-2000
- Editor, Concord Monitor (NH), 1996-1999
- Education Reporter, Pensacola News Journal (Florida), 1994-1996
- Reporter, Conroe Courier (Texas), 1992-1994

AFFILIATIONS

- Member, National Association of Science Writers, 2015-present
- Member, Association for the Study of Higher Education Graduate Network, 2013-present
- Member, New Hampshire Women in Higher Education Leadership, 2013-present
- Member, Education Writers Association, 2012-present
- Participant, Simmons Leadership Conference, 2011
- Co-chair, UNH President's Commission on the Status of Women, 2010-2012
- Member, UNH Workplace Flexibility Task Force, 2011-2012
- Member, UNH Web Team, 2002-2004
- Fellow, Poynter Institute for Media Studies, 2000
- Member, Leadership Greater Concord (NH), 1999

TECHNICAL EXPERTISE

- Media Relations management: Meltwater, Cision, Vocus, PR Newswire, MediaAtlas, Newswise, and EurekaAlert!
- Website development: HTML coding, Drupal, Dreamweaver, and other Macromedia products
- Social Media management: Facebook, LinkedIn, Twitter, Hootsuite, Pinterest, WordPress, Blogger, and YouTube
- Multimedia development: Microsoft Office suite of products, Adobe suite of products, photography, and videography
- Content management systems
- Quantitative methods and SPSS/statistical analysis



TOWN of LEE
7 MAST RD, LEE, NH 03861
(603) 659-5414
Email: dduval@leenh.org

Office Use Only

Meeting Date: June 22, 2015

Agenda Item No. 7

BOARD OF SELECTMEN

June 22 **MEETING AGENDA REQUEST**
(Meeting Date Requested)

Agenda Item Title: Alternate Library Trustee Appointment

Requested By: A Gasowski, P. Dodan **Date:** 6/17/15

Contact Information: 659-5273

Presented By: _____

Description: Appoint two alternates to the Library Board of Trustees

Financial Details: _____

Legal Authority RSA 202-A:10
(usually NH RSA or Town Ordinance/Policy):

Legal Opinion: _____

REQUESTED ACTION OR RECOMMENDATIONS:

Move to appoint Barbara McNamee and Cynthia vonDeyen as alternate library trustees



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

Office Use Only

Meeting Date: June 22, 2015

Agenda Item No. 8a

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
6/22/2015

Agenda Item Title: Criteria for Waiving Insurance Requirement for Fair Vendors

Requested By: Caren Rossi

Date: 6/8/2015

Contact Information: 603-659-5414

Presented By: Julie Glover, Town Administrator

Description: Present the Select Board with a list of criteria to review and discuss for waiving the liability insurance requirement for Lee Fair vendors along with an example of language.

Financial Details: unknown

Legal Authority NH RSA 41:8

Legal Opinion: From a risk management perspective, use of your facilities by individuals or community organizations increases your exposure to liability. The number of visitors who would not otherwise be on your property is increased, and the types of activities may include risk beyond what normally takes place on your premises. When accidents happen, you may be sued. However, since the activity is not coordinated or supervised by your staff, you should not be held responsible – or have to pay for claims – resulting from the activities of an outside group. Primex “Community Use of Facilities” bulletin.

REQUESTED ACTION OR RECOMMENDATIONS:

Motion: Move to approve waiving the general & automobile liability insurance requirement for the Lee Fair vendors in accordance with the criteria presented; **OR**
Move to approve waiving the general & automobile liability insurance requirement for the Lee Fair vendors; **OR**
Move to require that all vendors provide proof of general & automobile liability

LEE FAIR

Application for Farmer's & Artisan Market

Saturday, September 12, 2015

11 A.M. to 8 P.M.

GENERAL REQUIREMENTS

Booth spaces are approximately 12' x 12.

Pricing: \$25/space, \$40/double, \$10/youth.

Layout will be assigned upon arrival day of the event.

No tables are provided.

Set-up no earlier than 7 A.M. on September 12, 2015. Vendors are required to be set up NO later than 11:00 A.M. and displayed until 5:00 P.M.

Rain or shine. No refunds will be issued.

A completed application, full payment, and Insurance Certificate (if required) are due to Caren Rossi, 7 Mast Rd, Lee NH 03861 no later than Friday, September 4, 2015 at 12:00 Noon. NO exceptions. Questions please call 603-659-6783 or email crossi@leenh.org.

INSURANCE REQUIREMENTS

The Town of Lee has established insurance and certificate of insurance requirements for the Lee Fair vendors. However, the Town recognizes that for some small vendors, insurance is either not available or the insurance costs would be financially burdensome. In an effort to still allow participation for such vendors while at the same time protecting the Town's interests as a whole, the Select Board has established the following insurance waiver criteria, based on determining the level of risk as determined by the vendor's products and/or activities.

Waiver Criteria:

A waiver of the Insurance Requirement may be granted by the Town, in its sole discretion, if such a waiver is requested by the vendor and the following criteria are met:

1. No Food or beverages will be served or sold
2. No motor vehicles or motorized equipment
3. No animals
4. No amusement rides or games

Insurance shall be in such form as will protect the Vendor from all claims and liabilities for damages for bodily injury, including accidental death, and for property damage, which may arise from operations performed by the Vendor whether such operation be by himself or by anyone directly or indirectly employed or served by him while on Town Property.

Prior to participating in the Fair, the Vendor shall demonstrate that it carries a general liability policy with limits of \$1,000,000 per occurrence and \$2,000,000 aggregate, applicable to the activities and/or products sold, and all liabilities as set forth above. The Vendor shall provide proof of automobile insurance coverage in an amount deemed satisfactory to the Town.

The Vendor will furnish to the Town a Certificate of Insurance and an endorsement prior to the Fair demonstrating that the Town of Lee and its officials, agents, volunteers and employees are named as an additional insured on the general liability and automobile liability insurance coverage.

The Contractor shall provide proof of workers compensation insurance meeting State of New Hampshire required limits. The Vendor's worker's compensation coverage must waive subrogation against the Town of Lee and its officials, agents, volunteers and employees.

Town of Lee shall be listed as a Certificate Holder. The Town shall be identified as follows: Town of Lee
7 Mast Rd, Lee NH 03861

Lee Fair
Application for Farmer's & Artisan Market
Saturday, September 12, 2015
11 A.M. to 8 P.M.

Business Name _____

Contact Person _____

Address _____

Telephone and Email _____

Type of Product/Service/Activity _____

Payment Enclosed: \$ _____

IN CONSIDERATION OF PERMISSION GRANTED by the Town of Lee, NH ("Town"), to participate in the Lee Fair, I, the undersigned representative of the above named and all its employees, hereby and forever defend, discharge, release, indemnify, and hold harmless the Town, its successors and assigns, board members, officers, agents and employees from all claims, damages, liabilities, costs, expenses, and fees (including reasonable attorney fees) for damage to or loss of property, personal injury, including death, and claims for worker's compensation whether or not any of the above arise from the negligence of the Town, that may incur arising from our participation in the Lee Fair. I attest that I/we do not discriminate against any person on the basis of race, color, religion, national origin, handicap status, age, marital status, sexual orientation, or gender.

I, the undersigned, have read this contract and understand all of its terms and I sign this release voluntarily and with full knowledge of its significance.

I am requesting a waiver of the insurance requirement and attest that I/we meet all of the criteria listed.

Signature of Legally Responsible Person: _____



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

Office Use Only

Meeting Date: June 22, 2015

Agenda Item No. 8b

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
6/22/2015

Agenda Item Title: Encumber Funds for Purchase of Kennard Property

Requested By: Conservation Commission

Date: 6/4/2015

Contact Information: 603-659-5414

Presented By: Julie Glover, Town Administrator

Description: In March 2014 voters appropriated \$180,000 to purchase the Kennard property. The Conservation Commission is still negotiating the terms of the Purchase & Sales Agreement; therefore, the balance of the appropriation which is \$175,174.03 needs to be encumbered for FY16.

Financial Details: 175,174.03

Legal Authority WA7-2014; NH RSA 32:3 VI c; RSA 32:7

Legal Opinion: "Article 7 adopted at the 2014 Town Meeting is a special warrant article and the select board should vote to encumber the funds for an additional fiscal year before June 30, 2015 (assuming Lee is a fiscal not calendar year town). If the purchase and sales agreement is signed before June 30, 2015 that will encumber the funds." Stephen C. Buckley, Esquire, NHMA

REQUESTED ACTION OR RECOMMENDATIONS:

Motion: Move to encumber \$175,174.03 into FY16 for the purchase of the Kennard Property.



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

Office Use Only

Meeting Date: June 22, 2015

Agenda Item No. 9c

BOARD OF SELECTMEN
MEETING AGENDA REQUEST
6/22/2015

Agenda Item Title: FY15 Encumbrances

Requested By: Joanne Clancy, Finance Officer

Date: 6/18/2015

Contact Information: 603-659-5414

Presented By: Julie Glover, Town Administrator

Description: Request the encumbrance of funds from FY15 to be presented at the Select Board meeting on June 22, 2015.

Financial Details: TBD

Legal Authority NH RSA 32:7, I

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

REQUESTED ACTION OR RECOMMENDATIONS:

Motion: Move to encumber the amounts presented on Monday, June 22, 2015 from FY 2015 approved budget items.



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

June 22, 2015

To: Board of Selectmen

Re: Budget Lines Reassignment – FY 2015

From: Joanne Clancy, Finance Officer

To cover Planning & Zoning legal fees, please reassign funds from Legal Expense with the balance to come from the Contingency Fund as follows:

Moving funds from this line:

01.41531.000.00 – Legal Expense

\$20,000.00

Moving funds into this line:

01.41911.350.00 – P & Z – Legal Exp.

\$20,000.00

Contingency Fund, WA #12 - \$32,292.00

Balance to cover up to \$15,000.00

Carole Dennis, Chairwoman

Scott Bugbee, Selectman

John LaCourse, Selectman



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

June 22, 2015

To: Board of Selectmen

Re: Budget Lines Reassignment – FY 2015

From: Joanne Clancy, Finance Officer

To adjust for inadequate funding of line 01.41502.341.00 to cover the lease agreement on the town hall copy machine, please reassign funds from the following Financial Administration lines as follows:

Moving funds from this line:

01.41501.430.00 – Fin. Ad. Equipment

M & R - \$500.00

01.41501.444.00 – Fin. Ad. Equipment

Agreements - \$2,000.00

Moving funds into this line:

01.41502.341.00 – IT – Printer/

Copier/Fax - \$2,500.00

Carole Dennis, Chairwoman

Scott Bugbee, Selectman

John LaCourse, Selectman



TOWN OF LEE

DEPARTMENT HEAD LEAVE NOTICE

This form is to be completed and submitted to the Town Secretary so that leave may be deducted from your leave accruals. In most cases, notice should be submitted prior to leave being taken and, in the case of sick leave taken because of unexpected illness, this form is to be submitted immediately upon your return to work.

DATE OF REQUEST: June 19, 2015 DATE(S) OF LEAVE: June 29 - July 2, 2015

TOTAL HOURS REQUESTED: 32

TYPE OF LEAVE REQUESTED (check one):

Vacation

Sick

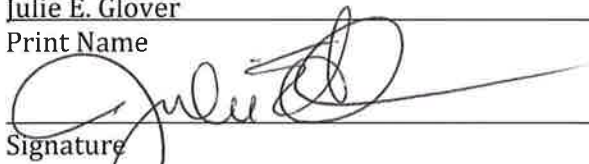
Personal Day

Bereavement

Other _____

Explanation (if necessary): _____

Julie E. Glover
Print Name


Signature

Vacation leave of more than five working days and other forms of leave under certain circumstances must be approved by the Board of Selectmen prior to leave being taken, and sick leave may require medical certification (please see Personnel Policy & Procedures Manual for details.)

Approval: _____ Date: _____
Chairman, Board of Selectmen

Denied

Reason: _____

SELECTMEN'S MEETING

June 22, 2015

CONSENT AGENDA ITEMS

(Individual items may be removed by any Selectman for separate discussion and vote)

SIGNATURES REQUIRED

- Excavation Tax Assessment
- Abatements (17)
- PA-28 Inventory of Taxable Property Form for 2016
- Investment Policy

INFORMATION ONLY

- Letter from Ronald Kennard re: wood burning stoves
- DES Administrative Order re: Sunny's Restaurant Water System

**ABATEMENT
RECOMMENDATION**

TO: Select Board
Town of Lee

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

DATE: June 15, 2015

RE: Suzanne Gaeb
6 Red Pine Drive
Lee, NH 03861

Property Tax Map 10 Lot 5-25
Address: 6 Red Pine Drive

Tax Year: 2015
Assessment: \$34,500

The subject is a manufactured home on a rented site. The reason for the abatement is that an elderly exemption was approved for the 2015 tax year, however inadvertently it was not entered into the assessing system. As this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$508 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

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

DATE: June 15, 2015

RE: Andy Paraski
103 Silver Street
Dover, NH 03820

Property Tax Map 12 Lot 1-G13
Address: G13Forest Glen

Tax Year: 2015
Assessment: \$5,200

The subject was a camper on a rented site. Abatement is due to site being vacant as of April 1, 2015 and as this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$77 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

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

DATE: June 15, 2015

RE: Bob Horton
60 Pendexter Street
Lynn, MA 01904

Property Tax Map 12 Lot 1-WF9
Address: WF09 Forest Glen

Tax Year: 2015
Assessment: \$1,500

The subject was a detached porch. Abatement is due porch being removed and site being vacant as of April 1, 2015. As this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$22 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

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

DATE: June 15, 2015

RE: Terry Luken
5 Rodena Drive, Unit 202
Nashua, NH 03063

Property Tax Map 12 Lot 1-G12
Address: LG12 Forest Glen

Tax Year: 2015
Assessment: \$5,300

The subject is a camper on rented land. Abatement is due to camper being registered and as this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$79 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

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

DATE: June 15, 2015

RE: Peter and Tara Meserve
2 Abenaki Trail
Lee, NH 03861

Property Tax Map 11 Lot 010-1400
Address: 2 Abenaki Trail

Tax Year: 2014
Assessment: \$237,700

The subject is a cape style dwelling which was originally a garage with finish above situated on a 1.95-acre site. The reason for the request is the applicant's concern with assessment as compared to purchase price in November 2014 for a recorded \$186,800. A copy of an appraisal indicating a value of \$186,750 as of October 2014 was provided and reviewed. Property was personally inspected and some discrepancies regarding interior data were noted. Dwelling is unusual and lacks central heating, bedroom closets and basement area. After adjustments and corrections, assessment is reduced \$47,900 from \$237,000 to \$189,800. Revised assessment is supported by market data when consideration for Town's equalization ratio is given. It is recommended that an abatement in the amount of \$1,423 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

OWNER INFORMATION	SALES HISTORY	PICTURE
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<p>MESERVE, PETER M MESERVE, TARA 2 ABENAKI TRAIL LEE, NH 03824</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Date</th> <th>Book</th> <th>Page</th> <th>Type</th> <th>Price</th> <th>Grantor</th> </tr> </thead> <tbody> <tr> <td>11/12/2014</td> <td>4256</td> <td>488</td> <td>Q1</td> <td>186,800</td> <td>WITHAM, PETER M</td> </tr> <tr> <td>12/20/2007</td> <td>3602</td> <td>780</td> <td>U138</td> <td>100,000</td> <td>WITHAM, PETER & DONNA</td> </tr> <tr> <td>01/19/2005</td> <td>3133</td> <td>080</td> <td>U138</td> <td></td> <td>WITHAM, PETER J</td> </tr> <tr> <td>04/06/2004</td> <td>2968</td> <td>900</td> <td>U138</td> <td></td> <td>WITHAM, PETER M</td> </tr> <tr> <td>06/12/2002</td> <td>2526</td> <td>288</td> <td>U V 44</td> <td>42,000</td> <td>C & C MORGAN</td> </tr> </tbody> </table>	Date	Book	Page	Type	Price	Grantor	11/12/2014	4256	488	Q1	186,800	WITHAM, PETER M	12/20/2007	3602	780	U138	100,000	WITHAM, PETER & DONNA	01/19/2005	3133	080	U138		WITHAM, PETER J	04/06/2004	2968	900	U138		WITHAM, PETER M	06/12/2002	2526	288	U V 44	42,000	C & C MORGAN	
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LISTING HISTORY	NOTES	
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<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>06/15/15</td> <td>SM</td> <td>ABATE</td> </tr> <tr> <td>03/31/14</td> <td>SM</td> <td>MAIL ADDRESS</td> </tr> <tr> <td>07/16/12</td> <td>SM</td> <td>ST ADDRESS</td> </tr> <tr> <td>02/09/10</td> <td>JS</td> <td>BP - EXT</td> </tr> <tr> <td>07/25/05</td> <td>KCUM</td> <td></td> </tr> <tr> <td>01/20/03</td> <td>CMPE</td> <td></td> </tr> <tr> <td>08/05/02</td> <td>CMRL</td> <td></td> </tr> <tr> <td>07/17/87</td> <td>IH</td> <td></td> </tr> </table>	06/15/15	SM	ABATE	03/31/14	SM	MAIL ADDRESS	07/16/12	SM	ST ADDRESS	02/09/10	JS	BP - EXT	07/25/05	KCUM		01/20/03	CMPE		08/05/02	CMRL		07/17/87	IH		<p>5/9/90 - LOT LINE ADJUSTMENT & SUBDIVISION WITH 10-00, 10-06, 10-14 & 10-15; GAR CONVERTED TO CAPE AND GAR DOOR REMOVED; HAS APT THAT IS RENTED; 02-10 - LIST GARAGE. 06-15 ADJ DATA SKETCH - FUNC = NO CLOSETS IN BEDRMS, NO CENTRAL HEAT, SLAB</p>	
06/15/15	SM	ABATE																								
03/31/14	SM	MAIL ADDRESS																								
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07/25/05	KCUM																									
01/20/03	CMPE																									
08/05/02	CMRL																									
07/17/87	IH																									

EXTRA FEATURES VALUATION	MUNICIPAL SOFTWARE BY AVITAR
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Feature Type	Units	Lngh x Width	Size Adj	Rate	Cond	Market Value	Notes
SHED-WOOD	96	12 x 8	227	7.00	25	381	
GARAGE-1.5 STY	576	24 x 24	88	27.00	75	10,264	
LEAN-TO	352	16 x 22	105	4.00	50	739	
KIT	1		100	2,500.00	100	2,500	
						13,900	

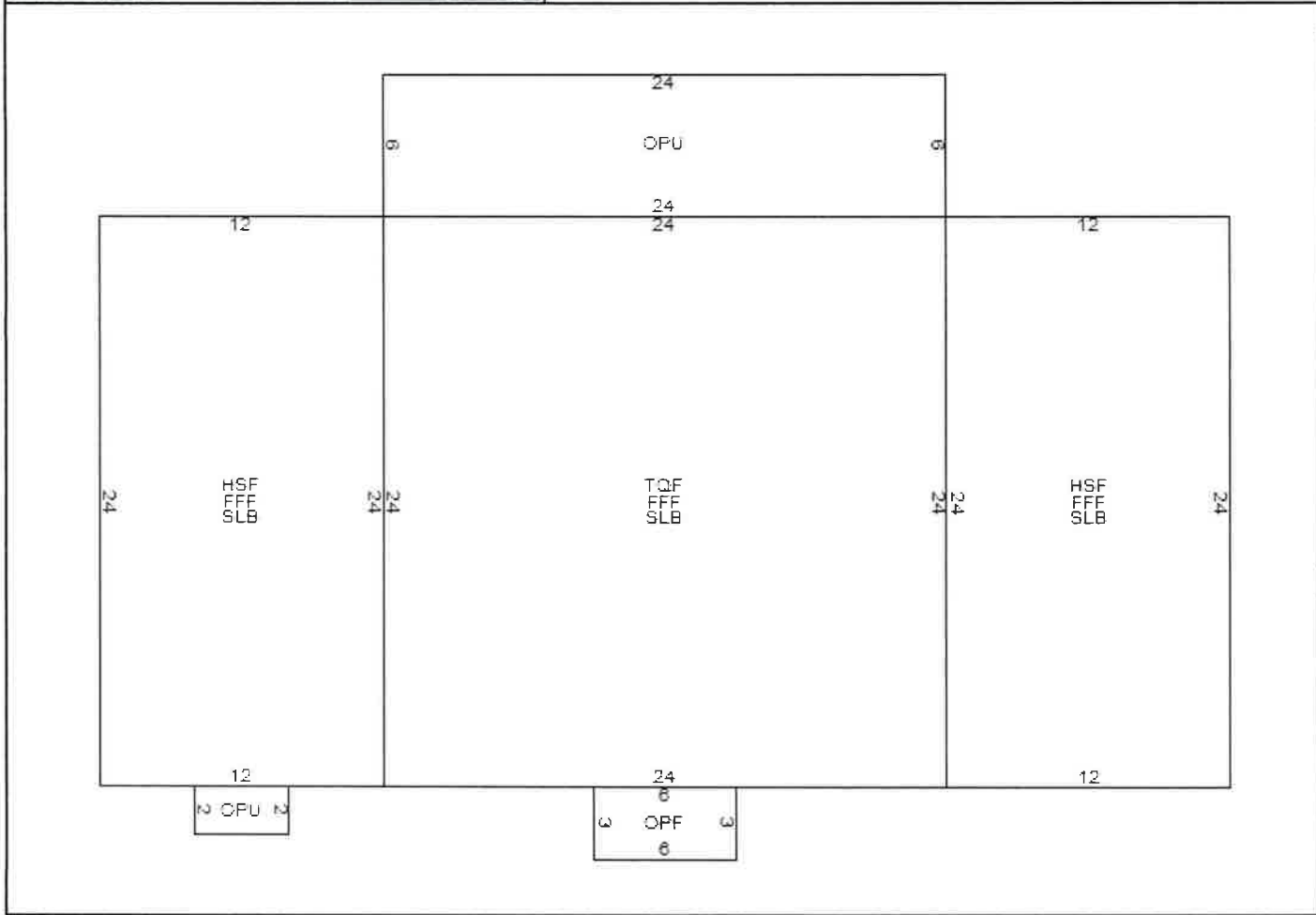
LEE ASSESSING OFFICE

PARCEL TOTAL TAXABLE VALUE			
Year	Building	Features	Land
2013	\$ 137,700	\$ 12,000	\$ 88,000
			Parcel Total: \$ 237,700
2014	\$ 137,700	\$ 12,000	\$ 88,000
			Parcel Total: \$ 237,700
2015	\$ 96,700	\$ 13,900	\$ 79,200
			Parcel Total: \$ 189,800

LAND VALUATION	
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<p>Zone: RES Minimum Acreage: 1.95 Minimum Frontage: 250</p>	<p>Site: AVERAGE Driveway: GRAVEL Road: GRAVEL</p>																																																										
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Land Type</th> <th>Units</th> <th>Base Rate</th> <th>NC</th> <th>Adj</th> <th>Site</th> <th>Road</th> <th>DWay</th> <th>Topography</th> <th>Cond</th> <th>Ad Valorem</th> <th>SPI</th> <th>R</th> <th>Tax Value</th> <th>Notes</th> </tr> </thead> <tbody> <tr> <td>1F RES</td> <td>1.950 ac</td> <td>80,000</td> <td>F</td> <td>110</td> <td>100</td> <td>100</td> <td>100</td> <td></td> <td>90</td> <td>79,200</td> <td>0</td> <td>N</td> <td>79,200</td> <td>ACCESS</td> </tr> <tr> <td colspan="2"></td> <td>1.950 ac</td> <td colspan="11"></td> </tr> <tr> <td colspan="10"></td> <td style="text-align: right;">79,200</td> <td></td> <td style="text-align: right;">79,200</td> <td></td> </tr> </tbody> </table>	Land Type	Units	Base Rate	NC	Adj	Site	Road	DWay	Topography	Cond	Ad Valorem	SPI	R	Tax Value	Notes	1F RES	1.950 ac	80,000	F	110	100	100	100		90	79,200	0	N	79,200	ACCESS			1.950 ac																						79,200		79,200		
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PICTURE	OWNER	TAXABLE DISTRICTS	BUILDING DETAILS								
	<p>MESERVE, PETER M MESERVE, TARA 2 ABENAKI TRAIL LEE, NH 03824</p>	<table border="1"> <thead> <tr> <th>District</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	District	Percentage			<p>Model: 1.75 STORY FRAME CAPE Roof: GABLE OR HIP/PREFAB METALS Ext: CLAP BOARD Int: DRYWALL Floor: PINE/SOFT WD Heat: GAS/FA NO DUCTS</p> <p>Bedrooms: 3 Baths: 2.0 Fixtures: Extra Kitchens: Fireplaces: A/C: No Generators:</p> <p>Quality: A0 AVG</p> <p>Com. Wall: Size Adj: 1.0545 Base Rate: RSA 75.00 Bldg. Rate: 1.0126 Sq. Foot Cost: \$ 75.95</p>				
District	Percentage										
PERMITS											
<table border="1"> <thead> <tr> <th>Date</th> <th>Project ID</th> <th>Permit Type</th> <th>Notes</th> </tr> </thead> <tbody> <tr> <td>04/14/09</td> <td>828</td> <td>OUTBUILDING</td> <td>CONSTRUCT A 24' X24' GA</td> </tr> </tbody> </table>				Date	Project ID	Permit Type	Notes	04/14/09	828	OUTBUILDING	CONSTRUCT A 24' X24' GA
Date	Project ID	Permit Type	Notes								
04/14/09	828	OUTBUILDING	CONSTRUCT A 24' X24' GA								



BUILDING SUB AREA DETAILS				
ID	Description	Area	Adj.	Effect.
OPF	OPEN PORCH FIN	18	0.25	5
HSF	1/2 STRY FIN	576	0.50	288
FFF	FST FLR FIN	1152	1.00	1152
SLB	SLAB	1152	0.00	0
TQF	3/4 STRY FIN	576	0.75	432
OPU	OPEN PORCH	152	0.15	23
		3,626		1,900

2011 BASE YEAR BUILDING VALUATION		
Market Cost New:		\$ 144,305
Year Built:		2000
Condition For Age:	AVERAGE	8 %
Physical:	SEE NOTE	20 %
Functional:		
Economic:	TRAFFIC	5 %
Temporary:		
Total Depreciation:		33 %
Building Value:		\$ 96,700

FOR MUNICIPALITY USE ONLY:

Town File No.: _____

Taxpayer Name: _____

RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

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

Name(s): Peter Michael Meserve + Tara Meserve

Mailing Address(es) 2 Abernaki Trail

Telephone Number(s): (Work) _____ (Home) Cell 603-502-2105

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

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

Name(s): _____

Mailing Address(es): _____

Telephone Number(s): (Work) _____ (Home) _____

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

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

<u>Town Parcel ID#</u>	<u>Street Address/Town</u>	<u>Description</u>	<u>Assessment</u>
<u>000011 000010 001400</u>	<u>2 Abernaki Trail</u>	<u>Lee NH</u>	<u>\$ 237,700.00</u>

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

YES NO N/A

TAXPAYER'S RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

TAX YEAR APPEALED 2014

RECEIVED
FEB 25 2015

INSTRUCTIONS

TOWN OF LEE, NH
SELECTMAN'S OFFICE

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

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

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

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

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

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

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

Step One: 2 months after notice of tax;

Step Two: 6 months after notice of tax; and

Step Three: 8 months after notice of tax.

FORM COMPLETION GUIDELINES:

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

SECTION D. Other Property(ies)

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

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

SECTION E. Reasons for Abatement Application

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

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

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

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

(Attach additional sheets if needed.)

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

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

Town Parcel ID # 000011 000010 001400 Appeal Year Market Value \$ 180,750.00

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

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

We purchased this home on November 12, 2014. We have attached a copy of the "Appraisal of Real Property" report showing the appraised value of \$180,750.00

SECTION G. Sales, Rental and/or Assessment Comparisons

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

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

SECTION H. Certification by Party(ies) Applying

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

Date: February 21, 2015

Peter Michael Merene
(Signature)

Jana Merene
(Signature)

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

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

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

Date: _____

(Representative's Signature)

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

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

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

Remarks:

Date: _____

(Selectman/Assessor Signature) (Selectman/Assessor Signature)

(Selectman/Assessor Signature) (Selectman/Assessor Signature)

**ABATEMENT
RECOMMENDATION**

TO: Select Board
Town of Lee

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

DATE: June 15, 2015

RE: Kiryl and Elyse Harris
44 Birch Hill Road
Lee, NH 03861

Property Tax Map 24 Lot 002-500
Address: 44 Birch Hill Road

Tax Year: 2014
Assessment: \$301,000

The subject is a contemporary style home situated on a 3.26-acre parcel. The reason for the request is the applicant's concern with assessment as compared to purchase price in July 2014 for a recorded \$240,000. Copy of appraisal indicating a value of \$259,000 as of July 2014 was provided and reviewed. Property was inspected by my associate and some discrepancies regarding interior data was noted. After adjustments and corrections, assessment is reduced \$48,800 from \$301,000 to \$252,200. Revised assessment is supported by market data when consideration for Town's equalization ratio is given. It is recommended that an abatement in the amount of \$1,449 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

OWNER INFORMATION	SALES HISTORY	PICTURE																								
HARRIS, KIRYL HARRIS, ELYSE 44 BIRCH HILL RD LEE, NH 03861	<table border="1"> <thead> <tr> <th>Date</th> <th>Book</th> <th>Page</th> <th>Type</th> <th>Price</th> <th>Grantor</th> </tr> </thead> <tbody> <tr> <td>07/22/2014</td> <td>4229</td> <td>695</td> <td>Q1</td> <td>240,000</td> <td>HOUSTON, ROBERT S -</td> </tr> <tr> <td>04/22/2003</td> <td>2731</td> <td>843</td> <td>Q1</td> <td>210,000</td> <td>EGGERS, WALT & KELLY</td> </tr> <tr> <td>05/10/1990</td> <td>1505</td> <td>0673</td> <td>Q1</td> <td>190,286</td> <td>GUERIN, WILLIAM & MAUD</td> </tr> </tbody> </table>	Date	Book	Page	Type	Price	Grantor	07/22/2014	4229	695	Q1	240,000	HOUSTON, ROBERT S -	04/22/2003	2731	843	Q1	210,000	EGGERS, WALT & KELLY	05/10/1990	1505	0673	Q1	190,286	GUERIN, WILLIAM & MAUD	
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06/08/15 STM ABATE 01/01/15 STM MLS 04/07/14 STM BP - EXT 08/25/06 DMVM 07/08/02 TMRL 08/20/87 IH	STAINED; NOH; EXT=GOOD; EST CTH CEILING; 04-14 LIST DECK. 1/15-ADJUST SKETCH & DETAILS PER MLS. 06-15 ADJ DATA, GRADE, SKETCH																									

EXTRA FEATURES VALUATION								MUNICIPAL SOFTWARE BY AVITAR																															
Feature Type	Units	Lngh x Width	Size Adj	Rate	Cond	Market Value	Notes	LEE ASSESSING OFFICE																															
HEARTH	1		100	1,500.00	100	1,500																																	
							1,500	PARCEL TOTAL TAXABLE VALUE <table border="1"> <thead> <tr> <th>Year</th> <th>Building</th> <th>Features</th> <th>Land</th> </tr> </thead> <tbody> <tr> <td>2013</td> <td>\$ 195,700</td> <td>\$ 3,000</td> <td>\$ 101,200</td> </tr> <tr> <td colspan="4" style="text-align: right;">Parcel Total: \$ 299,900</td> </tr> <tr> <td>2014</td> <td>\$ 196,800</td> <td>\$ 3,000</td> <td>\$ 101,200</td> </tr> <tr> <td colspan="4" style="text-align: right;">Parcel Total: \$ 301,000</td> </tr> <tr> <td>2015</td> <td>\$ 152,100</td> <td>\$ 1,500</td> <td>\$ 98,600</td> </tr> <tr> <td colspan="4" style="text-align: right;">Parcel Total: \$ 252,200</td> </tr> </tbody> </table>				Year	Building	Features	Land	2013	\$ 195,700	\$ 3,000	\$ 101,200	Parcel Total: \$ 299,900				2014	\$ 196,800	\$ 3,000	\$ 101,200	Parcel Total: \$ 301,000				2015	\$ 152,100	\$ 1,500	\$ 98,600	Parcel Total: \$ 252,200			
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LAND VALUATION														
Zone:	RES	Minimum Acreage:	1.95	Minimum Frontage:	250	Site:				Driveway:		Road:		
Land Type	Units	Base Rate	NC	Adj	Site	Road	DWay	Topography	Cond	Ad Valorem	SPI	R	Tax Value	Notes
1F RES	1.950 ac	80,000	G	120	100	100	100		100	96,000	0	N	96,000	
1F RES	1.310 ac	x 4,000	X	100					50	2,600	0	N	2,600	
	3.260 ac									98,600			98,600	



OWNER	
HARRIS, KIRYL	
HARRIS, ELYSE	
44 BIRCH HILL RD	
LEE, NH 03861	

TAXABLE DISTRICTS	
District	Percentage

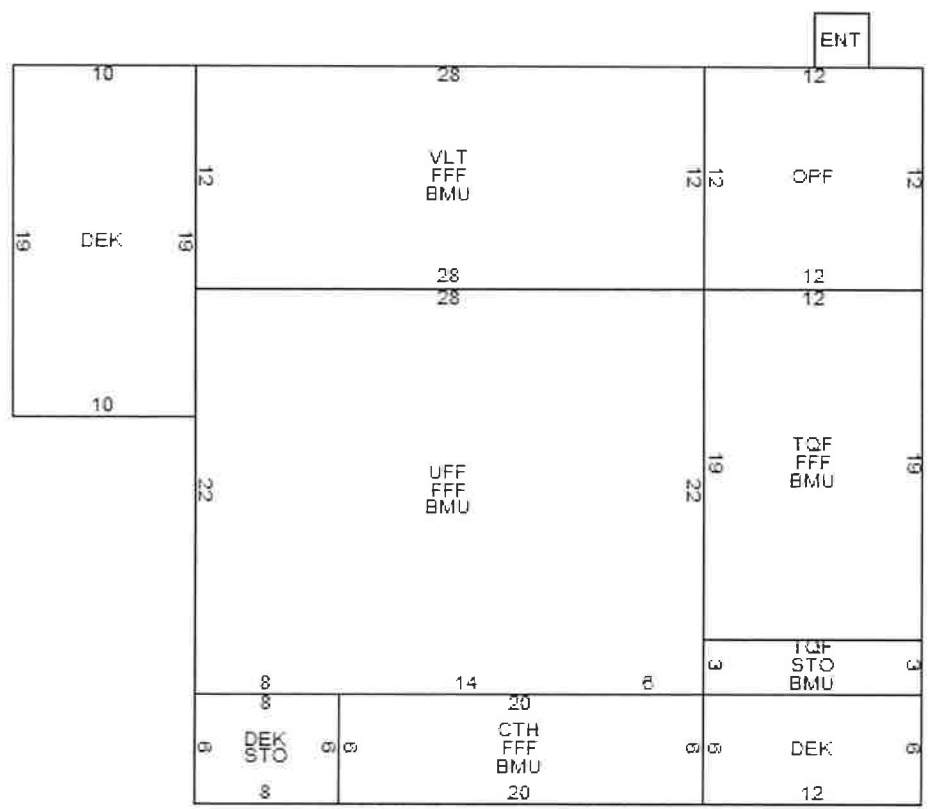
BUILDING DETAILS		
Model: 2 STORY FRAME CONTEMP		
Roof: GABLE OR HIP/ASPHALT		
Ext: CLAP BOARD		
Int: DRYWALL/AVERAGE FOR USE		
Floor: HARDWOOD		
Heat: OIL/HOT WATER		
Bedrooms: 4	Baths: 3.0	Fixtures:
Extra Kitchens:		Fireplaces:
A/C: No		Generators:
Quality: A0 AVG		
Com. Wall:		
Size Adj: 0.9879	Base Rate: RSA 75.00	
	Bldg. Rate: 0.9585	
	Sq. Foot Cost: \$ 71.88	

PERMITS

Date	Project ID	Permit Type	Notes
11/08/13	1465	DECK	NEW 10 X 20 DECK

BUILDING SUB AREA DETAILS

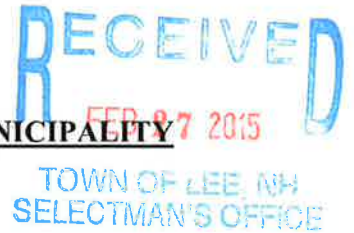
ID	Description	Area	Adj.	Effect.
VLT	VAULTED	336	0.05	17
BMU	BSMNT	1336	0.15	200
TQF	3/4 STRY FIN	264	0.75	198
STO	STORAGE AREA	84	0.25	21
FFF	FST FLR FIN	1300	1.00	1300
OPF	OPEN PORCH FIN	144	0.25	36
ENT	ENTRANCE	9	0.10	1
CTH	CATHEDRAL	120	0.10	12
UFF	UPPER FLR FIN	616	1.00	616
DEK	DECK/ENTRANCE	310	0.10	31
		4,519		2,432



FRONTAGE

2011 BASE YEAR BUILDING VALUATION

Market Cost New:	\$ 174,812
Year Built:	1986
Condition For Age:	AVERAGE 13 %
Physical:	
Functional:	
Economic:	
Temporary:	
Total Depreciation:	13 %
Building Value:	\$ 152,100



TAXPAYER'S RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

TAX YEAR APPEALED 2014

INSTRUCTIONS

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

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

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Step One: 2 months after notice of tax;

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4. Make a copy of this document for your own records.

FOR MUNICIPALITY USE ONLY:
Town File No.: _____
Taxpayer Name: _____

RSA 76:16 ABATEMENT APPLICATION TO MUNICIPALITY

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

Name(s): Kiryl and Elyse Harris

Mailing Address: 44 Birch Hill Rd. Lee, NH 03861

Telephone Nos.: (Home) NA (Cell) 603 277 0300 (Work) 603 518 2278 (Email) Kirylharris@gmail.com

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

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

Name(s): _____

Mailing Address: _____

Telephone Nos.: (Home) _____ (Cell) _____ (Work) _____ (Email) _____

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

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

<u>Town Parcel ID#</u>	<u>Street Address/Town</u>	<u>Description</u>	<u>Assessment</u>
<u>Map 29 Lot 2-500</u>	<u>44 Birch Hill Rd. Lee</u>	<u>3.26 ac - irregular shape</u>	<u>\$ 301,000</u>

SECTION D. Other Property(ies)

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

<u>Town Parcel ID#</u>	<u>Street Address/Town</u>	<u>Description</u>	<u>Assessment</u>
NONE			

SECTION E. Reasons for Abatement Application

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

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

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

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

(Attach additional sheets if needed.)

PLEASE SEE ATTACHED.

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

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

Town Parcel ID# 000024 000002 000500 Appeal Year Market Value \$ 240,000.⁰⁰

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

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

THE PROPERTY WAS PUT ON THE OPEN MARKET IN 2014
AND WAS SOLD IN AN ARM'S-LENGTH TRANSACTION FOR \$240,000.⁰⁰
WHICH IS THE ONLY TRUE MEASURE OF MARKET VALUE.

SECTION G. Sales, Rental and/or Assessment Comparisons

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

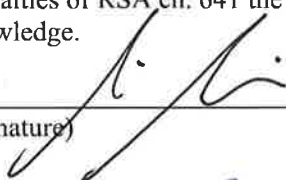
Town Parcel ID# Street Address Sale Price/Date of Sale Rents Assessment

PLEASE SEE THE ATTACHED TABLE IN THE
"SECTION E" ATTACHMENT, ALSO SHOWN IN THE
"SECTION G" ATTACHMENT.

SECTION H. Certification by Party(ies) Applying

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

Date: 2/26/2015


(Signature)


(Signature)

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

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

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

Date: _____

(Representative's Signature)

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

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

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

Remarks:

Date: _____

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

(Selectmen/Assessor Signature)

Section E: Reason for Abatement Application:

As the new property owner of 44 Birch Hill Road in Lee, NH (Parcel# 000024 000002 000500, herein the "Property") I am applying for a tax abatement by illustrating "good cause" pursuant to RSA 76:16. This claim of disproportionality is based on current market data (sale price) and the level of assessment versus other similarly valued properties in the town of Lee.

Market Data:

The Property is currently assessed at \$301,000, which is \$61,000 higher than the fair market value of \$240,000, as illustrated by the sale on July 22, 2014. The only true measure of fair market value is to rely on an actual sale price which provides a clear indication of what the market will bear. In this case, the market has spoken – the property has a fair market value of \$240,000 in 2014 because that's what it sold for.

Similarly, by taking a look at the historical sales of the Property, we can use annual price appreciation to forecast what today's fair market value may be.

- The Property was first sold in **1990** for just over **\$192,000**.
- The Property was then sold in **2003** for **\$210,000** – an increase of \$18,000 over 13 years, or **roughly \$1,400 per year**.
- I purchased the property in **2014** for **\$240,000** – an increase of \$30,000 over 11 years, or **roughly \$2,700 per year**.
 - This is nearly double the yearly appreciation between 1990 and 2003, suggesting that I may have in fact paid a *premium* to fair market value when I purchased the property for \$240,000.
 - Using the historical price appreciation of **roughly \$1,400/year**, the today's fair market value may be closer to **\$225,400**. (11 years x \$1,400/year)

Because both the historical price appreciation and latest market price yield a fair market value of \$240,000 or less, it is clear that the Property is over-assessed by minimally \$61,000 based on the 2014 assessed value of \$301,000.

Level of Assessment:

While it is clear that the Property's assessment dramatically exceeds fair market value based on the two methods for determining fair market value above, it is also clear that the Property is disproportionately assessed when compared to the town-wide level of assessment. This is most clearly illustrated in the table below:

Recent Sales Data for Comparable Properties in the Town of Lee, NH

Location	Parcel ID	Assessed Value	Market Value	Sale Date	Ratio:
					Assessed/Market
14 Granger Drive	000013 000002 002500	\$ 250,300	\$ 267,533	5/21/2014	0.94
29 Wednesday Hill Road	000013 000002 000400	\$ 224,500	\$ 235,000	9/5/2013	0.96
72 Mast Road	000013 000008 000400	\$ 251,500	\$ 259,933	5/30/2014	0.97
153 Lee Hook Road	000031 000001 000400	\$ 209,000	\$ 230,000	4/4/2014	0.91
36 Angell Road	000005 000001 000000	\$ 196,100	\$ 226,500	4/14/2013	0.87
Town-Wide Average		\$ 226,280	\$ 243,793		0.93
44 Birch Hill Road	000024 000002 000500	\$ 301,000	\$ 240,000	7/22/2014	1.25
Birch Hill Implied Assessment		\$ 222,381	<i>Using the Town-Wide Average Ratio of 0.93</i>		

The table above compiles sales of comparable properties in the Town of Lee that were bought and sold in the same timeframe as the Property at 44 Birch Hill Road. While there is some variation in the level of assessment in the Town of Lee, it is clear that the ratio between a property's assessed value and the market value (using most recent sales price) is somewhere between 0.87 and 0.97, or 0.93 on average.

This ratio is calculated by dividing the assessed value by the market value:

- If the assessed value equaled the market value, the ratio would be 1.00.
- If the ratio is less than 1.00, it suggests that the market value exceeds the assessed value, which is the case for all of the comparable properties shown in the table above. (UNDER-ASSESSED)
- If the ratio is greater than 1.00, it suggests the assessed value exceeds the market value, as is the case for the Property on 44 Birch Hill Road. (OVER-ASSESSED)

In all cases town-wide, the market value (or sales price) exceeds the assessed value, yielding a ratio of less than 1.00, or 0.93 on average. It is clear then, that the Property at 44 Birch Hill Road is disproportionately assessed because the ratio for the Property is 1.25, a full 35% higher than the 0.93 ratio for the rest of the town.

By simply applying the town-wide average ratio of 0.93 to the market value of the Property at 44 Birch Hill, we find that the implied assessed value would be \$222,400. The calculation is below, and would yield an assessment level that is consistent and proportional to other similarly valued properties in the Town of Lee.

Market Value x Ratio (Assessed Value/Market Value) = **Implied Assessment**

$$\$240,000 \times 0.93 = \mathbf{\$222,381}$$

Conclusion:

Pursuant to RSA 76:16, I am seeking a tax abatement to be granted for "good cause shown" for the Property at 44 Birch Hill Road. As outlined above, I have clearly established that the current 2014 assessment of \$301,000 is disproportionately high to both the **market value** of the Property and the **municipality's level of assessment**.

I have shown with specificity that the fair market value of the Property, based on the most current sale is \$240,000, not \$301,000. Similarly, I have also specifically illustrated that the Property's assessment to market value ratio is disproportionately higher than comparable properties in the municipality. This further suggests that the Property is over-assessed. I have established that to bring the assessed value of the Property in-line with town-wide average level of assessment, the Property at 44 Birch Hill would need to be assessed at \$222,381, not \$301,000 (using the town-wide assessed/market ratio of 0.93).

It clear that there is sufficient evidence to support granting a tax abatement for the Property at 44 Birch Hill Road by reassessing the Property to bring the assessment to the fair market value and/or the municipality's level of assessment. This would suggest a **reassessment value of between \$222,000 and \$240,000**.

Section G:

Sales and Assessment Comparisons:

Recent Sales Data for Comparable Properties in the Town of Lee, NH

Location	Parcel ID	Assessed Value	Market Value	Sale Date	Ratio: Assessed/Market
14 Granger Drive	000013 000002 002500	\$ 250,300	\$ 267,533	5/21/2014	0.94
29 Wednesday Hill Road	000013 000002 000400	\$ 224,500	\$ 235,000	9/5/2013	0.96
72 Mast Road	000013 000008 000400	\$ 251,500	\$ 259,933	5/30/2014	0.97
153 Lee Hook Road	000031 000001 000400	\$ 209,000	\$ 230,000	4/4/2014	0.91
36 Angell Road	000005 000001 000000	\$ 196,100	\$ 226,500	4/14/2013	0.87
Town-Wide Average		\$ 226,280	\$ 243,793		0.93
44 Birch Hill Road	000024 000002 000500	\$ 301,000	\$ 240,000	7/22/2014	1.25
Birch Hill Implied Assessment		\$ 222,381	<i>Using the Town-Wide Average Ratio of 0.93</i>		

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

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

DATE: June 8, 2015

RE: Carol Butler
Phil Menard
32 Hunt Road
Kingston, NH 03848

Property Tax Map 28 Lot 1-B
Address: L B Ferndale Acres

Tax Year: 2015
Assessment: \$4,000

The subject is a camper on rented land. Abatement is due to camper being removed and as this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$59 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

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

DATE: June 8, 2015

RE: Paul Lafogg
Holly Willard
47 Grant Road
Newmarket, NH 03857

Property Tax Map 28 Lot 1-D
Address: L D Ferndale Acres

Tax Year: 2015
Assessment: \$4,900

The subject is a camper on rented land. The property is registered and as this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$73 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

**ABATEMENT
RECOMMENDATION**

TO: Select Board
Town of Lee

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

DATE: June 8, 2015

RE: Chris and Ann Muisse
129 Essex Avenue
Gloucester, MA 01930

Property Tax Map 28 Lot 1-16
Address: L 16 Ferndale Acres

Tax Year: 2015
Assessment: \$1,000

The subject is a camper on rented land. Abatement is due to camper being removed and as this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$15 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

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

DATE: June 8, 2015

RE: Charlie and Jill Crawford
6A Waynes Way
Hooksett, NH 03106

Property Tax Map 28 Lot 1-29
Address: L29 Ferndale Acres

Tax Year: 2015
Assessment: \$6,500

The subject is a camper on rented land. The property is registered and as this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$97 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

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

DATE: June 8, 2015

RE: Walter George
41 Larch Street
Manchester, NH 03102

Property Tax Map 28 Lot 1-70
Address: L 70 Ferndale Acres

Tax Year: 2015
Assessment: \$5,200

The subject is a camper on rented land. Abatement is due to camper being removed and as this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$77 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

**ABATEMENT
RECOMMENDATION**

TO: Select Board
Town of Lee

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

DATE: June 8, 2015

RE: Michael George
185 McCurdy Road
New Boston, NH 03070

Property Tax Map 28 Lot 1-78
Address: L 78 Ferndale Acres

Tax Year: 2015
Assessment: \$7,400

The subject is a camper on rented land. Abatement is due to incorrect owner being listed and as this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$110 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

**ABATEMENT
RECOMMENDATION**

TO: Select Board
Town of Lee

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

DATE: June 8, 2015

RE: Christopher and Kristin Wiggin
1 Slippery Rock Drive
North Hampton, NH 03862

Property Tax Map 28 Lot 1-72
Address: L 72 Ferndale Acres

Tax Year: 2015
Assessment: \$6,200

The subject is a camper on rented land. Abatement is due to incorrect owner being listed and as this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$92 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

**ABATEMENT
RECOMMENDATION**

TO: Select Board
Town of Lee

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

DATE: June 8, 2015

RE: Robert and Pamela McIntyre
138 Western Ave, 1st FL
Lynn, MA 01904

Property Tax Map 28 Lot 1-73
Address: L 73 Ferndale Acres

Tax Year: 2015
Assessment: \$4,700

The subject is a camper on rented land. Abatement is due to incorrect owner being listed and as this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$92 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

**ABATEMENT
RECOMMENDATION**

TO: Select Board
Town of Lee

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

DATE: June 8, 2015

RE: Michael Liggiero
45 Locksley Lane
Raymond, NH 03077

Property Tax Map 28 Lot 1-81
Address: L81 Ferndale Acres

Tax Year: 2015
Assessment: \$5,800

The subject is a camper on rented land. Abatement is due to camper being registered and as this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$86 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

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

DATE: June 8, 2015

RE: James Prioli
10 Cavern Knoll Way
Weymouth, MA 02189

Property Tax Map 26 Lot 2-12A
Address: Campground Road

Tax Year: 2015
Assessment: \$7,100

The subject is a camper on rented land. Abatement is due to this being a duplicate listing and as this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$105 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

ABATEMENT RECOMMENDATION

TO: Select Board
Town of Lee

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

DATE: June 8, 2015

RE: Dana and Priscilla Overberg
4 Cogswell Avenue
Beverly, MA 01915

Property Tax Map 26 Lot 2-12A
Address: Campground Road

Tax Year: 2015
Assessment: \$7,100

The subject is a camper on rented land. Abatement is due to camper having been removed and as this is the case, it is recommended that an abatement of the first issue tax bill in the amount of \$76 plus any applicable interest be granted.

Abatement Granted

Abatement Denied

Dated _____

TOWN OF LEE
OFFICE OF THE TAX COLLECTOR
7 MAST ROAD
LEE, NH 03824
(603) 659-2964

JUNE 8,2015

WALTER CHENEY

56 EXETER ROAD
NEWMARKET, NH 03857

EXCAVATION TAX ASSESSMENT PER RSA 72-B

TAX YEAR APRIL 1, 2014 - MARCH 31, 2015

PARCEL DATA	EARTH TYPE	CUBIC YARDS EXCAVATED	TAX PER CUBIC YARD	TAX DUE
PARCEL I.D./ TAX MAP NUMBER:	GRAVEL	0	\$0.02	\$0.00
003-004				
	SAND	1,124	\$0.02	\$22.48
OPERATION NUMBER:				
14-255-05-E				
	LOAM	0	\$0.02	\$0.00
ACCOUNT NUMBER:				
#	STONE PRODUCTS	0	\$0.02	\$0.00
SERIAL NUMBER:	OTHER	0	\$0.02	\$0.00
#				
	TOTAL EARTH:	1,124	TOTAL TAX:	\$22.48

Per RSA 72-B:4 - Interest as provided in RSA 72-B:6 shall be charged 30 days after the bills are mailed.

***** 18% APR INTEREST WILL BE CHARGED AFTER**

ON UNPAID TAXES ***

APPEAL: Pursuant to RSA 72-B:13, an owner may, within 90 days of notice of the tax, appeal to the assessing officials in writing for an abatement from the original assessment, but no owner shall be entitled to an abatement unless he has complied with the provisions of RSA 72-B:8, RSA 72-B:8-a and RSA 72-B:9.

TAX OFFICE HOURS MON 8-6 AND WEDS & FRI 8-4

ORIGINAL WARRANT

GRAVEL TAX LEVY - RSA 72-B

TAX YEAR APRIL 1, 2013 - MARCH 31, 2014

THE STATE OF NEW HAMPSHIRE

STRAFFORD COUNTY

To: Linda Reinhold, Collector of Taxes

TOWN OF LEE

, in said county:

In the name of said State you are hereby directed to collect on or before thirty (30) days from date of bill from the person(s) named herewith on the attached sheet and committed to you, the Gravel Taxes set \$22.48, with interest at eighteen (18%) percent per annum from the due date and on all sums not paid on or before that day.

Given under our hands and seal at TOWN OF LEE

(Selectmen/Assessors)

DATE:

JUNE 8,2015

ORIGINAL WARRANT

GRAVEL TAX LEVY - RSA 72-B
TAX YEAR APRIL 1, 2013-MARCH 31, 2014

DATE: JUNE 8, 2015

NAME & ADDRESS	MAP & LOT	OPERATION #	GRAVEL TAX DUE
WALTER CHENEY 0 56 EXETER ROAD NEWMARKET, NH 03857	003-004	14-255-05-E	\$22.48

DATE DUE:

TOTAL TAX DUE:

\$22.48

REPORT OF EXCAVATED MATERIAL

RSA 72-B:9

See instructions on back of form

OPERATION # 14-255-05 - E

For Tax Year : April 1, 2014 to March 31, 2015

Mailing Address:

WALTER CHENEY

56 EXETER ROAD
NEWMARKET

NH 03857-

RECEIVED
JUN 08 2015

TOWN OF LEE, NH
SELECTMAN'S OFFICE

1. Town/City of: LEE, NH

2. Tax Map/Lot # or Road Project Name or #:

M3 L4/0

3. Total permitted area under RSA 155-E (acres): 6.4

4. Excavation area as of April 1: 1

5. Reclaimed area as of April 1: 5.4

6. Remaining cubic yards of earth to excavate:
7000

8. EXEMPT EARTH

Excavated earth that was used on the parcel of land, or other parcel that is contiguous and in common ownership, in the construction, reclamation, reconstruction or alteration of such parcel of land during the tax year is exempt from the excavation tax. Excavation of earth from a parcel of land which does not exceed 1,000 cubic yards during the tax year is also exempt from the excavation tax but must be reported.

The amount of exempt earth should not be included in # 7.

EXEMPT EARTH TYPE	CUBIC YARDS EXCAVATED
<u>sand</u>	<u>1,000</u>

7. DESCRIPTION OF EARTH EXCAVATED DURING TAX YEAR:

EARTH TYPE	EXACT CUBIC YARDS EXCAVATED
GRAVEL	
SAND	<u>224</u>
LOAM	
STONE PRODUCTS	
OTHER:	
TOTAL	<u>224</u>

I / We hereby report the amount of earth excavated under penalty of perjury (If Corporation, an Officer must sign) :

Walter Cheney
PRINT OWNER(S) NAME OR CORPORATION CLEARLY

[Signature] 3/31/15
SIGNATURE (IN INK) OF OWNER(S) OR CORPORATE OFFICER & TITLE / DATE

PRINT OWNER(S) NAME CLEARLY

SIGNATURE (IN INK) OF OWNER(S) / DATE

56 Exeter Rd.
MAILING ADDRESS

Newmarket NH 03857
CITY / TOWN STATE ZIP CODE

603-817-773
PHONE # CELL #

PENALTY: Any person who fails to file a Report of Excavated Material (PA-39) with the proper municipal assessing officials or fails to send copies to the Department of Revenue Administration in accordance with RSA 72-B:9 shall be guilty of a misdemeanor.

DOOMAGE: If an owner neglects to file a Report of Excavated Material (PA-39) or willfully falsifies a report, the assessing officials shall assess doamage which is two (2) times what the tax would have been if the report had been properly filed. Refer to RSA 72-B:10 for the statute on doamage.



State of New Hampshire Department of Revenue Administration



109 Pleasant Street
PO Box 1313, Concord, NH 03302-1313
Telephone (603) 230-5000
www.revenue.nh.gov

John T. Beardmore
Commissioner

Kathryn E. Skouteris
Assistant Commissioner

TOWN OF LEE
OFFICE OF SELECTMEN
7 MAST ROAD
LEE NH 03824

6/3/2015

RECEIVED
JUN 08 2015
TOWN OF LEE, NH
SELECTMAN'S OFFICE

MUNICIPAL AND PROPERTY
DIVISION
Stephan W. Hamilton
Director
David M. Cornell
Assistant Director

Re: PA-28 Inventory of Taxable Property Form for 2016

Dear Assessing Official,

This is our annual request to municipalities to determine whether the municipality will be utilizing the Form PA-28, Taxpayer Inventory Blank in accordance with RSA 74:4 for 2016. If Yes, please check the "WILL" Box below and indicate the number of forms needed. If your municipality has elected Not to use the Inventory form, in accordance with RSA 74:4-a, please check the "WILL NOT" Box below.

Please return this entire form with the section below completed and **signed** no later than **August 10, 2015** to the Department of Revenue Administration, PO Box 1313, Concord NH 03302-1313 or e-mail to equalization@dra.nh.gov.

If you are electing to use the form, it is our suggestion that you indicate your municipalities telephone number on your return-mailing label, should the taxpayers need to contact your municipality.

Please feel free to contact Cindy Paige at (603) 230-5971 if you require additional information.

Sincerely,


Linda C. Kennedy
Manager

WILL NOT be using the PA-28 Form in 2016

Or

WILL be using the PA-28 Form in 2016

Number of PA-28 Forms Requested by the Municipality for 2016 # _____
(Our print order is based upon what is needed, so please be sure to order an adequate amount.)

Print Name of Contact Person

Date

Contact Telephone #

Signature of Assessing Official

Date

Signature of Assessing Official

Date

Signature of Assessing Official

Date

TDD Access: Relay NH 1-800-735-2964

Individuals who need auxiliary aids for effective communication in programs and services of the Department of Revenue Administration are invited to make their needs and preferences known to the Department.

TOWN OF LEE INVESTMENT POLICY

PURPOSE

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

AUTHORITY

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

POLICY STATEMENT

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

The specific investment policy objectives are stated below:

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

DEFINITIONS

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

TOWN OF LEE INVESTMENT POLICY

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

SCOPE

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

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

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

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

DELEGATION OF AUTHORITY:

The investment policy delegation of authority is stated below:

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

PRUDENCE AND ETHICAL STANDARDS:

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

TOWN OF LEE INVESTMENT POLICY

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

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

INVESTMENT ACTIVITIES

INTERNAL CONTROLS

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

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

INVESTMENT OBJECTIVES

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

TOWN OF LEE INVESTMENT POLICY

INVESTMENT INSTRUMENTS

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

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

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

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

TOWN OF LEE INVESTMENT POLICY

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

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

QUALIFIED INSTITUTIONS

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

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

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

SAFEKEEPING AND COLLATERALIZATION

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

TOWN OF LEE INVESTMENT POLICY

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

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

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

REPORTING

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

PERFORMANCE EVALUATION

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

RECONCILIATION

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

AMENDMENTS

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

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

**TOWN OF LEE
INVESTMENT POLICY**

Adopted By Select Board on _____

Carole Dennis, Chairwoman

Scott Bugbee

John R. LaCourse

Accepted by:

Benjamin Genes, Treasurer

TOWN OF LEE INVESTMENT POLICY

APPENDIX A

RSA 41:9 VII. The selectmen shall annually review and adopt an investment policy for the investment of public funds in conformance with applicable statutes and shall advise the treasurer of such policies.

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

IV. Whenever the town treasurer has in custody an excess of funds which are not immediately needed for the purpose of expenditure, the town treasurer shall invest the same in accordance with the investment policy adopted by the selectmen under RSA 41:9, VII. The treasurer may invest in the public deposit investment pool established pursuant to RSA 383:22, or in deposits, including money market accounts, or certificates of deposit, or repurchase agreements, and all other types of interest bearing accounts, of federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state, or in obligations fully guaranteed as to principal and interest by the United States government. The obligations may be held directly or in the form of securities of or other interests in any open-end or closed-end management-type investment company or investment trust registered under 15 U.S.C. section 80a-1 et seq., if the portfolio of the investment company or investment trust is limited to such obligations and repurchase agreements fully collateralized by such obligations.

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

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

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

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

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

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

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

TOWN OF LEE INVESTMENT POLICY

41:6 Surety Bond Required. – I. Town treasurers, trustees as provided in RSA 31:22 and 23, trustees as provided in RSA 53-B:8-a, I, library trustees including alternate library trustees, if any, town clerks, tax collectors and their deputies, agents authorized to collect the boat fee, and persons delegated treasury functions under RSA 41:29, VI shall be bonded by position under a blanket bond from a surety company authorized to do business in this state. The bond shall indemnify against losses through:

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

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

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

III. Premiums shall be paid by the town.

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

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

TOWN OF LEE INVESTMENT POLICY

APPENDIX B

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

Modifiers:

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

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

Modifiers:

- + or – show relative standing within the category

**TOWN OF LEE
INVESTMENT POLICY**

**APPENDIX C
Treasurer's Delegation Form**

I, _____ as Treasurer of the Town of Lee, New Hampshire and in accordance with my duties as Treasurer as granted under the laws of the State of New Hampshire do hereby delegate the below indicated duties to _____, who is a qualified and bonded individual. I, as Treasurer delegate to the above named individual the authority commencing on _____(date) to:
(the Treasurer should initial each delegation)

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

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

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

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

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

Delegate's Signature: _____

Treasurer's Signature: _____

Signature of the Select Board:

Signature: _____ Print Name: _____

Signature: _____ Print Name: _____

Signature: _____ Print Name: _____

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

6/15/15

RECEIVED
JUN 15 2015

Ronald Kennard
164 Stepping Stone Rd.
Lee, N.H. 03861-6611

TOWN OF LEE, NH
SELECTMAN'S OFFICE
Dear Mr. Cedarholm,

Does the Town
of Lee (or the state of New Hampshire)
have any regulations governing the use of
"wood burning stoves"? In recent
winters, someone in this area has been
heavily polluting the air during the
evening & night-time into the early hours of
day-light during the 6 coldest months.
I know that properly run stoves burning
properly dried fuel do not produce
foul smoke. My telephone number is
(603) 868-7560 if needed.

Sincerely,

Ronald Kennard



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

Early Acres Investments, LLC
250 Calef Highway
Lee, NH 03861

Sunny's of Lee, LLC
250 Calef Highway
Lee, NH 03861

Re: Sunny's Restaurant water system
PWS ID #1338030

**ADMINISTRATIVE ORDER
No. 15-014 WD**

June 17, 2015

A. INTRODUCTION

This Administrative Order is issued by the Department of Environmental Services, Water Division, to Early Acres Investments, LLC and Sunny's of Lee, LLC pursuant to RSA 485:58. This Administrative Order is effective upon issuance.

B. PARTIES

1. The Department of Environmental Services, Water Division ("DES"), is a duly-constituted administrative agency of the State of New Hampshire, having its principal office at 29 Hazen Drive in Concord, New Hampshire.
2. Early Acres Investments, LLC ("Early Acres") is a New Hampshire limited liability company having a mailing address of 250 Calef Highway, Lee, NH 03861. Scott Mills is a member of Early Acres.
3. Sunny's of Lee, LLC ("Sunny's") is a New Hampshire limited liability company having a mailing address of 250 Calef Highway, Lee, NH 03861. Scott Mills is a member of Sunny's.
4. Early Acres and Sunny's may be collectively referred to, at times, hereinafter as "the Responsible Parties."

C. STATEMENTS OF FACTS AND LAW

1. Pursuant to RSA 485, the Department of Environmental Services ("DES") regulates public water supplies. Pursuant to RSA 485:3, the Commissioner of DES has adopted NH CODE ADMIN. RULES Env-Dw 100 *et seq.* (the "Drinking Water Rules") to implement this program.
2. Env-Dw 103.61, and its predecessor rules, define *transient non-community water system* to mean "a non-community water system that serves at least 25 persons in a transitory setting such as a restaurant for more than 60 days each year."

DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3503 • Fax: (603) 271-2867 • TDD Access: Relay NH 1-800-735-2964

3. Early Acres owns real property located at 250 Calef Highway, in Lee, New Hampshire; more particularly identified on the Town of Lee Map 10 as Lot 5-200 (the "Property"). Early Acres purchased the Property on June 10, 2011. Sunny's leased the Property from Early Acres on June 10, 2011.
4. The Responsible Parties own/operate "Sunny's," a restaurant open year-round, on the Property that serves food and drink to more than 25 people daily. The restaurant is served by a public water system listed as the *Sunny's Restaurant water system* (the "Water System"). Scott Mills is the point of contact for issues related to the Water System.
5. The Water System is a transient, non-community water system as defined in Env-Dw 103.61.
6. Pursuant to Env-Dw 103.40, *Owner* means "the person who holds legal title to the real property, treatment facilities, distribution system, or other appurtenances, or any combination thereof, that comprise a public water system."
7. Pursuant to RSA 485:1-a, XVII, and Env-Dw 103.39, *Operator* means "the individual who has direct management responsibility for the routine supervision and operation of a public water system or of a water treatment plant or collection, treatment, storage, or distribution facility or structure that is part of a system."
8. Pursuant to RSA 485:1-a, XVI, Env-Dw 103.55, and its predecessor rule, *Supplier of water* means "any person who controls, owns or generally manages a public water system."
9. The Responsible Parties are owners and/or operators of the Water System. The Responsible Parties are suppliers of water.
10. On September 12, 2011, DES sent a letter to the Responsible Parties informing them that the Water System had been active on the New Hampshire Public Drinking Water Supply Inventory and was classified as a transient, non-community water system. DES enclosed a Master Sampling Schedule for the Water System with the letter.
11. Env-Dw 708.02(a) requires all public water system owners to conduct monitoring at the time designated by DES in accordance with the system's Master Sampling Schedule provided by DES.
12. Env-Dw 708.02(b) requires the owner of a public water system who fails to submit a sample during the assigned monitoring period to submit a make-up sample upon discovering the monitoring failure or upon notification by DES of the monitoring failure. Effective February 1, 2015, pursuant to Env-Dw 708.02(d), no make-up shall be required if the owner of a public water system fails to collect a total coliforms sample as required by Env-Dw 709.
13. Env-Dw 801.11 requires the owner of a non-community water system who fails to comply with a chemical or bacteria monitoring requirement to notify persons served by the system of the violation within 30 days of learning of the violation and to submit to DES proof of public notice within 10 days of performing such public notice.

CHEMICAL MONITORING

14. Env-Dw 711.01(b) requires the owner of a transient, non-community water system to conduct monitoring to determine compliance with the nitrate and nitrite maximum contaminant level.

15. Env-Dw 711.19(a) requires the owner of a transient, non-community water system served by groundwater to monitor annually for nitrate.

16. Pursuant to the Master Sampling Schedule for the Water System provided by DES, the owners of the Water System were required to conduct nitrate monitoring of the Water System during the fourth calendar quarter (“Q4”) of 2011.

17. The Responsible Parties failed to monitor the Water System for nitrate during Q4-2011; and as a result, DES issued a Notice of Violation (“NOV”) to Scott Mills on January 20, 2012. In the NOV, DES noted the chemical (nitrate) monitoring violation, requested that a make-up nitrate sample be submitted immediately, and explained the public notice requirement associated with the violation.

18. On January 31, 2012, the requested make-up nitrate sample for Q4-2011 was reportedly collected.

19. On February 9, 2012, DES issued a “Revised Chemical Monitoring Sampling Schedule” letter to Scott Mills. In the letter, DES instructed Mr. Mills to conduct nitrate monitoring of the Water System during Q3 of each year.

20. The Responsible Parties failed to submit proof of public notice to DES for the Q4-2011 chemical (nitrate) monitoring violation; and as a result, DES issued an NOV to Scott Mills on March 27, 2012.

21. On April 27, 2012, DES received proof of public notice for the Q4-2011 chemical (nitrate) monitoring violation.

22. Env-Dw 711.25(a) requires the owner of a public water system to monitor for nitrite once in each 3-year compliance period.

23. Pursuant to Env- Dw 701.04(a)(1), *compliance cycle* means the nine-year calendar year cycle during which public water systems must monitor. Each compliance cycle consists of 3 three-year compliance periods. The first calendar year cycle begins January 1, 1993 and ends December 31, 2001; the second begins January 1, 2002 and ends December 31, 2010; the third begins January 1, 2011 and ends December 31, 2019.

24. Pursuant to Env- Dw 701.04(a)(2), *compliance period* means a three-year calendar period within a compliance cycle. Each compliance cycle has 3 three-year compliance periods. Within the third compliance cycle, the first compliance period runs from January 1, 2011 to December 31, 2013; the second from January 1, 2014 to December 31, 2016, the third from January 1, 2017 to December 31, 2019.

25. During the compliance period from January 1, 2011 through December 31, 2013, The Water System was designated to conduct nitrite monitoring during Q3 of 2012.

26. The Responsible Parties failed to monitor the Water System for nitrate and nitrite during Q3-2012; and as a result, DES issued an NOV to Scott Mills on October 19, 2012. In the NOV, DES noted the chemical (nitrate and nitrite) monitoring violations, and requested that make-up nitrate and nitrite samples be submitted immediately.

27. On December 17, 2012, DES issued Letter of Deficiency (“LOD”) No. DWGB 12-199 via certified mail to Scott Mills. In LOD #DWGB 12-199, DES cited the Q3-2012 chemical (nitrate and nitrite) monitoring violations and requested that the nitrate and nitrite make-up samples be submitted to a state-accredited laboratory for chemical analysis by December 31, 2012.

28. On December 20, 2012, DES received the United States Postal Service return receipt confirming delivery of LOD #DWGB 12-199. The receipt was signed by Christine Hankin.

29. On January 15, 2013, the requested make-up nitrate and nitrite samples for Q3-2012 were reportedly collected.

30. On February 27, 2013, DES issued a Letter of Compliance for LOD #DWGB 12-199.

31. The Responsible Parties failed to monitor the Water System for nitrate during Q3-2013; and as a result, DES issued an NOV to Scott Mills on October 18, 2013. In the NOV, DES noted the chemical (nitrate) monitoring violation, and requested that a make-up nitrate sample be submitted immediately.

32. On October 25, 2013, the requested make-up nitrate sample for Q3-2013 was reportedly collected.

BACTERIA MONITORING

33. Env-Dw 709.08(a)(1), and its predecessor rule, require the owner of a transient, non-community water system serving 1,000 or fewer persons to collect one water sample for coliform bacteria analysis during each calendar quarter that the system provides water to the public.

34. Prior to February 1, 2015, Env-Dw 709.07(f), and its predecessor rule, allowed the owner of a non-community water system to submit a written request to DES to reduce the required monitoring frequency to no less than twice per calendar year.

35. Prior to February 1, 2015, Env-Dw 709.07(h), and its predecessor rule, authorized DES to reduce the frequency of bacteria monitoring, upon request, if the water system: had no presence of coliform contamination within the previous 12 months; had submitted all bacteria samples within the previous 12 months; was supplied solely by protected ground water and was free of sanitary defects; had a sanitary protective area that did not contain any structure, item, or activity that posed the risk of bacterial contamination; and had not continuously used a bacterial disinfection/inactivation treatment process in the previous 12 months.

36. Prior to February 1, 2015, Env-Dw 709.08(a)(2), required that a non-community water system monitoring for bacteria on a reduced frequency be returned to a standard monitoring frequency if the owner failed to submit two or more required routine bacteria samples within an 18-month period.
37. Pursuant to the Master Sampling Schedule for the Water System provided by DES in 2011, the Responsible Parties were required to conduct bacteria monitoring of the Water System during the months of January and July of each year.
38. Prior to February 1, 2015, Env-Dw 709.07(e) required the owner of a transient, non-community water system who failed to submit a routine bacteria sample during an assigned month to submit a make-up sample upon discovering the monitoring failure or upon notification by DES of the monitoring failure.
39. Prior to February 1, 2015, if a routine sample was positive for total coliform, fecal coliform, or E. coli, Env-Dw 709.10(a) required the system owner to collect a set of repeat samples within 24 hours after being notified by DES of the positive result.
40. Prior to February 1, 2015, if a system owner, collecting less than five routine samples per month, has one or more total coliform positive samples and DES does not invalidate the sample result(s), Env-Dw 709.11(a) required the system owner to collect at least five routine samples at sites that are representative throughout the distribution system, including all of the sampling sites listed in the sampling schedule, during the next month the system provides water to the public.
41. Env-Dw 717.11(b) requires the owner of the groundwater system, within 24 hours of notification of the total coliform positive sample, to collect at least one groundwater source sample from each groundwater source in use at the time of the total coliform positive sample was collected and have each sample analyzed for E. coli and total coliform.
42. Prior to February 1, 2015, Env-Dw 717.11(d) allowed the owner of a groundwater system serving 1,000 people or fewer, or those collecting one sample per monitoring period, to use a repeat sample from a groundwater source to meet both the repeat requirements of Env-Dw 709.10(a) and the requirements of Env-Dw 717.11.
43. The Responsible Parties failed to monitor the Water System for bacteria in July 2012; and as a result, DES issued an NOV to Scott Mills on August 14, 2012. In the NOV, DES noted the bacteria monitoring violation, requested that a make-up bacteria sample be submitted immediately, and explained the public notice requirement associated with the violation.
44. The Responsible Parties failed to submit proof of public notice to DES for the July 2012 bacteria monitoring violation; and as a result, DES issued an NOV to Scott Mills on October 1, 2012.
45. On November 30, 2012, DES issued LOD No. DWGB 12-189 via certified mail to Scott Mills. In LOD #DWGB 12-189, DES cited the July 2012 bacteria monitoring violation and the failure to submit proof of public notice to DES for the July 2012 monitoring violation. In LOD #DWGB 12-189, DES requested that proof of public notice for the July 2012 bacteria monitoring violation be provided to DES by December 13, 2012.

46. On December 7, 2012, DES received the United States Postal Service return receipt confirming delivery of LOD #DWGB 12-189. The receipt was signed by Tracy Mills.
47. On January 7, 2013, DES sent a letter to Scott Mills. In the letter, DES notified Mr. Mills that because he failed to submit two or more required routine bacteria samples within an 18-month period, the Master Sampling Schedule for the Water System was being adjusted to require quarterly sampling for bacteria. The Responsible Parties were subsequently required to sample the Water System for bacteria during January, April, July, and October.
48. On January 9, 2013, DES issued a *notice of failure to comply* with LOD #DWGB 12-189 via certified mail to Scott Mills. In the notice, DES stated it had no record of a response to the requested action outlined in LOD #DWGB 12-189.
49. On January 14, 2013, DES received the United States Postal Service return receipt confirming delivery of the notice of failure to comply. The receipt was signed by Tracy Mills.
50. On January 31, 2013, DES received proof of public notice for the July 2012 bacteria monitoring violation.
51. On February 6, 2013, DES issued a Letter of Compliance for LOD #DWGB 12-189.
52. On February 26, 2013, the requested make-up bacteria sample for July 2012 was reportedly collected.
53. The Responsible Parties failed to monitor the Water System for bacteria in April 2013; and as a result, DES issued an NOV to Scott Mills on May 9, 2013. In the NOV, DES noted the bacteria monitoring violation, requested that a make-up bacteria sample be submitted immediately, and explained the public notice requirement associated with the violation.
54. The Responsible Parties failed to submit proof of public notice to DES for the April 2013 bacteria monitoring violation; and as a result, DES issued an NOV to Scott Mills on June 20, 2013.
55. On July 31, 2013, DES issued LOD No. DWGB 13-100 via certified mail to Scott Mills. In LOD #DWGB 13-100, DES cited the April 2013 bacteria monitoring violation and the failure to submit proof of public notice for the April 2013 monitoring violation. In LOD #DWGB 13-100, DES requested that the April 2013 bacteria make-up sample be submitted to a state-accredited laboratory for bacteriological analysis by August 7, 2013, and that proof of public notice for the April 2013 bacteria monitoring violation be provided to DES by August 14, 2013.
56. On August 2, 2013, DES received the United States Postal Service return receipt confirming delivery of LOD #DWGB 13-100. The receipt was signed by Tracy Mills.
57. The Responsible Parties failed to monitor the Water System for bacteria in July 2013; and as a result, DES issued an NOV to Scott Mills on August 15, 2013. In the NOV, DES noted the bacteria monitoring violation, requested that a make-up bacteria sample be submitted immediately, and explained the public notice requirement associated with the violation.

58. On September 5, 2013, DES issued a *notice of failure to comply* with LOD #DWGB 13-100 via certified mail to Scott Mills. In the notice, DES stated it had no record of a response to the requested actions outlined in LOD #DWGB 13-100.
59. The Responsible Parties failed to submit proof of public notice to DES for the July 2013 bacteria monitoring violation; and as a result, DES issued an NOV to Scott Mills on September 27, 2013.
60. On October 4, 2013, the notice of failure to comply was returned to DES marked by the United States Postal Service as “Unclaimed.”
61. On October 4, 2013, DES resent the notice of failure to comply with LOD #DWGB 13-100 by First Class Mail to Scott Mills. The document was not returned to DES.
62. On October 25, 2013, the requested make-up bacteria samples for April 2013 and July 2013 were reportedly collected.
63. On October 25, 2013, DES received proof of public notice for the April 2013 and July 2013 bacteria monitoring violations.
64. On December 27, 2013, DES issued a Letter of Compliance for LOD #DWGB 13-100.
65. The Responsible Parties failed to monitor the Water System for bacteria in January 2014; and as a result, DES issued an NOV to Scott Mills on February 10, 2014. In the NOV, DES noted the bacteria monitoring violation, requested that a make-up bacteria sample be submitted immediately, and explained the public notice requirement associated with the violation.
66. On March 6, 2014, the requested make-up bacteria sample for January 2014 was reportedly collected.
67. The Responsible Parties failed to submit proof of public notice to DES for the January 2014 bacteria monitoring violation; and as a result, DES issued an NOV to Scott Mills on March 28, 2014.
68. On April 8, 2014, DES received proof of public notice for the January 2014 bacteria monitoring violation.
69. The Responsible Parties monitored for bacteria during the required July 2014 sampling period. The results showed the presence of total coliform.
70. On July 31, 2014, DES issued a *notice of immediate actions required* to Scott Mills for the July 2014 bacteria monitoring sample. In the notice, DES noted that the monitoring sample tested positive for total coliform, explained the requirement for submitting four repeat samples and a groundwater source sample within 24 hours of receiving the notice, and instructed Mr. Mills to submit five additional routine samples in August 2014.
71. On August 22, 2014, the requested repeat bacteria samples and groundwater source sample for July 2014 were reportedly collected.

72. The Responsible Parties failed to monitor the Water System for bacteria in August 2014, by failing to submit the five routine samples requested; and as a result, DES issued an NOV to Scott Mills on September 11, 2014. In the NOV, DES noted the bacteria monitoring violation, requested that make-up bacteria samples be submitted immediately, and explained the public notice requirement associated with the violation.
73. The Responsible Parties failed to monitor the Water System for bacteria in July 2014, by failing to submit the four repeat samples and the groundwater source sample requested within 24 hours of receiving the notice; and as a result, DES issued an NOV of the Total Coliform Rule (“TCR”) and the Groundwater Rule (“GWR”) to Scott Mills on September 16, 2014. In the NOV, DES noted the bacteria monitoring violations, acknowledged receipt of the repeat make-up bacteria samples, and explained the public notice requirement associated with the violations.
74. The Responsible Parties failed to submit proof of public notice to DES for the August 2014 bacteria monitoring violation; and as a result, DES issued an NOV to Scott Mills on October 24, 2014.
75. The Responsible Parties failed to submit proof of public notice to DES for the July 2014 TCR and GWR bacteria monitoring violations; and as a result, DES issued an NOV to Scott Mills on October 31, 2014.
76. The Responsible Parties failed to monitor the Water System for bacteria in October 2014; and as a result, DES issued an NOV to Scott Mills on November 14, 2014. In the NOV, DES noted the bacteria monitoring violation, requested that a make-up bacteria sample be submitted immediately, and explained the public notice requirement associated with the violation.
77. On December 15, 2014, DES issued LOD No. DWGB 14-110 via certified mail to Scott Mills. In LOD #DWGB 14-110, DES cited the July 2014 TCR and GWR violations, August 2014, and October 2014 bacteria monitoring violations and the failure to submit proof of public notice for the July 2014 TCR and GWR and August 2014 monitoring violations. In LOD #DWGB 14-110, DES requested that the August 2014 and October 2014 bacteria make-up samples be submitted to a state-accredited laboratory for analysis by December 22, 2014, and that proof of public notice for the July 2014 TCR and GWR violations and August 2014, and October 2014 bacteria monitoring violations be provided to DES by January 1, 2015.
78. On December 19, 2014, DES received the United States Postal Service return receipt confirming delivery of LOD #DWGB 14-110. The receipt was signed by Tracy Mills.
79. The Responsible Parties failed to submit proof of public notice to DES for the October 2014 bacteria monitoring violation; and as a result, DES issued an NOV to Scott Mills on December 29, 2014.
80. On January 20, 2015, the requested make-up bacteria samples for August 2014 and October 2014 were reportedly collected.
81. The Responsible Parties failed to monitor the Water System for bacteria in January 2015; and as a result, DES issued an NOV to Scott Mills on February 11, 2015. In the NOV, DES noted the

bacteria monitoring violation, requested that a make-up bacteria sample be submitted immediately, and explained the public notice requirement associated with the violation.

82. Pursuant to Env-Dw 709.01(a) and Env-Dw 709.01(b), the Env-Dw 709 rules shall apply to all public water systems, including transient, non-community water systems. The owner of the system shall monitor according to the sampling schedule in effect on January 1, 2015 unless any of the conditions specified in Env-Dw 709 that trigger additional sampling requirements are met.

83. Env-Dw 709.09(a)(1)(a) requires the owner of a system monitoring bacteria at a frequency under Env-Dw 709.01(b) shall return to the standard bacteria monitoring frequency if the system has a bacteria monitoring violation.

84. Env-Dw 709.10(a)(4) requires the owner of a transient, non-community water system serving 1,000 persons or fewer that is monitoring for total coliforms less frequently than monthly shall begin monthly bacteria monitoring if the system has two bacteria monitoring violations in a rolling 12-month period.

85. Env-Dw 709.15(a), states that if a routine sample is positive for total coliforms the PWS owner shall collect a set of not less than three repeat samples for each routine sample that was positive for total coliforms within 24 hours after being notified of the positive result.

86. Env-Dw 709.17(a) states that if a system owner who is required to collect samples on a quarterly or semi-annual schedule has one or more total coliform-positive samples and the department does not invalidate the sample result(s), the owner shall collect at least three additional total coliform routine samples at sites that are representative of water throughout the distribution system, including all of the sample site(s) listed in the sampling schedule, during the next month the system provides water to the public.

87. On February 25, 2015, DES issued a *notice of failure to comply* with LOD #DWGB 14-110 via certified mail to Scott Mills. In the notice, DES stated that it had no record of a response to the proof of public notice for the July 2014 TCR and GWR, August 2014, and October 2014 bacteria monitoring violations requested in LOD #DWGB 14-110.

88. On March 3, 2015, DES received the United States Postal Service return receipt confirming delivery of the notice of failure to comply with LOD #DWGB 14-110. The receipt was signed by Christine Hankin.

89. The Responsible Parties failed to submit proof of public notice to DES for the January 2015 bacteria monitoring violation; and as a result, DES issued an NOV to Scott Mills on March 26, 2015.

90. The Responsible Parties failed to monitor the Water System for bacteria in April 2015; and as a result, DES issued an NOV to Scott Mills on May 13, 2015. In the NOV, DES noted the bacteria monitoring violation, explained the public notice requirement associated with the violation, and requested that a sample be collected during the next scheduled monitoring period. In the NOV, DES noted that the bacteria monitoring violation would be closed once DES received results of the next routine bacteria sample.

91. To date, the Responsible Parties have failed to submit proof of public notice to DES for the July 2014 TCR and GWR, August 2014, October 2014, January 2015, and April 2015 bacteria monitoring violations.

D. DETERMINATION OF VIOLATIONS

1. The Responsible Parties violated Env-Dw 708.02 and Env-Dw 711.19(a) by failing to submit a water sample from the Water System for nitrate analysis in Q4-2011, Q3-2012, and Q3-2013.
2. The Responsible Parties violated Env-Dw 708.02 and Env-Dw 711.25(a) by failing to submit a water sample from the Water System for nitrite analysis in Q3-2012.
3. The Responsible Parties violated Env-Dw 708.02 and Env-Dw 709.07(a)(1), and its successor rule Env-Dw 709.08(a)(1), by failing to submit water samples from the Water System for bacteria analysis in July 2012; April and July 2013; January, and October 2014; and January and April 2015.
4. The Responsible Parties violated Env-Dw 709.10(a) by failing to submit repeat water samples from the Water System for bacteria analysis within 24 hours of receiving notice from DES on July 31, 2014.
5. The Responsible Parties violated Env-Dw 717.11(b) by failing to submit at least one groundwater source sample from each groundwater source in use at the time of the total coliform positive sample within 24 hours of receiving notice from DES on July 31, 2014 for analysis for E. coli and total coliform.
6. The Responsible Parties violated Env-Dw 709.11(a) by failing to submit all five routine water samples from the Water System for bacteria analysis in August 2014.
7. The Responsible Parties violated Env-Dw 801.11 by failing to submit proof of public notice to DES for the Q4-2011 nitrate chemical monitoring violation within 40 days of receiving notice of each violation from DES.
8. The Responsible Parties violated Env-Dw 801.11 by failing to submit proof of public notice to DES for the July 2012; April and July 2013; January, July (TCR), July (GWR), August, and October 2014; and January 2015 bacteria monitoring violations within 40 days of receiving notice of each violation from DES.

E. ORDER

Based on the above findings and determinations, DES hereby orders the Responsible Parties as follows:

1. **Within 14 days of the date of this Order**, the Responsible Parties shall carry out the public notice requirements and provide proof of public notice to DES for the July 2014 TCR, July 2014 GWR, August 2014, October 2014, and January 2015 bacteria monitoring violations in accordance with the instructions on the public notice template and Env-Dw 801.

2. **By June 22, 2015**, the Responsible Parties shall carry out the public notice requirements and provide proof of public notice to DES for the April 2015 bacteria monitoring violation in accordance with the instructions on the public notice template and Env-Dw 801.
3. **Between June 1, 2015 and May 31, 2017**, the Responsible Parties shall submit to a state-accredited laboratory the drinking water samples identified on the Master Sampling Schedule for the Water System as due during the indicated months or calendar quarters. The Master Sampling Schedule, a copy of which is attached hereto, is hereby incorporated by reference into this Order, and is made enforceable hereunder, along with all properly noticed subsequent changes.
4. **Between June 1, 2015 and May 31, 2017**, the Responsible Parties shall timely comply with Env-Dw 801.11 by notifying persons served by the Water System of any monitoring violation within 30 days of learning of the violation; and, by submitting to DES proof of public notice within 10 days of performing such public notice.
5. The Responsible Parties shall send **all** correspondence, data, reports, and other submissions made in connection with this Administrative Order, **other than appeals**, to DES as follows:

Eric Sköglund, Enforcement Specialist
DES Water Division, Drinking Water and Groundwater Bureau
P.O. Box 95
Concord, NH 03302-0095
Fax: (603) 271-3490
e-mail: *Eric.Skoglund@des.nh.gov*

F. APPEAL


Any person aggrieved by this Order may appeal the Order to the N.H. Water Council (“Council”) by filing an appeal that meets the requirements specified in RSA 21-O:14 and the rules adopted by the Council, Env-WC 100-200. The appeal must be filed **directly with the Council within 30 days** of the date of this decision and must set forth fully **every ground** upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the Council.

Information about the Council, including a link to the Council’s rules, is available at <http://nhec.nh.gov/> (or more directly at <http://nhec.nh.gov/water/index.htm>). Copies of the rules also are available from the DES Public Information Center at (603) 271-2975.

G. OTHER PROVISIONS

Please note that RSA 485:58 provides for administrative fines, civil penalties, and criminal penalties for the violations noted in this Order, as well as for failing to comply with the Order itself. [*Respondent*] remains obligated to comply with all applicable requirements, in particular RSA 485 and the Drinking Water Rules. DES will continue to monitor compliance with applicable requirements and will take appropriate action if additional violations are discovered.

This Order is being recorded in the Strafford County Registry of Deeds so as to run with the land.


Thomas S. Burack, Commissioner
Department of Environmental Services

- encl: Master Sampling Schedule (attached hereto and made a part hereof, along with all properly noticed subsequent changes)
- cc w/encl: Scott Mills, 79 Lee Hook Road, Lee, NH 03861
Atty Michael Bolduc, *registered agent*, 561 Central Ave., Dover, NH 03820
(*duplicate original*)
- cc w/o encl: DES Legal Unit
- ec w/o encl: Public Information Officer, DES PIP Office
K. Allen Brooks, Chief, AGO-Environmental Protection Bureau
Lee Select Board & Health Officer
Eric Sköglund, DES Water Division, Drinking Water and Groundwater Bureau
DHHS Food Protection Section
USEPA, Region 1