

SELECT BOARD MEETING AGENDA

DATE: Monday, December 21, 2015 at 6:00 pm

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. 250th Celebration Committee, Janet Allen – Update
 - a. Respectfully request that the Select Board take part in the opening ceremony on January 16th; more specifically, request that one Board Member read the Town Proclamation. Present the Board with the "Passport to Lee" program.
 - b. Request permission to expend \$800 for mailing a notice of the upcoming Proclamation Ceremony and other scheduled events in 2016.
 - c. Request permission to expend \$700 for the design and production of 250th souvenir coins for sale.
4. Advisory Budget Committee, Alice MacKinnon, Chair – ABC FY17 Budget Presentation
Present the ABC FY17 Budget recommendation.
5. Julie Glover, Town Administrator Report
 - a. Town Center Committee – Discuss Report Presentation Date
 - b. Deliberative Session - *Save the Date* Mailer
 - c. Miscellaneous
6. Motion to accept the Consent Agenda as presented:

SIGNATURES REQUIRED

Notice of Intent to Cut
LRAC Application

INFORMATION ONLY

VRC Motion
Air Quality Complaint to DES re: Outdoor Wood Boiler
SAC Letter of Appreciation

Individual items may be removed by any Select Board member for separate discussion and vote.

7. Motion to accept the Select Board Public and Non Public Meeting Minutes from December 7, 2015.
8. Motion to accept Manifest #12 and Weeks Payroll Ending December 20, 2015.
9. Motion to accept the Select Board & ABC Budget Workshop Minutes from November 3rd, 17th and December 1st.
10. Miscellaneous/Unfinished Business
11. Adjournment

Posted: Town Hall, Public Safety Complex, Public Library and on leenh.org on December 18, 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.

Whereas the early settlers, manifesting their independent spirit, petitioned the Colonial Government of New Hampshire for recognition as an entity unto itself, and separate from Durham, and

Whereas in 1766 the Honorable Governor Wentworth agreed, and accordingly proclaimed to all that this entity would forever be called LEE, and

Whereas those settlers wisely gathered the riches of the forest and waterways, cultivated the land, and raised generations of family to do the same, and

Whereas these founding families welcomed people from all nations and walks of life into their town to share the warmth and wealth of their community, and

Whereas the Honorable Governor Margaret Wood Hassan has proclaimed 2016 the Semiquincentennial Anniversary of the Town of Lee,

Now, therefore, we the Select Board of the Town of Lee, do hereby proclaim that the year-long *Lee Semiquincentennial Celebration* shall commence from this place and from this moment forward until the Lee Semiquincentennial Bell rings at midnight on January 15th, 2017.



December 17, 2015

Town Of Lee
Select Board
7 Mast Road
Lee, NH 03861

Members of the Select Board,

The Town of Lee 250th Celebration Committee requests permission to expend the following monies in support of the 250th activities:

Up to \$800.00 for the preparation, printing, and mailing of a mail piece to all Lee residents concerning the upcoming proclamation ceremony and the 2016 scheduled events for the 250th celebration.

Up to \$700.00 for the design and production of 250th celebration coins for sales as souvenirs.

We will continue to request permission for upcoming expenditures as they come up.

Respectfully,

The 250th Celebration Committee

SAVE THE DATE!



TOWN OF LEE

DELIBERATIVE SESSION



9:00 a.m. Saturday, January 30, 2016

(Snow date February 6th)

Mast Way Elementary School
23 Mast Road, Lee NH

The Deliberative Session consists of explanation, discussion, and debate on each article contained in the Town Warrant. Voters at the Deliberative Session can amend warrant articles, subject to certain limitations. The entire Warrant will be available for voters to review on the Town website: www.leenh.org on or before January 25th.

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

YR TOWN OP# T (Assigned by Municipality)

For Tax Year April 1, 2015 to March 31, 2016

PLEASE TYPE OR PRINT (If filling in form on-line; use TAB Key to move through fields)

- 1. City/Town of Lee
2. Tax Map No./Lot or USFS sale name & unit #: 26 8 0 13
3. Intent Type: Original Supplemental
4. Name of road from which accessible: N. River Rd
5. a. Acreage of Lot: 15 Acreage of cut: 10
b. Anticipated start date: December
6. Type of ownership (check only one):
a. Owner of Land and Stumpage (Joint Tenants)
b. Owner of Land and Stumpage (Tenants in Common)
c. Previous owner retaining deeded timber rights
d. Owner/Purchaser of stumpage & timber rights on public lands

8. Description of Wood or Timber To Be Cut

Table with columns: Species, Estimated Amount To Be Cut, Pulpwood, Tons, Cords. Includes entries for White Pine, Hemlock, Red Pine, Spruce & Fir, Hard Maple, White Birch, Yellow Birch, Oak, Ash, Beech & Soft Maple, Pallet or Tie Logs, Other (Specify), Spruce & Fir, Hardwood & Aspen, Pine, Hemlock, Whole Tree Chips, Miscellaneous, High Grade Spruce/Fir, Cordwood & Fuelwood.

REPORT OF CUT FORM / CERTIFICATE TO BE SENT TO:
OWNER OR BY MAIL OR
LOGGER/FORESTER E-MAIL

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

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

SIGNATURE OF OWNER(S) OR CORPORATE OFFICER DATE 11/30/15

SIGNATURE OF OWNER(S) OR CORPORATE OFFICER DATE 11/30/15

PRINT CORPORATE OFFICER NAME AND TITLE DATE

PRINT OWNER(S) NAME

Richard and Bette Babcock

MAILING ADDRESS 225 N. River Rd, Lee NH 03861

PHONE 603-659-9397 E-MAIL tubadict@comcast.net

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

Table with columns: Species, Amount.

10. By signing below, the Logger/Forester or person responsible for cutting hereby accepts responsibility for verifying the volumes of wood and timber to be reported by the owner.

Signature of person responsible for cutting: Howard Woodward, 11/30/15

PRINT NAME Woodward Timber Inc

MAILING ADDRESS 62 Stage Rd.

CITY/TOWN Nottingham NH STATE ZIPCODE 03290

PHONE 679-5029 E-MAIL

FOR ASSESSING OFFICIALS ONLY

- The Selectmen/Assessing Officials hereby certify that:
1. All owners of record have signed the intent;
2. The land is not under the Current Use Unproductive category;
3. The form is complete and accurate; and
4. Any timber tax bond required has been received;
5. The tax collector will be notified within 30 days or receipt pursuant to RSA 79:10;
6. This form to be forwarded to DRA within 30 days.

Signature (in ink) of Assessing Official Date Signature (in ink) of Assessing Official Date Signature (in ink) of Assessing Official Date



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: MICHAEL MENGERS

Address: 24 OWL LANE Phone/Cell: (603) 964-8973

of Years as a Resident: 2

Email address: MICHAELWMENGERS@YAHOO.COM

Full Membership (3 year term) position applying for: LAMPREY RIVER ADVISORY 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 HAVE EXTENSIVE EXPERIENCE IN RECREATION IN RELATION TO WILDLIFE MANAGEMENT AS I AM AN ADJUNCT PROFESSOR IN THE UNH RECREATION MANAGEMENT + POLICY DEPARTMENT, AND PREVIOUSLY AS THE DURHAM PARKS + RECREATION DIRECTOR. I ALSO LIVE ON THE LAMPREY RIVER AND AM AN AYO USER.

[Signature]
Signature

11/27/15
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.

December 15, 2015
Strafford, DD

State of New Hampshire

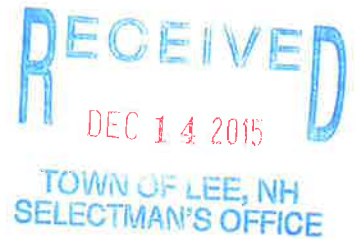
Town of Lee NH (TOL)

V

Veteran Resort-Chapel (VRC)

101 Stepping Stone Rd Lee NH 03861
603-781-3839

Superior Court



Case No: 219-2014-CV-00220

Motion to expose Strafford County Court Judges Wrongs
Letter to Judicial Conduct Committee

Judicial Misconduct occurs when a judge acts in ways that are considered unethical or otherwise violate the judges' obligations of impartial conduct.

Now Comes the VRC a (church, religious assembly, a religious faith based on God and Country USA) and so states the harm inflicted by the judicial misconduct of the Strafford County Superior Court (SCSC) to delay ruling in the VRC favor completely when the facts clearly and irrefutable document Constitutional crimes by the Town of Lee NH and the Judges that so presided on this case. The VRC is a "Chapel, church, non-profit, religious assembly) (protected by the Constitution) recognized by the United States of America as a 501-c-3 church, non-profit and the State of New Hampshire as the same. To knowingly allow judges using the power of Strafford County Superior court to discriminate against the VRC and our religious beliefs cannot be tolerated. The TOL and the SCSC have placed a Substantial Burdens, religious beliefs without showing a compelling government interest or that it is the least restrictive means even though the VRC has asked many times. To have judges make rulings in support of the TOL criminal violations of the Constitution in complete disregard for the Law and Constitution cannot be tolerated and constitutes Malice. As follows:

1. That the TOL fails to recognize the VRC as a church until we pass their "Site Review committee. The NH superior court in ST. Benedicts center V. Town of Richmond so ruled it is discrimination to do so. This court and the TOL by ignoring the law have placed serious hardship and harm on the VRC and our followers. This act under RLUIPA constitutes a crime with malice.
2. That by the TOL with the support and aid of the SCSC did knowingly discriminate by court order to have homeless U.S. Military Veterans, church members evicted from church property to other property in the same town and zone as the VRC to live in less desirable conditions (health and safety conditions) as what appears to be a means of intimidation and demonstration of court and town power to control a mentally and physically disabled person asking for fair and equal treatment under the law. Presbyterian Church V. NY Case NO. 02-0773, RLUIPA. To have the SCSC

1 of 3

judges and the TOL aware that the same homeless veterans were allowed to stay at property about 1 mile away in the TOL and Zoned the same as the VRC property without objection is discrimination and Malice.

3. That the TOL did by court order have a portable toilet (rented that all other residents of including the TOL have on their property free and with out any town regulation to stop them) removed from VRC property to inflict harm on our church members by making these members use a 5 gallon bucket lined with a plastic bag and when finished take the content to the Lee Dump. Discrimination by this SCSC and the TOL to single the VRC church members out from all other residents of Lee to make our religious assembly at the chapel a harmful and /or unappealing event to what appears to be to discourage our member from attending our chapel cannot be tolerated. This is a crime under U.S. Constitution and NH constitution with Malice.

4. That the TOL with the aid of the SCSC did order the VRC to remove from church property a camper trailer used daily for church missions. All other residents of Lee NH can have trailers on their property constituting discrimination. The same trailer under the suggestion of the TOL moved said camper to property in the same Zone and TOL to be used for church missions, placing harm on our church members. For the SCSC judges to knowing that the same trailer was moved in the same town and zone for church business constitutes discrimination with Malice.

5. That the TOL had personal property that told church members where to go removed from church property to inflict harm on our church members. A piece of 4'x4' scrape plywood with the church name printed on it leaning against a flag-pole letters facing away from the road is freedom of speech protected by our constitution but further not regulated by zoning. To have that same scrape plywood when moved to the back of church property by town order 455' from the road sited as a zoning violation and the court to take this as a violation of the SCSC order to remove the plywood constitutes a crime against our constitution with malice. To have the SCSC then take as a violation of the court order that same scrape plywood now framed as a picture with the word chapel removed and a for sale sign attached to it and brought to court constitutes a violation of our constitution by the SCSC with malice. NH and U.S. Constitution Freedom of Speech

6. That the SCSC and the TOL were and are aware that the VRC did try over 100 times to get a law firm to represent us but none have the time or money to do so. The TOL and SCSC were clearly informed of my 100% mental and physical disabilities (received defending and protecting the United States of America during times of combat) in what appears to be to use these disabilities to make rulings in complete criminal violations of our laws and Constitutions to stop the VRC cannot be tolerated. ADA

Where Fore: That the facts in this case cannot be disputed and are clear and convincing of the wrongs committed by the TOL and the SCSC we the VRC and our church members the disabled and homeless U.S. Military Combat Veterans so hope

and pray that this Judicial Conduct committee and the NH Supreme Court so recognize that the government including but not limited to the NH Judicial Branch of Government must place the will of the people and never diminish the guaranteed (by our supreme law Constitution) rights of each and every individual at anytime as has been done in this case with Malice. WE are asking for prompt and swift action to stop the wrongs as so clearly stated with unquestionable facts to allow our church to exist and practice with our mission from God to help Homeless U.S. Military Combat Veterans with out further delay. To have the NH Supreme Court or the Judicial conduct committee to allow these wrongs to continue one day longer places harm on our belief in God and Country.

I Peter Macdonald sign this letter Hoping and Praying that the will of the United States of America as President George Washington so expressed in the 17 hundreds that how we treat returning combat veterans will effect how many of our future children will protect and defend this great nation in future wars, to the RSA 165:5 of the 17 hundreds and so ratified again in 2012 by the NH legislature be followed in the speediest of manners.

Thank You

12 15 2015

Peter Macdonald

*submitted To Tol, SCSC of this
15 Today of December 2015*



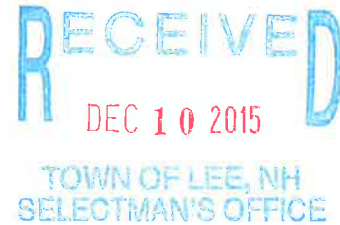
The State of New Hampshire
Department of Environmental Services

Thomas S. Burack, Commissioner



December 7, 2015

Angela Wheeler
A & A Wheeler
300 Calef Hwy
Lee, NH 03824



RE: Air Quality Complaint Regarding Outdoor Wood Boiler

Dear Ms. Wheeler

On November 25, 2015, the New Hampshire Department of Environmental Services, Air Resources Division (“DES”) received a complaint regarding operation of an outdoor wood-fired hydronic heater (“OWHH”) located at 300 Calef Hwy, in Lee, NH (the “Property”). DES believes that you are the owner of the property and the responsible party in this matter.

RSA 125-R, effective August 10, 2008, establishes certain unit setback and stack-height requirements, and permitted fuels for OWHHs, and provides DES with the authority to enforce certain provisions of the law. RSA 125-R:3, *Setback and Stack Height Requirements*, provides that no person shall install a non-Phase I or II OWHH, unless it is located at least 200 feet from the nearest abutting residence and has a permanent attached stack that is at least 2 feet higher than the peak of the roof of a residence or place of business not served by the OWHH if that residence or place of business is located within 300 feet of the OWHH. RSA 125-R:4, *Permitted Fuels*, allow only clean wood and propane to be burned within this type of OWHH.

On December 3, 2015, DES visited the Property and spoke with your employees. During our inspection, DES determined that the stack height was approximately 16-feet above-ground surface. The peak of the roof of A&A Wheeler’s main manufacturing building, which is within 300 feet of the Property, appears to be 22 feet from ground level. Therefore, the stack does not meet the minimum stack height as stated in the law. In addition, DES observed small amounts of plywood among the scraps stored in the woodshed adjacent to the OWHH at the Property. Plywood is a treated wood product and therefore cannot be used as a fuel for your OWHH.

As a result, DES has determined that the OWHH does not meet the installation requirements of RSA 125-R:3 and the permitted fuels requirement of RSA 125-R:4. If you continue to use the OWHH, only use fuels permitted under RSA 125-R:4. In addition, the stack height should be corrected so that the OWHH complies with RSA 125-R:3 within 30 days of this letter. This matter will be referred to the Enforcement Section of DES for further review if DES determines that unpermitted fuels continue to be used in the OWHH or if the stack height of the OWHH is not corrected.

A copy of RSA 125-R is enclosed for your records. Please contact me at (603) 271-0907 or Mark Ledgard at (603) 271-5629 with any questions. Thank you for your attention to this matter.

Sincerely,



Thomas Guertin
Sr. Compliance Assessment Bureau Administrator
N.H. Department of Environmental Services
Air Resources Division

Encl: RSA 125-R

cc: Board of Selectmen, Town of Lee, 7 Mast Rd., Lee, NH 03861

November 9, 2015

Larry Kindberg
Recreation Commission
7 Mast Rd
Lee NH 03861

Dear Larry,

The Lee Senior Advisory Committee (SAC) is writing to thank you and the Recreation Commission for your walking track building work at Little River Park.

Please convey our sincere thanks to everyone who pitched in to help with this project. The walking track, as well as the many trails, is a real asset to Lee residents and to all who visit Little River Park.

Thank you, also, for meeting with our committee and for listening to our suggestions about making the park more suitable for seniors. Specifically, we are thrilled that you were able to enhance the track with a surface to accommodate those seniors and others who need a more smooth terrain for walking.

The work you have done at Little River Park will provide visitors with many hours of enjoyment for years to come. We look forward to working with you to promote the track and encourage Lee residents to make walking at the Park an enjoyable and meaningful part of their lives.

Sincerely,

Nancy Ryan
on behalf of the Lee SAC

Marian Kelsey, SAC Member
Penelope Stetson, SAC Member
Patricia Jenkins, SAC Alternate
Nancy Ryan, SAC Alternate

✓ cc: Lee Select Board